



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3116

DATE FILMED 11/9/90 CAMERA NO. 4

CAMERAMAN AS

000040001375

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 15 June 1990

ANALYST: Andrew Dodson

I. COMMITTEE: Democratic Party of Oklahoma
(C00190934)
Maxine F. McFalls, Treasurer
(March 17, 1989-Present)
Nance L. Diamond, Treasurer
(March 31, 1987-March 16, 1989)
116 East Sheridan, Suite G100
Oklahoma City, OK 73104

II. RELEVANT STATUTE: 2 U.S.C. §434(a)(4)(A)(i)
11 CFR §104.5(c)(1)(i)(A)

III. BACKGROUND:

Failure to File the 1990 April Quarterly Report

The Democratic Party of Oklahoma ("the Committee") has failed to file the 1990 April Quarterly Report of Receipts and Disbursements covering the period from January 1, 1990 to March 31, 1990. The Committee was notified on March 22, 1990 that the report was due on April 15, 1990 (Attachment 2). A Non-Filer Notice was sent to the Committee on May 8, 1990 (Attachment 3).

On June 1, 1990, the Reports Analysis Division ("RAD") analyst called the Committee and spoke to Ms. Sleuharty. The RAD analyst informed Ms. Sleuharty, an administrative assistant, that the Committee had failed to file a 1990 April Quarterly Report. Ms. Sleuharty stated that she would inform the Committee treasurer and file the report as soon as possible (Attachment 4).

On June 8, 1990, the Commission received the Committee's 1990 April Quarterly Report (Attachment 5).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

FEDERAL ELECTION COMMISSION
1989-1990

DATE 12/28/90

COMMITTEE INDEX OF DISCLOSURE DOCUMENTS (1)

PAGE 1

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
DEMOCRATIC PARTY OF OKLAHOMA						
CONNECTED ORGANIZATION: OKLAHOMA DEMOCRATIC PARTY						
	1989 STATEMENT OF ORGANIZATION - AMENDMENT			24NOV89	1	89FEC/616/0286
	MID-YEAR REPORT	23,957	24,853	1JAN89 -30JUN89	6	89FEC/605/0254
	MID-YEAR REPORT - AMENDMENT	23,957	24,853	1JAN89 -30JUN89	6	89FEC/616/0287
	REQUEST FOR ADDITIONAL INFORMATION			1JAN89 -30JUN89	2	89FEC/611/1387
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JAN89 -30JUN89	3	89FEC/614/1698
	YEAR-END	12,625	8,023	1JUL89 -31DEC89	6	90FEC/619/5163
1990	APRIL QUARTERLY	6,000	5,000	1JAN90 -31MAR90	6	90FEC/642/1120
	NOTICE OF FAILURE TO FILE			1JAN90 -31MAR90	1	90FEC/639/0892
	TOTAL	42,582	37,876		31	TOTAL PAGES

All reports listed above have been reviewed.
Cash on hand as of 3/31/90 - \$5825
Debts owed by the Committee as of 3/31/90 - \$0
Debts owed to the Committee as of 3/31/90 - \$0

77304000

QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

March 22, 1990

REPORT	REPORTING PERIOD	REG./CERT. MAILING DATE*	FILING DATE
April Quarterly	01/01/90**-03/31/90	04/15/90	04/15/90

WHO MUST FILE

PARTY COMMITTEES AND PACS (NONCONNECTED COMMITTEES AND SEPARATE SEGREGATED FUNDS) filing on a quarterly basis must file a Quarterly Report in April.

WHAT MUST BE REPORTED

Disclose all financial activity (not previously reported) that occurred during the reporting period.

REPORTING FORMS

Party committees and PACs use Form 3X (enclosed).

WHERE TO FILE

Consult the instructions on the back of the Form 3X Summary Page. Note State filing requirements also.

LABEL

Committees should affix the peel-off label from the envelope to Line 1 of the report. Corrections should be made on the label.

PRE-ELECTION REPORTING

Committees which make contributions or expenditures (including independent expenditures) in connection with a candidate's primary election must also file a 12-day Pre-Election Report if the activity was not previously reported. See the January Record.

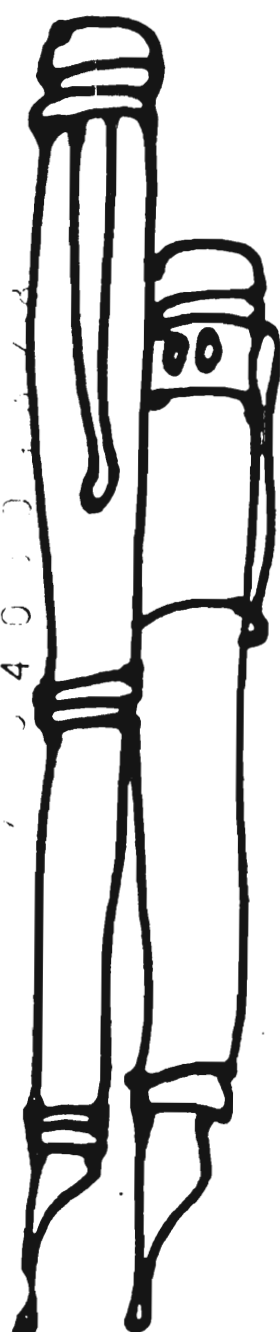
LAST-MINUTE INDEPENDENT EXPENDITURES

Committees which make an independent expenditure of \$1,000 or more, after the 20th day, but more than 24 hours before an election, must report it within 24 hours.

*The mailing date is a holiday; nevertheless, the report must be received by the filing date. Reports sent by registered or certified mail will be considered filed on the date of the U.S. postmark. Reports hand delivered or mailed first class must be received by the filing date.

**The period begins with the close of the last report filed by the committee. If the committee has filed no previous reports, the period begins with the date of the committee's first activity.

(over)



PARTIES AND PACS

APRIL QUARTERLY

COMPLIANCE

TREASURERS OF POLITICAL COMMITTEES ARE RESPONSIBLE FOR FILING ALL REPORTS ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT ACTION. COMMITTEES FILING ILLEGIBLE REPORTS OR USING NON-FEC FORMS WILL BE REQUIRED TO REFILE.

9 0 0 4 0 0 0 4 3 / 9

FOR INFORMATION, Call: 800/424-9530 or 202/376-3120



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

May 8, 1990

Maxine F. McFalls, Treasurer
Democratic Party of Oklahoma
116 East Sheridan, Suite G100
Oklahoma City, OK 73104

Identification Number: C00190934

Reference: April Quarterly Report (1/1/90-3/31/90)

Dear Ms. McFalls:

It has come to the attention of the Federal Election Commission ("the Commission") that your committee may be in violation of 2 U.S.C. §434(a) for failing to file the above referenced Report of Receipts and Disbursements. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 999 E Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR §§108.2, 108.3, 108.4).

Although the Commission may initiate an audit or legal enforcement action concerning this matter, your prompt response and a letter of explanation will be taken into consideration.

If you have any questions, please contact Andrew Dodson on our toll-free number (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

9004030330

TELECON

ANALYST: Andrew Dodson

CONVERSATION WITH: Ms. Sleuharty - Administrative Assistant

COMMITTEE: Democratic Party of Oklahoma

DATE: June 1, 1990

SUBJECT(S): Non Filing of 1990 April Quarterly Report

I spoke today with Ms. Sleuharty and informed her that the Democratic Party of Oklahoma had failed to file a 1990 April Quarterly Report. Ms. Sleuharty stated that she would inform the treasurer ,Ms. McFalls, and and that the April Quarterly Report would be filed as soon as possible.

90040804381

OKLAHOMA DEMOCRATIC PARTY

May 31, 1990

Federal Election Commission
949 E Street NW
Washington, DC 20463

Attn: Mr. Andrew Dodson
Reports Analyst
Reports Analysis Division

Re: Quarterly Report- Oklahoma Democratic Party- C00190934

Dear Mr. Dodson:

Enclosed is the quarterly report for the Oklahoma Democratic Party for the 1st quarter of 1990.

We did not receive the notification of the due date of the report, nor have we received the forms that were to be sent after our phone conversation. The enclosed report covers the period January 1 - March 31, 1990.

Future reports will be sent on a timely basis.

Sincerely,

Maxine F. McFalls
Maxine F. McFalls
Treasurer

Enclosures

90 JUN -8 AM 10:56

BETTY MCCLDERRY
State Chair
MAXINE MCFALLS
State Treasurer

BETTY MCCLDERRY
State Co-Chair
GEORGE KRUMHOLTZ
National Committee Member

CLIFF GOODING
State Secretary
SEN. VICKI MILES-LAGRANGE
National Committee Member

REPORT OF RECEIPTS AND DISBURSEMENTS

For Other Than An Authorized Committee
(Summary Page)

Attachment 5
Page 2 of 2

RECEIVED
FEDERAL ELECTION COMMISSION

90 JUN -8 AM 10:56

USE FEC MAILING LABEL
OR
TYPE OR PRINT

1 NAME OF COMMITTEE (in full) DEMOCRATIC PARTY OF OKLAHOMA		2 FEC IDENTIFICATION NUMBER CU0190934
ADDRESS (number and street) <input type="checkbox"/> Check if different than previously reported 116 E. Sheridan, Suite G-100		
CITY, STATE and ZIP CODE Oklahoma City, Oklahoma 73104		
3 This committee qualified as a public and party committee DURING THIS Reporting Period on _____ (date)		

4. TYPE OF REPORT

(a) ☒ April 15 Quarterly Report

☐ July 15 Quarterly Report

☐ October 15 Quarterly Report

☐ January 31 Year End Report

☐ July 31 Mid Year Report (Non-election Year Only)

☐ Termination Report

Monthly Report Due On

<input type="checkbox"/> February 20	<input type="checkbox"/> June 20	<input type="checkbox"/> October 20
<input type="checkbox"/> March 20	<input type="checkbox"/> July 20	<input type="checkbox"/> November 20
<input type="checkbox"/> April 20	<input type="checkbox"/> August 20	<input type="checkbox"/> December 20
<input type="checkbox"/> May 20	<input type="checkbox"/> September 20	<input type="checkbox"/> January 31

☐ Twelfth day report preceding

(Type of Election)

election on

in the State of

☐ Thirtieth day report following the General Election

in the State of

(b) Is the Report an Amendment? ☐ YES ☒ NO

SUMMARY		COLUMN A	COLUMN B
Covering Period <u>1-1-90</u> through <u>3-31-90</u>		This Period	Calendar Year-to-Date
5			
6	(a) Cash on Hand January 1, 19 <u>90</u>		\$ 4,825.28
	(b) Cash on Hand at Beginning of Reporting Period	\$ 4,825.28	
	(c) Total Receipts (from Line 18)	\$ 6,000.00	\$ 6,000.00
	(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$ 10,825.28	\$ 10,825.28
7	Total Disbursements (from Line 28)	\$ 5,000.00	\$ 5,000.00
8	Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ 5,825.28	\$ 5,825.28
9	Debts and Obligations Owed TO the Committee (itemize all on Schedule C and/or Schedule D)	\$ 0	
10	Debts and Obligations Owed BY the Committee (itemize all on Schedule C and/or Schedule D)	\$ 0	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete

Type or Print Name of Treasurer

Maxine F. McFallis

Signature of Treasurer

Date

5/31/90

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g

FEC FORM 3X
revised 4-87

FEDERAL ELECTION COMMISSION
999 E STREET N.W.
Washington, D.C. 20463

90 AUG 21 PM 4:53

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

RAD Referral: 90NF-11
Staff Member: Craig Douglas Reffner

SOURCE OF MUR: INTERNALLY GENERATED

RESPONDENTS: Democratic Party of Oklahoma and
Maxine F. McFalls, as treasurer

RELEVANT STATUTE: 2 U.S.C. § 434(a)(4)(A)(i)

INTERNAL REPORTS
CHECKED: Referral Materials and Disclosure Reports

FEDERAL AGENCIES
CHECKED: None

I. GENERATION OF MATTER

On June 15, 1990, the Reports Analysis Division ("RAD") referred the Democratic Party of Oklahoma and Maxine F. McFalls, as treasurer (collectively known as the "Committee"), to this Office for failing to file the 1990 April Quarterly Report, covering the period from January 1, 1990 to March 31, 1990, in a timely manner.

II. FACTUAL AND LEGAL ANALYSIS

The Federal Election Campaign Act of 1971, as amended (the "Act"), provides that in any calendar year in which a regularly scheduled general election is held, all political committees, other than authorized committees of a candidate, which choose not to file on a monthly basis, shall file quarterly reports no later than the 15th day after the last day of each calendar quarter. 2 U.S.C. § 434(a)(4)(A)(i). See also 11 C.F.R.

90040304384

§ 104.5(c)(1)(i)(A). The Report for the quarter ending on December 31, however, shall be filed no later than January 31 of the following calendar year. Id. Finally, if a Report is sent by registered or certified mail, the United States postmark shall be considered the date of filing. 2 U.S.C. § 434(a)(5).

The Committee, which does not file on a monthly basis, mailed the 1990 April Quarterly Report, through first class mail. The Report was received by the Commission on June 8, 1990, fifty-four (54) days late. Accordingly, the Office of General Counsel recommends that the Commission open a MUR and find reason to believe that the Committee violated 2 U.S.C. § 434(a)(4)(A)(i).¹

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

1. In MUR 2592, the Commission found reason to believe that the Committee violated 2 U.S.C. § 434(a)(4)(A)(iv) in connection with the filing of the 1987 Mid-Year Report in an untimely manner. That matter was concluded with the Commission's acceptance of a signed conciliation agreement.

93040804385

IV. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that Democratic Party of Oklahoma and Maxine F. McFalls, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i).
3. Approve the appropriate letter and the attached Factual and Legal Analysis and proposed Conciliation Agreement.

Lawrence M. Noble
General Counsel

8/27/90
Date

BY: 
Lois G. Lerner
Associate General Counsel

Attachments

1. Referral Materials
2. Proposed Conciliation Agreement
3. Factual and Legal Analysis

Staff Person: Craig Douglas Reffner

920040804386

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Democratic Party of Oklahoma) RAD REFERRAL 90NF-11
and Maxine F. McFalls, as)
treasurer.)

(MUR)
3116

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 24, 1990, the Commission decided by a vote of 6-0 to take the following actions in RAD Referral 90NF-11:

1. Open a MUR.
2. Find reason to believe that the Democratic Party of Oklahoma and Maxine F. McFalls, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i).
3. Approve the appropriate letter and Factual and Legal Analysis and proposed Conciliation Agreement, as recommended in the General Counsel's Report dated August 21, 1990.

Commissioners Aikens, Elliott, Josefiak, McDonald, McGarry, and [redacted] voted affirmatively for the decision.

Attest:

8-24-90
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Tues., August 21, 1990 4:53 p.m.
Circulated to the Commission: Wed., August 22, 1990 11:00 a.m.
Deadline for vote: Fri., August 24, 1990 11:00 a.m.

dr

90040304337



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

September 5, 1990

Maxine F. McFalls, Treasurer
Democratic Party of Oklahoma
116 East Sheridan, Suite G100
Oklahoma City, Oklahoma 74104

RE: MUR 3116
Democratic Party of Oklahoma
and Maxine F. McFalls, as
treasurer

Dear Ms. McFalls:

On August 24, 1990, the Federal Election Commission found that there is reason to believe the Democratic Party of Oklahoma ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Committee and you, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against the Committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

In order to expedite the resolution of this matter, the Commission has also decided to offer to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. Enclosed is a conciliation agreement that the Commission has approved.

If you are interested in expediting the resolution of this matter by pursuing preprobable cause conciliation and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe,

20040804383

Maxine F. McFalls, Treasurer
Page 2

are limited to a maximum of 30 days, you should respond to this notification as soon as possible.


Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Craig Douglas Reffner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,


John Warren McGarry
Vice Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

20040.04339

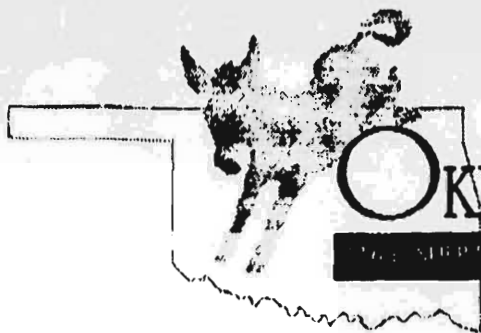
FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Democratic Party of Oklahoma and
 Maxine F. McFalls, as treasurer

920403030

The Federal Election Campaign Act of 1971, as amended (the "Act"), provides that in any calendar year in which a regularly scheduled general election is held, all political committees, other than authorized committees of a candidate, which choose not to file on a monthly basis, shall file quarterly reports no later than the 15th day after the last day of each calendar quarter. 2 U.S.C. § 434(a)(4)(A)(i). See also 11 C.F.R. § 104.5(c)(1)(i)(A). The Report for the quarter ending on December 31, however, shall be filed no later than January 31 of the following calendar year. Id. Finally, if a Report is sent by registered or certified mail, the United States postmark shall be considered the date of filing. 2 U.S.C. § 434(a)(5).

The Democratic Party of Oklahoma and Maxine F. McFalls, as treasurer (collectively known as the "Committee") mailed the 1990 April Quarterly Report, through first class mail. The Report was received by the Commission on June 8, 1990, fifty-four (54) days late. Accordingly, there is reason to believe that the Democratic Party of Oklahoma and Maxine F. McFalls, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i).



OKLAHOMA DEMOCRATIC PARTY

ALL MEMBERS MUST PAY AN ANNUAL DUES OF \$10.00 • DUES FOR 1990 • PAY \$10.00 NOW

September 21, 1990

Federal Election Commission
Office of General Counsel
Washington, D.C. 20463

ATTN: Craig Douglas Reffner

RE: MUR 3116
Democratic Party of
Oklahoma and Maxine F.
McFalls, as treasurer.

Dear Mr. Reffner:

Pursuant to our telephone conversation of Friday, September 21, 1990, I am requesting an extension of time within which to reply to the letter of John Warren McGarry until the close of business Monday, October 8, 1990.

This problem has only been brought to my attention within the last twenty-four (24) hours and is further complicated by the fact that the party treasurer, Maxine McFalls, resides in Ada, Oklahoma, a city approximately seventy-five (75) miles from Oklahoma City. It is my understanding that if for any reason the time to respond is to be shortened from my request date you will notify me immediately.

Thanking you in advance for your cooperation.

Sincerely,

Pete White

PW/jw

PETE WHITE
State Chair

MAXINE MCFALLS
State Treasurer

BETTY McELDERRY
State Co-Chair

GEORGE KRUMME
National Committee Member

CLIFF GOODING
State Secretary

SEN. VICKI MILES-LAGRANGE
National Committee Member

90040804391

STATEMENT OF DESIGNATION OF COUNSELMUR 3116NAME OF COUNSEL: Jim McGoodwinADDRESS: 120 E. Sheridan, Suite 205Oklahoma City, Oklahoma 73104TELEPHONE: (405) 232-8888

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

9/26/90
Date
SignatureRESPONDENT'S NAME: Oklahoma Democratic PartyADDRESS: 116 E. Sheridan AvenueOklahoma City, Oklahoma 73104HOME PHONE: (405) 799-9683 (Pete White - Chair)BUSINESS PHONE: (405) 239-2700



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 27, 1990

Jim McGoodwin, Esq.
120 E. Sheridan
Suite 205
Oklahoma City, Oklahoma 73104

RE: MUR 3116
Democratic Party of Oklahoma and
Maxine F. McFalls, as treasurer

Dear Mr. McGoodwin:

This is in response to Mr. Pete White's letter dated September 21, 1990, which we received on September 22, 1990, requesting an extension until October 8, 1990, for you to respond to the reason to believe finding against your clients. After considering the circumstances presented in Mr. White's letter, I have granted the requested extension. Accordingly, your response is due by the close of business on October 8, 1990.

If you have any questions, please contact Craig Douglas Reffner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lisa E. Klein
Assistant General Counsel

OGC 8283



OKLAHOMA DEMOCRATIC PARTY

CLIFF GOODING, State Secretary • BETTY McELDERRY, State Co-Chair • GEORGE KRUMME, National Committee Member • SEN. VICKI MILES-LaGRANGE, National Committee Member • FAX: 405/526-8588

October 10, 1990

Federal Election Commission
Lois G. Lerner, Associate General Counsel
Washington, D.C. 20463

RE: 3116
Oklahoma Democratic Party, and
Maxine F. McFalls, as Treasurer

Dear Ms. Lerner:

Please find enclosed the signed Conciliation Agreement. The matter was received and executed today. We are sending the agreement by fax with the original letter and initial payment of \$350 to follow within the next day.

Sincerely,

Pete White, Chair
Oklahoma Democratic Party

Enclosure:
Conciliation Agreement

90 OCT 10 AM 9:29

PETE WHITE
State Chair

MAXINE McFALLS
State Treasurer

BETTY McELDERRY
State Co-Chair

GEORGE KRUMME
National Committee Member

CLIFF GOODING
State Secretary

SEN. VICKI MILES-LaGRANGE
National Committee Member

RECEIVED

92 OCT 12 11 12 AM '65

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

MUR 3116

Democratic Party of Oklahoma and
Maxine F. McFalls, as treasurer

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Jim McGoodwin, the designated counsel for the Democratic Party of Oklahoma and Maxine F. McFalls, as treasurer.

2004030+325

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with the Democratic Party of Oklahoma and Maxine F. McFalls, as treasurer.
2. Close the file.
3. Approve the appropriate letter.

Lawrence M. Noble
General Counsel

10/18/90
Date

BY:


Lois G. Lerner
Associate General Counsel

Attachments

1. Conciliation Agreement
2. Photocopy of civil penalty check

Staff Assigned: Craig Douglas Reffner

90040804396

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Democratic Party of Oklahoma and) MUR 3116
Maxine F. McFalls, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 23, 1990, the Commission decided by a vote of 6-0 to take the following actions MUR 3116:

1. Accept the conciliation agreement with the Democratic Party of Oklahoma and Maxine F. McFalls, as treasurer, as recommended in the General Counsel's Report dated October 18, 1990.
2. Close the file.
3. Approve the appropriate letter, as recommended in the General Counsel's Report dated October 18, 1990.

Commissioners Aikens, Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision.

Attest:

10-23-90
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Fri., Oct. 19, 1990 10:05 a.m.
Circulated to the Commission: Fri., Oct. 19, 1990 12:00 p.m.
Deadline for vote: Fri., Oct. 23, 1990 4:00 p.m.

dr



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 1, 1990

CLOSED

Jim McGoodwin, Esq.
120 E. Sheridan, Suite 205
Oklahoma City, Oklahoma 73104

RE: MUR 3116
Democratic Party of Oklahoma and
Maxine F. McFalls, as treasurer

Dear Mr. McGoodwin:

On October 23, 1990, the Federal Election Commission accepted the signed conciliation agreement submitted on your client's behalf in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended. Please note that the terms of the conciliation agreement provide that \$375.00 is due 30 days from the date the agreement is executed and an additional \$375.00 is due 30 days thereafter.

This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel. Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Craig Douglas Reffner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

90040804393

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 3116
Democratic Party of Oklahoma, and)
Maxine F. McFalls, as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Democratic Party of Oklahoma and Maxine McFalls, as treasurer (the "Respondents") violated 2 U.S.C. § 434(a)(4)(A)(i).

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. The Democratic Party of Oklahoma is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Maxine F. McFalls is the treasurer of the

Democratic Party of Oklahoma.

3. Section 434(a)(4)(A)(i) of the Act provides that in any calendar year in which a regularly scheduled general election is held, all political committees, other than authorized committees of a candidate, which choose not to file on a monthly basis, shall file quarterly reports no later than the 15th day after the last day of each calendar quarter, except for the quarter ending on December 31, which shall be filed no later than January 31 of the following calendar year.

4. If a Report is sent by registered or certified mail, the United States postmark shall be considered the date of filing. 2 U.S.C. § 434(a)(5).

5. Respondents mailed the 1990 April Quarterly Report through first class mail and it was received by the Commission on June 8, 1990, fifty-four (54) days later.

V. Respondents filed the 1990 April Quarterly Report, showing receipts of six thousand dollars (\$6,000.00) and disbursements of five thousand dollars (\$5,000.00), fifty-four (54) days late, in violation of 2 U.S.C. § 434(a)(4)(A)(i).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of seven hundred and fifty dollars (\$750), such payment to be paid in two installments as follows:

1. An initial payment of \$375, due 30 days from the date this agreement is executed; and

2. The remaining payment of \$375 due 30 days thereafter.

VII. The Commission, on request of anyone filing a

complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

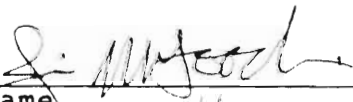
Lawrence M. Noble
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

10/31/90
Date

FOR THE RESPONDENTS:


Name _____
Position attorney for
Oklahoma Democratic Party

10/10/90
Date

92040304401



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3116

DATE FILMED 4/9/90 CAMERA NO. 4

CAMERAMAN AS

90040804402



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THE FOLLOWING DOCUMENTATION IS ADDED TO
THE PUBLIC RECORD IN CLOSED MUR 3116 .

90040812091

06C8777

OKLAHOMA DEMOCRATIC PARTY

116 E. SHRIDAN, STE. C, 100 • OKLAHOMA CITY, OK 73101 • (405) 239-2700 • FAX (405) 236-8588

November 26, 1990

Federal Election Commission
Lois G. Lerner, Associate General Counsel
Washington, D.C. 20463

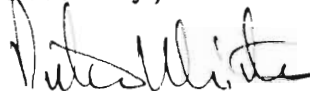
CLOSED

RE: 3116
Oklahoma Democratic Party, and
Maxine F. McFalls, as Treasurer

Dear Ms. Lerner:

Please find enclosed the final payment of \$375 as
stipulated in our conciliation agreement.

Sincerely,



Pete White, Chair
Oklahoma Democratic Party

90 NOV 29 AM 12:13

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

PETE WHITE
State Chair

MAXINE MCFALLS
State Treasurer

BETTY McELDERRY
State Co-Chair

GEORGE KRUMME
National Committee Member

CLIFF GOODING
State Secretary

SEN. VICKI MILES-LaGRANGE
National Committee Member



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Nov. 28, 1990

TWO WAY MEMORANDUM

TO: Fabrae Brunson
OGC, Docket

FROM: Philomena Brooks *RB*
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from OKLAHOMA
DEMOCRATIC PARTY, check number 1049, dated
11-15-90, and in the amount of \$ 375.00.
Attached is a copy of the check and any correspondence that
was forwarded. Please indicate below the account into which
it should be deposited, and the MUR number and name.

=====

TO: Philomena Brooks
Accounting Technician

FROM: Fabrae Brunson *FB*
OGC, Docket

In reference to the above check in the amount of
\$ 375.00 the MUR number is 3116 and in the name of
Oklaoma Democratic Party. The account into
which it should be deposited is indicated below:

___ Budget Clearing Account (OGC), 95F3875.16

☒ Civil Penalties Account, 95-1099.160

___ Other: _____

Fabrae Brunson
Signature

11/29/90
Date

1049

9 3 0 4 0 3 1 2 0 9 4

OKLAHOMA DEMOCRATIC PARTY

116 E. SHERIDAN, STE. G 100 PH 239-2700

OKLAHOMA CITY, OK 73104

30-19
1030

11-15 1990

PAY TO THE
ORDER OF

Z Ec

\$ 375.00

Three Hundred Seventy-five & no/100 DOLLARS

THIS CHECK IS GUARANTEED BY THE FOLLOWING ACCOUNT(S)


Bob & Penelope

Marlene Z McDaniel

Robt White

⑆01049⑆⑆103000198⑆

200152684⑆

 Liberty
A Bank of Mid-America
Liberty National Bank and Trust Company
P O Box 22440 Oklahoma City, OK 73125 Member FDIC