



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20461

THIS IS THE BEGINNING OF MUR # 3636

DATE FILMED 10/29/93 CAMERA NO. 2

CAMERAMAN MC

93040991568



**DEMOCRATIC  
PARTY OF  
GEORGIA**

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE

92 OCT -2 AM 8:39

OGC#6720

ZELL MILLER  
Governor

ED SIMS  
Chairman

SCOTTY GREENWOOD  
Executive Director

September 30, 1992

Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

MUR 3636

Dear Commissioners:

We have reason to believe that Mac Collins, candidate for Congress in the Third District of Georgia, has violated the Federal Election Campaign Act in his 1992 campaign by accepting contributions from an incorporated entity. This letter constitutes an official complaint and we respectfully request that an investigation be conducted immediately.

It appears that Mac Collins has been running his campaign from his corporate headquarters, Collins Trucking, Inc. The campaign's official letterhead lists the Collins' campaign telephone number as 404/775-3333. (See Attachment 1.) Upon dialing this number, however, callers are greeted by an employee of Collins Trucking who identifies the place of business as Collins Trucking--not Collins for Congress.

If a campaign uses corporate facilities for campaign purposes, it must reimburse the corporation within a commercially reasonable time at the normal and usual rental charge for the goods and services provided by the corporation. To avoid a corporate contribution, Mr. Collins or his campaign would be required, therefore, to reimburse Collins Trucking for the use of its facilities. "Facilities" means not only the use of space in a corporate headquarters, but also the cost of utilities, office overhead (telephone, photocopying, postage, etc.) and staff time spent on campaign issues.

The Pre-Primary Report filed by Collins for Congress does reflect an in-kind contribution of \$1,500 from the candidate for "rent, utilities, travel and lodging." It is impossible to tell from the way the in-kind contribution is reported what expenses it is designed to cover. But, in any event, it would not be adequate to cover the value of the services provided by Collins Trucking to the campaign, in addition to travel and lodging incurred by the candidate.

These illegal corporate contributions channeled to the Collins campaign are in violation of the federal campaign laws. The Commission must investigate this matter and take immediate steps to correct these violations.

Thank you for your prompt attention to this matter.

Sincerely,

*Maryscott Greenwood*

Maryscott Greenwood  
Executive Director, Democratic Party of Georgia

Subscribed and sworn to before me  
this 30<sup>th</sup> day of September, 1992

*Sharon Elizabeth Brunson*  
Notary Public  
My Commission expires: APRIL 9, 1994



1100 SPRING STREET • SUITE 420 • ATLANTA, GEORGIA 30309 • (404) 872-1111

PAID FOR BY THE DEMOCRATIC PARTY OF GEORGIA



93040991569

Attachment 1

**COLLINS**  
FOR CONGRESS

SECRETARY OF S  
FILE COPY

July 17, 1992

The Clerk of The House  
Federal Election Commission  
1036 Longworth HOB  
Washington, DC 20515

Gentlemen:

In compliance with the 48 hour notice we hereby report the following:

Mrs. Susan Wieland  
3245 Nancy Creek Rd. NW  
Atlanta, GA 30327

\$1000.  
Homemaker

Yours truly,

*Wanda Tschudy*  
Wanda Tschudy  
Treasurer

CC: Secretary of State  
Georgia

JUL 2 1992

93040991570

Attachment 2

## REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee  
(Summary Page)

SECRETARY OF STATE

FILE COPY

C00265942

061392

MANDA TACHUDY

MAC COLLINS FOR CONGRESS

PO BOX 3617

JACKSON

HA 00233

Reported.

C00265942

2. FEC IDENTIFICATION NUMBER

DISTRICT

3. IS THIS REPORT AN AMENDMENT?

GA 06

☐ YES☒ NO

## 4. TYPE OF REPORT

15 Quarterly Report

☒ Twelfth day report preceding Primary

15 Quarterly Report

election on 7/21/92 (Type of Election) in the State of GA

15 Quarterly Report

☐ Thirtieth day report following the General Election on

15 Quarterly Report

in the State of

15 Quarterly Report (Non-election Year Only)

☐ Termination Report

Report contains

for

☒ Primary Election☐ General Election☐ Special Election☐ Runoff Election

## SUMMARY

Covering Period 04/01/92 through 07/01/92

COLUMN A  
This PeriodCOLUMN B  
Calendar Year-to-Date

Net Contributions (other than loans)

(a) Total Contributions (other than loans) (from Line 11(a))

19,858.85

30,293.85

(b) Total Contribution Refunds (from Line 20(d))

- 0 -

- 0 -

(c) Net Contributions (other than loans) (subtract Line 6(b) from 6(a))

19,858.85

30,293.85

Net Operating Expenditures

(a) Total Operating Expenditures (from Line 17)

19,617.63

26,565.07

(b) Total Offsets to Operating Expenditures (from Line 14)

- 0 -

- 0 -

(c) Net Operating Expenditures (subtract Line 7(b) from 7(a))

19,617.63

26,565.07

Cash on Hand at Close of Reporting Period (from Line 27)

6,787.45

Debts and Obligations Owed TO the Committee

(itemize all on Schedule C and/or Schedule D)

- 0 -

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.

Print Name of Treasurer

Wanda Tachudy

Signature of Treasurer

Wanda Tachudy

Date

7/06/92

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 3

Revised 4/87



en copied from such Reports and ... may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

COMMITTEE (in Full)

## JAC COLLINS FOR CONGRESS

Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Jac Collins 100 Meadowlark Drive McDonough, GA 30253	Rent, Utilities, Travel, Lodging	6/15/92	1500.00 IN
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): INKIND	Occupation CANDIDATE		
	Aggregate Year-to-Date	> \$	
Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date	> \$	
Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date	> \$	
Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date	> \$	
Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date	> \$	
Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date	> \$	
Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date	> \$	
Total of Receipts This Page (optional) .....			
Total Period (last page this line number only) .....			1500.00

Clonte James B Jackson Lake Rd	775-5354	Cook Runkin 1999 W 3rd St	775-7060	D & C Extinguisher Service	
Clewett John S Roberts Point Rd	775-4449	Cook Richard H 124 Cedar St	775-0878	D & T Landscaping Materials Highway 42 Junction	
Clewett Rana I 173 Hickory St	775-3442	Cook Robert Franklin Covington Rd	775-7870	Dacus John Indian Springs Rd	
Clupper P L Guard Mill Rd	775-3308	Cook Robert W Mrs Covington Rd	775-3993	Dahlin David S Kmart Mill Rd	
Cochran A M View Point Dr	775-6130	Cook Ronnie Covington Hwy	775-2163	Daley Ryan Barnesville Rd	
Cochran Harold H Worthville	775-3261	Cook S Mark 630 Franklin St	775-3439	Dairy Queen Of Jackson 23a Main Av	
Cochran Joyce Cherokee Lake Est	775-4183	Cook Sandra Hincherville Rd	775-3350	Dartton R J Cherokee Dr	
Cochran Louise 298 James Moore Cir	775-6006	Cook Shirley High Falls Rd	775-3390	Daniel Anne N Barnesville Rd	
Cochran Martha Huggins Rd Flow	775-5450	Cook Thomas H Jackson Lake	775-1446	Daniel C E 508 Franklin St	
Cochran Mick Keys Ferry Rd	775-3377	Cook Thomas H Jackson Lake	775-5148	Daniel C Milton Jr 445 McDonough Rd	
Cochran-Presley Assoc Surveyor & Engr	775-4853	Cook Willie Avery Griffin Rd	775-7844	Daniel Charles M III Madden Rd	
Cochran Rusty Keys Ferry Rd	775-5393	Cook Winfred A 281 Forrest Av	775-3062	Daniel Floyd Keys Ferry Rd	
Cochran S D Jackson Lake	775-7674	Cooke L Covington Rd	775-4347	Daniel Gary 732 Franklin St	
Coe Arthur Lee Heard St Flow	775-0675	Cooke W P Old Hardy Rd	775-6428	Daniel John & Elizabeth Stone Four Points Rd	
Coe Cecil Bailey Rd Flow	775-3048	<b>COOK'S GARAGE &amp; WRECKER SERVICE</b>	775-3774	Daniel Millard Stark Four Points Rd	
Coe Mildred Heard St Flow	775-0675	<b>COOK'S LOCK &amp; ALARM SERVICE</b>	775-4230	Daniel Ronnie E Jackson Lake Rd	
Coggins Jack Strickland Pasture Rd	775-6936	13 Proman St		Daniels Construction Co By Dam Rd	
Coggins C M 703 McDonough Rd	775-7245	Cook's Lunchroom 227 E 2nd St Jtn	775-5109	Daniels Kenneth & Linda 212 Brookwood Av	
Coile Howard T Weaver's Pasture La Rd	775-2810	Cooper Owen P Barnett Bridge Rd	775-5668	Daniels Rebecca Woodworth Road	
Colbert C A Luford Rd	775-7459	Cooper Ralph H Jackson Lake	775-2334	<b>DANOVIC JON D DR</b> etc 356 E 3rd St	7
Cole Eddie 246 Indian Springs St	775-0874	Cooperland J W Woodward Road	775-3376	Danovic Term Stars Rd	
Cole Edward 246 Indian Springs St	775-4345	Copeland Thomas H Jr Old Bethel Rd	775-0214	Danzler L D Indian Springs Rd Flow	
Cole Mark A 124 Cedar St	775-3112	Coppedge Ed Indian Springs Rd Flow	775-1749	Darnell J C Flow Ga	
Cole Scott H Indian Springs Rd	775-2933	Cordelia's Beauty Salon 232 Cemetery St	775-6982	Darnell Ken Mordcaio Rd	
Coleman Alice Z Mrs 108-C Warner St	775-2093	Cordy Hubert Menucelo Rd	775-2900	Darnell L D 15 Covington St	
Coleman Betty B 559 N Oak St	775-7504	Corley Morris L 580 Indian Springs St	775-4812	Darnell L D 15 Covington St	
Coleman Charlene Four Points Rd	775-6026	Corley W L Jackson Lake Rd	775-3478	Darrew Charles W Indian Springs Rd	
Coleman D W Barnett Bridge Rd	775-3281	Cornell J E Jr 478 Brantford Rd	775-2043	Darvey Karen & Ronald Jackson Lake Jtn Rd	
Coleman Henry James Barnhart Rd	775-2489	Cornell Mabel D Mrs 478 Brantford Rd	775-2043	Darvey William C Barnett Bridge Rd	
Coleman Jeff Guard Mill Rd	775-6139	Cosby James K Weavers Pasture Rd	775-3882	Daugherty Elsie Engard Chase Rd Jctabag	
Coleman John L 467 Woodland Way	775-3845	Costello J Lulu Wa Ln	775-3879	Daugherty Marie Barnes Rd	
Coleman R Scott Studio 250 W Lat St	775-3819	Cothran Glenn Barnett Bridge Rd	775-4260	Daugherty Foundation Inc 221 College St	
Coleman Sammy 816 Fox Hollow Woods	775-7828	Cotton Albean Engard Chase Rd Jctabag	775-1404	Dauget Trails Myrion Church Rd	
Coleman Scott 250 W Lat St	775-3019	Cotton Dollie Covington Rd	775-0180	Davidson Harry C 351 West Av	
Coleman Willie J Smith Rd Jctabag	775-1947	Cotton Pete Mrs 152 N Benton St	775-7703	Davis H J Ridgeway Rd Jtn	
Collier J W Giles Rd	775-3488	Cotton Willie Lee Adams Hwy	775-2213	Davis A M Indian Springs Rd	
Collier Robert D Atlanta Hwy Jctn	775-6801	Costantini's 12 E 2nd St	775-3265	Davis Alice Mae Finchenna Rd	
Collier Shanda Butler Rd	775-4175	Couch Charles F Hale Bridge Rd	775-4662	Davis Bill Southern Shores Rd	
Collier's Greenhouse & Garden Center	775-2069	Covey Tracy L Reben Maddox Rd	775-6271	Davis Charles Southern Shores Rd	
Collins Andy & Kelly Adams Hwy	775-6405	Covey Tracy R Rabon Maddox Rd	775-4302	Davis David A 547 Covington St	
Collins Bill Barnett Bridge Rd	775-6447	Council On Aging 615 Carter Av	775-5545	Davis Dorothy Cherokee Dr	
Collins Christi Barnett Bridge Rd	775-0002	<b>COUNTRY CHARM</b> 34 N Mulberry St	775-5653	Davis Ethel Hale Bridge Rd Jtn	
Collins Fred 220 H Cherry Ridge Rd	775-3536	Cowan & G Stars Rd	775-7908	Davis G E 426 Wesley Dr	
Collins Isaac Butler Rd	775-3214	Cox Florence 240 Walker St	775-6871	Davis Hayed Inc Sags Ga	
Collins Mike & Leigh Ann 6 7th St	775-4921	Cox Keith Hale Bridge Rd	775-4529	Davis J A 530 Browne Rd	
Collins Morgan D Guard Mill Rd	775-0546	Cox S A Thomas Ferry Rd	775-3423	Davis J M Maceon Hwy	
Collins Paul Adams Hwy	775-3221	Crestbree Danny B Soud McCadden Rd Jctabag	775-6761	Davis Jack D Covington Hwy	
Collins Thomas J 153 McCaslin Dr	775-5191	Craig Betty Highway 87 Fors	775-1520	Davis John Edward Barnett Bridge Rd	
Collins Trucking Co 527 Alabama Blvd	775-3333	Craig Billy Highland Dr Flow	775-7332	Davis Joseph Old Jackson Rd	
Collins W T Dean Perry Rd Jctabag	775-7574	Craig C E Barnesville Rd	775-4170	Davis Martin 322 West Av	
Collins Willie B Tusalahaw Point Rd	775-4952	Craig Gregory Q 240 Walker St	775-0540	Davis Mary Arrow Point Rd	
Colwell Daniel F Keys Ferry Rd	775-2639	Craig Raymond Short Bridge Rd	775-5223	Davis Stanley 139 Sallow St	
Colzie Earnestine Cerale Rd Flow	775-5377	Craig Robert A Nathan Theater Rd	775-5326	Davis Thomas Shion Rd Jctabag	
Combs Billy W Jackson Lake Jtn Rd	775-3351	Craig Robert J Highway 87 Fors	775-3418	Davis William C Griffin Rd	
Combs Richard Ridgeway Rd	775-6980	<b>CRAIG UPHOLSTERY SHOP</b> Flow Ga	775-7896	Davis William M Sinyler Rd	
Comar J M L 195 S McCadden St	775-2299	Crain Ann & Billy W Indian Springs Rd	775-1460	Davis William M Sinyler Rd	
Compton Ida Mae 200 Hancock St	775-0104	Crain Billy W & Ann Indian Springs Rd	775-1460	Davis William M Sinyler Rd	
Conkle Kerry Meale Dr Jctabag	775-2010	Crane Frank Ridgeway Rd	775-3305	Davis William M Sinyler Rd	
Conley Eric 363 Main St	775-7321	Crane Lillie M Mrs 154 Carter Av	775-3268	Davis William M Sinyler Rd	
Conley Eric Chase Rd Jctabag	775-7794	Crane Richard Bias Rd	775-7846	Davis William M Sinyler Rd	
Conley Kyle Higgins Rd	775-0032	Crane Thelma 746 McDonough Rd	775-2358	Davis William M Sinyler Rd	
Conwell Edward Mrs Weavers Pasture Rd	775-7705	Cranford Lorene Indian Springs Rd	775-4518	Davis William M Sinyler Rd	
Connor L M Rav Collier St Flow	775-3353	Cranford Ray 1259 Browne Rd	775-1528	Davis William M Sinyler Rd	
Conway E B Scout Island Rd	775-6455	Cranfield Fred Finchenna Rd	775-1244	Davis William M Sinyler Rd	
Conwell Foretine Kimbrough Rd Jctabag	775-7724	Crawford H L Thompson Ferry Rd	775-4400	Davis William M Sinyler Rd	
Conwell Howard Shott Rd Jctabag	775-0679	Crawford Henry 235 Augusta Dr	775-7609	Davis William M Sinyler Rd	
Coogler Greg Engard Chase Rd	775-2112	Crawford J B Covington Rd	775-4709	Davis William M Sinyler Rd	
Coogler Mary P Mrs Farnah Dr Jctabag	775-7665	Crawford Mary Ann 235 Watkins Dr	775-7609	Davis William M Sinyler Rd	
Cook A A Gies Ferry Road	775-3759	Crawford Sims 231 W College St	775-4509	Davis William M Sinyler Rd	
Cook A G Indian Springs Rd	775-7255	Crawley William M Shoreline Dr Mnt	775-1602	Davis William M Sinyler Rd	
Cook Al Browne Rd	775-2676	Creal Opel Barnesville Rd	775-5021	Davis William M Sinyler Rd	
Cook Barbara & Walter Rd	775-7649	Crenshaw John W Gadsby Rd	775-3490	Davis William M Sinyler Rd	
Cook Charles W III Shady Shores Rd	775-6382	Crisis T A Jaxr Maddox Rd	775-3303	Davis William M Sinyler Rd	
Cook David R Stars Rd	775-3720	Crie John C Railroad Av	775-4111	Davis William M Sinyler Rd	
Cook David W Finchenna Rd	775-4829	<b>CROCKARELL BAILEY M DR</b> etc		Davis William M Sinyler Rd	
Cook Don L Maple Ridge Dr	775-2291	330 E 3rd St	775-5321	Davis William M Sinyler Rd	
Cook Dorothy M Covington Rd	775-2234	Ras Fox Hollow Woods	775-7981	Davis William M Sinyler Rd	
Cook Edward D Wailes Rd	775-7669	Crockarell K A Man-pham Rd	775-5843	Davis William M Sinyler Rd	
Cook Ellis P Butler Rd	775-7651	Crosby R D Cherokee Dr	775-1457	Davis William M Sinyler Rd	
Cook P L 530 Browne Rd	775-4685	Crosland Walter B Jackson Rd Jtn	775-2571	Davis William M Sinyler Rd	
Cook Fred Leon Bob Thomas Rd Jtn	775-2712	Crosley W K Engard Chase Rd Jctabag	775-1962	Davis William M Sinyler Rd	
Cook Fred P Covington Rd	775-3984	Crouch Addie Tusalahaw Point Rd	775-0649	Davis William M Sinyler Rd	
Cook Freddie Covington Rd	775-5223	Crowder Hughay Jr Canle Rd Flow	775-5416	Davis William M Sinyler Rd	
Cook Gregory A 254 Valley Rd	775-2836	Crowder Jeanette 167 Shoemaker St	775-3833	Davis William M Sinyler Rd	
Cook Harold E Bias Rd	775-3907	Crowder Willie 545 Mulberry St	775-7792	Davis William M Sinyler Rd	
Cook Howell L Covington Hwy	775-2704	Crowder Willie C 705 Chestnut Dr	775-7918	Davis William M Sinyler Rd	
Cook Jackie L Indian Springs Rd Jtn	775-3733	Crowder Willie M 351 Oak St	775-4294	Davis William M Sinyler Rd	
Cook James Covington Rd Jtn	775-7847	Crowe H T Jr Covington Rd	775-4255	Davis William M Sinyler Rd	
Cook James T Wolf Creek Rd Jctabag	775-2652	Crum William Shion Rd Jctabag	775-3339	Davis William M Sinyler Rd	
Cook Jimmy Covington Rd	775-3037	Crumbley Russ Hale Bridge Rd	775-4884	Davis William M Sinyler Rd	
Cook John Wesley Jackson Lake Rd Jtn	775-3850	Crumbley Russell		Davis William M Sinyler Rd	
Cook Keith R Jack Maddox Rd	775-6321	Hale Bridge Rd	775-7386	Davis William M Sinyler Rd	
Cook Larry 1137 E 3rd St	775-6409	Spring Dr	775-6490	Davis William M Sinyler Rd	
Cook M R Jctabag Ga	775-3526	Culberson Ethel Pocatones St	775-1739	Davis William M Sinyler Rd	
Cook Marion B Shady Ln	775-7381	Cupe C V Barnesville Rd	775-3570	Davis William M Sinyler Rd	
Cook Maureen Hale Bridge Rd	775-7129	Curtman K Unalaska Rd	775-0803	Davis William M Sinyler Rd	
Cook Morris Covington Rd	775-3271	Curly's Buffalo Wings 311 W 3rd St	775-0770	Davis William M Sinyler Rd	
Cook Odell 185 Bailey St	775-3318	Curry Georgia Lee 2nd Sops Ga	775-3987	Davis William M Sinyler Rd	
Cook P A 1509 W 3rd St	775-2778	Curry Gladys Covington Rd	775-4728	Davis William M Sinyler Rd	
Cook R A Jctabag Ga	775-7144	Curry Lisa Dean Patrick Rd LG	775-2865	Davis William M Sinyler Rd	
Cook Rachel Atlanta Hwy Jctabag	775-4178	Curson M 240 Walker St	775-1646	Davis William M Sinyler Rd	
Cook Ralph 517 Brookwood Av	775-7417	Curtis Tony Thomas Ferry Rd	775-3372	Davis William M Sinyler Rd	
Cook Ralph F Harness St	775-7589	Curtis Tracey 288 E Lat St	775-3269	Davis William M Sinyler Rd	

## DEE'S BEAUTY SALON 233 E 3rd St 775

DeHart Barbara Iron Springs Rd	77
DeHauter Kenneth L 314 Wesley Dr	77
Deits Air Lines Inc	
Passenger Reservations & Information	
Toll Free-Dial '1' & Then	800 32
Delta Life Fire & Casualty 112 Peachtree St	77
Denny P T Jackson Lake	77
Dennard L R Mabry Rd	77
Dennard Raymond E Jackson Lake	77
Denson C D Honeyuckle Ln Jctabag	77
Denson Lillie Mae Plaza Dr Jctabag	77
Deputy Joseph Jackson Lake	77
<b>DERANEY DAVID DEPT STORE</b>	775-
36 E 2nd St Jtn	
Deraney Larry Butler Rd	77
Dilbeck Tracy L 2 Weaver St	77
Dilbeck William E Barnesville Rd Jtn	77
Dillon Steven A Lake Clark Rd	77
Dingman Robert Bob White Rd	77
Disie Pipeline Co Jackson Station Gies Ferry Rd	77
Dixon Angela John Cook Rd	77
Doctor Referral Service	
Toll Free-Dial '1' & Then	800 342
Dodd Cindy & Jeff 117 Poplar St	77
Dodd James E Ambrose Cr	77
Dodson Freddie R Bum Rd	77
Dodson H L Gies Ferry Road	77
Dodson Henry 480 Browne Rd	77
Dodson Jean Gies Ferry Rd Flow	77
Dodson Ronald W Dean Patrick Rd Jctabag	77
Dodson Sheila 572 Browne Rd	77
Doggett Michael A Higgins Rd	77
14500 G Bell South Adv & Pub Corp 1990	



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 5, 1992

Maryscott Greenwood, Executive Director  
Democratic Party of Georgia  
1100 Spring Street  
Suite 420  
Atlanta, GA 30309

RE: MUR 3636

Dear Ms. Greenwood:

This letter acknowledges receipt on October 2, 1992, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by Michael Collins, Collins Trucking, Inc., Mac Collins for Congress and Wanda Tschudy, as treasurer. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 3636. Please refer to this number in all future correspondence. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

A handwritten signature in cursive script, reading "Jonathan Bernstein", is written over the typed name.

Jonathan A. Bernstein  
Assistant General Counsel

Enclosure  
Procedures

93040991574





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 5, 1992

Wanda Tschudy, Treasurer  
Mac Collins for Congress  
P.O. Box 3617  
Jackson, GA 30233

RE: MUR 3636

Dear Ms. Tschudy:

The Federal Election Commission received a complaint which indicates that Mac Collins For Congress ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 33636. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Committee and you, as treasurer, in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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 matter to be made public. 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.

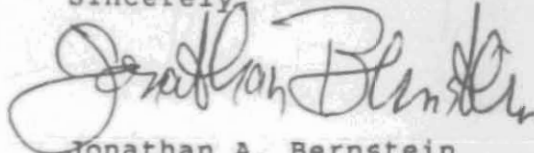
93040991575



Wanda Tschudy, Treasurer  
Mac Collins For Congress  
Page 2

If you have any questions, please contact Holly Baker, the staff member assigned to this matter, at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely



Jonathan A. Bernstein  
Assistant General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

93040991576



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 5, 1992

Michael Collins  
Collins Trucking, Inc.  
527 Alabama Blvd.  
Jackson, GA 30233

RE: MUR 3636

Dear Mr. Collins:

The Federal Election Commission received a complaint which indicates that your corporation, Collins Trucking, Inc. may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3636. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against Collins Trucking, Inc. in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

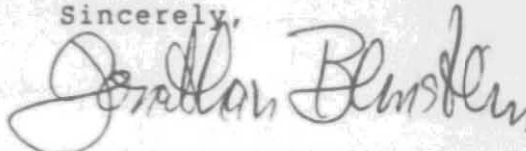
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed 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.

93040991577

Michael Collins  
Collins Trucking, Inc.  
Page 2

If you have any questions, please contact Holly Baker, the staff member assigned to this matter, at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Jonathan A. Bernstein  
Assistant General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

93040991578



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 5, 1992

Michael Collins  
P.O. Box 3617  
Jackson, GA 30233

RE: MUR 3636

Dear Mr. Collins:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3636. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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 matter to be made public. 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.

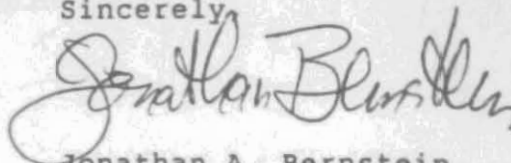
93040991579



Michael Collins  
Page 2

If you have any questions, please contact Holly Baker, the staff member assigned to this matter, at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Jonathan A. Bernstein  
Assistant General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

93040991580

# Collins Trucking Company, Inc.

P O BOX 3617 ALABAMA BLVD. JACKSON, GEORGIA 30233  
(404) 775-3333

October 22, 1992

Mr. Jonathan A. Bernstein  
Assistant General Counsel  
999 E. Street, NW  
Washington, DC 20463

RE: MUR 3636

Dear Mr. Bernstein:

In response to your letter of October 5, 1992, we wish to submit the following documentation for your review:

- (1) Itemized statement from April 1992 - September 30, 1992.
- (2) Pictures of the office space and equipment used at Collins Trucking. (Approximately 750 square feet - one room).
- (3) Copy of Mac Collins check to Collins Trucking Company, dated June 23, 1992.
- (4) No staff time other than transferring calls/or taking messages was spent on behalf of the Collins campaign by Collins Trucking Company employees.

We feel that the charges for the services are reasonable and equitable for this area for the space and equipment utilized.

Mac Collins for Congress vacated the space approximately June 8, 1992. However, Mr. Collins does receive messages, mail, telephone calls, and faxes pertaining to his campaign, while serving in the capacity of Collins Trucking Company. Therefore, Mr. Collins is paying a pro-rata share for the services as outlined on the enclosed statement for services rendered.

If we can be of further assistance in this matter, please do not hesitate to contact us.

Yours very truly,

  
Julie Collins

92 OCT 27 PM 3:52  
FEDERAL ELECTION COMMISSION

OCT 27 12:14 PM '92

18516604036

# Collins Trucking Company, Inc.

P O BOX 3617 ALABAMA BLVD. JACKSON, GEORGIA 30233  
(404) 775-3333

STATEMENT: MAC COLLINS FOR CONGRESS  
P.O. BOX 35  
JONESBORO, GEORGIA 30237

Office Rent: (Includes use of telephone, utilities, copier, typewriter,  
etc.)

APRIL 1992 (one week) -----	\$ 175.00
MAY 1992 -----	750.00
JUNE 1992 (6/1 thru 6/8) -----	750.00
JULY 1992 (telephone & misc. expense) -----	150.00
AUGUST 1992 (telephone & misc. expense) -----	150.00
SEPTEMBER 1992 (telephone & misc. expense) -----	150.00

TOTAL 2125.00

Use of company vehicle (1988 Chevrolet Pick-Up):

APRIL & MAY 1992 (1703 miles @ 21¢ per mile)-----	357.63
JUNE 1992 (2659 miles @ 21¢ per mile)-----	558.39
JULY 1992 (1290 miles @ 21¢ per mile)-----	270.90
AUGUST 1992 ( 402 miles @ 21¢ per mile)-----	84.61

TOTAL 1271.53

Mobile Telephone:

APRIL 1992 -----	132.00
MAY 1992 -----	285.02
JUNE 1992 -----	209.15
JULY 1992 -----	94.18
AUGUST 1992 -----	127.90

TOTAL 848.25

SUMMARY TOTAL 4244.78

PAYMENT RECEIVED June 23, 1992, check #893 -3500.00

BALANCE DUE AS OF SEPTEMBER 1992 ----- 744.78

93040991582

92 OCT 27

3:55

FEDERAL BUREAU OF INVESTIGATION  
RECEIVED  
COMMUNICATIONS SECTION







3rd Congressional District

October 22, 1992

Mr. Jonathan A. Bernstein  
Assistant General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

RE: MUR 3636  
FEC ID # C00265942

Dear Mr. Bernstein:

Regarding your letter of October 5, 1992, we are enclosing an itemized statement from Collins Trucking Company outlining expenses incurred by the Mac Collins for Congress campaign. This covers activity from April to September 1992.

Collins for Congress campaign moved from Collins Trucking Company approximately June 8, 1992, to our present location 149 S. McDough Street, Jonesboro, Georgia. At the time we had supplies on hand with the telephone number of the Collins Trucking Company which we continued to use until the supply was exhausted.

When reporting the entries for June and July, I incorrectly indicated that the disbursement included rent, utilities, travel and lodging.

In no way did I attempt to mislead you with our disclosure as you can see from the enclosed statement that we have taken care to fully and completely disclose our activity.

If you need anything from us regarding this complaint, please do not hesitate to contact us.

Yours truly,

*Wanda Tschudy*  
Wanda Tschudy

92 OCT 27 PM 3:52  
RECEIVED  
FEDERAL ELECTION  
COMMISSION

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# Collins Trucking Company, Inc.

P O BOX 3617 ALABAMA BLVD. JACKSON, GEORGIA 30233  
(404) 775-3333

STATEMENT: MAC COLLINS FOR CONGRESS  
P.O. BOX 35  
JONESBORO, GEORGIA 30237

Office Rent: (Includes use of telephone, utilities, copier, typewriter,  
etc.)

APRIL 1992 (one week) -----	\$ 175.00
MAY 1992 -----	750.00
JUNE 1992 (6/1 thru 6/8) -----	750.00
JULY 1992 (telephone & misc. expense) -----	150.00
AUGUST 1992 (telephone & misc. expense) -----	150.00
SEPTEMBER 1992 (telephone & misc. expense) -----	150.00
TOTAL	2125.00

Use of company vehicle (1988 Chevrolet Pick-Up):

APRIL & MAY 1992 (1703 miles @ 21¢ per mile)-----	357.63
JUNE 1992 (2659 miles @ 21¢ per mile)-----	558.39
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AUGUST 1992 ( 402 miles @ 21¢ per mile)-----	84.61
TOTAL	1271.53

Mobile Telephone:

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MAY 1992 -----	285.02
JUNE 1992 -----	209.15
JULY 1992 -----	94.18
AUGUST 1992 -----	127.90
TOTAL	848.25

SUMMARY TOTAL 4244.78

PAYMENT RECEIVED June 23, 1992, check #893 -3500.00

BALANCE DUE AS OF SEPTEMBER 1992 ----- 744.78

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92 OCT 21 PM  
FEDERAL RESERVE  
RECEIVED  
COMMERCIAL

Attachment to Disbursements Page 7- Line H  
for Michael Collins

Rent	450.00
July, August, September Jackson, GA	
Use of Collins Trucking Vehicle	1271.53
6054 miles	
Mobile Telephone	848.25
Gasoline	410.80
Meals & Lodging	722.30
Miscellaneous (Parking, Office supplies, Flowers, Event tickets	1197.12
TOTAL	\$ 4900.00

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ATTACHED TO FEC  
Report  
Ending 9-30-92

RECEIVED  
F.E.C.  
SECRETARIAT

92 OCT 24 AM 10:34

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

FIRST GENERAL COUNSEL'S REPORT

**SENSITIVE**

MUR #3636  
DATE COMPLAINT RECEIVED  
BY OGC October 2, 1992  
DATE OF NOTIFICATION TO  
RESPONDENTS October 5, 1992  
STAFF MEMBER Holly Baker

COMPLAINANT: Maryscott Greenwood, Executive Director,  
Democratic Party of Georgia

RESPONDENTS: Michael Collins  
Collins Trucking Company, Inc.  
Mac Collins for Congress and  
Wanda Tschudy, as treasurer

RELEVANT STATUTES: 2 U.S.C. § 434(b)  
2 U.S.C. § 441a(a)  
2 U.S.C. § 441b  
11 C.F.R. § 100.7(a)(1)(iii)(A)  
11 C.F.R. § 110.10(a)  
11 C.F.R. § 114.1(a)(1)  
11 C.F.R. § 116.3(b)  
11 C.F.R. § 116.3(c)

INTERNAL REPORTS CHECKED: FEC indices and public records

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

This matter was generated by a complaint from the Democratic Party of Georgia against Michael Collins, Collins Trucking Company, Inc. ("Collins Trucking"), and Mac Collins for Congress and Wanda Tschudy, as treasurer (the "Committee"). Complainant alleges that Michael Collins operated his campaign from his corporate headquarters at Collins Trucking, and in connection therewith, may have violated campaign laws governing corporate contributions.

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Collins Trucking and the Committee filed responses on October 27, 1992. Attachments 1 and 2, respectively.

Michael Collins, a state senator, won the primary election with 55% to 45% of the vote in a two-man race on July 21, 1992. In the general election, he defeated incumbent Richard Ray, Congressman from the 3rd congressional district of Georgia, with 55% to 45% of the vote.

## II. FACTUAL AND LEGAL ANALYSIS

### A. The Law

The Federal Election Campaign Act of 1971, as amended ("the Act") provides that it is unlawful for a corporation to make a contribution or expenditure in connection with any election to any federal political office, and that it is unlawful for any candidate, political committee, or other person knowingly to accept or receive a corporate contribution. 2 U.S.C. § 441b. A "contribution or expenditure" includes any direct or indirect payment, any services, or anything of value given to any candidate or campaign committee in connection with a federal election. 2 U.S.C. § 441b(b)(2). Regulations of the Federal Election Commission ("Commission") provide that "anything of value" encompasses all in-kind contributions, including provision of any goods or services without charge or at a charge which is less than the usual and normal charge for such goods or services. 11 C.F.R. § 100.7(a)(1)(iii)(A) and § 114.1(a)(1). Regulations further provide that an incorporated commercial vendor may extend credit to a candidate or committee provided

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that the credit is extended in the ordinary course of the corporation's business. 11 C.F.R. § 116.3(b) and (c).

Although the Act limits a person's contributions to a candidate to \$1,000 per election, 2 U.S.C. § 441a(a), candidates for Congress are exempt from federal limitations on expenditures of personal funds on their own campaigns. 11 C.F.R. § 110.10(a); see also Buckley v. Valeo, 424 U.S. 1, 54 (1976).

The Act further provides that the treasurer of a political committee must at specified times file with the Commission reports disclosing receipts and disbursements. See 2 U.S.C. § 434(b).

#### B. Allegations

The Complainant alleges that Michael Collins (a/k/a/ Mac Collins) violated the Act by operating his campaign from his corporate headquarters at Collins Trucking in Jackson, GA. Complainant further alleges that Collins Trucking made illegal in-kind campaign contributions in the form of use of corporate equipment and facilities. As a consequence, Complainant further alleges that Mr. Collins and his Committee have accepted illegal in-kind corporate contributions.

#### C. Discussion

Collins Trucking Company, Inc., is a closely-held Georgia corporation, with Michael A. Collins, President, and Julie Collins, Secretary-Treasurer. (Corporate Division, Atlanta, Georgia). In its response, Collins Trucking states

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that it rented one room of approximately 750 square feet and use of some office equipment to the Committee from April 1992 through approximately June 8, 1992. In addition, Collins Trucking indicates that the Committee has continued to use and be charged a pro rata share for Collins Trucking telephone services and "misc. expense" associated with Collins Trucking facilities. Collins Trucking submitted an undated list of charges which, in addition to "office rent," includes use of a Collins Trucking vehicle and a mobile telephone for the period April-August 1992. The total charges for the Committee's use of Collins Trucking facilities, services, and equipment for the period April through September 1992 comes to \$4,244.78 of which the Committee allegedly paid \$3500 by check on June 23, 1992.

Under "office rent," which includes use of "telephone, utilities, copier, typewriter, etc.," Collins Trucking claims it charged the Committee varying amounts from April-September 1992.<sup>1</sup> In its response, Collins Trucking states: "[w]e feel that the charges for the services are reasonable and equitable for this area for the space and equipment utilized." However, Collins Trucking provides no documentation for these charges or the method it used to

---

1. For one week in April, Collins Trucking charged the Committee \$175.00. For the month of May, the charges were \$750.00. Then for one week in June (6-1/6-8), prior to the Committee's move to Jonesboro, Collins Trucking charged the Committee \$750.00. For subsequent miscellaneous use of corporate facilities, Collins Trucking charged the Committee \$150.00 per month.

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calculate the charges. Therefore, it is not possible to determine from the materials submitted with the response whether the charges are usual and normal.

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With its response, Collins Trucking also submitted a canceled check for \$3500 which it claims represents payment from the Committee to Collins Trucking for the various services noted above. This check is dated June 23, 1992, with Collins Trucking as payee and Mac Collins /b/Julie Collins as payor.<sup>2</sup> Payor information is imprinted on the check as: Mac Collins, P.O. Box 3617, Jackson, GA 30233, 775-3333. This address and phone number are the same as those of Collins Trucking. Julie Collins is both the secretary-treasurer of Collins Trucking and the bookkeeper of the Committee. It is not possible to tell from the check whether it was drawn on Mac Collins' personal account, his campaign account, or a corporate account. It is unclear from the responses how the Respondents wish the Commission to characterize the check.

Another question arises from the fact that as of June 23, 1992 when the check of \$3,500 made payable to Collins Trucking was written, the Committee appears to have owed only \$3,217.19 (using figures supplied by Collins Trucking). The amount of the debt, along with the fact that the "invoice" includes charges not incurred until after the

---

2. Inexplicably, the check also bears a bank stamp indicating that it was paid on June 23, 1992.



date of the check, gives the "invoice" the appearance of an after-the-fact accounting.

More importantly, however, the check, in conjunction with the invoice, raises the additional question of whether the check constitutes a prepayment for services or instead, payment for services rendered by Collins Trucking in the past. If the latter, Collins Trucking may have extended credit to the Committee in violation of 2 U.S.C. § 441b. Any services that the Committee either did not pay for in advance or at the time the service was rendered would constitute a corporate extension of credit prohibited by the Act since Collins Trucking is not a commercial vendor whose ordinary business is to rent office space and office equipment.

Other than to include a copy of the instant "invoice" which includes a line entry of the \$3500 check payable to Collins Trucking, the Committee does not acknowledge writing the check to Collins Trucking. Further, the Committee did not report the disbursement on its July report. Rather, on the 12 day report preceding the primary on July 21, 1992 (which served also as the July quarterly report), the Committee reported a June 15, 1992 \$1500 in-kind receipt/disbursement from the candidate, Mac Collins, 100 Meadowlark Drive, McDonough, GA 30253 for "Rent, Utilities, Travel, Lodging." In its response, the Committee states that it "incorrectly indicated that the disbursement included rent, utilities, travel and lodging." The Committee does not

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specify how it wishes the Commission to consider that receipt/disbursement.

On its October quarterly report, however, the Committee did report as disbursements (paid through Michael Collins) three months of "rent" of \$450 (July, August, and September 1992) for the Jackson, GA office at Collins Trucking and all of the mobile phone (\$848.25) and vehicle usage (\$1271.53) from April through August. The mobile phone and vehicle usage charges were in part purportedly covered by the June 23, 1992 check of \$3500.

That the relationship between Collins Trucking and the Committee may be less than arms-length finds support in the continued use of the Collins Trucking address and telephone number after the Committee moved its headquarters from Collins Trucking in Jackson to Jonesboro on or about June 8, 1992.<sup>3</sup> Collins Trucking admits that after June 8, 1992, Mac

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3. The Committee continued to use the Jackson address on its 12 day report filed with the Office of the Clerk of the House of Representatives on July 10, 1992 (pre-printed label) and on its amendment filed September 3, 1992 (handwritten). The Committee filed two 48 hour reports on July 20 and 21, 1992 on stationery listing the Jonesboro, GA address. Although the stationery indicated the Committee's new address, it listed as its phone number the phone number of Collins Trucking in Jackson, (404) 7750-3333. The stationery on which the Committee wrote its response to the instant complaint lists a different phone number, (404) 471-0048. The Committee claims that it continued to use stationery with the Collins Trucking phone number on it until "the supply was exhausted." While this explanation plausibly accounts for the use of the old stationery, it does not explain the use of the Collins Trucking address after the Committee's move and use of the Collins Trucking phone number in the first instance as the Committee's phone number in its new Jonesboro location. Rather the common phone number may indicate continued use of company facilities for campaign activity after the Committee moved to new headquarters in June 1992.

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Collins continued to receive "messages, mail, telephone calls, and faxes pertaining to his campaign, while serving in the capacity of Collins Trucking Company." Collins Trucking states, therefore, that "Mr. Collins is paying a pro-rata share for the services." As noted above, however, Collins Trucking has submitted no documentation for its calculations of charges to the Committee or when it received payment from the Committee for services rendered.

From public records and materials submitted with responses, it appears that Michael Collins and Collins Trucking have made and Michael Collins and the Committee have accepted corporate contributions. Given the facts that the Committee has admitted it incorrectly reported disbursements on its July 1992 report, that there appear to be discrepancies between charges incurred and payments rendered, and that Mr. Collins' identity as candidate and as president of Collins Trucking overlap, this Office recommends that the Commission find reason to believe that Michael Collins, Collins Trucking, and the Committee may have violated the Act. A limited investigation into the financial transactions of the Committee is necessary to ensure that the public record contains accurate information about the Committee's sources of funds and its financial activities.

### III. RECOMMENDATIONS

1. Find reason to believe that Michael A. Collins violated 2 U.S.C. § 441b.
2. Find reason to believe that Mac Collins for Congress and Wanda Tschudy, as treasurer, violated 2 U.S.C. § 441b and 2 U.S.C. § 434(b).

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3. Find reason to believe that Collins Trucking Company, Inc. violated 2 U.S.C. § 441b.
4. Approve the appropriate letters and attached Factual and Legal Analyses (3).

Lawrence M. Noble  
General Counsel

December 23, 1992  
Date

BY:

Lois G. Lerner *gls*  
Lois G. Lerner  
Associate General Counsel

Attachments

1. Response of Collins Trucking
2. Response of the Committee
3. Factual and Legal Analyses (3)

93040991595



BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Michael Collins;  
Collins Trucking Company, Inc.;  
Mac Collins for Congress and  
Wanda Tschudy, as treasurer.

)  
)  
) MUR 3636  
)  
)  
)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 6, 1993, the Commission decided by a vote of 6-0 to take the following actions in MUR 3636:

1. Find reason to believe that Michael A. Collins violated 2 U.S.C. § 441b.
2. Find reason to believe that Mac Collins for Congress and Wanda Tschudy, as treasurer, violated 2 U.S.C. § 441b and 2 U.S.C. § 434(b).
3. Find reason to believe that Collins Trucking Company, Inc. violated 2 U.S.C. § 441b.

(continued)

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4. Approve the appropriate letters and Factual and Legal Analyses, as recommended in the General Counsel's Report dated December 23, 1992.

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

Attest:

1-6-93  
Date

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

Received in the Secretariat: Thurs., Dec. 24, 1992 10:34 a.m.  
Circulated to the Commission: Thurs., Dec. 24, 1992 11:00 a.m.  
Deadline for vote: Wed., Jan. 06, 1993 4:00 p.m.

bjr

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 12, 1993

Wanda Tschudy, Treasurer  
Mac Collins for Congress  
P.O. Box 35  
Jonesboro, GA 30237

RE: MUR 3636  
Mac Collins for Congress  
and Wanda Tschudy, as  
treasurer

Dear Ms. Tschudy:

On October 5, 1992, the Federal Election Commission notified Mac Collins for Congress ("Committee") and you, as treasurer, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, and information supplied by you, the Commission, on January 6, 1993, found that there is reason to believe the Committee and you, as treasurer, violated 2 U.S.C. § 441b and § 434(b), provisions of 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 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.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of

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Wanda Tschudy, Treasurer  
Page 2

the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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 matter to be made public.

If you have any questions, please contact Holly Baker, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,



Scott E. Thomas  
Chairman

Enclosures  
Designation of Counsel Form  
Factual & Legal Analysis

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Mac Collins for Congress  
and Wanda Tschudy, as treasurer

MUR: 3636

This matter was generated by a complaint from the Democratic Party of Georgia against Michael Collins, Collins Trucking Company, Inc. ("Collins Trucking"), and Mac Collins for Congress and Wanda Tschudy, as treasurer (the "Committee"). Complainant alleges that Michael Collins operated his campaign from his corporate headquarters at Collins Trucking, and in connection therewith, may have violated campaign laws governing corporate contributions.

A. The Law

The Federal Election Campaign Act of 1971, as amended ("the Act") provides that it is unlawful for a corporation to make a contribution or expenditure in connection with any election to any federal political office, and that it is unlawful for any candidate, political committee, or other person knowingly to accept or receive a corporate contribution. 2 U.S.C. § 441b. A "contribution or expenditure" includes any direct or indirect payment, any services, or anything of value given to any candidate or campaign committee in connection with a federal election. 2 U.S.C. § 441b(b)(2). Regulations of the Federal Election Commission ("Commission") provide that "anything of value" encompasses all in-kind contributions, including provision of any goods or services without charge or at a charge which is

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less than the usual and normal charge for such goods or services. 11 C.F.R. § 100.7(a)(1)(iii)(A) and § 114.1(a)(1). Regulations further provide that an incorporated commercial vendor may extend credit to a candidate or committee provided that the credit is extended in the ordinary course of the corporation's business. 11 C.F.R. § 116.3(b) and (c).

Although the Act limits a person's contributions to a candidate to \$1,000 per election, 2 U.S.C. § 441a(a), candidates for Congress are exempt from federal limitations on expenditures of personal funds on their own campaigns. 11 C.F.R. § 110.10(a); see also Buckley v. Valeo, 424 U.S. 1, 54 (1976).

The Act further provides that the treasurer of a political committee must at specified times file with the Commission reports disclosing receipts and disbursements. See 2 U.S.C. § 434(b).

#### B. Allegations

The Complainant alleges that Michael Collins (a/k/a/ Mac Collins) violated the Act by operating his campaign from his corporate headquarters at Collins Trucking in Jackson, GA. Complainant further alleges that Collins Trucking made illegal in-kind campaign contributions in the form of use of corporate equipment and facilities. As a consequence, Complainant further alleges that Mr. Collins and his Committee have accepted illegal in-kind corporate contributions.

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C. Discussion

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Collins Trucking Company, Inc., is a closely-held Georgia corporation, with Michael A. Collins, President, and Julie Collins, Secretary-Treasurer. (Corporate Division, Atlanta, Georgia). In its response, Collins Trucking states that it rented one room of approximately 750 square feet and use of some office equipment to the Committee from April 1992 through approximately June 8, 1992. In addition, Collins Trucking indicates that the Committee has continued to use and be charged a pro rata share for Collins Trucking telephone services and "misc. expense" associated with Collins Trucking facilities. Collins Trucking submitted an undated list of charges which, in addition to "office rent," includes use of a Collins Trucking vehicle and a mobile telephone for the period April-August 1992. The total charges for the Committee's use of Collins Trucking facilities, services, and equipment for the period April through September 1992 comes to \$4,244.78 of which the Committee allegedly paid \$3500 by check on June 23, 1992.

Under "office rent," which includes use of "telephone, utilities, copier, typewriter, etc.," Collins Trucking claims

it charged the Committee varying amounts from April-September 1992.<sup>1</sup> In its response, Collins Trucking states: "[w]e feel that the charges for the services are reasonable and equitable for this area for the space and equipment utilized." However, Collins Trucking provides no documentation for these charges or the method it used to calculate the charges. Therefore, it is not possible to determine from the materials submitted with the response whether the charges are usual and normal.

93040991603  
With its response, Collins Trucking also submitted a canceled check for \$3500 which it claims represents payment from the Committee to Collins Trucking for the various services noted above. This check is dated June 23, 1992, with Collins Trucking as payee and Mac Collins /b/Julie Collins as payor.<sup>2</sup> Payor information is imprinted on the check as: Mac Collins, P.O. Box 3617, Jackson, GA 30233, 775-3333. This address and phone number are the same as those of Collins Trucking. Julie Collins is both the secretary-treasurer of Collins Trucking and the bookkeeper of the Committee. It is not possible to tell from the check

---

1. For one week in April, Collins Trucking charged the Committee \$175.00. For the month of May, the charges were \$750.00. Then for one week in June (6-1/6-8), prior to the Committee's move to Jonesboro, Collins Trucking charged the Committee \$750.00. For subsequent miscellaneous use of corporate facilities, Collins Trucking charged the Committee \$150.00 per month.

2. Inexplicably, the check also bears a bank stamp indicating that it was paid on June 23, 1992.



whether it was drawn on Mac Collins' personal account, his campaign account, or a corporate account. It is unclear from the responses how the Respondents wish the Commission to characterize the check.

Another question arises from the fact that as of June 23, 1992 when the check of \$3,500 made payable to Collins Trucking was written, the Committee appears to have owed only \$3,217.19 (using figures supplied by Collins Trucking). The amount of the debt, along with the fact that the "invoice" includes charges not incurred until after the date of the check, gives the "invoice" the appearance of an after-the-fact accounting.

More importantly, however, the check, in conjunction with the invoice, raises the additional question of whether the check constitutes a prepayment for services or instead, payment for services rendered by Collins Trucking in the past. If the latter, Collins Trucking may have extended credit to the Committee in violation of 2 U.S.C. § 441b. Any services that the Committee either did not pay for in advance or at the time the service was rendered would constitute a corporate extension of credit prohibited by the Act since Collins Trucking is not a commercial vendor whose ordinary business is to rent office space and office equipment.

Other than to include a copy of the instant "invoice" which includes a line entry of the \$3500 check payable to Collins Trucking, the Committee does not acknowledge writing

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the check to Collins Trucking. Further, the Committee did not report the disbursement on its July report. Rather, on the 12 day report preceding the primary on July 21, 1992 (which served also as the July quarterly report), the Committee reported a June 15, 1992 \$1500 in-kind receipt/disbursement from the candidate, Mac Collins, 100 Meadowlark Drive, McDonough, GA 30253 for "Rent, Utilities, Travel, Lodging." In its response, the Committee states that it "incorrectly indicated that the disbursement included rent, utilities, travel and lodging." The Committee does not specify how it wishes the Commission to consider that receipt/disbursement.

On its October quarterly report, however, the Committee did report as disbursements (paid through Michael Collins) three months of "rent" of \$450 (July, August, and September 1992) for the Jackson, GA office at Collins Trucking and all of the mobile phone (\$848.25) and vehicle usage (\$1271.53) from April through August. The mobile phone and vehicle usage charges were in part purportedly covered by the June 23, 1992 check of \$3500.

That the relationship between Collins Trucking and the Committee may be less than arms-length finds support in the continued use of the Collins Trucking address and telephone number after the Committee moved its headquarters from Collins Trucking in Jackson to Jonesboro on or about June 8,

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1992.<sup>3</sup> Collins Trucking admits that after June 8, 1992, Mac Collins continued to receive "messages, mail, telephone calls, and faxes pertaining to his campaign, while serving in the capacity of Collins Trucking Company." Collins Trucking states, therefore, that "Mr. Collins is paying a pro-rata share for the services." As noted above, however, Collins Trucking has submitted no documentation for its calculations of charges to the Committee or when it received payment from the Committee for services rendered.

From public records and materials submitted with responses, it appears that Michael Collins and Collins Trucking have made and Michael Collins and the Committee have accepted corporate contributions. Given the facts that the Committee has admitted it incorrectly reported disbursements on its July 1992 report, that there appear to be discrepancies between charges incurred and payments rendered,

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3. The Committee continued to use the Jackson address on its 12 day report filed with the Office of the Clerk of the House of Representatives on July 10, 1992 (pre-printed label) and on its amendment filed September 3, 1992 (handwritten). The Committee filed two 48 hour reports on July 20 and 21, 1992 on stationery listing the Jonesboro, GA address. Although the stationery indicated the Committee's new address, it listed as its phone number the phone number of Collins Trucking in Jackson, (404) 7750-3333. The stationery on which the Committee wrote its response to the instant complaint lists a different phone number, (404) 471-0048. The Committee claims that it continued to use stationery with the Collins Trucking phone number on it until "the supply was exhausted." While this explanation plausibly accounts for the use of the old stationery, it does not explain the use of the Collins Trucking address after the Committee's move and use of the Collins Trucking phone number in the first instance as the Committee's phone number in its new Jonesboro location. Rather the common phone number may indicate continued use of company facilities for campaign activity after the Committee moved to new headquarters in June 1992.

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and that Mr. Collins' identity as candidate and as president of Collins Trucking overlap, there is, therefore, reason to believe that Mac Collins for Congress and Wanda Tschudy, as treasurer, violated 2 U.S.C. § 434(b) and 2 U.S.C. § 441b.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 12, 1993

Michael A. Collins  
Collins Trucking Company, Inc.  
527 Alabama Blvd.  
Jackson, GA 30233

RE: MUR 3636  
Collins Trucking

Dear Mr. Collins:

On October 5, 1992, the Federal Election Commission notified you of a complaint alleging violations by your corporation of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, and information supplied by your corporation, the Commission, on January 6, 1993, found that there is reason to believe your corporation violated 2 U.S.C. § 441b, a provision of 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 your corporation. 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 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 your corporation, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of

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Collins Trucking  
Page 2

the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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 matter to be made public.

If you have any questions, please contact Holly Baker, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,



Scott E. Thomas  
Chairman

Enclosures  
Designation of Counsel Form  
Factual & Legal Analysis

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Collins Trucking Company, Inc. MUR: 3636

This matter was generated by a complaint from the Democratic Party of Georgia against Michael Collins, Collins Trucking Company, Inc. ("Collins Trucking"), and Mac Collins for Congress and Wanda Tschudy, as treasurer (the "Committee"). Complainant alleges that Michael Collins operated his campaign from his corporate headquarters at Collins Trucking, and in connection therewith, may have violated campaign laws governing corporate contributions.

A. The Law

The Federal Election Campaign Act of 1971, as amended ("the Act") provides that it is unlawful for a corporation to make a contribution or expenditure in connection with any election to any federal political office, and that it is unlawful for any candidate, political committee, or other person knowingly to accept or receive a corporate contribution. 2 U.S.C. § 441b. A "contribution or expenditure" includes any direct or indirect payment, any services, or anything of value given to any candidate or campaign committee in connection with a federal election. 2 U.S.C. § 441b(b)(2). Regulations of the Federal Election Commission ("Commission") provide that "anything of value" encompasses all in-kind contributions, including provision of any goods or services without charge or at a charge which is

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less than the usual and normal charge for such goods or services. 11 C.F.R. § 100.7(a)(1)(iii)(A) and § 114.1(a)(1). Regulations further provide that an incorporated commercial vendor may extend credit to a candidate or committee provided that the credit is extended in the ordinary course of the corporation's business. 11 C.F.R. § 116.3(b) and (c).

Although the Act limits a person's contributions to a candidate to \$1,000 per election, 2 U.S.C. § 441a(a), candidates for Congress are exempt from federal limitations on expenditures of personal funds on their own campaigns. 11 C.F.R. § 110.10(a); see also Buckley v. Valeo, 424 U.S. 1, 54 (1976).

The Act further provides that the treasurer of a political committee must at specified times file with the Commission reports disclosing receipts and disbursements. See 2 U.S.C. § 434(b).

#### B. Allegations

The Complainant alleges that Michael Collins (a/k/a/ Mac Collins) violated the Act by operating his campaign from his corporate headquarters at Collins Trucking in Jackson, GA. Complainant further alleges that Collins Trucking made illegal in-kind campaign contributions in the form of use of corporate equipment and facilities. As a consequence, Complainant further alleges that Mr. Collins and his Committee have accepted illegal in-kind corporate contributions.

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C. Discussion

Collins Trucking Company, Inc., is a closely-held Georgia corporation, with Michael A. Collins, President, and Julie Collins, Secretary-Treasurer. (Corporate Division, Atlanta, Georgia). In its response, Collins Trucking states that it rented one room of approximately 750 square feet and use of some office equipment to the Committee from April 1992 through approximately June 8, 1992. In addition, Collins Trucking indicates that the Committee has continued to use and be charged a pro rata share for Collins Trucking telephone services and "misc. expense" associated with Collins Trucking facilities. Collins Trucking submitted an undated list of charges which, in addition to "office rent," includes use of a Collins Trucking vehicle and a mobile telephone for the period April-August 1992. The total charges for the Committee's use of Collins Trucking facilities, services, and equipment for the period April through September 1992 comes to \$4,244.78 of which the Committee allegedly paid \$3500 by check on June 23, 1992.

Under "office rent," which includes use of "telephone, utilities, copier, typewriter, etc.," Collins Trucking claims

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it charged the Committee varying amounts from April-September 1992.<sup>1</sup> In its response, Collins Trucking states: "[w]e feel that the charges for the services are reasonable and equitable for this area for the space and equipment utilized." However, Collins Trucking provides no documentation for these charges or the method it used to calculate the charges. Therefore, it is not possible to determine from the materials submitted with the response whether the charges are usual and normal.

With its response, Collins Trucking also submitted a canceled check for \$3500 which it claims represents payment from the Committee to Collins Trucking for the various services noted above. This check is dated June 23, 1992, with Collins Trucking as payee and Mac Collins /b/Julie Collins as payor.<sup>2</sup> Payor information is imprinted on the check as: Mac Collins, P.O. Box 3617, Jackson, GA 30233, 775-3333. This address and phone number are the same as those of Collins Trucking. Julie Collins is both the secretary-treasurer of Collins Trucking and the bookkeeper of the Committee. It is not possible to tell from the check

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1. For one week in April, Collins Trucking charged the Committee \$175.00. For the month of May, the charges were \$750.00. Then for one week in June (6-1/6-8), prior to the Committee's move to Jonesboro, Collins Trucking charged the Committee \$750.00. For subsequent miscellaneous use of corporate facilities, Collins Trucking charged the Committee \$150.00 per month.

2. Inexplicably, the check also bears a bank stamp indicating that it was paid on June 23, 1992.

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whether it was drawn on Mac Collins' personal account, his campaign account, or a corporate account. It is unclear from the responses how the Respondents wish the Commission to characterize the check.

Another question arises from the fact that as of June 23, 1992 when the check of \$3,500 made payable to Collins Trucking was written, the Committee appears to have owed only \$3,217.19 (using figures supplied by Collins Trucking). The amount of the debt, along with the fact that the "invoice" includes charges not incurred until after the date of the check, gives the "invoice" the appearance of an after-the-fact accounting.

More importantly, however, the check, in conjunction with the invoice, raises the additional question of whether the check constitutes a prepayment for services or instead, payment for services rendered by Collins Trucking in the past. If the latter, Collins Trucking may have extended credit to the Committee in violation of 2 U.S.C. § 441b. Any services that the Committee either did not pay for in advance or at the time the service was rendered would constitute a corporate extension of credit prohibited by the Act since Collins Trucking is not a commercial vendor whose ordinary business is to rent office space and office equipment.

Other than to include a copy of the instant "invoice" which includes a line entry of the \$3500 check payable to Collins Trucking, the Committee does not acknowledge writing

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the check to Collins Trucking. Further, the Committee did not report the disbursement on its July report. Rather, on the 12 day report preceding the primary on July 21, 1992 (which served also as the July quarterly report), the Committee reported a June 15, 1992 \$1500 in-kind receipt/disbursement from the candidate, Mac Collins, 100 Meadowlark Drive, McDonough, GA 30253 for "Rent, Utilities, Travel, Lodging." In its response, the Committee states that it "incorrectly indicated that the disbursement included rent, utilities, travel and lodging." The Committee does not specify how it wishes the Commission to consider that receipt/disbursement.

On its October quarterly report, however, the Committee did report as disbursements (paid through Michael Collins) three months of "rent" of \$450 (July, August, and September 1992) for the Jackson, GA office at Collins Trucking and all of the mobile phone (\$848.25) and vehicle usage (\$1271.53) from April through August. The mobile phone and vehicle usage charges were in part purportedly covered by the June 23, 1992 check of \$3500.

That the relationship between Collins Trucking and the Committee may be less than arms-length finds support in the continued use of the Collins Trucking address and telephone number after the Committee moved its headquarters from Collins Trucking in Jackson to Jonesboro on or about June 8,

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1992.<sup>3</sup> Collins Trucking admits that after June 8, 1992, Mac Collins continued to receive "messages, mail, telephone calls, and faxes pertaining to his campaign, while serving in the capacity of Collins Trucking Company." Collins Trucking states, therefore, that "Mr. Collins is paying a pro-rata share for the services." As noted above, however, Collins Trucking has submitted no documentation for its calculations of charges to the Committee or when it received payment from the Committee for services rendered.

From public records and materials submitted with responses, it appears that Michael Collins and Collins Trucking have made and Michael Collins and the Committee have accepted corporate contributions. Given the facts that the Committee has admitted it incorrectly reported disbursements on its July 1992 report, that there appear to be discrepancies between charges incurred and payments rendered,

3. The Committee continued to use the Jackson address on its 12 day report filed with the Office of the Clerk of the House of Representatives on July 10, 1992 (pre-printed label) and on its amendment filed September 3, 1992 (handwritten). The Committee filed two 48 hour reports on July 20 and 21, 1992 on stationery listing the Jonesboro, GA address. Although the stationery indicated the Committee's new address, it listed as its phone number the phone number of Collins Trucking in Jackson, (404) 7750-3333. The stationery on which the Committee wrote its response to the instant complaint lists a different phone number, (404) 471-0048. The Committee claims that it continued to use stationery with the Collins Trucking phone number on it until "the supply was exhausted." While this explanation plausibly accounts for the use of the old stationery, it does not explain the use of the Collins Trucking address after the Committee's move and use of the Collins Trucking phone number in the first instance as the Committee's phone number in its new Jonesboro location. Rather the common phone number may indicate continued use of company facilities for campaign activity after the Committee moved to new headquarters in June 1992.

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and that Mr. Collins' identity as candidate and as president of Collins Trucking overlap, there is, therefore, reason to believe that Collins Trucking Company, Inc. violated 2 U.S.C. § 441b.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 12, 1993

Michael A. Collins  
P.O. Box 3617  
Jackson, GA 30233

RE: MUR 3636  
Michael Collins

Dear Mr. Collins:

On October 5, 1992, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, and information supplied by you, the Commission, on January 6, 1993, found that there is reason to believe you violated 2 U.S.C. § 441b, a provision of 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 you. 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 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 you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation

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Michael A. Collins

Page 2

after briefs on probable cause have been mailed to the respondent.

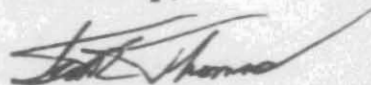
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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 matter to be made public.

If you have any questions, please contact Holly Baker, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,



Scott E. Thomas  
Chairman

Enclosures  
Designation of Counsel Form  
Factual & Legal Analysis

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Michael A. Collins

MUR: 3636

This matter was generated by a complaint from the Democratic Party of Georgia against Michael Collins, Collins Trucking Company, Inc. ("Collins Trucking"), and Mac Collins for Congress and Wanda Tschudy, as treasurer (the "Committee"). Complainant alleges that Michael Collins operated his campaign from his corporate headquarters at Collins Trucking, and in connection therewith, may have violated campaign laws governing corporate contributions.

A. The Law

The Federal Election Campaign Act of 1971, as amended ("the Act") provides that it is unlawful for a corporation to make a contribution or expenditure in connection with any election to any federal political office, and that it is unlawful for any candidate, political committee, or other person knowingly to accept or receive a corporate contribution. 2 U.S.C. § 441b. A "contribution or expenditure" includes any direct or indirect payment, any services, or anything of value given to any candidate or campaign committee in connection with a federal election. 2 U.S.C. § 441b(b)(2). Regulations of the Federal Election Commission ("Commission") provide that "anything of value" encompasses all in-kind contributions, including provision of any goods or services without charge or at a charge which is

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less than the usual and normal charge for such goods or services. 11 C.F.R. § 100.7(a)(1)(iii)(A) and § 114.1(a)(1). Regulations further provide that an incorporated commercial vendor may extend credit to a candidate or committee provided that the credit is extended in the ordinary course of the corporation's business. 11 C.F.R. § 116.3(b) and (c).

Although the Act limits a person's contributions to a candidate to \$1,000 per election, 2 U.S.C. § 441a(a), candidates for Congress are exempt from federal limitations on expenditures of personal funds on their own campaigns. 11 C.F.R. § 110.10(a); see also Buckley v. Valeo, 424 U.S. 1, 54 (1976).

The Act further provides that the treasurer of a political committee must at specified times file with the Commission reports disclosing receipts and disbursements. See 2 U.S.C. § 434(b).

#### B. Allegations

The Complainant alleges that Michael Collins (a/k/a/ Mac Collins) violated the Act by operating his campaign from his corporate headquarters at Collins Trucking in Jackson, GA. Complainant further alleges that Collins Trucking made illegal in-kind campaign contributions in the form of use of corporate equipment and facilities. As a consequence, Complainant further alleges that Mr. Collins and his Committee have accepted illegal in-kind corporate contributions.

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C. Discussion

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Collins Trucking Company, Inc., is a closely-held Georgia corporation, with Michael A. Collins, President, and Julie Collins, Secretary-Treasurer. (Corporate Division, Atlanta, Georgia). In its response, Collins Trucking states that it rented one room of approximately 750 square feet and use of some office equipment to the Committee from April 1992 through approximately June 8, 1992. In addition, Collins Trucking indicates that the Committee has continued to use and be charged a pro rata share for Collins Trucking telephone services and "misc. expense" associated with Collins Trucking facilities. Collins Trucking submitted an undated list of charges which, in addition to "office rent," includes use of a Collins Trucking vehicle and a mobile telephone for the period April-August 1992. The total charges for the Committee's use of Collins Trucking facilities, services, and equipment for the period April through September 1992 comes to \$4,244.78 of which the Committee allegedly paid \$3500 by check on June 23, 1992.

Under "office rent," which includes use of "telephone, utilities, copier, typewriter, etc.," Collins Trucking claims

it charged the Committee varying amounts from April-September 1992.<sup>1</sup> In its response, Collins Trucking states: "[w]e feel that the charges for the services are reasonable and equitable for this area for the space and equipment utilized." However, Collins Trucking provides no documentation for these charges or the method it used to calculate the charges. Therefore, it is not possible to determine from the materials submitted with the response whether the charges are usual and normal.

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With its response, Collins Trucking also submitted a canceled check for \$3500 which it claims represents payment from the Committee to Collins Trucking for the various services noted above. This check is dated June 23, 1992, with Collins Trucking as payee and Mac Collins /b/Julie Collins as payor.<sup>2</sup> Payor information is imprinted on the check as: Mac Collins, P.O. Box 3617, Jackson, GA 30233, 775-3333. This address and phone number are the same as those of Collins Trucking. Julie Collins is both the secretary-treasurer of Collins Trucking and the bookkeeper of the Committee. It is not possible to tell from the check

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1. For one week in April, Collins Trucking charged the Committee \$175.00. For the month of May, the charges were \$750.00. Then for one week in June (6-1/6-8), prior to the Committee's move to Jonesboro, Collins Trucking charged the Committee \$750.00. For subsequent miscellaneous use of corporate facilities, Collins Trucking charged the Committee \$150.00 per month.

2. Inexplicably, the check also bears a bank stamp indicating that it was paid on June 23, 1992.



whether it was drawn on Mac Collins' personal account, his campaign account, or a corporate account. It is unclear from the responses how the Respondents wish the Commission to characterize the check.

Another question arises from the fact that as of June 23, 1992 when the check of \$3,500 made payable to Collins Trucking was written, the Committee appears to have owed only \$3,217.19 (using figures supplied by Collins Trucking). The amount of the debt, along with the fact that the "invoice" includes charges not incurred until after the date of the check, gives the "invoice" the appearance of an after-the-fact accounting.

More importantly, however, the check, in conjunction with the invoice, raises the additional question of whether the check constitutes a prepayment for services or instead, payment for services rendered by Collins Trucking in the past. If the latter, Collins Trucking may have extended credit to the Committee in violation of 2 U.S.C. § 441b. Any services that the Committee either did not pay for in advance or at the time the service was rendered would constitute a corporate extension of credit prohibited by the Act since Collins Trucking is not a commercial vendor whose ordinary business is to rent office space and office equipment.

Other than to include a copy of the instant "invoice" which includes a line entry of the \$3500 check payable to Collins Trucking, the Committee does not acknowledge writing

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the check to Collins Trucking. Further, the Committee did not report the disbursement on its July report. Rather, on the 12 day report preceding the primary on July 21, 1992 (which served also as the July quarterly report), the Committee reported a June 15, 1992 \$1500 in-kind receipt/disbursement from the candidate, Mac Collins, 100 Meadowlark Drive, McDonough, GA 30253 for "Rent, Utilities, Travel, Lodging." In its response, the Committee states that it "incorrectly indicated that the disbursement included rent, utilities, travel and lodging." The Committee does not specify how it wishes the Commission to consider that receipt/disbursement.

On its October quarterly report, however, the Committee did report as disbursements (paid through Michael Collins) three months of "rent" of \$450 (July, August, and September 1992) for the Jackson, GA office at Collins Trucking and all of the mobile phone (\$848.25) and vehicle usage (\$1271.53) from April through August. The mobile phone and vehicle usage charges were in part purportedly covered by the June 23, 1992 check of \$3500.

That the relationship between Collins Trucking and the Committee may be less than arms-length finds support in the continued use of the Collins Trucking address and telephone number after the Committee moved its headquarters from Collins Trucking in Jackson to Jonesboro on or about June 8,

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1992.<sup>3</sup> Collins Trucking admits that after June 8, 1992, Mac Collins continued to receive "messages, mail, telephone calls, and faxes pertaining to his campaign, while serving in the capacity of Collins Trucking Company." Collins Trucking states, therefore, that "Mr. Collins is paying a pro-rata share for the services." As noted above, however, Collins Trucking has submitted no documentation for its calculations of charges to the Committee or when it received payment from the Committee for services rendered.

From public records and materials submitted with responses, it appears that Michael Collins and Collins Trucking have made and Michael Collins and the Committee have accepted corporate contributions. Given the facts that the Committee has admitted it incorrectly reported disbursements on its July 1992 report, that there appear to be discrepancies between charges incurred and payments rendered,

3. The Committee continued to use the Jackson address on its 12 day report filed with the Office of the Clerk of the House of Representatives on July 10, 1992 (pre-printed label) and on its amendment filed September 3, 1992 (handwritten). The Committee filed two 48 hour reports on July 20 and 21, 1992 on stationery listing the Jonesboro, GA address. Although the stationery indicated the Committee's new address, it listed as its phone number the phone number of Collins Trucking in Jackson, (404) 7750-3333. The stationery on which the Committee wrote its response to the instant complaint lists a different phone number, (404) 471-0048. The Committee claims that it continued to use stationery with the Collins Trucking phone number on it until "the supply was exhausted." While this explanation plausibly accounts for the use of the old stationery, it does not explain the use of the Collins Trucking address after the Committee's move and use of the Collins Trucking phone number in the first instance as the Committee's phone number in its new Jonesboro location. Rather the common phone number may indicate continued use of company facilities for campaign activity after the Committee moved to new headquarters in June 1992.

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and that Mr. Collins' identity as candidate and as president of Collins Trucking overlap, there is, therefore, reason to believe that Michael A. Collins violated 2 U.S.C. § 441b.

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MAC  
**COLLINS**  
FOR CONGRESS

00C 8364  
RECEIVED  
FEDERAL ELECTIONS  
3rd Congressional District  
COMMISSION  
MAIL ROOM

FEB 1 2 14 PM '93

January 26, 1993

Mr. Scott Thomas, Chairman  
Federal Elections Commission  
Washington, DC 20463

REF: MUR 3636

Mac Collins for Congress and Wanda Tschudy, Treasurer

Dear Mr. Thomas:

In response to your letter dated January 12, 1993, I submit the following:

Mac Collins for Congress and Wanda Tschudy, as Treasurer (the Committee) and Collins Trucking Co., Inc., (Collins Trucking) did not in any way intend or violate a FEC law. After qualifying as a candidate for congress I as President of Collins Trucking and its daily operations officer, immediately established an amount for rent to be paid to Collins Trucking for an amount that was fair and equitable for use of space and equipment owned by Collins Trucking.

I submitted pictures in reply to the instant complaint displaying the working areas of Collins Trucking. Such area consists of approximately 750 square feet; a bookkeeping room, one office, and an upstairs room. In the bookkeeping room Collins Trucking has a copier (small and several years of age worth approximately \$100), a typewriter (purchased from Wal-Mart for less than \$150), and a Radio Shack FAX machine (cost new 3 years ago approximately \$675). For the rent established, the Committee had use of this equipment as needed. Such need was very seldom.

As for space used by the Committee, the upstairs area, shown in the pictures submitted, was used to locate a PC computer purchased by the Committee. The computer set on the long table shown in the picture. Wanda Tschudy was a part-time volunteer who used the allotted area on behalf of the Committee.

Mr. Thomas, based on the small area and the minimum use of the low cost equipment by the committee, I believe \$175 for one week in April and \$750 per month for May and June were fair and equitable. In an attempt to assure the Committee did not take advantage of Collins Trucking, I did not alter the rent for the month

of June even though the Committee had established a campaign in Jonesboro, Georgia.

I wrote a personal check on June 23, 1993 on account to Collins Trucking for \$3500 for rent and other expenses that Collins Trucking had encountered such as: mobile telephone and vehicle. Being that the check was drawn on my personal account, I did not deem it necessary to indicate it on the July 1, 1993 FEC report. I feel it is evident that I fully intended to comply with the law by the fact I estimated and paid more to Collins Trucking than was actually due.

Reference was made to after-the-fact accounting. I was of the opinion that as long as any expense incurred by Collins Trucking was invoiced and paid by me personally or by the Committee within a reasonable time I was in compliance with the FEC law. If I erred in such thinking, I apologize. However, the intent was not to error.

A question has been raised as to why the check was stamped by the bank indicating deposit the same day it was written. Both Collins Trucking and I bank with McIntosh State Bank, Jackson, Georgia. McIntosh Bank is a small town community bank that can transfer monies in-house on the same day depending upon the time of day the transaction was submitted.

Regarding the mailing address on the twelfth day primary report, we used the mailing label which was provided to us for our use as most of the activity was prior to our move. The cost of receiving mail was included in the monthly payments for services provided by Collins Trucking Company.

I did pay rent for the time after we moved to Jonesboro in an attempt to cover any expense Collins Trucking encountered by those who mistakingly or by habit used Collins Trucking as a means to contact me or the Committee.

Sincerely,

*Mac Collins*  
Mac Collins

93040991629

# Collins Trucking Company, Inc.

P O BOX 3617 ALABAMA BLVD. JACKSON, GEORGIA 30233  
(404) 775-3333

STATEMENT: MAC COLLINS FOR CONGRESS  
P.O. BOX 35  
JONESBORO, GEORGIA 30237

Office Rent: (Includes use of telephone, utilities, copier, typewriter,  
etc.)

APRIL 1992 (one week) -----	\$ 175.00
MAY 1992 -----	750.00
JUNE 1992 (6/1 thru 6/8) -----	750.00
JULY 1992 (telephone & misc. expense) -----	150.00
AUGUST 1992 (telephone & misc. expense) -----	150.00
SEPTEMBER 1992 (telephone & misc. expense) -----	150.00
TOTAL	2125.00

Use of company vehicle (1988 Chevrolet Pick-Up):

APRIL & MAY 1992 (1703 miles @ 21¢ per mile) -----	357.63
JUNE 1992 (2659 miles @ 21¢ per mile) -----	558.39
JULY 1992 (1290 miles @ 21¢ per mile) -----	270.90
AUGUST 1992 (402 miles @ 21¢ per mile) -----	84.61
TOTAL	1271.53

Mobile Telephone:

APRIL 1992 -----	132.00
MAY 1992 -----	285.02
JUNE 1992 -----	209.15
JULY 1992 -----	94.18
AUGUST 1992 -----	127.90
TOTAL	848.25

SUMMARY TOTAL 4244.78

PAYMENT RECEIVED June 23, 1992, check #893 \*\*\* -3500.00

BALANCE DUE AS OF SEPTEMBER 1992 ----- 744.78

\*\*\* NOTE : The \$3500. check issued for expense was a personal  
check from the candidate.

The \$3500. disbursement was not reported on FEC ----

(See following page for reporting of the expenditures)

93040991630

BREAKDOWN OF DISBURSEMENTS TO MAC COLLINS  
FROM MAC COLLINS FOR CONGRESS COMMITTEE

REPORTED ON FEC: 175.00 (INKIND) April Quarterly  
1500.00 (INKIND) 12th Day - Primary

4900.00 (Check to Mac Collins) October quarterly  
" " " 450.00 -Rent,telephone,utilities,etc  
1271.53 -Use of Company vehicle 1988 Chev. PU  
848.25 -Mobile Telephone  
410.80 -Gasoline \*  
722.30 -Lodging \*  
1197.12 -Misc.expense \*  
4900.00

\* Expense incurred  
by Mac Collins - not Collins Trucking Company

93040991631



# REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee  
(Summary Page)

*Copy*

USE FEC MAILING LABEL  
OR  
TYPE OR PRINT

1. NAME OF COMMITTEE (in full) <b>MAC COLLINS FOR CONGRESS</b>		000265942
ADDRESS (number and street) <input type="checkbox"/> Check if different than previously reported. <b>P.O. Box 35</b>		2. FEC IDENTIFICATION NUMBER
CITY, STATE and ZIP CODE <b>Jonesboro, GA 30237</b>	STATE/DISTRICT <b>GA 03</b>	3. IS THIS REPORT AN AMENDMENT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

## 4. TYPE OF REPORT

☐ April 15 Quarterly Report

☒ Twelfth day report preceding Primary (Type of Election)  
election on 7/21/92 in the State of GA

☐ July 15 Quarterly Report

☐ October 15 Quarterly Report

☐ Thirtieth day report following the General Election on \_\_\_\_\_ in the State of \_\_\_\_\_

☐ January 31 Year End Report

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

☐ Termination Report

This report contains activity for ☒ Primary Election ☐ General Election ☐ Special Election ☐ Runoff Election

## SUMMARY

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period <u>4/01/92</u> through <u>7/01/92</u>		
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(e))		
(b) Total Contribution Refunds (from Line 20(d))		
(c) Net Contributions (other than loans) (subtract Line 6(b) from 6(a))		
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)		
(b) Total Offsets to Operating Expenditures (from Line 14)		
(c) Net Operating Expenditures (subtract Line 7(b) from 7(a))		
8. Cash on Hand at Close of Reporting Period (from Line 27)		
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)		
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)		

For further information contact:  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463  
Toll Free 800-424-9530  
Local 202-376-3120

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

**Wanda Tschudy**

Signature of Treasurer

*Wanda Tschudy*

Date

**1/24/93**

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 3**

(revised 4/87)

93040991632

## SCHEDULE A

## ITEMIZED RECEIPTS

 Separate schedule(s)  
for each category of the  
Detailed Summary Page

 PAGE 1 OF 1  
FOR LINE NUMBER  
11D

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

MAC COLLINS FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code

 Mac Collins  
100 Meadowlark Drive  
McDonough, GA 30253

Name of Employer

 Rent, Utilities  
Includes - Use of telephone  
copier, typewriter  
etc.
Date (month,  
day, year)

6/15/92

Amount of Each  
Receipt this Period

1500.00 INK

Receipt For:

☒

Primary

☐

General

☐ Other (specify):

Aggregate Year-to-Date &gt; \$1675.00

B. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,  
day, year)Amount of Each  
Receipt this Period

Occupation

Receipt For:

☐

Primary

☐

General

☐ Other (specify):

Aggregate Year-to-Date &gt; \$

C. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,  
day, year)Amount of Each  
Receipt this Period

Occupation

Receipt For:

☐

Primary

☐

General

☐ Other (specify):

Aggregate Year-to-Date &gt; \$

D. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,  
day, year)Amount of Each  
Receipt this Period

Occupation

Receipt For:

☐

Primary

☐

General

☐ Other (specify):

Aggregate Year-to-Date &gt; \$

E. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,  
day, year)Amount of Each  
Receipt this Period

Occupation

Receipt For:

☐

Primary

☐

General

☐ Other (specify):

Aggregate Year-to-Date &gt; \$

F. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,  
day, year)Amount of Each  
Receipt this Period

Occupation

Receipt For:

☐

Primary

☐

General

☐ Other (specify):

Aggregate Year-to-Date &gt; \$

G. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,  
day, year)Amount of Each  
Receipt this Period

Occupation

Receipt For:

☐

Primary

☐

General

☐ Other (specify):

Aggregate Year-to-Date &gt; \$

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only)

93040991633

## SCHEDULE B

## ITEMIZED DISBURSEMENTS

Use separate schedule(s)  
for each category of the  
Detailed Summary Page

PAGE	OF
3	4
FOR LINE NUMBER	
17	

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

MAC COLLINS FOR CONGRESS

93040991634

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		
E. Full Name, Mailing Address and ZIP Code Mac Collins 100 Meadowlark Drive McDonough, GA 30253	Purpose of Disbursement Includes use of typewriter, copier, telephone etc Rent, Utilities Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) INKIND	Date (month, day, year) 6/15/92	Amount of Each Disbursement This Period 1500.00 INK
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		

SUBTOTAL of Disbursements This Page (optional) .....

TOTAL This Period (last page this line number only) .....

MUR # 3436

ADDITIONAL DOCUMENTS WILL BE ADDED TO THIS FILE AS THEY  
BECOME AVAILABLE. PLEASE CHECK FOR ADDITIONAL MICROFILM  
LOCATIONS.

93040991635





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3636

DATE FILMED 10/29/93 CAMERA NO. 2

CAMERAMAN MC

93040991636



FEDERAL ELECTION COMMISSION  
WASHINGTON DC 20461

☒ Microfilm  
☐ Public Records  
☐ Press

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 3636.

12/10/93

23043543324

THE READER IS REFERRED TO ADDITIONAL MICROFILM LOCATIONS  
FOR THE FOLLOWING DOCUMENTS PERTINENT TO THIS CASE

1. Memo, General Counsel to the Commission, dated September 22, 1992, Subject: Priority System Report.  
See Reel 354, pages 1590-94.
2. Memo, General Counsel to the Commission, dated April 14, 1993, Subject: Enforcement Priority System.  
See Reel 354, pages 1595-1620.
3. Certification of Commission vote, dated April 28, 1993.  
See Reel 354, pages 1621-22.
4. General Counsel's Report, In the Matter of Enforcement Priority, dated December 3, 1993.  
See Reel 354, pages 1623-1740.
5. Certification of Commission vote, dated December 9, 1993.  
See Reel 354, pages 1741-1746.

23043543325



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

DEC 10 1992

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Maryscott Greenwood, Executive Director  
Democratic Party of Georgia  
1100 Spring Street, Suite 420  
Atlanta, GA 30309

RE: MUR 3636

Dear Ms. Greenwood:

On October 2, 1992, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). On January 6, 1993, the Commission found reason to believe that Michael A. Collins and Collins Trucking Company, Inc. violated 2 U.S.C. § 441b and that Mac Collins for Congress and Wanda Tschudy, as treasurer, violated 2 U.S.C. § 441b and § 434(b). On February 2, 1993, Michael Collins submitted additional information to the Commission.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against Michael A. Collins, Collins Trucking Company, Inc., Mac Collins for Congress and Wanda Tschudy, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter. This matter will become part of the public record within 30 days.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

Holly Baker  
Attorney

Attachment  
Narrative

Date the Commission voted to close the file: \_\_\_\_\_

DEC 09 1992

23043543326



MUR 3636  
MAC COLLINS FOR CONGRESS

The complaint involves allegations of corporate in-kind contributions by the candidate's trucking company to the candidate's campaign in the form of an extension of credit for the use of corporate facilities. On January 6, 1993, the Commission found reason to believe that Michael ("Mac") Collins, Collins Trucking Company, and Mac Collins for Congress violated 441b. Mac Collins admits that his campaign committee used Collins Trucking facilities and did not properly report all the transactions. However, he states that the Committee paid a fair price for the use of facilities.

This is a case where there is no significant issue relative to the other issues pending before the Commission, no indication of any serious intent by Respondents to violate the FECA, and a limited amount of money is involved.

23043543327



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

DEC 10 1993

Wanda Tschudy, Treasurer  
Mac Collins for Congress  
P.O. Box 35  
Jonesboro, GA 30237

RE: MUR 3636  
Mac Collins for Congress and  
Wanda Tschudy, as treasurer

Dear Ms. Tschudy:

On October 5, 1992, you were notified that the Federal Election Commission had found reason to believe that Mac Collins for Congress ("Committee") and you, as treasurer, violated 2 U.S.C. § 441b and § 434(b). On February 2, 1993, Michael A. Collins, on behalf of the Committee, submitted a response to the Commission's reason to believe findings.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against the Committee and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter.

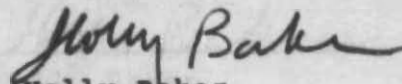
The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

23043543328

Wanda Tschudy, Treasurer  
Page 2

If you have any questions, please contact me at (202)  
219-3400.

Sincerely,

  
Holly Baker  
Attorney

Attachment  
Narrative

Date the Commission voted to close the file: DEC 09 1993

23043543329

MUR 3636

MAC COLLINS FOR CONGRESS

The complaint involves allegations of corporate in-kind contributions by the candidate's trucking company to the candidate's campaign in the form of an extension of credit for the use of corporate facilities. On January 6, 1993, the Commission found reason to believe that Michael ("Mac") Collins, Collins Trucking Company, and Mac Collins for Congress violated 441b. Mac Collins admits that his campaign committee used Collins Trucking facilities and did not properly report all the transactions. However, he states that the Committee paid a fair price for the use of facilities.

This is a case where there is no significant issue relative to the other issues pending before the Commission, no indication of any serious intent by Respondents to violate the FECA, and a limited amount of money is involved.

23043543330





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

DEC 10 1993

Michael A. Collins  
Collins Trucking Company, Inc.  
527 Alabama Blvd.  
Jackson, GA 30233

RE: MUR 3636  
Collins Trucking Company, Inc.

Dear Mr. Collins:

On October 5, 1992, you were notified that the Federal Election Commission had found reason to believe that your corporation violated 2 U.S.C. § 441b. On February 2, 1993, you submitted a response to the Commission's reason to believe findings.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against Collins Trucking Company. See attached narrative. Accordingly, the Commission closed its file in this matter.

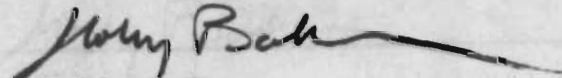
The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

23043543331

Michael A. Collins/Collins Trucking  
Page 2

If you have any questions, please contact me at (202)  
219-3400.

Sincerely,

  
Holly Baker  
Attorney

Attachment  
Narrative

Date the Commission voted to close the file: DEC 09 1993

23043543332

MUR 3636

MAC COLLINS FOR CONGRESS

The complaint involves allegations of corporate in-kind contributions by the candidate's trucking company to the candidate's campaign in the form of an extension of credit for the use of corporate facilities. On January 6, 1993, the Commission found reason to believe that Michael ("Mac") Collins, Collins Trucking Company, and Mac Collins for Congress violated 44lb. Mac Collins admits that his campaign committee used Collins Trucking facilities and did not properly report all the transactions. However, he states that the Committee paid a fair price for the use of facilities.

This is a case where there is no significant issue relative to the other issues pending before the Commission, no indication of any serious intent by Respondents to violate the FECA, and a limited amount of money is involved.

23043543333



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

DEC 10 1993

The Honorable Michael A. Collins  
P.O. Box 3617  
Jackson, GA 30233

RE: MUR 3636  
Michael A. Collins

Dear Mr. Collins:

On October 5, 1992, you were notified that the Federal Election Commission had found reason to believe that you violated 2 U.S.C. § 441b. On February 2, 1993, you submitted a response to the Commission's reason to believe findings.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. See attached narrative. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

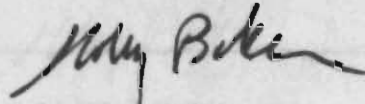
23043543334



Michael A. Collins  
Page 2

If you have any questions, please contact me at (202)  
219-3400.

Sincerely,



Holly Baker  
Attorney

Attachment  
Narrative

Date the Commission voted to close the file: DEC 09 1993

23043543335

MUR 3636

MAC COLLINS FOR CONGRESS

The complaint involves allegations of corporate in-kind contributions by the candidate's trucking company to the candidate's campaign in the form of an extension of credit for the use of corporate facilities. On January 6, 1993, the Commission found reason to believe that Michael ("Mac") Collins, Collins Trucking Company, and Mac Collins for Congress violated 441b. Mac Collins admits that his campaign committee used Collins Trucking facilities and did not properly report all the transactions. However, he states that the Committee paid a fair price for the use of facilities.

This is a case where there is no significant issue relative to the other issues pending before the Commission, no indication of any serious intent by Respondents to violate the FECA, and a limited amount of money is involved.

23043543336