



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4420

DATE FILMED 6-19-57 CAMERA NO. 1

CAMERAMAN JmN

97043820813

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: March 4, 1996

ANALYST: Jan McBride

I. COMMITTEE: Mississippi Democratic Party Political
Action Committee (C00149641)
Peggy Peterson, Treasurer
(9/16/95 to present) *
Larry Denman, Treasurer
(8/13/93 to 7/13/94)
832 North Congress Street
Jackson, MS 39215

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

III. BACKGROUND:

Failure to Timely File the 1995 Mid-Year Report

The Mississippi Democratic Party Political Action Committee ("the Committee") failed to timely file its 1995 Mid-Year Report of Receipts and Disbursements covering the period from January 1, 1995 through June 30, 1995.

A Prior Notice was sent to the Committee on July 7, 1995. The Notice alerted the Committee that the 1995 Mid-Year Report was due on July 31, 1995 (Attachment 2). A Non-Filer Notice was sent on August 17, 1995 (Attachment 3).

On September 11, 1995, the Reports Analysis Division ("RAD") analyst contacted Alice Skelton, the Committee's executive director, about filing the 1995 Mid-Year Report. Ms. Skelton informed the analyst that she didn't have all of the documentation necessary to file the report. The analyst asked that a report be filed as soon as possible and that further amendments could be filed with additional information at a later date (Attachment 4).

The 1995 Mid-Year Report was filed on January 31, 1996 by certified/registered mail (Attachment 5).

* The Committee failed to designate a replacement until September 1995 for Mr. Denman.

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COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
				TYPE OF FILER		
MISSISSIPPI DEMOCRATIC PARTY POLITICAL ACTION COMMITTEE				ID #C00149641	PARTY QUALIFIED	
CONNECTED ORGANIZATION: MISSISSIPPI DEMOCRATIC PARTY						
1995 STATEMENT OF ORGANIZATION - AMENDMENT				22SEP95	2	95FEC/998/3152
MID-YEAR REPORT	40,827	41,601		1JAN95 -30JUN95	17	96FEC/029/2079
NOTICE OF FAILURE TO FILE				1JAN95 -30JUN95	2	95FEC/994/2947
YEAR-END	97,329	83,579		1JUL95 -31DEC95	29	96FEC/029/2049
TOTAL	138,156	0	125,180	0	50	TOTAL PAGES

All reports have been reviewed.

Debts and obligations owed by the committee as of 12|31|95: \$32,500

Debts and obligations owed to the committee as of 12|31|95: \$ 0

Cash-On-Hand as of 12|31|95: "unknown"

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SEMI-ANNUAL REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

July 7, 1995

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
Mid-Year	01/01/95 - 06/30/95	07/31/95	07/31/95

WHO MUST FILE

Party committees and PACs (nonconnected committees and separate segregated funds) which normally file on a quarterly basis must file a Mid-Year Report in July.

INDEPENDENT EXPENDITURES

Any PAC that makes independent expenditures in connection with a special election may have to file a 24 hour report. This reporting requirement will be triggered if the committee makes independent expenditures aggregating \$1,000 or more after the 20th day, but more than 24 hours, before the election.

CHANGE IN FILING FREQUENCY

Committees wishing to change their reporting schedule (for example, from semiannual to monthly) must notify the Commission in writing when filing a report due under their current reporting schedule. Committees may change their filing frequencies no more than once per calendar year.

LABEL

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

COMPLIANCE

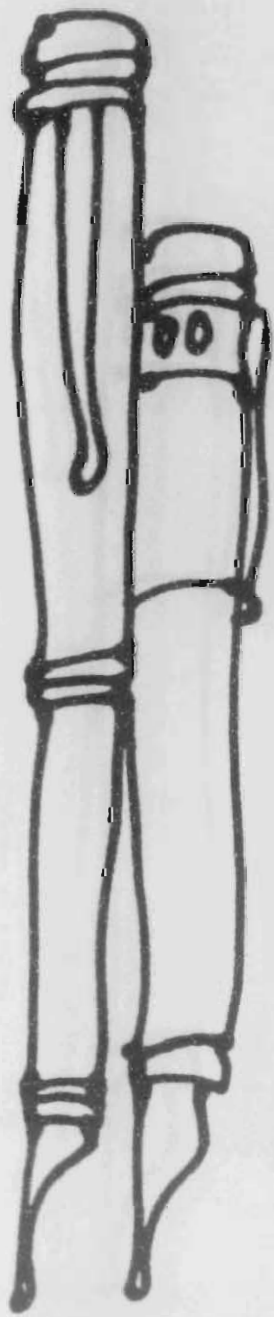
Treasurers of political committees are responsible for filing all reports on time. Failure to do so is subject to enforcement action. Committees filing illegible reports or using non-FEC forms (except for FEC approved computer generated forms) will be required to refile.

*These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered.

**Reports sent by registered or certified mail must be postmarked by the mailing date; otherwise, they must be received by the filing date.

FOR INFORMATION, CALL: 800/424-9530 or 202/219-3420

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

August 17, 1995

Larry E. Denman, Treasurer
Mississippi Democratic Party
Political Action Committee
832 North Congress Street
P.O. Box 1583
Jackson, MS 39214

Identification Number: C00149641

Reference: 1995 Mid-Year Report (1/1/95-6/30/95)

Dear Mr. Denman:

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

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

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

If you have any questions, please contact Jan McBride on our toll-free number (800) 424-9530. Our local number is (202) 219-3580.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

95039942947

TELECON

ANALYST: Jan McBride
CONVERSATION WITH: Alice Skelton, Executive Director
COMMITTEE: Mississippi Democratic Party Political
Action Committee
DATE: September 11, 1995
SUBJECT(S): Failure to Timely File the 1995 Mid-Year
Report

On September 11, 1995, the RAD analyst contacted the Committee's executive director, Alice Skelton about their failure to file the 1995 Mid-Year Report. Ms. Skelton explained that due to the past personnel problems the Committee had experienced, they were unable to find sufficient data to file the report. The analyst asked that the Committee file a report as soon as possible, even if it were incomplete since they could file an amended report when all the information became available.

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USE FEC MAILING LABEL
OR
TYPE OR PRINT

1. NAME OF COMMITTEE (in full) Mississippi Democratic Party, PAC		Page 1 of 2
ADDRESS (number and street) <input type="checkbox"/> Check if different than previously reported 832 North Congress Street		
CITY, STATE and ZIP CODE Jackson, MS 39202		
2. FEC IDENTIFICATION NUMBER C000149641		Page 2 of 2
3. <input type="checkbox"/> This committee has qualified as a multicandidate committee. (see FEC FORM 1M)		

4. TYPE OF REPORT

- (a) ☐ April 15 Quarterly Report
☐ July 15 Quarterly Report
☐ October 15 Quarterly Report
☐ January 31 Year End Report
☒ July 31 Mid Year Report (Non-election Year Only)

Monthly Report Due On:

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

☐ Twelfth day report preceding _____
(Type of Election)

election on _____ in the State of _____

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

☐ Termination Report

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

SUMMARY		COLUMN A This Period	COLUMN B Calendar Year-to-Date
5.	Covering Period <u>Jan 1, 1995</u> through <u>June 30, 1995</u>		
6.	(a) Cash on Hand January 1, 19 <u>95</u>		\$ UNKNOWN *
	(b) Cash on Hand at Beginning of Reporting Period	\$ UNKNOWN *	
	(c) Total Receipts (from Line 19)	\$ 40,827.89	\$ 40,827.89
	(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$ 40,827.89	\$ 40,827.89
7.	Total Disbursements (from Line 30)	\$ 41,602.45	\$ 41,602.45
8.	Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ UNKNOWN *	\$ UNKNOWN *
9.	Debts and Obligations Owed TO 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 202-219-3420
10.	Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	\$ 32,500.00	
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 Peggy B. Peterson			
Signature of Treasurer Peggy B. Peterson			Date 1-31-95

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

										FEC FORM 3X (revised 9/93)
--	--	--	--	--	--	--	--	--	--	-------------------------------

(revised 9/93)

FESAN0001 *THIS FIGURE IS UNKNOWN, PENDING COMPLETION OF A CURRENT FEC AND IT.
AN AMENDED REPORT WILL BE FILED

Federal Election Commission
**ENVELOPE REPLACEMENT PAGE
FOR INCOMING DOCUMENTS**

The Commission has added this page to the end of this filing to indicate
how it was received.

☐ Hand Delivered

DATE OF RECEIPT

☐ First Class Mail

POSTMARK

☒ Registered/Certified Mail

POSTMARK

1-31-86

☐ No Postmark

☐ Postmark Illegible

☐ Received from the House Office of Records
and Registration

DATE OF RECEIPT

☐ Received from the Senate Office of Public
Records

DATE OF RECEIPT

☐ Other (Specify):

POSTMARKED

and/or DATE OF RECEIPT

RLH
PREPARED

2-6-86
DATE RECEIVED

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RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

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

JUL 24 11 18 AM '96

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

RAD REFERRAL: 96NF-02
DATE ACTIVATED: 4/25/96

STAFF MEMBER: Tamara Kapper

SOURCE: INTERNALLY GENERATED

RESPONDENTS: Mississippi Democratic Party Political Action Committee and Peggy Peterson, as treasurer

INTERNAL REPORTS CHECKED: Referral Material
Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

The Office of the General Counsel received a referral from the Reports Analysis Division ("RAD") on March 4, 1996. The basis for the referral is the failure of the Mississippi Democratic Party Political Action Committee and Peggy Peterson, as treasurer, ("MS DEMS") to file timely their 1995 Mid-Year Report.¹

II. FACTUAL AND LEGAL ANALYSIS

Based on the Factual and Legal Analysis, see Attachment 1, this Office recommends the Commission find reason to believe the MS DEMS violated 2 U.S.C. § 434(a)(4)(A)(iv).

¹ On October 25, 1995, the Commission determined to initiate an audit of the MS DEMS pursuant to 2 U.S.C. § 438(b) for activity that took place during the 1993-1994 election cycle. In closed MUR 3800, on April 18, 1996, the Commission entered into a conciliation agreement with the MS DEMS after finding probable cause to believe that they had violated 2 U.S.C. §§ 433(c) and 434(a)(4)(A)(i), (iii) and (iv). The 2 U.S.C. § 434(a)(4)(A)(i), (iii) and (iv) violations involved the late filing of the 1991 Year End Report, the 1992 April, July and October Quarterly Reports, and the 1992 30 Day Post-General and Year End Reports.

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III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

In addition to recommending that the Commission find reason to believe MS DEMS violated 2 U.S.C. § 434(a)(4)(A)(iv), this Office also recommends that the Commission offer to enter into conciliation with them prior to a finding of probable cause to believe. Attached for the Commission's approval is a proposed conciliation agreement.

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IV. RECOMMENDATIONS

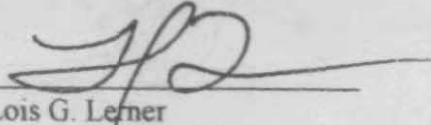
1. Open a MUR.
2. Find reason to believe the Mississippi Democratic Party Political Action Committee and Peggy Peterson, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the attached proposed factual and legal analysis, conciliation agreement, and the appropriate letter.

Lawrence M. Noble
General Counsel

97043820823
Date

7/23/96

BY:


Lois G. Lerner
Associate General Counsel

Attachments:

1. Factual and Legal Analysis (1)
2. Proposed Conciliation Agreement (1)

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Mississippi Democratic Party Political)
Action Committee and Peggy Peterson,)
as treasurer.)

RAD Referral
#96NF-02

(MUR 4420)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 29, 1996, the Commission decided by a vote of 5-0 to take the following actions in RAD Referral #96NF-02:

1. Open a MUR.
2. Find reason to believe the Mississippi Democratic Party Political Action Committee and Peggy Peterson, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv), and enter into a conciliation prior to a finding of probable cause to believe.
3. Approve the proposed factual and legal analysis, conciliation agreement, and the appropriate letter, as recommended in the General Counsel's Report dated July 23, 1996.

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

Attest:

7-30-96

Date

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

Received in the Secretariat: Wed., July 24, 1996 11:18 a.m.
Circulated to the Commission: Wed., July 24, 1996 4:00 p.m.
Deadline for vote: Mon., July 29, 1996 4:00 p.m.

lrd

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 1, 1996

Peggy Peterson, Treasurer
Mississippi Democratic Party
Political Action Committee
832 North Congress Street
Jackson, MS 39215

RE: MUR 4420
Mississippi Democratic Party
Political Action Committee and
Peggy Peterson, as treasurer

Dear Ms. Peterson:

On July 29, 1996, the Federal Election Commission found that there is reason to believe the Mississippi Democratic Party Political Action Committee ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

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

If you are interested in expediting the resolution of this matter by pursuing preprobable cause conciliation and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

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

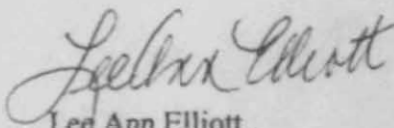
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If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other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

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Tamara Kapper, the staff member assigned to this matter, at (202) 219-3690.

Sincerely,



Lee Ann Elliott
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation Counsel Form
Conciliation Agreement

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Mississippi Democratic Party
Political Action Committee
and Peggy Peterson, as treasurer

MUR: 4420

This matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2).

The Federal Election Campaign Act of 1971, as amended, (the "Act") requires treasurers of political committees, other than authorized committees of a candidate, to file periodic reports of receipts and disbursements. 2 U.S.C. § 434(a)(4)(A). Such committees may choose to file reports either on a monthly or quarterly basis. *Id.* In any calendar year without a regularly scheduled general election, a report covering the period beginning January 1 and ending June 30 shall be filed no later than July 31. 2 U.S.C. § 434(a)(4)(A)(iv).

The Mississippi Democratic Party Political Action Committee and Peggy Peterson, as treasurer, ("MS DEMS") is a political committee not authorized by any candidate, and has elected to file disclosure reports on a quarterly basis. Pursuant to 2 U.S.C. § 434(a)(4)(A)(iv), the due date for the MS DEMS' 1995 Mid-Year Report was July 31, 1995. On July 7, 1995, the Commission notified the MS DEMS that its 1995 Mid-Year Report was due on July 31, 1995. In addition, on August 17, 1995, the Commission sent the MS DEMS a Non-Filer Notice, notifying

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them that their 1995 Mid-Year Report had not been filed. The Notice also advised the MS DEMS that failing to file the report in a timely manner could result in legal enforcement action.

On January 31, 1996, the MS DEMS filed their 1995 Mid-Year Report, 184 days late, disclosing receipts totaling \$40,827 and disbursements totaling \$41,601. Based on the foregoing, there is reason to believe that the Mississippi Democratic Party Political Action Committee and Peggy Peterson, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv).

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RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSELSTATEMENT OF DESIGNATION OF COUNSEL

AUG 19 4 01 PM '96

MUR: 4420

NAME OF COUNSEL: Samuel L. Begley, Esquire

ADDRESS: MAXEY, WANN & BEGLEY PLLC
P. O. Box 3977
210 E. Capitol Street, Suite 1900
Jackson, MS 39207-3977

TELEPHONE: (601) 355-8855

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

8/19/96
DateSam L Begley
Signature

RESPONDENT'S NAME: Mississippi Democratic Party

ADDRESS: 832 North Congress Street
Jackson, Mississippi 39201

BUSINESS PHONE: (601) 969-2913

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 4, 1996

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Samuel L. Begley, Esquire
Maxey, Wann & Begley PLLC
P.O. Box 3977
210 E. Capitol Street, Suite 1900
Jackson, MS 39207-3977

RE: MUR 4420
Mississippi Democratic Party
Political Action Committee and
Peggy Peterson, as treasurer

Dear Mr. Begley:

On August 1, 1996, your clients were notified that the Federal Election Commission determined to enter into negotiations directed toward reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. On that same date your clients were sent a conciliation agreement offered by the Commission in settlement of this matter.

Please note that conciliation negotiations entered into prior to a finding of probable cause to believe are limited to a maximum of 30 days. To date, you have not responded on behalf of your clients to the proposed agreement. The 30 day period for negotiations will soon expire. Unless we receive a response from you within five days, this Office will consider these negotiations terminated and will proceed to the next stage of the enforcement process.

Should you have any questions, please contact me at (202) 219-3690.

Sincerely,

Tamara Kapper
Paralegal

9704382083C

LAW OFFICES
MAXEY, WANN & BEGLEY PLLC

SUITE 1900, DEPOSIT GUARANTY PLAZA
210 EAST CAPITOL STREET
POST OFFICE BOX 3977
JACKSON, MISSISSIPPI 39207-3977

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

SEP 9 9 45 AM '96

JOHN L. MAXEY II
S. MARK WANN
SAMUEL L. BEGLEY
MARCHE FYKE
PHILIP C. HEARN
JOHN F. HAWKINS

OF COUNSEL:
JOHN L. QUINN
PEYTON D. PROSPERE

September 5, 1996

TELEPHONE
(601) 355-8855

TELECOPIER
(601) 355-8881

SEP 9 10 19 AM '96

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

VIA FACSIMILE 202-219-3923
AND REGULAR MAIL

Ms. Tamara Kapper
Federal Election Commission
Office of General Counsel
999 E. Street, N.W., Suite 657
Washington, D.C. 20463

Re: MUR 4420
Mississippi Democratic Party
Political Action Committee and
Peggy Peterson, as Treasurer

Dear Ms. Kapper:

Pursuant to our recent telephone conversation and the letter and enclosures from Chairman Elliott dated August 1, 1996, I am, on behalf of the Mississippi Democratic Party, the Mississippi Democratic Party Political Action Committee and its Treasurer, Peggy Peterson, providing you with a response and position statement.

The Mississippi Democratic Party has over the past two years gone through several dramatic changes in the composition of its officers and staff. Peggy Peterson did not become Treasurer of the Party and likewise did not assume the position of Treasurer of the Political Action Committee until some time in late September, 1995. She succeeded Stephen Hale in that position. Mr. Hale, for the most part, maintained the checking account for the Party and the Political Action Committee. He has resided in Pascagoula, Mississippi, which is some three hours away from the State Capitol in Jackson, where the Party headquarters is situated. Ms. Peterson assumed the Treasurer's position because of concerns, in part, about FEC reports not being filed in a timely and accurate manner. Ms. Peterson attempted for several weeks to obtain the bank records from Mr. Hale and finally received them in December. Then,

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immediate steps were taken by the Democratic Party staff to prepare Contribution and Expenditure Reports for submission to the FEC. As soon as this information was formulated, the 1995 mid-year report was completed and filed.

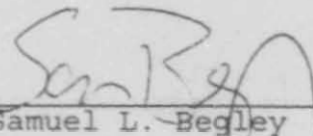
Your office is very familiar with the problems that have been experienced by our State Party. You also know that we have been working closely with your office to ensure full compliance now and in the future.

In doing this, we want to note that Ms. Peterson is improperly named as a party to this matter because she was not the Treasurer of the Political Action Committee on or about July 31, 1995, when the report became due. We also note that this was not a matter of willful choosing not to file the report, merely that the Party was unable to do so.

Thank you for your cooperation.

Sincerely yours,

MAXEY, WANN & BEGLEY PLLC

By: 
Samuel L. Begley

SLB/sl

cc: The Honorable Johnnie Walls
Ms. Peggy Peterson, Treasurer, MS Democratic Party
Ms. Alice Skelton, Executive Director, MS Democratic Party

March 12, 1997

Federal Elections Commission
999 E Street NW
Washington DC 20563

Attn: Tamara Kapper

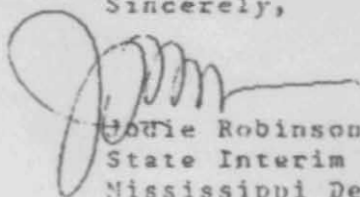
Dear Ms. Kapper,

Please use this letter to inform the FEC that on March 4, 1997 an Administrative Committee meeting was held and the committee felt that Mr. Sam Begley would no longer represent the Mississippi Democratic Party on any legal issues and or will enter into any agreements on the party's behalf.

If you have any questions, pertaining to this matter please contact Mr. William Guy, Executive Vice-Chair and Chairman of the Administrative Committee.

Also, please be inform that I have be elected Interim Treasurer until the general meeting of the Executive Committee on March 29, 1997 where I will be confirm a as the permanent Treasurer or a new one will be elected.

Sincerely,



Rodie Robinson
State Interim Treasurer
Mississippi Democratic Party

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RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

May 9 12 04 PM '97

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

MUR 4420

SENSITIVE

Mississippi Democratic Party Political)
Action Committee and Jodie Robinson,)
as treasurer)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On July 29, 1996, the Federal Election Commission found reason to believe that the Mississippi Democratic Party Political Action Committee and Jodie Robinson,¹ as treasurer, ("MISS DEMS" or "Respondents") violated 2 U.S.C. § 434(a)(4)(A)(iv) by failing to file timely their 1995 Mid-Year Report.

¹ The Commission originally found reason to believe against Ms. Peggy Peterson the former treasurer of MISS DEMS, however, on January 2, 1997, Ms. Peterson notified the Commission that she had resigned from the position.

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Thereafter, this Office was contacted by Ms. Jodie Robinson, "interim" treasurer of MISS DEMS. Through the course of several telephone conversations with Ms. Robinson, she discussed the on-going organizational turmoil within the state party, the proposed agreement and Respondents' desire to settle this matter at the preprobable cause stage. On March 12, 1997 this Office received a letter from Ms. Robinson detailing the personnel transitions that had recently taken place within the committee. Attachment 1. After receiving the letter, this Office contacted Ms. Robinson and informed her that the MISS DEMS needed to amend their statement of organization to reflect the change in treasurer and, in order to resolve this matter, Respondents needed to submit a signed conciliation agreement with a check for the full amount of the civil penalty.²

II. DISCUSSION OF PROPOSED AGREEMENT

On April 17, 1997 Respondents submitted a signed conciliation agreement that this Office is recommending the Commission accept

² On April 23, 1997, MISS DEMS submitted an amendment to their statement of organization informing the Commission that Ms. Robinson was the new treasurer.

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Therefore, this Office recommends that the Commission accept the attached conciliation agreement with the Mississippi Democratic Party Political Action Committee and Jodie Robinson, as treasurer, and close the file.

III. RECOMMENDATIONS

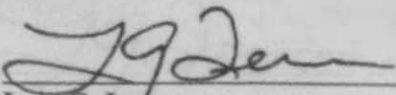
1. Accept the attached conciliation agreement with the Mississippi Democratic Party Political Action Committee and Jodie Robinson, as treasurer.
2. Close the file.

3. Approve the appropriate letter.

Lawrence M. Noble
General Counsel

5/7/97
Date

BY:


Lois G. Lerner
Associate General Counsel

Attachments

1. Letter from Ms. Robinson dated 3/12/97
2. Conciliation Agreement dated 4/7/97
3. Photocopy of civil penalty check

Staff Assigned: Tamara K. Kapper

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Mississippi Democratic Party) MUR 4420
Political Action Committee and)
Jodie Robinson, as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 14, 1997, the Commission decided by a vote of 5-0 to take the following actions in MUR 4420:

1. Accept the conciliation agreement with the Mississippi Democratic Party Political Action Committee and Jodie Robinson, as treasurer, as recommended in the General Counsel's Report dated May 7, 1997.
2. Close the file.
3. Approve the appropriate letter, as recommended in the General Counsel's Report dated May 7, 1997.

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

Attest:

5-15-97
Date

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

Received in the Secretariat: Fri., May 09, 1997 12:04 p.m.
Circulated to the Commission: Fri., May 09, 1997 2:00 p.m.
Deadline for vote: Wed., May 14, 1997 4:00 p.m.

bjr

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 20, 1997

Jodie Robinson, Treasurer
Mississippi Democratic Party
Political Action Committee
832 North Congress Street
Jackson, MS 39215

RE: MUR 4420
Mississippi Democratic Party
Political Action Committee and
Jodie Robinson, as treasurer

Dear Ms. Robinson:

On May 14, 1997, the Federal Election Commission accepted the signed conciliation agreement and civil penalty that you submitted in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(iv) a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed 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 receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

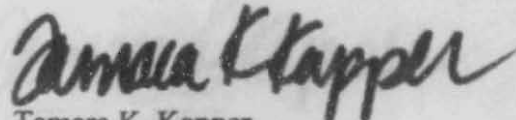
Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

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Ms. Robinson
Page 2

Enclosed you will find a copy of the fully executed conciliation agreement for your files.
If you have any questions, please contact me at (202) 219-3690.

Sincerely,



Tamara K. Kapper
Paralegal Specialist

Enclosure
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 4420
Mississippi Democratic Party)
Political Action Committee and)
Jodie Robinson, Treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities.

The Commission found reason to believe that the Mississippi Democratic Party Political Action Committee and its treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(4)(A)(iv).

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

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

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

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

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

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

2. Peggy Peterson was the treasurer of the Mississippi Democratic Party Political Action Committee from September 1995 to January 1997. Jodie Robinson is the current treasurer of the Mississippi Democratic Party Political Action Committee.

3. In a calendar year without a regularly scheduled general election, political committees electing to file on a quarterly basis shall file a report covering the period beginning January 1 and ending June 30, which is to be filed no later than July 31.

4. Respondents have elected to file quarterly reports with the Commission.

5. In a prior matter, on April 18, 1996, the Commission entered into a conciliation agreement with the Respondents after finding probable cause to believe that the Mississippi Democratic Party Political Action Committee violated 2 U.S.C. §§ 433(c) and 434(a)(4)(A)(i), (iii), and (iv).

6. Pursuant to 2 U.S.C. § 434(a)(4)(A)(iv), Respondents' 1995 Mid-Year Report, was due on July 31, 1995. Respondents filed the 1995 Mid-Year Report on January 31, 1996, 184 days late, disclosing receipt totaling \$40,827 and disbursements totaling \$41,601.

V. Respondents failed to file timely their 1995 Mid-Year Report, in violation of 2 U.S.C. § 434(a)(4)(A)(iv).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of four thousand three hundred dollars (\$4,300), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance

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with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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

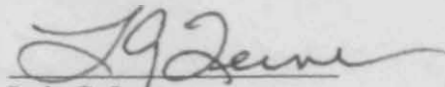
IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

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

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY:



Lois G. Lerner

Associate General Counsel

Date

5/19/97

FOR THE RESPONDENTS:


(Name)
(Position) Treasurer

Date

4-7-97

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MISSISSIPPI DEMOCRATIC PARTY 11-85
POLITICAL ACTION COMMITTEE
P.O. BOX 1583 PH. 969-2913
JACKSON, MS 39215-1583

4140

DATE 3-27-97 85-27/653

PAY
TO THE
ORDER OF

LEC
Four thousand three hundred *07* \$ *4300*
DOLLARS



Trustmark
National Bank
Jackson, MS

mur 4420

FOR

Five months 1995

Julie Robinson

⑈004140⑈ ⑆065300279⑆ ⑈1005799876⑈ *Eva Nehler*

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4420

DATE FILMED 6-19-97 CAMERA NO. 1

CAMERAMAN JML

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