



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 1626

Date Filmed 4/4/84 Camera No. --- 3

Cameraman JRL

FEDERAL ELECTION COMMISSION

Routing Slip

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act; 5 U.S.C. Section 552(b):

- | | |
|--|---|
| <input type="checkbox"/> (1) Classified Information | <input type="checkbox"/> (6) Personal privacy |
| <input checked="" type="checkbox"/> (2) Internal rules and practices | <input type="checkbox"/> (7) Investigatory files |
| <input type="checkbox"/> (3) Exempted by other statute | <input type="checkbox"/> (8) Banking Information |
| <input type="checkbox"/> (4) Trade secrets and commercial or financial information | <input type="checkbox"/> (9) Well Information (geographic or geophysical) |
| <input type="checkbox"/> (5) Internal Documents | |

Signed

date

J. H. Smith
3/29/84

FEC 9-21-77

84040153511

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1626
The Committee to Elect Glen Byers)
Erhardt J. Barnes, Treasurer)
William E. Brock IV)
Tod Gardenhire)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 19, 1984, the Commission decided by a vote of 5-0 to take the following actions in MUR 1626:

1. Find reason to believe the Committee to Elect Glen Byers and Erhardt J. Barnes, treasurer, violated 2 U.S.C. § 441a(f).
2. Find reason to believe that William E. Brock IV violated 2 U.S.C. § 441a(a)(1)(A).
3. Find reason to believe that Tod Gardenhire violated 2 U.S.C. § 441a(a)(1)(A).
4. Close the file.
5. Send the notifications as attached to the First General Counsel's Report dated March 15, 1984.

Commissioners Aikens, Elliott, McDonald, McGarry and Reiche voted affirmatively in this matter; Commissioner Harris did not cast a vote.

Attest:

3-19-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

84040153512

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

The Committee to Elect Glen Byers
Erhardt J. Barnes, Treasurer
William E. Brock IV
Tod Gardenhire

MUR 1626

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 19, 1984, the Commission decided by a vote of 5-0 to take the following actions in MUR 1626:

1. Find reason to believe the Committee to Elect Glen Byers and Erhardt J. Barnes, treasurer, violated 2 U.S.C. § 441a(f).
2. Find reason to believe that William E. Brock IV violated 2 U.S.C. § 441a(a)(1)(A).
3. Find reason to believe that Tod Gardenhire violated 2 U.S.C. § 441a(a)(1)(A).
4. Close the file.
5. Send the notifications as attached to the First General Counsel's Report dated March 15, 1984.

Commissioners Aikens, Elliott, McDonald, McGarry and Reiche voted affirmatively in this matter; Commissioner Harris did not cast a vote.

Attest:

3-19-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

8404015313



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 20, 1984

Mr. Tod Gardenhire
3607 Lockaley Circle
Chattanooga, Tennessee 37416

RE: MUR 1626

Dear Mr. Gardenhire:

On March 19, 1984, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file. The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information. Should you have any questions, contact Judy Thedford at (202) 523-4529.

Sincerely,

Lee Ann Elliott
Lee Ann Elliott
Chairman

Attachment
General Counsel's Factual and Legal Analysis

8404045344

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT Tod Gardenhire

MUR NO. 1626
STAFF MEMBER AND TEL. NO.
Judy Thedford
(202) 523-4529

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

SUMMARY OF ALLEGATIONS

8 4 0 4 0 1 5 3 5 1 9
The Committee to Elect Glen Byers ("the Committee") in its 1982 Pre-General Election Report disclosed the receipt of a \$10,000 loan from the American National Bank and Trust Company. The loan was received on October 5, 1982 and was designated for the general election. The loan was endorsed by William E. Brock IV and Tod Gardenhire for the full \$10,000, resulting in apparent excessive contributions of \$4,000 for each of the endorsers.

During the period, October 18 through November 15, 1982, the committee made four (4) loan payments to the bank totaling \$8,300. This information was disclosed on Schedule B of the 1982 30 Day Post-General Election Report. These payments reduced the outstanding balance on the loan to \$1,700. This information was reported on Schedule C of the 1982 30 Day Post-General Report. The loan was reported paid in full on the committee's 1982 Year End Report. The final payment of \$1,700 was not reported on a Schedule B but only on Schedule C.

On March 10, 1983, the committee filed an amendment to the 1982 Year End Report, apparently in response to a letter from the

Clerk of the House. This letter stated that the Schedule B's disclosing the loan payment(s) totalling \$1,700 were furnished with the Termination Report. However, these schedules were never provided. A Request for Additional Information ("RFAI") was sent to the committee on May 17, 1983, requesting a Schedule B supporting the final loan payments. On May 19, 1983, the committee was sent an Informational Notice regarding the apparent excessive contributions by both individuals. The notice stated that although the loan had been repaid, the Commission may take further action against the committee.

On May 31, 1983, the committee filed an amendment to the 1982 Year End Report. This amendment consisted of a Schedule B disclosing two loan payments totalling \$1,700. One payment for \$1,200 was made on December 2, 1982, and a second payment for \$500 was made on December 27, 1982. Additionally, the amendment stated that neither the committee nor the endorers were aware that the \$1,000 contribution limit applied to loans.

On August 25, 1983, the committee filed a Termination Report.

FACTUAL AND LEGAL ANALYSIS

As set forth in 2 U.S.C. § 441a(a)(1)(A), individuals are prohibited from making contributions in excess of \$1,000 per candidate per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office. Therefore,

Mr. Brock and Mr. Gardenhire, who together endorsed a \$10,000 loan, each exceeded their contribution limitation by \$4,000 and the Committee violated § 441a(f) for accepting the excessive funds.

However, in light of the fact that the excessive funds were held for a short period of time (approximately five weeks), the excessive portion of the loan was repaid prior to notification from the Commission, and because the violation has now been rectified, we recommend finding reason to believe that Tod Gardenhire violated 2 U.S.C. § 441a(a)(1)(A) and closing the file.

RECOMMENDATION

1. Find reason to believe that Tod Gardenhire violated 2 U.S.C. § 441a(a)(1)(A) and close the file.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. Tod Gardenhire
3607 Lockaley Circle
Chattanooga, Tennessee 37416

RE: MUR 1626

Dear Mr. Gardenhire:

On , 1984, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file. The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information. Should you have any questions, contact Judy Thedford at (202) 523-4529.

Sincerely,

Attachment
General Counsel's Factual and Legal Analysis

3/20/84



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 20, 1984

Mr. William E. Brock IV
211 North Hermitage Avenue
Lookout Mountain, Tennessee 37350

RE: MUR 1626

Dear Mr. Brock:

On March 19, 1984, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file. The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information. Should you have any questions, contact Judy Thedford at (202) 523-4529.

Sincerely,

Lee Ann Elliott
Lee Ann Elliott
Chairman

Attachment
General Counsel's Factual and Legal Analysis

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FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT William E. Brock IV MUR NO. 1626
STAFF MEMBER AND TEL. NO. Judy Thedford
(202) 523-4529

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

SUMMARY OF ALLEGATIONS

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The Committee to Elect Glen Byers ("the Committee") in its 1982 Pre-General Election Report disclosed the receipt of a \$10,000 loan from the American National Bank and Trust Company. The loan was received on October 5, 1982 and was designated for the general election. The loan was endorsed by William E. Brock IV and Tod Gardenhire for the full \$10,000, resulting in apparent excessive contributions of \$4,000 for each of the endorsers.

During the period, October 18 through November 15, 1982, the committee made four (4) loan payments to the bank totaling \$8,300. This information was disclosed on Schedule B of the 1982 30 Day Post-General Election Report. These payments reduced the outstanding balance on the loan to \$1,700. This information was reported on Schedule C of the 1982 30 Day Post-General Report. The loan was reported paid in full on the committee's 1982 Year End Report. The final payment of \$1,700 was not reported on a Schedule B but only on Schedule C.

On March 10, 1983, the committee filed an amendment to the 1982 Year End Report, apparently in response to a letter from the

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Clerk of the House. This letter stated that the Schedule B's disclosing the loan payment(s) totalling \$1,700 were furnished with the Termination Report. However, these schedules were never provided. A Request for Additional Information ("RFAI") was sent to the committee on May 17, 1983, requesting a Schedule B supporting the final loan payments. On May 19, 1983, the committee was sent an Informational Notice regarding the apparent excessive contributions by both individuals. The notice stated that although the loan had been repaid, the Commission may take further action against the committee.

On May 31, 1983, the committee filed an amendment to the 1982 Year End Report. This amendment consisted of a Schedule B disclosing two loan payments totalling \$1,700. One payment for \$1,200 was made on December 2, 1982, and a second payment for \$500 was made on December 27, 1982. Additionally, the amendment stated that neither the committee nor the endorsers were aware that the \$1,000 contribution limit applied to loans.

On August 25, 1983, the committee filed a Termination Report.

FACTUAL AND LEGAL ANALYSIS

As set forth in 2 U.S.C. § 441a(a)(1)(A), individuals are prohibited from making contributions in excess of \$1,000 per candidate per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office. Therefore,

Mr. Brock and Mr. Gardenhire, who together endorsed a \$10,000 loan, each exceeded their contribution limitation by \$4,000 and the Committee violated § 441a(f) for accepting the excessive funds.

However, in light of the fact that the excessive funds were held for a short period of time (approximately five weeks), the excessive portion of the loan was repaid prior to notification from the Commission, and because the violation has now been rectified, we recommend finding reason to believe that William E. Brock IV violated 2 U.S.C. § 441a(a)(1)(A) and closing the file.

RECOMMENDATION

1. Find reason to believe that William E. Brock IV violated 2 U.S.C. § 441a(a)(1)(A) and close the file.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. William E. Brock IV
211 North Hermitage Avenue
Lookout Mountain, Tennessee 37350

RE: MUR 1626

Dear Mr. Brock:

On , 1984, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file. The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information. Should you have any questions, contact Judy Thedford at (202) 523-4529.

Sincerely,

Attachment
General Counsel's Factual and Legal Analysis

3/20/84

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 20, 1984

Erhardt J. Barnes, Treasurer
Committee to Elect Glen Byers
2850 Westside Drive
Cleveland, Tennessee 37311

RE: MUR 1626

Dear Mr. Barnes:

On March 19, 1984, the Commission found reason to believe that your Committee had violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file. The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information. Should you have any questions, contact Judy Thedford at (202) 523-4529.

Sincerely,

Lee Ann Elliott
Chairman

Attachment
General Counsel's Factual and Legal Analysis

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT Committee to Elect
 Glen Byers
 Erhardt J. Barnes,
 Treasurer

MUR NO. 1626
STAFF MEMBER AND TEL. NO.
Judy Thedford
(202) 523-4529

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

SUMMARY OF ALLEGATIONS

8 4 0 4 0 1 5 3 5 5 5
The Committee to Elect Glen Byers ("the Committee") in its 1982 Pre-General Election Report disclosed the receipt of a \$10,000 loan from the American National Bank and Trust Company. The loan was received on October 5, 1982 and was designated for the general election. The loan was endorsed by William E. Brock IV and Tod Gardenhire for the full \$10,000, resulting in apparent excessive contributions of \$4,000 for each of the endorsers.

During the period, October 18 through November 15, 1982, the committee made four (4) loan payments to the bank totaling \$8,300. This information was disclosed on Schedule B of the 1982 30 Day Post-General Election Report. These payments reduced the outstanding balance on the loan to \$1,700. This information was reported on Schedule C of the 1982 30 Day Post-General Report. The loan was reported paid in full on the committee's 1982 Year End Report. The final payment of \$1,700 was not reported on a Schedule B but only on Schedule C.

On March 10, 1983, the committee filed an amendment to the 1982 Year End Report, apparently in response to a letter from the Clerk of the House. This letter stated that the Schedule B's disclosing the loan payment(s) totalling \$1,700 were furnished with the Termination Report. However, these schedules were never provided. A Request for Additional Information ("RFAI") was sent to the committee on May 17, 1983, requesting a Schedule B supporting the final loan payments. On May 19, 1983, the committee was sent an Informational Notice regarding the apparent excessive contributions by both individuals. The notice stated that although the loan had been repaid, the Commission may take further action against the committee.

On May 31, 1983, the committee filed an amendment to the 1982 Year End Report. This amendment consisted of a Schedule B disclosing two loan payments totalling \$1,700. One payment for \$1,200 was made on December 2, 1982, and a second payment for \$500 was made on December 27, 1982. Additionally, the amendment stated that neither the committee nor the endorsers were aware that the \$1,000 contribution limit applied to loans.

On August 25, 1983, the committee filed a Termination Report.

FACTUAL AND LEGAL ANALYSIS

As set forth in 2 U.S.C. § 441a(a)(1)(A), individuals are prohibited from making contributions in excess of \$1,000 per candidate per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or

anything of value made by any person for the purpose of influencing any election for Federal office. Therefore, Mr. Brock and Mr. Gardenhire, who together endorsed a \$10,000 loan, each exceeded their contribution limitation by \$4,000 and the Committee violated § 441a(f) for accepting the excessive funds.

However, in light of the fact that the excessive funds were held for a short period of time (approximately five weeks), the excessive portion of the loan was repaid prior to notification from the Commission, and because the violation has now been rectified, we recommend finding reason to believe that the Committee to Elect Glen Byers violated 2 U.S.C. § 441a(f) and closing the file.

RECOMMENDATION

1. Find reason to believe the Committee to Elect Glen Byers and Erhardt J. Barnes, treasurer, violated 2 U.S.C. § 441a(f) and close the file.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Erhardt J. Barnes, Treasurer
Committee to Elect Glen Byers
2850 Westside Drive
Cleveland, Tennessee 37311

RE: MUR 1626

Dear Mr. Barnes:

On , 1984, the Commission found reason to believe that your Committee had violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file. The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information. Should you have any questions, contact Judy Thedford at (202) 523-4529.

Sincerely,

Attachment
General Counsel's Factual and Legal Analysis

3/20/84



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *CX*
DATE: March 15, 1984
SUBJECT: MUR 1626 - First General Counsel's Report

The attached is submitted as an Agenda document
for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

48 Hour Tally Vote [x]
Sensitive [x]
Non-Sensitive []

24 Hour No Objection []
Sensitive []
Non-Sensitive []

Information []
Sensitive []
Non-Sensitive []

Other []

DISTRIBUTION

Compliance [x]

Audit Matters []

Litigation []

Closed MUR Letters []

Status Sheets []

Advisory Opinions []

Other (see distribution below) []

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FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT

84 MAR 15 P12: 43

DATE AND TIME OF TRANSMITTAL BY OGC
TO THE COMMISSION 3/15/84 12:45

MUR NO. 1626
STAFF MEMBER
Judy Thedford

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

RESPONDENTS' NAMES: The Committee to Elect Glen Byers
Erhardt J. Barnes, Treasurer
William E. Brock IV
Tod Gardenhire

RELEVANT STATUTES: 2 U.S.C. § 441a(a)(1)(A)
2 U.S.C. § 441a(f)

SENSITIVE

INTERNAL REPORTS
CHECKED: Committee Reports

FEDERAL AGENCIES
CHECKED: None

GENERATION OF MATTER

This matter was generated as a result of a referral from the
Reports Analysis Division.

SUMMARY OF ALLEGATIONS

The Committee to Elect Glen Byers ("the Committee") in its
1982 Pre-General Election Report disclosed the receipt of a
\$10,000 loan from the American National Bank and Trust Company.
The loan was received on October 5, 1982 and was designated for
the general election. The loan was endorsed by William E.
Brock IV and Tod Gardenhire for the full \$10,000, resulting in
apparent excessive contributions of \$4,000 for each of the
endorsers.

During the period, October 18 through November 15, 1982, the committee made four (4) loan payments to the bank totaling \$8,300. This information was disclosed on Schedule B of the 1982 30 Day Post-General Election Report. These payments reduced the outstanding balance on the loan to \$1,700. This information was reported on Schedule C of the 1982 30 Day Post-General Report. The loan was reported paid in full on the committee's 1982 Year End Report. The final payment of \$1,700 was not reported on a Schedule B but only on Schedule C.

On March 10, 1983, the committee filed an amendment to the 1982 Year End Report, apparently in response to a letter from the Clerk of the House. This letter stated that the Schedule B's disclosing the loan payment(s) totalling \$1,700 were furnished with the Termination Report. However, these schedules were never provided. A Request for Additional Information ("RFAI") was sent to the committee on May 17, 1983, requesting a Schedule B supporting the final loan payments. On May 19, 1983, the committee was sent an Informational Notice regarding the apparent excessive contributions by both individuals. The notice stated that although the loan had been repaid, the Commission may take further action against the committee.

On May 31, 1983, the committee filed an amendment to the 1982 Year End Report. This amendment consisted of a Schedule B disclosing two loan payments totalling \$1,700. One payment for \$1,200 was made on December 2, 1982, and a second payment for \$500 was made on December 27, 1982. Additionally, the amendment

stated that neither the committee nor the endorsers were aware that the \$1,000 contribution limit applied to loans.

On August 25, 1983, the committee filed a Termination Report.

FACTUAL AND LEGAL ANALYSIS

As set forth in 2 U.S.C. § 441a(a)(1)(A), individuals are prohibited from making contributions in excess of \$1,000 per candidate per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office. Therefore, Mr. Brock and Mr. Gardenhire, who together endorsed a \$10,000 loan, each exceeded their contribution limitation by \$4,000 and the Committee violated § 441a(f) for accepting the excessive funds.

However, in light of the fact that the excessive funds were held for a short period of time (approximately five weeks), the excessive portion of the loan was repaid prior to notification from the Commission, and because the violation has now been rectified, we recommend finding reason to believe and closing the file.

RECOMMENDATIONS

1. Find reason to believe the Committee to Elect Glen Byers and Erhardt J. Barnes, treasurer, violated 2 U.S.C. § 441a(f).
2. Find reason to believe that William E. Brock IV violated 2 U.S.C. § 441a(a)(1)(A).

3. Find reason to believe that Tod Gardenhire violated 2 U.S.C. § 441a(a)(1)(A).
4. Close the file.
5. Send attached notifications.

Charles N. Steele
General Counsel

March 12, 1984
Date

BY:

Kenneth A. Gross
Associate General Counsel

Attachments

General Counsel's Factual and Legal Analysis (3)
Notification Letters (3)
(12 total pages attached)

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(1)

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT Committee to Elect
Glen Byers
Erhardt J. Barnes,
Treasurer

MUR NO. 1626
STAFF MEMBER AND TEL. NO.
Judy Thedford
(202) 523-4529

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

SUMMARY OF ALLEGATIONS

8 4 0 4 0 1 5 3 5 4
The Committee to Elect Glen Byers ("the Committee") in its 1982 Pre-General Election Report disclosed the receipt of a \$10,000 loan from the American National Bank and Trust Company. The loan was received on October 5, 1982 and was designated for the general election. The loan was endorsed by William E. Brock IV and Tod Gardenhire for the full \$10,000, resulting in apparent excessive contributions of \$4,000 for each of the endorsers.

During the period, October 18 through November 15, 1982, the committee made four (4) loan payments to the bank totaling \$8,300. This information was disclosed on Schedule B of the 1982 30 Day Post-General Election Report. These payments reduced the outstanding balance on the loan to \$1,700. This information was reported on Schedule C of the 1982 30 Day Post-General Report. The loan was reported paid in full on the committee's 1982 Year End Report. The final payment of \$1,700 was not reported on a Schedule B but only on Schedule C.

(2)

On March 10, 1983, the committee filed an amendment to the 1982 Year End Report, apparently in response to a letter from the Clerk of the House. This letter stated that the Schedule B's disclosing the loan payment(s) totalling \$1,700 were furnished with the Termination Report. However, these schedules were never provided. A Request for Additional Information ("RFAI") was sent to the committee on May 17, 1983, requesting a Schedule B supporting the final loan payments. On May 19, 1983, the committee was sent an Informational Notice regarding the apparent excessive contributions by both individuals. The notice stated that although the loan had been repaid, the Commission may take further action against the committee.

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On August 25, 1983, the committee filed a Termination Report.

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anything of value made by any person for the purpose of influencing any election for Federal office. Therefore, Mr. Brock and Mr. Gardenhire, who together endorsed a \$10,000 loan, each exceeded their contribution limitation by \$4,000 and the Committee violated § 441a(f) for accepting the excessive funds.

However, in light of the fact that the excessive funds were held for a short period of time (approximately five weeks), the excessive portion of the loan was repaid prior to notification from the Commission, and because the violation has now been rectified, we recommend finding reason to believe that the Committee to Elect Glen Byers violated 2 U.S.C. § 441a(f) and closing the file.

RECOMMENDATION

1. Find reason to believe the Committee to Elect Glen Byers and Erhardt J. Barnes, treasurer, violated 2 U.S.C. § 441a(f) and close the file.

8404015356

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT William E. Brock IV MUR NO. 1626
STAFF MEMBER AND TEL. NO. Judy Thedford
(202) 523-4529

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

SUMMARY OF ALLEGATIONS

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The Committee to Elect Glen Byers ("the Committee") in its 1982 Pre-General Election Report disclosed the receipt of a \$10,000 loan from the American National Bank and Trust Company. The loan was received on October 5, 1982 and was designated for the general election. The loan was endorsed by William E. Brock IV and Tod Gardenhire for the full \$10,000, resulting in apparent excessive contributions of \$4,000 for each of the endorsers.

During the period, October 18 through November 15, 1982, the committee made four (4) loan payments to the bank totaling \$8,300. This information was disclosed on Schedule B of the 1982 30 Day Post-General Election Report. These payments reduced the outstanding balance on the loan to \$1,700. This information was reported on Schedule C of the 1982 30 Day Post-General Report. The loan was reported paid in full on the committee's 1982 Year End Report. The final payment of \$1,700 was not reported on a Schedule B but only on Schedule C.

On March 10, 1983, the committee filed an amendment to the 1982 Year End Report, apparently in response to a letter from the

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Clerk of the House. This letter stated that the Schedule B's disclosing the loan payment(s) totalling \$1,700 were furnished with the Termination Report. However, these schedules were never provided. A Request for Additional Information ("RFAI") was sent to the committee on May 17, 1983, requesting a Schedule B supporting the final loan payments. On May 19, 1983, the committee was sent an Informational Notice regarding the apparent excessive contributions by both individuals. The notice stated that although the loan had been repaid, the Commission may take further action against the committee.

On May 31, 1983, the committee filed an amendment to the 1982 Year End Report. This amendment consisted of a Schedule B disclosing two loan payments totalling \$1,700. One payment for \$1,200 was made on December 2, 1982, and a second payment for \$500 was made on December 27, 1982. Additionally, the amendment stated that neither the committee nor the endorers were aware that the \$1,000 contribution limit applied to loans.

On August 25, 1983, the committee filed a Termination Report.

FACTUAL AND LEGAL ANALYSIS

As set forth in 2 U.S.C. § 441a(a)(1)(A), individuals are prohibited from making contributions in excess of \$1,000 per candidate per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office. Therefore,

(6)

Mr. Brock and Mr. Gardenhire, who together endorsed a \$10,000 loan, each exceeded their contribution limitation by \$4,000 and the Committee violated § 441a(f) for accepting the excessive funds.

However, in light of the fact that the excessive funds were held for a short period of time (approximately five weeks), the excessive portion of the loan was repaid prior to notification from the Commission, and because the violation has now been rectified, we recommend finding reason to believe that William E. Brock IV violated 2 U.S.C. § 441a(a)(1)(A) and closing the file.

RECOMMENDATION

1. Find reason to believe that William E. Brock IV violated 2 U.S.C. § 441a(a)(1)(A) and close the file.

8404045359

(7)

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT Tod Gardenhire

MUR NO. 1626
STAFF MEMBER AND TEL. NO.
Judy Thedford
(202) 523-4529

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

SUMMARY OF ALLEGATIONS

3404015370
The Committee to Elect Glen Byers ("the Committee") in its 1982 Pre-General Election Report disclosed the receipt of a \$10,000 loan from the American National Bank and Trust Company. The loan was received on October 5, 1982 and was designated for the general election. The loan was endorsed by William E. Brock IV and Tod Gardenhire for the full \$10,000, resulting in apparent excessive contributions of \$4,000 for each of the endorsers.

During the period, October 18 through November 15, 1982, the committee made four (4) loan payments to the bank totaling \$8,300. This information was disclosed on Schedule B of the 1982 30 Day Post-General Election Report. These payments reduced the outstanding balance on the loan to \$1,700. This information was reported on Schedule C of the 1982 30 Day Post-General Report. The loan was reported paid in full on the committee's 1982 Year End Report. The final payment of \$1,700 was not reported on a Schedule B but only on Schedule C.

On March 10, 1983, the committee filed an amendment to the 1982 Year End Report, apparently in response to a letter from the

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Clerk of the House. This letter stated that the Schedule B's disclosing the loan payment(s) totalling \$1,700 were furnished with the Termination Report. However, these schedules were never provided. A Request for Additional Information ("RFAI") was sent to the committee on May 17, 1983, requesting a Schedule B supporting the final loan payments. On May 19, 1983, the committee was sent an Informational Notice regarding the apparent excessive contributions by both individuals. The notice stated that although the loan had been repaid, the Commission may take further action against the committee.

On May 31, 1983, the committee filed an amendment to the 1982 Year End Report. This amendment consisted of a Schedule B disclosing two loan payments totalling \$1,700. One payment for \$1,200 was made on December 2, 1982, and a second payment for \$500 was made on December 27, 1982. Additionally, the amendment stated that neither the committee nor the endorsers were aware that the \$1,000 contribution limit applied to loans.

On August 25, 1983, the committee filed a Termination Report.

FACTUAL AND LEGAL ANALYSIS

As set forth in 2 U.S.C. § 441a(a)(1)(A), individuals are prohibited from making contributions in excess of \$1,000 per candidate per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office. Therefore,

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Mr. Brock and Mr. Gardenhire, who together endorsed a \$10,000 loan, each exceeded their contribution limitation by \$4,000 and the Committee violated § 441a(f) for accepting the excessive funds.

However, in light of the fact that the excessive funds were held for a short period of time (approximately five weeks), the excessive portion of the loan was repaid prior to notification from the Commission, and because the violation has now been rectified, we recommend finding reason to believe that Tod Gardenhire violated 2 U.S.C. § 441a(a)(1)(A) and closing the file.

RECOMMENDATION

1. Find reason to believe that Tod Gardenhire violated 2 U.S.C. § 441a(a)(1)(A) and close the file.

84040153572



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

(10)

Erhardt J. Barnes, Treasurer
Committee to Elect Glen Byers
2850 Westside Drive
Cleveland, Tennessee 37311

RE: MUR 1626

Dear Mr. Barnes:

On , 1984, the Commission found reason to believe that your Committee had violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file. The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information. Should you have any questions, contact Judy Thedford at (202) 523-4529.

Sincerely,

Attachment
General Counsel's Factual and Legal Analysis

84040153573



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

11

Mr. William E. Brock IV
211 North Hermitage Avenue
Lookout Mountain, Tennessee 37350

RE: MUR 1626

Dear Mr. Brock:

On , 1984, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file. The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information. Should you have any questions, contact Judy Thedford at (202) 523-4529.

Sincerely,

Attachment

General Counsel's Factual and Legal Analysis

8404015374



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

(12)

Mr. Tod Gardenhire
3607 Lockaley Circle
Chattanooga, Tennessee 37416

RE: MUR 1626

Dear Mr. Gardenhire:

On , 1984, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file. The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information. Should you have any questions, contact Judy Thedford at (202) 523-4529.

Sincerely,

Attachment
General Counsel's Factual and Legal Analysis

840404537

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
The Committee to Elect Glen Byers) RAD Referral 83L-36

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session on February 7, 1984, do hereby certify that the Commission decided by a vote of 4-2 to open a Matter Under Review with respect to the above-captioned referral, find reason to believe a violation has occurred and close the file.

Commissioners Harris, McDonald, McGarry, and Reiche voted affirmatively for the decision; Commissioners Aikens and Elliott dissented.

Attest:

2-9-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

84040153576



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL
FROM: MARJORIE W. EMMONS/JODY C. RANSOM *JCR*
DATE: JANUARY 30, 1984
SUBJECT: OBJECTION - RAD REFERRAL 83L-36
Memorandum to the Commission
dated January 26, 1984

The above-named document was circulated to the
Commission on Friday, January 27, 1984 at 2:00.

Objections have been received from the Commissioners
as indicated by the name(s) checked:

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Harris	_____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Reiche	_____ X _____

This matter will be placed on the Executive Session
agenda for Tuesday, February 7, 1984.

34040153577



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cut*
DATE: January 26, 1984
SUBJECT: RAD Referral 83L-36: Memorandum to The Commission

The attached is submitted as an Agenda document
for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

48 Hour Tally Vote ☒]
Sensitive ☒]
Non-Sensitive ☐]

24 Hour No Objection ☐]
Sensitive ☐]
Non-Sensitive ☐]

Information ☐]
Sensitive ☐]
Non-Sensitive ☐]

Other ☐]

DISTRIBUTION

Compliance ☒]

Audit Matters ☐]

Litigation ☐]

Closed MUR Letters ☐]

Status Sheets ☐]

Advisory Opinions ☐]

Other (see distribution
below) ☐]



SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

84 JAN 26 P 4: 42

January 26, 1984

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel *KAG*

SUBJECT: RAD Referral 83L-36
The Committee to Elect Glen Byers

The Office of General Counsel has prepared for Commission review three (3) critiques of referrals from the Reports Analysis Division.

Attached to this referral is a critique prepared by this Office, a copy of the referral from the Reports Analysis Division, and a 48-hour tally vote sheet. The OGC critique summarizes the facts, presents an analysis of the legal issues involved, and makes a recommendation as to the disposition of the referrals. The copy of the RAD referral is attached for informational purposes, and the separate vote sheet provides for a vote on this referral.

Attachments
Critique and Referral

84040153379

RAD REFERRAL NUMBER: 83L-36

SUBJECT: The Committee to Elect Glen Byers

BACKGROUND

1. Date of referral: November 9, 1983

2. Financial background

a.	Total 1981-1982 receipts:	\$ 60,409.00
b.	Total 1981-1982 disbursements:	\$ 64,215.00
c.	Total 1983 receipts:	\$ 1,805.00
d.	Total 1983 disbursements:	\$ 1,871.00
e.	Cash on hand (8/17/83):	\$ 0
f.	Debts owed to the committee (8/17/83):	\$ 0
g.	Debts owed by the committee (8/17/83):	\$ 0

3. Status of candidate:

Glen Byers lost in the November, 1982 general election receiving 37% of the vote.

SUMMARY OF RAD ACTIONS

Referral category 3: (Contributions exceeding the limitations under 2 U.S.C. § 441a(f)).

The Committee to Elect Glen Byers ("the Committee") in its 1982 Pre-General Election Report disclosed the receipt of a \$10,000 loan from the American National Bank and Trust Company. The loan was received on October 5, 1982 and was designated for the general election. The loan was endorsed by two (2) individuals for the full \$10,000, resulting in apparent excessive contributions of \$4,000 for each of the endorers.

During the period, October 18 through November 15, 1982, the committee made four (4) loan payments to the bank totaling \$8,300. This information was disclosed on Schedule B of the 1982 30 Day Post-General Election Report. These payments reduced the outstanding balance on the loan to \$1,700. This information was

reported on Schedule C of the 1982 30 Day Post-General Report. The loan was reported paid in full on the committee's 1982 Year End Report. The final payment of \$1,700 was not reported on a Schedule B but only on Schedule C.

On March 10, 1983, the committee filed an amendment to the 1982 Year End Report, apparently in response to a letter from the Clerk of the House. This letter stated that the Schedule B's disclosing the loan payment(s) totalling \$1,700 were furnished with the Termination Report. However, these schedules were never provided. A Request for Additional Information ("RFAI") was sent to the committee on May 17, 1983, requesting a Schedule B supporting the final loan payments. On May 19, 1983, the committee was sent an Informational Notice regarding the apparent excessive contributions by both individuals. The notice stated that although the loan had been repaid, the Commission may take further action against the committee.

On May 31, 1983, the committee filed an amendment to the 1982 Year End Report. This amendment consisted of a Schedule B disclosing two loan payments totalling \$1,700. One payment for \$1,200 was made on December 2, 1982, and a second payment for \$500 was made on December 27, 1982. Additionally, the amendment stated that neither the committee nor the endorsers were aware that the \$1,000 contribution limit applied to loans.

On August 25, 1983, the committee filed a Termination Report.

OGC ANALYSIS

As set forth in 2 U.S.C. § 441a(a)(1)(A), individuals are prohibited from making contributions in excess of \$1,000 per candidate per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office. Therefore, the two individuals who together endorsed a \$10,000 loan each exceeded their contribution limitation by \$4,000.

However, in light of the fact that the excessive funds were held for a short period of time (approximately five weeks), the excessive portion of the loan was repaid prior to notification from the Commission, and because the violation has now been rectified, this matter does not warrant MUR status.

RECOMMENDATION

Decline to open a MUR.

Attachment

RAD Referral



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

8 November 1983

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA 151
STAFF DIRECTOR

FROM: JOHN D. GIBSON 94
ASSISTANT STAFF DIRECTOR, RAD

SUBJECT: REFERRAL OF COMMITTEE TO ELECT GLEN BYERS TO CONGRESS

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Please find attached the referral of the Committee to Elect Glen Byers to Congress. According to the non-compliance standards contained in the Review and Referral Procedures, the committee accepted excessive contributions from two (2) individuals in the form of endorsements of a bank loan of \$10,000 (Chart 3). The committee repaid the loan and filed a 1983 Termination Report. A review of the 1983 Termination Report did not disclose any discrepancies or violations of the Act, and the committee was sent a letter stating that their termination was valid.

If you have any questions, please contact Linda Tangney in the Reports Analysis Division at 523-4172.

Attachments

~~cc: The Commissioners~~ e

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 8 November 1983ANALYST: Linda Tangney

I. COMMITTEE: The Committee to Elect Glen Byers
- U.S. Congress
(C00156117)
Erhardt J. Barnes, Treasurer
2850 Westside Drive
Cleveland, TN 37311

II. RELEVANT STATUTE: 2 U.S.C. 441a(f)

III. BACKGROUND:

The Committee to Elect Glen Byers ("the Committee") in its 1982 Pre-General Election Report disclosed the receipt of a \$10,000 loan from the American National Bank and Trust Company (Attachment 2). The loan was received on October 5, 1982 and was designated for the general election. The loan was endorsed by two (2) individuals for the full \$10,000, resulting in apparent excessive contributions of \$4,000 for each of the endorers.

During the period, October 18 through November 15, 1982, the committee made four (4) loan payments to the bank totaling \$8,300. This information was disclosed on Schedule B of the 1982 30 Day Post-General Election Report (Attachment 3). These payments reduced the outstanding balance on the loan to \$1,700. This information was reported on Schedule C of the 1982 30 Day Post-General report (Attachment 4). The loan was reported paid in full on the committee's 1982 Year End Report (Attachment 5). The final payment of \$1,700 was not reported on a Schedule B but only on Schedule C.

On March 10, 1983, the committee filed an amendment to the 1982 Year End Report, apparently in response to a letter from the Clerk of the House. This letter stated that the Schedule B's disclosing the loan payment(s) totalling \$1,700 were furnished with the Termination Report. However, these schedules were never provided (Attachment 6). A Request

THE COMMITTEE TO ELECT GLEN BYERS
- U.S. CONGRESS
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

for Additional Information ("RFAI") was sent to the committee on May 17, 1983 requesting a Schedule B supporting the final loan payments (Attachment 7). On May 19, 1983, the committee was sent an Informational Notice regarding the apparent excessive contributions by both individuals. The notice stated that although the loan had been repaid, the Commission may take further action against the committee (Attachment 8).

On May 31, 1983, the committee filed an amendment to the 1982 Year End Report. This amendment consisted of a Schedule B disclosing two loan payments totaling \$1,700. One payment for \$1,200 was made on December 2, 1982, and a second payment for \$500 was made on December 27, 1982 (Attachment 9). Additionally, the amendment stated that neither the committee nor the endorsers were aware that the \$1,000 contribution limit applied to loans.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None

8401015336

FEDERAL ELECTION COMMISSION
1981-1982
CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

DATE 7NOV83

PAGE 1

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION TYPE OF FILER
			PRIMARY	GENERAL	PRIMARY	GENERAL			
BYERS, GLEN MARSH	HOUSE 03	REPUBLICAN PARTY			TENNESSEE		1982 ELECTION	ID# H2TN03011	
1. STATEMENT OF CANDIDATE							12MAY82	1	82HSE/216/0993
1982 STATEMENT OF CANDIDATE									
2. CANDIDATE REPORTS OF RECEIPTS & EXPENDITURES									
3. PRINCIPAL CAMPAIGN COMMITTEE									
COMMITTEE TO ELECT GLEN BYERS TO CONGRESS							ID# C00156117	HOUSE	
1982 STATEMENT OF ORGANIZATION							12MAY82	1	82HSE/216/0995
48 HOUR CONTRIBUTION NOTICE							26OCT82	1	82HSE/235/0342
48 HOUR CONTRIBUTION NOTICE							27OCT82	1	82HSE/235/1302
JULY QUARTERLY			10,620		9,151		10DEC81 - 30JUN82	7	82HSE/219/1910
PRE-PRIMARY			4,551		2,018		1JUL82 - 16JUL82	5	82HSE/223/0627
OCTOBER QUARTERLY				23,667		24,327	17JUL82 - 30SEP82	10	82HSE/229/0165
PRE-GENERAL				24,875		24,280	1OCT82 - 13OCT82	8	82HSE/234/0914
PRE-GENERAL - AMENDMENT							1OCT82 - 13OCT82	2	83HSE/246/0665
1 ST LETTER INFORMATIONAL NOTICE							1OCT82 - 13OCT82	2	83FEC/272/1121
POST-GENERAL				10,575		13,683	14OCT82 - 22NOV82	10	82HSE/237/3823
YEAR-END				1,292		1,925	24NOV82 - 31DEC82	6	83HSE/241/4304
YEAR-END - AMENDMENT							24NOV82 - 31DEC82	1	83HSE/245/0969
YEAR-END - AMENDMENT							24JAN82 - 31DEC82	2	83HSE/246/0663
REQUEST FOR ADDITIONAL INFORMATION							24NOV82 - 31DEC82	1	83FEC/272/0593
TOTAL			15,171	60,409	11,169	64,215		57	TOTAL PAGES
4. AUTHORIZED COMMITTEES									
4B. TRANSFERS IN FROM JOINT FUNDRAISING COMMITTEES									

The 1982 July Quarterly and 12 day pre-primary reports received BASIC review

All other reports received CONDENSED review

cash on hand as of 12/31/82: \$65.94

debts as of 12/31/82: \$1717.92

84040153537

FEDERAL ELECTION COMMISSION

DATE 7NOV83

1983-1984

CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

PAGE 1

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
			PRIMARY	GENERAL	PRIMARY	GENERAL			
BYERS, GLEN MARSH		HOUSE 03 REPUBLICAN PARTY							
1. STATEMENT OF CANDIDATE									
2. CANDIDATE REPORTS OF RECEIPTS & EXPENDITURES									
3. PRINCIPAL CAMPAIGN COMMITTEE									
COMMITTEE TO ELECT GLEN BYERS TO CONGRESS									
1983 MISCELLANEOUS REPORT									
MID-YEAR REPORT		- TERMINATED		154					
TERMINATION REPORT				1,651					
TERMINATION REPORT		- AMENDMENT		1,651					
TOTAL			0	1,805	0	1,871		13	TOTAL PAGES
TERMINATED									
4. AUTHORIZED COMMITTEES									
4B. TRANSFERS IN FROM JOINT FUNDRAISING COMMITTEES									

All 1983 reports received condensed review

cash on hand as of 8/17/83: \$0

debts as of 8/17/83: \$0

LOANS

100-100000-111
 100-100000-111
 100-100000-111

Name of Committee (in Full) Committee to Elect Glen Byers - U. S. Congress				
A. Full Name, Mailing Address and ZIP Code of Loan Source American National Bank & Trust Co. 8th & Market Streets Chattanooga, TN 37402		Original Amount of Loan <div style="text-align: right;">10,000.00</div>	Cumulative Payment To Date <div style="text-align: center;">- 0 -</div>	Balance Outstanding at Close of This Period <div style="text-align: right;">10,000.00</div>
Election: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		Terms: Date Incurred <u>10-5-82</u> Date Due <u>12-4-82</u> Interest Rate <u>15-1/2</u> % (specify)		<input type="checkbox"/> Secured
List All Endorsers or Guarantors (if any) to Item A				
1. Full Name, Mailing Address and ZIP Code William E. Brock IV 211 N. Hermitage Avenue Lookout Mountain, TN 37350		Name of Employer Brock Candy Co. Occupation Executive Amount Guaranteed Outstanding: <div style="text-align: right;">\$ 10,000.00</div>		
2. Full Name, Mailing Address and ZIP Code Tod Gardenhire 3607 Locksley Circle Chattanooga, TN 37416		Name of Employer Merrill-Lynch Occupation Sales Executive Amount Guaranteed Outstanding: <div style="text-align: right;">\$ 10,000.00</div>		
3. Full Name, Mailing Address and ZIP Code		Name of Employer Occupation Amount Guaranteed Outstanding <div style="text-align: right;">\$</div>		
B. Full Name, Mailing Address and ZIP Code of Loan Source		Original Amount of Loan	Cumulative Payment To Date	Balance Outstanding at Close of This Period
Election: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % (specify)		<input type="checkbox"/> Secured
List All Endorsers or Guarantors (if any) to Item B				
1. Full Name, Mailing Address and ZIP Code		Name of Employer Occupation Amount Guaranteed Outstanding <div style="text-align: right;">\$</div>		
2. Full Name, Mailing Address and ZIP Code		Name of Employer Occupation Amount Guaranteed Outstanding <div style="text-align: right;">\$</div>		
3. Full Name, Mailing Address and ZIP Code		Name of Employer Occupation Amount Guaranteed Outstanding <div style="text-align: right;">\$</div>		
SUBTOTALS This Period This Page (optional)				<div>10,000.00</div>
TOTALS This Period Both pages in this line only!				<div>10,000.00</div>
Carry outstanding balance only to LINE 2, Section B, for this line. If no Schedule D, carry forward to appropriate line of Summary.				

SCHEDULE B

**30 DAY POST-GENERAL REPORT
ITEMIZED DISBURSEMENTS**

ATTACHMENT 3

Page 1 of 1 for
LINE NUMBER 19 b
(Also separate schedule for each
category of the Detailed
Summary Page)

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)

Committee to Elect Glen Byers - U S Congress

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
American National Bank Chattanooga, TN 37402	Repay \$10,000 Note Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10-18-82 10-22-82 11-14-82	4,000.00 1,000.00 1,000.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			8,300.00
TOTAL This Period (last page this line number only)			8,300.00

84040, 15333

LOANS

Page 1 of 1
LINE NUMBER
The report should
be sent within 100

ATTACHMENT 4

Name of Committee (in Full) Committee to Elect Glen Byers - U S Congress			
A. Full Name, Mailing Address and ZIP Code of Loan Source American National Bank & Trust Co. 8th & Market Streets Chattanooga, TN 37402	Original Amount of Loan 10,000.00	Cumulative Payments To Date N. 1111.00	Balance Outstanding at Close of This Period 1,700.00
Election: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): _____			
Terms: Date Incurred <u>10-5-82</u> Date Due <u>12-1-82</u> Interest Rate <u>15-1/2%</u> <input type="checkbox"/> Secured			
List All Endorsers or Guarantors (if any) to Item A			
1. Full Name, Mailing Address and ZIP Code William E. Brock IV 211 N. Hermitage Avenue Lookout Mountain, TN 37350	Name of Employer Brock Candy Co. Occupation Executive Amount Guaranteed Outstanding \$ 1,700.00		
2. Full Name, Mailing Address and ZIP Code Todd Gardenhire 3607 Locksley Circle Chattanooga, TN 37416	Name of Employer Merrill-Lynch Occupation Sales Executive Amount Guaranteed Outstanding \$ 1,700.00		
3. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding \$		
B. Full Name, Mailing Address and ZIP Code of Loan Source			
Election: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): _____			
Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % (per) <input type="checkbox"/> Secured			
List All Endorsers or Guarantors (if any) to Item B			
1. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding \$		
2. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding \$		
3. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding \$		
SUBTOTALS This Period This Page (optional)			
TOTALS This Period (last page in this line only)			
Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.			

YEAR END REPORT

Name of Debtor(s) (in Full) Committee to Elect Glen Byers - U S Congress				
A. Full Name, Mailing Address and ZIP Code of Loan Source American National Bank & Trust Co. 8th & Market Streets Chattanooga, TN 37402	Original Amount of Loan 10,000.00	Continuing Payments To Date 10,000.00	Balance Outstanding at Close of This Period -0-	
Election: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):				
Terms: Date Incurred <u>10-5-82</u> Date Due <u>12-4-82</u> Interest Rate <u>15-17 1/2 % (year)</u> <input type="checkbox"/> Secured				
List All Endorsers or Guarantors (if any) to Item A				
1. Full Name, Mailing Address and ZIP Code William E. Brock, IV 211 N. Hermitage Avenue Lookout Mountain, TN 37350	Name of Employer Brock Candy Co. Occupation Executive Amount Guaranteed Outstanding \$			
2. Full Name, Mailing Address and ZIP Code Tod Gardenhire 3607 Locksley Circle Chattanooga, TN 37416	Name of Employer Merrill-Lynch Occupation Sales Executive Amount Guaranteed Outstanding \$			
3. Full Name, Mailing Address and ZIP Code 	Name of Employer Occupation Amount Guaranteed Outstanding \$			
B. Full Name, Mailing Address and ZIP Code of Loan Source		Original Amount of Loan	Continuing Payments To Date	Balance Outstanding at Close of This Period
Election: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):				
Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % (year) <input type="checkbox"/> Secured				
List All Endorsers or Guarantors (if any) to Item B				
1. Full Name, Mailing Address and ZIP Code 	Name of Employer Occupation Amount Guaranteed Outstanding \$			
2. Full Name, Mailing Address and ZIP Code 	Name of Employer Occupation Amount Guaranteed Outstanding \$			
3. Full Name, Mailing Address and ZIP Code 	Name of Employer Occupation Amount Guaranteed Outstanding \$			
SUBTOTALS This Period This Page (optional)				
TOTALS This Period (last page in this line only)				
Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.				

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ATTACHMENT 6

amended 1982 Year End Report

Glen Byers
For United States Congress
3rd Congressional District

REGULAR MAIL

MAR 13 1983

Chattanooga, TN
March 9, 1983

11/24/ — 12/31/82

Mr. Benjamin J. Guthrie, Clerk
U. S. House of Representatives
Office of the Clerk
Washington, D. C. 20515

2-AVE
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Dear Sir:

This is in reply to your letter of February 25, 1983, addressed to the Committee to Elect Glen Byers - U. S. Congress, regarding the Report of December 31, 1982, with reference to the supporting schedule for \$1,700 on Line 19 (b). not on T&E

You requested a supporting Schedule B for this item. You will find that was furnished to you on the termination report for the period of January 1, 1983 to January 19, 1983, the pencil draft of which is enclosed.

I trust this will provide you with the information desired.

Very truly yours,

Erhardt J. Barnes

Erhardt J. Barnes, Treasurer
Committee to Elect Glen Byers-
U. S. Congress

EJB:mb
Enclosures

83 340 14204509572

2850 Westside Drive

Cleveland, Tennessee 37311

615/479-4140

⑦ Kim B. 11 2/10



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

Erhardt J. Barnes, Treasurer
Committee to Elect Glen Byers -
U.S. Congress
2850 Westside Drive
Cleveland, TN 37311

Identification Number: C00156117

Reference: Year End Report (11/24/82-12/31/82)

Dear Mr. Barnes:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Please provide a Schedule B to support the amount reported on Line 19(a), 19(b) and/or 19(c), Column A of the Detailed Summary Page. Each loan repayment made by the committee must be itemized on a supporting Schedule B, regardless of the amount of the repayment. (11 CFR 104.3(b)(4)(iii) and (iv))

-Commission Regulations require the continuous reporting of all outstanding debts/loans. Review of this report indicates an omission of debts itemized on your previous report(s). (11 CFR 104.3(d) and 104.11) Please amend your report to indicate the current status of these omitted debts:

Brady, Goode and Aiken
\$305.90

An amendment to your original report(s) correcting the above problem(s) should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515 within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4172.

Sincerely,

Linda Tangney

Linda Tangney
Reports Analyst
Reports Analysis Division

8404015-33



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-5

19 May 1983

Erhardt J. Barnes, Treasurer
Committee to Elect Glen Byers -
U.S. Congress
2850 Westside Drive
Cleveland, TN 37311

Identification Number: C00156117

Reference: 12 Day Pre-General Report (10/1/82-10/13/82)

Dear Mr. Barnes:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule C of your report (pertinent portion attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. An individual or a political committee, other than a multicandidate committee may not make contributions to a candidate for Federal office in excess of \$1,000 per election. (2 U.S.C. 441a(a) and (f))

The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.

The Commission notes the loan repayments. Although the Commission may take further legal steps concerning the acceptance of an excessive contribution, your prompt action in repaying the excessive amount(s) will be taken into consideration.

Any amendment or clarification should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4172.

Sincerely,

Linda Tangney
Linda Tangney
Reports Analyst
Reports Analysis Division

340101531124

SCHEDULE B

ITEMIZED DISBURSEMENTS

073493

ID # C 001561

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

Name of Committee (in Full)
Committee to Elect Glen Byers to U. S. Congress

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
American National Bank Chattanooga, TN 37402	Repay \$10,000 Note	12-2-82	1,200.00
	Balance due \$1,700.00 Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	12-27-82	500.00
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	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):		
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):		
GRAND TOTAL of Disbursements This Page (optional)			
Total for This Period (print this line number only)			1,700.00

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FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 11624

Date Filmed 4/4/84 Camera No. --- 3

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