



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1955

Date Filmed 8/14/85 Camera No. --- 2

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FEDERAL ELECTION COMMISSION

Routing Slips, Memoranda & correspondence  
Re: pre-probable cause conciliation; other  
MOR / referral data. EXTRA COPIES

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 type="checkbox"/> (2) Internal rules and practices                          | <input checked="" type="checkbox"/> (7) Investigatory files               |
| <input checked="" 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 checked="" type="checkbox"/> (5) Internal Documents                         |   |

Signed

date

[Signature]  
7/31/85

FEC 9-21-77

10w  
8/5/85

85040542923



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 15, 1985

Susan Schmidt Pié, Esquire  
Sun Company, Inc.  
Law Department  
100 Matsonford Road  
Radnor, PA 19087-4597

RE: MUR 1955  
Sun Company, Inc.  
Political Action Committee  
William B. Priestly, as  
treasurer

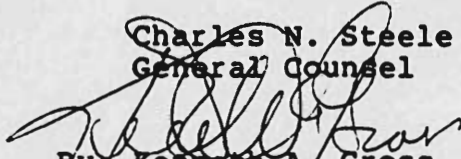
Dear Ms. Pié:

On June 28, 1985, the Commission accepted the conciliation agreement signed by your client, and a civil penalty in settlement of a violation of 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele  
General Counsel

  
By: Kenneth A. Gross  
Associate General Counsel

Enclosure  
Conciliation Agreement



BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )

Sun Company, Inc., )

Political Action Committee )

William B. Priestley, as Treasurer )

MUR 1955

RECEIVED  
FEDERAL ELECTION COMMISSION  
JUN 7 2:13  
GENERAL COUNSEL

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Sun Company, Inc., Political Action Committee ("the Committee") and its treasurer ("Respondents") violated 2 U.S.C. § 434(a)(4)(B) by failing to file the 1984 pre-general election report in a timely manner.

NOW, THEREFORE, the Commission and 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 state their views as to what action should be taken in this matter.

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

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

1. The Sun Company, Inc., Political Action Committee is a political committee within the meaning of 2 U.S.C. § 431(4)(B).

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2. William B. Priestley, is the treasurer of the Sun Company, Inc., Political Action Committee.

3. Pursuant to 2 U.S.C. § 434(a)(4)(B), Political Action Committees were required to file 1984 pre-general election reports by October 25, 1984. The Sun Company, Inc., Political Action Committee filed a 1984 October monthly report in lieu of its pre-election report on November 16, 1984.

V. The Commission alleges that Respondents violated 2 U.S.C. § 434(a)(4)(B) by failing to file a 1984 pre-general election report in a timely manner, which Respondents, who are interested in amicable settlement of this matter, are not contesting.

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of One Hundred and Seventy-Five Dollars (\$175.00), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondents agree that they shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

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

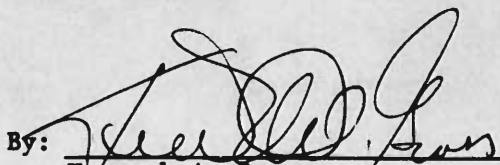
IX. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

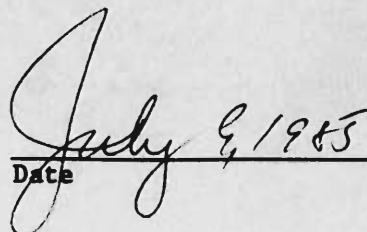


X. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

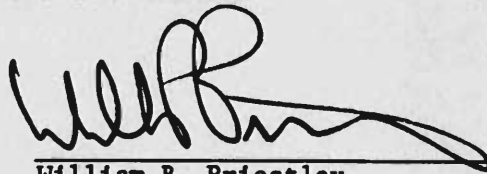
XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

FOR THE COMMISSION:  
Charles N. Steele  
General Counsel

By:   
Kenneth A. Gross  
Associate General Counsel

  
Date July 8, 1985

FOR THE RESPONDENT:

  
William B. Priestley  
Treasurer  
Sun Company, Inc.  
Political Action Committee

5/4/85  
Date

85040542927

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Sun Company, Inc. ) MUR 1955  
Political Action Committee )  
William B. Priestly, as treasurer )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 28, 1985, the Commission decided by a vote of 6-0 to take the following actions in MUR 1955:

1. Accept and sign the counterproposed conciliation agreement submitted by the Respondents on June 13, 1985 attached to the General Counsel's Report signed June 14, 1985.
2. Approve and send the letter attached to the General Counsel's Report signed June 14, 1985.
3. Close the file.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively for this decision.

Attest:

6/28/85  
Date

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

Received in Office of Commission Secretary:  
Circulated on 48 hour tally basis:

6-25-85, 10:54  
6-26-85, 4:00

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Sun Company, Inc.  
Political Action Committee  
William B. Priestly, as treasurer

)  
)  
)  
)  
)

05 JUN 28 410:55  
MUR 1955

GENERAL COUNSEL'S REPORT

**SENSITIVE**

On March 22, 1985, the Commission voted to find reason to believe the Sun Company, Inc. Political Action Committee and William B. Priestley, as its treasurer ("Respondents") violated 2 U.S.C. § 434(a)(4)(B) by failing to timely file the 1984 pre-general election report of receipts and disbursements. A copy of the General Counsel's Factual and Legal Analysis was forwarded to Respondents' counsel on April 1, 1985 with the Commission's notification letter.

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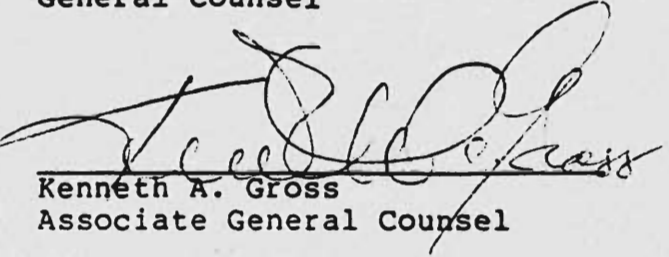
2. Approve and send the attached letter.
3. Close the file.

Date

June 14, 1985

Charles N. Steele  
General Counsel

BY:

  
Kenneth A. Gross  
Associate General Counsel

Attachments

1. Counterproposal dated June 4, 1985
2. Counterproposal dated June 12, 1985
3. Proposed letter.

85040542930

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Sun Company, Inc. ) MUR 1955  
Political Action Committee )  
William B. Priestly, as treasurer )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 8, 1985, the Commission decided by a vote of 5-0 to take the following actions in MUR 1955:

1. Enter into conciliation with the Sun Company, Inc., Political Action Committee and William B. Priestly, as treasurer, prior to a finding of probable cause to believe.
2. Approve and send the proposed conciliation agreement and letter attached to the General Counsel's Report signed May 2, 1985.

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

Attest:

5-8-85

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary of the Commission

Received in Office of Commission Secretary:  
Circulated on 48 hour tally basis:

5-3-85, 5:15  
5-6-85, 11:00

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Susan S. Pie, Esquire  
Sun Company, Inc.  
Legal Department  
100 Matsonford Road,  
Radnor, PA 19087

RE: MUR 1955  
Sun Company, Inc.  
Political Action Committee  
William B. Priestly, as treasurer

Dear Ms. Pie:

On March 27, 1985, the Commission found reason to believe that the Sun Company, Inc., Political Action Committee ("the Committee") and its treasurer violated 2 U.S.C. § 434(a)(4)(B). At your request, the Commission determined on 5/8/85, 1985, 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 in settlement of this matter. If the Committee and its treasurer agree with the provisions of the enclosed agreement, please sign and return it, 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. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Stephen Mims the attorney assigned to this matter, at (202) 523-4143.

Sincerely,

Charles N. Steele  
General Counsel

BY: Kenneth A. Gross  
Associate General Counsel

Enclosures

*Sam*  
5/9/85

85040542932



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 13, 1985

Susan S. Pie, Esquire  
Sun Company, Inc.  
Legal Department  
100 Matsonford Road,  
Radnor, PA 19087

RE: MUR 1955  
Sun Company, Inc.  
Political Action Committee  
William B. Priestly, as treasurer

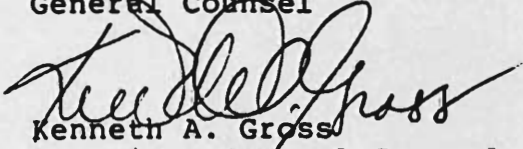
Dear Ms. Pie:

On March 27, 1985, the Commission found reason to believe that the Sun Company, Inc., Political Action Committee ("the Committee") and its treasurer violated 2 U.S.C. § 434(a)(4)(B). At your request, the Commission determined on May 8, 1985, 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 in settlement of this matter. If the Committee and its treasurer agree with the provisions of the enclosed agreement, please sign and return it, 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. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Stephen Mims the attorney assigned to this matter, at (202) 523-4143.

Sincerely,

Charles N. Steele  
General Counsel

BY:   
Kenneth A. Gross  
Associate General Counsel

Enclosures

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BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED  
THE FEC  
COMMISSION SECRETARY

In the Matter of )

Sun Company, Inc. )

Political Action Committee )

William B. Priestly, as treasurer )

MUR 1955/ 3 P 5: 16

GENERAL COUNSEL'S REPORT

**SENSITIVE**

I. BACKGROUND

On March 22, 1985, the Commission found reason to believe that the Sun Company, Inc., Political Action Committee, ("the Committee") and William B. Priestly, as treasurer, violated 2 U.S.C. § 434(a)(4)(B) by failing to file their 1984 pre-general election report in a timely manner. On April 18, 1985, the respondents submitted a response to the Commission's notice of reason to believe. In addition to explaining the Committee's tardiness, the respondents have requested the opportunity to enter into conciliation prior to a finding of probable cause.

The Committee's response points to the fact that it files reports on a monthly basis and that those reports have in the past, been timely. The Committee further advises the Commission of its efforts to be in compliance with the Act and states that the report was late due to its misunderstanding of a monthly filer's requirement to file a pre-general election report.

The General Counsel's Office recommends therefore, that the Commission enter into conciliation with the respondents prior to a finding of probable cause to believe.

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## II. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

Attached for the Commission's approval is a proposed conciliation agreement. The proposed agreement provides for an admission of a reporting violation and payment of \$175 civil penalty. Consistent with the handling of similar matters, we recommend a proposed penalty of \$175 concerning the Committee's late filing by attributing the following amount for the report as noted below:

<u>Report</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Report Due</u>	<u>Report Filed</u>	<u>Days Late</u>	<u>Proposed Penalty</u>
1984 Pre-General Election Report	\$2,631	\$48,750	10/25/84	11/20/84	25	\$ 75
				<u>Subtotal</u>		<u>\$ 75</u>
				<u>+ Base</u>		<u>\$100</u>
				<u>Total</u>		<u>\$175</u>

## III. RECOMMENDATIONS

1. Enter into conciliation with the Sun Company, Inc., Political Action Committee and William B. Priestly, as treasurer, prior to a finding of probable cause to believe.
2. Approve and send the attached proposed conciliation agreement and letter.

Charles N. Steele  
General Counsel

May 2, 1985  
Date

BY:

Kenneth A. Gross  
Associate General Counsel

### Attachments

1. Response from Sun Company, Inc., Political Action Committee.
2. Proposed conciliation agreement and letter

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mims

GENERAL COUNSEL

**SunPAC**

APR 18 AIO: 50

SUN POLITICAL ACTION COMMITTEE

100 MATSON FORT ROAD, RADNOR, PENNSYLVANIA 19087

April 16, 1985

John Warren McGarry, Chairman  
Office of the General Counsel  
Federal Election Commission  
Washington, DC 20463

Re: MUR 1955  
Sun Company, Inc.  
Political Action Committee

Dear Mr. McGarry:

We are in receipt of your letter of April 1, 1985. By way of response and in compliance with the procedures of the Federal Election Commission, we submit the following which we believe is relevant to the Commission's consideration of this matter.

Sun Company Political Action Committee ("SunPAC") and I, as treasurer, are committed to full compliance with the Federal Election Campaign Act of 1971, as amended ("the Act"). SunPAC has never intended to violate any of the Act's provisions and any failure to file a pre-general election report in accordance therewith was inadvertent on our behalf.

Because we file on a monthly basis, it was our understanding that the submission of the October report on November 16, 1984 was a timely filing and, therefore, in compliance with the provisions of the Act. Any late filing was an oversight and will not occur in the future.

The report filed on November 16, 1984 contains the same information as would have been reported to you in the pre-general election report. Further, it is our understanding that the FEC is not asserting any substantive objections to the contents of the reports as submitted, but rather has determined that it has reason to believe that a pre-general election report was not filed on a timely basis.

I would like to reiterate SunPAC's commitment to full compliance with the Act. In the event the Commission does not agree that our facts

SunPAC has been organized to receive voluntary contributions from individuals and to provide financial support to candidates favorable to the free market system and the interests of Sun employees and shareholders. A copy of our report is filed with the Federal Election Commission and is available from the FEC, Washington, D.C.

MB5 1

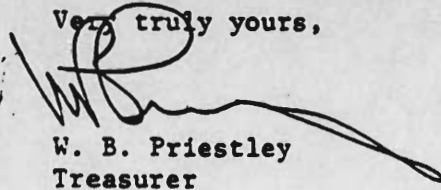
Attachment 1  
Page 1

Mr. John Warren McGarry  
April 16, 1968  
Page 2

demonstrate that no further action should be taken against SunPAC, we would like to pursue a conciliation agreement prior to a finding of probable cause.

Also, enclosed is the Statement of Designation of Counsel indicated that Susan S. Pie is SunPAC's counsel for this matter.

Very truly yours,



W. B. Priestley  
Treasurer

MBE/caw

Attachment

cc: S. S. Pie

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MB6 2

Attachment 1  
Page 2

**STATEMENT OF DESIGNATION COUNSEL**

MUR #1955

NAME OF COUNSEL: Susan S. Pie

ADDRESS: Sun Company, Inc.

Legal Department - Lower Level

100 Matsonford Road

Radnor, PA 19087

(215) 293-6263

TELEPHONE:

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.

Date

4/16/85

Signature



RESPONDENT'S NAME: W. B. Priestley

ADDRESS: Sun Company, Inc.

1801 Market Street

Philadelphia, PA 19103

HOME PHONE: (609) 927-6826

BUSINESS PHONE: (215) 977-3450

Attachment 1  
Page 3

85040542938





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Susan S. Pie, Esquire  
Sun Company, Inc.  
Legal Department  
100 Matsonford Road,  
Radnor, PA 19087

RE: MUR 1955  
Sun Company, Inc.  
Political Action Committee  
William B. Priestly, as treasurer

Dear Ms. Pie:

On March 27, 1985, the Commission found reason to believe that the Sun Company, Inc., Political Action Committee ("the Committee") and its treasurer violated 2 U.S.C. § 434(a)(4)(B). At your request, the Commission determined on , 1985, 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 in settlement of this matter. If the Sun PAC and its treasurer agree with the provisions of the enclosed agreement, please sign and return it, 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. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Stephen Mims the attorney assigned to this matter, at (202) 523-4143.

Sincerely,

Charles N. Steele  
General Counsel

BY: Kenneth A. Gross  
Associate General Counsel

Enclosures

Attachment 2  
Page 4



**SunPAC**

SUN POLITICAL ACTION COMMITTEE

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL

APR 18 AIO: 50

100 MATSONFORD ROAD, RADNOR, PENNSYLVANIA 19087

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mims

April 16, 1985

John Warren McGarry, Chairman  
Office of the General Counsel  
Federal Election Commission  
Washington, DC 20463

Re: MUR 1955  
Sun Company, Inc.  
Political Action Committee

Dear Mr. McGarry:

We are in receipt of your letter of April 1, 1985. By way of response and in compliance with the procedures of the Federal Election Commission, we submit the following which we believe is relevant to the Commission's consideration of this matter.

Sun Company Political Action Committee ("SunPAC") and I, as treasurer, are committed to full compliance with the Federal Election Campaign Act of 1971, as amended ("the Act"). SunPAC has never intended to violate any of the Act's provisions and any failure to file a pre-general election report in accordance therewith was inadvertent on our behalf.

Because we file on a monthly basis, it was our understanding that the submission of the October report on November 16, 1984 was a timely filing and, therefore, in compliance with the provisions of the Act. Any late filing was an oversight and will not occur in the future.

The report filed on November 16, 1984 contains the same information as would have been reported to you in the pre-general election report. Further, it is our understanding that the FEC is not asserting any substantive objections to the contents of the reports as submitted, but rather has determined that it has reason to believe that a pre-general election report was not filed on a timely basis.

I would like to reiterate SunPAC's commitment to full compliance with the Act. In the event the Commission does not agree that our facts

SunPAC has been organized to receive voluntary contributions from individuals and to provide financial support to candidates favorable to the free market system and the interests of Sun employees and shareholders. A copy of our report is filed with the Federal Election Commission and is available from the FEC, Washington, D.C.

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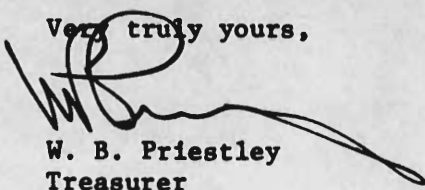
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Mr. John Warren McGarry  
April 16, 1985  
Page 2

demonstrate that no further action should be taken against SunPAC, we would like to pursue a conciliation agreement prior to a finding of probable cause.

Also, enclosed is the Statement of Designation of Counsel indicated that Susan S. Pie is SunPAC's counsel for this matter.

Very truly yours,



W. B. Priestley  
Treasurer

MBE/caw

Attachment

cc: S. S. Pie

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**STATEMENT OF DESIGNATION OF COUNSEL**

MUR #1955

NAME OF COUNSEL: Susan S. Pie

ADDRESS: Sun Company, Inc.

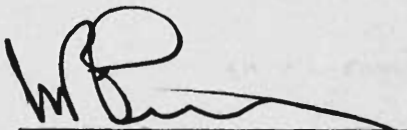
Legal Department - Lower Level

100 Matsonford Road

TELEPHONE: Radnor, PA 19087  
(215) 293-6263

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.

4/16/85  
Date

  
Signature

RESPONDENT'S NAME: W. B. Priestley

ADDRESS: Sun Company, Inc.

1801 Market Street

Philadelphia, PA 19103

HOME PHONE: (609) 927-6826

BUSINESS PHONE: (215) 977-3450

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 1, 1985

William B. Priestley, Treasurer  
Sun Company, Inc.  
Political Action Committee  
2000 Market Street  
Philadelphia, Pennsylvania 19103

RE: MUR 1955  
Sun Company, Inc.  
Political Action Committee  
William B. Priestley, as treasurer

Dear Mr. Priestley:

On March 22, 1985, the Federal Election Commission determined that there is reason to believe that the Sun Company, Inc. Political Action Committee and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") by failing to properly submit a pre-general election report of receipts and disbursements. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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 a statement authorizing such counsel to receive any notifications and other communications from the Commission.

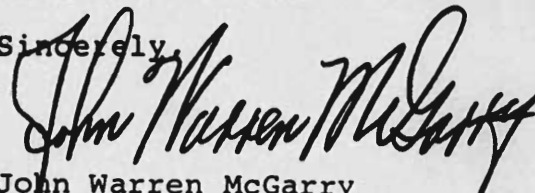
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William B. Priestley, Treasurer  
Page 2

The investigation now being conducted will be 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 you 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 Stephen H. Mims, the attorney assigned to this matter, at (202) 523-4143.

Sincerely,



John Warren McGarry  
Chairman

Enclosures

General Counsel's Factual and Legal Analysis  
Procedures  
Designation of Counsel Statement

85040542944



FEDERAL ELECTION COMMISSION  
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR # 1955  
STAFF MEMBER: Stephen Mims  
(202) 523-4143

RESPONDENTS' NAMES:      Sun Company, Inc.  
                                 Political Action Committee  
                                 William B. Priestley, as treasurer

**GENERATION OF MATTER**


This matter was forwarded to the Office of General Counsel by the Reports Analysis Division on January 15, 1985. The referral was based upon Standard Number 3 of the RAD Review and Referral Procedures for unauthorized Committees as approved by the Commission on March 23, 1982, and as amended on December 1, 1983.

**SUMMARY OF ALLEGATIONS**

The Sun Company, Inc. Political Action Committee (SUN PAC) files reports of receipts and disbursements on a monthly basis. SUN PAC, however, has failed to file a pre-general election report, due on October 25, 1984. A report was submitted by SUN PAC reporting activity during the month of October, 1984, on November 20, 1984. Although this report included the pre-general election report coverage dates (October 1 through October 17, 1984) it was not filed until 25 days after the due date for the pre-general election report.

**FACTUAL AND LEGAL ANALYSIS**

Title 2 United States Code, AT Section 434(a)(4)(B) requires that committees, which file monthly reports during any year in



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which a regularly scheduled general election is held, file a pre-general election, post-general election and year-end report in lieu of the monthly reports for November and December.

SUN PAC submitted the required reports for each month in 1984, but failed to submit the pre-general election report as required, although it appears that a report was submitted for the entire month of October, 1984, 25 days after the due date for the pre-general election report. The Reports Analysis Division, by letter dated October 1, 1984, advised SUN PAC of the obligation to submit the pre-general election report. SUN PAC's response to the notification of failure to file the pre-general election sent by the Reports Analysis Division on November 16, 1984, (included in the attached RAD Referral) indicates SUN PAC's belief that the filing requirements were satisfied by the filing of a November monthly report.

#### CONCLUSION

From the foregoing, it appears, therefore, that the Sun Company, Inc. Political Action Committee and William B. Priestley, as treasurer, violated 2 U.S.C. § 434(a)(4)(B).

85040542946



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

William B. Priestley, Treasurer  
Sun Company, Inc.  
Political Action Committee  
2000 Market Street  
Philadelphia, Pennsylvania 19103

RE: MUR  
Sun Company, Inc.  
Political Action Committee  
William B. Priestley, as treasurer

Dear Mr. Priestley:

On , 1985, the Federal Election Commission determined that there is reason to believe that the Sun Company, Inc. Political Action Committee and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") by failing to properly submit a pre-general election report of receipts and disbursements. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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 a statement authorizing such counsel to receive any notifications and other communications from the Commission.

JAM  
3/20/85

William B. Priestley, Treasurer  
Page 2

The investigation now being conducted will be 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 you 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 Stephen H. Mims, the attorney assigned to this matter, at (202) 523-4143.

Sincerely,

Enclosures  
General Counsel's Factual and Legal Analysis  
Procedures  
Designation of Counsel Statement

85040542949

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )

Sun Company, Inc. )

Political Action Committee )

William B. Priestley, as treasurer )

RAD Referral 85NF-29

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 22, 1985, the Commission decided by a vote of 5-0 to take the following actions in RAD Referral 85NF-29:

1. Open a MUR.
2. Find reason to believe the Sun Company, Inc. Political Action Committee and William B. Priestley, as treasurer, violated 2 U.S.C. § 434(a)(4)(B).
3. Approve and send the letter and factual and legal analysis attached to the First General Counsel's Report signed March 19, 1985.

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

Attest:

3-25-85

Date

Jody C. Ransom  
for Marjorie W. Emmons  
Secretary of the Commission

Received in Office of Commission Secretary:  
Circulated on 48 hour tally basis:

3-20-85, 12:54  
3-20-85, 4:00

85040542950



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

RECEIVED  
OFFICE OF THE FEC  
COMM. SECRETARY

25 MAR 20 12:54

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME  
TRANSMITTAL BY OGC  
TO THE COMMISSION  
3/20/85 - 12:40

MUR # RAD Referral 85NF-29  
STAFF MEMBER: Stephen Mims

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

RESPONDENTS' NAMES:

Sun Company, Inc.  
Political Action Committee  
William B. Priestley, as treasurer

**SENSITIVE**

RELEVANT STATUTE:

2 U.S.C. § 434(a)(4)(B)

INTERNAL REPORTS  
CHECKED:

FEC Index of Reports filed by the  
Committee through February 22, 1985

FEDERAL AGENCIES  
CHECKED:

None

GENERATION OF MATTER

This matter was forwarded to the Office of General Counsel by the Reports Analysis Division on January 15, 1985. The referral was based upon Standard Number 3 of the RAD Review and Referral Procedures for unauthorized Committees as approved by the Commission on March 23, 1982, and as amended on December 1, 1983.

SUMMARY OF ALLEGATIONS

The Sun Company, Inc. Political Action Committee (SUN PAC) files reports of receipts and disbursements on a monthly basis. SUN PAC, however, has failed to file a pre-general election report, due on October 25, 1984. A report was submitted by SUN PAC reporting activity during the month of October, 1984, on

85040542951

November 20, 1984. Although this report included the pre-general election report coverage dates (October 1 through October 17, 1984) it was not filed until 25 days after the due date for the pre-general election report.

#### FACTUAL AND LEGAL ANALYSIS

Title 2 United States Code, at Section 434(a)(4)(B) requires that committees, which file monthly reports during any year in which a regularly scheduled general election is held, file a pre-general election, post-general election and year-end report in lieu of the monthly reports for November and December.

SUN PAC submitted the required reports for each month in 1984, but failed to submit the pre-general election report as required, although it appears that a report was submitted for the entire month of October, 1984, 25 days after the due date for the pre-general election report. The Reports Analysis Division, by letter dated October 1, 1984, advised SUN PAC of the obligation to submit the pre-general election report. SUN PAC's response to the notification of failure to file the pre-general election sent by the Reports Analysis Division on November 16, 1984, (included in the attached RAD Referral) indicates SUN PAC's belief that the filing requirements were satisfied by the filing of a November monthly report.

#### RECOMMENDATION

The Office of General Counsel makes the following recommendations:

1. Open a MUR.

35040542952

2. Find reason to believe the Sun Company, Inc. Political Action Committee and William B. Priestley, as treasurer, violated 2 U.S.C. § 434(a)(4)(B).
3. Approve and send the attached letter and factual and legal analysis.

March 19, 1985  
Date

Charles N. Steele  
General Counsel

BY:

Kenneth A. Gross  
Associate General Counsel

Attachments

1. Referral from the Reports Analysis Division.
2. Proposed letter and Factual and Legal Analysis.

85040542953



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

January 15, 1985

**MEMORANDUM**

**TO:** CHARLES N. STEELE  
GENERAL COUNSEL

**THROUGH:** JOHN C. SURINA  
STAFF DIRECTOR

**FROM:** JOHN D. GIBSON  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION

**SUBJECT: NON-FILER REFERRALS OF MONTHLY UNAUTHORIZED COMMITTEES**

In accordance with Standard 3 of the RAD Review and Referral Procedures for Unauthorized Committees, the attached list of monthly filers is being forwarded to your offices, for failing to file a report covering the pre-election period by election day.

Since the number of committees being referred is relatively large, we felt it best to arrange the information in chart format. You will note that the attached printouts list the names, addresses, and treasurers for thirty-five (35) committees with "C" Indices provided for each. <sup>1/</sup> Any telephonic communications have been referenced under Contacts with Filers. The Summary Pages of the late filed reports and/or explanatory letters have been referenced under Response(s).

Two committees have been deleted from the list, because they meet the expedited audit referral threshold. Should the Commission not approve to audit these committees, they will be referred to your office at a later date. The attachments for these committees have also been deleted causing two gaps in the sequence.

All unauthorized committees were sent prior notification on October 1, 1984, which specifically informed monthly filers of the requirement to file a 12 Day Pre-General Election Report by October 25, 1984 (Attachment 38). The committees, which failed to submit either a 12 Day Pre-General Report or a November Monthly Report, were sent Non-Filer Notices on November 16, 1984

<sup>1/</sup> In some cases, the aggregate receipt and disbursement figures may be inflated because committees submitted reports covering portions of the same periods (e.g., a November Monthly covering October 1, 1984 through October 31, 1984 and a Pre-General Report covering October 1, 1984 through October 17, 1984.)

attachment 1  
Page 1

85040542954

PAGE 2

(see copy of notice - Attachment 39). Certain committees (i.e., those noted with an asterisk on the attached computer printouts) were not sent Non-Filer Notices because a) a report covering the pre-election period was indexed by November 15, 1984, or b) the committee had not been assigned at the time the non-filer printout was generated.

If you have any questions, please contact Michael Filler at 523-4048.

Attachments

85040542955

Attachment 1  
Page 2



WASHINGTON, D C. 20463

October 1, 1984

## WHO MUST FILE THE PRE-GENERAL ELECTION REPORT

In addition all quarterly filing committees that have made contributions or expenditures (including independent expenditures) in connection with the general election must file a pre-election report, if such activity has not previously been reported. See below for post-general filing information.

The report must disclose all financial activity of the committee from the later of, the last report filed or the date of registration\* through October 17, 1984. (Monthly filers must disclose all financial activity from the later of October 1 or the date of registration\* through October 17, 1984.)

Pre-general election reports sent registered or certified mail must be postmarked no later than October 22, 1984. Reports hand delivered or mailed first class must be received no later than close of business October 25, 1984.

★ ★ ★ ★ ★

All committees must file the post-general election report due December 6, 1984, regardless of election activity.

The post-general election report must cover all financial activity of the committee from either the date of the last report filed or the date of registration, whichever is later\* through November 26, 1984.

Post-general election reports sent by registered or certified mail must be postmarked no later than December 6, 1984. Reports hand delivered or mailed first class must be received no later than close of business December 6, 1984.

\*The first report filed by a committee shall include all amounts received or disbursed prior to becoming a political committee, even if such amounts were not received during the current reporting period. See 11 CFR 104.3(a) and (b).

Attachment 1  
Page 3

# WHERE AND HOW TO FILE

Committees should consult the instructions on the enclosed FEC form 3X, for details.

## QUARTERLY FILERS

Name of Report	Period Covered	Reg./Cert. Mailing Date	Filing Date
3rd Q-Report	07/01* - 09/30	10/15/84	10/15/84
Pre-General	10/01 - 10/17	10/22/84	10/25/84
Post-General**	10/18 - 11/26	12/06/84	12/06/84
Year-end	11/27 - 12/31	01/31/85	01/31/85

\*Or from date of registration, or the close of books of the last report filed, whichever is later.

\*\*Reports filed by committees that did not file the pre-General report should cover all financial activity from the last report filed through November 26, 1984.

\* \* \*

## MONTHLY FILERS

Name of Report	Period Covered	Reg./Cert. Mailing Date	Filing Date
Oct. Monthly	09/01 - 09/30	10/20/84	10/20/84
Pre-General	10/01 - 10/17	10/22/84	10/25/84
Post-General	10/18 - 11/26	12/06/84	12/06/84
Year-end	11/27 - 12/31	01/31/85	01/31/85

## COMPLIANCE

Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is a serious violation. Committees are subject to enforcement action for late filing. Illegible reports which can not be clearly reproduced and reports submitted on non-FEC forms will not be accepted. Committees filing such documents will be required to refile.

FOR INFORMATION CALL: Office Of Public Communications  
800/424-9530 or 202/523-4068

Attachment 1  
Page 4



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

RQ-7

November 16, 1984

Identification Number:

Reference: 12 Day Pre-General Report (10/1/84-10/17/84)

Dear

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It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced Report of Receipts and Disbursements as required by the Federal Election Campaign Act. 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, 1325 K 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 the relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR 108.2, 108.3, 108.4).

If the report in question was filed, please submit documentation for the public record. Although the Commission may take further legal steps concerning this matter, your prompt response will be taken into consideration.

If you have any questions, please contact on our toll-free number (800) 424-9530. Our local number is (202) 523-4048.

Sincerely,

A handwritten signature in cursive script, appearing to read "John D. Gibson", is written over the typed name.

John D. Gibson  
Assistant Staff Director  
Reports Analysis Division

Attachment 1  
Page 5

85040542959

**SUN COMPANY INCORPORATED POLITICAL ACTION COMMITTEE**

**(Attachments 29a - c )**

*Attachment 1  
Page 6*



8 5 0 4 0 5 4 2 9 6 0

FEDERAL ELECTION COMMISSION  
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (83-84)

DATE 11JAN85  
PAGE 1

## NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
SUN COMPANY INC POLITICAL ACTION COMMITTEE CONNECTED ORGANIZATION: SUN COMPANY INC				NON-PARTY QUALIFIED		ID #C00025346
1983	FEBRUARY MONTHLY	4,280	0	1JAN83 -31JAN83	4	83FEC/266/5288
	MARCH MONTHLY	4,302	14,650	1FEB83 -28FEB83	7	83FEC/268/0339
	APRIL MONTHLY	9,048	1,094	1MAR83 -31MAR83	6	83FEC/270/4415
	MAY MONTHLY	5,656	7,000	1APR83 -30APR83	7	83FEC/272/0762
	JUNE MONTHLY	4,130	9,000	1MAY83 -31MAY83	8	83FEC/273/2736
	JULY MONTHLY	6,659	4,000	1JUN83 -30JUN83	9	83FEC/276/5491
	AUGUST MONTHLY	12,846	1,750	1JUL83 -29JUL83	8	83FEC/281/5118
	SEPTEMBER MONTHLY	4,589	1,450	1AUG83 -31AUG83	6	83FEC/283/2
	SEPTEMBER MONTHLY - AMENDMENT	4,589	1,450	1AUG83 -31AUG83	6	83FEC/283/4
	OCTOBER MONTHLY	9,554	5,750	1SEP83 -30SEP83	9	83FEC/285/3614
	OCTOBER MONTHLY - AMENDMENT	9,554	5,750	1SEP83 -30SEP83	8	83FEC/285/5193
	NOVEMBER MONTHLY	6,366	8,500	1OCT83 -31OCT83	9	83FEC/287/3924
	DECEMBER MONTHLY	11,903	1,500	1NOV83 -30NOV83	9	83FEC/289/2498
	YEAR-END	15,243	4,250	1DEC83 -31DEC83	10	84FEC/291/2575
1984	MISCELLANEOUS REPORT			29NOV84 TO FEC	3	84FEC/350/0163
	FEBRUARY MONTHLY	8,705	9,000	1JAN84 -31JAN84	5	84FEC/297/1774
	FEBRUARY MONTHLY - AMENDMENT	8,705	9,000	1JAN84 -31JAN84	6	84FEC/323/2274
	REQUEST FOR ADDITIONAL INFORMATION			1JAN84 -31JAN84	1	84FEC/318/3113
	MARCH MONTHLY	7,552	8,250	1FEB84 -29FEB84	1	84FEC/299/3714
	MARCH MONTHLY - AMENDMENT	7,552	8,250	1FEB84 -29FEB84		84FEC/323/2280
	REQUEST FOR ADDITIONAL INFORMATION			1FEB84 -29FEB84		84FEC/318/4061
	APRIL MONTHLY	11,983	8,679	1MAR84 -30MAR84		84FEC/311/1609
	APRIL MONTHLY - AMENDMENT	11,983	8,679	1MAR84 -30MAR84		84FEC/323/2284
	REQUEST FOR ADDITIONAL INFORMATION			1MAR84 -31MAR84		84FEC/318/4060
	MAY MONTHLY	6,454	6,000	1APR84 -30APR84		84FEC/314/3791
	MAY MONTHLY - AMENDMENT	6,454	6,000	1APR84 -30APR84		84FEC/327/2749
	REQUEST FOR ADDITIONAL INFORMATION			1APR84 -30APR84		84FEC/326/3185
	JUNE MONTHLY	18,359	12,300	1MAY84 -31MAY84		84FEC/317/2382
	JULY MONTHLY	16,179	5,250	1JUN84 -30JUN84		84FEC/322/4
	AUGUST MONTHLY	7,103	15,750	1JUL84 -31JUL84		84FEC/326/4
	SEPTEMBER MONTHLY	10,373	13,993	1AUG84 -31AUG84		84FEC/328/5259
	OCTOBER MONTHLY	11,168	20,000	1SEP84 -30SEP84		84FEC/342/0609
	NOTICE OF FAILURE TO FILE			1OCT84 -17OCT84		84FEC/349/0571
	NOVEMBER MONTHLY	6,631	48,750	1OCT84 -31OCT84		84FEC/349/1712
	POST-GENERAL	5,571	1,500	31OCT84 -26NOV84		84FEC/353/2446
	TOTAL	204,954	0	208,416	0	TOTAL PAGES
	ENDING CASH (11/26/84):	\$11,265				
	DEBTS:	\$ 0				

Attachment 29a

Attachment 1  
Page 7



**ART OF RECEIPTS AND DISBURSEMENTS**  
For a Political Committee Other Than an Authorized Committee

Attachment 296

4 11 20 11. 30

(Summary Page)

ALLEN AREA

ALLEN AREA

1 Name of Committee (In Full)  
Shelby County, Inc.  
National Action Committee

Address, Number and Street  
100 Macdonald Road

City, State and ZIP Code  
Richmond, PA 15087

☐ Check here if address is different than previously reported

2 FEC Identification Number  
15087

3 ☐ This committee qualified as a multi-candidate committee during this Reporting Period on \_\_\_\_\_ Date \_\_\_\_\_

4. TYPE OF REPORT (Check appropriate boxes)

(a) ☐ April 15 Quarterly Report ☐ October 15 Quarterly Report

☐ July 15 Quarterly Report ☐ January 15 Quarterly Report

☐ July 31 Mid Year Report (After Election Year)

☒ Monthly Report for October 31, 1984

☐ Twelfth day report preceding \_\_\_\_\_ (Year 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>10/1/84</u> through <u>10/31/84</u>		
6 a. Cash on hand January 1, 1984			\$ 50,355.00
Cash on hand at Beginning of Reporting Period		\$ 49,312.76	
b. Total Receipts from Line 10		\$ 5,631.10	\$ 174,711.00
c. Disbursements add Lines 6b and 6c for Column A and Lines 6a and 6c for Column B		\$ 55,443.86	\$ 175,066.00
d. Total Disbursements from Line 28		\$ 48,750.00	\$ 127,000.00
8 Cash on hand at Close of Reporting Period (subtract Line 7 from Line 6d)		\$ 7,142.86	\$ 50,355.00
9 Loans and Disbursements Owed TO the Committee (itemize on Schedule C or Schedule D)		\$ -	
10 Loans and Disbursements Owed BY the Committee (itemize on Schedule C or Schedule D)		\$ -	

Print the name of the person who prepared this Report and the last of his known age and date of birth on the back of this page.

For further information contact:

Federal Election Commission  
 1100 L Street, N.W.  
 Washington, D.C. 20543

SIGNATURE OF TREASURER \_\_\_\_\_ Date 11/16/84

NOTE: This form is to be filed with the Federal Election Commission and the State Election Board.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

FEC FORM 3

*Attachment 1  
Page 8*

35040542961

RECEIVED : THE FEC

84 NOV 23 AM 11:28



SUN POLITICAL ACTION COMMITTEE 100 MATSONFORD ROAD, RADNOR, PENNSYLVANIA 19087

November 27, 1984

Mr. John D. Gibson  
Assistant Staff Director  
Reports Analysis Division  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

Re: Identification Number C00025346  
Twelve (12) Day Pre-General Report  
10/1/84 - 10/17/84

Dear Mr. Gibson:

In response to your notification that the Sun Political Action Committee failed to file the above referenced Report of Receipts and Disbursements please be advised of the following:

We file our reports on a monthly basis due the 20th of each month covering financial activity of the previous month according to FEC Guidelines for PACs opting to file monthly reports.

A copy of our monthly report is also filed with our equivalent state officer.

If we are not in compliance with FEC regulations for reporting, please advise.

Very truly yours,

  
W. B. Priestley, Treasurer  
Sun Company, Inc. Political Action Committee

MBE/eb  
Enclosure

Attachment 1  
Page 9

SunPAC has been organized to receive voluntary contributions from individuals and to provide financial support to candidates favorable to the free market system and the interests of Sun employees and shareholders. A copy of our report is filed with the Federal Election Commission and is available from the FEC, Washington, D.C.

84033700164



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

William B. Priestley, Treasurer  
Sun Company, Inc.  
Political Action Committee  
2000 Market Street  
Philadelphia, Pennsylvania 19103

RE: MUR  
Sun Company, Inc.  
Political Action Committee  
William B. Priestley, as treasurer

Dear Mr. Priestley:

On , 1985, the Federal Election Commission determined that there is reason to believe that the Sun Company, Inc. Political Action Committee and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") by failing to properly submit a pre-general election report of receipts and disbursements. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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 a statement authorizing such counsel to receive any notifications and other communications from the Commission.

Attachment 2  
Page 1

8 5 0 4 0 5 4 2 9 6 3

William B. Priestley, Treasurer  
Page 2

The investigation now being conducted will be 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 Stephen H. Mims, the attorney assigned to this matter, at (202) 523-4143.

Sincerely,

Enclosures

General Counsel's Factual and Legal Analysis  
Procedures  
Designation of Counsel Statement

Attachment 2  
Page 2

35040542964

FEDERAL ELECTION COMMISSION  
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR #  
STAFF MEMBER: Stephen Mims  
(202) 523-4143

RESPONDENTS' NAMES: Sun Company, Inc.  
Political Action Committee  
William B. Priestley, as treasurer

GENERATION OF MATTER

This matter was forwarded to the Office of General Counsel by the Reports Analysis Division on January 15, 1985. The referral was based upon Standard Number 3 of the RAD Review and Referral Procedures for unauthorized Committees as approved by the Commission on March 23, 1982, and as amended on December 1, 1983.

SUMMARY OF ALLEGATIONS

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FACTUAL AND LEGAL ANALYSIS

Title 2 United States Code, AT Section 434(a)(4)(B) requires that committees, which file monthly reports during any year in

Attachment 2  
Page 3



which a regularly scheduled general election is held, file a pre-general election, post-general election and year-end report in lieu of the monthly reports for November and December.

SUN PAC submitted the required reports for each month in 1984, but failed to submit the pre-general election report as required, although it appears that a report was submitted for the entire month of October, 1984, 25 days after the due date for the pre-general election report. The Reports Analysis Division, by letter dated October 1, 1984, advised SUN PAC of the obligation to submit the pre-general election report. SUN PAC's response to the notification of failure to file the pre-general election sent by the Reports Analysis Division on November 16, 1984, (included in the attached RAD Referral) indicates SUN PAC's belief that the filing requirements were satisfied by the filing of a November monthly report.

#### CONCLUSION

From the foregoing, it appears, therefore, that the Sun Company, Inc. Political Action Committee and William B. Priestley, as treasurer, violated 2 U.S.C. § 434(a)(4)(B).

Attachment 2  
Page 4

85040542966



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

ED  
OFFICE OF THE  
COMMISSIONER  
SECRETARY

05 MAR 26 P 4: 31

March 26, 1985

MEMORANDUM TO: The Commission

FROM: Charles N. Steele  
General Counsel

**SENSITIVE**

By: Kenneth A. Gross  
Associate General Counsel

SUBJECT: RAD Referral 85NF-29

On March 22, 1985 the Commission approved the recommendation that RAD Referral 85NF-29 should become a MUR. Therefore, all documents which had previously been contained in RAD Referral 85NF-29 should now become MUR 1955.

Attachment  
Copy of Certification

85040542967

BEFORE THE FEDERAL ELECTION COMMISSION

M1955

In the Matter of )

Sun Company, Inc. )

Political Action Committee )

William B. Priestley, as treasurer )

RAD Referral 85NF-29

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 22, 1985, the Commission decided by a vote of 5-0 to take the following actions in RAD Referral 85NF-29:

1. Open a MUR.
2. Find reason to believe the Sun Company, Inc. Political Action Committee and William B. Priestley, as treasurer, violated 2 U.S.C. § 434(a) (4) (B).
3. Approve and send the letter and factual and legal analysis attached to the First General Counsel's Report signed March 19, 1985.

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

Attest:

3-25-85

Date

Judy C. Rossom

for Marjorie W. Emmons  
Secretary of the Commission

Received in Office of Commission Secretary:  
Circulated on 48 hour tally basis:

3-20-85, 12:54  
3-20-85, 4:00

85040542968

85040542969



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1955

Date Filmed 8/14/85 Camera No. --- 2

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**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

November 19, 1985

THE FOLLOWING MATERIAL IS BEING ADDED TO THE  
PUBLIC FILE OF CLOSED MUR 1955 .

Sun Company, Inc., PAC  
and William B. Priestley, Treasurer

letter dated November 15, 1985 from  
Kenneth A. Gross to Susan Schmidt Pie', Esq.  
Sun Co. Law Dept. w/certification and  
conciliation agreement.

85040561756





**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

November 15, 1985

Susan Schmidt Pie', Esquire  
Sun Company, Inc.  
Law Department  
100 Matsonford Road  
Radnor, PA 19087-4597

RE: MUR 1955  
Sun Company, Inc. Political  
Action Committee and  
William B. Priestley, as its  
treasurer

Dear Ms. Pie':

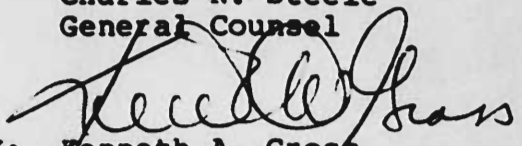
On July 15, 1985 you were notified that the Commission had accepted a conciliation agreement submitted by you on June 13, 1985 in settlement of the above-referenced matter.

A review of our records indicates, however, that an earlier proposal submitted by you was inadvertently signed and sent to you on July 15. That proposal, dated May 4, 1985 was, of course, succeeded by the proposal finally accepted by the Commission on June 28, 1985. We have enclosed for your reference, a copy of the Commission Secretary's certification of that vote.

We have, therefore, enclosed a signed copy of the agreement that was approved by the Commission on June 28, 1985. We apologize for any inconvenience this may have caused you and ask that if you have any questions to please call Stephen Mims, the attorney assigned to this matter at (202) 523-4143.

Sincerely,

Charles N. Steele  
General Counsel

  
BY: Kenneth A. Gross  
Associate General Counsel

Enclosures  
Certification  
Conciliation Agreement

85040561757

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Sun Company, Inc.

Political Action Committee

William B. Priestly, as treasurer

)  
) MUR 1955  
)  
)  
)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 28, 1985, the Commission decided by a vote of 6-0 to take the following actions in MUR 1955:

1. Accept and sign the counterproposed conciliation agreement submitted by the Respondents on June 13, 1985 attached to the General Counsel's Report signed June 14, 1985.
2. Approve and send the letter attached to the General Counsel's Report signed June 14, 1985.
3. Close the file.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively for this decision.

Attest:

6/28/85

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary of the Commission

Received in Office of Commission Secretary:  
Circulated on 48 hour tally basis:

6-25-85, 10:54  
6-26-85, 4:00

85040561758

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Sun Company, Inc., ) MUR 1955  
Political Action Committee )  
William B. Priestley, as Treasurer )

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Sun Company, Inc., Political Action Committee ("the Committee") and its treasurer ("Respondents") violated 2 U.S.C. § 434(a)(4)(B) by failing to file the 1984 pre-general election report in a timely manner.

NOW, THEREFORE, the Commission and 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 state their views as to what action should be taken in this matter.

III. Respondents, who are interested in amicable settlement of this matter, enter voluntarily into this agreement with the Commission.

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

1. The Sun Company, Inc., Political Action Committee is a political committee within the meaning of 2 U.S.C. § 431(4)(B).

2. William B. Priestley, is the treasurer of the Sun Company, Inc., Political Action Committee.

85040561759

3(a).Sun Company, Inc. Political Action Committee obtained approval from the Commission to file its reports on a monthly basis, which reports are to be complete as of the last day of the month and are due no later than the twentieth day after the last day of the month. Sun Company, Inc. Political Action Committee filed its October 1984 monthly report on November 20, 1984, in lieu of a pre-general election report.

(b).Pursuant to 2 U.S.C. § 434(a)(4)(B), Political Action Committees, reporting on a monthly basis, were required to file a 1984 pre-general election report by October 25, 1984, in lieu of a monthly report for October. Such pre-general election reports were to be complete as of October 17, 1984.

(c).The basis for the Commission's reason to believe there was a violation is that Sun Company, Inc. Political Action Committee filed its 1984 pre-general election report twenty-five days late.

V. Based on, and limited to, the foregoing facts, Respondents violated 2 U.S.C. § 434(a)(4)(B) by failing to file a 1984 pre-general election report in a timely manner.

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of One Hundred and Seventy-Five Dollars (\$175.00), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondents agree that they shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the pre-general election report at issue herein, or on its own motion, may review compliance with this agreement. If the Commission believes any provision or requirement of this agreement relating to the failure to file the 1984 pre-general election report in a

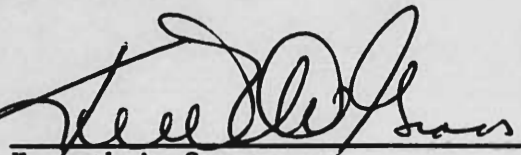
timely manner has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

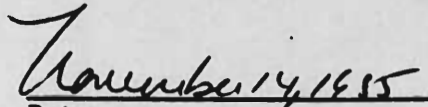
IX. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

X. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

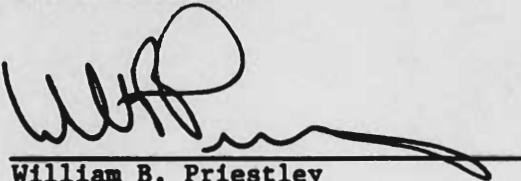
XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

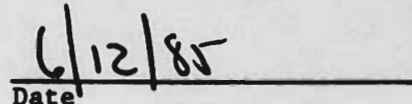
FOR THE COMMISSION:  
Charles N. Steele  
General Counsel

By:   
Kenneth A. Gross  
Associate General Counsel

  
November 14, 1985  
Date

FOR THE RESPONDENT:

  
William B. Priestley  
Treasurer  
Sun Company, Inc.  
Political Action Committee

  
6/12/85  
Date





**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

Susan Schmidt Pie', Esquire  
Sun Company, Inc.  
Law Department  
100 Matsonford Road  
Radnor, PA 19087-4597

RE: MUR 1955  
Sun Company, Inc. Political  
Action Committee and  
William B. Priestley, as its  
treasurer

Dear Ms. Pie':

On July 15, 1985 you were notified that the Commission had accepted a conciliation agreement submitted by you on June 13, 1985 in settlement of the above-referenced matter.

A review of our records indicates, however, that an earlier proposal submitted by you was inadvertently signed and sent to you on July 15. That proposal, dated May 4, 1985 was, of course, succeeded by the proposal finally accepted by the Commission on June 28, 1985. We have enclosed for your reference, a copy of the Commission Secretary's certification of that vote.

We have, therefore, enclosed a signed copy of the agreement that was approved by the Commission on June 28, 1985. We apologize for any inconvenience this may have caused you and ask that if you have any questions to please call Stephen Mims, the attorney assigned to this matter at (202) 523-4143.

Sincerely,

Charles N. Steele  
General Counsel

BY: Kenneth A. Gross  
Associate General Counsel

Enclosures  
Certification  
Conciliation Agreement

85040561762

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Sun Company, Inc. ) MUR 1955  
Political Action Committee )  
William B. Priestly, as treasurer )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 28, 1985, the Commission decided by a vote of 6-0 to take the following actions in MUR 1955:

1. Accept and sign the counterproposed conciliation agreement submitted by the Respondents on June 13, 1985 attached to the General Counsel's Report signed June 14, 1985.
2. Approve and send the letter attached to the General Counsel's Report signed June 14, 1985.
3. Close the file.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively for this decision.

Attest:

6/28/85  
Date

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

Received in Office of Commission Secretary:  
Circulated on 48 hour tally basis:

6-25-85, 10:54  
6-26-85, 4:00

85040561763

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Sun Company, Inc., ) MUR 1955  
Political Action Committee )  
William B. Priestley, as Treasurer )

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Sun Company, Inc., Political Action Committee ("the Committee") and its treasurer ("Respondents") violated 2 U.S.C. § 434(a)(4)(B) by failing to file the 1984 pre-general election report in a timely manner.

NOW, THEREFORE, the Commission and 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 state their views as to what action should be taken in this matter.

III. Respondents, who are interested in amicable settlement of this matter, enter voluntarily into this agreement with the Commission.

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

1. The Sun Company, Inc., Political Action Committee is a political committee within the meaning of 2 U.S.C. § 431(4)(B).

2. William B. Priestley, is the treasurer of the Sun Company, Inc., Political Action Committee.

35040561764

3(a).Sun Company, Inc. Political Action Committee obtained approval from the Commission to file its reports on a monthly basis, which reports are to be complete as of the last day of the month and are due no later than the twentieth day after the last day of the month. Sun Company, Inc. Political Action Committee filed its October 1984 monthly report on November 20, 1984, in lieu of a pre-general election report.

(b).Pursuant to 2 U.S.C. § 434(a)(4)(B), Political Action Committees, reporting on a monthly basis, were required to file a 1984 pre-general election report by October 25, 1984, in lieu of a monthly report for October. Such pre-general election reports were to be complete as of October 17, 1984.

(c).The basis for the Commission's reason to believe there was a violation is that Sun Company, Inc. Political Action Committee filed its 1984 pre-general election report twenty-five days late.

V. Based on, and limited to, the foregoing facts, Respondents violated 2 U.S.C. § 434(a)(4)(B) by failing to file a 1984 pre-general election report in a timely manner.

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of One Hundred and Seventy-Five Dollars (\$175.00), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondents agree that they shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the pre-general election report at issue herein, or on its own motion, may review compliance with this agreement. If the Commission believes any provision or requirement of this agreement relating to the failure to file the 1984 pre-general election report in a

timely manner has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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

X. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

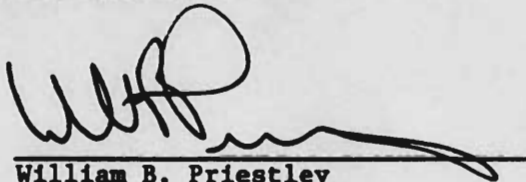
XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

FOR THE COMMISSION:  
Charles N. Steele  
General Counsel

By: \_\_\_\_\_  
Kenneth A. Gross  
Associate General Counsel

\_\_\_\_\_  
Date

FOR THE RESPONDENT:

  
\_\_\_\_\_  
William B. Priestley  
Treasurer  
Sun Company, Inc.  
Political Action Committee

6/12/85  
\_\_\_\_\_  
Date

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