



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

THIS IS THE BEGINNING OF MJR # 3762

DATE FILMED 7/26/93 CAMERA NO. 4

CAMERAMAN E.E.S.

93040950617

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: March 19, 1993

ANALYST: Jack MacDonald

I. COMMITTEE: Friends of Blackstock for Congress
(C00272856)
Elaine Blackstock, Treasurer
200 North Main
Bristow, OK 74010

II. RELEVANT STATUTE: 2 U.S.C. §434(a)(6)
11 CFR §104.5(f)

III. BACKGROUND:

Failure to File Forty-Eight Hour Notifications

The Friends of Blackstock for Congress ("the Committee") Committee has failed to file a 48-Hour Notification ("48-Hour Notice") for a candidate loan of \$26,779.27 which represents 100% of the candidate loans requiring 48-Hour Notices prior to the 1992 Primary Election.

The candidate was involved in the 1992 Primary Election held on August 25, 1992. Prior Notice was sent to the Committee on July 20, 1992 (Attachment 2). The Notice includes a section titled "48-Hour Notices on Contributions". This section reads "Notices are required if the committee receives contributions (including contributions and loans from the candidate's personal funds; and endorsements or guarantees of bank loans) of \$1,000 or more, during the period of August 6 through August 22. The notices must reach the appropriate federal and state filing offices within 48 hours of the committee's receipt of the contribution(s)."

Schedule C of the October Quarterly Termination Report indicates that the Committee failed to file a 48-Hour Notice for a candidate loan received during the aforementioned period (Attachment 3). The following is the candidate loan for which no 48-Hour Notice was filed:

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<u>Contributor Name</u>	<u>Date</u>	<u>Amount</u>
Robert W. Blackstock (Personal Funds)	8/6/92 ^{1/}	\$26,779.27

On January 5, 1993, a Request for Additional Information ("RFAI") was sent to the Committee (Attachment 4). The RFAI notes on an informational basis that the Committee may have failed to file one or more of the required 48-Hour Notices for "last minute" contributions of \$1,000 or more. The notice requests the Committee to review their procedures for checking contributions received during the aforementioned time period. In addition, the notice states that although the Commission may take legal steps, any response would be taken into consideration.

The Committee's response of January 25, 1993 fails to address this issue.

^{1/} Because of a discrepancy in the incurred date of the loan on the reports, the analyst called the treasurer and asked for clarification. The response stated that the loan was incurred on August 6, 1992.

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FEDERAL ELECTION COMMISSION
1991-1992
CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

ATTACHMENT 1

DATE 19MAR93

PAGE 1

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
			PRIMARY	GENERAL	PRIMARY	GENERAL			

BLACKSTOCK, ROBERT W		HOUSE 02 DEMOCRATIC PARTY			OKLAHOMA		1992 ELECTION	ID# H60K02019	
1. STATEMENT OF CANDIDATE							24JUL92	1 92HSE/462/3642	
1992 STATEMENT OF CANDIDATE									
2. PRINCIPAL CAMPAIGN COMMITTEE									

FRIENDS OF BLACKSTOCK FOR CONGRESS							ID #C000272856	HOUSE	
1992 STATEMENT OF ORGANIZATION							24JUL92	1 92HSE/462/3641	
PRE-PRIMARY			12,818		12,818		5JUN92 - 5AUG92	9 92HSE/464/0302	
PRE-PRIMARY - AMENDMENT			12,836		12,836		5JUN92 - 5AUG92	9 92HSE/468/0891	
PRE-PRIMARY - AMENDMENT			12,868		12,868		5JUN92 - 5AUG92	9 92HSE/476/2420	
PRE-PRIMARY - AMENDMENT			-		-		5JUN92 - 5AUG92	1 93FEC/831/4057	
REQUEST FOR ADDITIONAL INFORMATION							5JUN92 - 5AUG92	2 92FEC/777/5253	
REQUEST FOR ADDITIONAL INFORMATION 2ND							5JUN92 - 5AUG92	3 92FEC/783/0080	
OCTOBER QUARTERLY - TERMINATED			36,029		36,029		6AUG92 - 30SEP92	11 92HSE/476/5123	
OCTOBER QUARTERLY - AMENDMENT			36,079		36,079		6AUG92 - 30SEP92	11 93HSE/490/4552	
OCTOBER QUARTERLY - AMENDMENT			-		-		6AUG92 - 30SEP92	1 93HSE/495/2210	
OCTOBER QUARTERLY - AMENDMENT			-		-		6AUG92 - 30SEP92	1 93HSE/495/2780	
REQUEST FOR ADDITIONAL INFORMATION							6AUG92 - 30SEP92	2 93FEC/818/4738	
YEAR-END - TERMINATED			390		474		1OCT92 - 1DEC92	6 93HSE/490/4700	
TOTAL			49,337	0	49,421	0		66 TOTAL PAGES	

3. AUTHORIZED COMMITTEES

4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN

All reports have been reviewed.

Ending cash-on-hand as of 12/1/92: -\$86.26

Outstanding debts and obligations owed as of 12/1/92: \$0

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PRIMARY ELECTION REPORT NOTICE

FEDERAL ELECTION COMMISSION

OKLAHOMA
Congressional Committees

July 20, 1992

FOR COMMITTEES INVOLVED ONLY IN THE PRIMARY (08/25):

REPORT	REPORTING PERIOD	REG./CERT. MAILING DATE*	FILING DATE
Pre-Primary	07/01/92 - 08/05/92**	08/10/92	08/13/92
48 Hour Notices	----See Below----		
October Quarterly	08/06/92 - 09/30/92	10/15/92	10/15/92

WHO MUST FILE

Principal campaign committees of congressional candidates (including unopposed candidates) who seek nomination in the primary must file the above reports and notices. If the campaign has more than one authorized committee, the principal campaign committee must also file a consolidated report on Form 32.

48 HOUR NOTICES ON CONTRIBUTIONS

Notices are required if the committee receives contributions (including contributions and loans from the candidate's personal funds; and endorsements or guarantees of bank loans) of \$1,000 or more, during the period of August 6 through August 22. The notices must reach the appropriate federal and state filing offices within 48 hours of the committee's receipt of the contribution(s).

LABEL

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

COMPLIANCE

TREASURERS ARE RESPONSIBLE FOR FILING ALL REPORTS AND 48 HOUR NOTICES ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT ACTION. COMMITTEES USING NON-FEC FORMS FOR REPORTS OR FILING ILLEGIBLE REPORTS OR NOTICES WILL BE REQUIRED TO REFILE.

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

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

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

SEE OPPOSITE SIDE FOR RUNOFF INFORMATION

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**OKLAHOMA
RUNOFF**

**FOR COMMITTEES INVOLVED IN BOTH THE PRIMARY (08/25) AND RUNOFF
(09/15):**

REPORT	REPORTING PERIOD	REG./CERT. MAILING DATE*	FILING DATE
Pre-Primary	07/01/92 - 08/05/92**	08/10/92	08/13/92
48 Hour Notices	----See Below----		
Pre-Runoff	08/06/92 - 08/26/92	08/31/92	09/03/92
48 Hour Notices	----See Below----		
October Quarterly	08/27/92 - 09/30/92	10/15/92	10/15/92

48 HOUR NOTICES ON CONTRIBUTIONS

Notices are required if the committee receives contributions (including contributions and loans from the candidate's personal funds; and endorsements or guarantees of bank loans) of \$1,000 or more, during the period:

Primary 8/06 - 8/22
Runoff 8/27 - 9/12

The notices must reach the appropriate federal and state filing offices within 48 hours of the committee's receipt of the contribution(s).

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

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

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

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SCHEDULE C
(Revised 2/88)

LOANS

Page 1 of 1 by
LINE NUMBER 17
(Use separate schedules
for each numbered line)

Name of Contributor (in Full) Friends Of Blackstock For Congress			
A. Full Name, Mailing Address and ZIP Code of Loan Source Robert W. Blackstock 506 W. 11th Bristow, OK 74010		Original Amount of Loan [25-92] 35,648.90 [26-92] 26,778.27 35,648.17	Cumulative Payments To Date 0
Balance Outstanding at Close of This Period 35,648.17			
Election: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
Term: Date Issued 2-6-92 Date Due 12-31-92 Interest Rate 0 % (april)		<input type="checkbox"/> Secured	
List All Endorsers or Guarantors (if any) to Item A			
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	
B. Full Name, Mailing Address and ZIP Code of Loan Source		Original Amount of Loan	Cumulative Payments To Date
Election: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
Term: Date Issued _____ Date Due _____ Interest Rate _____ % (april)			<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 ... (in Part on This Page Excluded)		35,648.17	
TOTALS This Period (see page in this file only)		35,648.17	
Carry outstanding balance only to LINE 2, Schedule D, for this line. If on Schedule D, carry forward to appropriate line of Summary.			

*The loan of 75-92
was \$30.00 debt of
conning algorithm
the 8-5-92. The
\$10.00 was used to
pay off 8-28-92.*

92014765133



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20543

RG-2

Elaine Blackstock, Treasurer
Friends of Blackstock For Congress
200 North Main
Bristow, OK 74010

JAN 5 1993

Identification Number: C00272856

Reference: October Quarterly Termination Report (8/6/92-9/30/92)

Dear Ms. Blackstock:

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 the missing Column B figure for Line 12 of the Detailed Summary Page.

-Line 16, Column A, of the Detailed Summary Page does not equal the sum of Lines 11(e), 12, 13(c), 14 and 15. Please amend your report to clarify this discrepancy.

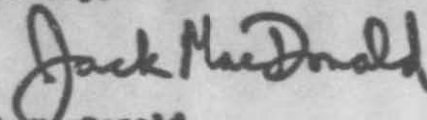
-Please amend your report to include a supporting Schedule A for the activity reported on Line 12 of the Detailed Summary Page. All transfers to your committee from authorized committees must be itemized on Schedule A, regardless of the amount transferred. (11 CFR §104.3(a)(4)(iii))

-Schedule A of your report indicates that your committee may have failed to file one or more of the required 48 hour notices regarding "last minute" contributions received by your committee after the close of books for the 12 Day Pre-Primary report. A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. Although the Commission may take legal action, any response you wish to make concerning this matter will be taken into consideration. (11 CFR §104.5(f))

-Your committee cannot terminate its reporting requirements because of an outstanding loan owed to the candidate. The loan must either be repaid or, if from "personal funds", the entire amount of the loan may be forgiven by the candidate. It is important to note that "personal funds" is strictly defined by Commission Regulations and may be found at 11 CFR §110.10. If the loan has been forgiven by the candidate, the Committee should file Schedule C showing a \$0 balance as well as submitting a letter signed by the candidate stating his/her forgiveness of the loan. Your committee must continue to report the loan until the entire amount is repaid or forgiven by the candidate.

A written response or 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) 219-3580.

Sincerely,



Jack MacDonald
Reports Analyst
Reports Analysis Division

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93038184739

RECEIVED
F.E.C.
SECRETARIAT

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

93 APR -7 PM 3:39

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

RAD Referral #93L-12
STAFF MEMBER: Dawn M. Odrowski

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

RESPONDENTS: Friends of Blackstock for Congress and
Elaine Blackstock, as treasurer

RELEVANT STATUTES: 2 U.S.C. § 434(a)(6)
2 U.S.C. § 431(8)(A)

I. GENERATION OF MATTER

The Office of the General Counsel received a referral from the Reports Analysis Division ("RAD") on March 23, 1993. Attachment 1. The basis for the attached referral is the failure of Friends of Blackstock for Congress and Elaine Blackstock, as treasurer, ("Respondents") to file a forty-eight hour notification ("48 Hour Notice") for a \$26,779.27 contribution. Robert W. Blackstock lost the 1992 Primary Election in the 2nd Congressional District in the state of Oklahoma with 14% percent of the vote.

II. FACTUAL AND LEGAL ANALYSIS

Based on the Factual and Legal Analysis this Office recommends the Commission find reason to believe the respondents violated 2 U.S.C. § 434(a)(6). See Attachment 2.

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

The Office of the General Counsel recommends that the Commission find reason to believe that the Committee violated 2 U.S.C. § 434(a)(6). In addition, this Office recommends that

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the Commission offer to enter into conciliation with the Respondents prior to a finding of probable cause to believe. Attached for the Commission's approval is a proposed conciliation agreement

IV. RECOMMENDATIONS


1. Open a MUR.
2. Find reason to believe that Friends of Blackstock for Congress and Elaine Blackstock, as treasurer, violated 2 U.S.C. § 434(a)(6), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the attached Factual and Legal Analysis, proposed conciliation agreement and the appropriate letter.

Lawrence M. Noble
General Counsel

Date

4/7/93

BY:


Lois G. Lerner
Associate General Counsel

Attachments:

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

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Friends of Blackstock for Congress)
and Elaine Blackstock, as treasurer.)

RAD Referral #93L-12

MUR 3762

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 12, 1993, the Commission decided by a vote of 6-0 to take the following actions with respect to RAD Referral #93L-12:

1. Open a MUR.
2. Find reason to believe that Friends of Blackstock for Congress and Elaine Blackstock, as treasurer, violated 2 U.S.C. § 434(a)(6), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the Factual and Legal Analysis, proposed conciliation agreement and the appropriate letter, as recommended in the General Counsel's Report dated April 7, 1993.

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

Attest:

4-12-93

Date

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

Received in the Secretariat:
Circulated to the Commission
Deadline for vote:

Wed., April 7, 1993 3:39 p.m.
Wed., April 7, 1993 4:00 p.m.
Mon., April 12, 1993 4:00 p.m.

dr

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

APRIL 21, 1993

Elaine Blackstock, Treasurer
Friends of Blackstock for Congress
200 North Main
Bristow, OK 74010

RE: MUR 3762
Friends of Blackstock for
Congress and
Elaine Blackstock, as treasurer

Dear Ms. Blackstock:

On April 12, 1993, the Federal Election Commission found that there is reason to believe Friends of Blackstock for Congress ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(6), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

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

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

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

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Elaine Blackstock, Treasurer
Page 2

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

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

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

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Dawn M. Odrowski, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,



Scott E. Thomas
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

cc: Robert W. Blackstock

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FEDERAL ELECTION COMMISSION
FACTUAL & LEGAL ANALYSIS

MUR 3762

RESPONDENTS: Friends of Blackstock for Congress and
Elaine Blackstock, as treasurer

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

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The Federal Election Campaign Act of 1971, as amended ("the Act"), requires principal campaign committees of candidates for federal office to notify in writing either the Secretary of the Senate, the Clerk of the U.S. House of Representatives or the Commission, as appropriate, and the Secretary of State, of each contribution totaling \$1,000 or more, received by any authorized committee of the candidate after the 20th day but more than 48 hours before any election. 2 U.S.C. § 434(a)(6)(A). The Act further requires notification to be made within 48 hours after the receipt of the contribution and to include the name of the candidate and office sought, the date of receipt, the amount of the contribution, and the identification of the contributor. Id. The notification of these contributions shall be in addition to all other reporting requirements. 2 U.S.C. § 434(a)(6)(B).

According to 2 U.S.C. § 431(8)(A) and 11 C.F.R. § 100.7(a)(1)(B), a loan is a contribution at the time it is

made and is a contribution to the extent that it remains unpaid.

The Primary Election in the state of Oklahoma was held on August 25, 1992. Pursuant to the Act, the Respondents were required to notify the Commission, in writing, of all contributions of \$1,000 or more received from August 6, 1992, through August 22, 1992, within 48 hours of their receipt. A review of the Committee's 1992 October Quarterly Termination Report identified one contribution received on August 6, 1992, of \$1,000 or more (in the form of a candidate loan) totaling \$26,779.27. The contribution was reported on Schedule C. Respondents did not submit a 48 Hour Notice for this contribution.

Therefore, there is reason to believe that Friends of Blackstock for Congress and Elaine Blackstock, as treasurer, violated 2 U.S.C. § 434(a)(6) by failing to report a campaign contribution of \$1,000 or more, received after the 20th day, but more than 48 hours before the primary election, within 48 hours of receipt of the contribution.

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RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

MAY 3 9 29 AM '93

ELAINE C. BLACKSTOCK
200 N. MAIN
Bristow, Oklahoma 74010
918-376-5591

April 30, 1993

Ms. Dawn M. Odrowski
Federal Election Commission
Washington, D. C. 20463

Re: MUR 3762
Friends of Blackstock for Congress and
Elaine C. Blackstock

Dear Ms. Odrowski:

Enclosed is my reply to the Factual and Legal Analysis.

Please call me to explain if any additional information is needed.

Sincerely yours,

Elaine C. Blackstock

ELAINE C. BLACKSTOCK

RECEIVED
FEDERAL ELECTION COMMISSION
93 MAY -4 AM 3:37

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Friends of Blackstock for Congress and
Elaine Blackstock, as treasurer

)
)
) MUR 3762
)

REPLY OF RESPONDENT ELAINE BLACKSTOCK, AS TREASURER,
TO FEC FACTUAL & LEGAL ANALYSIS

In an effort to conclude this matter, I am submitting the following:

1.

2. That because I did not check over the work prepared by two different secretaries, errors and discrepancies which I could have corrected were contained in the Schedules A and C of the Report of Receipts and Disbursements submitted for the periods ending August 5 and September 30. One of the secretaries is a student planning to attend law school; the other is the sister of the brightest legal secretary in town. I trusted their computations because I was extremely short of time because of dealing with pressing financial problems. Had I thought they could not fill in the reports properly, I would have obtained someone else. I have prepared amended reports, copies attached as (Attachments A and B). These reports show that there was no contribution of \$1,000.00 or more within 48 hours of the primary election. There was one deposit of \$1,100.00 on Aug. 27 which was a draw on the candidate's loan. Also see the copy of the bank statement for August (attachment C) which substantiates this. The amounts over \$1,000.00 during July and August were draws on the loan.

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The amended report filed March 24, 1993, contained an additional discrepancy. It erroneously reported the loan in question as occurring on September 30 and the candidate's contribution on August 26 (see copy of bank statement showing the deposit on June 1, Attachment C2).

So that we could comply with all requirements, the secretary and I read the 60-page booklet of instructions provided by the Federal Election Commission, particularly Chapter 3 Paragraph 11 which instructed

"Personal funds loaned to the campaign are reported as loans from the candidate from the outset. This is necessary if the candidate wishes to be repaid. Funds reported as contributions from the candidate may not later be converted into loans."

It did not say the loans must be reported as contributions. See the underlined portion of Attachment D.

I regret causing the Commission time and expense dealing with this. If the instruction booklet had been more clear, this problem probably would not have occurred.

3.

My farm, oil, and rental properties take most of my time but provide very little income. All income above expenses goes to retire the mortgages. The campaign loan was obtained by an additional mortgage on the farm. I am selling property to pay that mortgage.

Therefore, I request that you dismiss this matter for the above reasons.

Respectfully submitted,

Elaine C. Blackstock
Elaine C. Blackstock

REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee
(Summary Page)

USE FEC MAILING LABEL
OR
TYPE OR PRINT

1. NAME OF COMMITTEE (in full) FRIENDS OF BLACKSTOCK FOR CONGRESS		2. FEC IDENTIFICATION NUMBER C 00272856
ADDRESS (number and street) <input type="checkbox"/> Check if different than previously reported. 200 NORTH MAIN		3. IS THIS REPORT AN AMENDMENT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
CITY, STATE and ZIP CODE BRISTOW OK 74010	STATE/DISTRICT OK 12	

4. TYPE OF REPORT

☐ April 15 Quarterly Report
☐ July 15 Quarterly Report
☐ October 15 Quarterly Report
☐ January 31 Year End Report
☐ July 31 Mid-Year Report (Non-election Year Only)
☒ Twelfth day report preceding _____ (Type of Election)
 election on **8-25-92** in the State of **Oklahoma**
☐ Thirtieth day report following the General Election on _____ in the State of _____
☐ Termination Report

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

SUMMARY

5. Covering Period	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6-5-92 through 8-5-92		
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(e))	8,950.00	3,950.00
(b) Total Contribution Refunds (from Line 20(d))		
(c) Net Contributions (other than loans) (subtract Line 6(b) from 6(a))	8,950.00	3,950.00
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	12,868.90	12,868.90
(b) Total Offsets to Operating Expenditures (from Line 14)		
(c) Net Operating Expenditures (subtract Line 7(b) from 7(a))	12,868.90	12,868.90
8. Cash on Hand at Close of Reporting Period (from Line 27)		
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)		
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)		

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

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

Type or Print Name of Treasurer
ELAINE C. BLACKSTOCK

Signature of Treasurer
Elaine C Blackstock

Date
4-29-93

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

FEC FORM 3
(revised 4/87)

4 p 1

DETAILED SUMMARY PAGE

of Receipts and Disbursements

(Page 2, FEC FORM 3)

Name of Committee (in full) _____ Report Covering the Period: From _____ To _____

	COLUMN A Total This Period	COLUMN B Calendar Year-To-Date
I. RECEIPTS		
11. CONTRIBUTIONS (other than loans) FROM:		
(a) Individuals/Persons Other Than Political Committees		
(i) Itemized (use Schedule A)	3,100.00	
(ii) Unitemized	850.00	
(iii) Total of contributions from individuals	3,950.00	3,950.00
(b) Political Party Committees		
(c) Other Political Committees (such as PACs)		
(d) The Candidate	5,000.00	5,000.00
(e) TOTAL CONTRIBUTIONS (other than loans) (add 11(a)(iii), (b), (c) and (d))	8,950.00	8,950.00
12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES		
13. LOANS		
(a) Made or Guaranteed by the Candidate	35,000.00	35,000.00
(b) All Other Loans		
(c) TOTAL LOANS (add 13(a) and (b))	35,000.00	35,000.00
14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)		
15. OTHER RECEIPTS (Dividends, Interest, etc.)		
16. TOTAL RECEIPTS (add 11(e), 12, 13(c), 14 and 15)	43,950.00	43,950.00
II. DISBURSEMENTS		
17. OPERATING EXPENDITURES	12,868.90	12,868.90
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES		
19. LOAN REPAYMENTS		
(a) Of Loans Made or Guaranteed by the Candidate		
(b) Of All Other Loans		
(c) TOTAL LOAN REPAYMENTS (add 19(a) and (b))		
20. REFUNDS OF CONTRIBUTIONS TO		
(a) Individuals/Persons Other Than Political Committees		
(b) Political Party Committees		
(c) Other Political Committees (such as PACs)		
(d) TOTAL CONTRIBUTION REFUNDS (add 20(a), (b) and (c))		
21. OTHER DISBURSEMENTS	0	0
22. TOTAL DISBURSEMENTS (add 17, 18, 19(c), 20(d) and 21)	12,868.90	12,868.90

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD	\$	0
24. TOTAL RECEIPTS THIS PERIOD (from Line 16)	\$	43,950.00
25. SUBTOTAL (add Line 23 and Line 24)	\$	43,950.00
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22)	\$	12,868.90
27. CASH ON HAND AT CLOSE OF THE REPORTING PERIOD (subtract Line 26 from 25)	\$	31,081.10

A p 2

SCHE
(Revise)

LOANS

LINE NUMBER 13(A)

(Schedule
red line)

Name: FRIENDS OF BLACKSTOCK FOR CONGRESS				
ZIP Code of Loan Source ROBERT W. BLACKSTOCK 500 W. 11 TH BRISTOW OK 74010		Original Amount of Loan 36,000.00	Cumulative Payments to Date 0	Outstanding at end of This Period 36,000.00
Term: Data Entered - 5-92 Date Due 12-31-92 Interest Rate 0				
List all borrowers or guarantors (any) to Item A				
ZIP Code None		Name of Employer Occupation Amount Guaranteed Outstanding \$		
ZIP Code		Name of Employer Occupation Amount Guaranteed Outstanding \$		
ZIP Code		Name of Employer Occupation Amount Guaranteed Outstanding \$		
ZIP Code of Loan Source		Original Amount of Loan		Outstanding at end of This Period
Other (specify): Date Due Interest Rate				
List all borrowers or guarantors (any) to Item B				
ZIP Code		Name of Employer Occupation Amount Guaranteed Outstanding \$		
ZIP Code		Name of Employer Occupation Amount Guaranteed Outstanding \$		
ZIP Code		Name of Employer Occupation Amount Guaranteed Outstanding \$		

LOAN IS FROM PERSONAL FUNDS

Total this page (this line only)

36,000.00
36,000.00

93040950638

REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee
(Summary Page)

USE FEC MAILING LABEL
OR
TYPE OR PRINT

1. NAME OF COMMITTEE (in full) <u>FRIEND OF BLAINE FOR CONGRESS</u>		2. FEC IDENTIFICATION NUMBER <u>C 00292756</u>
ADDRESS (number and street) <input type="checkbox"/> Check if different than previously reported. <u>200 N. MAIN</u>		3. IS THIS REPORT AN AMENDMENT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
CITY, STATE and ZIP CODE <u>BLAINE, ID 83816</u>	STATE/DISTRICT <u>2</u>	

4. TYPE OF REPORT

- ☐ April 15 Quarterly Report ☐ Twelfth day report preceding _____ (Type of Election) _____
election on _____ in the State of _____
- ☐ July 15 Quarterly Report ☐ Thirtieth day report following the General Election on _____
in the State of _____
- ☒ October 15 Quarterly Report ☐ Termination Report
- ☐ January 31 Year End Report
- ☐ July 31 Mid-Year Report (Non-election Year Only)

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

SUMMARY

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period <u>9-1-92</u> through <u>9-30-92</u>		
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(e))	<u>9300.00</u>	<u>13250.00</u>
(b) Total Contribution Refunds (from Line 20(d))		
(c) Net Contributions (other than loans) (subtract Line 6(b) from 6(a))	<u>9300.00</u>	<u>13250.00</u>
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	<u>36191.00</u>	<u>47191.00</u>
(b) Total Offsets to Operating Expenditures (from Line 14)		
(c) Net Operating Expenditures (subtract Line 7(b) from 7(a))	<u>36191.00</u>	<u>47191.00</u>
8. Cash on Hand at Close of Reporting Period (from Line 27)	<u>2611.00</u>	
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)		
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)		

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

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

Type or Print Name of Treasurer

ELAINE C. BLAINE

Signature of Treasurer

Date

4-29-93

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

FEC FORM 3

(revised 4/87)

8 p 1

DETAILED SUMMARY PAGE

of Receipts and Disbursements

(Page 2, FEC FORM 3)

Name of Committee (in full)

Report Covering the Period:

From

To

I. RECEIPTS

11. CONTRIBUTIONS (other than loans) FROM:

(a) Individuals/Persons Other Than Political Committees

(i) Itemized (use Schedule A)

(ii) Unitemized

(iii) Total of contributions from individuals

(b) Political Party Committees

(c) Other Political Committees (such as PACs)

(d) The Candidate

(e) TOTAL CONTRIBUTIONS (other than loans) (add 11(a)(iii), (b), (c) and (d))

COLUMN A
Total This Period

COLUMN B
Calendar Year-To-Date

12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES

13. LOANS:

(a) Made or Guaranteed by the Candidate

(b) All Other Loans

(c) TOTAL LOANS (add 13(a) and (b))

14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)

15. OTHER RECEIPTS (Dividends, Interest, etc.)

16. TOTAL RECEIPTS (add 11(e), 12, 13(c), 14 and 15)

II. DISBURSEMENTS

17. OPERATING EXPENDITURES

18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES

19. LOAN REPAYMENTS:

(a) Of Loans Made or Guaranteed by the Candidate

(b) Of All Other Loans

(c) TOTAL LOAN REPAYMENTS (add 19(a) and (b))

20. REFUNDS OF CONTRIBUTIONS TO:

(a) Individuals/Persons Other Than Political Committees

(b) Political Party Committees

(c) Other Political Committees (such as PACs)

(d) TOTAL CONTRIBUTION REFUNDS (add 20(a), (b) and (c))

21. OTHER DISBURSEMENTS

22. TOTAL DISBURSEMENTS (add 17, 18, 19(c), 20(d) and 21)

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD

24. TOTAL RECEIPTS THIS PERIOD (from Line 16)

25. SUBTOTAL (add Line 23 and Line 24)

26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22)

27. CASH ON HAND AT CLOSE OF THE REPORTING PERIOD (subtract Line 26 from 25)

\$

\$

\$

\$

\$

11(a)(i)

11(a)(ii)

11(a)(iii)

11(b)

11(c)

11(d)

11(e)

12

13(a)

13(b)

13(c)

14

15

16

17

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19(a)

19(b)

19(c)

20(a)

20(b)

20(c)

20(d)

21

22

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24

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AMERICAN NATIONAL BANK IS COMMITTED TO HELPING
PEOPLE IDENTIFY AND MEET THEIR NEEDS BY OFFERING
QUALITY SERVICES IN A CARING, PROFESSIONAL MANNER,
PROVIDING A PROFITABLE OUTCOME FOR EVERYONE.

FRIENDS OF BLACKSTOCK
FOR CONGRESS
200 N MAIN
BRISTOW OK 74010

93040950641

DEPOSITS & OTHER TRANSACTIONS

	DATE	AMOUNT
DEPOSIT	08-06 +	100.00✓
DEPOSIT	08-06 +	750.00✓
DEPOSIT	08-10 +	6,760.00
DEPOSIT	08-12 +	150.00
DEPOSIT	08-13 +	200.00
DEPOSIT	08-13 +	305.00✓
DEPOSIT	08-13 +	550.00✓
CHECK	08-13 -	200.00
RETURNED ITEM FEE	08-13 -	15.00
CHECK	08-13 -	60.00
DEPOSIT	08-17 +	1,020.00✓
DEPOSIT	08-17 +	10,000.00✓
DEPOSIT	08-18 +	100.00
DEPOSIT	08-18 +	5,000.00
DEPOSIT	08-19 +	25.00✓
DEPOSIT	08-19 +	25.00
DEPOSIT	08-20 +	50.00
DEPOSIT	08-20 +	975.00
DEPOSIT	08-20 +	1,200.00
DEPOSIT	08-21 +	800.00
DELUXE CHECK	08-21 -	3.00
DEPOSIT	08-24 +	900.00✓
DEPOSIT	08-25 +	100.00✓
DEPOSIT	08-25 +	2,900.00✓
DEPOSIT	08-26 +	600.00✓
DEPOSIT	08-27 +	400.00✓
DEPOSIT	08-27 +	1,100.00
DEPOSIT	08-31 +	300.00✓
DEPOSIT	08-31 +	1,000.00

CHK ORDER

CHECKS

ITEM	DATE	AMOUNT
08-11	08-11	26.88
08-11	08-11	254.10
08-13	08-13	100.00
08-17	08-17	207.51
08-17	08-17	500.00
08-17	08-17	2,480.00
08-18	08-18	834.81
08-21	08-21	200.00
08-24	08-24	40.00
08-25	08-25	2,600.00
08-26	08-26	15.00
08-26	08-26	100.00
08-26	08-26	140.00
08-26	08-26	207.00
08-26	08-26	310.50
08-26	08-26	386.50
08-27	08-27	227.50
08-27	08-27	1,597.00
08-28	08-28	227.50
09-01	09-01	350.00

CHECKS

ITEM	DATE	AMOUNT
1022	08-13	20.00
1031*	08-20	35.75
1036*	08-10	101.15
1038*	08-12	150.00
1039	08-12	136.94
1040	08-07	174.00
1041	08-06	750.00
1042	08-10	275.00
1043	08-11	2,000.00
1044	08-11	3,624.21
1045	08-10	29.54
1046	08-10	100.00
1047	08-10	250.00
1048	08-10	225.00
1049	08-10	225.00
1050	08-10	350.00
1051	08-13	100.00
1052	08-18	429.10
1054*	08-14	152.50
1055	08-18	87.00

RAI ANCES

CP1

LOOK FOR INVESTMENT OPPORTUNITIES
IN YOUR STATEMENT THIS MONTH

FRIENDS OF BLACKSTOCK
FOR CONGRESS
200 N MAIN
BRISTOW OK 74010

DEPOSITS & OTHER TRANSACTIONS

DEPOSIT
DEPOSIT
DEPOSIT
DEPOSIT

DATE		AMOUNT
06-10	+	5,000.00
06-11	+	900.00
06-23	+	1,350.00
07-03	+	400.00

CHECKS

ITEM	DATE	AMOUNT
	06-15	3.02
	06-15	93.47
	06-15	2,380.65
	06-23	15.00
	06-25	260.61
	07-01	325.00

CHECKS

ITEM	DATE	AMOUNT
	07-01	325.00
	07-01	325.00
	07-02	100.00
	07-02	150.00
	07-03	273.00

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grating the
election.

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vs. 102 (b)(3)
for reporting
info given

9. Contributions from Spouses and Children

Spouses

A husband and wife each have a separate contribution limit, even if only one spouse has an income. 110.1(b)(1). A couple may combine their contribution limits by contributing a joint contribution (for example, a check for \$2,000 for a candidate's primary election) as long as both sign the check (or an attached statement). See "Joint Contributions," page 9.

Minor Children

Children under 18 may make contributions as long as the child knowingly and voluntarily decides to contribute. The child must own or control the funds, such as the proceeds of a trust or money held in a savings account in the child's name. Children may not use money that is provided by their parents specifically for the purpose of making a contribution. This would be a contribution in the name of another, which is prohibited (see page 12). 110.1(b)(2)

10. Contributions from Partnerships

Partnerships are permitted to make contributions according to special rules. 110.1(a) and (k)(1). For further details, see Appendix D.

11. Contributions from Candidates and Their Families

When candidates use their personal funds for campaign purposes, they are making contributions to their campaigns. Unlike other contributions, these candidate contributions are not subject to any limits. 110.10(a). AOs 1985-33 and 1984-60. They must, however, be reported (as discussed below).

Note, however, that contributions from members of the candidate's family are subject to the same limits as any other individual. Therefore, a candidate's parent or spouse may not contribute more than \$1,000, per election, to the candidate.

What Constitute Personal Funds of Candidate

Definition of Personal Funds

The personal funds of a candidate are:

- Assets which the candidate has legal access to or control over, and which he or she has legal title to or an equitable interest in, at the time of candidacy;
- Income from employment;
- Dividends and proceeds from stocks and other investments;
- Income from trusts, if established before candidacy;
- Income from trusts established by bequests (even after candidacy);
- Personal gifts, if customarily received, and
- Proceeds from lotteries and similar games of chance. 110.10(b)(1) and (2)

Assets Jointly Held with Spouse

A candidate may also use, as personal funds, his or her portion of assets owned jointly with a spouse (for example, a checking account or jointly owned stock). If the candidate's financial interest in an asset is not specified, then the candidate's share is deemed to be half the value. 110.10(b)(3).

Some banks may require a spouse to cosign a loan obtained by the candidate using jointly held assets as collateral. While an endorsement or guarantee of a loan normally constitutes a contribution, in this instance the spouse is not considered a contributor as long as the candidate's share in the collateral equals or exceeds the amount of the loan. 100.7(a)(1)(iii)(C) and (D).

For example, a candidate obtains a \$5,000 bank loan for his campaign using as collateral property valued at \$20,000 held jointly with his wife. Both cosign the loan. Because the candidate's interest in the property is \$10,000, which exceeds the amount of the loan, his wife has not made a contribution by cosigning it.

What Are Not Considered Personal Funds

Personal Gifts and Loans

If any person, including a relative or friend of the candidate, gives or loans the candidate money in connection with his or her campaign, the funds are not considered personal funds of the candidate.¹ Instead, the gift or loan is considered a contribution from the donor to the campaign, subject to the per-election limit and reportable by the campaign. This is true even if the candidate uses the funds for personal living expenses while campaigning. See, for example, AOs 1985-33 and 1982-64; see also AO 1987-1.

Unearned Income and Fringe Benefits

A candidate's salary or wages are considered his or her personal funds as long as there is a bona fide employment relationship between the candidate and the employer that is independent of the campaign. However, compensation paid to a

candidate by a relative or friend, if not based on a bona fide employment relationship, is generally considered a contribution from the employer. If the employer is a corporation or other prohibited source, the excess payment would result in a prohibited contribution. 100.7(a)(3) and 110.10(b)(2). See also, for example, AOs 1980-115 and 1979-74.

Note that when a candidate is on leave without pay, the continued payment of fringe benefits (such as health insurance and retirement) may also result in contributions from the employer to the campaign. 114.12(c).

Reporting Contributions from the Candidate

Contributions from the candidate must be reported by the campaign as follows:

- Personal funds donated to the campaign are reported as contributions from the candidate.
- Campaign expenditures from personal funds are reported as in-kind contributions from the candidate.
- Personal funds loaned to the campaign are reported as loans from the candidate from the outset. This is necessary if the candidate wishes to be repaid. Funds reported as contributions from the candidate may not later be converted into loans. AOs 1981-1, 1985-45 and 1977-58.

Note that if a candidate obtains a bank loan for campaign-related purposes, the campaign reports the bank as the source of the loan, rather than the candidate, although the candidate is listed as the guarantor or endorser. 104.3(a)(3)(vi)(B). For further details on reporting, see the chapter "Completing FEC Reports."

CHAPTER 4

Prohibited Contributions

Candidate campaigns are prohibited from accepting contributions² from certain types of organizations and individuals. 110.9(a) and 114.2(c). These prohibited sources are listed below.³

If a committee is uncertain whether contribution comes from a prohibited source, it should follow the procedure described under "Questionable Contributions," below.

1. Prohibited Sources

Corporations, Labor Organizations, National Banks

Campaigns may not accept contributions made from the general treasury funds of corporations, labor organizations and national banks.⁴ 114.2(a) and (b). This prohibition applies to any incorporated organization, profit or nonprofit, including a stock corporation, an incorporated membership organization and an incorporated cooperative.⁵

For example, the owner of an incorporated "mom and pop" grocery store is not permitted to use a business account to make contributions. Instead, the owner would have to use a personal account. Another example, a corporate employer may make contributions through a personal account or a nonpayable corporate drawing account, which allows the individual to draw personal funds against sales profits or other compensation.

¹ Related issues are discussed in Appendix E.

² These organizations and persons are also prohibited from making contributions in connection with the general election or primary election.

³ National banks are federally chartered banks that are not state-chartered banks.

⁴ National banks are federally chartered banks that are not state-chartered banks.

⁵ National banks are federally chartered banks that are not state-chartered banks.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 14, 1993

BY FACSIMILE

Elaine C. Blackstock, Treasurer
200 N. Main
Bristow, OK 74010

RE: MUR 3762
Friends of Blackstock for
Congress and Elaine C.
Blackstock, as treasurer

Dear Mrs. Blackstock:

This confirms our telephone conversation today regarding your April 30, 1993 response to the Factual and Legal Analysis in this matter. In order to clarify your response, you agreed to provide us with the following information by facsimile transmission by Tuesday, May 18: (1) copies of the checks which constituted the loan made by your husband to Friends of Blackstock for Congress ("the Committee") and (2) additional information regarding the source of the loan funds.

As we further discussed, on January 25, 1993, you requested that the Federal Election Commission permit the Committee to terminate pursuant to 2 U.S.C. § 433(d) and Section 102.3 of the Commission's Regulations. Because of the ongoing enforcement matter involving your Committee, this request has been denied. Therefore, you are reminded that the Committee must continue to file all the required reports with the Commission until such time as the enforcement matter has been closed as to the Committee.

If you have any questions or if you are unable to provide the requested information by the agreed date, please do not hesitate to contact me at (202) 219-3400.

Sincerely

Dawn M. Odrowski
Attorney

cc: Reports Analysis Division

93040950644

RECEIVED
FEDERAL ELECTION COMMISSION
GENERAL COUNSEL
93 MAY 18 AM 9:03

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Friends of Blackstock for Congress and
Elaine Blackstock, as treasurer)
)
) MUR 3762
)CLARIFICATION OF REPLY OF RESPONDENT
ELAINE BLACKSTOCK, AS TREASURER,
TO FEC FACTUAL & LEGAL ANALYSIS

In an effort to clarify the reply previously filed, I am submitting the following:

1. The campaign loan mentioned in paragraph #3 of the reply did not mean a loan to the campaign committee from a bank. It was a personal loan from the candidate's personal funds. During the time of the campaign the candidate had income in excess of the loan to the committee. This income was from rental properties, oil properties, and sales of personal and real property.

2. During the campaign there was a draw on a credit-line loan, established before the campaign, from a bank, which was used for personal business. There was an additional draw on a credit-line loan established during the campaign from another bank. This latter draw was used to pay off and consolidate earlier loans.

3. There was no negotiation with any bank concerning a loan for the campaign from the bank.

Respectfully submitted,

Elaine C. Blackstock
Elaine C. Blackstock

2304050645

ROBERT W. OR ELAINE C. BLACKSTOCK 08-91
P.O. BOX 1078
BRISTOW, OK 74010

4277

06-1212/1031

Pay to the
Order of

Frederick Blackstock Corp \$ *62.00* ⁰⁰

Dollars



Community Bank

104 SOUTH MAIN
BRISTOW, OKLAHOMA 74010

ULTIMATE CHECKING

For

Elaine C. Blackstock

ROBERT W. OR ELAINE C. BLACKSTOCK 08-91
P.O. BOX 1078
BRISTOW, OK 74010

4276

06-1212/1031

Pay to the
Order of

Frederick Blackstock Corp \$ *500* ⁰⁰

Dollars



Community Bank

104 SOUTH MAIN
BRISTOW, OKLAHOMA 74010

ULTIMATE CHECKING

For

Elaine C. Blackstock

ROBERT W. OR ELAINE C. BLACKSTOCK 08-91
P.O. BOX 1078
BRISTOW, OK 74010

4275

06-1212/1031

Pay to the
Order of

Frederick Blackstock Corp \$ *500* ⁰⁰

Dollars



Community Bank

104 SOUTH MAIN
BRISTOW, OKLAHOMA 74010

ULTIMATE CHECKING

For

Elaine C. Blackstock

ROBERT W. OR ELAINE C. BLACKSTOCK 08-91
P.O. BOX 1078
BRISTOW, OK 74010

4252

06-1212/1031

Pay to the
Order of

American Express \$ *5,000* ⁰⁰

Dollars



Community Bank

104 SOUTH MAIN
BRISTOW, OKLAHOMA 74010

ULTIMATE CHECKING

For

Robert W. Blackstock

93040950646

ROBERT W. OR ELAINE C. BLACKSTOCK 00-01
P.O. BOX 1078
BRISTOW, OK 74010

4283

00-1212/1031

August 5 1992

Pay to the Order of Friends of Blackstock for Congress \$ 750.00

Dollars



Community Bank

104 SOUTH MAIN
BRISTOW, OKLAHOMA 74010

ULTIMATE CHECKING

For

Elaine C. Blackstock

ROBERT W. OR ELAINE C. BLACKSTOCK 00-01
P.O. BOX 1078
BRISTOW, OK 74010

4282

00-1212/1031

August 3 1992

Pay to the Order of Friends of Blackstock for Congress \$ 600.00

Dollars



Community Bank

104 SOUTH MAIN
BRISTOW, OKLAHOMA 74010

ULTIMATE CHECKING

For

Elaine C. Blackstock

ROBERT W. OR ELAINE C. BLACKSTOCK 00-01
P.O. BOX 1078
BRISTOW, OK 74010

4281

00-1212/1031

July 31 1992

Pay to the Order of Friends of Blackstock for Congress \$ 900.00

Dollars



Community Bank

104 SOUTH MAIN
BRISTOW, OKLAHOMA 74010

ULTIMATE CHECKING

For

Elaine C. Blackstock

ROBERT W. OR ELAINE C. BLACKSTOCK 00-01
P.O. BOX 1078
BRISTOW, OK 74010

4280

00-1212/1031

7-28 1992

Pay to the Order of Friends of Blackstock for Congress \$ 1100.00

Dollars



Community Bank

104 SOUTH MAIN
BRISTOW, OKLAHOMA 74010

ULTIMATE CHECKING

For

Elaine C. Blackstock

93040950647

No. 5769

BLACKSTOCK OFFICES
P. O. BOX 1078
BRISTOW, OK 74010

Pay to the order of Friends of Blackstock for Congress \$ 6200.00

Aug 19 1992

Classic Blackstock

Community Bank
106 SOUTH MAIN
BRISTOW, OKLAHOMA 74010

For Campaign

PAID

Aug 19 1992

No. 5778

BLACKSTOCK OFFICES
P. O. BOX 1078
BRISTOW, OK 74010

Pay to the order of Friends of Blackstock for Congress \$ 5000.00

August 18 1992

Robert W. Blackstock

Community Bank
106 SOUTH MAIN
BRISTOW, OKLAHOMA 74010

For

PAID

Aug 19 1992

No. 5783

BLACKSTOCK OFFICES
P. O. BOX 1078
BRISTOW, OK 74010

Pay to the order of Blackstock for Congress \$ 1200.00

Aug 20 1992

Classic Blackstock

Community Bank
106 SOUTH MAIN
BRISTOW, OKLAHOMA 74010

For

PAID

Aug 21 1992

93040950648

No. 5784

BLACKSTOCK OFFICES
P. O. BOX 1078 F
BRISTOW, OK 74010

Aug 21 *1992* 88-1212/1031

Pay to the order of Blackstock for Congress \$ 800.00
Eight hundred & no/100 ~~THREE~~

Community Bank
108 SOUTH MAIN
BRISTOW, OKLAHOMA 74010

AUG 24 92 *Elaine C. Blackstock*

No. 5788

BLACKSTOCK OFFICES
P. O. BOX 1078
BRISTOW, OK 74010

8-25 1992 88-1212/1031

Pay to the order of Friends of Blackstock for Congress \$ 2500.00
~~THREE~~

Community Bank
108 SOUTH MAIN
BRISTOW, OKLAHOMA 74010

AUG 26 92 *Elaine C. Blackstock*

No. 5794

BLACKSTOCK OFFICES
P. O. BOX 1078
BRISTOW, OK 74010

August 26 1992 88-1212/1031

Pay to the order of Friends of Blackstock for Congress \$ 400.00
Four hundred & no/100 ~~THREE~~

Community Bank
108 SOUTH MAIN
BRISTOW, OKLAHOMA 74010

AUG 28 92 *Elaine C. Blackstock*

93040950649

5798

BLACKSTOCK OFFICES
P. O. BOX 1078
BRISTOW, OK 74010

8-28 1992

Pay to the order of Friends of Blackstock for Congress \$300.00

Three hundred and no/100

Community Bank
108 SOUTH MAIN
BRISTOW, OKLAHOMA 74010

SEP 0 1 92

CLAUDE C. BLACKSTOCK

5795

BLACKSTOCK OFFICES
P. O. BOX 1078
BRISTOW, OK 74010

8-29 1992

Pay to the order of Friends of Blackstock for Congress \$1,000.00

One thousand and no/100

Community Bank
108 SOUTH MAIN
BRISTOW, OKLAHOMA 74010

AUG 28 92

CLAUDE C. BLACKSTOCK

5802

BLACKSTOCK OFFICES
P. O. BOX 1078
BRISTOW, OK 74010

August 31 1992

Pay to the order of Friends of Blackstock for Congress \$1,000.00

One thousand and no/100

Community Bank
108 SOUTH MAIN
BRISTOW, OKLAHOMA 74010

SEP 0 1 92

CLAUDE C. BLACKSTOCK

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BEFORE THE FEDERAL ELECTION COMMISSION

93 JUN 14 PM 12:25

In the Matter of

Friends of Blackstock for Congress and
Elaine Blackstock, as treasurer

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SENSITIVE

MUR 3762

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On April 12, 1993, the Commission found reason to believe that Friends of Blackstock for Congress and Elaine Blackstock, as treasurer ("the Committee"), violated 2 U.S.C. § 434(a)(6) for failure to file a forty-eight hour notification ("48 Hour Notice") for a \$26,779.27 contribution in the form of a candidate loan made on August 6, 1992.¹ In addition, the Commission approved a conciliation agreement

On May 3, 1993, the Commission received a response from Elaine Blackstock, the Committee treasurer, stating that the candidate, Robert W. Blackstock, died in January, 1993, and requesting dismissal of this matter. Attachment 1. At this Office's request, Mrs. Blackstock filed a supplemental response on May 18, 1993, clarifying certain statements made in her initial response. Attachments 2 and 3.

II. ANALYSIS

1. Mr. Blackstock lost the Democratic primary in a four-person race with 14% of the vote.

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Mrs. Blackstock also appeared to dispute that the candidate made a \$26,779.27 loan within the 48 hour-reporting period, referring instead to a series of periodic loan "draws" made throughout July and August. She seemed confused about the relevant 48 hour notice period, however, denying that any contribution in excess of \$1,000 was made "within 48 hours of the primary election." Id. at 2.²

Based upon the widow's written submissions and staff's telephone conversations with her, it appears there was not a \$26,779 candidate loan made on August 6 as originally reported, but rather several smaller loan "draws" made on various dates, approximately \$13,200 of which fell within the 48 hour reporting period. Additionally, it is not clear whether the loans were reported accurately as made directly from Mr. Blackstock or whether they consisted of proceeds from bank credit-line loans secured by the candidate's property. Compare Attachment 1 at 3 (the campaign loan "was obtained by an additional mortgage on the farm") and Attachment 3 at 2 (the campaign loan was not "a loan . . . from a bank").

Given the totality of the circumstances presented here, including the candidate's recent death, the fact that the Committee reports reflect that his short-term campaign was largely

2. Mrs. Blackstock also enclosed copies of amended reports apparently in support of her initial response. The originals of these amendments have not yet been filed and we note they contain several mathematical errors.

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financed by the candidate himself, and the current financial situation of the Committee (the Committee's last report reflects a negative cash on hand balance), this Office believes it would be consistent with the proper ordering of the Commission's priorities and resources to take no further action in this matter. Based on the foregoing, therefore, this Office recommends that the Commission take no further action against the Committee and Mrs. Blackstock, as treasurer, and close the file in this matter.

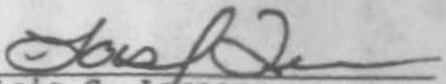
III. RECOMMENDATIONS

1. Take no further action against Friends of Blackstock for Congress and Elaine Blackstock, as treasurer.
2. Close the file.
3. Send the appropriate letter.

Lawrence M. Noble
General Counsel

Date 6/11/93

BY:


Lois G. Lerner
Associate General Counsel

Attachments

1. Committee's April 30, 1993 response
2. OGC's request for supplemental information
3. Committee's May 17, 1993 supplemental response

Staff assigned: Dawn M. Odrowski

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Friends of Blackstock for Congress
and Elaine Blackstock, as treasurer

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MUR 3762

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 17, 1993, the Commission decided by a vote of 6-0 to take the following actions in MUR 3762:

1. Take no further action against Friends of Blackstock for Congress and Elaine Blackstock, as treasurer.
2. Close the file.
3. Send the appropriate letter, as recommended in the General Counsel's report dated June 11, 1993.

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

Attest:

6-18-93
Date

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

Received in Secretariat: Mon. June 14, 1993 at 12:26 P.M.
Delivered to Commission: Mon. June 14, 1993 at 4:00 P.M.
Deadline for Vote: Thu. June 17, 1993 at 4:00 P.M.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

June 23, 1993

Mrs. Elaine C. Blackstock, Treasurer
200 N. Main
Bristow, OK 74010

RE: MUR 3762
Friends of Blackstock for Congress
and Elaine C. Blackstock, as treasurer

Dear Mrs. Blackstock:

On April 12, 1993, you were notified that the Federal Election Commission found reason to believe that Friends of Blackstock for Congress (the "Committee") and Elaine C. Blackstock, as treasurer, violated 2 U.S.C. § 434(a)(6). On May 3, 1993, the Commission received a response from you, the Committee treasurer, stating that the candidate, Robert W. Blackstock, died in January 1993, and requesting dismissal of this matter. On May 18, 1993, you submitted a supplemental response to this Office's request, clarifying certain statements made in your initial response. After considering the circumstances of the matter, the Commission determined on June 17, 1993, to take no further action against the Committee and you, and closed the file in this matter.

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

Once again, please accept our sincere sympathy on the loss of your husband. If you should have any additional questions, please contact me at (202) 219-3400.

Sincerely,

Dawn M. Odrowski
Attorney

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3762

DATE FILMED 7/24/93 CAMERA NO. 4

CAMERAMAN E.E.J.

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