



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1559

Date Filmed 2/10/84 Camera No. --- 4

Cameraman JRL

FEDERAL ELECTION COMMISSION

Routing Slips

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

Signed Conroy Edwards, J
date 1/12/85

84030442125



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 17, 1984

Donald White, Jr., Treasurer
Harold Byrd for Congress
6634 Rainbrook
Memphis, Tennessee 38134

RE: MUR 1559

Dear Mr. White:

On January 16, 1984, the Commission accepted the conciliation agreement signed by you, and a civil penalty in settlement of a violation of 2 U.S.C. § 434(a)(2)(A)(iii), 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

A handwritten signature in cursive script, appearing to read "Kenneth A. Gross".

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

84030442126



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Donald White, Jr., Treasurer
Harold Byrd for Congress
6634 Rainbrook
Memphis, Tennessee 38134

RE: MUR 1559

Dear Mr. White:

On January , 1984, the Commission accepted the conciliation agreement signed by you, and a civil penalty in settlement of a violation of 2 U.S.C. § 434(a)(2)(A)(iii), 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

[Handwritten signature] 1/17/84

Enclosure
Conciliation Agreement

84030442127

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Harold Byrd for Congress) MUR 1559
Donald White, Jr., 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. Reason to believe was found that Harold Byrd for Congress and Donald White, Jr., ("Respondents") as treasurer of Harold Byrd for Congress, violated 2 U.S.C. § 434(a)(2)(A)(iii) by failing to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports.

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

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C.

§ 437g(a)(4)(A)(i).

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

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

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

1. Respondents were the principal campaign committee of Harold W. Byrd and treasurer of the principal campaign committee (Harold Byrd for Congress).

2. Respondents failed to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports in violation of 2 U.S.C. § 434(a)(2)(A)(iii).

V. WHEREFORE, Respondents agree:

1. Respondents' failure to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports is a violation of 2 U.S.C. § 434(a)(2)(A)(iii).

3. Respondents have filed Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports as required by 2 U.S.C. § 434(a)(2)(A)(iii).

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of One Hundred Dollars (\$100), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondents agree that Harold Byrd for Congress 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

84030442129

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.

Charles N. Steele
General Counsel

January 17, 1984
Date

BY: *Kenneth A. Gross*
Kenneth A. Gross
Associate General Counsel

12/31/83
Date

HAROLD BYRD FOR CONGRESS

BY: *Harold White*
ITS: *Treasurer*

84030442130

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Harold Byrd for Congress) MUR 1559
Donald White, Jr., Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 16, 1984, the Commission decided by a vote of 5-0 to take the following actions in MUR 1559:

1. Approve the signed conciliation agreement in this matter, as attached to the General Counsel's January 12, 1984, Memorandum to the Commission.
2. Approve and send the letter as attached to the General Counsel's Memorandum dated January 12, 1984.
3. Close the file.

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

Attest:

1-17-84
Date

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

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

1-12-84, 10:09
1-12-84, 4:00

84030442131



FEDERAL ELECTION COMMISSION
 WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
 FROM: Office of General Counsel *CL*
 DATE: January 12, 1984
 SUBJECT: MUR 1559 - Memorandum to The Commission

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

CIRCULATIONS

48 Hour Tally Vote
 Sensitive
 Non-Sensitive
 24 Hour No Objection
 Sensitive
 Non-Sensitive
 Information
 Sensitive
 Non-Sensitive
 Other

DISTRIBUTION

Compliance
 Audit Matters
 Litigation
 Closed MUR Letters
 Status Sheets
 Advisory Opinions
 Other (see distribution below)

84030442132



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

84 JAN 12 AIO: 09

January 12, 1984

MEMORANDUM

TO : The Commission

SENSITIVE

FROM : Charles N. Steele
General Counsel

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

SUBJECT: MUR 1559 - Conciliation Agreement

Attached is a conciliation agreement which has been signed by Donald White, Jr., treasurer of Harold Byrd for Congress.

The attached agreement contains no changes from the agreement approved by the Commission. A check for the civil penalty imposed by the Commission has been received.

The Office of General Counsel recommends the acceptance of this agreement and the closing of the file.

Recommendations

1. Approve the signed conciliation agreement in this matter.
2. Approve and send the attached letter.
3. Close the file.

Attachments

- Conciliation Agreement (1)
- Photocopy of civil penalty check
- Proposed letter

84030442133

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Harold Byrd for Congress) MUR 1559
Donald White, Jr., 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. Reason to believe was found that Harold Byrd for Congress and Donald White, Jr., ("Respondents") as treasurer of Harold Byrd for Congress, violated 2 U.S.C. § 434(a)(2)(A)(iii) by failing to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports.

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

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

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

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

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

1. Respondents were the principal campaign committee of Harold W. Byrd and treasurer of the principal campaign committee (Harold Byrd for Congress).

2. Respondents failed to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports in violation of 2 U.S.C. § 434(a)(2)(A)(iii).

V. WHEREFORE, Respondents agree:

1. Respondents' failure to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports is a violation of 2 U.S.C. § 434(a)(2)(A)(iii).

3. Respondents have filed Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports as required by 2 U.S.C. § 434(a)(2)(A)(iii).

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of One Hundred Dollars (\$100), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondents agree that Harold Byrd for Congress 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

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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.

Charles N. Steele
General Counsel

Date

BY: _____
Kenneth A. Gross
Associate General Counsel

12/31/83
Date

HAROLD BYRD FOR CONGRESS

BY: *Harold Byrd*

ITS: Treasurer

84030442136

DONALD OR DRUCILLA WHITE
1763 PEABODY 274-8812
MEMPHIS, TN 38104

1167

1-6 19 84 28-24/84

PAY TO THE
ORDER OF

U.S. Treasury

\$ 100.00

One hundred and 00/100

DOLLARS



Commerce Union Bank
of Memphis Memphis, TN 38101

MEMO

Drucilla White

⑆084000945⑆ 1167 03⑈ 1812601⑈

8430442107



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

**Donald White, Jr., Treasurer
Harold Byrd for Congress
6634 Rainbrook
Memphis, Tennessee 38134**

RE: MUR 1559

Dear Mr. White:

On January , 1984, the Commission accepted the conciliation agreement signed by you, and a civil penalty in settlement of a violation of 2 U.S.C. § 434(a)(2)(A)(iii), 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**

84030442138

Call 1381

Mur 1559
Edwards

MEMORANDUM

FROM: JOAN HARRIS
TO: CHERYL THOMAS

FROM: CHERYL THOMAS
TO: JOAN HARRIS

P. 1: 3

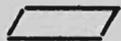
CHECK NO. 1167 (a copy of which is attached)

RELATING TO MUR 1559 WAS RECEIVED ON 1-9-84.

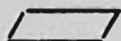
PLEASE INDICATE THE ACCOUNT INTO WHICH IT SHOULD BE DEPOSITED:



BUDGET CLEARING ACCOUNT (#95F3875.16)



CIVIL PENALTIES ACCOUNT (#95-1099.160)



OTHER _____

84030442139

DONALD OR DRUCILLA WHITE
1783 PRABODY 274-8812
MEMPHIS, TN 38104

1167

1-6 19 84 22-24/84

PAY TO THE
ORDER OF

U.S. Treas.

\$ 100.00

One hundred and 00/100

DOLLARS



Commerce Union Bank
of Memphis
Memphis, TN 38104

MEMO

Drucilla White

⑆084000945⑆ 1167 03⑈ 1812601⑈

84030442140



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 6, 1983

Donald White, Jr., Treasurer
Harold Byrd for Congress
6634 Rainbrook
Memphis, Tennessee 38134

RE: MUR 1559

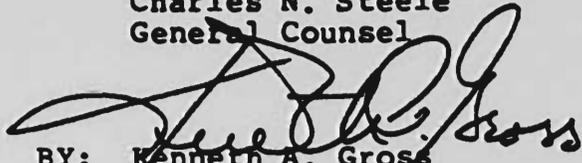
Dear Mr. White:

On October 4, 1983, the Commission found reason to believe that Harold Byrd for Congress and Donald White, Jr., as treasurer to Harold Byrd for Congress, ("Respondents") violated 2 U.S.C. § 434(a)(2)(A)(iii) by failing to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports. At your request, the Commission determined on December 2, 1983, 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 you 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 Conley Edwards, Jr. at (202) 523-4060.

Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

84030442141

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Harold Byrd for Congress) MUR 1559
Donald White, Jr., 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. Reason to believe was found that Harold Byrd for Congress and Donald White, Jr., ("Respondents") as treasurer of Harold Byrd for Congress, violated 2 U.S.C. § 434(a)(2)(A)(iii) by failing to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports.

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

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C.

§ 437g(a)(4)(A)(i).

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

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

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

1. Respondents were the principal campaign committee of Harold W. Byrd and treasurer of the principal campaign committee (Harold Byrd for Congress).

2. Respondents failed to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports in violation of 2 U.S.C. § 434(a)(2)(A)(iii).

V. WHEREFORE, Respondents agree:

1. Respondents' failure to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports is a violation of 2 U.S.C. § 434(a)(2)(A)(iii).

3. Respondents have filed Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports as required by 2 U.S.C. § 434(a)(2)(A)(iii).

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of One Hundred Dollars (\$100), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondents agree that Harold Byrd for Congress 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

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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.

Charles N. Steele
General Counsel

BY: _____

Kenneth A. Gross
Associate General Counsel

HAROLD BYRD FOR CONGRESS

BY: _____

ITS: _____

Date

Date

84030442144



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Donald White, Jr., Treasurer
Harold Byrd for Congress
6634 Rainbrook
Memphis, Tennessee 38134

RE: MUR 1559

Dear Mr. White:

On October 4, 1983, the Commission found reason to believe that Harold Byrd for Congress and Donald White, Jr., as treasurer to Harold Byrd for Congress, ("Respondents") violated 2 U.S.C. § 434(a)(2)(A)(iii) by failing to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports. At your request, the Commission determined on _____, 1983, 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 you 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 Conley Edwards, Jr. at (202) 523-4060.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

84030442145

[Handwritten signature] 12/2/83

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1559
Harold Byrd for Congress)
Donald White, Jr., Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 2, 1983, the Commission decided by a vote of 6-0 to take the following actions in MUR 1559:

1. Accept the respondents' request to enter into conciliation prior to a finding of probable cause to believe.
2. Approve the proposed letter and conciliation agreement as attached to the General Counsel's November 29, 1983 Memorandum to the Commission.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

12-2-83
Date

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

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

11-29-83, 3:57
11-30-83, 11:00

94030442146



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cut*
DATE: November 29, 1983
SUBJECT: MUR 1559 - General Counsel's Report

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

CIRCULATIONS		DISTRIBUTION	
48 Hour Tally Vote	<input checked="" type="checkbox"/>	Compliance	<input checked="" type="checkbox"/>
Sensitive	<input checked="" type="checkbox"/>	Audit Matters	<input type="checkbox"/>
Non-Sensitive	<input type="checkbox"/>	Litigation	<input type="checkbox"/>
24 Hour No Objection	<input type="checkbox"/>	Closed MUR Letters	<input type="checkbox"/>
Sensitive	<input type="checkbox"/>	Status Sheets	<input type="checkbox"/>
Non-Sensitive	<input type="checkbox"/>	Advisory Opinions	<input type="checkbox"/>
Information	<input type="checkbox"/>	Other (see distribution below)	<input type="checkbox"/>
Sensitive	<input type="checkbox"/>		
Non-Sensitive	<input type="checkbox"/>		
Other	<input type="checkbox"/>		

84030442147



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Donald White, Jr., Treasurer
Harold Byrd for Congress
6634 Rainbrook
Memphis, Tennessee 38134

RE: MUR 1559

Dear Mr. White:

On October 4, 1983, the Commission found reason to believe that Harold Byrd for Congress and Donald White, Jr., as treasurer to Harold Byrd for Congress, ("Respondents") violated 2 U.S.C. § 434(a)(2)(A)(iii) by failing to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports. At your request, the Commission determined on _____, 1983, 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 you 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 Conley Edwards, Jr. at (202) 523-4060.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

ATTACHMENT IV (17)

94030442148

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Harold Byrd for Congress) MUR 1559
Donald White, Jr., Treasurer)

CONCILIATION AGREEMENT

84030442149
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. Reason to believe was found that Harold Byrd for Congress and Donald White, Jr., ("Respondents") as treasurer of Harold Byrd for Congress, violated 2 U.S.C. § 434(a)(2)(A)(iii) by failing to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports.

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

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C.

§ 437g(a)(4)(A)(i).

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

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

(18)
ATTACHMENT IV

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

1. Respondents were the principal campaign committee of Harold W. Byrd and treasurer of the principal campaign committee (Harold Byrd for Congress).

2. Respondents failed to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports in violation of 2 U.S.C. § 434(a)(2)(A)(iii).

V. WHEREFORE, Respondents agree:

1. Respondents' failure to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports is a violation of 2 U.S.C. § 434(a)(2)(A)(iii).

3. Respondents have filed Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports as required by 2 U.S.C. § 434(a)(2)(A)(iii).

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of One Hundred Dollars (\$100), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondents agree that Harold Byrd for Congress 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

84030442130

(19)

ATTACHMENT IV

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.

Charles N. Steele
General Counsel

BY: _____

Kenneth A. Gross
Associate General Counsel

HAROLD BYRD FOR CONGRESS

BY: _____

ITS: _____

Date

Date

84050442151

(20)

ATTACHMENT IV

SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

83 NOV 29 P 3: 57

November 29, 1983

MEMORANDUM

TO : The Commission

FROM : Charles N. Steele
General Counsel

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

SUBJECT: MUR 1559 - Harold Byrd for Congress
Donald White, Jr., Treasurer

On October 4, 1983, the Commission found reason to believe that Harold Byrd for Congress and Donald White, Jr. (hereinafter "the Respondents"), as treasurer to Harold Byrd for Congress, violated 2 U.S.C. § 434(a)(2)(A)(iii) by failing to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports. This matter was generated internally as a result of a referral from the Reports Analysis Division to the Office of General Counsel.

Harold Byrd for Congress was established on November 23, 1981, as the principal campaign committee of Harold W. Byrd. Mr. Byrd was an unsuccessful Democratic candidate in the 1982 Tennessee primary election for election to the United States House of Representatives. On October 12 and 26, 1983, this Office was contacted by the Respondents in response to the Commission's findings. During this communication, Respondents were informed of their options and that all past due reports must be filed before this matter could be resolved. Consequently, on October 11, 1983, we received a written request from the Committee to enter into pre-probable cause conciliation pursuant to 11 C.F.R. § 111.18(d). Attachment I.

On October 31, 1983, the Commission received Respondents' 1982 October 15th Quarterly Report. Attachment II. This Office received Respondents' 1982 Year End Report on November 16, 1983. Attachment III.

84030442152

Based on the above, this Office recommends that the Commission enter into conciliation prior to a finding of probable cause to believe and so notify the Committee by forwarding a proposed conciliation agreement. Although the reports in this matter were filed approximately a year later, the respondents have been cooperative and have mitigated the violations by filing all reports. In addition, the late reports were post-election reports in that the respondent lost in the primary. Thus, we recommend a civil penalty of \$100.

RECOMMENDATIONS

1. Accept the Respondents' request to enter into conciliation prior to a finding of probable cause to believe.
2. Approve proposed letter and conciliation agreement.

Attachments

1. Letter from Respondents
2. Respondents' Report
3. Respondents' Report
4. Proposed letter and conciliation agreement to Respondents

84030442133

RECEIVED THE FEC
G.C.C.#967
83 OCT 17 P2:10

OCT 17 P2:57

October 12, 1983

TO: Federal Election Commission
C/O Mr. Conley Edwards, Jr.
Washington, D.C, 20463

From: Donald White, Jr., Treasurer
Harold Byrd For Congress
6634 Rainbrook Lane
Memphis, TN 38134

Subject: MUR 1559

Dear Mr. Edwards:

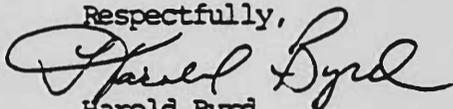
We have been advised that we are in violation of 2 U.S.C. 434 (A) (2) (A) (iii), a provision of the Federal Election Campaign Act of 1971 by failing to file the committee's 1982 October 15th Quarterly and year end reports.

We regret these violations and ask to correct inadequacies of our reporting through settlement provided under conciliation in 11 C.F.R. 111.18(d).

The treasurer of the campaign has taken leave of absence from his C.P.A. firm (Cannon, Phillips. & White) and assumed the chief administrative official position under the new mayoral administration (Mayor Dick Hackett) in Memphis. This change was effected in 8-82 and Donald White will continue as CAO under Mayor Dick Hackett.

Therefore, due to the high level of activity we are in error and respectfully ask for your consideration in giving us time to correct this situation.

Respectfully,



Harold Byrd
HB/da

34030442134

①

Attachment I

REGULAR MAIL

OCT 26 1983



City of Memphis
Tennessee

83 OCT 31 P 2:00

RECEIVED
OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES
1983 NOV - 1 PM 12:11

097586

October 26, 1983

RICHARD C. HACKETT
Mayor

Chief Administrative Officer

Mr. Conley Edwards
C/O Federal Election Commission
Washington, D.C. 20463

Dear Conley:

Attached is the October 15 Quarterly Report.

Although this report is being filed late, I would request your consideration for this time delay, due to the circumstances I will describe below.

Immediately following the primary in which Mr. Byrd was unsuccessful, I assumed the role of Treasurer in a mayoral campaign in Memphis. There was an election held in early November and a run off took place in the first week of December. In that race, we were successful, and the Mayor took office immediately. Concurrent with that election in December, the accounting firm in which I was a principal entered into a merger with another accounting firm effective December 1, 1982. Following the December election, I accepted the position of Chief Administrative Officer in the City of Memphis and functioned in that position beginning the middle of December. Since this was a new administration, there was an enormous amount of time required in laying the groundwork for a one year interim term of office. During this time of organization, our third child was born in the early part of March. In the months following March, I was required to spend a considerable amount of time outside of the City which had been unexpected. By this time elections for a full four year term of office for the Mayor had commenced. This election occurred on October 6, 1983.

These circumstances as outlined above were the overriding factors in deterring me from completing the report in a timely fashion. Although it would probably have been preferable to have filed some type of report, and amended that report as necessary, I held off on filing the report until it could be properly compiled and submitted to you.

If any additional information or explanations are necessary, I will be ready to provide such to you upon request.

Sincerely,

Donald White, Jr.
Donald White, Jr.

(2)

DWJR:jk

Attachment II

0 3 9 6 2 5 4 4 2 9 4 3-5

REGULAR MAIL
OCT 26 1983

For an Authorized Committee

Summary Page

097586

830

11/13
3412

RECEIVED
FEDERAL ELECTION COMMISSION
MAY 12 1983

1. Name of Committee (in Full)
Harold Byrd for Congress

2. FEC Identification Number
C00147223

Address (Number and Street)
6634 Rainbrook

3. Is this Report an Amendment?
 YES NO

City, State and ZIP Code
Memphis, TN, 38134

4. TYPE OF REPORT

- April 15 Quarterly Report
- July 15 Quarterly Report
- October 15 Quarterly Report Q3
- January 31 Year End Report
- July 31 Mid Year Report (Non-election Year Only)
- Twelfth day report preceding _____ (Type of Election)
- election on _____ in the State of _____
- Thirtieth day report following the General Election on _____ in the State of _____
- Termination Report

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

SUMMARY		Column A This Period	Column B Calendar Year-to-Date
Covering Period	7-17-82 Through 9-30-82		
Net Contributions (other than loans):			
(a) Total Contributions (other than loans) (from Line 11e)		\$ 12,799	\$ 93,649
(b) Total Contribution Refunds (from Line 20d)		\$ 3,400	\$ 3,400
(c) Net Contributor (other than loans) (Subtract Line 6b from 6a)		\$ 9,399	\$ 90,249
Net Operating Expenditures:			
(a) Total Operating Expenditures (from Line 17)		\$ 77,391	\$ 192,986
(b) Total Offers to Operating Expenditures (from Line 14)		\$	\$
(c) Net Operating Expenditures (Subtract Line 7b from 7a)		\$ 77,391	\$ 192,986
1. Cash on Hand at Close of Reporting Period (from Line 27)		\$ 813	
2. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)		\$	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)		\$ 100,825	

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

For further information, contact:

Donald White, Jr.
Type or Print Name of Treasurer

Federal Election Commission
Toll Free 800-424-9630
Local 202-632-6088

Donald White, Jr.
SIGNATURE OF TREASURER

10/26/83
Date

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

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

MLP 11/2	RAD 11/2	MD 11/2					
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FEC FORM 3 (3/80)

3

Attachment II

Name of Committee (in Full)

Harold Byrd for Congress

Report covering the Period:

From: 7-17-82

To: 9-30-82

I. RECEIPTS

11. CONTRIBUTIONS (other than loans) FROM:

(a) Individuals/Persons Other Than Political Committees 10,549
(Memo Entry Unitemized \$ 999)

(b) Political Party Committees

(c) Other Political Committees 2,250

(d) The Candidate

(e) TOTAL CONTRIBUTIONS (other than loans) (add 11a, 11b, 11c and 11d) ... 12,799

12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES

13. LOANS:

(a) Made or Guaranteed by the Candidate 62,326

(b) All Other Loans 2,500

(c) TOTAL LOANS (add 13a and 13b) 62,326

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

15. OTHER RECEIPTS (Dividends, Interest, etc.) Interest 225

16. TOTAL RECEIPTS (Add 11e, 12, 13c, 14 and 15) 75,125

II. DISBURSEMENTS

17. OPERATING EXPENDITURES 77,391

18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES

19. LOAN REPAYMENTS:

(a) Of Loans Made or Guaranteed by the Candidate 854

(b) Of All Other Loans

(c) TOTAL LOAN REPAYMENTS (add 19a and 19b) 854

20. REFUNDS OF CONTRIBUTIONS TO:

(a) Individuals/Persons Other Than Political Committees 3,400

(b) Political Party Committees

(c) Other Political Committees

(d) TOTAL CONTRIBUTION REFUNDS (add 20a, 20b and 20c) 3,400

21. OTHER DISBURSEMENTS

22. TOTAL DISBURSEMENTS (Add 17, 18, 19c, 20d and 21) 81,645

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF THE REPORTING PERIOD \$ 7,333

24. TOTAL RECEIPTS THIS PERIOD (From Line 16) \$ 75,125

25. SUBTOTAL (Add Line 23 and Line 24) \$ 82,458

26. TOTAL DISBURSEMENTS THIS PERIOD (From Line 22) \$ 81,645

27. CASH ON HAND AT CLOSE OF THE REPORTING PERIOD (Subtract Line 26 from 25) \$ 813

84030442157

Attachment

4 II

SCHEDULE A

ITEMIZED RECEIPTS

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

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

Name of Committee (in Full)
Harold Byrd for Congress

A. Full Name, Mailing Address and ZIP Code Gary R. Belz 149 Union Memphis, TN. 38103	Name of Employer Belz Properties	Date (month, day, year) 7-30-82	Amount of Each Receipt This Period 250
	Occupation Owner		
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date—\$475	

B. Full Name, Mailing Address and ZIP Code Robert Butler 8 N. Third Memphis, TN.	Name of Employer Schledwitz, Crow Beliles	Date (month, day, year) 8-2-82	Amount of Each Receipt This Period 1,000
	Occupation Attorney		
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date—\$1,000	

C. Full Name, Mailing Address and ZIP Code Barbara Butler 8 N. Third Memphis, TN.	Name of Employer	Date (month, day, year) 8-2-82	Amount of Each Receipt This Period 1,000
	Occupation		
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date—\$1,000	

D. Full Name, Mailing Address and ZIP Code Ray Beliles 8 N. Third Memphis, TN.	Name of Employer Schleswitz, Crow Beliles	Date (month, day, year) 8-2-82	Amount of Each Receipt This Period 1,000
	Occupation Attorney		
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date—\$1,000	

E. Full Name, Mailing Address and ZIP Code Jeff Crow 8 N. Third Memphis, TN.	Name of Employer Schledwitz, Crow Beliles	Date (month, day, year) 8-4-82	Amount of Each Receipt This Period 1,000
	Occupation Attorney		
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date—\$1,000	

F. Full Name, Mailing Address and ZIP Code W. Terry Edwards 5705 Stage Rd. #120 Bartlett, TN. 38138	Name of Employer Self Employed	Date (month, day, year) 7-30-82	Amount of Each Receipt This Period 100
	Occupation Attorney		
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date—\$600	

G. Full Name, Mailing Address and ZIP Code Mrs. William W. Farris 165 Madison #1620 Memphis, TN. 38103	Name of Employer Farris Hancock	Date (month, day, year) 7-19-82	Amount of Each Receipt This Period 200
	Occupation Attorney		
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date—\$ 700	

SUBTOTAL of Receipts This Page (optional) **4,550**

TOTAL This Period (last page this line number only) **5**

84030442138

Attachment II

SCHEDULE A

ITEMIZED RECEIPTS

LINE NUMBER 112
(Use separate schedule for each category of the Detailed Summary Page)

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

Name of Committee (in Full)
Harold Byrd for Congress

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Gene P. Harris 518 E. Poplar Selmer, TN. 38375	Self Employed	7-27-82	500
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Farmer	Aggregate Year-to-Date-\$ 1,000	
B. Full Name, Mailing Address and ZIP Code Mike Phillips 2670 Union Extended Memphis, TN. 38112	Name of Employer Phillips & White	Date (month, day, year) 6-17-82	Amount of Each Receipt This Period 1,000
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation C.P.A.	Aggregate Year-to-Date-\$ 1,000	
C. Full Name, Mailing Address and ZIP Code David G. Plunk 5659 Crievehood Dr. Memphis, TN. 38134	Name of Employer	Date (month, day, year) 8-3-82	Amount of Each Receipt This Period 500
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$ 500	
D. Full Name, Mailing Address and ZIP Code M.K. Rice 885 Twinkletown Cv. Memphis, TN. 38116	Name of Employer	Date (month, day, year) 7-27-82	Amount of Each Receipt This Period 1,000
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$ 1,000	
E. Full Name, Mailing Address and ZIP Code George Sibley Memphis, TN.	Name of Employer Bacbe	Date (month, day, year) 7-27-82	Amount of Each Receipt This Period 1,000
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Broker	Aggregate Year-to-Date-\$ 1,000	
F. Full Name, Mailing Address and ZIP Code Donald White, Sr. 3626 Bowen Memphis, TN. 38122	Name of Employer	Date (month, day, year) 8-2-82	Amount of Each Receipt This Period 1,000
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Retired	Aggregate Year-to-Date-\$ 1,000	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
SUBTOTAL of Receipts This Page (optional)			5,000
TOTAL This Period (last page this line number only)			9,550 (6)

84030442159

Attachment II

SCHEDULE A

ITEMIZED RECEIPTS

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

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

Name of Committee (in Full)
Harold Byrd for Congress

A. Full Name, Mailing Address and ZIP Code American Agri Movement FACT Sixeston, Missouri 63601	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period 1,000
	Occupation	7-27-82	
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date—\$ 21,000		

B. Full Name, Mailing Address and ZIP Code Federal Express PAC AMF Box 30167 Memphis, TN. 38130	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period 250
	Occupation	7-27-82	
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date—\$ 250		

C. Full Name, Mailing Address and ZIP Code Bob Clement Campaign	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period 1,000
	Occupation	9-10-82	
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date—\$		

D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date—\$		

E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date—\$		

F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date—\$		

G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date—\$		

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only) **2,250** (7)

Attachment II

84030442160

SCHEDULE B

ITEMIZED DISBURSEMENTS

LINE NUMBER 17
(Use separate schedule(s) for each category of the Detailed Summary Page)

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

Name of Committee (in Full)
Harold Byrd for Congress

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Jim Cobb 3509 S. Mendenhall Memphis, TN.	Reimbursement for Travel Expenses	7-17-82	430
	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
B. Full Name, Mailing Address and ZIP Code South Central Bell Memphis, TN.	Purpose of Disbursement Telephone Expense	Date (month, day, year) 7-17-82	Amount of Each Disbursement This Period 589
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	7-26-82	600
C. Full Name, Mailing Address and ZIP Code Postmaster Memphis, TN.	Purpose of Disbursement Postage	Date (month, day, year) 7-17-82	Amount of Each Disbursement This Period 1,600
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	7-26-82	5,000
D. Full Name, Mailing Address and ZIP Code McCormick Business Forms 545 N. Parkway Memphis, TN.	Purpose of Disbursement Printing	Date (month, day, year) 7-17-82	Amount of Each Disbursement This Period 257
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	7-26-82	1,000
E. Full Name, Mailing Address and ZIP Code Walker & Associates 2605 Noncannah Rd. Memphis, TN. 38132	Purpose of Disbursement Advertising	Date (month, day, year) 7-23-82	Amount of Each Disbursement This Period 25,000
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	7-26-82 7-27-82 7-30-82 8-4-82	4,000 10,000 15,000 17,500
F. Full Name, Mailing Address and ZIP Code Shelby County Election Commission 157 Poplar Memphis, TN. 38103	Purpose of Disbursement Labels	Date (month, day, year) 7-26-82	Amount of Each Disbursement This Period 608
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			76,584

84030442161

Attachment II 8

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

Name of Committee (in Full)
Harold Byrd for Congress

84030442162

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Donald White, Sr. 3626 Bowen Memphis, TN.	Refund Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	7-17	1,000
Charlotte White 3626 Bowen Memphis, TN.	Refund Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	7-17	1,000
Mike Phillips 2670 Union Extended Memphis, TN.	Refund Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	7-17	1,000
Linda Phillips 2670 Union Extended Memphis, TN.	Refund Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	7-17	400
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			3,400

Attachment 9 II

Name of Committee (in Full)

Harold Byrd for Congress

A. Full Name, Mailing Address and ZIP Code of Loan Source Harold Byrd 6634 Rainbrook Memphis, TN. 38134	Original Amount of Loan 24,353 62,326	Cumulative Payments To Date 254	Balance Outstanding at Close of This Period 85,825
--	---	------------------------------------	---

Election: Primary General Other (Specify):

Terms: Date Incurred 6/7/82 Date Due _____ Interest Rate none (Specify) 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 Bank of Bartlett Bartlett, TN. Personal loan to Harold Byrd	Original Amount of Loan 15,000	Cumulative Payments To Date -0-	Balance Outstanding at Close of This Period 15,000
--	-----------------------------------	------------------------------------	---

Election: Primary General Other (Specify):

Terms: Date Incurred 6/7/82 Date Due 12/7/82 Interest Rate Prime (Specify) Secured

List All Endorsers or Guarantors (if any) to Item B

1. Full Name, Mailing Address and ZIP Code Harold Byrd 6634 Rainbrook Ln. Memphis, TN. 38134	Name of Employer Byrd Brothers		
	Occupation Farmer		
	Amount Guaranteed Outstanding: \$ 15,000		
2. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding: \$		
3. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding: \$		

SUBTOTALS This Period This Page (optional)

TOTALS This Period (last page in this line only)

100,825

Carry outstanding balance only to LINE 3, Schedule D, for this line. If on Schedule C, carry forward to appropriate line of Summary.

84030442163

Attachment #

10

Name of Committee (in Full)
Harold Byrd for Congress

A. Full Name, Mailing Address and ZIP Code of Loan Source Robert Byrd 2028 Allenby Germantown, TN. 38138	Original Amount of Loan 1,000	Cumulative Payment To Date 1,000 Transferred to Contribution	Balance Outstanding at Close of This Period -0-
--	---	--	---

Election: Primary General Other (specify):

Terms: Date Incurred 5/29/62 Date Due 6/5/62 Interest Rate 6 % (apx) Secured

List All Endorsers or Guarantors (if any) to item A

1. Full Name, Mailing Address and ZIP Code None	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 Bruce Smith 972 Billy Bryant Rd. Collierville, TN. 38017	Original Amount of Loan 900	Cumulative Payment To Date 900 Transferred to Contribution	Balance Outstanding at Close of This Period -0-
--	---------------------------------------	--	---

Election: Primary General Other (specify):

Terms: Date Incurred 6/7/62 Date Due 6/5/62 Interest Rate 6 % (apx) Secured

List All Endorsers or Guarantors (if any) to item B

1. Full Name, Mailing Address and ZIP Code None	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding: \$		
2. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding: \$		
3. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding: \$		

SUBTOTALS This Period This Page (optional) **-0-**

TOTALS This Period (last page in this line only)

Copy outstanding balance only to LINE 3, Schedule D, for this loan. If no Schedule D, copy forward to appropriate line of Summary.

84030442164

Attachment # 11

Name of Committee (in Full)
Harold Byrd for Congress

A. Full Name, Mailing Address and ZIP Code of Loan Source Mrs. Bruce Smith 972 Billy Bryant Road Collierville, TN 38017 Election: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Original Amount of Loan 600	Cumulative Payment To Date 600 Transferred to Contribution	Balance Outstanding at Close of This Period -0-
--	--------------------------------	--	--

Terms: Date Incurred 6/7/82 Date Due 8/5/82 Interest Rate 8 % (APR) Secured

List All Endorsers or Guarantors (if any) to item A

1. Full Name, Mailing Address and ZIP Code None	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 Election: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Original Amount of Loan	Cumulative Payment To Date	Balance Outstanding at Close of This Period
--	-------------------------	----------------------------	---

Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % (APR) Secured

List All Endorsers or Guarantors (if any) to item B

1. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding: \$		
2. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding: \$		
3. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding: \$		

SUBTOTALS This Period This Page (optional)	-0-
TOTALS This Period (last page in this line only)	-0-

Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.

84030442165

REPORT OF RECEIPTS AND DISBURSEMENTS
For an Authorized Committee

(Summary Page)

1. Name of Committee (in Full) Harold Byrd for Congress	2. FEC Identification Number C00147223
Address (Number and Street) 6634 Rainbrook Lane	3. Is this Report an Amendment? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
City, State and ZIP Code Memphis, TN 38134	<input type="checkbox"/> Check if address is different than previously reported.

4. TYPE OF REPORT

<input type="checkbox"/> April 15 Quarterly Report	<input type="checkbox"/> Twelfth day report preceding _____ (Type of Election)
<input type="checkbox"/> July 15 Quarterly Report	election on _____ in the State of _____
<input type="checkbox"/> October 15 Quarterly Report	<input type="checkbox"/> Thirtieth day report following the General Election
<input checked="" type="checkbox"/> January 31 Year End Report	on _____ in the State of _____
<input type="checkbox"/> July 31 Mid Year Report (Non-election Year Only)	<input type="checkbox"/> Termination Report

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

SUMMARY	Column A This Period	Column B Calendar Year-to-Date
5. Covering Period <u>10/1/82</u> Through <u>12/31/82</u>		
6. Net Contributions (other than loans):		
2 (a) Total Contributions (other than loans) (from Line 11e)	\$	\$ 93,649
4 (b) Total Contribution Refunds (from Line 20d)	\$	\$ 3,400
4 (c) Net Contributions (other than loans) (Subtract Line 6b from 6a)	\$	\$ 90,249
7. Net Operating Expenditures:		
3 (a) Total Operating Expenditures (from Line 17)	\$ 1,488	\$ 194,474
0 (b) Total Offsets to Operating Expenditures (from Line 14)	\$	\$
4 (c) Net Operating Expenditures (Subtract Line 7b from 7a)	\$ 1,488	\$ 194,474
08. Cash on Hand at Close of Reporting Period (from Line 27)	\$ 813	
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)	\$	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	\$ 102,313	

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

For further information, contact:

Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4068

Donald White, Jr.
Type or Print Name of Treasurer

Donald White, Jr.
SIGNATURE OF TREASURER

11/15/83
Date

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

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

--	--	--	--	--	--	--	--

FEC FORM 3 (3/80)

Attachment III

(13)

**DETAILED SUMMARY PAGE
of Receipts and Disbursements
(Page 2, FEC FORM 3)**

Name of Committee (in Full)
Harold Byrd for Congress

Report Covering the Period:
From: **10/1/82** To: **12/31/82**

84030442167

	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		87,199
(Memo Entry Unitemized \$ _____)		
(b) Political Party Committees		
(c) Other Political Committees		6,350
(d) The Candidate		100
(e) TOTAL CONTRIBUTIONS (other than loans) (add 11a, 11b, 11c and 11d)		93,649
12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES		
13. LOANS:		
(a) Made or Guaranteed by the Candidate	1,488	103,167
(b) All Other Loans		2,500
(c) TOTAL LOANS (add 13a and 13b)	1,488	105,667
14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)		
15. OTHER RECEIPTS (Dividends, Interest, etc.)		225
16. TOTAL RECEIPTS (Add 11e, 12, 13c, 14 and 15)	1,488	199,541
II. DISBURSEMENTS		
17. OPERATING EXPENDITURES	1,488	194,474
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES		
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate		854
(b) Of All Other Loans		
(c) TOTAL LOAN REPAYMENTS (add 19a and 19b)		854
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees		3,400
(b) Political Party Committees		
(c) Other Political Committees		
(d) TOTAL CONTRIBUTION REFUNDS (add 20a, 20b and 20c)		3,400
21. OTHER DISBURSEMENTS		
22. TOTAL DISBURSEMENTS (Add 17, 18, 19c, 20d and 21)	1,488	198,728

III. CASH SUMMARY		
23. CASH ON HAND AT BEGINNING OF THE REPORTING PERIOD	\$	813
24. TOTAL RECEIPTS THIS PERIOD (From Line 16)	\$	1,488
25. SUBTOTAL (Add Line 23 and Line 24)	\$	2,301
26. TOTAL DISBURSEMENTS THIS PERIOD (From Line 22)	\$	1,488
27. CASH ON HAND AT CLOSE OF THE REPORTING PERIOD (Subtract Line 26 from 25)	\$	813

Attachment III 14

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

Name of Committee (in Full)

Harold Byrd for Congress

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
C. A. Davis Printing 349-351 North Main Street Memphis, TN 38134	Printing	12/16/82	1,488
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		

SUBTOTAL of Disbursements This Page (optional)	
TOTAL This Period (last page this line number only)	1,488

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15

Attachment JFF

84030442169

Name of Committee (in Full) Harold Byrd for Congress			
A. Full Name, Mailing Address and ZIP Code of Loan Source Harold Byrd 6634 Rainbrook Memphis, TN 38134	Original Amount of Loan 24,353 62,326 1,488	Cumulative Payment To Date 854	Balance Outstanding at Close of This Period 87,313
Election: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
Terms: Date Incurred <u>6/7/82</u> Date Due _____ Interest Rate <u>None</u> % (apr) <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			
Bank of Bartlett Bartlett, TN	Original Amount of Loan 15,000	Cumulative Payment To Date -0-	Balance Outstanding at Close of This Period 15,000
Personal Loan to Harold Byrd			
Election: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
Terms: Date Incurred <u>6/7/82</u> Date Due <u>3/7/82</u> Interest Rate <u>Prime</u> % (apr) <input type="checkbox"/> Secured			
List All Endorsers or Guarantors (if any) to Item B			
1. Full Name, Mailing Address and ZIP Code Harold Byrd 6634 Rainbrook Lane Memphis, TN 38134	Name of Employer Byrd Brothers		
	Occupation Farmer		
	Amount Guaranteed Outstanding: \$ 15,000		
2. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding: \$		
3. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding: \$		
SUBTOTALS This Period This Page (optional)			
TOTALS This Period (last page in this line only)			102,313
Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.			

Attachment

(16)

RECEIVED AT THE FEC
GCC#967
83 OCT 17 P2:10

83 OCT 17 P2:57

October 12, 1983

TO: Federal Election Commission
C/O Mr. Conley Edwards, Jr.
Washington, D.C, 20463

From: Donald White, Jr., Treasurer
Harold Byrd For Congress
6634 Rainbrook Lane
Memphis, TN 38134

Subject: MUR 1559

Dear Mr. Edwards:

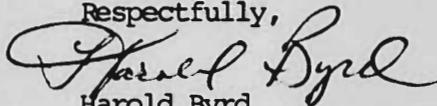
We have been advised that we are in violation of 2 U.S.C. 434 (A) (2) (A) (iii), a provision of the Federal Election Campaign Act of 1971 by failing to file the committee's 1982 October 15th Quarterly and year end reports.

We regret these violations and ask to correct inadequacies of our reporting through settlement provided under conciliation in 11 C.F.R. 111.18(d).

The treasurer of the campaign has taken leave of absence from his C.P.A. firm (Cannon, Phillips. & White) and assumed the chief administrative official position under the new mayoral administration (Mayor Dick Hackett) in Memphis. This change was effected in 8-82 and Donald White will continue as CAO under Mayor Dick Hackett.

Therefore, due to the high level of activity we are in error and respectfully ask for your consideration in giving us time to correct this situation.

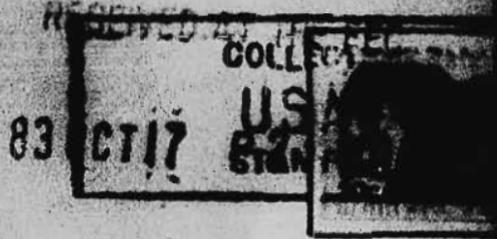
Respectfully,



Harold Byrd
HB/da

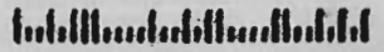
34030442170

HAROLD W. BYRD
97 Rainbrook Lane
Memphis, Tennessee 38134



840304421

Federal Election Commission
c/o Mr. Conley Edwards, Jr.
Washington, D.C. 20463





FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 6, 1983

Donald White, Jr., Treasurer
Harold Byrd for Congress
2670 Union Avenue Extended
Suite 1112
Memphis, Tennessee 38112

RE: MUR 1559

Dear Mr. White:

On October 4, 1983, the Commission found reason to believe that Harold Byrd for Congress and you as Treasurer of Harold Byrd for Congress, violated 2 U.S.C. § 434(a)(2)(A)(iii), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") by failing to file the committee's 1982 October 15th Quarterly and Year End Reports. 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. 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, or 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 you so desire. 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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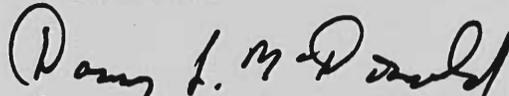
Donald White, Jr.

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 Conley Edwards, Jr. at (202) 523-4060.

Sincerely,


Danny L. McDonald,
Chairman

Enclosures

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

cc: Harold W. Byrd

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT	Harold Byrd for Congress and Donald White, Jr., Treasurer	MUR NO. <u>1559</u> STAFF MEMBER AND TELEPHONE NUMBER <u>Conley Edwards, Jr.</u> <u>(202) 523-4060</u>
------------	--	--

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

SUMMARY OF ALLEGATIONS

The Harold Byrd for Congress committee's (hereinafter "the Committee") continued failure to file its 1982 October 15th Quarterly Report.

FACTUAL BASIS AND LEGAL ANALYSIS

On September 21, 1982, the Committee was notified that the October Quarterly Report was due on October 15, 1982. On January 17, 1983, the Committee was notified that the Clerk of the House of Representatives had not received the report. On April 12, 1983, the Reports Analysis Division tried unsuccessfully to contact a representative of the Committee. The last report filed by the Committee was its July 15th Quarterly Report.

2 U.S.C. § 434(a)(2)(A)(iii) requires that all principal campaign committees of a candidate for the House of Representatives shall file

additional quarterly reports, which shall be filed no later than the 15th day after the last day of each calendar quarter, and which

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shall be complete as of the last day of each calendar quarter; except that the report for the quarter ending December 31 shall be filed no later than January 31 of the following calendar year.

Additionally, 2 U.S.C. § 434(a) (1) states that:

Each treasurer of a political committee shall file reports of receipts and disbursements in accordance with the provisions of this subsection. The treasurer shall sign each such report.

Based on the above statement of facts, it appears that Harold Byrd for Congress and Donald White, Jr., as Treasurer of the Committee, violated 2 U.S.C. § 434 by failing to file the Committee's 1982 October 15th Quarterly Report. Therefore, the Office of General Counsel recommends that reason to believe be found against Donald White, Jr., as Treasurer of Harold Byrd for Congress.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Donald White, Jr., Treasurer
Harold Byrd for Congress
2670 Union Avenue Extended
Suite 1112
Memphis, Tennessee 38112

RE: MUR 1559

Dear Mr. White:

On _____, 1983, the Commission found reason to believe that Harold Byrd for Congress and you as Treasurer of Harold Byrd for Congress, violated 2 U.S.C. § 434(a)(2)(A)(iii), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") by failing to file the committee's 1982 October 15th Quarterly and Year End Reports. 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. 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, or 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 you so desire. 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.

84030442176

Donald White, Jr.
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 Conley Edwards, Jr. at (202) 523-4060.

Sincerely,

Enclosures

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

cc: Harold W. Byrd

840304442177

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Harold Byrd for Congress) MUR 1559
Donald White, Jr., Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session on October 4, 1983, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1559:

1. Find reason to believe that Harold Byrd for Congress Committee and Donald White, Jr., as Treasurer to the Harold Byrd for Congress Committee, violated 2 U.S.C. §434(a)(2)(A)(iii) by failing to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports.
2. Send the Factual and Legal Analysis attached to the General Counsel's report dated September 21, 1983, and an appropriate letter.

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

Attest:

10/7/83

Date

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

84030442178



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL
FROM: MARJORIE W. EMMONS/JODY C. RANSOM *JCR*
DATE: SEPTEMBER 29, 1983
SUBJECT: OBJECTION - MUR 1559 First General
Counsel's Report dated September 23,
1983

The above-named document was circulated to the
Commission on Monday, September 26, 1983 at 11:00.

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

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

This matter will be placed on the Executive Session
agenda for Tuesday, October 4, 1983.

84030442179



FEDERAL ELECTION COMMISSION
 WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
 FROM: Office of General Counsel *OK*
 DATE: September 23, 1983
 SUBJECT: MUR 1559 - 1st GC Rpt

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

CIRCULATIONS

DISTRIBUTION

48 Hour Tally Vote	<input checked="" type="checkbox"/>	Compliance	<input checked="" type="checkbox"/>
Sensitive	<input checked="" type="checkbox"/>	Audit Matters	<input type="checkbox"/>
Non-Sensitive	<input type="checkbox"/>	Litigation	<input type="checkbox"/>
24 Hour No Objection	<input type="checkbox"/>	Closed MUR Letters	<input type="checkbox"/>
Sensitive	<input type="checkbox"/>	Status Sheets	<input type="checkbox"/>
Non-Sensitive	<input type="checkbox"/>	Advisory Opinions	<input type="checkbox"/>
Information	<input type="checkbox"/>	Other (see distribution below)	<input type="checkbox"/>
Sensitive	<input type="checkbox"/>		
Non-Sensitive	<input type="checkbox"/>		
Other	<input type="checkbox"/>		

84030442180

SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

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

FIRST GENERAL COUNSEL'S REPORT

83 SEP 23 P 3: 13

DATE AND TIME OF TRANSMITTAL BY
OGC TO THE COMMISSION 9-23-83

MUR NO. 1559
STAFF MEMBER
Conley Edwards, Jr.

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

RESPONDENT'S NAME: Harold Byrd for Congress
Donald White, Jr., Treasurer

RELEVANT STATUTE: 2 U.S.C. § 434(a)(2)(A)(iii)

INTERNAL REPORTS CHECKED: Committee Reports

FEDERAL AGENCIES CHECKED: None

GENERATION OF MATTER

This matter was referred to the Office of General Counsel for review as a result of the continued failure of the Harold Byrd for Congress committee (hereinafter "the Committee"), the principal campaign committee of Harold W. Byrd, to file its 1982 October 15th Quarterly Report. Mr. Byrd lost the election with 40.8 percent of the vote. On July 19, 1983, the Commission voted to initiate a compliance action in this matter.

FACTUAL AND LEGAL ANALYSIS

On September 21, 1982, the Committee was notified that the October Quarterly Report was due on October 15, 1982. On January 17, 1983, the Committee was notified that the Clerk of the House of Representatives had not received the report. On April 12, 1983, the Reports Analysis Division made an unsuccessful attempt to contact a representative of the Committee. The last report filed by the Committee was its July 15th Quarterly Report. Attachment I.

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2 U.S.C. § 434(a)(2)(A)(iii) requires that all principal campaign committees of a candidate for the House of Representatives shall file

additional quarterly reports, which shall be filed no later than the 15th day after the last day of each calendar quarter, and which shall be complete as of the last day of each calendar quarter; except that the report for the quarter ending December 31 shall be filed no later than January 31 of the following calendar year.

Based on the above statement of facts, it appears that the Committee and Donald White, Jr., as Treasurer of the Committee, violated 2 U.S.C. § 434(a)(2)(A)(iii) by failing to file the Committee's 1982 October 15th Quarterly and Year End Reports.

RECOMMENDATIONS

1. Find reason to believe that Harold Byrd for Congress Committee and Donald White, Jr., as Treasurer to the Harold Byrd for Congress Committee, violated 2 U.S.C. § 434(a)(2)(A)(iii) by failing to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports.
2. Approve and send attached letter and General Counsel's Factual and Legal Analysis.

Charles N. Steele
General Counsel

Sept 21, 1983
Date

BY:

Kenneth A. Gross
Kenneth A. Gross
Associate General Counsel

Attachments

July 15th Quarterly Report
Letter
General Counsel's Factual and Legal Analysis

84030442182

8/5
 097586
 3412 ✓

1. Name of Committee (in Full)
HAROLD BYRD FOR CONGRESS

2. FEC Identification Number
C00147223

Address (Number and Street)
2670 Union Extended, Suite 1112

3. Is this Report an Amendment?
 YES NO

City, State and ZIP Code Check if address is different than previously reported.
Memphis, Tennessee 38112

OFFICE OF THE CLERK
 U.S. HOUSE OF REPRESENTATIVES
 1002 AUG
 RECEIVING DIVISION
 245

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 election on 8-5-82 in the State of Tennessee
 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

842031024231933

SUMMARY		Column A This Period	Column B Calendar Year to-Date
5. Covering Period	<u>7/1/82</u> Through <u>7/16/82</u>		
6. Net Contributions (other than loans):			
(a) Total Contributions (other than loans) (from Line 11a)	\$ 7,720	\$ 80,850	
(b) Total Contribution Refunds (from Line 20d)	\$	\$	
(c) Net Contributions (other than loans) (Subtract Line 6b from 6a)	\$ 7,720	\$ 80,850	
7. Net Operating Expenditures:			
(a) Total Operating Expenditures (from Line 17)	\$ 8,091	\$ 115,535	
(b) Total Offsets to Operating Expenditures (from Line 14)	\$	\$	
(c) Net Operating Expenditures (Subtract Line 7b from 7a)	\$ 8,091	\$ 115,535	
8. Cash on Hand at Close of Reporting Period (from Line 17)	\$ 7,701		
9. Debts or Other Liabilities Owed TO the Committee (Itemize all on Schedule C or Schedule D)	\$		
10. Debts or Other Liabilities Owed BY the Committee (Itemize all on Schedule C or Schedule D)	\$ 41,853		

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

For further information, call 800-

Donald White, Jr.
 Type or Print Name of Treasurer

Federal Election Commission
 Toll Free 800-424-9668
 Local 202-423-4038

Harold Byrd
 Signature of the Candidate
 Date 7/21/82

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. § 3056.

All previous editions of FEC FORM 280 and FEC FORM 280A are obsolete and should no longer be used.

AC 8/6	K-8-11 F							FEC FORM 280 (2001)
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Attachment I

TR
 10-4

1

Name of Committee (in Full)

HAROLD BYRD FOR CONGRESS

Report Covering the Period:

From: 7/1/82

To: 7/16/82

I. RECEIPTS

11. CONTRIBUTIONS (other than loans) FROM:

(a) Individuals/Persons Other Than Political Committees
 (Memo Entry Unitemized \$ 2445)

(b) Political Party Committees

(c) Other Political Committees

(d) The Candidate

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

12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES

13. LOANS:

(a) Made or Guaranteed by the Candidate

(b) All Other Loans

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

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

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

16. TOTAL RECEIPTS (Add 11a, 12, 13c, 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 19a and 19b)

20. REFUNDS OF CONTRIBUTIONS TO:

(a) Individuals/Persons Other Than Political Committees

(b) Political Party Committees

(c) Other Political Committees

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

21. OTHER DISBURSEMENTS

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

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF THE 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)

	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
11. CONTRIBUTIONS (other than loans) FROM:		
(a) Individuals/Persons Other Than Political Committees	6,720	76,650
(b) Political Party Committees		
(c) Other Political Committees	1,000	4,100
(d) The Candidate		100
(e) TOTAL CONTRIBUTIONS (other than loans) (add 11a, 11b, 11c and 11d)	7,720	80,850
12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES		
13. LOANS:		
(a) Made or Guaranteed by the Candidate		39,353
(b) All Other Loans		2,500
(c) TOTAL LOANS (add 13a and 13b)		41,853
14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)		
15. OTHER RECEIPTS (Dividends, Interest, etc.)		225
16. TOTAL RECEIPTS (Add 11a, 12, 13c, 14 and 15)	7,720	122,928
II. DISBURSEMENTS		
17. OPERATING EXPENDITURES	8,091	115,595
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 19a and 19b)		
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees		
(b) Political Party Committees		
(c) Other Political Committees		
(d) TOTAL CONTRIBUTION REFUNDS (add 20a, 20b and 20c)		
21. OTHER DISBURSEMENTS		
22. TOTAL DISBURSEMENTS (Add 17, 18, 19c, 20d and 21)	8,091	115,595

8 7 6 0 2 4 2 4 3 1 9 3 7 2

7,704
 7,720
 15,424
 8,091
 7,333

(2)

Attachment I (p. 2)



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Donald White, Jr., Treasurer
Harold Byrd for Congress
2670 Union Avenue Extended
Suite 1112
Memphis, Tennessee 38112

RE: MUR 1559

Dear Mr. White:

On , 1983, the Commission found reason to believe that you, as Treasurer of Harold Byrd for Congress, violated 2 U.S.C. § 434(a)(2)(A)(iii), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") by failing to file your 1982 October 15th Quarterly and Year End Reports. 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. 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 you, 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 you so desire. 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.

84030442135

Donald White, Jr.
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 Conley Edwards, Jr. at (202) 523-4060.

Sincerely,

Enclosures

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

cc: Harold Byrd

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT	Harold Byrd for Congress and Donald White, Jr., Treasurer	MUR NO. <u>1559</u> STAFF MEMBER AND TELEPHONE NUMBER <u>Conley Edwards, Jr.</u> <u>(202) 523-4060</u>
------------	--	--

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

SUMMARY OF ALLEGATIONS

The Harold Byrd for Congress committee's (hereinafter "the Committee") continued failure to file its 1982 October 15th Quarterly and Year End Reports.

FACTUAL BASIS AND LEGAL ANALYSIS

On September 21, 1982, the Committee was notified that the October Quarterly Report was due on October 15, 1982. On January 17, 1983, the Committee was notified that the Clerk of the House of Representatives had not received the report. On April 12, 1983, the Reports Analysis Division tried unsuccessfully to contact a representative of the Committee. The last report filed by the Committee was its July 15th Quarterly Report.

2 U.S.C. § 434(a)(2)(A)(iii) requires that all principal campaign committees of a candidate for the House of Representatives shall file

additional quarterly reports, which shall be filed no later than the 15th day after the last day of each calendar quarter, and which

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shall be complete as of the last day of each calendar quarter; except that the report for the quarter ending December 31 shall be filed no later than January 31 of the following calendar year.

Based on the above statement of facts, it appears that Harold Byrd for Congress and Donald White, Jr., as Treasurer of the Committee, violated 2 U.S.C. § 434(a)(2)(A)(iii) by failing to file the Committee's 1982 October 15th Quarterly and Year End Reports. Therefore, the Office of General Counsel recommends that reason to believe be found against Harold Byrd for Congress and Donald White, Jr., as Treasurer of Harold Byrd for Congress.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Harold Byrd for Congress) RAD Referral 83NF-5

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 19, 1983, the Commission decided by a vote of 5-0 to open a MJR in the above-captioned matter.

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

Attest:

7-20-83

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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

7-14-83, 5:11
7-15-83, 2:00

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SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

83 JUL 14 P 5: 11

July 14, 1983

MEMORANDUM

TO : The Commission

FROM : Charles N. Steele
General Counsel

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

SUBJECT: RAD Referral 83NF-5
Harold Byrd for Congress

The Office of General Counsel has prepared for Commission review twenty-seven (27) critiques of referrals from the Reports Analysis Division.

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

Attachments
Critique and Referral

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RAD REFERRAL NUMBER: 83NF-5
SUBJECT: Harold Byrd for Congress

Background

1. Date of referral: April 20, 1983
2. Financial background:
 - a. Total 1981-1982 receipts: \$122,928
 - b. Total 1981-1982 disbursements: \$115,595
 - c. Cash on hand (June 30, 1982): \$7,704
 - d. Debts owed to the committee (June 30, 1982): 0
 - e. Debts owed by the committee (June 30, 1982): \$41,853
3. Status of candidate

Harold Byrd, a Democrat, lost in the August 5, 1982, Tennessee primary receiving 40.8% of the vote. The winner received 59.2% of the vote.

Summary of RAD Actions

Referral category 1 (failure to file reports in violation of 2 U.S.C. § 434(a)(2)(A)(iii))

On September 21, 1982, the committee was notified that the October Quarterly Report was due on October 15, 1982. On January 17, 1983, the committee was notified that the Clerk of the House of Representatives had not received the report. On April 12, 1983, the RAD analyst tried unsuccessfully to contact the committee.

OGC Analysis

Pursuant to 2 U.S.C. § 434(a)(2)(A)(iii), the principal campaign committee of a candidate for the House of Representatives must file, in an election year, quarterly reports, which shall be filed no later than the 15th day after

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the last day of each calendar quarter: except that the report for the quarter ending December 31 shall be filed no later than January 31 of the following calendar year.

The last report filed by the committee was the July 15, 1982, Quarterly Report which covered up to June 30, 1982. Therefore, the committee appears to have violated 2 U.S.C. § 434(a)(2)(A)(iii) by not filing the October 15, 1982, and Year End 1982 Quarterly Reports. In light of the committee's substantial activity and outstanding debts and the fact that pre-election activity has gone unreported, the General Counsel recommends that the Commission open a MUR.

Recommendation

Open a MUR.

Attachment

RAD Referral

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

20 April 1983

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

THROUGH: B. ALLEN CLUTTER *pac*
STAFF DIRECTOR

FROM: JOHN D. GIBSON *J.D.G.*
ASSISTANT STAFF DIRECTOR, RAD

SUBJECT: REFERRAL OF THE OCTOBER QUARTERLY REPORT NON-FILERS

Attached are the referrals of four committees which failed to file timely the 1982 October Quarterly Report of Receipts and Disbursements. According to the Review and Referral Procedures, these matters require further examination by your office (Chart 1). One committee, the Mallot for U.S. House Committee, filed a Year End Report which incorporated the October Quarterly reporting period. The other committees, Harold Byrd for Congress, Barry Seward for Congress Committee and Bob Eberle for Congress have not filed the report.

In addition to their failure to file the October Quarterly Report, the committee's supporting Byrd, Seward, and Eberle failed to file their 1982 Year End Reports. This matter will not be referred to your office in accordance with the Review and Referral Procedures (Chart 1).

The Bob Eberle for Congress Committee was involved in another compliance matter. On January 14, 1983, the committee was referred for a possible audit. On February 1, 1983, the Commission voted not to audit the committee.

If you have any questions please contact the appropriate analyst or Daniel Zoller in the Reports Analysis Division.

Attachments

cc: Commissioners

34030442173

REPORTS ANALYSIS REFERRAL
TO
OFFICE OF GENERAL COUNSEL

DATE: 20 April 1983

ANALYST: Anthony Raymond

I. COMMITTEE: Harold Byrd for Congress
(C00147223) (TN-07)
Donald White, Jr., Treasurer
2670 Union Avenue Extended, Suite 1112
Memphis, TN 38112

II. RELEVANT STATUTE: 2 U.S.C. 434(a)(2)(A)(iii)

III. BACKGROUND:

Harold Byrd for Congress, the principal campaign committee, supporting Harold W. Byrd in the 1982 Tennessee Primary Election, failed to file the 1982 October Quarterly Report. Mr. Byrd lost the election with 40.8 percent of the vote. The winner received 59.2 percent (Attachment 2).

On September 21, 1982, the committee was notified that the October Quarterly Report was due on October 15, 1982 (Attachment 3). On January 17, 1983, the committee was notified that the Clerk of the House of Representatives had not received the report (Attachment 4). On April 12, 1983, the analyst tried unsuccessfully to contact the committee to obtain the report (Attachment 5).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None

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FEDERAL ELECTION COMMISSION
1981-1982

DATE 6APR83

CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

PAGE 3

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		EXPENDITURES		COVERAGE DATES	0 OF PAGES	MICROFILM LOCATION
			PRIMARY	GENERAL	PRIMARY	GENERAL			
BYRD, HAROLD W	HOUSE 07	DEMOCRATIC PARTY			TENNESSEE		1982 ELECTION	ID0 H2TN07012	
1. STATEMENT OF CANDIDATE							30NOV81	1	81HSE/206/0641
1981 STATEMENT OF CANDIDATE									
2. CANDIDATE REPORTS OF RECEIPTS & EXPENDITURES									
3. PRINCIPAL CAMPAIGN COMMITTEE									
HAROLD BYRD FOR CONGRESS							ID0 C00147223	HOUSE	
1981 STATEMENT OF ORGANIZATION							30NOV81	1	81HSE/206/0641
YEAR-END			100				23NOV81 -31DEC81	2	82HSE/210/3000
1982 APRIL QUARTERLY			27,199		2,268		1JAN82 -31MAR82	10	82HSE/214/4051
APRIL QUARTERLY - AMENDMENT			27,199		2,268		1JAN82 -31MAR82	10	82HSE/217/4494
REQUEST FOR ADDITIONAL INFORMATION								2	B2FEC/232/1701
REQUEST FOR ADDITIONAL INFORMATION 2ND							1JAN82 -31MAR82	1	B2FEC/234/1850
PRE-PRIMARY			7,720		8,091		1JUL82 -16JUL82	9	82HSE/223/0500
PRE-PRIMARY - AMENDMENT			7,720		8,091		1JUL82 -16JUL82	9	82HSE/223/3871
JULY QUARTERLY			87,909		105,236		1APR82 -30JUN82	15	82HSE/232/0482
REQUEST FOR ADDITIONAL INFORMATION							1APR82 -30JUN82	1	B2FEC/248/2351
REQUEST FOR ADDITIONAL INFORMATION 2ND							1APR82 -30JUN82	2	B2FEC/253/2326
1983 MISCELLANEOUS REPORT							17JAN83 FROM FEC	1	B3FEC/261/4470
TOTAL			122,928	0	115,595		0	43	TOTAL PAGES
4. AUTHORIZED COMMITTEES							ID0 C00162180	HOUSE	
7TH DISTRICT DEMOCRATIC CONGRESSIONAL COMMITTEE							24SEP82	1	82HSE/226/1326
1982 STATEMENT OF ORGANIZATION								1	TOTAL PAGES
								1	AUTH TOT PAGES
4B. TRANSFERS IN FROM JOINT FUNDRAISING COMMITTEES									

*Denotes reports which received basic review.

Cash-on-Hand as of July 16, 1982 -- \$7,333.00

Debts as of July 16, 1982 -- \$41,853.00

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SENATE

Candidate	Residence	Age	Occupation	Vote	Percent
*Jim Sasser (D)	Nashville	45	Incumbent	466,970	88.4
Charles G. Vick (D)	Memphis	57	Salesman	61,013	11.6
*Robin L. Beard (R)	Franklin	42	U.S. representative	186,979	90.8
William B. Thompson Jr. (R)	Memphis	45	Salesman	18,866	9.2

GOVERNOR

Candidate	Residence	Age	Occupation	Vote	Percent
Anna Belle Clement O'Brien (D)	Crossville	59	State senator	234,706	40.0
*Randy Tyree (D)	Knoxville	42	Knoxville mayor	293,078	50.0
John G. Love (D)	Johnson City	57	Former Johnson City mayor	10,044	1.7
Tommy McKnight (D)	Jackson	47	Former state representative	9,886	1.7
Tom Henry (D)	Lehannon	44	Former director, state Commission on Aging	17,599	3.0
Luther M. Kindall (D)	Knoxville	39	Psychology professor	7,051	1.2
Boyce McCall (D)	Knoxville	50	Electrical contractor	2,417	0.4
Virginia Nyabongo (D)	Nashville	69	Retired professor	5,642	1.0
James W. Thomas (D)	Lewisburg	37	Engineering and electronics consultant	5,577	1.0
*Lamar Alexander (R)	Nashville	42	Incumbent	Unopposed	

HOUSE

District	Location	Candidate	Residence	Age	Occupation	Vote	Percent
1	Northeast — Tri-cities	*Jessie J. Cable (D)	Jonesboro		Former	Unopposed	
		*James H. Guillen (R)	Kingsport	66	Incumbent	Unopposed	
2	East — Knoxville	No Democratic Candidate					
		*John J. Duncan (R)	Knoxville	63	Incumbent	Unopposed	
3	Southeast — Chattanooga, Oak Ridge	*Marilyn Lloyd Bouquard (D)	Chattanooga	53	Incumbent	46,183	83.0
		Stephen L. Roberts (D)	Altamont	34	Former Altamont mayor	9,460	17.0
		*Glen Byers (R)	Cleveland	45	Physician	Unopposed	
4	Northeast and South Central	*Jim Cooper (D)	Shelbyville	28	Lawyer	48,626	68.0
		Buddy Perry (D)	Winchester	35	Lawyer	22,811	32.0
		*Cissy Baker (R)	Huntsville	26	Former television news editor	18,226	55.3
		Marianna Frost (R)	Prospect	43	Former and minister	8,806	26.7
		Ronald C. Winkles (R)	Morristown	36	Former military science professor	5,949	18.0
5	Nashville	*Bill Boner (D)	Nashville	37	Incumbent	61,817	88.2
		Nick Cupido (D)	Nashville	52	Liquor store owner	8,287	11.8
		*Laural Steinhice (R)	Nashville	46	Political activist	Unopposed	
6	North Central — Murfreesboro	*Albert Gore Jr. (D)	Carthage	34	Incumbent	Unopposed	
		No Republican Candidate					
7	West Central — Clarksville, part of Shelby County	*Bob Clement (D)	Dickson	38	Former Tennessee public service commissioner	35,954	59.2
		Harold Byrd (D)	Memphis	31	State representative	24,815	40.8
		*Don Sundquist (R)	Memphis	46	Advertising executive	Unopposed	
8	West — Jackson, part of Shelby County	*Ed Jones (D)	Yorkville	70	Incumbent	58,625	67.4
		Larry Bates (D)	Martin	37	Former state representative	28,331	32.6
		*Bruce Benson (R)	Memphis	33	Businessman	Unopposed	
9	Memphis	*Harold E. Ford (D)	Memphis	37	Incumbent	58,822	84.1
		Mark F. Flanagan (D)	Memphis	39	Businessman	11,149	15.9
		Joe Crawford (R)	Memphis	35	Alcohol and drug abuse counselor	Unopposed	

*Nominer



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 21, 1982

October Filing Notice for Unauthorized Political Committees Filing Third Quarterly or Monthly Reports of Receipts and Disbursements

This notice summarizes the October reporting obligations of political committees which are not authorized by any Federal candidate. The notice explains requirements for filing reports of receipts and disbursements under the Federal Election Campaign Act of 1971, as amended.

THIRD QUARTERLY REPORT

Unauthorized political committees (i.e., committees not authorized by any Federal candidate) must file the Third Quarterly Report unless they are filing on a monthly basis (see below).

On this report, committees must disclose all reportable transactions from the later of:

- The date of registration, if this is the committee's first report; or
- The date of the close of books of the last report filed.

The Third Quarterly Report must disclose all financial activity of the committee not previously disclosed through September 30, 1982, and must be filed regardless of the amount of financial activity involved during the reporting period.

The Third Quarterly Report may be hand delivered no later than close of business October 15, 1982. Reports mailed first-class must be received no later than close of business October 15, 1982. Reports sent by registered or certified mail must be post-marked no later than midnight October 15. 11 CFR 104.5(c)(1)(i) and 104.5(e).

NOTE: If a committee filing on a quarterly basis makes contributions or expenditures in connection with the primary or general election(s) and such disbursements have not been previously reported, the committee must also file a Pre-election Report of Receipts and Disbursements. (Information concerning the general election reporting requirements will be mailed to all unauthorized committees prior to the election.)

MONTHLY REPORT

Unauthorized committees reporting on a monthly filing schedule must file their monthly report by October 20, covering activity from September 1 through September 30, 1982. This report is filed in lieu of the Third Quarterly Report. 11 CFR 104.5(c)(3).

WHAT FORM TO USE

All unauthorized political committees should use FEC Form 3X with appropriate schedules for filing the report. If an unauthorized committee has qualified as a multicandidate committee during this reporting period, it should check the appropriate box on page one of FEC Form 3X. (See FEC Regulations at 100.5(e)(3) for the definition of a multicandidate committee.)

WHERE TO FILE

Committees should consult the instructions on the reverse side of the Summary Page of the reporting form for details on where to file their reports.

FAILURE TO FILE REPORTS

Committees should be aware that failure to file required reports may result in compliance proceedings under the provisions of the Federal Election Campaign Act. According to a revised Commission policy, although political committees that are not authorized by any Federal candidate will no longer receive mailgram notification of their failure to file reports, they nevertheless remain fully liable for failure to file any report required under the Act.

(continued)

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MSF

17 January 1983

Donald White, Jr., Treasurer
Harold Byrd for Congress
2670 Union Avenue Extended,
Suite 1112
Memphis, TN 38112

Identification Number: C00147223

Dear Mr. White:

It has come to the attention of the Federal Election Commission that you may have failed to file the October Quarterly Report of Receipts and Expenditures as required by the Federal Election Campaign Act. Prior notice was sent to you on September 21, 1982 advising you that the October Quarterly Report (covering the period from the closing date of your last report or from the date of registration, whichever is later, through September 30, 1982) was due on October 15, 1982.

It is important for your report to be available on a timely basis for the public record. The report should be filed immediately with the Clerk of the House, Office of Records and Registration, 1036 Longworth House Office Building, Washington, DC 20515, or the Secretary of the Senate, Office of Public Records, 119 D Street, NE, Washington, DC 20510, as appropriate. A copy of the report should also be filed with the Secretary of State or equivalent state officer.

The failure to file the October Quarterly Report may result in audit or legal enforcement action.

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

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

84030442198

7

MEMORANDUM FOR FILES

RE: Non-Filer TELECON

DATE: 4/12/83

FROM: Tony Raymond

TO:

NAME OF COMMITTEE: HAROLD BYRD FOR CONGRESS

Several attempts were made to reach the committee. Information was unable to locate the treasurer, candidate nor the committee under the listings.

84030442199

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 20 April 1983ANALYST: Anthony Raymond

I. COMMITTEE: Harold Byrd for Congress
(C00147223) (TN-07)
Donald White, Jr., Treasurer
2670 Union Avenue Extended, Suite 1112
Memphis, TN 38112

II. RELEVANT STATUTE: 2 U.S.C. 434(a)(2)(A)(iii)

III. BACKGROUND:

Harold Byrd for Congress, the principal campaign committee, supporting Harold W. Byrd in the 1982 Tennessee Primary Election, failed to file the 1982 October Quarterly Report. Mr. Byrd lost the election with 40.8 percent of the vote. The winner received 59.2 percent (Attachment 2).

On September 21, 1982, the committee was notified that the October Quarterly Report was due on October 15, 1982 (Attachment 3). On January 17, 1983, the committee was notified that the Clerk of the House of Representatives had not received the report (Attachment 4). On April 12, 1983, the analyst tried unsuccessfully to contact the committee to obtain the report (Attachment 5).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None

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SENATE

Candidate	Residence	Age	Occupation	Vote	Percent
* Jim Sasser (D)	Nashville	45	Incumbent	446,970	88.4
Charles G. Vick (D)	Memphis	57	Salesman	61,013	11.6
* Robin L. Beard (R)	Franklin	42	U.S. representative	186,979	90.8
William B. Thompson Jr. (R)	Memphis	45	Salesman	18,866	9.2

GOVERNOR

Candidate	Residence	Age	Occupation	Vote	Percent
Anna Belle Clement O'Brien (D)	Crossville	59	State senator	234,706	40.0
* Randy Tyree (D)	Knoxville	42	Knoxville mayor	293,078	50.0
John G. Love (D)	Johnson City	57	Former Johnson City mayor	10,044	1.7
Tommy McKnight (D)	Jackson	47	Former state representative	9,886	1.7
Tom Henry (D)	Lebanon	44	Former director, state Commission on Aging	17,599	3.0
Luther M. Kindall (D)	Knoxville	39	Psychology professor	7,051	1.2
Boyce McCall (D)	Knoxville	50	Electrical contractor	2,417	0.4
Virginia Nyabongo (D)	Nashville	69	Retired professor	5,642	1.0
James W. Thomas (D)	Lewisburg	37	Engineering and electronics consultant	5,577	1.0
* Lamar Alexander (R)	Nashville	42	Incumbent	Unopposed	

HOUSE

District	Location	Candidate	Residence	Age	Occupation	Vote	Percent
1	Northeast — Tri-cities	* Jessie J. Cable (D)	Jonesboro		Farmer	Unopposed	
		* James H. Quillen (R)	Kingsport	66	Incumbent	Unopposed	
2	East — Knoxville	No Democratic Candidate					
		* John J. Duncan (R)	Knoxville	63	Incumbent	Unopposed	
3	Southeast — Chattanooga, Oak Ridge	* Marilyn Lloyd Bouquard (D)	Chattanooga	53	Incumbent	46,183	83.0
		Stephen L. Roberts (D)	Altamont	34	Former Altamont mayor	9,460	17.0
		* Glen Byers (R)	Cleveland	45	Physician	Unopposed	
4	Northeast and South Central	* Jim Cooper (D)	Shelbyville	28	Lawyer	48,626	68.0
		Buddy Perry (D)	Winchester	35	Lawyer	22,811	32.0
		* Cissy Baker (R)	Huntsville	26	Former television news editor	18,226	55.3
		Marianna Frost (R)	Prospect	43	Farmer and minister	8,806	26.7
5	Nashville	Ronald C. Winkles (R)	Morristown	36	Former military science professor	5,949	18.0
		* Bill Boner (D)	Nashville	37	Incumbent	61,817	88.2
		Nick Cupido (D)	Nashville	52	Liquor store owner	8,287	11.8
6	North Central — Murfreesboro	* Laurel Steinhice (R)	Nashville	46	Political activist	Unopposed	
		* Albert Gore Jr. (D)	Carthage	34	Incumbent	Unopposed	
7	West Central — Clarksville, part of Shelby County	No Republican Candidate					
		* Bob Clement (D)	Dickson	38	Former Tennessee public service commissioner	35,954	59.2
		Harold Byrd (D)	Memphis	31	State representative	24,815	40.8
8	West — Jackson, part of Shelby County	* Don Sundquist (R)	Memphis	46	Advertising executive	Unopposed	
		* Ed Jones (D)	Yorkville	70	Incumbent	58,625	67.4
		Larry Bates (D)	Martin	37	Former state representative	28,331	32.6
9	Memphis	* Bruce Benson (R)	Memphis	33	Businessman	Unopposed	
		* Harold E. Ford (D)	Memphis	37	Incumbent	58,822	84.1
		Mark F. Flanagan (D)	Memphis	39	Businessman	11,149	15.9
		Joe Crawford (R)	Memphis	35	Alcohol and drug abuse counselor	Unopposed	

* Numerical



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 21, 1982

**October Filing Notice for Unauthorized Political Committees
Filing Third Quarterly or Monthly
Reports of Receipts and Disbursements**

This notice summarizes the October reporting obligations of political committees which are not authorized by any Federal candidate. The notice explains requirements for filing reports of receipts and disbursements under the Federal Election Campaign Act of 1971, as amended.

THIRD QUARTERLY REPORT

Unauthorized political committees (i.e., committees not authorized by any Federal candidate) must file the Third Quarterly Report unless they are filing on a monthly basis (see below).

On this report, committees must disclose all reportable transactions from the later of:

- The date of registration, if this is the committee's first report; or
- The date of the close of books of the last report filed.

The Third Quarterly Report must disclose all financial activity of the committee not previously disclosed through September 30, 1982, and must be filed regardless of the amount of financial activity involved during the reporting period.

The Third Quarterly Report may be hand delivered no later than close of business October 15, 1982. Reports mailed first-class must be received no later than close of business October 15, 1982. Reports sent by registered or certified mail must be post-marked no later than midnight October 15. 11 CFR 104.5(c)(1)(i) and 104.5(e).

NOTE: If a committee filing on a quarterly basis makes contributions or expenditures in connection with the primary or general election(s) and such disbursements have not been previously reported, the committee must also file a Pre-election Report of Receipts and Disbursements. (Information concerning the general election reporting requirements will be mailed to all unauthorized committees prior to the election.)

MONTHLY REPORT

Unauthorized committees reporting on a monthly filing schedule must file their monthly report by October 20, covering activity from September 1 through September 30, 1982. This report is filed in lieu of the Third Quarterly Report. 11 CFR 104.5(c)(3).

WHAT FORM TO USE

All unauthorized political committees should use FEC Form 3X with appropriate schedules for filing the report. If an unauthorized committee has qualified as a multicandidate committee during this reporting period, it should check the appropriate box on page one of FEC Form 3X. (See FEC Regulations at 100.5(e)(3) for the definition of a multicandidate committee.)

WHERE TO FILE

Committees should consult the instructions on the reverse side of the Summary Page of the reporting form for details on where to file their reports.

FAILURE TO FILE REPORTS

Committees should be aware that failure to file required reports may result in compliance proceedings under the provisions of the Federal Election Campaign Act. According to a revised Commission policy, although political committees that are not authorized by any Federal candidate will no longer receive mailgram notification of their failure to file reports, they nevertheless remain fully liable for failure to file any report required under the Act.

(continued)

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MSF

17 January 1983

Donald White, Jr., Treasurer
Harold Byrd for Congress
2670 Union Avenue Extended,
Suite 1112
Memphis, TN 38112

Identification Number: C00147223

Dear Mr. White:

It has come to the attention of the Federal Election Commission that you may have failed to file the October Quarterly Report of Receipts and Expenditures as required by the Federal Election Campaign Act. Prior notice was sent to you on September 21, 1982 advising you that the October Quarterly Report (covering the period from the closing date of your last report or from the date of registration, whichever is later, through September 30, 1982) was due on October 15, 1982.

It is important for your report to be available on a timely basis for the public record. The report should be filed immediately with the Clerk of the House, Office of Records and Registration, 1036 Longworth House Office Building, Washington, DC 20515, or the Secretary of the Senate, Office of Public Records, 119 D Street, NE, Washington, DC 20510, as appropriate. A copy of the report should also be filed with the Secretary of State or equivalent state officer.

The failure to file the October Quarterly Report may result in audit or legal enforcement action.

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

Sincerely,

John D. Gibson

John D. Gibson
Assistant Staff Director
Reports Analysis Division

84030442204

MEMORANDUM FOR FILES

RE: Non-Filer

TELECON

DATE: 4/12/83

FROM: Tony Raymond

TO:

NAME OF COMMITTEE: HAROLD BYRD FOR CONGRESS

Several attempts were made to reach the committee. Information was unable to locate the treasurer, candidate nor the committee under the listings.

84030442205



FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 1559

Date Filmed 2/10/84 Camera No. --- 4

Cameraman JRL