



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1627

Date Filmed 4/19/85 Camera No. --- 3

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FEDERAL ELECTION COMMISSION

Conciliating materials

Routing slips ; 12 day report

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):

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

Signed Mama E White

date April 18, 1985



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 5, 1985

Jan W. Baran, Esquire
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: Federal Election Commission v. Ruff
Political Action Committee, (formerly
MUR 1627).

Dear Mr. Baran:

This is to notify you that on February 26, 1985, the Commission voted to accept the signed proposed conciliation agreement and civil penalty check you previously had submitted on behalf of your clients Ruff Political Action Committee and Harold Goode, as treasurer, as an offer of settlement in the above-captioned matter. A copy of the final conciliation agreement, which has been executed on behalf of the Commission, is enclosed for your files.

Thank you for your cooperation in resolving this matter. Should you have any questions, please contact me immediately at 523-4000.

Sincerely,

Robert W. Bonham, III

Robert W. Bonham, III
Attorney

Enclosure

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2. Respondent, Harold Goode, is the treasurer of Ruff Political Action Committee.

3. Pursuant to 2 U.S.C. § 434(a)(4)(B), the treasurer of a political committee is required to file monthly reports no later than 20 days after the last day of the month. In lieu of the monthly reports due in November and December, in any year in which a regularly scheduled general election is held, a pre-election report must be filed no later than 12 days before any primary or general election and a post general election report must be filed no later than 30 days after any general election. In addition, a year-end report must be filed no later than January 31 of the following calendar year.

4. Respondents' 1981 Year-End report was required to be filed on January 31, 1982. Respondents filed their 1981 Year-End report on February 8, 1982, which was eight days late.

5. Respondents' 1982 May Monthly report (covering the period 4/1/82-4/30/82) was due on May 20, 1982. Respondents filed their 1982 May Monthly report on June 11, 1982, which was twenty-two days late.

6. Respondents' 1982 June Monthly report (covering the period 5/1/82-5/31/82) was required to be filed on June 20, 1982. Respondents filed their June Monthly

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report on July 6, 1982, which was sixteen days late.

7. Respondents' 1982 July Monthly report (covering the period 6/1/82-6/30/82) was required to be filed on July 20, 1982. Respondents filed their July Monthly report on August 23, 1982, which was thirty-four days late.

8. Respondents' 1982 September Monthly report (covering the period 8/1/82-8/31/82) was required to be filed on September 20, 1982. Respondents filed their September Monthly report on October 1, 1982, which was eleven days late.

9. Respondents' 1982 October Monthly report (covering the period 9/1/82-9/30/82) was required to be filed on October 20, 1982. Respondents filed their October Monthly report on November 22, 1982, which was thirty-three days late.

10. Respondents' 1982 12 Day Pre-General Election report (covering the period 10/1/82-10/13/82) was required to be filed on October 21, 1982. Respondents filed a report covering the above period on November 26, 1982, which was thirty-six days late.

11. Respondents' 1982 30 Day Post General Election report was required to be filed on December 2, 1982. Respondents filed their 30 Day Post General Election report on January 7, 1983, which was thirty-six days late.

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V. Respondents' failure to comply with the reporting requirements of 2 U.S.C. § 434(a)(4)(B) is a violation of this section.

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of Seven Hundred Fifty Dollars (\$750) , pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

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

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

XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Federal Election Commission v.)
Ruff Political Action Committee)
(Pre-Litigation))

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 26, 1985, the Commission decided by a vote of 5-1 to take the following actions in the above-captioned matter:

1. Accept the conciliation agreement and civil penalty check for the Ruff Political Action Committee and Harold Goode, as treasurer, in settlement of this matter, as submitted with the Memorandum to the Commission dated February 21, 1985.
2. Approve the proposed notification letter attached to the Memorandum to the Commission dated February 21, 1985.

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

Attest:

2-26-85
Date

Marjorie W Emmons
Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: 2-21-85, 11:55
Circulated on 48 hour tally basis: 2-21-85, 4:00

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

05 FEB 21 AM 11:55

February 21, 1985

MEMORANDUM

TO: The Commission

SENSITIVE

FROM: Charles N. Steele
General Counsel

SUBJECT: Federal Election Commission v. Ruff Political Action
Committee (Pre-Litigation) (formerly MUR 1627).

On December 18, 1984, the Commission authorized the Office of the General Counsel to file a civil suit in federal district court against the Ruff Political Action Committee ("Ruff PAC") and Harold Goode, as treasurer, for numerous late filing violations during the 1981-82 election cycle which were the subject matter of MUR 1627. Prior to the filing of the Commission's complaint, counsel for the respondents submitted a signed proposed conciliation agreement and civil penalty check for the Commission's consideration. See Attachment 1. For the reasons discussed below, the General Counsel's Office recommends that the Commission accept the conciliation agreement and check submitted for the respondents in settlement of the above-captioned matter and approve the proposed notification letter. Attachment 2.

Discussion

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Recommendations

1. Accept the conciliation agreement and civil penalty check for the Ruff Political Action Committee and Harold Goode, as treasurer, in settlement of this matter, Attachment 1, hereto, and
2. Approve the attached proposed notification letter. Attachment 2.

Attachments

1. Signed proposed conciliation agreement.
2. Proposed notification letter.

^{1/} In the agreement, respondents admit to filing 8 reports of receipts and expenditures between eight and thirty-six days late.

BAKER & HOSTETLER

ATTORNEYS AT LAW

818 CONNECTICUT AVE., N.W.

WASHINGTON, D. C. 20006

(202) 861-1800

TELECOPIER (202) 857-0010

(1)

IN CLEVELAND, OHIO
3200 NATIONAL CITY CENTER
CLEVELAND, OHIO 44114
(216) 821-0200
TWX 810 421 8375

IN COLUMBUS, OHIO
65 EAST STATE STREET
COLUMBUS, OHIO 43215
(614) 226-1541

IN DENVER, COLORADO
SUITE 1100, 303 EAST 17TH AVENUE
DENVER, COLORADO 80203
(303) 621-0600

IN ORLANDO, FLORIDA
13TH FLOOR BARNETT PLAZA
ORLANDO, FLORIDA 32801
(305) 641-1111

January 24, 1985

WRITER'S DIRECT DIAL NO.:

(202) 861-1572

11:51

Kenneth A. Gross, Esquire
Associate General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

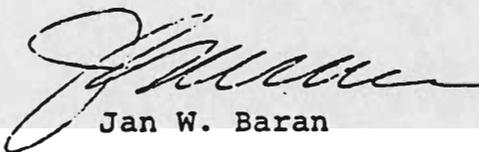
Re: MUR 1627
(Ruff Political Action Committee)

Dear Mr. Gross:

As per our telephone conversation I am transmitting to you the enclosed Conciliation Agreement and a check in the amount of \$750 from Ruff Political Action Committee. The check is to the Treasurer of the United States and represents payment by our client for civil penalties in connection with the above-captioned MUR and the enclosed Agreement which I have signed.

I trust that the Commission will accept the enclosed Agreement and check and that this will resolve this matter.

Sincerely,


Jan W. Baran

JWB:df
Enclosures

cc: Neal B. Blair

ATTACHMENT 1
(Page 1 of 7)

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In the Matter of)	
)	
Ruff Political Action Committee)	MUR 1627
Harold Goode, as treasurer)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found probable cause to believe that Ruff Political Action Committee and Harold Goode, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(4)(B) by failing to file eight reports in a timely manner.

NOW, THEREFORE, the Commission and Respondents, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(a)(4)(A)(i) do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding.

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

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

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

1. Respondent, Ruff Political Action Committee, is a political committee within the meaning of 2 U.S.C. § 431(4)(A).

ATTACHMENT 1
(Page 2 of 7)

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2. Respondent, Harold Goode, is the treasurer of Ruff Political Action Committee.

3. Pursuant to 2 U.S.C. § 434(a)(4)(B), the treasurer of a political committee is required to file monthly reports no later than 20 days after the last day of the month. In lieu of the monthly reports due in November and December, in any year in which a regularly scheduled general election is held, a pre-election report must be filed no later than 12 days before any primary or general election and a post general election report must be filed no later than 30 days after any general election. In addition, a year-end report must be filed no later than January 31 of the following calendar year.

4. Respondents' 1981 Year-End report was required to be filed on January 31, 1982. Respondents filed their 1981 Year-End report on February 8, 1982, which was eight days late.

5. Respondents' 1982 May Monthly report (covering the period 4/1/82-4/30/82) was due on May 20, 1982. Respondents filed their 1982 May Monthly report on June 11, 1982, which was twenty-two days late.

6. Respondents' 1982 June Monthly report (covering the period 5/1/82-5/31/82) was required to be filed on June 20, 1982. Respondents filed their June Monthly

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report on July 6, 1982, which was sixteen days late.

7. Respondents' 1982 July Monthly report (covering the period 6/1/82-6/30/82) was required to be filed on July 20, 1982. Respondents filed their July Monthly report on August 23, 1982, which was thirty-four days late.

8. Respondents' 1982 September Monthly report (covering the period 8/1/82-8/31/82) was required to be filed on September 20, 1982. Respondents filed their September Monthly report on October 1, 1982, which was eleven days late.

9. Respondents' 1982 October Monthly report (covering the period 9/1/82-9/30/82) was required to be filed on October 20, 1982. Respondents filed their October Monthly report on November 22, 1982, which was thirty-three days late.

10. Respondents' 1982 12 Day Pre-General Election report (covering the period 10/1/82-10/13/82) was required to be filed on October 21, 1982. Respondents filed a report covering the above period on November 26, 1982, which was thirty-six days late.

11. Respondents' 1982 30 Day Post General Election report was required to be filed on December 2, 1982. Respondents filed their 30 Day Post General Election report on January 7, 1983, which was thirty-six days late.

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V. Respondents' failure to comply with the reporting requirements of 2 U.S.C. § 434(a)(4)(B) is a violation of this section.

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of Seven Hundred Fifty Dollars (\$750) , pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

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

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

XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or

ATTACHMENT 1
(Page 5 of 7)

85040522664

(7)

H. J. RUFF - PAC
13924 BRADDOCK ROAD
P.O. BOX 881
CENTREVILLE, VA 22020

1699

1-23-1985

PAY TO THE
ORDER OF

Treasurer of the United States

\$ 750.⁰⁰

Seven hundred and fifty and ^{no}/₁₀₀

DOLLARS

DOMINION
BANK 
Vienna, Va. 22180

FOR _____

Harold Goode

ATTACHMENT 1
(Page 7 of 7)

8 5 0 4 0 5 2 2 6 6 6



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Jan W. Baran, Esquire
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: Federal Election Commission v. Ruff
Political Action Committee, (formerly
MUR 1627).

Dear Mr. Baran:

This is to notify you that on February , 1985, the Commission voted to accept the signed proposed conciliation agreement and civil penalty check you previously had submitted on behalf of your clients Ruff Political Action Committee and Harold Goode, as treasurer, as an offer of settlement in the above-captioned matter. A copy of the final conciliation agreement, which has been executed on behalf of the Commission, is enclosed for your files.

Thank you for your cooperation in resolving this matter. Should you have any questions, please contact me immediately at 523-4000.

Sincerely,

Robert W. Bonham, III
Attorney

Enclosure

85040522667

ATTACHMENT 2
(Page 1 of 1)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *WJ*
DATE: February 21, 1985
SUBJECT: MUR 1627 - FEC v. Ruff PAC - Memorandum to The Commission

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

CIRCULATIONS

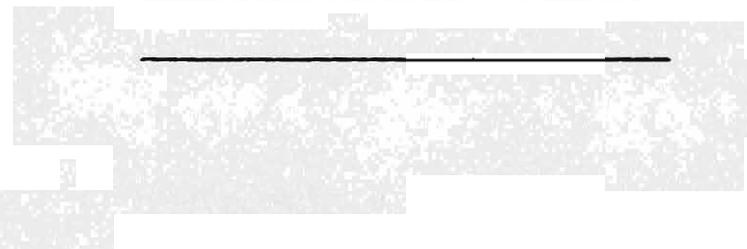
48 Hour Tally Vote [X]
Sensitive [X]
Non-Sensitive []
24 Hour No Objection []
Sensitive []
Non-Sensitive []
Information []
Sensitive []
Non-Sensitive []

DISTRIBUTION

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

Other []

85040522668





FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 2, 1985

Jan W. Baran, Esquire
Baker and Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1627

Dear Mr. Baran:

You were previously notified that on October 2, 1984, the Federal Election Commission found probable cause to believe that your clients, Ruff Political Action Committee and Harold Goode, as treasurer, violated 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended, in connection with the captioned matter.

As a result of our inability to settle this matter through conciliation, the Commission has authorized the institution of a civil action for relief in the U.S. District Court.

Should you have any questions, or should you wish to settle this matter prior to suit, please contact Maura White, the staff member handling this case, at 523-4143 within five days of your receipt of this matter.

Sincerely,

Charles N. Steele
General Counsel

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Ruff Political Action Committee) MUR 1627
Harold Goode, as treasurer)

CERTIFICATION

I, Mary W. Dove, Administrative Secretary for the Federal Election Commission, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1627 in its executive session of December 18, 1984:

1. Authorize the Office of the General Counsel to file a civil suit for relief in the United States District Court against Ruff Political Action Committee and Harold Goode, as treasurer.
2. Approve the letter attached to the General Counsel's report dated December 7, 1984.

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

Attest:

12-21-84
Date

Mary W. Dove
Mary W. Dove
Administrative Secretary

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *CK*
DATE: December 7, 1984
SUBJECT: MUR 1627 - General Counsel's Report

The attached is submitted as an Agenda document
for the Commission Meeting of December 18, 1984
Open Session _____
Closed Session XX

CIRCULATIONS		DISTRIBUTION	
48 Hour Tally Vote	[]	Compliance	[x]
Sensitive	[]	Audit Matters	[]
Non-Sensitive	[]	Litigation	[]
24 Hour No Objection	[]	Closed MUR Letters	[]
Sensitive	[]	Status Sheets	[]
Non-Sensitive	[]	Advisory Opinions	[]
Information	[]	Other (see distribution below)	[]
Sensitive	[]		
Non-Sensitive	[]		
Other	[X]		

SENSITIVE

CIRCULATE ON BLUE PAPER

ON AGENDA 12-18-84

85040522671

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
FEC
CLERK

In the Matter of)
Ruff Political Action)
Committee)
Harold Goode, as treasurer)

MUR 1627

04 DEC 7 P 4: 39

EXECUTIVE SESSION

GENERAL COUNSEL'S REPORT

18 DEC 1984

I. BACKGROUND

On February 9, 1984, the Commission determined that there is reason to believe Ruff Political Action Committee ("Ruff PAC") and its treasurer, violated 2 U.S.C. § 434(a)(4)(B) by failing to file eight reports in a timely manner during the 1981-1982

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General Counsel's Brief was mailed to counsel for the respondents on June 29, 1984. Counsel for the respondents did not submit a reply to the General Counsel's Brief.

On October 2, 1984, the Commission determined that there is probable cause to believe Ruff Political Action Committee and Harold Goode, as treasurer, violated 2 U.S.C. § 434(a)(4)(B). Notification of the Commission's finding and proposed conciliation agreement were mailed to the respondent's counsel on

Subsequent to a determination of probable cause to believe the Commission is required, pursuant to 2 U.S.C. § 437g(a)(4)(A)(i), for a period of at least 30 days, to attempt to correct

or prevent such violation by informal methods of conference, conciliation, and persuasion, and to enter into a conciliation agreement with the persons involved. In the instant matter more

this circumstance it is the recommendation of this Office that the Commission institute a civil action for relief against Ruff Political Action Committee and Harold Goode, as treasurer, pursuant to 2 U.S.C. § 437g(a)(6)(A).

II. RECOMMENDATIONS

1. Authorize the Office of the General Counsel to file a civil suit for relief in the United States District Court against Ruff Political Action Committee and Harold Goode, as treasurer.
2. Approve the attached letter.

2 December 1964
Date



Charles N. Steele
General Counsel

Attachment
Proposed letter

85040522673

Attachment



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Jan W. Baran, Esquire
Baker and Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1627

Dear Mr. Baran:

You were previously notified that on October 2, 1984, the Federal Election Commission found probable cause to believe that your clients, Ruff Political Action Committee and Harold Goode, as treasurer, violated 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended, in connectin with the captioned matter.

As a result of our inability to settle this matter through conciliation, the Commission has authorized the institution of a civil penalty for relief in the U.S. District Court.

Should you have any questions, or should you wish to settle this matter prior to suit, please contact Maura White, the staff member handling this case, at 523-4143 within five days of your receipt of this matter.

Sincerely,

Charles N. Steele
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 4, 1984

Jan W. Baran, Esquire
Baker and Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1627

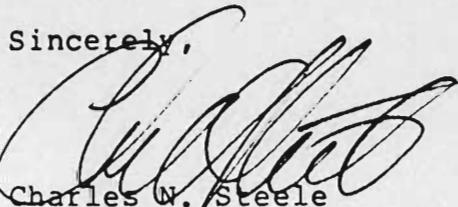
Dear Mr. Baran:

On October 2, 1984, the Commission determined that there is probable cause to believe your clients, Ruff Political Action Committee and Harold Goode, as treasurer, committed a violation of 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended, in connection with the filing of reports during the 1981-1982 election cycle.

The Commission has a duty to attempt to correct such violations for a period of thirty to ninety days by informal methods of conference, conciliation and persuasion, and by entering into a conciliation agreement. If we are unable to reach an agreement during that period, the Commission may institute civil suit in United States District Court and seek payment of a civil penalty.

We enclose a conciliation agreement that this office is prepared to recommend to the Commission 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 within ten days. I will then recommend that the Commission approve the agreement. Please make your check for the civil penalty payable to the U.S. Treasurer.

If you have any questions or suggestions for changes in the enclosed conciliation agreement, please contact Maura White, the staff member assigned to this matter, at (202)523-4143.

Sincerely,

Charles W. Steele
General Counsel

Enclosure
Conciliation Agreement

85040522675

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Ruff Political Action	)	MUR 1627
Committee)	
Harold Goode, as treasurer)	

CERTIFICATION

I, Mary W. Dove, Recording Secretary for the Federal Election Commission Executive Session of October 2, 1984, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1627:

1. Find probable cause to believe Ruff Political Action Committee and Harold Goode, as treasurer, violated 2 U.S.C. § 434(a)(4)(B).
2. Approve the proposed conciliation agreement and letter attached to the General Counsel's September 19, 1984, report.

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

Attest:

10-2-84
Date

Mary W. Dove

 Mary W. Dove
 Recording Secretary

85040522676





FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *OK*
DATE: September 20, 1984
SUBJECT: MUR 1627 - GC's Report

The attached is submitted as an Agenda document
for the Commission Meeting of Tuesday, October 2, 1984
Open Session _____
Closed Session X

CIRCULATIONS

48 Hour Tally Vote []
Sensitive []
Non-Sensitive []
24 Hour No Objection []
Sensitive []
Non-Sensitive []
Information []
Sensitive []
Non-Sensitive []

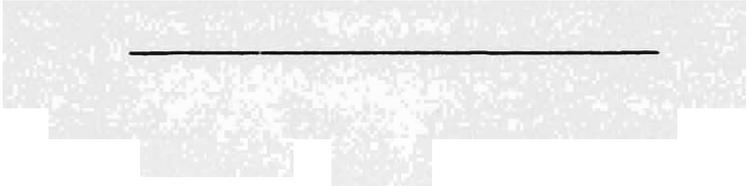
DISTRIBUTION

Compliance []
Audit Matters []
Litigation []
Closed MUR Letters []
Status Sheets []
Advisory Opinions []

Other []

Other (see distribution below) []

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SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

In the Matter of)
Ruff Political Action)
Committee)
Harold Goode, as treasurer)

MUR 1627

04 SEP 20 11:39

GENERAL COUNSEL'S REPORT

EXECUTIVE SESSION

OCT 2 1984

I. BACKGROUND

On February 9, 1984, the Commission determined that there is reason to believe Ruff Political Action Committee ("Ruff PAC") and Mark J. Stoddard, as treasurer, */ violated 2 U.S.C. § 434(a)(4)(B) by failing to file eight reports in a timely manner during the 1981-1982 election cycle.

II. LEGAL ANALYSIS

A reply brief has not been submitted on behalf of the respondents and, therefore, the legal analysis in this matter remains the same. See the General Counsel's Brief in MUR 1627.

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

*/ On April 26, 1984, Ruff PAC filed an amended Statement of Organization designating Harold Goode as its treasurer.

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IV. RECOMMENDATIONS

1. Find probable cause to believe Ruff Political Action Committee and Harold Goode, as treasurer, violated 2 U.S.C. § 434(a)(4)(B).
2. Approve the attached conciliation agreement and letter.

19 Sept 1984
Date



Charles N. Steele
General Counsel

Attachments
Proposed agreement and letter

8 5 0 4 0 5 2 2 6 7 9



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

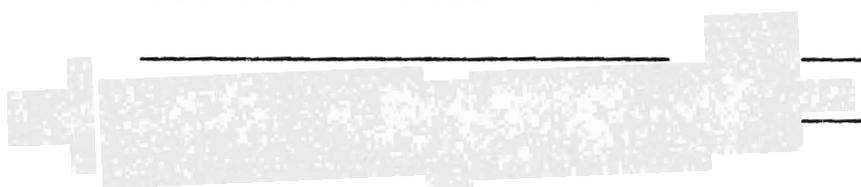
MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *CA*
DATE: June 29, 1984
SUBJECT: MUR 1627 - Memorandum and General Counsel's Brief

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

CIRCULATIONS		DISTRIBUTION	
48 Hour Tally Vote	[]	Compliance	[x]
Sensitive	[]	Audit Matters	[]
Non-Sensitive	[]	Litigation	[]
24 Hour No Objection	[]	Closed MUR Letters	[]
Sensitive	[]	Status Sheets	[]
Non-Sensitive	[]	Advisory Opinions	[]
Information	[x]	Other (see distribution below)	[]
Sensitive	[x]		
Non-Sensitive	[]		
Other	[]		

85040522630





RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

84 JUN 29 All: 30

June 29, 1984

MEMORANDUM TO: The Commission
FROM: Charles N. Steele *CNS*
General Counsel
SUBJECT: MUR 1627

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying the respondent of the General Counsel's intent to recommend to the Commission a finding of probable cause to believe was mailed on June 29, 1984. Following receipt of the respondent's reply to this notice, this Office will make a further report to the Commission.

Attachments

1. Brief
2. Letter to Respondent

85040522631

REPORT OF THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
 Ruff Political Action Committee;) MUR 1627
 Mark J. Stoddard, as treasurer)

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

The instant matter was referred to the Office of the General Counsel by the Reports Analysis Division ("RAD"). A review by RAD of the reports filed by the Ruff Political Action Committee ("Ruff PAC") revealed that Ruff PAC failed to file eight reports in a timely manner during the 1981-1982 election cycle. The reports were filed between 8 and 60 calendar days late. Listed below are the reports filed late, the date each was due, and the date each report was filed:

<u>Report Type</u>	<u>Due Date</u>	<u>Date Filed</u>
Year End (7/1/81-12/31/81)	01/31/82	02/08/82
May Monthly (4/1/82-4/30/82)	05/20/82	06/11/82
June Monthly (5/1/82-5/31/82)	06/20/82	07/06/82
July Monthly (6/1/82-6/30/82)	07/20/82	08/23/82
September Monthly (8/1/82-8/31/82)	09/20/82	10/01/82
October Monthly (9/1/81-9/30/82)	10/20/82	11/22/82
12 Day Pre-General (10/1/82-10/13/82)	10/21/82	11/26/82 <u>1/</u>
30 Day Post-General (10/14/82-11/22/82)	12/02/82	01/07/83 <u>2/</u>

1/ Ruff PAC initially submitted a 1982 November Monthly Report on November 26, 1982, which disclosed activity from October 1, 1982-October 31, 1982. On December 20, 1982, Ruff PAC filed a 12 Day Pre-General Election Report covering the period from October 1, 1982 - October 13, 1982.

2/ Ibid.

Attachment 1(1)

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A notice was sent to Ruff PAC on August 31, 1983, expressing the Commission's view that reports not filed in a timely manner were serious violations of the Act. The notice also afforded Ruff PAC an opportunity to explain why the above reports were filed late. A Second Notice was sent to Ruff PAC on September 22, 1983, after RAD did not receive a response to the initial notice.

On October 12, 1983, a letter was received from Ruff PAC's treasurer, Mark J. Stoddard, which provided a number of reasons for the submission of the instant eight reports in an untimely manner. The reasons cited concerned the transfer of records, the hiring and training of staff, the involvement of staff resources in other areas, the movement of offices, interruptions caused by vacations and staff reductions, and other administrative problems. In addition, there also appears to have been reliance on a perceived grace period for the filing of reports. The treasurer stated that in January of 1982, Ruff PAC telephoned RAD to determine the Commission's procedures with respect to the late filing of reports because Ruff PAC anticipated that their 1981 Year End Report would be filed late. Based upon the conversation, Ruff PAC "deduced" that there was a grace period, and since they were never notified as to the seriousness of the violation they continued to submit reports within a so-called "grace period."

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On February 9, 1984, the Commission determined that there is reason to believe Ruff PAC and Mark J. Stoddard, as treasurer, violated 2 U.S.C. § 434(a)(4)(B). Notification of the Commission's finding was mailed to the respondents on February 14, 1984. The Office of the General Counsel received a

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The Law Applicable

Pursuant to 2 U.S.C. § 434(a)(4)(B) and 11 C.F.R. § 104.5(c)(3), the treasurer of a political committee is required to file monthly reports no later than 20 days after the last day of the month. In lieu of the monthly reports due in November and December, in any year in which a regularly scheduled general election is held, a pre-election report must be filed no later

than 12 days before any primary or general election and a post general election report must be filed no later than 30 days after any general election. In addition, a year-end report must be filed no later than January 31 of the following calendar year.

Application of the law to the facts

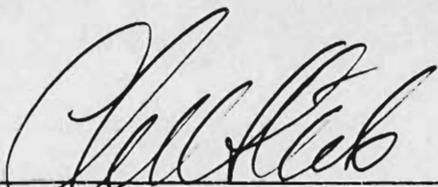
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The record in this case reveals that Ruff PAC failed to file eight reports within the time frame required by 2 U.S.C. § 434(a)(4)(B). The reports at issue were filed between 8 and 60 calendar days late. Although Ruff PAC has cited several reasons for its late filings, it is the view of this office that the factors presented are not a sufficient defense in light of the number of reports involved. Subsequent to the Commission's reason to believe finding in this matter, no additional information was presented by Ruff PAC with respect to its late filings during 1981-1982. Accordingly, the Office of the General Counsel recommends that the Commission find probable cause to believe Ruff PAC and Mark J. Stoddard, as treasurer, violated 2 U.S.C. § 434(a)(4)(B).

8
III. General Counsel's Recommendation

Find probable cause to believe Ruff PAC and Mark J. Stoddard, as treasurer, violated 2 U.S.C. § 434(a)(4)(B).

28 June 1984
Date



Charles N. Steele
General Counsel



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 29, 1984

Jan W. Baran, Esquire
Baker and Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 1627
Ruff PAC; Mark J. Stoddard
as treasurer

Dear Mr. Baran:

85040522686

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, and information supplied by your clients, Ruff PAC and Mark J. Stoddard, as treasurer, the Federal Election Commission, on February 9, 1984, found reason to believe that your clients had violated 2 U.S.C. § 434(a)(4)(B), and instituted an investigation in this matter. After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days.

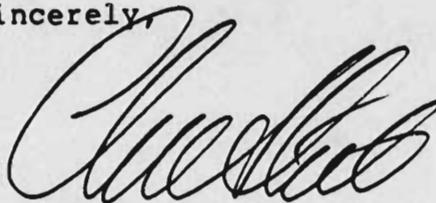
Attachment 2(1)

Letter to Jan Baran
Page 2

A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety, days to settle this matter through a conciliation agreement.

Should you have any questions, please contact Maura White, the staff member assigned to handle this matter, at (202)523-4143.

Sincerely,



Charles N. Steele
General Counsel

8 5 0 4 0 5 2 2 6 3 7

Enclosure
Brief



2(2)

300#1911 RECEIVED AT THE FCC

BAKER & HOSTETLER

84 MAR 20 8:40

ATTORNEYS AT LAW

818 CONNECTICUT AVE., N.W.

WASHINGTON, D. C. 20006

(202) 861-1500

TELECOPIER (202) 867-0010

IN CLEVELAND, OHIO
3200 NATIONAL CITY CENTER
CLEVELAND, OHIO 44114
(216) 821-0200
TWX 810 421 8378

IN DENVER, COLORADO
SUITE 1100, 303 EAST 17TH AVENUE
DENVER, COLORADO 80203
(303) 861-0600

IN ORLANDO, FLORIDA
880 CNA TOWER
ORLANDO, FLORIDA 32802
(305) 841-1111

IN COLUMBUS, OHIO
100 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 228-1541

March 19, 1984

WRITER'S DIRECT DIAL NO.:
(202) 861-1572

MUR
Kramer

20
A 9:54

Ms. Beverly Kramer
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: Matter Under Review 1627 (Ruff
Political Action Committee)

Dear Ms. Kramer:

This office represents Ruff Political Action Committee ("Ruff PAC"). Enclosed please find a Statement of Designation of Counsel by Mr. Mark J. Stoddard, Treasurer of Ruff PAC.

I intend to call your office during the week of March 26 upon my return from a business trip in order to discuss the above-captioned matter. Our client is interested in resolving this issue to our mutual satisfaction.

Sincerely yours,

Jan W. Baran
Jan W. Baran

JWB:ca
Enclosure

85040522688

STATEMENT OF DESIGNATION OF COUNSEL

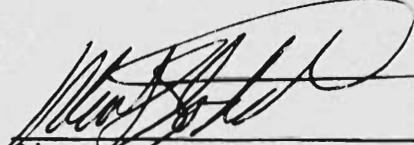
NAME OF COUNSEL: Jan W. Baran, Esq.

ADDRESS: Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

TELEPHONE: (202) 861-1572

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

Date



Signature

NAME:

ADDRESS:

HOME PHONE:

BUSINESS PHONE:

85040522689

ER & HOSTETLER
CONNECTICUT AVE., N.W.
WASHINGTON, D.C. 20006

04052269



WASHINGTON, DC 200
PM
19 MAR
1984

Ms. Beverly Kramer
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

WASHINGTON, DC 200
PM
19 MAR
1984

84 MAR 20





FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 14, 1984

Mark J. Stoddard, Treasurer
Ruff Political Action Committee
236 Massachusetts Avenue, N.E.
Suite 603
Washington, D.C. 20002

Re: MUR 1627

Dear Mr. Stoddard:

On February 9, 1984, the Federal Election Commission determined that there is reason to believe that your committee, Ruff Political Action Committee, and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(B) a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") by failing to file eight reports in a timely manner during the 1981-82 election cycle. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

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

In the absence of any additional information which demonstrates that no further action should be taken against you and your committee, 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.

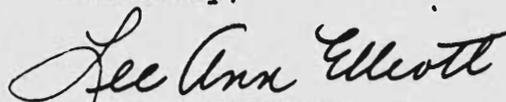
85040522691

Letter to Mark J. Stoddard
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 Beverly Kramer, the staff member assigned to this matter, at 202/523-4057.

Sincerely,



Lee Ann Elliott
Chairman

Enclosures

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

85040522692

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR No. _____
STAFF MEMBER(S) & TEL. NO.
Beverly Kramer
202-523-4057

RESPONDENT Ruff Political Action Committee
Mark J. Stoddard, Treasurer

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 Reports Analysis Division referred this matter to the Office of General Counsel on January 13, 1984. The referral alleges that Ruff Political Action Committee and its treasurer, Mark J. Stoddard, failed to file eight reports in a timely manner during the 1981-82 election cycle in accordance with 2 U.S.C. § 434(a)(4)(B) and 11 C.F.R. § 104.5(c)(3). 1/

FACTUAL BASIS AND LEGAL ANALYSIS

1. The Facts

Ruff Political Action Committee ("Ruff PAC") is a political committee within the meaning of 2 U.S.C. § 431(4)(A) and Mark J. Stoddard is its treasurer. 2/

1/ In addition, the referral notes that Ruff PAC's Mid Year report which was due on July 31, 1983, was not filed until October 25, 1983. In a letter dated October 7, 1983, Ruff PAC explains that its late filing is a result of their relocating from Utah to Virginia.

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Ruff PAC failed to file eight (8) reports in a timely manner during the 1981-82 election cycle. The reports were filed between 8 and 60 calendar days late. Listed below are the reports filed late, the date each was due, and the date each report was filed:

<u>Report Type</u>	<u>Due Date</u>	<u>Date Filed</u>
Year End (7/1/81-12/31/81)	01/31/82	02/08/82
May Monthly (4/1/82-4/30/82)	05/20/82	06/11/82
June Monthly (5/1/82-5/31/82)	06/20/82	07/06/82
July Monthly (6/1/82-6/30/82)	07/20/82	08/23/82
September Monthly (8/1/82-8/31/82)	09/20/82	10/01/82
October Monthly (9/1/81-9/30/82)	10/20/82	11/22/82
12 Day Pre-General ^{3/} (10/1/82-10/13/82)	10/21/82	12/20/82
30 Day Post-General ^{4/} (10/14/82-11/22/82)	12/02/82	01/07/83

A notice was sent to Ruff PAC on August 31, 1983, expressing the Commission's view that reports not filed in a timely manner were serious violations of the Act. The notice also gave Ruff PAC an opportunity to explain why the reports were filed late. When there was no response to the initial notice, a Second Notice was sent on September 22, 1983.

^{3/} Ruff PAC initially submitted a 1982 November Monthly Report on November 26, 1982, which disclosed activity from October 1, 1982-October 21, 1982.

^{4/} Ibid.

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On October 12, 1983, a response was received from Ruff PAC's treasurer, Mark J. Stoddard. In the letter, Mr. Stoddard provided a number of reasons for submitting reports in an untimely manner. The reasons cited concerned transferring records, hiring and training staff, involvement of staff resources in other areas, moving offices, interruptions caused by vacations, staff reductions and other administrative problems. There also appears to have been reliance on a perceived grace period for filing reports. The treasurer stated that in January of 1982, Ruff PAC telephoned the Commission to determine what the agency's procedures were for dealing with late filing of reports, since Ruff PAC anticipated that their 1981 Year End Report would be filed late. Based upon the conversation, Ruff PAC "deduced" that there was a grace period and since they were never notified as to the seriousness of the violation, they continued to submit reports within a so-called "grace period".

2. The Law Applicable

Pursuant to 2 U.S.C. § 434(a)(4)(B) and 11 C.F.R. § 104.5(c)(3), the treasurer of a political committee is required to file monthly reports no later than 20 days after the last day of the month. In lieu of the monthly reports due in November and December, in any year in which a regularly scheduled general election is held, a pre-election report must be filed no later than 12 days before any primary or general election and a post

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general election report must be filed no later than 30 days after any general election. In addition, a year-end report must be filed no later than January 31 of the following calendar year.

3. Application of the law to the facts

The record in this case reveals that Ruff PAC failed to file eight reports within the time frame required by 2 U.S.C.

§ 434(a)(4)(B). In response to a notice regarding these late filings Ruff PAC admits the findings of fact but calls the Commission's attention to the circumstances surrounding its late filings. It is the view of this office that the factors presented are not a sufficient defense in light of the number of reports involved. Accordingly, we recommend that the Commission open a matter under review and find reason to believe that Ruff PAC and its treasurer, Mark J. Stoddard, violated 2 U.S.C.

§ 434(a)(4)(B).

85040522696

BEFORE THE FEDERAL ELECTION COMMISSION

FILE
1627

In the Matter of)	
)	
Ruff Political Action Committee	)	RAD # 84NF-11
Mark J. Stoddard, Treasurer)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 9, 1984, the Commission decided by a vote of 6-0 to take the following actions in RAD # 84NF-11:

1. Open a matter under review.
2. Find reason to believe that Ruff Political Action Committee and its treasurer, Mark J. Stoddard, violated 2 U.S.C. § 434(a)(4)(B).
3. Approve and send the letter as submitted with the First General Counsel's Report dated February 6, 1984.

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

Attest:

2/9/84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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

2-6-84, 3:28
2-7-84, 11:00

85040522697



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *DK*
DATE: February 6, 1984
SUBJECT: RAD # 84NF-11 - 1st GC Rpt

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

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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"/>		

RECEIVED
OFFICE OF THE
GENERAL COUNSEL
FEB 6 1984

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 2-6-84 3pm

RAD # 84NF-11 5B 6 P 3: 28
STAFF MEMBER(S) Beverly Kramer

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

RESPONDENTS' NAMES: Ruff Political Action Committee
Mark J. Stoddard, Treasurer

RELEVANT STATUTE: 2 U.S.C. § 434(a)(4)(B)
11 C.F.R. § 104.5(c)(3)

SENSITIVE

INTERNAL REPORTS CHECKED: Reports for 1981-82 election cycle

FEDERAL AGENCIES CHECKED: None

GENERATION OF MATTER

The Reports Analysis Division referred this matter to the Office of General Counsel on January 13, 1984. The referral alleges that Ruff Political Action Committee and its treasurer, Mark J. Stoddard, failed to file eight reports in a timely manner during the 1981-82 election cycle in accordance with 2 U.S.C. § 434(a)(4)(B) and 11 C.F.R. § 104.5(c)(3). 1/ See attached referral.

FACTUAL BASIS AND LEGAL ANALYSIS

1. The Facts

Ruff Political Action Committee ("Ruff PAC") is a political committee within the meaning of 2 U.S.C. § 431(4)(A) and Mark J. Stoddard is its treasurer. 2/

1/ In addition, the referral notes that Ruff PAC's Mid Year report which was due on July 31, 1983, was not filed until October 25, 1983. In a letter dated October 7, 1983, Ruff PAC explains that its late filing is a result of their relocating from Utah to Virginia.

85040522677

Ruff PAC failed to file eight (8) reports in a timely manner during the 1981-82 election cycle. The reports were filed between 8 and 60 calendar days late. Listed below are the reports filed late, the date each was due, and the date each report was filed:

<u>Report Type</u>	<u>Due Date</u>	<u>Date Filed</u>
Year End (7/1/81-12/31/81)	01/31/82	02/08/82
May Monthly (4/1/82-4/30/82)	05/20/82	06/11/82
June Monthly (5/1/82-5/31/82)	06/20/82	07/06/82
July Monthly (6/1/82-6/30/82)	07/20/82	08/23/82
September Monthly (8/1/82-8/31/82)	09/20/82	10/01/82
October Monthly (9/1/81-9/30/82)	10/20/82	11/22/82
12 Day Pre-General ^{3/} (10/1/82-10/13/82)	10/21/82	12/20/82
30 Day Post-General ^{4/} (10/14/82-11/22/82)	12/02/82	01/07/83

A notice was sent to Ruff PAC on August 31, 1983, expressing the Commission's view that reports not filed in a timely manner were serious violations of the Act. The notice also gave Ruff PAC an opportunity to explain why the reports were filed late. When there was no response to the initial notice, a Second Notice was sent on September 22, 1983.

^{3/} Ruff PAC initially submitted a 1982 November Monthly Report on November 26, 1982, which disclosed activity from October 1, 1982-October 21, 1982.

^{4/} Ibid.

85040522700

On October 12, 1983, a response was received from Ruff PAC's treasurer, Mark J. Stoddard. In the letter, Mr. Stoddard provided a number of reasons for submitting reports in an untimely manner. The reasons cited concerned transferring records, hiring and training staff, involvement of staff resources in other areas, moving offices, interruptions caused by vacations, staff reductions and other administrative problems. There also appears to have been reliance on a perceived grace period for filing reports. The treasurer stated that in January of 1982, Ruff PAC telephoned the Commission to determine what the agency's procedures were for dealing with late filing of reports, since Ruff PAC anticipated that their 1981 Year End Report would be filed late. Based upon the conversation, Ruff PAC "deduced" that there was a grace period and since they were never notified as to the seriousness of the violation, they continued to submit reports within a so-called "grace period".

2. The Law Applicable

Pursuant to 2 U.S.C. § 434(a)(4)(B) and 11 C.F.R. § 104.5(c)(3), the treasurer of a political committee is required to file monthly reports no later than 20 days after the last day of the month. In lieu of the monthly reports due in November and December, in any year in which a regularly scheduled general election is held, a pre-election report must be filed no later than 12 days before any primary or general election and a post

85040522701

general election report must be filed no later than 30 days after any general election. In addition, a year-end report must be filed no later than January 31 of the following calendar year.

3. Application of the law to the facts

The record in this case reveals that Ruff PAC failed to file eight reports within the time frame required by 2 U.S.C.

§ 434(a)(4)(B). In response to a notice regarding these late filings Ruff PAC admits the findings of fact but calls the Commission's attention to the circumstances surrounding its late filings. It is the view of this office that the factors presented are not a sufficient defense in light of the number of reports involved. Accordingly, we recommend that the Commission open a matter under review and find reason to believe that Ruff PAC and its treasurer, Mark J. Stoddard, violated 2 U.S.C.

§ 434(a)(4)(B).

RECOMMENDATIONS

1. Open a matter under review.
2. Find reason to believe that Ruff Political Action Committee and its treasurer, Mark J. Stoddard, violated 2 U.S.C.

§ 434(a)(4)(B).

85040522702

3. Approve and send the attached letter.

Charles N. Steele
General Counsel

February 6, 1984
Date

By:

Kenneth A. Gross
Kenneth A. Gross
Associate General Counsel

Attachments

1. RAD referral (20 pages)
2. Proposed letter to respondents
3. Legal and factual analysis

85040522703

REPORTS ANALYSIS REFERRAL
TO
OFFICE OF GENERAL COUNSEL

DATE: 13 January 1984

ANALYST: Edward D. Ryan

I. COMMITTEE: Ruff Political Action Committee
(C00124040)
Mark J. Stoddard, Treasurer
236 Massachusetts Avenue, N.E.
Suite 603
Washington, DC 20002

II. RELEVANT STATUTE: 2 U.S.C. 434(a)(4)(A)(iv) and (B)
11 CFR 104.5(c)(2) and (3)

III. BACKGROUND:

Failure to Timely File Reports

The Ruff Political Action Committee ("Ruff PAC") failed to file eight (8) reports in a timely manner during the 1981-82 election cycle (Attachments 2a-h). The reports were filed between 8 and 60 calendar days late. Listed below are the reports filed late, the date each was due, and the date each report was filed:

<u>Report Type</u>	<u>Due Date</u>	<u>Date Filed</u>
Year End (7/1/81-12/31/81)	1/31/82	2/8/82
May Monthly (4/1/82-4/30/82)	5/20/82	6/11/82
June Monthly (5/1/82-5/31/82)	6/20/82	7/6/82
July Monthly (6/1/82-6/30/82)	7/20/82	8/23/82
September Monthly (8/1/82-8/31/82)	9/20/82	10/1/82
October Monthly (9/1/82-9/30/82)	10/20/82	11/22/82
12 Day Pre-General ^{1/} (10/1/82-10/13/82)	10/21/82	12/20/82
30 Day Post-General ^{2/} (10/14/82-11/22/82)	12/2/82	1/7/83

^{1/} Ruff PAC initially submitted a 1982 November Monthly Report on November 26, 1982, which disclosed activity from October 1, 1982 -October 31, 1982 (Attachment 3).

^{2/} Ibid.

Attachment 1 p.1

85040522704

A chronic late filer notice was sent to Ruff PAC on August 31, 1983 expressing the Commission's view that reports not filed in a timely manner were serious violations of the Act. The notice also gave Ruff PAC an opportunity to explain why the reports were filed late (Attachment 4).

When there was no response to the initial notice, a Second Notice was sent on September 22, 1983 (Attachment 5).

On October 12, 1983, a response was received from Ruff PAC's treasurer, Mark J. Stoddard. In the letter, Mr. Stoddard provided a number of reasons for submitting reports in an untimely manner. The reasons cited concerned transferring records, hiring and training staff, involvement of staff resources in other areas, moving offices, interruptions caused by vacations, staff reductions and other administrative problems. There also appears to have been reliance on a perceived grace period for filing reports. The treasurer also stated that in January of 1982, Ruff PAC telephoned the Commission to determine what the agency's procedures were for dealing with late filing of reports, since Ruff PAC anticipated that their 1981 Year End Report would be filed late. Based upon the conversation, Ruff PAC "deduced" that there was a grace period and since they were never notified as to the seriousness of the violation, they continued to submit reports within a so-called "grace period" (Attachment 6).^{3/}

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None

^{3/} Records of the Reports Analysis Division do not indicate that Ruff PAC was ever notified that it was the agency's policy to grant a grace period or extension of time for filing disclosure reports.

85040522705

FEDERAL ELECTION COMMISSION
 COMMITTEE INDIVIDUAL DISCLOSURE DOCUMENTS - (C) (81-82)
 85040522707
 NON-PARTY RELATED

DATE 29DEC83
 PAGE 2

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUN82 -30JUN82	1	83FEC/283/4354
	AUGUST MONTHLY	8,819	9,337	1JUL82 -31JUL82	24	82FEC/241/2467
	AUGUST MONTHLY - AMENDMENT	8,819	9,337	1JUL82 -31JUL82	4	82FEC/245/0721
	AUGUST MONTHLY - AMENDMENT	-	-	1JUL82 -31JUL82	2	83FEC/266/1270
	AUGUST MONTHLY - AMENDMENT	8,819	9,337	1JUL82 -31JUL82	3	83FEC/267/1650
	REQUEST FOR ADDITIONAL INFORMATION			1JUL82 -31JUL82	1	83FEC/264/5118
	SEPTEMBER MONTHLY	29,825	28,221	1AUG82 -31AUG82	24	82FEC/245/0697
	SEPTEMBER MONTHLY - AMENDMENT	-	-	1AUG82 -31AUG82	3	83FEC/266/1267
	SEPTEMBER MONTHLY - AMENDMENT	29,825	28,221	1AUG82 -31AUG82	3	83FEC/267/1653
	SEPTEMBER MONTHLY - AMENDMENT	-	-	1AUG82 -31AUG82	1	83FEC/284/3861
	REQUEST FOR ADDITIONAL INFORMATION			1AUG82 -31AUG82	2	83FEC/264/5120
	REQUEST FOR ADDITIONAL INFORMATION			1AUG82 -31AUG82	1	83FEC/282/3041
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1AUG82 -31AUG82	1	83FEC/283/4355
	OCTOBER MONTHLY	12,974	14,659	1SEP82 -30SEP82	26	82FEC/254/4486
	OCTOBER MONTHLY - AMENDMENT	12,974	14,659	1SEP82 -30SEP82	6	82FEC/254/4486
	OCTOBER MONTHLY - AMENDMENT	-	-	1SEP82 -30SEP82	3	83FEC/266/1276
	OCTOBER MONTHLY - AMENDMENT	12,974	14,659	1SEP82 -30SEP82	3	83FEC/267/1656
	OCTOBER MONTHLY - AMENDMENT	-	-	1SEP82 -30SEP82	1	83FEC/284/3860
	REQUEST FOR ADDITIONAL INFORMATION			1SEP82 -30SEP82	2	83FEC/264/5123
	REQUEST FOR ADDITIONAL INFORMATION			1SEP82 -30SEP82	1	83FEC/282/3042
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1SEP82 -30SEP82	1	83FEC/283/4356
	PRE-GENERAL	3,502	3,225	1OCT82 -13OCT82	17	82FEC/259/3063
	PRE-GENERAL - AMENDMENT	-	-	1OCT82 -13OCT82	4	83FEC/260/4283
	PRE-GENERAL - AMENDMENT	3,502	3,225	1OCT82 -13OCT82	3	83FEC/267/1647
	PRE-GENERAL - AMENDMENT	-	-	1OCT82 -13OCT82	1	83FEC/284/3859
	REQUEST FOR ADDITIONAL INFORMATION			1OCT82 -13OCT82	1	83FEC/264/5126
	REQUEST FOR ADDITIONAL INFORMATION			1OCT82 -13OCT82	1	83FEC/282/3043
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1OCT82 -13OCT82	1	83FEC/283/4357
	NOVEMBER MONTHLY	-	-	1OCT82 -31OCT82	26	82FEC/254/4486
	POST-GENERAL	60,146	56,838	14OCT82 -22NOV82	29	83FEC/260/4287
	POST-GENERAL - AMENDMENT	-	-	14OCT82 -22NOV82	3	83FEC/262/2635
	POST-GENERAL - AMENDMENT	-	-	14OCT82 -22NOV82	2	83FEC/266/1272
	POST-GENERAL - AMENDMENT	60,146	56,838	14OCT82 -22NOV82	4	83FEC/267/1643
	POST-GENERAL - AMENDMENT	60,146	56,838	14OCT82 -22NOV82	5	83FEC/267/5041
	POST-GENERAL - AMENDMENT	-	-	14OCT82 -22NOV82	1	83FEC/284/3868
	REQUEST FOR ADDITIONAL INFORMATION			14OCT82 -22NOV82	2	83FEC/282/3043
	REQUEST FOR ADDITIONAL INFORMATION 2ND			14OCT82 -22NOV82	1	83FEC/283/4358
	YEAR-END	13,929	6,856	23NOV82 -31DEC82	20	83FEC/265/3637
	YEAR-END - AMENDMENT	13,929	6,856	23NOV82 -31DEC82	3	83FEC/267/1659
	YEAR-END - AMENDMENT	-	-	23NOV82 -31DEC82	2	83FEC/276/3094
	YEAR-END - AMENDMENT	-	-	23NOV82 -31DEC82	1	83FEC/287/5088
	REQUEST FOR ADDITIONAL INFORMATION			23NOV82 -31DEC82	2	83FEC/271/4997
	REQUEST FOR ADDITIONAL INFORMATION 2ND			23NOV82 -31DEC82	3	83FEC/272/5190
	TOTAL	268,185	0 258,976	0	505	TOTAL PAGES

ALL REPORTS HAVE BEEN REVIEWED. (BASIC REVIEW)
 OUTSTANDING DEBTS AS OF 12/31/82 : \$33,737.05
 (OWED BY THE COMMITTEE)
 CASH ON HAND AS OF 12/31/82 : \$11,172.41

Attachment
 p. 4

ATTACHMENT 1 (PAGE 2 OF 3)

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
RUFF POLITICAL ACTION COMMITTEE (RUFF-PAC) CONNECTED ORGANIZATION: NONE				NON-PARTY QUALIFIED		IP 4C00124040
	1983 STATEMENT OF ORGANIZATION - AMENDMENT			14FEB83	4	83FEC/266/1264
	MISCELLANEOUS REPORT			12OCT83 TO FEC	1	83FEC/284/3857
	MID-YEAR REPORT	37,319	39,527	1JAN83 -31JUL83	15	83FEC/286/0252
	TOTAL	37,319	0 39,527	0	20	TOTAL PAGES

Mid-Year Report has not been reviewed.

Ending Cash (7-31-83): \$8,965
 Debts (7-31-83): \$29,310

*Attachment 1
p. 5*

Attachment 1 (Page 3 of 3)

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

(Summary Page)

82 FEB 9 A 9:38

<p>1. Name of Committee (in Full) RUFF POLITICAL ACTION COMMITTEE (aka RUFF-PAC)</p> <hr/> <p>Address (Number and Street) 1875 South State Street, Suite 1200</p> <hr/> <p>City, State and ZIP Code Orem, Utah 84057</p> <p><input checked="" type="checkbox"/> Check if address is different than previously reported.</p>	<p>4. TYPE OF REPORT (check appropriate boxes)</p> <p>(a) <input type="checkbox"/> April 15 Quarterly Report <input type="checkbox"/> July 15 Quarterly Report <input type="checkbox"/> October 15 Quarterly Report <input checked="" type="checkbox"/> January 31 Year End Report <input type="checkbox"/> July 31 Mid Year Report (Non-election Year Only) <input type="checkbox"/> Monthly Report for _____ <input type="checkbox"/> Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____ <input type="checkbox"/> Thirtieth day report following the General Election on _____ in the State of _____ <input type="checkbox"/> Termination Report</p> <p>(b) Is this Report an Amendment? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>
<p>2. FEC Identification Number C00124040</p>	
<p>3. <input type="checkbox"/> This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)</p>	

85040522702
 95040522702
 2

SUMMARY		Column A This Period	Column B Calendar Year to-Date
5. Covering Period	<u>7/1/82</u> Through <u>12/31/82</u>		
6. (a) Cash on Hand January 1, 19 <u>81</u>			\$ 1964.76
(b) Cash on Hand at Beginning of Reporting Period		\$ 556.63	
(c) Total Receipts (from Line 1B)		\$ 60939.14	\$ 64084.22
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)		\$ 61495.77	\$ 66048.98
7. Total Disbursements (from Line 2B)		\$ 44674.34	\$ 50916.59
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))		\$ 16821.43	\$ 15132.39
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)		\$ -0-	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)		\$ 40416.98	

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

UWARDA SNELLIE
 Type or Print Name of Treasurer

Uwarda Snellie
 SIGNATURE OF TREASURER

2/3/82
 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 3a are obsolete and should no longer be used.

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FEC FORM 3X (3/80)

(Summary Page)

02 JUN 11 09:17

<p>1. Name of Committee (in Full) RUFF POLITICAL ACTION COMMITTEE (aka Ruff-PAC) Address (Number and Street) 1875 South State Street Suite 1200 Orem, Utah 84057 City, State and ZIP Code</p> <p><input type="checkbox"/> Check if address is different than previously reported.</p> <p>2. FEC Identification Number C00124040</p> <p>3. <input type="checkbox"/> This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)</p>	<p>4. TYPE OF REPORT (check appropriate boxes)</p> <p>(a) <input type="checkbox"/> April 15 Quarterly Report <input type="checkbox"/> July 15 Quarterly Report <input type="checkbox"/> October 15 Quarterly Report <input type="checkbox"/> January 31 Year End Report <input type="checkbox"/> July 31 Mid Year Report (Non-election Year Only) <input checked="" type="checkbox"/> Monthly Report for <u>April</u> <input type="checkbox"/> Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____ <input type="checkbox"/> Thirtieth day report following the General Election on _____ in the State of _____ <input type="checkbox"/> Termination Report</p> <p>(b) Is this Report an Amendment? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>
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SUMMARY

	Column A This Period	Column B Calendar Year-to-Date
5. Covering Period <u>APR 1, 1982</u> Through <u>APR 30, 1982</u>		
6. (a) Cash on Hand January 1, 19 <u>82</u>		\$ 4002.73
(b) Cash on Hand at Beginning of Reporting Period	\$ 6085.47	
(c) Total Receipts (from Line 18)	\$ 15255.00	\$ 59739.25
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)	\$ 21340.47	\$ 63741.98
7. Total Disbursements (from Line 28)	\$ 21248.45	\$ 63649.96
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))	\$ 92.02	\$ 92.02
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)	\$ 1800.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	\$ 44890.39	

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 202-527-4068

Uwarda S. Smellie
Type or Print Name of Treasurer

Uwarda S. Smellie
SIGNATURE OF TREASURER

June 8, 1982
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 3a are obsolete and should no longer be used.

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FEC FORM 3x (3/80)

95040522710
 82032324701

Attachment
p.7

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

(Summary Page)

02 JUL 8 10:09

<p>1. Name of Committee (in Full) RUFF POLITICAL ACTION COMMITTEE (aka Ruff-PAC)</p> <p>Address (Number and Street) 1875 South State Street Suite 1400</p> <p>City, State and ZIP Code Orem, Utah 84057</p> <p><input type="checkbox"/> Check if address is different than previously reported.</p>	<p>4. TYPE OF REPORT (check appropriate boxes)</p> <p>(a) <input type="checkbox"/> April 15 Quarterly Report <input type="checkbox"/> July 15 Quarterly Report <input type="checkbox"/> October 15 Quarterly Report <input type="checkbox"/> January 31 Year End Report <input type="checkbox"/> July 31 Mid Year Report (Non-election Year Only) <input checked="" type="checkbox"/> Monthly Report for <u>May</u> <input type="checkbox"/> Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____ <input type="checkbox"/> Thirtieth day report following the General Election on _____ in the State of _____ <input type="checkbox"/> Termination Report</p> <p>(b) Is this Report an Amendment? <input type="checkbox"/> YES <input type="checkbox"/> NO</p>
<p>2. FEC Identification Number C00124040</p>	
<p>3. <input type="checkbox"/> This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)</p>	

SUMMARY

	Column A This Period	Column B Calendar Year-to-Date
5. Covering Period <u>May 1, 1982</u> Through <u>May 31, 1982</u>		
6. (a) Cash on Hand January 1, 19 <u>82</u>		\$ 4002.73
(b) Cash on Hand at Beginning of Reporting Period	\$ 92.02	
(c) Total Receipts (from Line 1B)	\$ 8954.00	\$ 68,693.25
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)	\$ 9046.02	\$ 72,695.98
7. Total Disbursements (from Line 2B)	\$ 8297.49	\$ 71947.45
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d)) ...	\$ 748.53	\$ 748.53
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)	\$ 6023.95	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	\$ 44112.87	

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 202-623-4068

Uvarda S. Smellie

Type or Print Name of Treasurer

Uvarda S. Smellie July 1, 1982
SIGNATURE OF TREASURER 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.

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FEC FORM 3 (3-80)

8502400523248985

Attachment 1
p. 8

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

RECEIVED

(Summary Page)

82 AUG 22 2 21 55

1. Name of Committee (in Full)
RUFF POLITICAL ACTION COMMITTEE
(aka Ruff-PAC)
Address (Number and Street)
1835 South State Suite 150
City, State and ZIP Code
Orem, Utah 84057
 Check if address is different than previously reported.

2. FEC Identification Number
C00124040

3. This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (check appropriate boxes)

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

(b) Is this Report an Amendment?
 YES NO

859040352774921

SUMMARY		Column A The Period	Column B Calendar Year-to-Date
5. Covering Period	June 1, 1982 through June 30, 1982		
6. (a)	Cash on Hand January 1, 1982		\$ 4002.73
(b)	Cash on Hand at Beginning of Reporting Period	\$ 748.53	
(c)	Total Receipts (from Line 18)	\$ 21548.05	\$ 90241.30
(d)	Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)	\$ 22296.58	\$ 94244.03
7. Total Disbursements (from Line 28)		\$ 21184.36	\$ 93131.81
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))		\$ 1112.22	\$ 1112.22
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)		\$ 6023.95	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)		\$ 42898.16	

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 202-623-4068

Uwarda S. Smellie
Type or Print Name of Treasurer
Uwarda S. Smellie
SIGNATURE OF TREASURER Date 8/16/82

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 3a are obsolete and should no longer be used.

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FEC FORM 3X (3/80)

Attachment 1
P. 7

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

02 OCT 1 12:36

(Summary Page)

<p>1. Name of Committee (if Full)</p> <p>RUFF POLITICAL ACTION COMMITTEE (aka Ruff-PAC)</p> <hr/> <p>Address (Number and Street)</p> <p>1835 South State Street</p> <hr/> <p>City, State and ZIP Code</p> <p>Orem, Utah 84057</p> <p><small>*) Check if address is different than previous reported</small></p> <hr/> <p>2. FEC Identification Number</p> <p>CO0124040</p> <hr/> <p>3. <input type="checkbox"/> This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)</p>	<p>4. TYPE OF REPORT (check appropriate boxes)</p> <p>(a) <input type="checkbox"/> April 15 Quarterly Report</p> <p><input type="checkbox"/> July 15 Quarterly Report</p> <p><input type="checkbox"/> October 15 Quarterly Report</p> <p><input type="checkbox"/> January 31 Year End Report</p> <p><input type="checkbox"/> July 31 Mid Year Report (Non-election Year Only)</p> <p><input checked="" type="checkbox"/> Monthly Report for <u>AUGUST</u></p> <p><input type="checkbox"/> Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____</p> <p><input type="checkbox"/> Thirtieth day report following the General Election on _____ in the State of _____</p> <p><input type="checkbox"/> Termination Report</p> <p>(b) Is this Report an Amendment? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>
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820524;0697

SUMMARY	Column A This Period	Column B Calendar Year-to-Date
5. Covering Period <u>August 1</u> Through <u>August 31, 1982</u>		
6. (a) Cash on Hand January 1 19		\$ 4002.73
(b) Cash on Hand at Beginning of Reporting Period	\$ 595.12	
(c) Total Receipts (from Line 1B)	\$ 29825.70	\$ 128886.95
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)	\$ 30420.82	\$ 132889.68
7. Total Disbursements (from Line 2B)	\$ 28221.00	\$ 130689.86
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))	\$ 2199.82	\$ 2199.82
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)	\$ 3223.95	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	\$ 42,804.70	

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 202-527-4068

Helene Holt
Type or Print Name of Treasurer

William H. Hall Sept-23, 1982
SIGNATURE OF TREASURER Date

NOTE: Submission of false information may subject the person signing the report to the penalties of 2 USC §437b.

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

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FEC FORM 3 (1982)

Attachment 1
p. 10

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

82 DEC 20 10:33

(Summary Page)

<p>1. Name of Committee (in Full) HUFF POLITICAL ACTION COMMITTEE (nka Ruff-PAC)</p> <hr/> <p>Address (Number and Street) 1055 Elm Avenue</p> <hr/> <p>City, State and ZIP Code Provo, Utah 84604</p> <p><input type="checkbox"/> Check if address is different than previously reported.</p> <p>2. FEC Identification Number CO0124040</p> <p>3. <input type="checkbox"/> This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)</p>	<p>4. TYPE OF REPORT (check appropriate boxes)</p> <p>(a) <input type="checkbox"/> April 15 Quarterly Report <input type="checkbox"/> July 15 Quarterly Report <input type="checkbox"/> October 15 Quarterly Report <input type="checkbox"/> January 31 Year End Report <input type="checkbox"/> July 31 Mid Year Report (Non-election Year Only) <input type="checkbox"/> Monthly Report for _____ <input checked="" type="checkbox"/> Twelfth day report preceding <u>GENERAL</u> (Type of Election) election on <u>Nov 2nd</u> in the State of _____ <input type="checkbox"/> Thirtieth day report following the General Election on _____ in the State of _____ <input type="checkbox"/> Termination Report</p> <p>(b) Is this Report an Amendment? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>
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8504052;2,75 h 8 j

SUMMARY		Column A This Period	Column B Calendar Year-to-Date
5. Covering Period	<u>10/1/82</u> Through <u>10/13/82</u>		
6. (a) Cash on Hand January 1, 19 <u>82</u>	.....		\$ 4002.73
(b) Cash on Hand at Beginning of Reporting Period	.....	\$ 514.97	
(c) Total Receipts (from Line 18)	.....	\$ 3502.00	\$ 145363.79
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)	.....	\$ 4016.97	\$ 149366.52
7. Total Disbursements (from Line 28)	.....	\$ 3225.78	\$ 148575.33
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))	.....	\$ 791.19	\$ 791.19
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)	.....	\$ -0-	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	.....	\$ 47700.97	

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 202-573-4068

Helene Holt
Type or Print Name of ~~Treasurer~~ person compiling report

Helene Holt 12/13/82
SIGNATURE OF TREASURER 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 3a are obsolete and should no longer be used.

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FEC FORM 3X (3/80)

Attachment 1
p 12

RECEIVED AT THE FEC

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

JAN 7 8 18

(Summary Page)

1. Name of Committee (in Full)
RUFF POLITICAL ACTION COMMITTEE
(aka Ruff-PAC)
Address (Number and Street)
1055 Elm Avenue
City, State and ZIP Code
Provo, Utah 84604
 Check if address is different than previously reported.

2. FEC Identification Number
000124040

3. This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)

4. TYPE OF REPORT (check appropriate boxes)
(a) April 15 Quarterly Report
 July 15 Quarterly Report
 October 15 Quarterly Report
 January 31 Year End Report
 July 31 Mid Year Report (Non-election Year Only)
 Monthly Report for _____
 Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____
 Thirtieth day report following the General Election on _____ in the State of _____
 Termination Report
(b) Is this Report an Amendment?
 YES NO

SUMMARY		Column A This Period	Column B Calendar Year-to-Date
5. Covering Period	10/14/82 Through 11/22/82		
6. (a) Cash on Hand January 1, 1982	.....		\$ 4002.73
(b) Cash on Hand at Beginning of Reporting Period	.....	\$ 791.19	
(c) Total Receipts (from Line 18)	.....	\$ 60146.21	\$ 205,510.00
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)	.....	\$ 60937.40	\$ 209512.73
7. Total Disbursements (from Line 28)	.....	\$ 56838.26	\$ 205413.59
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))	.....	\$ 4099.14	\$ 4002.73
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)	.....	\$ -0-	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	.....	\$ 24,846.08	

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 800-424-9630
Local 202-623-4088

Helene Holt

Type or Print Name of Treasurer person compiling report

Helene Holt
SIGNATURE OF TREASURER

Dec. 31, 1982

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 3a are obsolete and should no longer be used.

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FEC FORM 3X (3/80)

9 5803 40 3 3 9 2 4 21 967

Attachment 1
P 13

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

(Summary Page)

02 NOV 23 AM: 50

<p>1. Name of Committee (in Full) RUFF POLITICAL ACTION COMMITTEE (aka Ruff-PAC)</p> <hr/> <p>Address (Number and Street) 1055 Elm Avenue</p> <hr/> <p>City, State and ZIP Code Provo, Utah 84604</p> <hr/> <p><input type="checkbox"/> Check if address is different than previously reported.</p> <p>2. FEC Identification Number C00124040</p> <p>3. <input type="checkbox"/> This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)</p>	<p>4. TYPE OF REPORT (check appropriate boxes)</p> <p>(a) <input type="checkbox"/> April 15 Quarterly Report <input type="checkbox"/> July 15 Quarterly Report <input type="checkbox"/> October 15 Quarterly Report <input type="checkbox"/> January 31 Year End Report <input type="checkbox"/> July 31 Mid Year Report (Non election Year Only) <input checked="" type="checkbox"/> Monthly Report for <u>October</u> <input type="checkbox"/> Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____ <input type="checkbox"/> Thirtieth day report following the General Election on _____ in the State of _____ <input type="checkbox"/> Termination Report</p> <p>(b) Is this Report an Amendment? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>
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SUMMARY	Column A This Period	Column B Calendar Year to Date
5. Covering Period <u>Oct 1, 1982</u> Through <u>Oct 31, 1982</u>		
6. (a) Cash on Hand January 1, 1982		\$ 4002.73
(b) Cash on Hand at Beginning of Reporting Period	\$ 514.97	
(c) Total Receipts (from Line 18)	\$ 28945.41	\$ 170807.20
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)	\$ 29460.38	\$ 174809.93
7. Total Disbursements (from Line 28)	\$ 31130.24	\$ 176479.79
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))	\$ -1669.86	\$ -1669.86
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)	\$ -0-	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	\$ 42320.02	

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:

Helene Holt
Type or Print Name of Treasurer (person completing report)

Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4066

Helene Holt
SIGNATURE OF TREASURER above

Jan 22, 1983
Date

NOTE Submission of false, or untrue, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. § 4371

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

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FEDERAL ELECTION COMMISSION
WASHINGTON DC 20461

RQ-2

Mark J. Stoddard, Treasurer
Ruff Political Action Committee
(RUFF-PAC)
1055 Elm Avenue
Provo, UT 84604

August 31, 1983

Identification Number: C00124040

Reference: 1981-82 Election Cycle Reports

Dear Mr. Stoddard:

This letter is prompted by the Commission's review of the reports filed by your committee for the 1981-82 election cycle. A review of the reports listed below indicates that your committee repeatedly failed to file reports in a timely manner. Timely filing is a specific requirement of the Federal Election Campaign Act and essential to fulfilling the public disclosure concept embodied in the law. The Commission views late filing as a serious violation of the Act.

<u>Report Type</u>	<u>Due Date</u>	<u>Date Filed</u>
Year End (7/1/81-12/31/81)	1/31/82	2/8/82
May Monthly (4/1/82-4/30/82)	5/20/82	6/11/82
June Monthly (5/1/82-5/31/82)	6/20/82	7/6/82
July Monthly (6/1/82-6/30/82)	7/20/82	8/23/82
September Monthly (8/1/82-8/31/82)	9/20/82	10/1/82
October Monthly (9/1/82-9/30/82)	10/20/82	11/22/82
12 Day Pre-General (10/1/82-10/13/82)	10/21/82	12/20/82
30 Day Post-General (10/14/82-11/22/82)	12/2/82	1/7/83

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This communication affords you the opportunity to present the reasons behind the late tenders noted above. Your response should be filed with the Federal Election Commission, 1325 K Street, NW, Washington, DC 20463 within fifteen (15) days of the date of this letter. The Commission will consider your response to this notice before taking action in this matter. If you need assistance or have any questions regarding this matter, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 357-0026.

Sincerely,



Michael B. Filler
Chief
Party/Non-Party Branch
Reports Analysis Division

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Attachment,
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FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20541

September 22, 1983

Mark J. Stoddard, Treasurer
Ruff Political Action Committee
(RUFF-PAC)
1055 Elm Avenue
Provo, UT 84604

Identification Number: C00124040

Reference: 1981-82 Election Cycle Reports

Dear Mr. Stoddard:

This letter is to inform you that as of September 21, 1983, the Commission has not received your response to our request dated August 31, 1983. That notice requested information explaining why your committee has repeatedly failed to meet reporting deadlines. A copy of our original request is enclosed.

If no response is received within fifteen (15) days from the date of this notice, the Commission may choose to initiate enforcement action.

If you should have any questions related to this matter, please contact Michael B. Filler on our toll-free number (800) 424-9530 or our local number (202) 357-0026.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

Enclosure

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RECEIVED AT THE FEC

RUFF POLITICAL ACTION COMMITTEE

238 Massachusetts Avenue, N.E., Suite 603
Washington, D.C. 20002
(202) 547-2122

EX-112

P2: 22

Howard J. Ruff
Chairman

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PAGE 1

October 7, 1983

Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Attention: John D. Gibson

ID no.: C00124040 Reference: 1981-82 Election Cycle Reports

Dear Mr. Gibson:

This letter is in response to your letter dated September 22, 1983.

Beginning with the report dated Year End (7/1/81 - 12/31/81) which was due 1/31/82: Due to the transfer of records from our legal office in California and due to the delay in hiring a person to handle the FEC reports, we anticipated that our report would be late. Prior to the deadline, we called the FEC to inquire what procedure was necessary because this report would be late. We also inquired as to what penalty would be prescribed due to the lateness of our filing. We were told at that time that if we got the report in within the next week or two there would be no problem, that the Commission itself would not even look to see who was late and would not send out late notices for at least a week or two beyond the due date. We deduced from this communication from the Commission that there indeed was a grace period for late reports. There was no communication whatsoever that the late filing was a serious violation of the Act. The next three reports were filed on time. The May monthly and the June monthly were late because our staff was heavily involved in interviewing candidates and in deciding which candidates to give our support. We filed within what we had determined was the grace period. Subsequent to these filings we received no notification, either oral or written, from the FEC indicating that we were in serious violation of the Act or that we had violated the Act at all. We were relying on the communication we had received verbally from the FEC in January.

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The July monthly was late because our office staff was involved in moving office suites, the interruption caused by vacations as well, and a general behind schedule occurrence. We got back on schedule and the August monthly was on time.

The September monthly was late--only about a week--and that again was due to office personnel being on vacation and our availing ourselves of the grace period.

The October monthly was late because 1.) we were heavily involved in campaigns and 2.) we were again moving offices. Moving offices and reducing the number of office personnel again posed an obstacle to getting the report filed on time. Again we availed ourselves of the "grace period."

The person compiling our FEC reports was unaware that a 12 Day Pre-General report had to be filed and continued to file monthly. She filed a report for the month of October (a November monthly) and received a phone call from the commission that Ruff-PAC was required to file a 12 Day Pre-General and not a November monthly report. She was informed that her "November monthly" would be put in a miscellaneous file and she should proceed to do a 12 Day Pre-General which she did immediately. She was told at that time that several other political action committees had done the same thing. The Commission representative was understanding and communicated that there would be no penalty attached--that Ruff-PAC simply needed to file the correct report. It was done. That accounts for the late filing of the 12 Day Pre-General report.

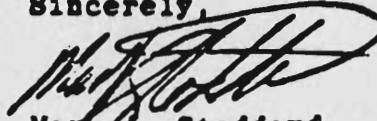
The 30 Day Post-General report was late due to the fact that we had contracted with a mail order company in Maryland to do a mailing for us. We could not complete our report until we had the required information from them. We had opened a bank account in Maryland and all in-coming monies were being caged in Maryland. We could not complete our report without knowing who and how many contributors gave over \$200.00--that information was late in forthcoming from Maryland. Also, we needed to know precisely who we owed, (what debts were incurred during the time frame of the report) and we could not complete our report until it was given to us from those responsible in Maryland.

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Currently, because this is an inactive year, we are filing only semi-annually. However, our report which covers from January 1 to June 30 has not yet been filed because of our relocating from Utah to Virginia. Because of this relocation, an entirely new office staff was hired and this resulted in discontinuity of files and procedures. Presently, we are in the process of organizing and training. We will submit the report as soon as possible.

Sincerely,


Mark S. Stoddard
Treasurer

MJS/mlf

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mark J. Stoddard, Treasurer
Ruff Political Action Committee
236 Massachusetts Avenue, N.E.
Suite 603
Washington, D.C. 20002

Re: MUR

Dear Mr. Stoddard:

On , 1984, the Federal Election Commission determined that there is reason to believe that your committee, Ruff Political Action Committee, and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(B) a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") by failing to file eight reports in a timely manner during the 1981-82 election cycle. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

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

In the absence of any additional information which demonstrates that no further action should be taken against you and your committee, 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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Letter to Mark J. Stoddard
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 Beverly Kramer, the staff member assigned to this matter, at 202/523-4057.

Sincerely,

Enclosures

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

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Attachments 2 p. 2

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR No. _____
STAFF MEMBER(S) & TEL. NO.
Beverly Kramer
202-523-4057

RESPONDENT Ruff Political Action Committee
Mark J. Stoddard, Treasurer

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 Reports Analysis Division referred this matter to the Office of General Counsel on January 13, 1984. The referral alleges that Ruff Political Action Committee and its treasurer, Mark J. Stoddard, failed to file eight reports in a timely manner during the 1981-82 election cycle in accordance with 2 U.S.C. § 434(a)(4)(B) and 11 C.F.R. § 104.5(c)(3). 1/

FACTUAL BASIS AND LEGAL ANALYSIS

1. The Facts

Ruff Political Action Committee ("Ruff PAC") is a political committee within the meaning of 2 U.S.C. § 431(4)(A) and Mark J. Stoddard is its treasurer. 2/

1/ In addition, the referral notes that Ruff PAC's Mid Year report which was due on July 31, 1983, was not filed until October 25, 1983. In a letter dated October 7, 1983, Ruff PAC explains that its late filing is a result of their relocating from Utah to Virginia.

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Ruff PAC failed to file eight (8) reports in a timely manner during the 1981-82 election cycle. The reports were filed between 8 and 60 calendar days late. Listed below are the reports filed late, the date each was due, and the date each report was filed:

<u>Report Type</u>	<u>Due Date</u>	<u>Date Filed</u>
Year End (7/1/81-12/31/81)	01/31/82	02/08/82
May Monthly (4/1/82-4/30/82)	05/20/82	06/11/82
June Monthly (5/1/82-5/31/82)	06/20/82	07/06/82
July Monthly (6/1/82-6/30/82)	07/20/82	08/23/82
September Monthly (8/1/82-8/31/82)	09/20/82	10/01/82
October Monthly (9/1/81-9/30/82)	10/20/82	11/22/82
12 Day Pre-General ^{3/} (10/1/82-10/13/82)	10/21/82	12/20/82
30 Day Post-General ^{4/} (10/14/82-11/22/82)	12/02/82	01/07/83

A notice was sent to Ruff PAC on August 31, 1983, expressing the Commission's view that reports not filed in a timely manner were serious violations of the Act. The notice also gave Ruff PAC an opportunity to explain why the reports were filed late. When there was no response to the initial notice, a Second Notice was sent on September 22, 1983.

^{3/} Ruff PAC initially submitted a 1982 November Monthly Report on November 26, 1982, which disclosed activity from October 1, 1982-October 21, 1982.

^{4/} Ibid.

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Attachment 3 p.2

On October 12, 1983, a response was received from Ruff PAC's treasurer, Mark J. Stoddard. In the letter, Mr. Stoddard provided a number of reasons for submitting reports in an untimely manner. The reasons cited concerned transferring records, hiring and training staff, involvement of staff resources in other areas, moving offices, interruptions caused by vacations, staff reductions and other administrative problems. There also appears to have been reliance on a perceived grace period for filing reports. The treasurer stated that in January of 1982, Ruff PAC telephoned the Commission to determine what the agency's procedures were for dealing with late filing of reports, since Ruff PAC anticipated that their 1981 Year End Report would be filed late. Based upon the conversation, Ruff PAC "deduced" that there was a grace period and since they were never notified as to the seriousness of the violation, they continued to submit reports within a so-called "grace period".

2. The Law Applicable

Pursuant to 2 U.S.C. § 434(a)(4)(B) and 11 C.F.R. § 104.5(c)(3), the treasurer of a political committee is required to file monthly reports no later than 20 days after the last day of the month. In lieu of the monthly reports due in November and December, in any year in which a regularly scheduled general election is held, a pre-election report must be filed no later than 12 days before any primary or general election and a post

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general election report must be filed no later than 30 days after any general election. In addition, a year-end report must be filed no later than January 31 of the following calendar year.

3. Application of the law to the facts

The record in this case reveals that Ruff PAC failed to file eight reports within the time frame required by 2 U.S.C.

§ 434(a)(4)(B). In response to a notice regarding these late filings Ruff PAC admits the findings of fact but calls the Commission's attention to the circumstances surrounding its late filings. It is the view of this office that the factors presented are not a sufficient defense in light of the number of reports involved. Accordingly, we recommend that the Commission open a matter under review and find reason to believe that Ruff PAC and its treasurer, Mark J. Stoddard, violated 2 U.S.C.

§ 434(a)(4)(B).

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Attachment 3 p. 4



FEDERAL ELECTION COMMISSION

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

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THIS IS THE BEGINNING OF MUR # 1627

Date Filmed 4/19/85 Camera No. --- 3

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