FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1956

Date Filmed 9/20/85 Camera No. --- 2

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8504051957

FEDERAL ELECTION COMMISSION

Internal documents, conciliation discussion

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):

___	(1) Classified Information	___	(6) Personal privacy
___	(2) Internal rules and practices	___	(7) Investigatory files
✓	(3) Exempted by other statute	___	(8) Banking Information
___	(4) Trade secrets and commercial or financial information	___	(9) Well Information (geographic or geophysical)
✓	(5) Internal Documents		

Signed Stephen Hans

date 9/12/85

FEC 9-21-77

8504055 1958

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 15, 1985

Martin B. McNamara, Esquire
Texas Oil & Gas Corp.
First City Center
1700 Pacific Avenue
Dallas, Texas 75201

RE: MUR 1956
Texas Oil & Gas Corp.
Political Action Committee
Thomas B. Carter, as treasurer

Dear Mr. McNamara:

On August 7, 1985 the Commission accepted the conciliation agreement signed by Mr. Bob F. Young, as chairman of the Texas Oil & Gas Corp. Political Action Committee on behalf of it and its treasurer, Thomas B. Carter, and a civil penalty in settlement of a violation of 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

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

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

8504055 1959

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Martin B. McNamara, Esquire
Texas Oil & Gas Corp.
First City Center
1700 Pacific Avenue
Dallas, Texas 75201

RE: MUR 1956
Texas Oil & Gas Corp.
Political Action Committee
Thomas B. Carter, as treasurer

Dear Mr. McNamara:

On , 1985 the Commission accepted the conciliation agreement signed by Mr. Bob F. Young, as chairman of the Texas Oil & Gas Corp. Political Action Committee on behalf of it and its treasurer, Thomas B. Carter, and a civil penalty in settlement of a violation of 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

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

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

SM
8/13/85

8504051960

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Martin B. McNamara, Esquire
Texas Oil & Gas Corp.
First City Center
1700 Pacific Avenue
Dallas, Texas 75201

RE: MUR 1956
Texas Oil & Gas Corp.
Political Action Committee
Thomas B. Carter, as treasurer

Dear Mr. McNamara:

On , 1985 the Commission accepted the conciliation agreement signed by Mr. Bob F. Young, as chairman of the Texas Oil & Gas Corp. Political Action Committee on behalf of it and its treasurer, Thomas B. Carter, and a civil penalty in settlement of a violation of 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

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

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Texas Oil & Gas Corp.	)	MUR 1956
Political Action Committee	)	

CONCILIATION AGREEMENT

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

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

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

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

III. Respondent enters voluntarily into this agreement with the Commission.

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

1. The Texas Oil & Gas Corp. Political Action Committee is a political committee within the meaning of 2 U.S.C. § 431(4)(B).

2. Pursuant to 2 U.S.C. § 434(a)(4)(B), the Committee was required to file its 1984 pre-general election report by October 25, 1984. A failure

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Martin B. McNamara, Esquire
Texas Oil & Gas Corp.
First City Center
1700 Pacific Avenue
Dallas, Texas 75201

RE: MUR 1956
Texas Oil & Gas Corp.
Political Action Committee
Thomas B. Carter, as treasurer

Dear Mr. McNamara:

On , 1985 the Commission accepted the conciliation agreement signed by Mr. Bob F. Young, as chairman of the Texas Oil & Gas Corp. Political Action Committee on behalf of it and its treasurer, Thomas B. Carter, and a civil penalty in settlement of a violation of 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

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

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

8504051962

to file notification letter was sent to the Committee by the Reports Analysis Division on November 16, 1984. The Committee promptly responded to the notification and filed the 1984 pre-election report on November 21, 1984.

V. Respondent neither admits nor denies that it and/or its treasurer violated 2 U.S.C. § 434(a)(4)(B) by failing to file their 1984 pre-general election report in a timely manner.

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of One Hundred and Seventy Five dollars ($175), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondent agrees that it shall not, and it shall not permit its treasurer to, undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

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

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

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

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

85040531963

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY: _____ August 14, 1985
Kenneth A. Gross — Date
Associate General Counsel

FOR THE RESPONDENT:

_____ 5/23/85
Bob F. Young — Date
Chairman

3504055 1964

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1956
Texas Oil and Gas Corp.	)	
Political Action Committee	)	
Thomas B. Carter, as treasurer	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 7, 1985, the Commission decided by a vote of 5-0 to take the following actions in MUR 1956:

1. Accept and sign the proposed conciliation agreement and letter attached to the General Counsel's Report signed August 1, 1985.

2. Close the file.

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

Attest:

8-7-85
Date

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

Received in Office of Commission Secretary: 8-2-85, 5:03
Circulated on 48 hour tally basis: 8-5-85, 11:00

85040551965

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Texas Oil & Gas Corp.	)	Mur 1956
Political Action Committee	)	
Thomas B. Carter, as treasurer	)	
	)	

SENSITIVE

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY
85 AUG 2 P 4: 04

GENERAL COUNSEL'S REPORT

On March 22, 1985, the Commission found reason to believe the Texas Oil & Gas Corp. Political Action Committee ("the Committee") and Thomas B. Carter, as its treasurer (collectively referred to as "Respondents"), violated 2 U.S.C. § 434(a)(4)(B) by their failure to timely file the 1984 pre-general election report. A copy of the General Counsel's Factual and Legal Analysis was forwarded to the Respondents' counsel on April 1, 1985 together with the notification of the Commission's action.

On April 18, 1985 the Office of General Counsel received counsel's response to the reason to believe notification. The response included a request to enter into pre-probable cause conciliation. The Commission, on May 14, 1985 voted to accept the request to enter into conciliation negotiations prior to probable cause and approved a proposed agreement, which was sent to counsel on May 17, 1985.

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On July 8, 1985 the Office of General Counsel received a signed counterproposed conciliation agreement together with a check for the civil penalty approved by the Commission.

RECOMMENDATION

1. Accept and sign the proposed conciliation agreement and letter.
2. Close the file

Charles N. Steele
General Counsel

Aug 6 1985
Date

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

Attachments

1. Counterproposed Conciliation agreement
2. Proposed letter.

85040551967

TEXAS OIL & GAS CORP.
FIRST CITY CENTER
1700 PACIFIC AVENUE
DALLAS, TEXAS 75201

85 JUL 8 P12:57

GCC79551

Mims

MARTIN B. McNAMARA
VICE PRESIDENT
ASSOCIATE GENERAL COUNSEL
& SECRETARY

June 26, 1985

85 JUL 9 A10:17

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Federal Election Commission
Washington, DC 20463

Attn: Stephen Mims, Esq.

Gentlemen:

I also enclose Texas Oil & Gas Corp. check no. 63755 in the amount of $175 pursuant to paragraph VI of the conciliation agreement.

In accordance with paragraph X of the conciliation agreement, the Commission is hereby notified that Respondents have complied with and implemented requirements contained in the conciliation areement.

I would appreciate it if you return a copy of the fully executed agreement to me for my file.

Yours very truly,

Martin B. McNamara

MBM:srf

Enclosures

cc: Bob F. Young, Esq. w/enclosures
Mr. Tom B. Carter w/enclosures
Texas Oil & Gas Corp.
First City Center
1700 Pacific Avenue
Dallas, TX 75201

Attachment 1
Page 1

8504051968

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR1956
Texas Oil & Gas Corp.	)	
Political Action Committee	)	
Thomas B. Carter, as treasurer	)	
and not in his individual	)	
capacity	)	

CONCILIATION AGREEMENT

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

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

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

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

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

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

1. The Texas Oil & Gas Corp. Political Action Committee is a political committee within the meaning of 2 U.S.C. § 431(4)(B).

2. Thomas B. Carter is the treasurer of the Committee.

3. Pursuant to 2 U.S.C. § 434(a)(4)(B), the Committee was required

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Attachment 1
Page 2

to file its 1984 pre-general election report by October 25, 1984. A failure to file notification letter was sent to the Committee by the Reports Analysis Division on November 16, 1984. The Committee promptly responded to the notification and filed the 1984 pre-election report on November 21, 1984.

V. Respondents violated 2 U.S.C. § 434(a)(4)(B) by failing to file their 1984 pre-general election report in a timely manner.

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of One Hundred and Seventy Five dollars ($175), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

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

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

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

Attachment 1
Page 3

3 5 0 4 0 5 5 1 9 7 0

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY: _____ _____
Kenneth A. Gross Date
Associate General Counsel

FOR THE RESPONDENT:

_____ June 26, 1985
Bob F. Young Date
Chairman

8504055197 1

Attachment 1
Page 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Martin B. McNamara, Esquire
Texas Oil & Gas Corp.
First City Center
1700 Pacific Avenue
Dallas, Texas 75201

RE: MUR 1956
Texas Oil & Gas Corp.
Political Action Committee
Thomas B. Carter, as treasurer

Dear Mr. McNamara:

On , 1985 the Commission accepted the conciliation agreement signed by Mr. Bob F. Young, as chairman of the Texas Oil & Gas Corp. Political Action Committee on behalf of it and its treasurer, Thomas B. Carter, and a civil penalty in settlement of a violation of 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

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

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

Attachment 2

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TEXAS OIL & GAS CORP.

1700 PACIFIC AVENUE, LB 10, DALLAS, TEXAS 75201-4696

InterFirst

InterFirst Bank Carrollton
Carrollton, Texas

No. 63755

DATE	AMOUNT
6-24-85	**$175.00**

PAY TO Treasurer of the United States
Washington, DC 20463

R. G. Schwelle

3504055197 3

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1956
Texas Oil and Gas Corporation	)	
Political Action Committee	)	
Thomas B. Carter, as treasurer	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 10, 1985, the Commission decided by a vote of 6-0 to take the following actions in MUR 1956:

1. Reject the counterproposed conciliation agreement submitted on May 23, 1985.

2. Authorize an additional 15 day period for pre-probable cause conciliation.

3. Approve and send the letter and counterproposal attached to the General Counsel's Report signed June 5, 1985.

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

Attest:

6-12-85
Date

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

Received in Office of Commission Secretary: 6-6-85, 10:59
Circulated on 48 hour tally basis: 6-6-85, 4:00

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8504055 1975

85 MAY 28 P12: 4

TEXAS OIL & GAS CORP
FIRST CITY CENTER
1700 PACIFIC AVENUE LB 10
DALLAS TEXAS 75201-4658

To

Federal Election Commission

Washington, DC 20463

Attn: Stephen Mims, Esq.

CERTIFIED

P 195 476 731

MAIL

667713
Mins

TEXAS OIL & GAS CORP.
FIRST CITY CENTER
1700 PACIFIC AVENUE
DALLAS, TEXAS 75201

RECEIVED
OFFICE OF THE
GENERAL COUNSEL
85 APR 18 A10: 36

85 APR 17 P2: 33

MARTIN B. MCNAMARA
VICE PRESIDENT
ASSOCIATE GENERAL COUNSEL
& SECRETARY

April 12, 1985

Mr. John Warren McGarry
Chairman
Federal Election Commission
Washington , DC 20463

RE: MUR 1956
Texas Oil & Gas Corp.
Political Action Committee

Dear Mr. McGarry:

We are in receipt of your letter dated April 1st notifying Texas Oil and Gas Corp. Political Action Committee (TXO FEDPAC), that the Federal Election Commission (FEC) has determined there is reason to believe that it failed to timely file the required Pre-General Election Report of Receipts and Disbursements. Enclosed please find a completed Statement of Designation of Counsel which designates me to represent TXO FEDPAC in this matter.

A letter from the FEC Reports Analysis Division was received on November 20, 1984, reminding TXO FEDPAC of the need to file its Pre-General Election Report. That same day TXO FEDPAC completed the report and Federal Expressed it to the FEC.

In addition to our prompt response to the November 20th letter, please consider the following facts:

1. TXO FEDPAC was organized in 1979 and since that time has never failed to make a timely filing of a Report of Receipts and Disbursements.

2. TXO FEDPAC experienced some organizational changes during 1984. Both the Treasurer and his staff support, responsible for filing the FEC reports, are new to their positions.

3. The report in question is unique. All previous reports in this election cycle were due on the 20th of the month following close of the reporting period on the last day of the previous month.

4. The information contained in the report was routine and there was clearly no intent to withhold required in formation from the FEC.

8504051976

With this letter, TXO FEDPAC wishes to open pre-probable cause conciliation negotiations.

Thank you for your consideration. If you have any questions, please contact me at 214/954-2092.

Very truly yours,

Martin McNamara

MM/n

8504055 1977

STATEMENT OF DESIGNATION OF COUNSEL

MUR 1956

NAME OF COUNSEL: Martin B. McNamara

ADDRESS: Vice President
Associate General Counsel
and Secretary
Texas Oil & Gas Corp.
1700 Pacific Avenue, LB 10
Dallas, Texas 75201-4696

TELEPHONE: 214/954-2092

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

4/12/85
Date

Signature
Thomas B. Carter
Treasurer TXO FEDPAC

RESPONDENT'S NAME: Texas Oil & Gas Corp.
Political Action Committee

ADDRESS: Thomas B. Carter, Treasurer
1700 Pacific Avenue, LB 10
Dallas, Texas 75201-4696

HOME PHONE: 214/681-8570

BUSINESS PHONE: 214/954-2550

8504051973

AS OIL & GAS CORP.
FIRST CITY CENTER
1700 PACIFIC AVENUE, LB 10
LLAS, TEXAS 75201-4696

3504051197

DALLAS, TX 752
EPM
12 APR
1985

Mr. John Warren McGarry
Chairman
Federal Election Commission
Washington, DC 20463

CERTIFIED
P 375 476 730
MAIL

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	RAD Referral 85NF-32
Texas Oil and Gas Corporation	)	
Political Action Committee	)	
Thomas B. Carter, as treasurer	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 22, 1985, the Commission decided by a vote of 5-0 to take the following actions in RAD Referral 85NF-32:

1. Open a MUR.
2. Find reason to believe the Texas Oil and Gas Corporation Political Action Committee (TXO Fedpac) and Thomas B. Carter, as treasurer, violated 2 U.S.C. § 434(a)(4)(B).
3. Approve and send the letter and factual and legal analysis attached to the First General Counsel's Report signed March 19, 1985.

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

Attest:

3-25-85
Date

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

Received in Office of Commission Secretary: 3-20-85, 12:54
Circulated on 48 hour tally basis: 3-20-85, 4:00

8504051930

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 1, 1985

Thomas B. Carter, Treasurer
Texas Oil and Gas Corporation
Political Action Committee
First City Center
1700 Pacific Avenue
Dallas, Texas 75201

RE: MUR 1956
Texas Oil and Gas Corporation
Political Action Committee
Thomas B. Carter, as Treasurer

Dear Mr. Carter:

On March 22, 1985, the Federal Election Commission determined that there is reason to believe that the Texas Oil and Gas Corporation 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 timely file a pre-general election report of receipts and disbursements. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

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

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

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

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

For you information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Stephen Mims, the attorney assigned to this matter, at (202) 523-4143.

Sincerely,

John Warren McGarry
Chairman

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

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR # 1956
STAFF MEMBER: Stephen Mims
(202) 523-4143

RESPONDENTS' NAMES: Texas Oil and Gas Corporation Political Action Committee (TXO Fedpac) and Thomas B. Carter, as Treasurer

GENERATION OF MATTER

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

SUMMARY OF ALLEGATIONS

The Texas Oil and Gas Corporation Political Action Committee (TXO Fedpac) files reports of receipts and disbursements on a monthly basis; TXO Fedpac, however, failed to timely submit its pre-general election report. That report, due October 25, 1984, was not filed until November 21, 1984, twenty-seven days late. The report was submitted, however, within 5 days from the date of the failure to file notification sent by the Reports Analysis Division.

FACTUAL AND LEGAL ANALYSIS

Title 2, United States Code, at Section 434(a)(4)(B) requires that committees, which file monthly reprots during any year in which a regularly scheduled general election is held,

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

TXO Fedpac submitted reports for each month in 1984, but failed to submit the pre-general election report as required. The Reports Analysis Division indicates in its referral that notifications were sent to each unauthorized committee on October 1, 1984, advising them of these filing requirements. When TXO Fedpac failed to file the pre-election report, the Reports Analysis Division notified the committee on October 1, 1984, of its obligation. The committee in turn, submitted a pre-election report on November 21, 1984, twenty seven days late.

CONCLUSION

Based upon the foregoing, it appears, therefore, that the Texas Oil and Gas Corporation Political Action Committee (TXO Fedpac) and Thomas B. Carter, as treasurer, violated 2 U.S.C. § 434(a)(4)(B) by failing to timely file the pre-general election report.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Thomas B. Carter, Treasurer
Texas Oil and Gas Corporation
Political Action Committee
First City Center
1700 Pacific Avenue
Dallas, Texas 75201

RE: MUR
Texas Oil and Gas Corporation
Political Action Committee
Thomas B. Carter, as Treasurer

Dear Mr. Carter:

On , 1985, the Federal Election Commission determined that there is reason to believe that the Texas Oil and Gas Corporation 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 timely file a pre-general election report of receipts and disbursements. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

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

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

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

8 5 0 4 0 5 5 1 9 8 3

Sam
3/18/85

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

For you information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Stephen Mims, the attorney assigned to this matter, at (202) 523-4143.

Sincerely,

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

3 5 0 4 0 5 5 1 9 8 6

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Thomas B. Carter, Treasurer
Texas Oil and Gas Corporation
Political Action Committee
First City Center
1700 Pacific Avenue
Dallas, Texas 75201

RE: MUR
Texas Oil and Gal Corporation
Political Action Committee
Thomas B. Carter, as Treasurer

Dear Mr. Carter:

On , 1985, the Federal Election Commission determined that there is reason to believe that the Texas Oil and Gas Corporation 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 timely file a pre-general election report of receipts and disbursements. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

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

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

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

8 5 0 4 0 5 5 1 9 3 7

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

For you information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Stephen Mims, the attorney assigned to this matter, at (202) 523-4143.

Sincerely,

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

85040551938

SENSITIVE

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY
85 MAR 20 P12: 54

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

FIRST GENERAL COUNSEL'S REPORT

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

MUR # RAD Referral 85NF-32
STAFF MEMBER: Stephen Mims

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

RESPONDENTS' NAMES: Texas Oil & Gas Corporation
Political Action Committee
Thomas B. Carter, as Treasurer

RELEVANT STATUTE: 2 U.S.C. § 434(a)(4)(B)

INTERNAL REPORTS CHECKED: FEC Index of Reports filed by the Committee through February 22, 1985

FEDERAL AGENCIES CHECKED: NONE

GENERATION OF MATTER

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

SUMMARY OF ALLEGATIONS

The Texas Oil and Gas Corporation Political Action Committee (TXO Fedpac) files reports of receipts and disbursements on a monthly basis; TXO Fedpac, however, failed to timely submit its pre-general election report. That report, due October 25, 1984, was not filed until November 21, 1984, twenty-seven days late. The report was submitted, however, within 5 days from the date of

8504055198 9

the failure to file notification sent by the Reports Analysis Division.

FACTUAL AND LEGAL ANALYSIS

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

TXO Fedpac submitted reports for each month in 1984, but failed to submit the pre-general election report as required. The Reports Analysis Division indicates in its referral that notifications were sent to each unauthorized committee on October 1, 1984, advising them of these filing requirements. When TXO Fedpac failed to file the pre-election report, the Reports Analysis Division notified the committee on October 1, 1984, of its obligation. The committee in turn, submitted a pre-election report on November 21, 1984, twenty seven days late.

RECOMMENDATION

The Office of General Counsel makes the following recommendations:

1. Open a MUR.

2. Find reason to believe the Texas Oil and Gas Corporation Political Action Committee (TXO Fedpac) and Thomas B. Carter, as treasurer, violated 2 U.S.C. § 434(a)(4)(B).

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3. Approve and send the attached letter and factual and legal analysis.

March 19, 1985
Date

Charles N. Steele
General Counsel

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

Attachments

1. Referral from the Reports Analysis Division.

2. Proposed letter and Factual and Legal Analysis.

8504055199 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 15, 1985

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

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

SUBJECT: NON-FILER REFERRALS OF MONTHLY UNAUTHORIZED COMMITTEES

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

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

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

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

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

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

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

Attachments

8 5 0 4 0 5 5 1 9 9 3

Attachment 1
Page 2

Attachment 38

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 1, 1984

GENERAL ELECTION FILING NOTICE FOR UNAUTHORIZED COMMITTEES

WHO MUST FILE THE PRE-GENERAL ELECTION REPORT
All committees that file monthly reports must file the pre-general election report due October 25, 1984.

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

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

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

* * * * *

WHO MUST FILE THE POST-GENERAL ELECTION REPORT
All committees must file the post-general election report due December 6, 1984, regardless of election activity.

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

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

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

-over-

Attachment 1
Page 3

3 5 0 4 0 5 5 1 9 9 4

WHERE AND HOW TO FILE
Committees should consult the instructions on the enclosed FEC form 3X, for details.

QUARTERLY FILERS

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

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

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

* * *

MONTHLY FILERS

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

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

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

Attachment 1
Page 4

8 5 0 4 0 5 5 1 9 9 5

Attachment 39

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

November 16, 1984

Identification Number:

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

Dear

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced Report of Receipts and Disbursements as required by the Federal Election Campaign Act. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 1325 K Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or the relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR 108.2, 108.3, 108.4).

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

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

Sincerely,

for John D. Gibson
Assistant Staff Director
Reports Analysis Division

8 5 0 4 0 5 5 1 9 9 6

Attachment 1
Page 5

8 5 0 4 0 5 5 1 9 9 7

TXO PAC TEXAS OIL AND GAS CORPORATION
POLITICAL ACTION COMMITTEE

(Attachments 32a - b)

Attachment 1
Page 6

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

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
TXO PAC TEXAS OIL & GAS CORP POLITICAL ACTION COMMITTEES CONNECTED ORGANIZATION: TEXAS OIL & GAS CORPORATION				NON-PARTY QUALIFIED		ID #C00115345
1983	FEBRUARY MONTHLY	1,084	0	1JAN83 -31JAN83	5	83FEC/266/4406
	MARCH MONTHLY	1,040	0	1FEB83 -28FEB83	5	83FEC/268/0437
	APRIL MONTHLY	1,014	1,038	1MAR83 -31MAR83	6	83FEC/270/0012
	MAY MONTHLY	1,038	1,000	1APR83 -30APR83	6	83FEC/272/2938
	MAY MONTHLY - AMENDMENT	1,038	1,000	1APR83 -30APR83	4	83FEC/273/4376
	JUNE MONTHLY	1,034	0	1MAY83 -31MAY83	5	83FEC/273/4380
	JULY MONTHLY -	1,033	0	1JUN83 -30JUN83	5	83FEC/276/1780
	AUGUST MONTHLY	1,028	0	1JUL83 -31JUL83	5	83FEC/281/5350
	AUGUST MONTHLY - AMENDMENT	1,228	0	1JUL83 -31JUL83	4	83FEC/283/2024
	SEPTEMBER MONTHLY	3,063	0	1AUG83 -31AUG83	6	83FEC/283/2028
	OCTOBER MONTHLY	3,327	0	1SEP83 -30SEP83	6	83FEC/284/2560
	OCTOBER MONTHLY - AMENDMENT	3,327	0	1SEP83 -30SEP83	6	83FEC/287/3327
	NOVEMBER MONTHLY	4,136	1,000	1OCT83 -31OCT83	9	83FEC/287/3333
	DECEMBER MONTHLY	1,649	1,000	1NOV83 -30NOV83	9	83FEC/288/4897
	YEAR-END	5,013	250	1DEC83 -31DEC83	11	84FEC/291/0922
1984	STATEMENT OF ORGANIZATION - AMENDMENT			6FEB84	2	84FEC/296/1352
	STATEMENT OF ORGANIZATION - AMENDMENT			16JUL84	2	84FEC/321/4686
	FEBRUARY MONTHLY	1,433	0	1JAN84 -31JAN84	7	84FEC/297/0327
	MARCH MONTHLY	1,582	0	1FEB84 -29FEB84	7	84FEC/299/4862
	APRIL MONTHLY	1,568	0	1MAR84 -31MAR84	7	84FEC/309/3299
	MAY MONTHLY	1,543	0	1APR84 -30APR84	6	84FEC/315/3170
	JUNE MONTHLY	2,559	4,000	1MAY84 -31MAY84	7	84FEC/317/5245
	JUNE MONTHLY - AMENDMENT	2,559	4,000	1MAY84 -31MAY84	3	84FEC/324/2459
	JULY MONTHLY	1,611	3,500	1JUN84 -30JUN84	7	84FEC/324/2462
	AUGUST MONTHLY	1,537	0	1JUL84 -31JUL84	8	84FEC/326/3718
	SEPTEMBER MONTHLY	1,592	7,000	1AUG84 -31AUG84	8	84FEC/329/4022
	OCTOBER MONTHLY	4,790	5,500	1SEP84 -30SEP84	9	84FEC/344/0298
	PRE-GENERAL	2,695	10,500	10CT84 -17OCT84	7	84FEC/349/1753
	NOTICE OF FAILURE TO FILE			10CT84 -17OCT84	1	84FEC/349/0563
	POST-GENERAL	2,906	15,100	18OCT84 -26NOV84	11	84FEC/354/0662
	TOTAL	48,475 0	49,888 0		184	TOTAL PAGES

ENDING CASH (11/26/84): $1,571

DEBTS: $ 0

Attachment 1 Page 7

Attachment 32a

Attachment 32b

FEC

84 NOV 21 A 8:48

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

(Summary Page)

ALIGN AREA

1. Name of Committee (In Full)

TXO FEDPAC

Address (Number and Street)

First City Center
1700 Pacific Avenue

City, State and ZIP Code

Dallas, TX 75201

☐ Check here if address is different than previously reported.

2. FEC Identification Number

C00115345

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 ☐ October 15 Quarterly Report

☐ July 15 Quarterly Report ☐ January 31 Year End Report

☐ July 31 Mid Year Report (Non-Election Year Only)

☐ Monthly Report for _____

XXX ☐ Twelfth day report preceding General of 1984 (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 October 1 through October 17, 1984		
6 (a) Cash on hand January 1, 19 84		$ 23,350.56
(b) Cash on Hand at Beginning of Reporting Period	$ 21,570.08	
(c) Total Receipts (from Line 18)	$ 2,695.12	$ 20,914.64
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$ 24,265.20	$ 44,265.20
7 Total Disbursements (from Line 28)	$ 10,500.00	$ 30,500.00
8 Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 13,765.20	$ 13,765.20
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)	$ -0-	

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

Thomas B. Carter
Type or Print Name of Treasurer

SIGNATURE OF TREASURER

November 20, 1984
Date

For further information contact
Federal Election Commission
Toll Free 800 424 9530
Local 202 523 4068

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.

FEC FORM 3a 3/80

Attachment 1
Page 8

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Thomas B. Carter, Treasurer
Texas Oil and Gas Corporation
Political Action Committee
First City Center
1700 Pacific Avenue
Dallas, Texas 75201

RE: MUR
Texas Oil and Gal Corporation
Political Action Committee
Thomas B. Carter, as Treasurer

Dear Mr. Carter:

On , 1985, the Federal Election Commission determined that there is reason to believe that the Texas Oil and Gas Corporation 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 timely file a pre-general election report of receipts and disbursements. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

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

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

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

8504055200

Attachment 2
Page 1

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

For you information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Stephen Mims, the attorney assigned to this matter, at (202) 523-4143.

Sincerely,

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

8 5 0 4 0 5 5 2 0 0 1

Attachment 2
Page 2

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR # 85NF-32
STAFF MEMBER: Stephen Mims
(202) 523-4143

RESPONDENTS' NAMES: Texas Oil and Gas Corporation Political Action Committee (TXO Fedpac) and Thomas B. Carter, as Treasurer

GENERATION OF MATTER

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

SUMMARY OF ALLEGATIONS

The Texas Oil and Gas Corporation Political Action Committee (TXO Fedpac) files reports of receipts and disbursements on a monthly basis; TXO Fedpac, however, failed to timely submit its pre-general election report. That report, due October 25, 1984, was not filed until November 21, 1984, twenty-seven days late. The report was submitted, however, within 5 days from the date of the failure to file notification sent by the Reports Analysis Division.

FACTUAL AND LEGAL ANALYSIS

Title 2, United States Code, at Section 434(a)(4)(B) requires that committees, which file monthly reprots during any year in which a regularly scheduled general election is held,

8504055202

Attachment 2
Page 3

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

TXO Fedpac submitted reports for each month in 1984, but failed to submit the pre-general election report as required. The Reports Analysis Division indicates in its referral that notifications were sent to each unauthorized committee on October 1, 1984, advising them of these filing requirements. When TXO Fedpac failed to file the pre-election report, the Reports Analysis Division notified the committee on October 1, 1984, of its obligation. The committee in turn, submitted a pre-election report on November 21, 1984, twenty seven days late.

CONCLUSION

Based upon the foregoing, it appears, therefore, that the Texas Oil and Gas Corporation Political Action Committee (TXO Fedpac) and Thomas B. Carter, as treasurer, violated 2 U.S.C. § 434(a)(4)(B) by failing to timely file the pre-general election report.

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SENSITIVE

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Date & Time Transmitted: WEDNESDAY, 3-20-85, 4:00

COMMISSIONER: McGARRY, AIKENS, McDONALD, ELLIOTT, REICHE, HARRIS

RETURN TO COMMISSION SECRETARY BY FRIDAY, MARCH 22, 1985, 4:00

SUBJECT: RAD REFERRAL 85NF-32 - First General Counsel's Report signed March 19, 1985

( ) I approve the recommendation in the attached report.

( ) I object to the recommendation.

COMMENTS: _____

Date: _____ Signature; _____

ALL BALLOTS MUST BE SIGNED AND DATED. PLEASE RETURN ONLY THE BALLOT TO THE COMMISSION SECRETARY. PLEASE RETURN THE BALLOT NO LATER THAN THE DATE AND TIME SHOWN ABOVE.

From the Office of the Commission Secretary

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE SECRETARY
COMMISSION SECRETARY

85 MAR 26 P 4: 31

March 26, 1985

MEMORANDUM TO: The Commission

SENSITIVE

FROM: Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

SUBJECT: RAD Referral 85NF-32

On March 22, 1985 the Commission approved the recommendation that RAD Referral 85NF-32 should become a MUR. Therefore, all documents which had previously been contained in RAD Referral 85NF-32 should now become MUR 1956.

Attachment
Copy of Certification

8504052006

M1956

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	RAD Referral 85NF-32
Texas Oil and Gas Corporation	)	
Political Action Committee	)	
Thomas B. Carter, as treasurer	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 22, 1985, the Commission decided by a vote of 5-0 to take the following actions in RAD Referral 85NF-32:

1. Open a MUR.
2. Find reason to believe the Texas Oil and Gas Corporation Political Action Committee (TXO Fedpac) and Thomas B. Carter, as treasurer, violated 2 U.S.C. § 434(a)(4)(B).
3. Approve and send the letter and factual and legal analysis attached to the First General Counsel's Report signed March 19, 1985.

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

Attest:

3-25-85
Date

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

Received in Office of Commission Secretary: 3-20-85, 12:54
Circulated on 48 hour tally basis: 3-20-85, 4:00

8504052007

FEDERAL ELECTION COMMISSION
1325 K STREET N.W
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1956

Date Filmed 9/20/85 Camera No. --- 2

Cameraman AS

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THE FOLLOWING MATERIAL IS BEING ADDED TO THE

PUBLIC FILE OF CLOSED MUR 1956 .

8504055423 0

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 17, 1985

Martin B. McNamara, Esquire
Texas Oil and Gas Corp.
First City Center
1700 Pacific Avenue
Dallas, Texas 75201

RE: MUR 1956
Texas Oil and Gas Corp.
Political Action Committee
Thomas B. Carter, as treasurer

Dear Mr. McNamara:

On March 22, 1985, the Commission found reason to believe that the Texas Oil and Gas Corp. Political Action Committee ("the Committee") and its treasurer violated 2 U.S.C. § 434(a)(4)(B). At your request, the Commission determined on May 14 , 1985, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If the Committee and its treasurer agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Stephen Mims the attorney assigned to this matter, at (202) 523-4143.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gr
Associate G

Enclosures

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 17, 1985

Martin B. McNamara, Esquire
Texas Oil and Gas Corp.
First City Center
1700 Pacific Avenue
Dallas, Texas 75201

RE: MUR 1956
Texas Oil and Gas Corp.
Political Action Committee
Thomas B. Carter, as treasurer

Dear Mr. McNamara:

On March 22, 1985, the Commission found reason to believe that the Texas Oil and Gas Corp. Political Action Committee ("the Committee") and its treasurer violated 2 U.S.C. § 434(a)(4)(B). At your request, the Commission determined on May 14 , 1985, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If the Committee and its treasurer agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Stephen Mims the attorney assigned to this matter, at (202) 523-4143.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosures

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Texas Oil and Gas Corporation	)	MUR 1956
Political Action Committee	)	
Thomas B. Carter, as treasruer	)	

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 responsiblities. The Commission found reason to believe that the Texas Oil and Gas Corporation Political Action Committee ("the Committee") and its treasurer ("Respondents") violated 2 U.S.C. § 434(a)(4)(B) by failing to file there 1984 pre-general election report in a timely manner.

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

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

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

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

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

1. The Texas Oil and Gas Corporation Political Action Committee is a political committee within the meaning of 2 U.S.C. § 431(4)(B).

2. Thomas B. Carter is the treasurer of the Committee.

3. Pursuant to 2 U.S.C. § 434(a)(4)(B), the Committee was required to file its 1984 pre-general election report by October 25, 1984. The Committee filed the 1984 pre-election report on November 21, 1984.

V. Respondents violated 2 U.S.C. § 434(a)(4)(B) by failing to file their 1984 pre-general election report in a timely manner.

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of One Hundred and Seventy Five dollars ($175), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

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

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

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

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY: _____ _____
Kenenth A. Gross Date
Associate General Counsel

FOR THE RESPONDENT:

_____ _____
Date

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Texas Oil and Gas Corporation	)	MUR 1956
Political Action Committee	)	
Thomas B. Carter, as treasurer	)	

CERTIFICATION

I, Mary W. Dove, recording secretary for the Federal Election Commission executive session of May 14, 1985, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1956:

1. Enter into conciliation with the Texas Oil and Gas Corporation Political Action Committee and Thomas B. Carter, as treasurer, prior to a finding of probable cause to believe.

2. Approve and send the proposed conciliation agreement and letter attached to the General Counsel's Report dated May 2, 1985.

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

Attest:

5-15-85
Date

Mary W. Dove
Mary W. Dove
Recording Secretary

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SENSITIVE

RECEIVED
THE FEC
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Texas Oil and Gas Corporation	)	MUR 1956
Political Action Committee	)	
Thomas B. Carter, as treasurer	)	

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GENERAL COUNSEL'S REPORT

I. BACKGROUND

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

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

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

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II. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

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

Report	Receipts	Expenditures	Report Due	Report Filed	Days Late	Proposed Penalty
1984 Pre-General Election Report	$2,695	$10,500	10/25/84	11/21/84	27	$ 75
				Subtotal		$ 75
				+ Base		$100
				Total		$175

III. RECOMMENDATIONS

1. Enter into conciliation with the Texas Oil and Gas Corporation Political Action Committee and Thomas B. Carter, as treasurer, prior to a finding of probable cause to believe.

2. Approve and send the attached proposed conciliation agreement and letter.

Charles N. Steele
General Counsel

May 2, 1985
Date

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

Attachments
1. Response from Texas Oil and Gas Corporation Political Action Committee

2. Proposed conciliation agreement and letter

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6607713
Mims

TEXAS OIL & GAS CORP.
FIRST CITY CENTER
1700 PACIFIC AVENUE
DALLAS, TEXAS 75201

APR 18 A10:36
2:33

MARTIN B. McNAMARA
VICE PRESIDENT
ASSOCIATE GENERAL COUNSEL
& SECRETARY

April 12, 1985

Mr. John Warren McGarry
Chairman
Federal Election Commission
Washington , DC 20463

RE: MUR 1956
Texas Oil & Gas Corp.
Political Action Committee

Dear Mr. McGarry:

We are in receipt of your letter dated April 1st notifying Texas Oil and Gas Corp. Political Action Committee (TXO FEDPAC), that the Federal Election Commission (FEC) has determined there is reason to believe that it failed to timely file the required Pre-General Election Report of Receipts and Disbursements. Enclosed please find a completed Statement of Designation of Counsel which designates me to represent TXO FEDPAC in this matter.

A letter from the FEC Reports Analysis Division was received on November 20, 1984, reminding TXO FEDPAC of the need to file its Pre-General Election Report. That same day TXO FEDPAC completed the report and Federal Expressed it to the FEC.

In addition to our prompt response to the November 20th letter, please consider the following facts:

1. TXO FEDPAC was organized in 1979 and since that time has never failed to make a timely filing of a Report of Receipts and Disbursements.

2. TXO FEDPAC experienced some organizational changes during 1984. Both the Treasurer and his staff support, responsible for filing the FEC reports, are new to their positions.

3. The report in question is unique. All previous reports in this election cycle were due on the 20th of the month following close of the reporting period on the last day of the previous month.

4. The information contained in the report was routine and there was clearly no intent to withhold required in formation from the FEC.

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Attachment 1
Page 1

With this letter, TXO FEDPAC wishes to open pre-probable cause conciliation negotiations.

Thank you for your consideration. If you have any questions, please contact me at 214/954-2092.

Very truly yours,

Martin McNamara

MM/n

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Attachment 1
Page 2

STATEMENT OF DESIGNATION OF COUNSEL

MUR 1956

NAME OF COUNSEL: Martin B. McNamara

ADDRESS: Vice President
Associate General Counsel
and Secretary
Texas Oil & Gas Corp.
1700 Pacific Avenue, LB 10
Dallas, Texas 75201-4696

TELEPHONE: 214/954-2092

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

4/12/85
Date

Signature
Thomas B. Carter
Treasurer TXO FEDPAC

RESPONDENT'S NAME: Texas Oil & Gas Corp.
Political Action Committee

ADDRESS: Thomas B. Carter, Treasurer
1700 Pacific Avenue, LB 10
Dallas, Texas 75201-4696

HOME PHONE: 214/681-8570

BUSINESS PHONE: 214/954-2550

8504055424 1

Attachment 1
Page 3

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Texas Oil and Gas Corporation	)	MUR 1956
Political Action Committee	)	
Thomas B. Carter, as treasruer	)	

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 responsiblities. The Commission found reason to believe that the Texas Oil and Gas Corporation Political Action Committee ("the Committee") and its treasurer ("Respondents") violated 2 U.S.C. § 434(a)(4)(B) by failing to file there 1984 pre-general election report in a timely manner.

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

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

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

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

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Attachment 2
Page 1

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

1. The Texas Oil and Gas Corporation Political Action Committee is a political committee within the meaning of 2 U.S.C. § 431(4)(B).

2. Thomas B. Carter is the treasurer of the Committee.

3. Pursuant to 2 U.S.C. § 434(a)(4)(B), the Committee was required to file its 1984 pre-general election report by October 25, 1984. The Committee filed the 1984 pre-election report on November 21, 1984.

V. Respondents violated 2 U.S.C. § 434(a)(4)(B) by failing to file their 1984 pre-general election report in a timely manner.

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of One Hundred and Seventy Five dollars ($175), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

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Attachment 2
Page 2

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

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

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

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY: _____ _____
Kenenth A. Gross Date
Associate General Counsel

FOR THE RESPONDENT:

_____ _____
Date

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Attachment 2
Page 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Martin B. McNamara, Esquire
Texas Oil and Gas Corp.
First City Center
1700 Pacific Avenue
Dallas, Texas 75201

RE: MUR 1956
Texas Oil and Gas Corp.
Political Action Committee
Thomas B. Carter, as treasurer

Dear Mr. McNamara:

On March 22, 1985, the Commission found reason to believe that the Texas Oil and Gas Corp. Political Action Committee ("the Committee") and its treasurer violated 2 U.S.C. § 434(a)(4)(B). At your request, the Commission determined on , 1985, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If the Committee and its treasurer agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Stephen Mims the attorney assigned to this matter, at (202) 523-4143.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosures

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Attachment 2
Page 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 19, 1985

THE FOLLOWING MATERIAL IS BEING ADDED TO THE

PUBLIC FILE OF CLOSED MUR 1956 .

Texas Oil and Gas Corp. PAC
and Thomas B. Carter, as its
treasurer.

copy of letter dated November 15, 1985 from
Kenneth A. Gross to Martin B. McNamara, Esq.,
Texas Oil and Gas Corp. w/cy of certification
and cy of conciliation agreement.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Martin B. McNamara, Esquire
Texas Oil and Gas Corp.
First City Center
1700 Pacific Avenue
Dallas, Texas 75201

RE: MUR 1956
Texas Oil and Gas Corp.
Political Action Committee
and Thomas B. Carter, as its
treasurer

Dear Mr. McNamara:

On August 15, 1985 you were notified that the Commission had accepted a conciliation agreement submitted by you on June 26, 1985 in settlement of the above-referenced matter. A copy of the certification by the Commission's Secretary of that vote is enclosed for your reference.

A review of our records indicates, however, that you were inadvertantly sent a signed copy of an earlier proposal submitted by you on May 23, 1985. That proposal was, of course, rejected by the Commission on June 10, 1985 and you were so notified.

We have, therefore, enclosed a signed copy of the agreement that was approved by the Commission on August 7, 1985. We apologize for any inconvenience this may have caused you and ask that if you have any questions to please call Stephen Mims, the attorney assigned to this matter at (202) 523-4143.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Certification
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1956
Texas Oil and Gas Corp.	)	
Political Action Committee	)	
Thomas B. Carter, as treasurer	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 7, 1985, the Commission decided by a vote of 5-0 to take the following actions in MUR 1956:

1. Accept and sign the proposed conciliation agreement and letter attached to the General Counsel's Report signed August 1, 1985.

2. Close the file.

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

Attest:

8-7-85
Date

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

Received in Office of Commission Secretary: 8-2-85, 5:03
Circulated on 48 hour tally basis: 8-5-85, 11:00

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR1956
Texas Oil & Gas Corp.	)	
Political Action Committee	)	
Thomas B. Carter, as treasurer	)	
and not in his individual	)	
capacity	)	

CONCILIATION AGREEMENT

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

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

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

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

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

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

1. The Texas Oil & Gas Corp. Political Action Committee is a political committee within the meaning of 2 U.S.C. § 431(4)(B).

2. Thomas B. Carter is the treasurer of the Committee.

3. Pursuant to 2 U.S.C. § 434(a)(4)(B), the Committee was required

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to file its 1984 pre-general election report by October 25, 1984. A failure to file notification letter was sent to the Committee by the Reports Analysis Division on November 16, 1984. The Committee promptly responded to the notification and filed the 1984 pre-election report on November 21, 1984.

V. Respondents violated 2 U.S.C. § 434(a)(4)(B) by failing to file their 1984 pre-general election report in a timely manner.

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of One Hundred and Seventy Five dollars ($175), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

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

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

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

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FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY: _____ _____
Kenneth A. Gross Date
Associate General Counsel

FOR THE RESPONDENT:

_____ June 26, 1985
Bob F. Young Date
Chairman

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Martin B. McNamara, Esquire
Texas Oil and Gas Corp.
First City Center
1700 Pacific Avenue
Dallas, Texas 75201

RE: MUR 1956
Texas Oil and Gas Corp.
Political Action Committee
and Thomas B. Carter, as its
treasurer

Dear Mr. McNamara:

On August 15, 1985 you were notified that the Commission had accepted a conciliation agreement submitted by you on June 26, 1985 in settlement of the above-referenced matter. A copy of the certification by the Commission's Secretary of that vote is enclosed for your reference.

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Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Certification
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1956
Texas Oil and Gas Corp.	)	
Political Action Committee	)	
Thomas B. Carter, as treasurer	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 7, 1985, the Commission decided by a vote of 5-0 to take the following actions in MUR 1956:

1. Accept and sign the proposed conciliation agreement and letter attached to the General Counsel's Report signed August 1, 1985.

2. Close the file.

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

Attest:

8-7-85
Date

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

Received in Office of Commission Secretary: 8-2-85, 5:03
Circulated on 48 hour tally basis: 8-5-85, 11:00

85040561774

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR1956
Texas Oil & Gas Corp.	)	
Political Action Committee	)	
Thomas B. Carter, as treasurer	)	
and not in his individual	)	
capacity	)	

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FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY: _____ _____
Kenneth A. Gross Date
Associate General Counsel

FOR THE RESPONDENT:

_____ June 26, 1985
Bob F. Young Date
Chairman

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