



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20461

9-21-87

THE FOLLOWING MATERIAL IS BEING ADDED TO THE  
PUBLIC FILE OF CLOSED MUR 2082

8704054129



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 6, 1987

Mr. Tom Waseleski  
State Desk  
Pittsburgh Post-Gazette  
Pittsburgh, PA 15230

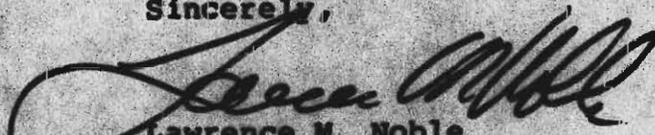
RE: MUR 2082

Dear Mr. Waseleski:

The Federal Election Commission has reviewed the allegations of the complaint you filed on September 9, 1985. On the basis of the information provided in your complaint the Commission found reason to believe that the Pryor for Congress Committee violated 2 U.S.C. § 434(a). However, after considering the circumstances of the matter, the Commission decided to take no further action against the respondent. Accordingly, on March 6, 1987, the Commission closed the file in this matter. The Federal Election Campaign Act of 1971, as amended ("the Act") allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention that you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

  
Lawrence M. Noble  
Acting General Counsel

Enclosure  
General Counsel's Memorandum

87040654130



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

THIS IS THE BEGINNING OF MUR # 2082  
DATE FILMED 10/29/87 CAMERA NO. 3  
CAMERAMAN BPC

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PUBLIC RECORD INDEX - MUR 2082

- 97040560
1. Complaint, dtd 5 Sep 85, filed by Tom Waseleski.
  2. Ltr, 12 Sep 85, Kenneth A. Gross to T. Waseleski.
  3. Ltr, 13 Sep 85, FEC to Viola G. Donovan (Treas., Pryor for Congress Committee).
  4. Ltr, 5 Oct 85, Nancy S. Pryor to FEC.
  5. First General Counsel's Report, 23 Oct 85.
  6. Certification of Commission Action, 28 Oct 85.
  7. Ltr, 1 Nov 85, John Warren McGarry (Chairman, FEC) to Viola G. Donovan (Treas., Pryor for Congress Committee).
  8. Memo, 13 Mar 86, C.N. Steele to the Commission, w/atch.
  9. Ltr, 13 Mar 86, C.N. Steele to N. Pryor, w/atch (G.C. Brief).
  10. G.C. Report, 5 May 86.
  11. Certification of Commission Action, 15 May 86.
  12. Ltr, 8 Aug 86, C.N. Steele to Nancy Pryor.
  13. General Counsel's Report, 2 Sept 86.
  14. Certification of Commission Action, 10 Sep 86.
  15. Ltr, 16 Sep 86, C.N. Steele to Nancy Pryor.
  16. Memo, 22 Oct 86, C.N. Steele to the Commission.
  17. Memo, 27 Oct 87, Office of Cmsn Secretary to Office of General Counsel, Subj: Objection.
  18. Certification of Commission Action, 6 Nov 86.
  19. Memo, 3 May 87, C.N. Steele to the Commission.
  20. Certification of Commission Action, 6 Mar 87

-END-

NOTE: In preparing its file for the public record, O.G.C. routinely removes those documents in which it perceives little or no public interest, and those documents, or portions thereof, which are exempt from disclosure under the Freedom of Information Act.

# Pittsburgh Post-Gazette

PITTSBURGH, PENNSYLVANIA 15230

Charles Steele  
General Counsel  
Federal Election Commission  
1325 K Street NW  
Washington, D.C. 20463

85 SEP 9 8 49:40

FEDERAL ELECTION COMMISSION

September 5, 1985

Dear Mr. Steele:

As a news reporter who covered the last race in Pennsylvania's 22nd Congressional District, I am filing a formal complaint with your office regarding the apparent failure of a candidate to submit the required financial reports.

Based on my periodic calls to the Federal Election Commission press office, I understand that the Republican candidate, Nancy Pryor, has not submitted a financial report since the April 1984 quarterly.

According to federal law, her campaign organization should have also submitted to the FEC a July quarterly report, an October quarterly report, a pre-election report (before the November general election), a post-election report and a year-end report for 1984.

FEC spokesmen told me months ago that Ms. Pryor was one of only two congressional candidates nationwide that had failed to fulfill their financial reporting obligations.

Although Ms. Pryor was a losing candidate, she remains a news subject in the Pittsburgh area because of her weekly radio show and a defamation suit filed against her by her former opponent, Rep. Austin Murphy. Therefore, I consider her financial reports still relevant and possibly newsworthy.

I request that your office enforce the federal election campaign code and require Ms. Pryor to submit the necessary financial reports. If there is additional information I may provide, please write me at the Post-Gazette or call me at (412) 263-1570.

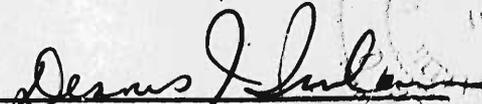
Sincerely,

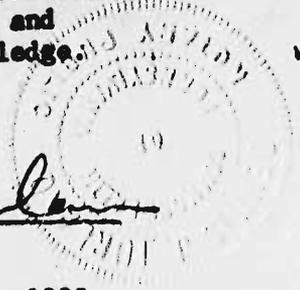
Tom Waseleski  
Staff Writer

Commonwealth of Pennsylvania )  
(  
County of Allegheny )

Before me, the undersigned Notary Public, personally appeared Tom Wasaleski, who, being duly sworn, deposes and says that the information contained in the attached letter to Charles Steele is a true and correct representation of the facts, to the best of his knowledge.

DENNIS J. IURLANO, NOTARY PUBLIC  
PITTSBURGH, ALLEGHENY COUNTY  
MY COMMISSION EXPIRES FEB. 18, 1989  
Member, Pennsylvania Association of Notaries

  
Notary Public



Subscribed and sworn to before me, this 5th day of September, 1985.

87040360969



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

September 12, 1985

Tom Waseleski  
Staff Writer  
Pittsburgh Post-Gazette  
Pittsburgh, PA 15230

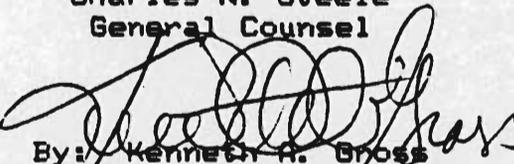
Dear Mr. Waseleski:

This letter will acknowledge receipt of your complaint which we received on September 9, 1985, which alleges possible violations of the Federal Election Campaign laws by the Pryor for Congress Committee. A staff member has been assigned to analyze your allegations. The respondent will be notified of this complaint within five days.

You will be notified as soon as the Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to this office. We suggest that this information be sworn to in the same manner as your original complaint. For your information, we have attached a brief description of the Commission's procedure for handling complaints. We have numbered this matter under review MUR 2082. Please refer to this number in all future correspondence. If you have any questions, please contact Stuart C. Mc Hardy at (202)523-4075.

Sincerely,

Charles N. Steele  
General Counsel

  
By: Kenneth A. Gross  
Associate General Counsel

Enclosure

87040560970



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Sept 13 1985

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Viola G. Donovan, Treasurer  
Pryor for Congress Committee  
PO Box 2503  
Pittsburgh, PA 15230

Re: MUR 2082

Dear Ms. Donovan

This letter is to notify you that on September 9, 1985, the Federal Election Commission received a complaint which alleges facts which indicate that the Pryor for Congress and you, as treasurer, may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter under review MUR 2082. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against the Committee or you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

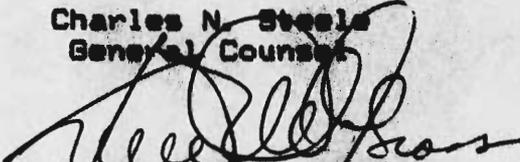
This matter will remain confidential in accordance with 2 U.S.C. 437g(a) (4) (B) and 437g(a) (12) (A) unless you notify the Commission in writing that you wish the matter to be made public.

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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If you have any questions, please contact Paul Reyes, the attorney assigned to this matter at (202)523-4000. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Charles N. Steele  
General Counsel



By: Kenneth A. Gross  
Associate General Counsel

Enclosures  
Complaint  
Procedures  
Designation of Counsel Statement

cc: Nancy S. Pryor

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Reyes

RECEIVED THE FE  
GCC # 8744  
85 OCT 16 AM 11:51

P. O. Box 2503  
Pittsburgh, PA 15230

5 October 1985

Federal Election Commission  
Washington, DC 20463

IN RE: MUR 1878 and MUR 2082 for Settlement, page 1 of 2 pages

Attention: Shelley Garr and Paul Reyes

Gentlemen:

5 OCT 16 2:27  
GENERAL DELIVERY

In response to your letters of 30 July 1985 (re: MUR 1878) and 13 September 1985 (re: MUR 2082), I am in receipt of both.

First, I wish to make it clear that neither the former treasurer of Pryor for Congress Committee, Viola G. Donovan, nor the Committee itself should be faulted for failure to file any document with your Commission.

Mrs. Donovan, a widow and recipient of black lung benefits as a result of the death of her husband, a coal miner, agreed to serve as treasurer only nominally to help me out and should be held responsible for nothing.

Any failure to file any document with your Commission is something for which I, as the candidate, take full responsibility.

My problem at this time is that I am currently stationed on active duty with the United States Army at Ft. Benjamin Harrison, Indiana, and am not able to put together all the forms for your Commission until I am released from my orders in mid-November 1985.

In addition, because of various events which occurred during my campaign including acts of vandalism, an assault and attempted abduction and a \$1 million law suit filed against me by my opponent, U. S. Representative Austin J. Murphy, which he is still pursuing, I have been more than remiss in sending you the required forms.

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Federal Election Commission  
IN RE: MUR 1878 and MUR 2082 for Settlement, page 2 of 2 pages  
Attention: Shelley Garr and Paul Reyes  
5 October 1985

Moreover, because I am unable to afford an attorney, it has been necessary for me to defend myself against the Murphy suit, including the preparation of all motions, research and related activities. And because of great financial loss due to my personal investment in my campaign coupled with my present inability to pay most of my bills, I may soon have no choice but to file for bankruptcy.

That is where I stand right now.

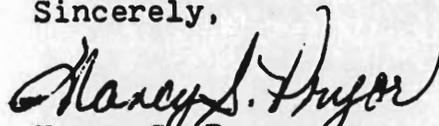
I do want to cooperate with your Commission and, if possible, I would like to resolve this matter by having an extension of time in which to file all required documents with your Commission until the end of November 1985.

The Pryor for Congress Committee has no money and in addition to substantial personal debts I, myself, have very little. As I said, it may become necessary for me to file for bankruptcy.

Please let me hear from you on this matter at your earliest opportunity. If I do require an attorney, I request the appointment of one as I am unable to afford legal counsel.

As a first-time candidate, I am personally very sorry to have caused you such concern in this matter.

Sincerely,

  
Nancy S. Pryor

P.S. Your response may reach me sooner if you address it to me as follows:

2LT Nancy S. Pryor, USA  
Co. D, 1st Bn., Trp. Bde.  
AGOBC 16-85, Box 4808  
Ft. Benjamin Harrison, IN 46216

87040360974

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

95 OCT 24 11:04  
COMMISSION  
OFFICE

**SENSITIVE**

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL  
BY OGC TO THE COMMISSION:  
10/24/85 9 am

MUR #2082  
DATE COMPLAINT RECEIVED  
BY OGC: September 9, 1985  
DATE OF NOTIFICATION TO  
RESPONDENT: September 13, 1985  
STAFF MEMBER: Paul Reyes

COMPLAINANT'S NAME: Tom Waseleski  
RESPONDENTS NAME: Pryor for Congress Committee  
Viola G. Donovan, Treasurer  
RELEVANT STATUTE: 2 U.S.C. § 434(a)(2)  
INTERNAL REPORTS  
CHECKED: 1983-84 "E" Index  
1985-86 "E" Index  
MUR 1878  
FEDERAL AGENCIES  
CHECKED: None

SUMMARY OF ALLEGATIONS

Complainant Tom Waseleski, a staff writer for the Pittsburgh Post Gazette, by letter dated September 5, 1985, complains that the Pryor for Congress Committee has violated the Federal Election Campaign Act of 1971, as amended (the "Act") by failing to file any reports of receipts and disbursements subsequent to filing the 1984 April Quarterly report. Respondents were notified of this complaint by letter dated September 13, 1985.

FACTUAL AND LEGAL ANALYSIS

Section 434(a)(2) of Title 2, United States Code requires the filing of quarterly, pre-general and post general election reports; and year end and mid-year reports, by authorized

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committees of federal candidates. The Pryor for Congress Committee is registered as the principal campaign committee for former candidate Nancy Pryor who sought election from the 22nd Congressional District in Pennsylvania in 1984.

Commission records indicate that the Pryor for Congress committee has filed no reports subsequent to the 1984 April quarterly. On December 18, 1984, the Pryor Committee was referred to the Office of General Counsel for its failure to file the 1984 July and October Quarterly reports and the Pre-General election report. A MUR was opened on January 16, 1985 concerning those reports, and probable cause to believe that Pryor Committee and treasurer Viola G. Donovan violated 2 U.S.C. §§ 434(a)(2)(A)(i) and (iii) was found on July 23, 1985. That matter, MUR 1878, is still pending.

On October 10, 1985, Nancy Pryor telephoned the Office of General Counsel in answer to the Commission's notifications in MUR 1878 and the instant matter. She said that some of her mail had just been forwarded to her from Pittsburgh to Indiana where, she explained, she is presently stationed on active duty in the United States Army. She indicated her willingness to cooperate with the Commission in MUR 1878 and the instant matter and said that a letter containing her answers in both matters would be forthcoming. Her letter dated October 5, 1985, was received by the Commission October 16, 1985.

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Ms. Pryor explained to this Office on October 10, 1985, that she is a military reservist presently on active duty for training. She has not explained how long she has been on active duty in Indiana but asserts her active duty status and involvement in a lawsuit as reasons for the Committee's failure to file reports. The facts that Ms. Pryor is presently stationed in Ft. Benjamin Harrison and is representing herself in a lawsuit do not excuse the Committee's failure to file reports.

Ms. Pryor also asserts that the Pryor for Congress Committee has no money and that she may soon file for personal bankruptcy. Considering that the Pryor for Congress Committee has not filed reports, which could support her statements, for over one year, and that she has provided no evidence of her personal situation, her statements, apparently offered in mitigation of the violations at issue, are unpersuasive.

As Commission records and MUR 1878 confirm complainant's allegations, the General Counsel recommends that the Commission find reason to believe that the Pryor for Congress Committee and Viola G. Donovan, as treasurer, violated 2 U.S.C. § 434(a)(2) by

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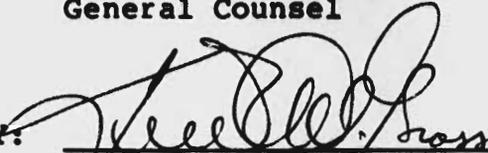
failing to file 1984 Post General and Year End Reports and a 1985 Mid Year Report.

**III. RECOMMENDATIONS**

1. Find reason to believe that the Pryor for Congress Committee and Viola G. Donovan, as treasurer, violated 2 U.S.C. § 434(a)(2).
2. Approve and send the attached proposed letters.

Charles N. Steele  
General Counsel

October 23, 1985  
Date

BY:   
Kenneth A. Gross  
Associate General Counsel

Attachments:  
Complaint  
Complaint Response  
FEC "E" Indexes  
Proposed Letters

PR III

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Attachments to 1st  
Receipt

have been removed from this position in the Public Record File either because they duplicate documents located elsewhere in this file, or because they reflect exempt information.

For Attachment 1 see 1  
2 3  
4 7  
\_\_\_\_\_  
\_\_\_\_\_

| CANDIDATE/COMMITTEE/DOCUMENT                       | OFFICE SOUGHT/ | PARTY            | RECEIPTS |         | DISBURSEMENTS |         | COVERAGE DATES             | # OF PAGES          | MICROFILM LOCATION |
|--|----------------|------------------|----------|---------|---------------|---------|----------------------------|---------------------|--------------------|
|  |                |                  | PRIMARY  | GENERAL | PRIMARY       | GENERAL |                            |                     |                    |
| PRYOR, NANCY S                                     | HOUSE 22       | REPUBLICAN PARTY |          |         |               |         | PENNSYLVANIA 1984 ELECTION | ID# H4PA22018       |                    |
| 1. STATEMENT OF CANDIDATE                          |                |                  |          |         |               |         | 22FEB84                    | 1 84HSE/255/1103    |                    |
| 1984 STATEMENT OF CANDIDATE                        |                |                  |          |         |               |         |                            |                     |                    |
| 2. CANDIDATE REPORTS OF RECEIPTS & EXPENDITURES    |                |                  |          |         |               |         |                            |                     |                    |
| 3. PRINCIPAL CAMPAIGN COMMITTEE                    |                |                  |          |         |               |         |                            |                     |                    |
| PRYOR FOR CONGRESS COMMITTEE                       |                |                  |          |         |               |         |                            | ID# C00177642 HOUSE |                    |
| 1984 STATEMENT OF ORGANIZATION                     |                |                  |          |         |               |         | 22FEB84                    | 1 84HSE/255/1104    |                    |
| MISCELLANEOUS REPORT                               |                |                  |          |         |               |         | 1NOV84 TO FEC              | 1 84HSE/277/0393    |                    |
| STATEMENT OF ORGANIZATION - AMENDMENT              |                |                  |          |         |               |         | 1NOV84                     | 1 84FEC/348/5457    |                    |
| PRE-PRIMARY  |                |                  |          |         |               |         | 1JAN84 -21MAR84            | 5 84HSE/256/2216    |                    |
| PRE-PRIMARY - AMENDMENT                            |                |                  | 12.550   |         | 9.875         |         | 1JAN84 -21MAR84            | 3 84HSE/261/4725    |                    |
| REQUEST FOR ADDITIONAL INFORMATION                 |                |                  |          |         |               |         | 1JAN84 -21MAR84            | 1 84FEC/314/1808    |                    |
| REQUEST FOR ADDITIONAL INFORMATION 2ND             |                |                  |          |         |               |         | 1JAN84 -21MAR84            | 2 84FEC/316/2866    |                    |
| APRIL QUARTERLY                                    |                |                  | 400      |         | 1,548         |         | 22MAR84 -31MAR84           | 5 84HSE/261/4728    |                    |
| NOTICE OF FAILURE TO FILE                          |                |                  |          |         |               |         | 22MAR84 -31MAR84           | 1 84FEC/315/2245    |                    |
| NOTICE OF FAILURE TO FILE                          |                |                  |          |         |               |         | 1APR84 -30JUN84            | 1 84FEC/325/0697    |                    |
| NOTICE OF FAILURE TO FILE                          |                |                  |          |         |               |         | 1JUL84 -30SEP84            | 1 84FEC/343/3296    |                    |
| NOTICE OF FAILURE TO FILE                          |                |                  |          |         |               |         | 1OCT84 -17OCT84            | 1 84FEC/347/5068    |                    |
| NOTICE OF FAILURE TO FILE                          |                |                  |          |         |               |         | 18OCT84 -26NOV84           | 1 84FEC/357/2743    |                    |
| NOTICE OF FAILURE TO FILE                          |                |                  |          |         |               |         | 31DEC84                    | 1 85FEC/367/2061    |                    |
| TOTAL  |                |                  | 12.950   | 0       | 11,423        | 0       |                            | 25 TOTAL PAGES      |                    |
| 4. AUTHORIZED COMMITTEES                           |                |                  |          |         |               |         |                            |                     |                    |
| 4B. TRANSFERS IN FROM JOINT FUNDRAISING COMMITTEES |                |                  |          |         |               |         |                            |                     |                    |

THE FOLLOWING INFORMATION IS AS REPORTED BY PARTY AND NON-PARTY COMMITTEES OR OTHER FILERS OUTSIDE THE CAMPAIGN

| 5. OTHER SUPPORTING DOCUMENTS                                 | CONTRIBUTIONS TO          | EXPENDITURES ON BEHALF OF             |                  |
|---|---------------------------|---------------------------------------|------------------|
| FRIENDS OF SPARKY   |                           | ID# C00002048 SENATE                  |                  |
| 1984 YEAR-END   | 200                       | 2NOV84                                | 1 85SEN/002/3074 |
| GEORGIA CITIZENS FOR GOOD GOVERNMENT                          |                           | ID# C00154831 NON-PARTY QUALIFIED     |                  |
| CONNECTED ORGANIZATIONS: NONE                                 |                           | 19OCT84                               | 1 85FEC/360/5215 |
| 1984 POST-GENERAL - AMENDMENT                                 | 500                       | ID# C00017525 NON-PARTY QUALIFIED     |                  |
| N-CAP (NURSES COALITION FOR ACTION IN POLITICS)               |                           | 10DEC84                               | 1 85FEC/369/0390 |
| CONNECTED ORGANIZATIONS: NURSES' ASS'N: AMERICAN              |                           | ID# C00132399 NON-PARTY NON-QUALIFIED |                  |
| 1984 YEAR-END - AMENDMENT                                     | 18                        | 30MAR84                               | 1 84FEC/307/2823 |
| PARKER HUNTER INCORPORATED COMMITTEE FOR EFFECTIVE GOVERNMENT |                           |                                       |                  |
| CONNECTED ORGANIZATIONS: PARKER HUNTER INCORPORATED           |                           |                                       |                  |
| 1984 APRIL QUARTERLY  | 200                       |                                       |                  |
| TOTAL   | 918                       | 0                                     | 4 TOTAL PAGES    |
| 6. 434E/ INDEPENDENT  |                           |                                       |                  |
|   | INDEPENDENT CONTRIBUTIONS | INDEPENDENT EXPENDITURES              |                  |
| 7. DELEGATE COMMITTEES  |                           |                                       |                  |
|   | RECEIPTS                  | DISBURSEMENTS                         |                  |

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## FEDERAL ELECTION COMMISSION

DATE 12SEP85

1983-1984

## CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

PAGE 2

| CANDIDATE/COMMITTEE/DOCUMENT                                  | OFFICE SOUGHT/ | PARTY | RECEIPTS         |         | DISBURSEMENTS             |         | COVERAGE DATES | # OF PAGES | MICROFILM LOCATION |
|---|----------------|-------|------------------|---------|---------------------------|---------|----------------|------------|--------------------|
|   |                |       | PRIMARY          | GENERAL | PRIMARY                   | GENERAL |                |            |                    |
| 8. COMMUNICATIONS   |                |       | CONTRIBUTIONS TO |         | EXPENDITURES ON BEHALF OF |         |                |            |                    |
| NATIONAL RIFLE ASSOCIATION (INSTITUTE FOR LEGISLATIVE ACTION) |                |       | CONTRIBUTIONS TO |         | EXPENDITURES ON BEHALF OF |         |                |            |                    |
| 1984 PRE-GENERAL  |                |       | - AMENDMENT      |         | 1.234                     |         | CCST FOR       | 17OCT84    | 1 85FEC/358/4073   |
| SUBTOTAL - CCST FOR   |                |       |                  |         | 1.234                     |         |                |            |                    |
| TOTAL   |                |       | 0                |         | 1.234                     |         | 1 TOTAL PAGES  |            |                    |
| 9. UNAUTHORIZED SINGLE CANDIDATE COMMITTEES                   |                |       |                  |         |                           |         |                |            |                    |

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FEDERAL ELECTION COMMISSION

1985-1986

CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

DATE 11SEP85

PAGE 1

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

|                |  |                           |  |  |  |  |              |               |               |
|----------------|--|---------------------------|--|--|--|--|--------------|---------------|---------------|
| PRYOR, NANCY S |  | HOUSE 22 REPUBLICAN PARTY |  |  |  |  | PENNSYLVANIA | 1984 ELECTION | ID# H4PA22018 |
|----------------|--|---------------------------|--|--|--|--|--------------|---------------|---------------|

1. STATEMENT OF CANDIDATE
2. CANDIDATE REPORTS OF RECEIPTS & EXPENDITURES
3. PRINCIPAL CAMPAIGN COMMITTEE
- PRYOR FOR CONGRESS COMMITTEE
- 1985 NOTICE OF FAILURE TO FILE
4. AUTHORIZED COMMITTEES
- 4B. TRANSFERS IN FROM JOINT FUNDRAISING COMMITTEES

ID# C00177642 HOUSE  
1JAN85 -30JUN85 1 85FEC/387/0371

THE FOLLOWING INFORMATION IS AS REPORTED BY PARTY AND NON-PARTY COMMITTEES OR OTHER FILERS OUTSIDE THE CAMPAIGN

- |   |                           |                           |  |
|---|---------------------------|---------------------------|--|
| 5. OTHER SUPPORTING DOCUMENTS               |                           |                           |  |
| 6. 434E/ INDEPENDENT                        | CONTRIBUTIONS TO          | EXPENDITURES ON BEHALF OF |  |
| 7. DELEGATE COMMITTEES                      | INDEPENDENT CONTRIBUTIONS | INDEPENDENT EXPENDITURES  |  |
| 8. COMMUNICATIONS                           | RECEIPTS                  | DISBURSEMENTS             |  |
| 9. UNAUTHORIZED SINGLE CANDIDATE COMMITTEES | CONTRIBUTIONS TO          | EXPENDITURES ON BEHALF OF |  |

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 2082  
Pryor for Congress Committee )  
Viola G. Donovan, Treasurer )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 28, 1985, the Commission decided by a vote of 5-0 to take the following actions in MUR 2082:

1. Find reason to believe that the Pryor for Congress Committee and Viola G. Donovan, as treasurer, violated 2 U.S.C. § 434(a) (2).
2. Approve the proposed letters attached to the First General Counsel's Report signed October 23, 1985.

Commissioners Elliott, Harris, Josefiak, McDonald and McGarry voted affirmatively for this decision; Commissioner Aikens did not cast a vote.

Attest:

10-28-85  
Date

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

Received in Office of Commission Secretary: Thurs., 10-24-85, 9:04  
Circulated on 48 hour tally basis: Thurs., 10-24-85, 4:00  
Deadline for vote: Mon., 10-28-85, 4:00

87040560093



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 1, 1985

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Viola G. Donovan, Treasurer  
Pryor for Congress Committee  
P.O. Box 2503  
Pittsburgh, Pennsylvania 15230

RE: MUR 2082

Dear Ms. Donovan:

The Federal Election Commission notified the Pryor for Congress Committee and you, as treasurer, on September 13, 1985, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, information contained in Commission records and information supplied by Ms. Nancy Pryor, the Commission, on October 28, 1985, determined that there is reason to believe that the Pryor for Congress Committee and you, as treasurer, have violated 2 U.S.C. § 434(a)(2), a provision of the Act. Specifically, it appears that you have failed to file 1984 Post General and Year End reports, and a 1985 Mid year report of receipts and disbursements as required by 2 U.S.C. §§ 434(a)(2)(A)(ii), (iii) and (B)(i).

Ms. Pryor's response to the Commission's initial notification of this complaint did not provide complete information regarding the matter in question. You may submit any factual or legal materials that you believe are relevant to the Commission's analysis of this matter. Please file any such response within fifteen days of your receipt of this notification.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-

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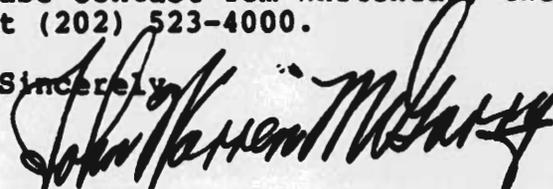
probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

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

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

If you have any questions, please contact Tom Whitehead, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

  
John Warren McGarry  
Chairman

Enclosures  
Procedures

cc: 2LT Nancy Pryor, USA  
Co. D, 1st Bn., Trp.Bde.  
AGOBC 16-85, Box 4808  
Ft. Benjamin Harrison, IN 46216

87040560995



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
OFFICE OF THE FEO  
COMMISSION SECRETARY

25 MAR 14 A10:15

March 13, 1986

MEMORANDUM

**SENSITIVE**

TO: The Commission  
FROM: Charles N. Steele  
General Counsel  
SUBJECT: MUR # 2082

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 March 13, 1986. 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

R 7 7 4 0 3 6 0 9 9 6



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

March 13, 1986

Nancy Pryor  
Pryor for Congress Committee  
P.O. Box 2503  
Pittsburgh, PA 15230

RE: MUR 2082  
Pryor for Congress Committee

Dear Ms. Pryor:

Based on a complaint filed with the Commission on September 9, 1985, the Federal Election Commission found reason to believe that you had violated 2 U.S.C. § 434(a)(2), 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. The Commission may or may not approve the General Counsel's recommendations.

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.

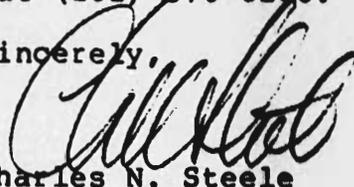
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Nancy Pryor  
MUR 2082  
Page 2

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 John Drury, to whom this matter has been assigned, at (202) 276-8200.

Sincerely,



Charles N. Steele  
General Counsel

Enclosure  
Brief

87040560988

FEDERAL ELECTION COMMISSION

In the Matter of )  
Pryor for Congress Committee ) MUR 2082

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

The Pryor for Congress Committee ("the Committee") is registered as the principal campaign committee for Nancy Pryor, who sought election from the Twenty-Second Congressional District in Pennsylvania in 1984. The Committee was required by 2 U.S.C. § 434(a)(2) to file quarterly, pre-general and post-general election reports, as well as mid-year and year-end reports.

On September 9, 1985, a complaint was filed with the Commission alleging that the Pryor for Congress Committee had failed to file disclosure reports with the Commission subsequent to the 1984 April Quarterly Report.<sup>1/</sup>

On October 28, 1985, the Commission found reason to believe that the Pryor for Congress Committee and its treasurer violated 2 U.S.C. § 434(a)(2) by failing to file the 1984 30 Day Post-General Election and Year-End Reports, and the 1985 Mid-Year Report.<sup>2/</sup>

<sup>1/</sup> In a related matter, MUR 1878, the Commission found probable cause to believe that the Committee violated §§ 434(a)(2)(A)(i) and (iii) by failing to file the 1984 12 Day Pre General Report and 1984 July and October Quarterly Reports. On January 28, 1986, the Commission authorized the institution of civil action for relief in U.S. District Court.

<sup>2/</sup> With respect to the Pryor for Congress Committee, the Commission has indicated that Ms. Pryor is to be considered solely responsible for the filing of reports, while the treasurer of record, Viola G. Donovan, is not to be named as a respondent,

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**II. LEGAL ANALYSIS**

Pursuant to 2 U.S.C. § 434(a)(2)(A)(ii) all political committees which are the principal campaign committees of a candidate are required to file in any year in which there is a regularly scheduled election for which such candidate is seeking election, a post-general election report which shall be filed no later than the 30th day after such election and which shall be complete as of the 20th day after such election.

Further, pursuant to 2 U.S.C. §§ 434(a)(2)(B)(i) and (ii) those committees are required to file a report covering the period beginning January 1 and ending June 30 which shall be filed no later than July 31 and a report covering the period beginning July 1 and ending December 31 which shall be filed no later than January 31 of the following calendar year.

Respondent Nancy Pryor does not deny allegations. Rather, she lists factors which she apparently feels excuse her violations.

Ms. Pryor cites the following circumstances as impairing her ability to file reports:

- 1) that during her campaign she was the victim of an assault and an attempted abduction;

footnote 2/ continued

due to her advanced age and the fact that she served as treasurer only to assist Ms. Pryor, with whom she is only slightly acquainted. As Ms. Pryor states, "[N]either the former treasurer of Pryor for Congress Committee, Viola G. Donovan, nor the Committee itself should be faulted... I, as the candidate, take full responsibility."

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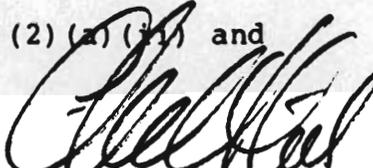
- 2) that she has been appearing pro se as a defendant in a \$1 million lawsuit;
- 3) that she had been on active duty with the U.S. Army at Fort Benjamin Harrison, Indiana (the site of her political activity being Pennsylvania);<sup>3/</sup>
- 4) that she and her committee are on the verge of bankruptcy.

Ms. Pryor offers no documentation in support of these statements. However, even if her statements are accurate, they do not alter the fact that her committee's failure to comply with its reporting requirements by failing to file its 1984 30 Day Post General and Year End Reports and its 1985 Mid Year Report is a violation of 2 U.S.C. § 434(a)(2). Thus, it is the recommendation of the Office of General Counsel that the Commission find probable cause to believe that the Committee violated 2 U.S.C. §§ 434(a)(2)(A)(ii) and 434(a)(2)(B)(i) and (ii).

**III. RECOMMENDATION**

The Office of General Counsel recommends that the Commission find probable cause to believe that the Pryor for Congress Committee violated 2 U.S.C. §§ 434(A)(2)(a)(i) and 434(a)(2)(B)(i) and (ii).

12 March 1986  
Date

  
\_\_\_\_\_  
Charles N. Steele  
General Counsel

<sup>3/</sup> Ms. Pryor was to have been released from her orders in Mid-November, 1985.

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**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of  
Pryor for Congress Committee

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**MAY 13 1986**

MUR 2062 MAY 5 10:23

**GENERAL COUNSEL'S REPORT**

**I. BACKGROUND**

On October 28, 1985, the Commission found reason to believe that the Pryor for Congress Committee violated 2 U.S.C. § 434(a)(2) by failing to file the 1984 30 Day Post-General Election and Year-End Reports, and the 1985 Mid-Year Report. Notification of this finding was mailed on November 1, 1985. No response was forthcoming. On March 13, 1986, the General Counsel's brief was mailed to the respondent. No response has been received.<sup>1/</sup>

**II. LEGAL ANALYSIS**

(See OGC Brief of March 12, 1986)

**III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY**

<sup>1/</sup> With respect to the Pryor for Congress Committee, the Commission has indicated that Ms. Pryor is to be considered solely responsible for the filing of reports, while the treasurer of record, Viola G. Donovan, is not to be named as a respondent, due to her advanced age and the fact that she served as treasurer only to assist Ms. Pryor, with whom she is only slightly acquainted. As Ms. Pryor states, "[N]either the former treasurer of Pryor for Congress Committee, Viola G. Donovan, nor the Committee itself should be faulted .... I, as the candidate, take full responsibility."

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**IV. RECOMMENDATIONS:**

1. Find probable cause to believe that the Pryor for Congress Committee violated 2 U.S.C. § 434(a)(2).
2. Approve the attached proposed conciliation agreement with the Pryor for Congress Committee.
3. Approve the attached letter.

5 May 1966  
Date

  
\_\_\_\_\_  
Charles N. Steele  
General Counsel

**Attachments**

1. Proposed conciliation agreement
2. Proposed letter to Respondent

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Pryor for Congress Committee )

MUR 2082

CERTIFICATION

I, Mary W. Dove, recording secretary for the Federal Election Commission executive session on May 13, 1986, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 2082:

1. Find probable cause to believe that the Pryor for Congress Committee violated 2 U.S.C. § 434(a)(2).
2. Approve the conciliation agreement attached to the General Counsel's report signed May 5, 1986, [REDACTED]
3. Approve the letter attached to the General Counsel's report signed May 5, 1986.

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

Attest:

5-15-86  
Date

Mary W. Dove  
Mary W. Dove  
Administrative Assistant

87040360994

*rdm*



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 8, 1986

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Nancy Pryor  
61 Carrick Avenue  
Pittsburgh, PA 15210

RE: MUR 2082  
Pryor for Congress Committee

Dear Ms. Pryor:

On May 13, 1986, the Commission determined that there is probable cause to believe the Pryor for Congress Committee committed a violation of 2 U.S.C. § 434(a)(2), a provision of the Federal Election Campaign Act of 1971 in connection with failing to file the 1984 30 Day Post-General Election Report, the 1984 Year End Report, and the 1985 Mid-Year Report.

The Commission notified you of this finding by letter dated May 21, 1986. Accompanying this letter was a conciliation agreement approved by the Commission. These materials were mailed to the address which you provided us:

P.O. Box 2503  
Pittsburgh, PA 15230

On June 18, 1986, this Office, having received no response from you, sent you a second copy of the May 21 letter and conciliation agreement. Again, no response was received. At present, it is approximately ninety days after this Office originally notified you of the Commission's finding, and you have not responded to any of our correspondence. Although this Office is not obligated to attempt conciliation at such a late date, nevertheless we are still interested in resolving this matter through conciliation. Please contact John Drury, the attorney to whom this matter has been assigned, at (202) 376-8200, within

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Letter to Pryor  
Page 2

five (5) days of your receipt of this letter. If you fail to do so, this Office will request authorization from the Commission to bring suit against you in United States District Court.

Sincerely,



Charles N. Steele  
General Counsel

Enclosure  
Letter of May 21, 1986  
Conciliation Agreement

87040360996

**SENSITIVE**

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED  
OFFICE OF THE FEC  
COMMISSION SECRETARY

In the Matter of )  
Pryor for Congress Committee )

MUR 20886 AUG 2 P 1: 54

**GENERAL COUNSEL'S REPORT**

**EXECUTIVE SESSION  
SEP 09 1986**

**I. BACKGROUND/PREVIOUS COMMISSION ACTION**

On May 13, 1986, the Commission determined that there is probable cause to believe that the Pryor for Congress Committee committed a violation of 2 U.S.C. § 434(a)(2) by failing to file its 1984 30 Day Post-General Election Report, the 1984 Year End Report, and the 1985 Mid-Year Report.

By letter dated May 21, 1986, the Office of General Counsel undertook to notify Mr. Pryor of the Commission's finding. In the same correspondence, this Office forwarded to the respondent a copy of the conciliation agreement which the Commission had approved in this matter. Approximately one month later, these materials were returned to the Commission, unclaimed by Nancy Pryor. Thereupon, this Office dispatched a second copy of the letter and the approved conciliation agreement to the respondent. Because Ms. Pryor did not claim this correspondence, the Post Office again returned it to the Commission.

At this point, over eighty days had passed since the initiation of conciliation on May 13, 1986. Under 2 U.S.C. § 437g(a)(4)(A)(i), the Commission normally terminates probable cause conciliation efforts if no agreement is reached within ninety days of the start of conciliation. Thus, there was little time left in which to reach agreement. However, this Office still desired to resolve this matter as simply as

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possible, without recourse to litigation. Therefore, on August 8, 1986, this Office sent Nancy Pryor a third copy of the May 21, 1986 letter and the conciliation agreement. This Office informed Ms. Pryor by cover letter that if she did not contact the Commission within five days of her receipt of the letter, this Office would seek authorization to file suit against her in federal court.

On August 18, 1986, this letter was returned to the Commission unclaimed. Thus far, Ms. Pryor has not responded to any of the correspondence which she has been sent during the conciliation period.<sup>1/</sup> The ninety day deadline has passed. However, even if there were time left in which to achieve an agreement, it is unlikely that one could be reached, given the respondent's failure to participate in conciliation. For this reason, this Office recommends that the Commission authorize it to file a civil suit in U.S. District Court.

II. LEGAL ANALYSIS

(See General Counsel's Report of May 5, 1986.)

<sup>1/</sup> This Office contacted the staff of the Pittsburgh Post Office and inquired whether Ms. Pryor was collecting her mail at her post office box. A Postal Service employee reported that while the respondent collected regular mail, she did not collect items which had been sent by certified mail.

87040460928

**III. RECOMMENDATION**

Authorize the Office of General Counsel to file a civil suit for relief in the United States District Court against:

Pryor for Congress Committee  
Nancy Pryor

8 Sept 1986  
Date

  
\_\_\_\_\_  
Charles N. Steele  
General Counsel

**Attachments**

1. Copies of Returned Letter Notices
2. Copy of Letter to Pryor dated August 8, 1986.

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FEDERAL ELECTION COMMISSION

W 0463

CLAIM CHECK NO.

C 342828

P 300

HOLD

DATE

5-24

1ST NOTICE

2ND NOTICE

RETURN

Detached from PS Form 2840-A Oct. 1980



WASHINGTON, DC  
-PM  
22 MAY  
1986



Postage and Fees Paid  
Federal Election Commission

U.S. MAIL PERMIT NO. 100  
WASHINGTON, DC  
No such office in State  
Do not read in this envelope

H3

Ms. Nancy Pryor  
P.O. Box 2503  
Pittsburgh, PA 15230

**CERTIFIED**

# 943552

Attachment I Page 1

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Official Business  
Penalty for Private

CLAIM CHECK  
NO.

211003

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DATE

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1ST NOTICE

2ND NOTICE

RETURN

Detached from  
PS Form 3849-A  
Oct. 1999



RECEIVED  
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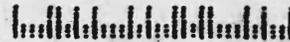


Postage and Fees Paid  
Federal Election Commission

Ms. Nancy Pryor  
P.O. Box 2503  
Pittsburgh, PA 15230

**CERTIFIED**

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Official Business  
Penalty for Private Use \$300



Postage and Fees Paid  
Federal Election Commission

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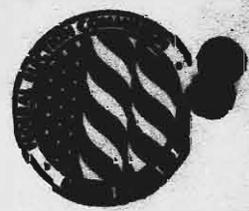
- Forwarding Order Expired
- Addressee moved, left no address
- No such street
- No such no.
- Insufficient Address
- Returned
- Do not remain in this box
- Other

GWA

Nancy Pryor  
61 Carrick Avenue  
Pittsburgh, PA 15210

CERTIFIED

#943642



13

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 2082  
Pryor for Congress Committee )

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of September 9, 1986, do hereby certify that the Commission decided by a vote of 6-0 to authorize the Office of General Counsel to file a civil suit for relief in the United States District Court against the Pryor of Congress Committee and Nancy Pryor.

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

Attest:

9-10-86

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary of the Commission

87040361003



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 16, 1986

Nancy Pryor  
P.O. Box 2503  
Pittsburgh, PA 15230

RE: MUR 2082  
Nancy Pryor; The Pryor for  
Congress Committee

Dear Ms. Pryor:

You were previously notified that on May 13, 1986, the Federal Election Commission found probable cause to believe that you and the Pryor for Congress Committee violated 2 U.S.C. § 434(a)(2), 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 within the allowable time period, 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 Ivan Rivera, Assistant General Counsel for Litigation, at (202) 376-8200, within ten days of your receipt of this letter.

Sincerely,

Charles N. Steele  
General Counsel

8704061004

**SENSITIVE**



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

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RECEIVED  
OFFICE OF THE FEDERAL ELECTION COMMISSION SECRETARY

**MEMORANDUM**

**TO:** The Commission  
**FROM:** Charles N. Steele  
General Counsel *CNS*  
**SUBJECT:** FEC v. Pryor for Congress Committee (formerly MUR 2082)

On September 10, 1986, the Commission authorized the Office of General Counsel to file a civil suit for relief in the United States District Court against the Pryor for Congress Committee (the "Committee") and Nancy Pryor.<sup>1/</sup> On September 16, 1986, the General Counsel attempted to notify the Committee and Ms. Pryor of the Commission's decision to file suit but the letter was returned by the post office.<sup>2/</sup> The Commission authorized the civil suit against Nancy Pryor, the candidate, because Ms. Pryor was acting as treasurer for the Committee.<sup>3/</sup> Upon review of the file for litigation purposes, it was discovered that the Commission did not find probable cause to believe that Ms. Pryor had violated the Act prior to authorizing suit against her. In light of the fact that a judgment against the Committee, without pursuing Ms. Pryor, would most likely result in an unenforceable and uncollectable judgment, it is recommended that the Commission return this matter to the Office of the General Counsel for appropriate action.

1/ This is the second action in which the Commission has authorized civil suit against the Pryor for Congress Committee. The Commission has filed its complaint in the first action but has been unable to serve the Committee. FEC v. Pryor for Congress Committee, Civil Action No. 86-580 (W. D. Pa).

2/ This is not the first time mail has been returned in this matter. The post office has confirmed that the address used (a post office box) is one where Nancy Pryor receives mail but she has refused to accept mail from the Commission.

3/ The Commission declined to name the listed treasurer as a respondent in MUR 2082.

8704061005

**Memorandum To The Commission**  
**FEC v. Pryor for Congress Committee**  
**Page 2.**

**RECOMMENDATION**

1. Rescind the authorization of civil suit against Nancy Pryor and return MUR 2082 to the Office of the General Counsel for preparation of a probable cause brief with respect to Nancy Pryor.

87040461006



BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
FEC v. Pryor for Congress )  
Committee (formerly )  
MUR 2082) )

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of November 5, 1986, do hereby certify that the Commission decided by a vote of 6-0 not to proceed with the additional civil suit against Nancy Pryor and not to return MUR 2082 to the Office of General Counsel for preparation of a probable cause brief with respect to Nancy Pryor.

Attest:

11-6-86

Date

*Marjorie W. Emmons*

Marjorie W. Emmons  
Secretary of the Commission

870406108

**SENSITIVE**



FEDERAL ELECTION COMMISSION

March 3, 1987

MAR 3 11:07

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele *CS*  
General Counsel

SUBJECT: FEC v. Pryor for Congress Committee, Civil Action  
No. 86-580, Western District of Pennsylvania.

On March 18, 1986, the Commission filed a civil action against the Pryor for Congress Committee ("Pryor Committee") alleging failure to file certain 1984 financial disclosure reports in violation of 2 U.S.C. 434(a).<sup>1/</sup> This Office has had extreme difficulty locating and serving a representative of the Pryor Committee.<sup>2/</sup> The Pryor Committee refused to accept or acknowledge receipt of the summons and complaint by mail in this action. The envelope containing the summons and complaint was returned to the Commission marked "refused." The Commission thereafter forwarded the summons and complaint to the United States Marshal's Office in Pittsburg with a request for the Marshal to attempt personal service on Nancy Pryor. On June 23, 1986, the Marshal's office informed us that efforts to perfect personal service upon Ms. Pryor were unsuccessful as the defendant had moved without leaving a forwarding address.

<sup>1/</sup> On September 10, 1986, the Commission authorized an additional action against the Pryor Committee, and Nancy Pryor as treasurer, for failure to file additional required reports in violation of 2 U.S.C. § 434(a). See MUR 2082. Because the violations alleged by the Pryor Committee are on-going, it was not necessary to file a separate, second action against the Committee.

<sup>2/</sup> During the MUR proceedings in MUR 1878, correspondence addressed to the Pryor Committee was returned unaccepted to the Commission.

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**Memorandum To The Commission**  
**FEC v. Pryor for Congress Committee**  
**Page 2**

In further attempt to effectuate service in this action, this Office employed the services of a private process server recommended by the U.S. Marshal's Office. Unfortunately, after numerous attempts at tracking down any representative of the Pryor Committee, service of the summons and complaint have still not been made. It appears that Ms. Pryor is no longer in the Pittsburgh area and has not left any evidence of her location.

In light of the unsuccessful attempts to serve the defendant in this action, this Office recommends that the Commission withdraw the pending civil action against the Pryor Committee and close the files in both MUR 1878 and MUR 2082.

**RECOMMENDATIONS:**

1. Withdraw the complaint in FEC v. Pryor for Congress Committee, Civil Action No. 86-580, Western District of Pennsylvania.
2. Close the file in both MUR 1878 and MUR 2072.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of ) Civil Action No. 86-580  
FEC v. Pryor for Congress Committee ) Western District of Pennsylvania

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 6, 1987, the Commission decided by a vote of 5-0 to withdraw the complaint in FEC v. Pryor for Congress Committee, Civil Action No. 86-580, Western District of Pennsylvania and close the file in both MUR 1878 and MUR 2082, as recommended in the General Counsel's Report dated March 3, 1987.

Commissioners Aikens, Elliott, McDonald, McGarry, and Thomas voted affirmatively for the decision; Commissioner Josefiak did not cast a vote.

Attest:

3-6-87

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary of the Commission

Received in the Office of Commission Secretary: Tues., 3-3-87,  
Circulated on 48 hour tally basis: Wed., 3-4-87,  
Deadline for vote: Fri., 3-6-87.

87040461011



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2082

DATE FILMED 10/29/87 CAMERA NO. \_\_\_\_\_

CAMERAMAN BPC

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