



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

THIS IS THE BEGINNING OF MUR # 2965

DATE FILMED 1/17/90 CAMERA NO. 4

CAMERAMAN AS

9
0
0
4
0
7
7
4
6
6
5
4



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 16, 1989

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

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

SUBJECT: UNAUTHORIZED QUARTERLY FILERS WHICH FAILED TO FILE
THE 1988 12 DAY PRE-GENERAL REPORT BY ELECTION DAY

11:18 6/17/89

The attached list of unauthorized committees consists of thirty-seven (37) quarterly filers which failed to file a 1988 12 Day Pre-General Report by Election Day, November 8, 1988.

Unlike the mandatory reporting requirement placed upon monthly filers, 2 U.S.C. §434(a)(4)(A)(ii) requires quarterly filers to submit 12 Day Pre-General Reports only if the committees make contributions to or expenditures on behalf of federal candidates in the general election. All unauthorized committees were sent prior notification regarding the pre- and post-general filing requirements on October 3, 1988 (Attachment 38).

The Party/Non-Party Branch conducted a thorough examination to identify quarterly filers disclosing contributions or expenditures between October 1 and October 19, 1988. The research revealed committees that submitted:

- a) 12 Day Pre-General Reports in an untimely manner;
- b) 30 Day Post-General Reports indicating that 12 Day Pre-General Reports should have been filed; and
- c) Year End Reports indicating that 12 Day Pre-General Reports should have been filed.

If you have any questions regarding this matter, please contact Lisa J. Stolaruk at 376-2480.

A-000.1

90040774665

List of Committees and Prior Commission Actions

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.
- 16.
- 17.

00040774666

A-00002

18.

18.

19.

20.

21.

22.

23.

24.

25. C00004473

National Telephone Cooperative
Association Telephone Education
Committee Organization

89NF-93

26.

27.

28.

29.

00040774667

A-00003

30.

31.

32.

32.

33.

PAGES 4 THROUGH 8 DO NOT PERTAIN TO THESE RESPONDENTS.

34.

35.

36.

37.

20040771668

A-00004

COMMITTEE ID, NAME AND ADDRESS

CONTACTS WITH FILER ATCH

REPORTS FILED/ RESPONSES

00040774659

Attachments 25a-25g

C00004473
NATIONAL TELEPHONE COOPERATIVE ASSOCIATION TELEPHONE EDUCATION COMMITTEE ORGANIZATION
TREASURER'S NAME: JAMES L BASS
2626 PENNSYLVANIA AVE N W
WASHINGTON DC 20037

Telecon
1/23/89

1988 Year End
Report filed
1/9/89; Letter
filed 1/25/89

A-00000

00040714670

A-00010

COMMITTEE ID, NAME AND ADDRESS

CONTACTS
WITH FILED ATCH

REPORTS FILED/
RESPONSES

20040774571

A-00011

90040774672

A-000-2

**National Telephone Cooperative Association Telephone Education
Committee Organization**

(Attachments 25a - 25g)

9
0
0
4
0
7
7
4
6
7
5

FEDERAL ELECTION COMMISSION
1987-1988
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

DATE 22MAY89

PAGE 1

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
						TYPE OF FILER
NATIONAL TELEPHONE COOPERATIVE ASSOCIATION TELEPHONE EDUCATION COMMITTEE ORGANIZATION				ID #C00004473 NON-PARTY QUALIFIED		
CONNECTED ORGANIZATION: TELEPHONE COOPERATIVE ASS'N; NAT'L						
1987	STATEMENT OF ORGANIZATION - AMENDMENT			12JAN87	1	87FEC/453/3282
	MISCELLANEOUS REPORT TO FEC			5AUG87	2	87FEC/482/2359
	MID-YEAR REPORT	16,388	7,600	1JAN87 -30JUN87	8	87FEC/473/1707
	MID-YEAR REPORT - AMENDMENT	16,694	7,699	1JAN87 -30JUN87	4	87FEC/493/0026
	1ST LETTER INFORMATIONAL NOTICE			1JAN87 -30JUN87	1	87FEC/492/4238
	YEAR-END	7,663	7,992	1JUL87 -31DEC87	8	88FEC/496/4885
	YEAR-END - AMENDMENT	11,596	7,992	1JUL87 -31DEC87	3	88FEC/532/2576
	REQUEST FOR ADDITIONAL INFORMATION			1JUL87 -31DEC87	2	88FEC/512/3182
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL87 -31DEC87	3	88FEC/515/3533
1988	MISCELLANEOUS REPORT TO FEC			7APR88	2	88FEC/516/0762
	STATEMENT OF ORGANIZATION - AMENDMENT			14APR88	2	88FEC/519/4034
	MISCELLANEOUS REPORT TO FEC			18MAY88	2	88FEC/525/3625
	APRIL QUARTERLY	20,468	6,692	1JAN88 -31MAR88	6	88FEC/518/4036
	REQUEST FOR ADDITIONAL INFORMATION			1JAN88 -31MAR88	1	88FEC/525/0573
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JAN88 -31MAR88	1	88FEC/528/3213
	JULY QUARTERLY	2,733	9,113	1APR88 -30JUN88	7	88FEC/535/5067
	OCTOBER QUARTERLY	2,041	11,628	1JUL88 -30SEP88	7	88FEC/551/2925
	NOTICE OF FAILURE TO FILE			28NOV88	1	89FEC/576/2251
	YEAR-END	3,089	665	1OCT88 -31DEC88	5	89FEC/576/1704
	TOTAL	56,621	0 43,789 0		66	TOTAL PAGES

All reports have been reviewed.

Ending cash-on-hand as of 12/31/88: \$20,440

Outstanding debts owed to or by the committee as of 12/31/88: \$0

20040774674

2 0 0 4 0 7 4 6 7 5
 FEDERAL ELECTION COMMISSION
 1989-1990
 COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

DATE 13JUN89

PAGE 1

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES TYPE OF FILER	MICROFILM LOCATION
NATIONAL TELEPHONE COOPERATIVE ASSOCIATION	TELEPHONE EDUCATION COMMITTEE ORGANIZATION			ID #C00004473	NON-PARTY QUALIFIED	
CONNECTED ORGANIZATION: TELEPHONE COOPERATIVE ASS'N; NAT'L	1989 MISCELLANEOUS REPORT TO FEC			25JAN89	3	89FEC/579/4756
TOTAL		0	0	0	3	TOTAL PAGES

REPORT OF RECEIPTS AND DISBURSEMENTS

For Other Than An Authorized Committee
(Summary Page)

RECEIVED
FEDERAL ELECTION COMMISSION

89 JAN -9 AM 9:04

TYPE OR PRINT

1. NAME OF COMMITTEE (in full)
National Telephone Cooperative Association
Telephone Education Organization
 ADDRESS (number and street) Other (if different than previously reported)
2626 Pennsylvania Ave NW
 CITY, STATE and ZIP CODE
Washington DC 20037

2. FEC IDENTIFICATION NUMBER
00000 473

3. This committee qualified as a multicandidate committee DURING THIS Reporting Period on _____ (date)

4. TYPE OF REPORT

- (a) April 15 Quarterly Report
 July 15 Quarterly Report
 October 15 Quarterly Report
 January 31 Year End Report
 July 31 Mid Year Report (Non-election Year Only)
 Termination Report

- Monthly Report Due On:
- | | | |
|--------------------------------------|---------------------------------------|--------------------------------------|
| <input type="checkbox"/> February 20 | <input type="checkbox"/> June 20 | <input type="checkbox"/> October 20 |
| <input type="checkbox"/> March 20 | <input type="checkbox"/> July 20 | <input type="checkbox"/> November 20 |
| <input type="checkbox"/> April 20 | <input type="checkbox"/> August 20 | <input type="checkbox"/> December 20 |
| <input type="checkbox"/> May 20 | <input type="checkbox"/> September 20 | <input type="checkbox"/> January 31 |

- Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____
- Thirtieth day report following the General Election on _____ in the State of _____

(b) Is this Report an Amendment? YES NO

3 2 7 5 7 5 7 1 7 7 0 6 7 6

SUMMARY		COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period	<u>10/1/88</u> through <u>12/31/88</u>		
6. (a) Cash on Hand January 1, 19 <u>88</u>			\$ 20,206. ²⁵
(b) Cash on Hand at Beginning of Reporting Period		\$ 18,015. ⁸¹	
(c) Total Receipts (from Line 18)		\$ 30,214. ⁹⁶	\$ 29,311. ⁷⁷
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)		\$ 21,110. ⁷⁷	\$ 48,534. ⁷⁷
7. Total Disbursements (from Line 28)		\$ 6,651. ¹¹	\$ 29,044. ³¹
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))		\$ 20,440. ⁶⁶	\$ 20,440. ⁶⁶
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)		\$	For further information contact:
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)		\$	Federal Election Commission 999 E Street, NW Washington, DC 20463 Toll Free 800-424-9530 Local 202-376-3120

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

Type or Print Name of Treasurer

William R. ...
Signature of Treasurer

Date

William R. ...

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

DETAILED SUMMARY PAGE

of Receipts and Disbursements
Page 2, FEC FORM 3X

Name of Committee (in full) <i>National Telephone Association May 1968</i>	Report Covering the Period	
	From: <i>10/1/67</i>	To: <i>10/31/68</i>
I. RECEIPTS	COLUMN A Total This Period	COLUMN B Calendar Year-To-Date
11. CONTRIBUTIONS (other than loans) FROM:		
(a) Individuals/Persons Other Than Political Committees		
(i) Itemized (use Schedule A)		736.00
(ii) Unitemized	2937.00	26185.00
(iii) Total of contributions from individuals	2937.00	26921.00
(b) Political Party Committees		
(c) Other Political Committees (such as PACs)		
(d) TOTAL CONTRIBUTIONS (add 11(a)(iii), (b), and (c))	2937.00	26921.00
12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES		
13. ALL LOANS RECEIVED		
14. LOAN REPAYMENTS RECEIVED		
15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)		
16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES		
17. OTHER RECEIPTS (Dividends, Interest, etc.)	152.98	1412.74
18. TOTAL RECEIPTS (add 11(d), 12, 13, 14, 15, 16 and 17)	3089.98	28,333.74
II. DISBURSEMENTS		
19. OPERATING EXPENDITURES	15.11	109.31
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES		
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES	4250.00	127,970
22. INDEPENDENT EXPENDITURES (use Schedule E)		
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. 441a(d)) (use Schedule F)		
24. LOAN REPAYMENTS MADE		
25. LOANS MADE		
26. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees		
(b) Political Party Committees		
(c) Other Political Committees (such as PACs)		
(d) TOTAL CONTRIBUTION REFUNDS (add 26(a), (b), and (c))		
27. OTHER DISBURSEMENTS		
28. TOTAL DISBURSEMENTS (add 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)	4265.11	28,099.31
III. NET CONTRIBUTIONS/OPERATING EXPENDITURES		
29. TOTAL CONTRIBUTIONS (other than loans) (from Line 11(d))	2937.00	26921.00
30. TOTAL CONTRIBUTION REFUNDS (from Line 26(d))		
31. NET CONTRIBUTIONS (other than loans) (subtract Line 30 from 29)	2937.00	26921.00
32. TOTAL OPERATING EXPENDITURES (from Line 19)	15.11	109.31
33. OFFSETS TO OPERATING EXPENDITURES (from Line 15)		
34. NET OPERATING EXPENDITURES (subtract Line 33 from 32)	15.11	109.31

30 3000 7 5 4 7 3 7 7

MODULE B

ITEMIZED DISBURSEMENTS

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

PAGE 1 OF 1
FOR LINE NUMBER 21

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

NAME OF COMMITTEE (in Full)

National Telephone Cooperative Assoc. / Telephone Education (Committee District)

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
New Orleans for Bill Richardson Rt 8 Belmont Rd. NW Washington DC 20009	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	10/4/88	\$ 250.00
Tim Perry for Congress 845 Alnovan Rd. E Vienna, Va 22180	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	10/4/88	\$ 250.00
Nage '88 Cafe P.O. Box 2884 Washington DC 20013	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	12/12/88	\$ 150.00
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period

SUBTOTAL of Disbursements This Page (optional)

\$ 650.00

TOTAL This Period (last page this line number only)

\$ 650.00

ANALYST: Mike Tangney

CONVERSATION WITH: Shirley Bloomfield

COMMITTEE: National Telephone Cooperative Association Telephone Education Committee
Organization

DATE: 1/23/89

SUBJECT(S): Non filer notice 30 Day Post General Report

Ms. Bloomfield called concerning the non filer notice the committee received for the 30 Day Post General Report and stated that a Year End Report had been filed which covered the period. I advised her that it would not be necessary to file an additional report.

90040774679

January 31, 1989

Mike Tangney
Federal Election Commission
999 E St., N.W.
Washington, D. C. 20463

Dear Mr. Tangney:

This is a follow-up to our telephone conversation of January 23, 1989 regarding the filing of the 30 Day Post-General Report (through 11/28/88) on behalf of the National Telephone Cooperative Association's political action committee, the Telephone Education Committee Organization. As I mentioned, we did not know about this filing as our secretary who handles the FEC reports had left our association and did not notify us of this requirement. I filed our end of the year report for 1988 on January 6, 1989. The information is repetitive of that requested for the referenced Report of Receipts and Disbursements and you mentioned that that makes the additional filing unnecessary.

If there are any problems or if you would prefer the filing of the 30 Day Post-General Report, please contact me immediately at (202) 298-2357. Thank you for all of your assistance.

Sincerely,

Shirley Bloomfield

Shirley Bloomfield
Assistant Director
Government Affairs

07040774680

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM
09 JAN 25 PM 15

RECEIVED
FEDERAL ELECTION COMMISSION

89 AUG -9 AM 10:03

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

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

RAD REFERRAL: 89NF-69 thru
89NF-105

STAFF MEMBER: Gregory Baker

SOURCE: Internally Generated

RESPONDENTS: a.

b.

c.

d.

e.

f.

g.

h.

i.

j.

k.

l.

30040774631

m.

n.

o.

p.

q.

r.

s.

t.

u.

v.

w.

x.

y. National Telephone Cooperative Association
Telephone Education Committee Organization and
James L. Bass, as treasurer (89NF-93)

z.

00040711692

aa.

bb.

cc.

dd.

ee.

ff.

gg.

hh.

ii.

jj.

kk.

00040771683

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

INTERNAL REPORTS CHECKED: Disclosure Reports and Referral Materials

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

The Reports Analysis Division ("RAD") referred the above (37) committees to the Office of the General Counsel on June 16, 1989. (Attachment 1). The basis for the attached referral is

the committees' failure to file the 12 Day Pre-General Report by October 27, 1988.

II. FACTUAL AND LEGAL ANALYSIS

A. Filing of Reports

The Federal Election Campaign Act of 1971, as amended ("the Act"), provides that for unauthorized committees filing quarterly, such committees shall submit 12 Day Pre-General Reports if the Committees make any contributions to or expenditures on behalf of federal candidates in the general election. 2 U.S.C. § 434(a)(4)(A)(ii). The 12 Day Pre-General Report is due as of the 12th day before the election (October 27, 1988) and should be complete as of the 20th day before the election (October 19, 1988). The Committees were notified on October 3, 1988, that the report was due on October 27, 1988.

The (37) committees fall into three categories;

(1) committees that filed 12 Day Pre-General Reports in an untimely manner, (2) committees that filed 30 Day Post-General Reports indicating that 12 Day Pre-General Reports should have been filed, and (3) committees that filed Year End Reports indicating that 12 Day Pre-General Reports should have been filed. The following Committees did not file the 1988 12 Day Pre-General Report by October 27, 1988:

00040774684

070407/4685

- (2) 30 Day Post-General Reports Indicating that 12 Day Pre-General Reports should have been filed.

20040714686

- (3) **Year End Reports Indicating that 12 day Pre-General Reports should have been filed.**

**National Telephone Cooperative
Association Telephone Education
Committee Organization (89NF-93)**

January 9, 1989

00040774637

Accordingly, the Office of the General Counsel recommends that the Commission open Matters Under Review and find reason to believe that the above committees and their treasurers violated 2 U.S.C. § 434(a)(4)(A)(ii).

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

This Office also recommends that the Commission offer to enter into conciliation prior to a finding of probable cause to believe with respect to the (37) referred committees. Attached for the Commission's approval are proposed conciliation agreements (Attachment 2). The proposed agreements provide for an admission of the violation and civil penalties computed as follows:

000407/4698

PAGES 9 THROUGH 44 DO NOT PERTAIN TO THESE RESPONDENTS.

07040714689

IV. RECOMMENDATIONS

1. Open Matters Under Review with respect to the following committees and their treasurers and find reason to believe that these committees and their treasurers violated 2 U.S.C. § 434(a)(4)(A)(ii).

00040774690

20040774691

National Telephone Cooperative Association Telephone
Education Committee Organization and James L. Bass, as
treasurer (89NF-93)

2. Enter into conciliation with the following committees and their treasurers prior to a finding of probable cause to believe.

900407/4692

00040774693

National Telephone Cooperative Association Telephone
Education Committee Organization and James L. Bass, as
treasurer (89NF-93)

90040774694

3. Approve the attached letters, Factual and Legal Analyses, and proposed conciliation agreements to be sent to the respective respondents listed in Recommendation 2.

Lawrence M. Noble
General Counsel

8/7/89
Date

BY: 
Lois G. Lerner
Associate General Counsel

Attachments:

- A. Referral materials
- B. Proposed Conciliation Agreements (37),
Letters and Factual and Legal Analyses (37)

00040774695

Federal Election Commission
Certification for RAD Referrals
89NF-69 through 89 NF-105
August 22, 1989

Page 5

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of August 22, 1989, do hereby certify that the Commission decided by a vote of 4-0 to take the following actions with respect to RAD Referrals 89NF-69 through 89NF-105:

1. Open Matters Under Review with respect to the following committees and their treasurers and find reason to believe that these committees and their treasurers violated 2 U.S.C. § 434(a)(4)(A)(ii):

(continued)

00040774700

Federal Election Commission
Certification for RAD Referrals
89NF-69 through 89NF-105
August 22, 1989

Page 6

20040774701

(continued)

Federal Election Commission
Certification for RAD Referrals
89NF-69 through 89NF-105
August 22, 1989

Page 7

20040770702

National Telephone Cooperative Association
Telephone Education Committee Organization
and James L. Bass, as treasurer (89NF-93)

(continued)

Federal Election Commission
Certification for RAD Referrals
89NF-69 through 89NF-105
August 22, 1989

Page 8

22140714705

2. Enter into conciliation with the following committees and their treasurers prior to a finding of probable cause to believe:

(continued)

Federal Election Commission
Certification for RAD Referrals
89NF-69 through 89NF-105
August 22, 1989

Page 9

00040774704

(continued)

Federal Election Commission
Certification for RAD Referrals
89NF-69 through 89NF-105
August 22, 1989

Page 10

00040714705

(continued)

Federal Election Commission
Certification for RAD Referrals
89NF-69 through 89NF-105
August 22, 1989

Page 11

National Telephone Cooperative Association
Telephone Education Committee Organization
and James L. Bass, as treasurer (89NF-93)

00040714700

(continued)

Federal Election Commission
Certification for RAD Referrals
89NF-69 through 89NF-105
August 22, 1989

Page 12

3. Approve the letters, Factual and Legal Analyses, and proposed conciliation agreements to be sent to the respective respondents listed in Action 2 above, as recommended in the General Counsel's report dated August 7, 1989, subject to amendment of two of the agreements as agreed in the meeting of August 22, 1989.

Commissioners Aikens, Elliott, Josefiak, and McDonald voted affirmatively for the decision; Commissioners McGarry and Thomas were not present.

Attest:

8-25-89

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

00040714707



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

September 12, 1989

James L. Bass, Treasurer
National Telephone Cooperative
Association Telephone Education
Committee Organization
2626 Pennsylvania Avenue, N.W.
Washington, D.C. 20037

RE: MUR 2965
National Telephone Cooperative
Association Telephone Education
Committee Organization and
James L. Bass, as treasurer

Dear Mr. Bass:

On August 22, 1989, the Federal Election Commission found that there is reason to believe National Telephone Cooperative Association Telephone Education Committee Organization ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

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

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

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

00040714708

James L. Bass, Treasurer
Page 2

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

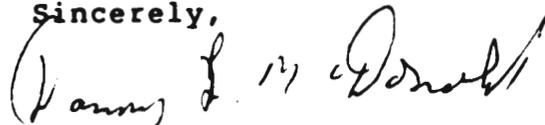
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Deborah Curry, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Danny L. McDonald
Chairman

Enclosures

- A. Factual and Legal Analysis
- B. Procedures
- C. Designation of Counsel Form
- D. Conciliation Agreement

00040714709



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

October 23, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James L. Bass, Treasurer
National Telephone Cooperative
Association Telephone Education
Committee Organization
2626 Pennsylvania Avenue, N.W.
Washington, D.C. 20037

RE: MUR 2965
National Telephone
Cooperative Association
Telephone Education
Committee Organization and
James L. Bass, as treasurer

Dear Mr. Bass:

On September 12, 1989, you were notified that the Federal Election Commission determined to enter into negotiations directed toward reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. On that same date you were sent a conciliation agreement offered by the Commission in settlement of this matter.

Please note that conciliation negotiations entered into prior to a finding of probable cause to believe are limited to a maximum of 30 days. To date, you have not responded to the proposed agreement. The 30 day period for negotiations has expired. Unless we receive a response from you within five days, this Office will consider these negotiations terminated and will proceed to the next stage of the enforcement process.

Should you have any questions, please contact Deborah Curry, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

0 3 0 4 0 7 1 4 7 1 0



National Telephone Cooperative Association

#06C 4453

2626 Pennsylvania Ave., N.W.
Washington, D.C. 20037-1695

(202) 298-2300

November 2, 1989

89 NOV -2 PM 3:30

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF ELECTION ADMINISTRATION

Lois G. Lerner
Associate General Counsel
Federal Election Commission
999 E. Street, NW
Washington, D.C. 20463

Dear Ms. Lerner:

This is in response to your correspondence of October 23 regarding MUR 2965. You state in your letter that no response had been received by your office from Mr. James L. Bass, Treasurer, Telephone Education Committee Organization, regarding TECO's conciliation agreement.

I am writing you to inform you that Mr. Bass has responded. Enclosed you will find a copy of that letter dated September 19, 1989, well within the 30 day negotiation period. This copy of the letter should clarify any error that you may have in your records.

If you have any questions, please contact Shirley Bloomfield, NTCA's Director of Government Affairs at (703) 237-3619 or myself at (202) 298-2342.

Sincerely,

Charlotte Marx

Charlotte Marx
TECO Assistant

enclosures

1174740000



National Telephone Cooperative Association
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

2626 Pennsylvania Ave., N.W.
Washington, D.C. 20037-1695
(202) 298-2300

89NOV -2 PH 3:30

OFFICERS AND DIRECTORS

- A. M. (Ben) Bennett, Pres
- Mickey L. Sims, Vice Pres
- William H. Stanley, Sec-Treas
- Michael E. Brunner, Executive Vice President
- Sam O. Anderson
- Ray Ford
- Frank M. James
- James D. O'Connor
- David L. Schmidt
- Keith J. Taylor
- James L. Bass, Gen. Counsel

September 19, 1989

Mr. Danny L. McDonald, Chairman
Federal Election Commission
999 E. Street, NW
Washington, D.C. 20463

RE: MUR 2965
National Telephone Cooperative Association
Telephone Education Committee Organization

Dear Mr. McDonald:

This is a response to your correspondence of September 12 regarding a violation of 2 U.S.C. Section 434 (a) (4) (A) (ii) of the Federal Election Campaign Act, as amended, committed by the National Telephone Cooperative Association's political action committee, Telephone Education Committee Organization (TECO).

MUR 2965 pertains to the failure of TECO to file a 12 Day Pre-Election report in a timely manner and instead TECO filed its Year End Report which contained this information. There are mitigating circumstances that intervened in this matter as well as affirmative steps that TECO has taken to establish a procedure to ensure that TECO operates within strict compliance of the law.

NTCA is a grassroots, non-profit trade association that represents the interests of small, rural telephone cooperatives and companies. While the association is member directed, our staff in Washington, D.C. is responsible for the day to day operation, including the functioning of TECO. In October, 1988, our Government Affairs division which is responsible for the internal administration of TECO, lost both its Director and the assistant responsible for TECO filings with the FEC. This is by no means a justification for TECO not filing the appropriate report, however, there was no existing back up to the system and the remaining staff know only enough to file the Year End Report. This was truly an example of circumstances controlling the situation at hand.

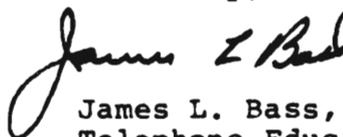
0047712

In light of this, TECO has made a concerted effort to become a professionally operated political action committee. Charlotte Marx, has been designated TECO coordinator; is a staff member of the Government Affairs division and will be devoting approximately 75% of her available work time to the operation of the PAC. Ms. Marx recently attended the FEC conference in Philadelphia as a training exercise to ensure that TECO establish the proper procedures to comply with all FEC regulations. She has also attended other training seminars and will be compiling a political action committee reference book for NTCA and TECO to validate that even in her absence, the PAC will run in a manner consistent with your regulations and requirements.

I do appreciate the opportunity to present our situation to the Commission. If you have any questions, please contact Shirley Bloomfield, NTCA's Director of Government Affairs, at (202) 298-2357 or me directly at (615) 735-1122.

I do look forward to hearing a favorable response from you in the near future.

Sincerely,



James L. Bass, Treasurer
Telephone Education
Committee Organization
(TECO)

JLB/db

000407/4715

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
National Telephone Cooperative)	MUR 2965
Association Telephone Education)	
Committee Organization and)	
James L. Bass, as treasurer)	

RECEIVED
 FEDERAL ELECTION COMMISSION
 APR 20 11 42 AM '63

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by James L. Bass, the treasurer of National Telephone Cooperative Association Telephone Education Committee Organization (the "Committee").

20040714714

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with National Telephone Cooperative Association Telephone Education Committee Organization and James L. Bass, as treasurer.

2. Close the file.
3. Approve the attached letter.

Lawrence M. Noble
General Counsel

11-30-89
Date

BY: *Lois G. Lerner*
Lois G. Lerner
Associate General Counsel

Attachments

1. Conciliation Agreement
2. Letter to Respondents

Staff Assigned: Debby Curry

000407715

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
National Telephone Cooperative)	MUR 2965
Association Telephone Education)	
Committee Organization and)	
James L. Bass, as treasurer)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, hereby certify that on December 5, 1989, the Commission decided by a vote of 6-0 to approve the following actions in MUR 2965:

1. Accept the conciliation agreement with National Telephone Cooperative Association Telephone Education Committee Organization and James L. Bass, as treasurer, as recommended in the General Counsel's Report dated November 30, 1989.
2. Close the file.
3. Approve the letter, as recommended in the General Counsel's Report dated November 30, 1989.

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

Attest:

12/6/89
Date

Hilda Arnold
for Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat:	Thurs., Nov. 30, 1989	4:42 p.m.
Circulated to the Commission:	Friday, Dec. 1, 1989	12:00 p.m.
Deadline for vote:	Tuesday, Dec. 5, 1989	4:00 p.m.

00040774710



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

December 15, 1989

James L. Bass, Treasurer
National Telephone Cooperative
Association Telephone Education
Committee Organization
2626 Pennsylvania Avenue, N.W.
Washington, D.C. 20037

RE: MUR 2965
National Telephone
Cooperative Association
Telephone Education Committee
Organization and
James L. Bass, as treasurer

Dear Mr. Bass:

On December 5, 1989, the Federal Election Commission accepted the signed conciliation agreement submitted by you and your Committee in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(ii), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to your Committee and you, as treasurer. This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation

00040774717

James L. Bass, Treasurer
Page 2

agreement's effective date. If you have any questions, please contact Deborah Curry, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

90040714718

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
National Telephone Cooperative) MUR 2965
Association Telephone Education)
Committee Organization and)
James L. Bass, as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the National Telephone Cooperative Association Telephone Education Committee Organization and James L. Bass, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(4)(A)(ii).

NOW, THEREFORE, the Commission and the 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)(4)(A)(i).

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

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

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

00040770719

1. National Telephone Cooperative Association Telephone Education Committee Organization is a political committee within the meaning of 2 U.S.C. § 431(4).

2. James L. Bass is the treasurer of National Telephone Cooperative Association Telephone Education Committee Organization.

3. Section 434(a)(4)(A)(ii) of Title 2 provides that unauthorized committees filing quarterly shall file 12 Day Pre-General Reports if the committee makes any contributions to or expenditures on behalf of federal candidates in the general election. The pre-election reports are to be filed no later than the 12th day before the election and should be complete as of the 20th day before the election.

4. Respondents were required to file the 1988 12 Day Pre-General Report no later than October 27, 1988. Respondents did not file the 12 Day Pre-General Report until January 9, 1989,, 74 days late, disclosing \$648.90 in receipts and \$653.17 in disbursements for the relevant reporting period.

V. Respondents failed to file the 1988 12 Day Pre-General Report in a timely fashion in violation of 2 U.S.C. § 434(a)(4)(A)(ii).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Three Hundred Dollars (\$300.00), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at

0040774720

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.

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

IX. Respondents shall have no more than 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.

X. 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 enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Lois G. Lerner
Associate General Counsel

12-14-89
Date

FOR THE RESPONDENTS:

James L. Bass
(Name)
(Position) Treasurer

November 14, 1989
Date

0 7 0 4 0 7 / 4 7 2 1



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 8965

DATE FILMED 1/17/90 CAMERA NO. 7

CAMERA MAN AS

00040716726