



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3209

DATE FILMED 10/12/91 CAMERA NO. 2

CAMERAMAN AS

91040864595

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 4 December 1990

ANALYST: Linda Tangney

I. COMMITTEE: Tom Delay Congressional Committee
(C00170860)
Jack R. Roach, Treasurer
P.O. Box 101
Sugarland, TX 77478

II. RELEVANT STATUTE: 2 U.S.C. §434(a)(2)(A)(i)
11 CFR §104.5(a)(1)(i)

III. BACKGROUND:

Failure to File a Required Report as of Election Day

The Tom Delay Congressional Committee ("the Committee") failed to file the 1990 12 Day Pre-General Report of Receipts and Disbursements as of Election Day, November 6, 1990. The Committee was notified on October 1, 1990, that the 1990 12 Day Pre-General Report was due October 25, 1990 (Attachment 2). A mailgram was sent to the Committee on October 26, 1990 for failure to file the 1990 12 Day Pre-General Report (Attachment 3). The mailgram informed the Committee that failure to file the report within four (4) business days might result in publication, audit or legal enforcement action. The name of the Committee was published for failure to file the 1990 12 Day Pre-General Report on November 2, 1990 (Attachment 4). On November 7, 1990, the Committee submitted a cover letter which stated that this was the "pre-election report for dates: 10/1/90-10/17/90" and provided a Schedule A which itemized \$11,094 in contributions (Attachment 5). On November 19, 1990, a Reports Analysis Division analyst telephoned Mona Stevens, a Committee member, and explained that the report was unacceptable because there was no Summary Page or Detailed Summary Page. Ms. Stevens stated that she was unaware that a Summary Page and Detailed Summary Page needed to be filed, and asked if forms could be

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TOM DELAY CONGRESSIONAL COMMITTEE
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

mailed to her. The analyst stated that a letter would be sent to the Committee requesting that a complete report be filed, and that an FEC FORM 3 would be sent along (Attachment 6).

A Request for Additional Information ("RFAI") was sent to the Committee on November 27, 1990 (Attachment 7). The RFAI requested that the Committee provide a Summary Page and Detailed Summary Page.

To date, a complete 1990 12 Day Pre-General Report has not been filed.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

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CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/ PARTY	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
		PRIMARY	GENERAL	PRIMARY	GENERAL			
DELAY, THOMAS DALE	HOUSE 22 REPUBLICAN PARTY					TEXAS	1990 ELECTION	ID# H4TY22023
1. STATEMENT OF CANDIDATE								
1989 DISAVOWAL NOTICE						17OCT89		1 89FEC/611/4749
STATEMENT OF CANDIDATE						3NOV89		1 89HSE/385/4133
2. PRINCIPAL CAMPAIGN COMMITTEE								
TOM DELAY CONGRESSIONAL COMMITTEE								ID #000170860 HOUSE
1989 MID-YEAR REPORT		57,060		28,695		1JAN89 -30JUN89	30	89HSE/382/4570
MID-YEAR REPORT - AMENDMENT		-		-		1JAN89 -30JUN89	3	89HSE/385/4145
MID-YEAR REPORT - AMENDMENT		-		-		1JAN89 -30JUN89	3	89HSE/385/4141
YEAR-END		94,528		56,098		1JUL89 -31DEC89	49	90HSE/391/3058
YEAR-END - AMENDMENT		-		-		1JUL89 -31DEC89	6	90HSE/390/3966
REQUEST FOR ADDITIONAL INFORMATION						1JUL89 -31DEC89	1	90FEC/671/2781
1990 STATEMENT OF ORGANIZATION - AMENDMENT						6MAY90	1	90HSE/397/1845
48 HOUR CONTRIBUTION NOTICE						7NOV90	2	90HSE/417/2512
MISCELLANEOUS REPORT TO FEC						7NOV90	14	90HSE/417/2584
PRE-PRIMARY		32,384		16,153		1JAN90 -21FEB90	14	90HSE/392/1674
APRIL QUARTERLY		16,293		6,119		22FEB90 -31MAR90	9	90HSE/395/2185
JULY QUARTERLY		30,721		28,000		1APR90 -30JUN90	16	90HSE/407/4822
OCTOBER QUARTERLY			45,376		54,054	1JUL90 -30SEP90	25	90HSE/411/4490
NOTICE OF FAILURE TO FILE						1OCT90 -17OCT90	1	90FEC/670/1625
REQUEST FOR ADDITIONAL INFORMATION						1OCT90 -17OCT90	1	90FEC/671/2961
TOTAL		230,986	45,376	135,068	54,054		177	TOTAL PAGES
3. AUTHORIZED COMMITTEES								
4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN								

All reports have been reviewed.
Ending Cash-on-Hand as of 9/30/90: \$136,575*
Outstanding Debts as of 9/30/90: \$0**

* Since the Committee failed to file a Summary Page and Detailed Summary Page on their last filing, the \$136,575 ending cash-on-hand represents the amount disclosed on their 1990 October Quarterly report.
**As explained above, this amount represents the amount disclosed on the 1990 October Quarterly report.

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GENERAL ELECTION

REPORT NOTICE

FEDERAL ELECTION COMMISSION

CONGRESSIONAL CANDIDATES

October 1, 1990

Report	Reporting Period	Reg./Cert. Mailing Date*	Filing Date
Pre-General	10/01/90**-10/17/90	10/22/90	10/25/90
Post-General	10/18/90 - 11/26/90	12/06/90	12/06/90

WHO MUST FILE

All 1990 general election principal campaign committees must file the pre- and post-general election reports.

WHO NEED NOT FILE

Principal campaign committees of candidates not active in the 1990 elections (i.e., committees active in past or future elections) and 1990 campaign committees not participating in the general election do not file the pre- and post-general reports.

WHAT MUST BE REPORTED

All financial activity (not previously reported) that occurred during the reporting period.

REPORTING FORMS

Candidate committees use FORM 3 (enclosed). If the campaign has more than one authorized committee, the principal campaign committee must also file a consolidated report on FORM 3Z.

WHERE TO FILE

Consult the instructions on the back of the FORM 3 Summary Page. Note State filing requirements also.

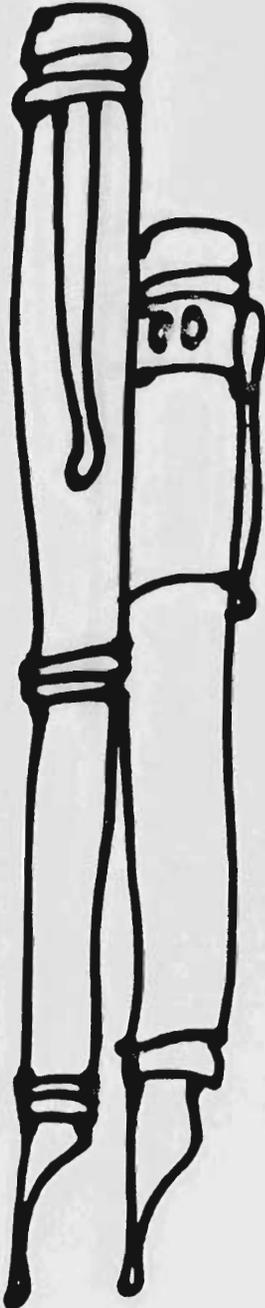
LAST-MINUTE CONTRIBUTIONS

Committees must also file special notices if contributions of \$1,000 or more are received during the period of October 18 through November 3, 1990. The notices must reach the appropriate Federal and State offices within 48 hours of the committee's receipt of the contributions.

*Reports sent by registered or certified mail must be postmarked by the mailing date. Otherwise, they must be received by the filing date.

**The period begins with the close of the last report filed by the committee. If the committee has filed no previous reports, the period begins with the date of the committee's first activity.

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CONGRESSIONAL CANDIDATES

GENERAL ELECTION

LABEL

Committees should affix the peel-off label from the envelope to Line 1 of the report. Correction should be made on the label.

COMPLIANCE

TREASURERS OF POLITICAL COMMITTEES ARE RESPONSIBLE FOR FILING ALL REPORTS ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT ACTION. COMMITTEES FILING ILLEGIBLE REPORTS OR USING NON-FEC FORMS WILL BE REQUIRED TO REFILE.

91040864600

FOR INFORMATION, Call: 202/376-3120 or 800/424-9530

RQ-7

(This is a copy of the text of a mailgram sent to the committee listed below on October 26, 1990.)

Jack R. Roach, Treasurer
Tom Delay Congressional Committee
P.O. Box 101
Sugar Land, TX 77478

Identification Number: C00170860

Reference: 12 DAY PRE-GENERAL REPORT (10/1/90-10/17/90)

It has come to the attention of the Federal Election Commission that you may have failed to file the 12 Day Pre-General Report of receipts and expenditures as required by the Federal Election Campaign Act, as amended. You were previously notified of the due date for this report. You will be allowed four (4) business days from the date of this notice to file the 12 Day Pre-General Report. The report should be filed with the Clerk of the House, Office of Records and Registration, 1036 Longworth House Office Building, Washington, DC 20515, or the Secretary of the Senate, Office of Public Records, 232 Hart Senate Office Building, Washington, DC 20510, as appropriate. A copy of the report should also be filed with the appropriate Secretary of State or equivalent state officer.

If you have filed the report timely by certified or registered mail, please notify us immediately, in writing, of the certified or registered number and the date that the report was sent. The failure to file this report may result in publication, audit or legal enforcement action.

If you have any questions regarding this matter, please contact the Reports Analysis Division on our toll free number (800) 424-9530 or on our local number (202) 376-2480.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

31036700625

FEDERAL ELECTION COMMISSION

ATTACHMENT 4



Press Office
999 E Street, N.W., Washington, D.C. 20463
Phone: Local 376-3155 Toll Free 800-424-9630

FOR IMMEDIATE RELEASE:
FRIDAY, NOVEMBER 2, 1990

CONTACT: FRED EILAND
SHARON SNYDER
SCOTT MOXLEY

FEC PUBLISHERS PRE-GENERAL NON-FILERS

WASHINGTON — The Federal Election Commission today published a list of committees authorized by 1990 Congressional candidates involved in the November 6 general election which failed to file the required 12-day pre-general financial disclosure reports.

The reports were due October 25th, covering activity from October 1 through October 17, 1990. If sent by regular mail, or if hand-delivered, the reports should have been received by close of business on October 25. If sent by registered or certified mail, the reports should have been postmarked by October 22. Committees were notified of their filing requirements on October 1 and those which failed to file were again notified October 26.

As of 5 p.m. November 1, reports from the following committees had not been filed:

CA/06...Bill Boerum for Congress...Bill Boerum...Rep
IL/01...Babette Peyton for U.S. Congress...Babette Peyton...Rep
IN/10...Hoosiers for Horvath...Janos Horvath...Rep
LA/07...Jimmy Hayes for Congress '90...James A. Hayes...Dem
LA/08...Friends of Clyde Holloway...Clyde C. Holloway...Rep
LA/05...Jerry Buckaby Re-election Committee...Thomas Jerald Buckaby...Dem
LA/04...McCrery for Congress...James Otis McCrery III...Rep
MN/06...Anderson for Congress...Bruce Douglas Anderson...Rep
NC/01...Moye for Congress...Howard Devitt Moye, Jr...Rep
NJ/09...Friends of Peter J. Russo...Peter J. Russo...Rep
NY/20...Bellitto for Congress...Glen Daniel Bellitto...Rep
NY/28...Committee to Elect Krieger...Seymour Krieger...Rep
OH/15...Erney Committee...Thomas Vincent Erney...Dem
OH/12...Gelpi for Congress Committee...Michael A. Gelpi...Dem
TX/22...Tom Delay Congressional Committee...Thomas Dale Delay...Rep
TX/12...Mike McGinn for Congress Committee...Michael Patrick McGinn...Rep

The 1979 Amendments to the Federal Election Campaign Act specify that the Commission publish only those committees authorized by candidates to raise and spend money on their behalf. Therefore, this list does not include other types of political committees which also may have been required to file.

In addition, individuals register as candidates only after they have raised or spent in excess of \$5,000. Prior to reaching that threshold, no registration or reporting is required. Therefore, some individuals whose names appear on state ballots may have no filing obligations.

Further Commission action against non-filers or late filers is decided on a case-by-case basis. Federal election law gives the FEC broad authority to initiate enforcement actions, including the imposition of civil penalties (\$5,000 for "any violation" and \$10,000 for any "knowing and willful" violation) for infractions of the law.

The next report due for general election candidates will be the 30-day post election report, due December 6, covering activity from October 18 through November 26.

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HAND DELIVERED

RECEIVED ATTACHMENT 5

NOV - 7 AM 9 28 Page 1 of 14

To: FEC
Office of Records
Office of the Clerk of the House
Longworth House Office Bldg 1036
Washington, DC 20515

and

Secretary of State
Disclosure Filing Office
State Capitol #127
Austin, Tx 78711

TOM DELAY CONGRESSIONAL COMMITTEE

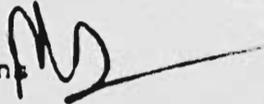
November 6, 1990

Ref: **FEC 106976**

Filing pre-election report for dates: 10/01/90-10/17/90

Jack Roach ,Treasurer

Tom DeLay Congressional Committee
P.O.Box 101
Sugarland, Texas 77487

713/271-0208 Mona Stevens 

910408664603
0771417001

SCHEDULE A

ITEMIZED RECEIPTS

Full Name of Committee: Tom DeLay Congressional Committee

A. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Dr. Alan C. Baum 930 Old Lake Houston, TX 77057	Self-employed-Memorial S Doctor	G	10/09/90	1000.0

Total YTD: \$ 1000.00

B. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Lester Bernard P.O.Box 998 Sugar Land, TX 77487		G	10/09/90	35.0

Total YTD: \$ 35.00

C. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Mr. and Mrs. Randal T. Beste 14702 Earlswood Drive Houston, TX 77083		G	10/09/90	35.0
		G	10/09/90	35.0

Total YTD: \$ 100.00

D. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Mr. William K. Blacklock 3318 North Park Dr. Missouri City, TX 77459		G	10/09/90	35.0

Total YTD: \$ 35.00

E. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Jacqueline Blankenship P.O.Box 271341 Houston, TX 77277		G	10/09/90	35.0

Total YTD: \$ 35.00

TOTAL THIS PAGE: 1175.00

U.S. DEPARTMENT OF JUSTICE
 FEDERAL BUREAU OF INVESTIGATION
 OCT 11 1990 7 28 AM '90

SCHEDULE A

ITEMIZED RECEIPTS

Full Name of Committee: Tom DeLay Congressional Committee

----- A. Full Name, Address, Zip -----	----- Employer/Occupation -----	----- P/G -----	----- Date -----	----- Receipts -----
Mr. & Mrs. Robert C. Brown, III 607 Santa Maria Sugar Land, TX 77478		G	10/09/90	500.0

Total YTD: \$ 500.00

----- B. Full Name, Address, Zip -----	----- Employer/Occupation -----	----- P/G -----	----- Date -----	----- Receipts -----
Tim and LaRue Brown 8111 Leader Houston, TX 77036		G	10/09/90	70.0

Total YTD: \$ 70.00

----- C. Full Name, Address, Zip -----	----- Employer/Occupation -----	----- P/G -----	----- Date -----	----- Receipts -----
Mr. M.E. Chancellor 12314 Kimberley Houston, TX 77024	Adair Supply and Rental Partner	G	10/09/90	350.0

Total YTD: \$ 600.00

----- D. Full Name, Address, Zip -----	----- Employer/Occupation -----	----- P/G -----	----- Date -----	----- Receipts -----
Mr. and Mrs. Andrew Choy 2300 Lake Olympia Parkway Missouri City, TX 77459	Lake Olympia Development Developer	G	10/09/90	500.0

Total YTD: \$ 1500.00

----- E. Full Name, Address, Zip -----	----- Employer/Occupation -----	----- P/G -----	----- Date -----	----- Receipts -----
Mr. and Mrs. John Cox 2702 Broadmoor Cir. Missouri City, TX 77459	Consulting Engineer	G	10/09/90	35.0

Total YTD: \$ 35.00

TOTAL THIS PAGE: 1455.00

SCHEDULE A

ITEMIZED RECEIPTS

Full Name of Committee: Tom DeLay Congressional Committee

A. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Mr. and Mrs. Randolph L. DeLay 805 MBank Center North 500 North Water Street Corpus Christi, TX 78471	Luther, DeLay, Duncan an Attorney	G	10/09/90	500.0
Total YTD: \$				500.00

B. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Mr. William G. Deering Gulf Chemical P.O. Box 2290 Freeport, TX 77541	Gulf Chemical General Manager	G	10/09/90	350.0
Total YTD: \$				350.00

C. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Mr. and Mrs. Sam Dick 1818 Quail Meadow Dr. Missouri City, TX 77459	Fort Bend County Courtho District Attorney	G	10/09/90	35.0
Total YTD: \$				35.00

D. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Ms. Pauline Dunlap 1201 McDuffie, 0222 Houston, TX 77019	Falcon Carriers Public Relations	G	10/09/90	72.0
Total YTD: \$				87.00

E. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Charles and Elizabeth Farrell 1707 Plantation Dr. Richmond, TX 77469		G	10/09/90	35.0
Total YTD: \$				35.00

TOTAL THIS PAGE: 992.00

SCHEDULE A

ITEMIZED RECEIPTS

Full Name of Committee: Tom Delay Congressional Committee

A. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Ernest and Cathy Freeman		G	10/09/90	17.0

3114 W. Hickory Park
Sugar Land, TX 77479

Total YTD: \$ 17.00

B. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Mrs. Gus George		G	10/09/90	70.0

306 Alkire Lake Dr.
Sugar Land, TX 77478

Sheriff-Gus-deceased89

Total YTD: \$ 70.00

C. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
7 Tamara and David Hahn		G	10/09/90	35.0

0 439 Vintage Cir.
6 Richmond, TX 77469

Total YTD: \$ 35.00

D. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
4 6 7 David and Kay Hamner		G	10/09/90	35.0

8 2311 Canyon Meadows
0 Richmond, TX 77469

Total YTD: \$ 35.00

E. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
4 1 David and Sharon Hanks		G	10/09/90	35.0

0 505 Chevy Chase
9 Sugar Land, TX 77478

Total YTD: \$ 35.00

TOTAL THIS PAGE: 192.00

SCHEDULE A

ITEMIZED RECEIPTS

Full Name of Committee: Tom Delay Congressional Committee

A. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
William and Vicki Hitzhusen 4655 Ingersoll Houston, TX 77027		G	10/09/90	36.0

Total YTD: \$ 36.00

B. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Ms. Jeanette Hobbs 3003 Broadmoor Dr. Sugar Land, TX 77478		G	10/09/90	35.0

Total YTD: \$ 35.00

C. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
8 Mr. and Mrs. R. G. Hune 830 Oyster Creek 0 Sugar Land, TX 77478	Hune Development and Dis Distributor	G	10/09/90	35.0

Total YTD: \$ 35.00

D. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
6 Mr. and Mrs. Neil Isto 6 Rt. 4, Box 94 KJ 8 Richmond, TX 77469	Shell Mining Neil-General Mgr.	G	10/09/90	35.0

Total YTD: \$ 35.00

E. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
1 Dr. Richard D. Jablonski 1 1746 Creekside Dr. 9 Sugar Land, TX 77478	Diagnosis Clinic of Hous Physician	G	10/09/90	35.0

Total YTD: \$ 135.00

TOTAL THIS PAGE: 174.00

SCHEDULE A

ITEMIZED RECEIPTS

Full Name of Committee: Tom Delay Congressional Committee

A. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Mr. Jim Jenkins 13915 Emerald Forest Ct. Sugar Land, TX 77478	Newburg Texas Co. President	G	10/09/90	500.0

Total YTD: \$ 500.00

B. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Michael and Sharon Jones 3307 Pecan Point Sugar Land, TX 77478		G	10/09/90	35.0

Total YTD: \$ 35.00

C. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Mr. and Mrs. Malcolm W. Kemp 3302 Northpark Dr Missouri City, TX 77459	Retired	G	10/09/90	35.0

Total YTD: \$ 60.00

D. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Mrs. Jean Knolle 1901 Avenue K Rosenberg, TX 77471	Housewife	G	10/09/90	35.0

Total YTD: \$ 35.00

E. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Mr. & Mrs. George M. Kuhn 2820 Cambridge Lane Missouri City, TX 77459	Travelers Retired	G	10/09/90	35.0

Total YTD: \$ 35.00

TOTAL THIS PAGE: 640.009
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SCHEDULE A

ITEMIZED RECEIPTS

Page 7 of
for Line Number _____

Full Name of Committee: Tom DeLay Congressional Committee

A. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Mr. Karl H. Liebchen 215 W. Sutton Square Stafford, TX 77477	Self Consultant	G	10/09/90	35.0
Total YTD: \$ 60.00				

B. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Mr. & Mrs. I. W. Marks 3841 Bellaire Blvd. Houston, TX 77025	I.W. Marks Jewelers Inc. President	G	10/09/90	500.0
Total YTD: \$ 500.00				

C. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
0 Mr. & Mrs. Sterling McCall, Jr. 37 Saddlebrook Houston, TX 77024	Sterling McCall Toyota President	G	10/09/90	500.0
Total YTD: \$ 500.00				

D. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
6 E.J. and Carol Merkel 7811 De Moss Houston, TX 77036		G	10/09/90	35.0
Total YTD: \$ 35.00				

E. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
1 Mr. and Mrs. Paul Noyd 2011 Morton League Richmond, TX 77469		G	10/09/90	35.0
Total YTD: \$ 35.00				

TOTAL THIS PAGE: 1105.00

SCHEDULE A

ITEMIZED RECEIPTS

Full Name of Committee: Tom Delay Congressional Committee

A. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Michael B. O'Connell 1108 Soldier's Field Ct Sugar Land, TX 77479		G	10/09/90	35.0

Total YTD: \$ 35.00

B. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Mr. Robert R. Onstead 3663 Briarpark Houston, TX 77042	Pandall's Food Markets Chairman & C.E.O.	G	10/09/90	500.0

Total YTD: \$ 500.00

C. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Mr. Kenneth Paul Paul & Paul 724 Val Verde Houston, TX 77057	Self Attorney	G	10/09/90	1000.0

Total YTD: \$ 1000.00

D. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Mrs. Mary Beth Paul 724 Val Verde Houston, TX 77057	Self Attorney	G	10/09/90	1000.0

Total YTD: \$ 1000.00

E. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Emilee Wendt Payne 3669 Chevy Chase Houston, TX 77019		G	10/09/90	35.0

Total YTD: \$ 35.00

TOTAL THIS PAGE: 2570.00

SCHEDULE A

ITEMIZED RECEIPTS

Full Name of Committee: Tom Delay Congressional Committee

A. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
John W. Perritte 3106 Mission Valley Missouri City, TX 77459		G	10/09/90	35.0

Total YTD: \$ 35.00

B. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Richard and Kathy Popham 4503 Teas Bellaire, TX 77401		G	10/09/90	35.0

Total YTD: \$ 35.00

C. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Brandon B. Rasch 8625 Meadowcroft Houston, TX 77063		G	10/09/90	35.0

Total YTD: \$ 35.00

D. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Ms. Barbara Ross Angleton, TX 77515		G	10/09/90	53.0

Total YTD: \$ 53.00

B. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Mr. Don Russell 2106 Country Club Blvd. Sugar Land, TX 77478	American Mortgage Compan Vice Chairman	G	10/09/90	100.0

Total YTD: \$ 100.00

TOTAL THIS PAGE: 250.00

91040864612

SCHEDULE A

ITEMIZED RECEIPTS

Full Name of Committee: Tom DeLay Congressional Committee

A. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Mr. and Mrs. Edward Schaefer 2502 Country Club Blvd. Sugar Land, TX 77478		G	10/09/90	35.0

Total YTD: \$ 60.00

B. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Michael H. Schneider 3129 Bissonnet Houston, TX 77005		G	10/09/90	125.0

Total YTD: \$ 125.00

C. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Mr. George M. Shanks, Jr. 24 Greenway Plaza, Suite 2000 Houston, TX 77046	Shanks & Butler Attorney	G	10/09/90	100.0

Total YTD: \$ 100.00

D. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Dr. Stanley Stein 3807 F.M. 1092, Suite 314 Missouri City, TX 77459	Ft. Bend Gastroenterology	G	10/09/90	35.0

Total YTD: \$ 35.00

E. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Dr. Betty P. Stephenson Stephenson Associates 777 Southwest Frwy., #1032 Houston, TX 77074	Stephenson Associates Anesthesiologist	G	10/09/90	500.0

Total YTD: \$ 700.00

TOTAL THIS PAGE: 795.00

SCHEDULE A

ITEMIZED RECEIPTS

Full Name of Committee: Tom DeLay Congressional Committee

Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Mr. James Strackler 3406 Sharpview Houston, TX 77036		G	10/09/90	35.0

Total YTD: \$ 35.00

Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Texas Commerce Bank PAC Mr. Marshall Tyndall P.O. Box 2558 Houston, TX 77001		G	10/09/90	500.0

Total YTD: \$ 500.00

Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Dr. & Mrs. Stanley E. Thompson Rt 1 Box 2C Richmond, TX 77469	Self Physician	G	10/09/90	35.0

Total YTD: \$ 35.00

Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Charlotte G. Thornton 1127 West Autumn Run Cr. Sugar Land, TX 77479		G	10/09/90	35.0

Total YTD: \$ 35.00

Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Eileen Townsend 3015 Cartwright Missouri City, TX 77459		G	10/09/90	35.0

Total YTD: \$ 35.00

TOTAL THIS PAGE: 640.00

SCHEDULE A

ITEMIZED RECEIPTS

Full Name of Committee: Tom DeLay Congressional Committee

A. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Mr. and Mrs. Richard Turnbow 1735 Creekside Sugar Land, TX 77478	Self employed Dick-Lawyer/Engineer	G	10/09/90	35.0

Total YTD: \$ 35.00

B. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Mr. and Mrs. Kenneth Valka 3211 Stephens Creek Lane Sugar Land, TX 77478	Brice and Mankoff Attorney	G	10/09/90	35.0

Total YTD: \$ 235.00

C. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Rex R. Wagner 46 Scotsmoor Court Sugar Land, TX 77479	ROGER CHAPMAN INC. .v.p. FINANCE/ADMINS	G	10/09/90	35.0

Total YTD: \$ 35.00

D. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Mr. Don J. Wang MetroBank 2600 Bellaire Blvd., #101 Houston, TX 77036	Metro Bank Chairman of the Board	G	10/09/90	500.0

Total YTD: \$ 500.00

E. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Lawrence and Jackie Washington 7010 W. Hickory Park Circle Sugar Land, TX 77479		G	10/09/90	36.0

Total YTD: \$ 36.00

TOTAL THIS PAGE: 641.00

SCHEDULE A

CONTRIBUTOR RECEIPTS

Page 13 of
for Line Number

ATTACHMENT 5

Full Name of Committee: Tom Delay Congressional Committee

Page 14 of 14

A. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Mr. and Mrs. Jack Wendt 602 Hillcrest Drive Richmond, TX 77469	farmer/rancher	G	10/09/90	35.0
Total YTD: \$ 135.00				

B. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Ms. DeLora Wilkinson Henry S. Miller, Realtors 13130 Memorial Drive Houston, TX 77079		G	10/09/90	350.0
Total YTD: \$ 350.00				

C. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
The Honorable Larry Wilkinson City of Rosenberg P.O. Box 32 Rosenberg, TX 77471		G	10/09/90	38.0
Total YTD: \$ 38.00				

D. Full Name, Address, Zip	Employer/Occupation	P/G	Date	Receipts
Mr. & Mrs. John R. Womack, Jr. 7931 Juffield Lane Houston, TX 77071		G	10/09/90	35.0
Total YTD: \$ 65.00				

TOTAL THIS PAGE: 455.00
GRAND TOTAL: 11094.00

MEMORANDUM FOR FILES: TELECON

SUBJECT: 1990 12 Day Pre-General Report

FROM: Linda Tangney

TO: Mona Stevens

NAME OF COMMITTEE: Tom Delay Congressional Committee (TX)

DATE: 11/19/90

(713)271-0208

I telephoned Ms. Stevens to explain that the 12 Day Pre- General report the committee had filed was not acceptable because the report did not include a Summary Page or Detailed Summary Page. Ms. Stevens stated that she was unaware that those pages needed to be filed, and requested that I send her some forms. I stated that I would be sending a letter to the committee which would request that a complete report be filed and that I would include an FEC Form 3 with the letter.

91040864617



FEDERAL ELECTION COMMISSION

RQ-2

NOV 27 1990

Jack R. Roach, Treasurer
 Tom Delay for Congressional Committee
 P.O. Box 101
 Sugar Land, TX 77478

Identification Number: C00170860

Reference: 12 Day Pre-General Report (10/1/90-10/17/90)

Dear Mr. Roach:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-In order for your report to be considered complete, a Summary Page and Detailed Summary Page must be filed. Please provide the missing pages. (2 U.S.C. §434(b))

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515 within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,

Linda Tangney

Linda Tangney
 Reports Analyst
 Reports Analysis Division

91040864618
 20J36712251

90 DEC 20 AM 11:27

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

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

RAD Referral # 90NF-21
Staff Member: Jeffrey Long

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

RESPONDENTS: Tom Delay Congressional Committee and
Jack R. Roach, as treasurer

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

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

This matter was generated by a referral from the Reports Analysis Division on December 5, 1990. The referral notes that the Tom Delay Congressional Committee and Jack R. Roach, as treasurer, ("Respondents") did not file the 1990 Pre-General Election Report. Attachment 1. The Tom Delay Congressional Committee is the principal campaign committee for Tom Delay, who won the general election with 71% of the vote in the 22nd Congressional District of Texas.

II. FACTUAL AND LEGAL ANALYSIS

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires principal campaign committees to file a Pre-Election Report no later than the 12th day before any election in which such candidate is seeking election and shall be complete as of the 20th day before such election. 2 U.S.C. § 434(a)(2)(A)(i). The Act also provides that before any

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action is taken for failing to file the Pre-Election Report, the Commission shall notify the person of the failure to file the report. Furthermore, if a satisfactory response is not received within four business days of the date of notification, the Commission shall publish before the election the name of the person and the report not filed. 2 U.S.C. § 437g(b). The Act provides that a report sent by registered or certified mail is considered filed as of the date of the mailing. 2 U.S.C. § 434(a)(5).

The 1990 general election was held on Tuesday, November 6, 1990. Thus, the Pre-General Election Report was due to be filed no later than October 25 and complete through October 17, 1990. The Respondents did not file this report by the due date. A mailgram was sent to the Respondents on October 26, 1990. The Respondents were published on November 2, 1990, for failure to file the report. The Respondents sent a Schedule A on November 7, 1990, accompanied by a cover letter which stated that this was the "pre-election report for dates: 10/1/90-10/17/90". The Schedule A itemized \$11,094 in contributions. On November 9, RAD telephoned the committee and explained that the report was unacceptable because it lacked the Summary Page and the Detailed Summary Page. The Committee representative stated that she was unaware that the summary pages needed to be filed, and requested the necessary forms. RAD mailed the forms with a second letter requesting that the necessary pages be filed. On November 27, 1990, RAD sent the Committee a Request for Additional Information, which again

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requested that the Summary Page and Detailed Summary Page be filed. To date, no response has been received from the Committee.

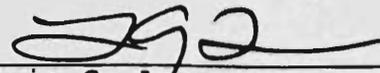
III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

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2. Find reason to believe Tom Delay Congressional Committee and Jack R. Roach, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the attached Factual and Legal Analysis and conciliation agreement, and the appropriate letter.

Lawrence M. Noble
General Counsel

12/19/90
Date

BY: 
Lois G. Lerner
Associate General Counsel

Attachments

1. Referral Materials
2. Factual and Legal Analysis
3. Proposed agreement

91040864622

BEFORE THE FEDERAL ELECTION COMMISSION

(MUR)
3209

In the Matter of)
)
Tom Delay Congressional Committee) RAD Referral 90NF-21
and Jack R. Roach, as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 24, 1990, the Commission decided by a vote of 4-0 to take the following actions in RAD Referral 90NF-21:

1. Open a MUR.
2. Find reason to believe Tom Delay Congressional Committee and Jack R. Roach, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the Factual and Legal Analysis and conciliation agreement, and the appropriate letter, as recommended in the General Counsel's Report dated December 19, 1990.

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

Attest:

12-26-90
Date

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

Received in the Secretariat: Thurs., Dec. 20, 1990 11:27 a.m.
Circulated to the Commission: Thurs., Dec. 20, 1990 4:00 p.m.
Deadline for vote: Mon., Dec. 24, 1990 4:00 p.m.

dr

91040864623



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 8, 1991

Jack R. Roach, Treasurer
Tom Delay Congressional Committee
P.O. Box 101
Sugarland, Texas 77478

RE: MUR 3209
Tom Delay Congressional
Committee and Jack R. Roach,
as treasurer

Dear Mr. Roach:

On December 24, 1990, the Federal Election Commission found that there is reason to believe Tom Delay Congressional Committee ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i), 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.

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Jack R. Roach, Treasurer
Page 2

If you are interested in expediting the resolution of this matter by pursuing preprobable 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.

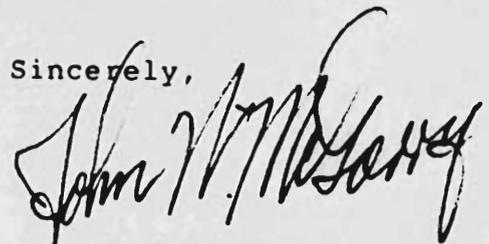
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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 Jeffrey Long, the staff member assigned to this matter, at (202) 376-5690.

Sincerely,



John W. McGarry
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

91040864625

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Tom Delay Congressional Committee
and Jack R. Roach, as treasurer

MUR: 3209

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires principal campaign committees to file a Pre-Election Report no later than the 12th day before any election in which such candidate is seeking election and shall be complete as of the 20th day before such election. 2 U.S.C. § 434(a)(2)(A)(i).

The 1990 general election was held on Tuesday, November 6, 1990. Thus, the Pre-General Election Report was due to be filed no later than October 25 and complete through October 17, 1990. The Respondents did not file this report by the due date. A mailgram was sent to the Respondents on October 26, 1990. The Respondents were published on November 2, 1990, for failure to file the report. The Respondents sent a Schedule A on November 7, 1990, accompanied by a cover letter which stated that this was the "pre-election report for dates: 10/1/90-10/17/90". The Schedule A itemized \$11,094 in contributions. On November 9, the Reports Analysis Division ("RAD") telephoned the committee and explained that the report was unacceptable because it lacked the Summary Page and the Detailed Summary Page. The Committee representative stated that she was unaware that the summary pages needed to be filed,

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and requested the necessary forms. RAD mailed the forms with a second letter requesting that the necessary pages be filed. On November 27, 1990, RAD sent the Committee a Request for Additional Information, which again requested that the Summary Page and Detailed Summary pages be filed. To date, no response has been received from the Committee. Therefore, there is reason to believe Tom Delay Congressional Committee and Jack R. Roach, as treasurer violated 2 U.S.C. § 434(a)(2)(A)(i).

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06c 9923

TOM DELAY
Member of Congress

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 JAN 25 PM 1:01

MUR 3209

January 17, 1991

Federal Election Commission
999 E St. NW
Washington, DC

Attn: Jeff Long

REF: 106976
Tom DeLay Congressional Committee

91 JAN 25 PM 3:21

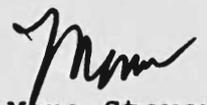
RECEIVED
FEDERAL ELECTION COMMISSION

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Please find attached per our phone conversation the certified mail receipt dated 12/15/90. The delivery by mail appears to have taken 4 days, with your having received the report on the 19th.

The receipts should clarify the matter and find our reports thru this time to all have been filed.

Please call should you have further questions.



Mona Stevens

Jack Roach , Treasurer

9 1 0 4 0 8 6 4 6 2 9

P 779 822 391



Certified Mail Receipt
 No Insurance Coverage Provided
 Do not use for International Mail
 (See Reverse)

Sent to	Secretary of State	
Street & No.	P.O. Box 12070	
P.O. State & ZIP Code	Austin TX 78711	
Postage	\$.85	
Certified Fee	.85	
Special Delivery Fee		
Restricted Delivery Fee		
Return Receipt Showing to Whom Delivered	NOL	
Return Receipt Showing Date & Address of Delivery	1990	
TOTAL Postage & Fees	\$ 1.70	
Postmark or Date	1990	

PS Form 3800, June 1990

P 779 822 392



Certified Mail Receipt
 No Insurance Coverage Provided
 Do not use for International Mail
 (See Reverse)

Sent to	Charles L. ...	
Street & No.	1036 ...	
P.O. State & ZIP Code	Washington DC 20515	
Postage	\$.85	
Certified Fee	.85	
Special Delivery Fee		
Restricted Delivery Fee		
Return Receipt Showing to Whom Delivered	NOL	
Return Receipt Showing Date & Address of Delivery	1990	
TOTAL Postage & Fees	\$ 1.70	
Postmark or Date	1990	

PS Form 3800, June 1990

91 FEB 26 11:25

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Tom Delay Congressional Committee
and Jack R. Roach, as treasurer

)
)
)
)

MUR 3209

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

This matter was generated by a referral from the Reports Analysis Division on December 5, 1990. The referral noted that the Tom Delay Congressional Committee and Jack R. Roach, as treasurer, ("Respondents") did not file the 1990 Pre-General Election Report. On December 24, 1990, the Commission found reason to believe the Respondents violated 2 U.S.C.

§ 434(a)(2)(A)(i) for failing to file the Pre-General Report, and approved entering into pre-probable cause conciliation and approved a proposed conciliation agreement.

In response to the Commission's notification letter, the Committee submitted a certified mail receipt showing that the 1990 Pre-General Election Report was filed with the Clerk of House on December 15, 1990. Attachment 1. The Commission received the Report on December 19, the day the First General Counsel's Report in this matter was circulated. Therefore, it is now necessary to consider the Committee a late-filer rather than a non-filer, and to conciliate the matter accordingly.

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II. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

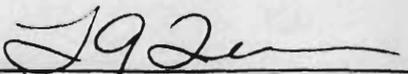
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III. RECOMMENDATIONS

1. Approve the attached conciliation agreement and the attached letter.

Lawrence M. Noble
General Counsel

Date 2/25/91

BY: 
Lois G. Lerner
Associate General Counsel

Attachments

1. Committee's response
2. Proposed agreement
3. Letter to Respondents

91040864632

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Tom Delay Congressional Committee) MUR 3209
and Jack R. Roach, as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 28, 1991, the Commission decided by a vote of 6-0 to approve the conciliation agreement and letter in MUR 3209, as recommended in the General Counsel's Report dated February 25, 1991.

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

Attest:

3-1-91
Date

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

Received in the Secretariat: Tuesday, Feb. 26, 1991 11:29 a.m.
Circulated to the Commission: Tuesday, Feb. 26, 1991 4:00 p.m.
Deadline for vote: Thursday, Feb. 28, 1991 4:00 p.m.

dh

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

March 4, 1991

Jack R. Roach, Treasurer
Tom Delay Congressional Committee
P.O. Box 101
Sugarland, Texas 77478

RE: MUR 3209
Tom Delay Congressional
Committee and Jack R. Roach,
as treasurer

Dear Mr. Roach:

On January 8, 1991, the Federal Election Commission notified you that it found reason to believe Tom Delay Congressional Committee ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i), for failing to file the 1990 12 Day Pre-General Report.

Since that notification letter was sent to you the Commission has received your 1990 Pre-General Report. Consequently, the attached conciliation agreement has been revised to reflect that the Committee and you, as treasurer, filed the 1990 12 Day Pre-General Report on December 15, 1990, which was 51 days late. The Committee's late filing of that report is still a violation of 2 U.S.C. § 434(a)(2)(A)(i).

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 is offering 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 the revised conciliation agreement that the Commission has approved.

If you are interested in expediting the resolution of this matter by pursuing preprobable cause conciliation and if you

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Jack R. Roach, Treasurer
Page 2

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.

For your information we have again attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Jeffrey Long, the staff member assigned to this matter, at (202) 376-5690.

Sincerely,



Lois G. Lerner
Associate General Counsel

Enclosures
Procedures
Conciliation Agreement

91040864635

RECEIVED

91 APR 12 11:38 AM

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of

Tom Delay Congressional Committee)
and Jack R. Roach, as treasurer) MUR 3209
)
)

GENERAL COUNSEL'S REPORT

On December 24, 1990, the Commission found reason to believe the Tom Delay Congressional Committee ("Committee") and Jack R. Roach, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i) for failing to file the 1990 12 Day Pre-General Report. The Commission on that same date approved a conciliation agreement.

The Committee responded by providing a certified mail receipt showing that the report was filed on December 15, 1990, which was 51 days late. A second conciliation agreement, revised to take into account the Committee's filing of the report

was mailed to the

Respondents on March 4, 1991. To date, no response has been received from the Committee or the treasurer. Therefore, this matter will proceed to the next stage of the enforcement process.

Lawrence M. Noble
General Counsel

4/9/91
Date

BY: 
Lois G. Lerner
Associate General Counsel

Staff Person: Jeffrey Long

91040864636



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 24, 1991

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Jack R. Roach, Treasurer
Tom Delay Congressional Committee
P.O. Box 101
Sugarland, Texas 77478

RE: MUR 3209

Dear Mr. Roach:

On January 8, you were notified that the Federal Election Commission found reason to believe that the Tom Delay Congressional Committee ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i). On March 4, 1991, you were again notified and mailed a revised conciliation agreement offered by the Commission in settlement of this matter.

Insofar as the period for pre-probable cause conciliation has elapsed and we have not received a response from you, this matter will proceed to the next stage of the enforcement process.

Should you have any questions, please contact Jeffrey Long, the staff member assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

A handwritten signature in cursive script, appearing to read "LGL", is written over a horizontal line.

BY: Lois G. Lerner
Associate General Counsel

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91 APR 30 PM 3:59

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of

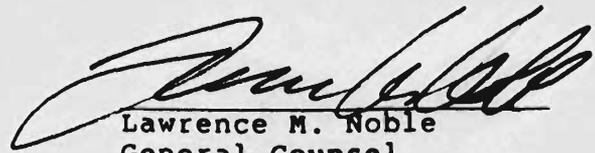
Tom Delay Congressional Committee
and Jack R. Roach, as treasurer

)
) MUR 3209
)

GENERAL COUNSEL'S REPORT

The Office of the General Counsel is prepared to close the investigation in this matter as to Tom Delay Congressional Committee and Jack R. Roach, as treasurer, based on the assessment of the information presently available.

4/30/71
Date


Lawrence M. Noble
General Counsel

91040864638

91 APR 30 PM 3:59



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

April 30, 1991

MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel *[Signature]*

SUBJECT: MUR 3209
Tom Delay Congressional Committee
and Jack R. Roach, as treasurer

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 were mailed on April 30 1991. 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

91040864639



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 30, 1991

Jack R. Roach, Treasurer
Tom Delay Congressional Committee
P.O. Box 101
Sugarland, Texas 77478

RE: MUR 3209
Tom Delay Congressional
Committee and Jack R. Roach,
as treasurer

Dear Mr. Roach:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission found reason to believe that Tom Delay Congressional Committee ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i), 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 recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten 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 the 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 whether there is 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 for an extension of time. All requests for extensions of time must be submitted in

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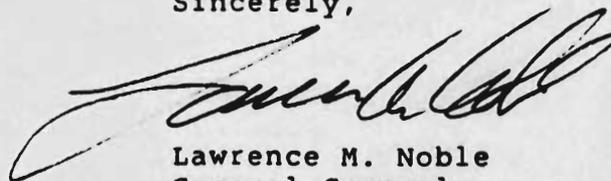
Jack R. Roach, Treasurer
Page 2

writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Jeffrey Long, the staff member assigned to this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Brief

91040864641

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Tom Delay Congressional Committee)
and Jack R. Roach, as treasurer) MUR 3209
)
)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On December 24, 1990, the Commission found reason to believe the Tom Delay Congressional Committee and Jack R. Roach, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(2)(A)(i) for failing to file the 1990 12 Day Pre-General Report. The Committee responded to the Commission's notification letter by providing a certified mail receipt showing that the report was filed on December 15, 1990, which was 51 days late. The conciliation agreement was revised to take into account the Committee's filing of the report and was mailed to the Respondents on March 4, 1991. No response was received from the Respondents. On April 24, 1991, a letter was mailed to the Respondents informing them that this matter will proceed to the next stage of the enforcement process.

II. ANALYSIS

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires principal campaign committees to file a Pre-Election Report no later than the 12th day before any election in which such candidate is seeking election and shall be complete as of the 20th day before such election. 2 U.S.C. § 434(a)(2)(A)(i).

The 1990 general election was held on Tuesday, November 6,

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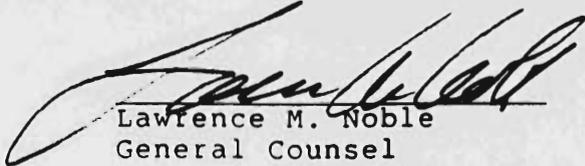
1990. Thus, the Pre-General Election Report was due to be filed no later than October 25 and complete through October 17, 1990. The Respondents did not file this report by the due date. The Respondents sent a Schedule A on November 7, 1990, accompanied by a cover letter which stated that this was the "pre-election report for dates: 10/1/90-10/17/90". The Schedule A itemized \$11,094 in contributions. On November 9, the Reports Analysis Division ("RAD") telephoned the committee and explained that the report was unacceptable because it lacked the Summary Page and the Detailed Summary Page. The Committee representative stated that she was unaware that the summary pages needed to be filed, and requested the necessary forms. RAD mailed the forms with a second letter requesting that the necessary pages be filed. On November 27, 1990, RAD sent the Committee a Request for Additional Information, which again requested that the Summary Page and Detailed Summary pages be filed. No response was received from the Respondents.

III. GENERAL COUNSEL'S RECOMMENDATIONS

Find probable cause to believe that Tom Delay Congressional Committee and Jack R. Roach, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i).

Date

4/30/91


Lawrence M. Noble
General Counsel

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91 JUL 22 PM 4:45

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Tom Delay Congressional) MUR 3209
Committee and Jack R. Roach,)
as treasurer)

SENSITIVE
EXECUTIVE SESSION
JUL 30 1991

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On December 24, 1990, the Commission found reason to believe the Tom Delay Congressional Committee and Jack R. Roach, as treasurer, ("Respondents" or "Committee") had violated 2 U.S.C. § 434(a)(2)(A)(i) and offered to enter into preprobable cause conciliation. The finding was based on the failure of the Respondents to timely file the 1990 Pre-General Election Report. Respondents were published on November 2, 1990, for failure to file this report. On November 7, 1990, Respondents filed a Schedule A itemizing \$11,094 in contributions as the pre-election report. The Reports Analysis Division ("RAD") informed the Respondents that the filing was unacceptable because it lacked a Summary Page and a Detailed Summary Page. When no response to the inquiries from RAD was received, a referral resulted.

Following notification of the reason to believe finding, a representative of the Committee submitted a letter with two certified mail receipts indicating that the required documents had been filed on December 15, 1990. These documents were not received by the Commission until December 19, the same day on which the First General Counsel's Report circulated. In response to this information, this Office prepared a report and recommended that the Commission approve a new conciliation

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agreement, recognizing the filing of the missing portions of the report.

The Commission approved this recommendation on February 28, 1991. Notification of it was sent to the Respondents on March 4, 1991.

When no further response was received to the Commission's preprobable cause conciliation offer, this Office notified the Commission of the lack of response and that it would proceed to the next stage of the enforcement process. Respondents were notified by letter dated April 24, 1991, that this matter would proceed to the next stage. The certified mail receipt indicates that Respondents received this letter on May 13, 1991. In the meantime, on April 30, 1991, a brief recommending probable cause to believe that the Respondents had violated 2 U.S.C. § 434(a)(2)(A)(i) was mailed to them.

No response was received to the brief until June 26, 1991, when the Office of the General Counsel received a signed preprobable cause conciliation agreement and a check. The agreement contained no changes from the one sent to the Respondents on March 4, 1991. Attachment 1.

II. ANALYSIS

The Commission's policy is that requests for preprobable cause conciliation will not be entertained once the probable cause briefs have been mailed to Respondents. Inherent in that policy is that preprobable cause conciliation counteroffers or agreements will also not be accepted once the briefs have been mailed. In this instance, respondents were sent a probable cause

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brief on April 30, 1991, did not respond to it, but instead submitted a signed preprobable cause conciliation agreement on June 26, 1991.¹ Based on Commission policy, we recommend that the Commission reject the preprobable cause conciliation agreement, find probable cause to believe the Respondents violated 2 U.S.C. § 434(a)(2)(A)(i), and send the Respondents a post probable cause conciliation agreement.

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

IV. RECOMMENDATIONS

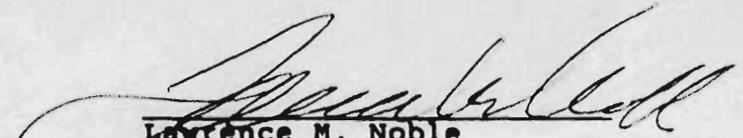
1. Reject the preprobable cause conciliation agreement submitted by Tom Delay Congressional Committee and Jack R. Roach, as treasurer.
2. Find probable cause to believe that Tom Delay Congressional Committee and Jack R. Roach, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i).

1. The General Counsel's Brief dated April 30, 1991, is incorporated by reference in its entirety into this report.

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3. Approve the attached conciliation agreement and appropriate letter.

7/22/91
Date


Lawrence M. Noble
General Counsel

Attachments:

1. Preprobable Cause Conciliation Agreement
2. Proposed Probable Cause Conciliation Agreement

Staff assigned: Jeffrey D. Long

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 3209
Tom Delay Congressional Committee)
and Jack R. Roach, as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on July 30, 1991, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in MUR 3209:

1. Reject the preprobable cause conciliation agreement submitted by Tom Delay Congressional Committee and Jack R. Roach, as treasurer.
2. Find probable cause to believe that Tom Delay Congressional Committee and Jack R. Roach, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i).
3. Approve the conciliation agreement and appropriate letter as recommended in the General Counsel's report dated July 22, 1991.

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

Attest:

7-30-91
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

August 7, 1991

Ken Carroll, Administrative Assistant
Tom Delay Congressional Committee
308 Canon HOB
Washington, D.C. 20515-4322

RE: MUR 3209
Tom Delay Congressional
Committee and Jack R. Roach, as
treasurer

Dear Mr. Carroll:

The Commission received the pre-probable cause conciliation agreement and civil penalty check submitted by you, on behalf of the Tom Delay Congressional Committee and Jack R. Roach, as treasurer, on June 26, 1991. However, the Commission does not negotiate pre-probable cause conciliation agreements after the General Counsel's Brief recommending probable cause have been mailed to the Respondents. The General Counsel's Brief was mailed to the Committee on April 30, 1991.

On July 30, 1991, the Federal Election Commission found that there is probable cause to believe the Tom Delay Congressional Committee and Jack R. Roach, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended, in connection with the Committee's failure to timely file the 1990 12 Day Pre-General Report.

The Commission has a duty to attempt to correct such violations for a period of 30 to 90 days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement with a respondent. If we are unable to reach an agreement during that period, the Commission may institute a civil suit in United States District Court and seek payment of a civil penalty.

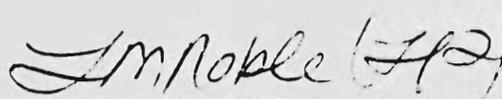
Enclosed is a probable cause to believe conciliation agreement that the Commission has approved in settlement of this matter. It is otherwise identical to the pre-probable cause to believe agreement submitted by you on June 26, 1991. If you agree with the provisions of the enclosed agreement, please sign and return it to the Commission within ten days. I will then recommend that the Commission accept the agreement.

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Ken Carroll, Administrative Assistant
Page 2

If you have any questions or suggestions for changes in the enclosed conciliation agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Jeffrey Long, the staff member assigned to this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Conciliation Agreement

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RECEIVED
F.E.C.
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION

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In the Matter of

Tom Delay Congressional
Committee and Jack R. Roach,
as treasurer

)
) MUR 3209
)
)

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Kenneth Carroll, the Administrative Assistant for Congressman Tom Delay.

The attached agreement contains no changes from the agreement approved by the Commission on July 30, 1991. A check for the civil penalty has been received. See General Counsel's Report dated July 22, 1991.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with the Tom Delay Congressional Committee and Jack R. Roach, as treasurer.
2. Close the file.
3. Approve the appropriate letter.

Lawrence M. Noble
General Counsel

8-19-91
Date

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

Attachment
Conciliation Agreement

Staff Assigned: Jeffrey Long

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Tom Delay Congressional) MUR 3209
Committee and Jack R. Roach,)
as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 22, 1991, the Commission decided by a vote of 5-0 to take the following actions in MUR 3209:

1. Accept the conciliation agreement with Tom Delay Congressional Committee and Jack R. Roach, as treasurer, as recommended in the General Counsel's Report dated August 19, 1991.
2. Close the file.
3. Approve the appropriate letter, as recommended in the General Counsel's Report dated August 19, 1991.

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

Attest:

8-22-91
Date

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

Received in the Secretariat: Mon., August 19, 1991 4:08 p.m.
Circulated to the Commission: Tues., August 20, 1991 11:00 a.m.
Deadline for vote: Thurs., August 22, 1991 11:00 a.m.

dr

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CLOSED

August 28, 1991

Ken Carroll, Administrative Assistant
Tom Delay Congressional Committee
308 Canon HOB
Washington, D.C. 20515-4322

RE: MUR 3209
Tom Delay Congressional
Committee and Jack R. Roach, as
treasurer

Dear Mr. Carroll:

On August 22, 1991, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on behalf of Tom Delay Congressional Committee and Jack R. Roach, as treasurer, in settlement of a violation of 2 U.S.C. § 434(a)(2)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

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. If you have any questions, please contact Jeffrey Long, the staff member assigned to this matter, at (202) 219-3690.

Sincerely,

Lawrence M. Noble
General Counsel

Lois G. Lerner

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Tom Delay Congressional Committee)
and Jack R. Roach, as treasurer) MUR 3209
)
)

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 probable cause to believe that Tom Delay Congressional Committee and Jack R. Roach, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(2)(A)(i).

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

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

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

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

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

1. Tom Delay Congressional Committee is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Jack R. Roach is the treasurer of Tom Delay Congressional Committee.

3. 2 U.S.C. § 434(a)(2)(A)(i) requires principal campaign

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committees to file a Pre-Election Report no later than the 12th day before any election in which such candidate is seeking election and shall be complete as of the 20th day before such election.

4. The 1990 general election was held on Tuesday, November 6, 1990. Thus, the Pre-General Election Report was due to be filed no later than October 25 and complete through October 17, 1990. The Respondents did not file this report by the due date.

5. The Respondents sent a Schedule A on November 7, 1990, accompanied by a cover letter which stated that this was the "pre-election report for dates: 10/1/90-10/17/90". The Schedule A itemized \$11,094 in contributions. This filing was unacceptable because it lacked the Summary Page and the Detailed Summary Page.

6. Respondents filed a complete 1990 12 Day Pre-General Election Report on December 15, 1990, which was 51 days late and disclosed \$11,094.00 in receipts, \$1,235.96 in disbursements, and \$146,433.37 cash on hand.

V. Respondents failed to timely file the 1990 12 Day Pre-General Report in violation of 2 U.S.C. § 434(a)(2)(A)(i).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of one thousand one hundred dollars (\$1,100), 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 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

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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 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 requirement 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

8-28-91
Date

FOR THE RESPONDENTS:

Samuel Conroy
(Name)
(Position)

8/7/91
Date

Administrator
Assistant

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3209

DATE FILMED 10/12/91 CAMERA NO. 2

CAMERAMAN AS

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