



FEDERAL ELECTION COMMISSION

WASHINGTON DC 20463

THIS IS THE BEGINNING OF MUR # 3735

DATE FILMED 3-14-94 CAMERA NO. 2

CAMERAMAN JMH

94030962905

## REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: December 15, 1992

ANALYST: Robin Kelly

I. COMMITTEE: John Jones for Congress Committee  
(C00263004)  
Albert V. Schulze, Treasurer  
13 Westwood Center, P.O. Box 149  
Pottsville, PA 17901

II. RELEVANT STATUTE: 2 U.S.C. §434(a)(6)  
11 CFR §104.5(f)

## III. BACKGROUND:

## Failure to File a Forty-Eight Hour Notification

The John Jones for Congress Committee ("the Committee") has failed to file one (1) of the required Forty-Eight (48) Hour Notifications ("48-Hour Notices") for a contribution/loan totalling \$30,000 received prior to the 1992 Primary Election.

The candidate was involved in the 1992 Primary Election held on April 28, 1992. Prior Notice was sent to the Committee on March 23, 1992 (Attachment 2). The Notice includes a section titled "48 Hour Notices on Contributions". This section reads "Notices are required if the committee receives contributions (including contributions and loans from the candidate's personal funds; and endorsements or guarantees of bank loans) of \$1,000 or more, during the period of April 9 through April 25. The notices must reach the appropriate federal and state filing offices within 48 hours of the committee's receipt of the contribution(s)."

Schedules A and C of the July Quarterly Report indicate that the Committee failed to file one (1) 48-Hour Notice for a contribution/loan received during the aforementioned period (Attachment 3). The following lists a contribution for which no 48-Hour Notice was filed:

<u>Contributor Name</u>	<u>Date</u>	<u>Amount</u>
John E. Jones, III (guarantor of bank loan)	4/21/92	\$30,000

94030962906

On October 6, 1992, a Request for Additional Information ("RFAI") was sent to the Committee (Attachment 4). The RFAI notes on an informational basis that the Committee may have failed to file one or more of the required 48-Hour Notices for "last minute" contributions of \$1,000 or more. The notice requests the Committee to review their procedures for checking contributions received during the aforementioned time period. In addition, the notice states that although the Commission may take legal steps, any response would be taken into consideration.

On November 18, 1992, the Committee responded in a letter (Attachment 5). In the letter, the Committee stated that "[A] review of our records indicated we properly filed all of the 48 hours notices required. If there is a question on a particular individual please identify that individual and notify us, we will be happy to supply you with the appropriate back-up."

On December 2, 1992, the analyst called Mike Malay. The analyst informed Mr. Malay that for the candidate loan of \$30,000 we had not received the 48-hour notification. He said that he had not remembered sending that one in, and said he had no idea that a 48-hour notice was required for the candidate's loan (Attachment 6).

94030962907



FEDERAL ELECTION COMMISSION  
1991-1992  
CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

ATTACHMENT 1  
DATE 11DEC92

PAGE 2

CANDIDATE/COMMITTEE/DOCUMENT	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION TYPE OF FILER
	OFFICE SOUGHT/ PARTY	PRIMARY GENERAL	PRIMARY GENERAL				
JONES, JOHN EDWARD III	HOUSE 06	REPUBLICAN PARTY			PENNSYLVANIA	1992 ELECTION	ID# H2PA06056
1. STATEMENT OF CANDIDATE							
1992 STATEMENT OF CANDIDATE					19MAR92		1 92HSE/444/1151
STATEMENT OF CANDIDATE					23MAR92		1 92HSE/444/1990
2. PRINCIPAL CAMPAIGN COMMITTEE							
JOHN JONES FOR CONGRESS COMMITTEE					ID #C00263004	HOUSE	
1992 STATEMENT OF ORGANIZATION					19MAR92		1 92HSE/444/1149
48 HOUR CONTRIBUTION NOTICE					10APR92		2 92HSE/445/0001
48 HOUR CONTRIBUTION NOTICE					24APR92		1 92HSE/450/2581
48 HOUR CONTRIBUTION NOTICE					16OCT92		3 92HSE/470/3044
48 HOUR CONTRIBUTION NOTICE					20OCT92		1 92HSE/476/2374
48 HOUR CONTRIBUTION NOTICE					22OCT92		2 92HSE/478/5481
48 HOUR CONTRIBUTION NOTICE					23OCT92		3 92HSE/480/3101
48 HOUR CONTRIBUTION NOTICE					23OCT92		1 92HSE/480/4199
48 HOUR CONTRIBUTION NOTICE					26OCT92		2 92HSE/481/1595
48 HOUR CONTRIBUTION NOTICE					27OCT92		2 92HSE/481/1536
48 HOUR CONTRIBUTION NOTICE					28OCT92		2 92HSE/481/3743
48 HOUR CONTRIBUTION NOTICE					29OCT92		2 92HSE/481/4555
48 HOUR CONTRIBUTION NOTICE					30OCT92		2 92HSE/481/5617
48 HOUR CONTRIBUTION NOTICE					2NOV92		1 92HSE/482/1380
APRIL QUARTERLY		100,695	8,386		18MAR92 -31MAR92		18 92HSE/446/1064
PRE-PRIMARY		16,818	48,549		1APR92 - 8APR92		13 92HSE/446/0871
JULY QUARTERLY		110,255	143,455		9APR92 -30JUN92		50 92HSE/459/0835
JULY QUARTERLY - AMENDMENT					9APR92 -30JUN92		2 92HSE/483/0057
REQUEST FOR ADDITIONAL INFORMATION					9APR92 -30JUN92		8 92FEC/783/3025
REQUEST FOR ADDITIONAL INFORMATION 2ND					9APR92 -30JUN92		9 92FEC/800/2673
OCTOBER QUARTERLY			79,327	101,428	1JUL92 -30SEP92		56 92HSE/472/1321
OCTOBER QUARTERLY - AMENDMENT					- 1JUL92 -30SEP92		5 92HSE/479/4366
PRE-GENERAL			40,661	30,732	10CT92 -14OCT92		29 92HSE/479/4556
POST-GENERAL			99,275	99,507	15OCT92 -23NOV92		51 92HSE/488/3698
TOTAL		227,768	219,263	200,390	231,667		270 TOTAL PAGES
3. AUTHORIZED COMMITTEES							
4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN							

94030962908

All reports have been reviewed except the 1992 30 Day Post General Election report.

Ending cash-on-hand as of 11/23/92: \$14,973

Outstanding debts owed by the Committee as of 11/23/92: \$36,251

Outstanding debts owed to the Committee as of 11/23/92: \$5975

# PRIMARY ELECTION REPORT NOTICE

## FEDERAL ELECTION COMMISSION

PENNSYLVANIA  
Congressional Committees

March 23, 1992

### FOR COMMITTEES INVOLVED IN THE PRIMARY (04/28):

REPORT	REPORTING PERIOD	REG./CERT. MAILING DATE*	FILING DATE
Pre-Primary	04/01/92 - 04/08/92**	04/13/92	04/16/92
48 Hour Notices	-----See Below-----		
July Quarterly	04/09/92 - 06/30/92	07/15/92	07/15/92

#### WHO MUST FILE

Principal campaign committees of congressional candidates (including unopposed candidates) who seek nomination in the primary must file the above reports and notices. If the campaign has more than one authorized committee, the principal campaign committee must also file a consolidated report on Form 32.

#### 48 HOUR NOTICES ON CONTRIBUTIONS

Notices are required if the committee receives contributions (including contributions and loans from the candidate's personal funds; and endorsements or guarantees of bank loans) of \$1,000 or more, during the period of April 9 through April 25. The notices must reach the appropriate federal and state filing offices within 48 hours of the committee's receipt of the contribution(s).

#### LABEL

Affix the peel-off label from the envelope to line 1 of the report. Corrections should be made on the label.

#### COMPLIANCE

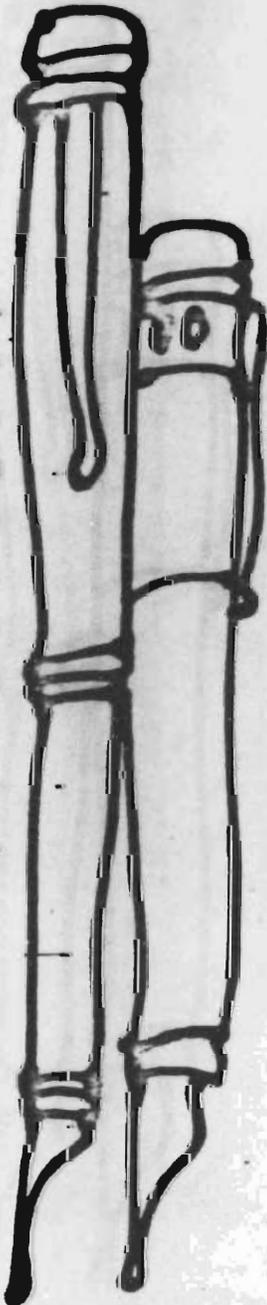
TREASURERS ARE RESPONSIBLE FOR FILING ALL REPORTS AND 48 HOUR NOTICES ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT ACTION. COMMITTEES USING NON-FEC FORMS FOR REPORTS OR FILING ILLEGIBLE REPORTS OR NOTICES WILL BE REQUIRED TO REFILE.

\*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.

FOR INFORMATION, Call: 800/424-9530 or 202/219-3420

94030962909



**SCHEDULE A**

**ITEMIZED RECEIPTS**

Use separate schedules for each category of the Detailed Schedule Page  
 1  
 2  
 3  
 4  
 5  
 6  
 7  
 8  
 9  
 10  
 11  
 12  
 13  
 14  
 15  
 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25  
 26  
 27  
 28  
 29  
 30  
 31  
 32  
 33  
 34  
 35  
 36  
 37  
 38  
 39  
 40  
 41  
 42  
 43  
 44  
 45  
 46  
 47  
 48  
 49  
 50

Leases made or Guaranteed by the Candidate

Any information reported from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for any other political purpose, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE OR FUND  
**John Jones for Congress Committee**      **00263006**

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
John E. Jones, III 3 Cottage Hill West Pottsville, PA 17901		5/23/92	\$ 1,993.42
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 1,993.42	
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Union Bank & Trust Company 25 S. Centre Street Pottsville, Pa. 17901		4/21/92	\$30,000.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 30,000.00	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$	
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$	

SUBTOTAL of Receipts This Page (optional) .....

**TOTAL This Period (last page this line number only) ..... \$31,993.42**

9 2 0 1 5 2 0 8 6 5

SCHEDULE C  
(Required Form)

LOANS

Page 2 of 2  
Total Entries 10  
If an amount is included  
for each numbered line

Name of Contributor (or Full)		Original Amount of Loan		Cumulative Payments To Date		Balance Outstanding as Close of This Period	
JOHN JONES FOR CONGRESS COMMITTEE Union Bank and Trust Company 215 Centre Street Pottsville, PA 17901		\$ 30,000.00				\$ 30,000.00	
Section: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (Specify)		Terms: Date Incurred <u>4-21-92</u> Date Due <u>On Demand</u> Interest Rate <u>8.50</u> (APR)		<input checked="" type="checkbox"/> Secured			
List All Endorsers or Guarantors (if any) to Item A							
1. Full Name, Mailing Address and ZIP Code John E. Jones III 3 Cottage Hill West Pottsville, PA 17901		Name of Employer Self-employed Occupation Attorney Amount Guaranteed Outstanding \$30,000.00					
2. Full Name, Mailing Address and ZIP Code		Name of Employer Occupation Amount Guaranteed Outstanding					
3. Full Name, Mailing Address and ZIP Code		Name of Employer Occupation Amount Guaranteed Outstanding					
Name of Contributor (or Full)		Original Amount of Loan		Cumulative Payments To Date		Balance Outstanding as Close of This Period	
Section: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (Specify)		Terms: Date Incurred _____ Date Due _____ Interest Rate _____ (APR)		<input type="checkbox"/> Secured			
List All Endorsers or Guarantors (if any) to Item B							
1. Full Name, Mailing Address and ZIP Code		Name of Employer Occupation Amount Guaranteed Outstanding					
2. Full Name, Mailing Address and ZIP Code		Name of Employer Occupation Amount Guaranteed Outstanding					
3. Full Name, Mailing Address and ZIP Code		Name of Employer Occupation Amount Guaranteed Outstanding					
SUBTOTALS This Period This Page (optional) .....						\$30,000.00	
TOTALS This Period (last page in this file only) .....						\$41,099.25	

RK

92017570382

Copy outstanding balance only to (LINE 2, Schedule D, for this line, if on Schedule D, carry forward to appropriate line of Summary.



FEDERAL ELECTION COMMISSION  
WASHINGTON DC 20543

NO-3

OCT 6 1992

Albert V. Schulse, Treasurer  
John Jones for Congress Committee  
13 Westwood Center, P.O. Box 149  
Pottsville, PA 17901

Identification Number: C00263004

Reference: July Quarterly Report (4/9/92-6/30/92)

Dear Mr. Schulse:

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:

-On your previous report you disclose on Schedule D for Line 9 a debt owed to the committee by Multi Media Services, Inc. This report does not disclose this debt. Please clarify this discrepancy.

-When a committee reports receiving a loan from the candidate, it is necessary to clarify whether or not the candidate used his/her personal funds or borrowed the money from a lending institution or any other source. If the candidate borrowed funds from a lending institution, or any other source, please provide the name of the lending institution and the complete terms of the loan. If the loan(s) was from personal funds, please acknowledge that fact in an amendment to this report. It is important to note that "personal funds" is strictly defined by Commission Regulations and may be found in 11 CFR §110.10. (11 CFR §§100.7(a)(1) and 104.3(d)) Please clarify the loan of \$1,993.42 made by the candidate.

-Schedule A of your report indicates that your committee may have failed to file one or more of the required 48 hour notices regarding "last minute" contributions received by your committee after the close of books for the 12 Day Pre-Primary report. A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that

RK

2  
9  
6  
2  
9  
1  
2  
3  
0  
2  
5

JOHN JONES FOR CONGRESS COMMITTEE  
PAGE 2

the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. Although the Commission may take legal action, any response you wish to make concerning this matter will be taken into consideration. (11 CFR §104.5(f))

-Your report (pertinent portion attached) discloses a reimbursement to a committee staff member or other individual. Staff advances are considered contributions until they are repaid and are subject to the contribution limits for individuals. Staff advances, until they are repaid, are subject to the regulations governing the reporting of debts. See 11 CFR §104.11(b). If this individual was advancing funds to the committee for the purchase of campaign materials or services, the transaction should be reported in the following manner. The advance should be itemized as a contribution on Schedule A and listed as a memo entry. If, however, the advance was paid in the same reporting period in which it was made, the filing of a Schedule A is not required. When the repayment is made the transaction should be itemized on a Schedule B supporting Line 17. If the ultimate payee (vendor) requires itemization, it should be listed on Schedule F as a memo entry directly below the entry itemizing the repayment of the advance. On future filings, please report advances as stated above. See 11 CFR §116.5 Advances by committee staff and other individuals.

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, 1336 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 or our toll-free number, (800) 424-9530. My local number is (702) 219-3586.

Sincerely,

*Robin Kelly*

Robin Kelly  
Reports Analyst  
Reports Analysis Division

04030962013  
7203733026

PK

# John Jones

 RECEIVED  
 OFFICE OF RECORDS & REGISTRATION

92 NOV 18 AM 11:38

 OFFICE OF THE CLERK  
 U.S. HOUSE OF REPRESENTATIVES

145670

**REGULAR MAIL**
**NOV 13 1992**

October 20, 1992

 Clerk of the House of Representatives  
 1336 Longworth House Office Building  
 Washington, DC 20515

 Re: John Edward Jones, III  
 Pennsylvania - 6th District  
 FEC ID #C00263004

Dear Sir or Madam:

This letter is in response to the FEC letter dated October 6, 1992 from Robin Kelly. In this letter four areas of our report were questioned. Following are the required responses to the first three questions in order of your letter:

1. The following entry on Schedule D, Line Number 10 for Multi-Media Services Corp. was missed on the 6-30-92 report.

Outstanding Balance Beginning This Period	Amount Incurred This Period	Payment this Period	Outstanding Balance at Close of this Period
(\$10,251.60) Credit	\$28,379.80	\$18,128.20	-0-

2. The loan from the candidate was from the candidates own personal funds as defined by the Commission Regulations.
3. A review of our records indicated we properly filed all of the 48 hours notices required. If there is a question on a particular individual please identify that individual and notify us, we will be happy to supply you with the appropriate back-up.

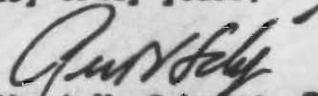
John Jones for Congress • P.O. Box 1992 • Pottsville, PA 17901

Paid for by the John Jones for Congress Committee

 04030962014  
 0071...7051

If you have any further questions you can contact Mike Malay at  
717-622-2477 or Schulze, Speicher & Company, Ltd., 121 Progress  
Avenue, Pottsville, PA 17901.

Very truly yours,



Albert V. Schulze, CPA

SCHULZE, SPEICHER & COMPANY, Ltd.  
Certified Public Accountants

AVS/ess

cc: Bureau of Commissions  
Elections and Legislation

04030062915  
00010053

**MEMORANDUM FOR FILES:** TELECON

**SUBJECT:** 48-Hour Contributions

**FROM:** Robin Kelly, RAD Analyst

**TO:** Mike Malay (717) 622-2477

**NAME OF COMMITTEE:** John Jones for Congress Committee -C00263004

**DATE:** December 2, 1992

---

On December 2, 1992, the analyst called Mr. Malay to inform him that for the candidate loan of \$30,000, we had not received a 48-hour contribution notification. He said he did not remember sending a notice for that one. He said he had no idea that one was required for a candidate loan.

94030962916

93 JAN 26 PM 3:07

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

**SENSITIVE**

**FIRST GENERAL COUNSEL'S REPORT**

RAD Referral: #92L-28  
STAFF MEMBER: Tamara Kapper

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

RESPONDENTS: John Jones for Congress Committee and Albert V. Schulze, as treasurer

RELEVANT STATUTES: 2 U.S.C. § 434(a)(6)  
2 U.S.C. § 431(8)(A)

INTERNAL REPORTS CHECKED: Referral Material  
Disclosure Reports

FEDERAL AGENCIES CHECKED: None

**I. GENERATION OF MATTER**

The Office of the General Counsel received a referral from the Reports Analysis Division ("RAD") on December 15, 1992. Attachment 1. The basis for the attached referral is the failure of John Jones for Congress Committee and Albert V. Schulze, as treasurer, ("Jones Committee") to file one forty-eight hour notification ("48 Hour Notice") for a contribution in the form of a loan guarantee from the candidate, John Edward Jones III, totaling \$30,000. The contribution was received by the Jones Committee prior to the 1992 primary election. Mr. Jones won the April 28, 1992 Primary Election in the Sixth Congressional District in the State of Pennsylvania with forty-nine point one percent (49.1%) of the vote but lost the November 3, 1992 General Election with forty-eight percent (48%) of the vote.

94030962917

II. FACTUAL AND LEGAL ANALYSIS

Based on the Factual and Legal Analysis, see Attachment 2, this Office recommends the Commission find reason to believe the Respondents violated 2 U.S.C. § 434(a)(6).

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

IV. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that John Jones for Congress Committee and Albert V. Schulze, as treasurer, violated 2 U.S.C. § 434(a)(6), and enter into conciliation prior to a finding of probable cause to believe.

94030962918

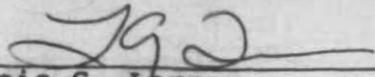
3. Approve the attached Factual and Legal Analysis, proposed conciliation agreement and the appropriate letter.

Lawrence M. Noble  
General Counsel

Date

1/25/93

BY:

  
Lois G. Lerner  
Associate General Counsel

Attachments:

1. Referral Materials
2. Factual and Legal Analysis
3. Proposed Conciliation Agreement

94030962919

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )

John Jones for Congress Committee and )  
Albert V. Schulze, as treasurer. )

RAD Referral #92L-28

(MUR 3715)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 1, 1993, the Commission decided by a vote of 6-0 to take the following actions with respect to RAD Referral #92L-28:

1. Open a MUR.
2. Find reason to believe that John Jones for Congress Committee and Albert V. Schulze, as treasurer, violated 2 U.S.C. § 434(a) (6), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the Factual and Legal Analysis, proposed conciliation agreement and the appropriate letter, as recommended in the General Counsel's Report dated January 25, 1993.

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

Attest:

2-1-93  
Date

*Delores Hardy*  
for Marjorie W. Emmons  
Secretary of the Commission

Received in the Secretariat:	Tuesday, Jan. 26 1993	3:07 p.m.
Circulated to the Commission:	Wednesday, Jan. 27, 1993	11:00 a.m.
Deadline for vote:	Monday, Feb. 1, 1993	4:00 p.m.

94030962920



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 4, 1993

Albert V. Schulze, Treasurer  
John Jones for Congress  
Committee  
13 Westwood Center  
P.O. Box 149  
Pottsville, PA 17901

RE: MUR 3735  
John Jones for Congress Committee  
and Albert V. Schulze, as  
treasurer

Dear Mr. Schulze:

On February 1, 1993, the Federal Election Commission found that there is reason to believe the John Jones for Congress Committee ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(6), 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.

94030962921

Albert V. Schulze  
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 Tamara Kapper, the staff member assigned to this matter, at (202) 219-3690.

Sincerely,



Scott E. Thomas  
Chairman

Enclosures

Factual and Legal Analysis  
Procedures  
Designation of Counsel Form  
Conciliation Agreement

cc: John Edward Jones III

94030962922

FEDERAL ELECTION COMMISSION  
FACTUAL & LEGAL ANALYSIS

RESPONDENTS: John Jones for Congress  
Committee and Albert V.  
Schulze, as treasurer

MUR: 3735

This matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2).

94030962923

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires principal campaign committees of candidates for federal office to notify in writing either the Secretary of the Senate, the Clerk of the U.S. House of Representatives or the Commission, as appropriate, and the Secretary of State, of each contribution totaling \$1,000 or more, received by any authorized committee of the candidate after the 20th day but more than 48 hours before any election. 2 U.S.C. § 434(a)(6)(A). The Act further requires notification to be made within 48 hours after the receipt of the contribution and to include the name of the candidate and office sought, the date of receipt, the amount of the contribution, and the identification of the contributor. Id. The notification of these contributions shall be in addition to all other reporting requirements. 2 U.S.C. § 434(a)(6)(B).

According to 2 U.S.C. § 431(8)(A) and 11 C.F.R. § 100.7(a)(1)(B), a loan is a contribution at the time it is

made and is a contribution to the extent that it remains unpaid. Furthermore, each guarantor or endorser of a loan shall be deemed to have contributed that portion of the total amount of the loan for which the guarantor or endorser agreed to be liable until the loan is repaid. 2 U.S.C. § 431(8)(B)(vii)(I) and 11 C.F.R. § 100.7(a)(1)(i)(C).

According to its Statement of Organization filed with the Commission, John Jones for Congress Committee is the principal campaign committee of John Edward Jones III. Albert V. Schulze is the treasurer of John Jones for Congress Committee.

The Primary Election in the state of Pennsylvania was held on April 28, 1992. Pursuant to the Act, the Respondents were required to notify the Commission, in writing, of all contributions of \$1,000 or more received from April 9, to April 25, 1992, within 48 hours of their receipt. A review of the Jones Committee's 1992 July Quarterly Report identified one contribution received on April 21, 1992, of \$1,000 or more (in the form of a loan guarantee) totaling \$30,000. The contribution was reported on Schedules A and C, with the candidate, John E. Jones III, listed as the sole guarantor of a \$30,000 loan to the Jones Committee. The Jones Committee did not submit a 48 Hour Notice for this contribution.

Therefore, there is reason to believe that the John Jones for Congress Committee and Albert V. Schulze, as treasurer, violated 2 U.S.C. § 434(a)(6) by failing to report a campaign

94030962924

contribution of \$1,000 or more, received after the 20th day, but more than 48 hours before the primary election, within 48 hours of receipt of the contribution.

94030962925

022 8522

LAW OFFICES  
**JOHN E. JONES, III, Esq.**  
POTTSVILLE, PENNSYLVANIA 17901

1 12 13 ...

P.O. Box 149  
13 WESTWOOD CENTRE

TELEPHONE  
(717) 622-3355  
FAX  
(717) 622-5147

February 24, 1993

VIA FAX TRANSMISSION

Federal Election Commission  
999 E Street  
Room #657  
Washington, D.C. 20463

Attention: Ms. Tamara Kapper

RE: MUR 3735  
John Jones for Congress Committee  
and Albert V. Schulze, as Treasurer

93HAR-1 P11 3:00

RECEIVED

94030962926

Dear Ms. Kapper:

Kindly be advised that the undersigned was a candidate for Congress and is the John Jones referenced above in the John Jones for Congress Committee. My present occupation is an attorney practicing in the Commonwealth of Pennsylvania.

The purpose of this letter is to respond to a certain letter sent to Mr. Albert V. Schulze, Treasurer of my campaign committee, under date of February 4, 1993, indicating therein certain findings of the Federal Election Commission relative to a violation of 2 U.S.C. §434(a)(6). I am rendering this response on my own behalf during the 30-day conciliation period as provided by law, and desire to enter into a dialogue with the Commission insofar as this matter is concerned.

To that end, please allow me to present the following:

First, for the purposes of this conciliation attempt, we do not controvert, nor do we deny, that a technical violation of the law has occurred.

An examination of the applicable law and regulations indicated to us that funds advanced by candidates are not

Federal Election Commission  
ATTN: Tamara Kapper  
February 24, 1993  
Page 2

technically "contributions". Indeed, on the FEC-3 Form, they are even listed on a line separate from contributions. Although we recognize that the FEC has published its position with respect to this requirement to file 48-hour notices with regard to candidate guarantees in the **Record**, since it is not clear in the regulations, we were unaware at the time that this guarantee was made that it had to be covered by a 48-hour notice.

Indeed, in reviewing the FEC's Campaign Guide for Congressional Candidates and Committees, at page 11, in the section dealing with "Reporting Contributions from the Candidate", guarantees are not listed as something which must be reported. Furthermore, it is noted there in bold letters that bank loans are reported as coming from the bank, and not from the candidate. This is obviously what we reported.

I would suggest that a review of all of the reports filed by my campaign committee will indicate an almost excruciating attention to detail. Your records should indicate numerous contacts by my campaign committee's Treasurer's office, together with my campaign counsel Scott Schley's inquiries made for the purpose of attempting to follow the law and regulations of the FEC to the letter. In every way shape and form, my campaign committee has attempted to exercise due diligence. I can tell you personally that I am aware of the considerable time and efforts spent by many individuals to comply with the law.

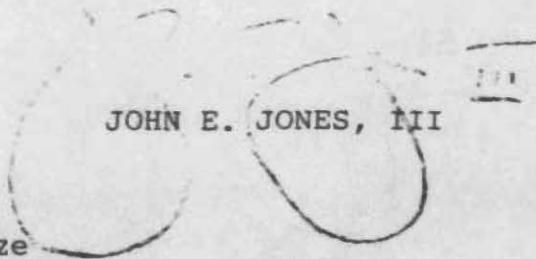
That having been said, both myself and my campaign committee now clearly understand what the Commission's position is on this issue, which I reiterate is not clear in either the regulations or the Campaign Guide.

94030962927

Federal Election Commission  
ATTN: Tamara Kapper  
February 24, 1993  
Page 3

Please feel free to contact me, either in writing or by telephone, with the Commission's position in this matter. I appreciate very much the Commission's attention to this reply

Very truly yours,

  
JOHN E. JONES, III

JEJ:jsm  
cc: Mr. Albert V. Schulze

94030962928

OGC 8521

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
MAIL ROOM

LAW OFFICES  
**JOHN E. JONES, III, Esq.** | 12 12 PM '93  
POTTSVILLE, PENNSYLVANIA 17901

P.O. Box 149  
13 WESTWOOD CENTRE

TELEPHONE:  
(717) 622-3355  
FAX:  
(717) 622-5147

February 25, 1993

VIA FAX TRANSMISSION

Federal Election Commission  
999 E Street  
Room #457  
Washington, D.C. 20463

Attention: Ms. Tamara Kapper

RE: MUR 3735  
John Jones for Congress Committee and  
Albert V. Schulze, as Treasurer

Dear Ms. Kapper:

Please allow this letter to be a follow-up to, and a supplement to, my letter under date of February 24, 1993 in the above captioned matter, sent to you by Fax yesterday and with hard copy by mail.

In addition to those arguments made in my letter of yesterday, please let me reiterate that it appeared to us that regulations would indicate that candidate expenditures are not contributions. Accordingly, as stated in my letter of yesterday, even if the FEC may have taken the position in opinions or even in the Record that such reporting is required, in our case our best efforts to comply did not reveal the FEC's very technical position on this issue, which was not set forth in any of the information sent to my campaign committee. Additionally, the FEC's position actually seemed to be in contradiction to the instructions in the FEC's Guide on the reporting of candidate guarantee loans.

To that end, examining the definition of a "candidate" in 11 CFR 100.3, and "person" in 100.10, both definitions include the word "individual". Referring then to the language in 11 CFR 100.1, and further 110.10 regarding expenditures by candidates, it appears that since a "candidate" is a "person", the only plausible reconciliation of this is if advances, etc., made by a candidate are not technically "contributions".

93MAR - 1 PH 3:06

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL

94030962929

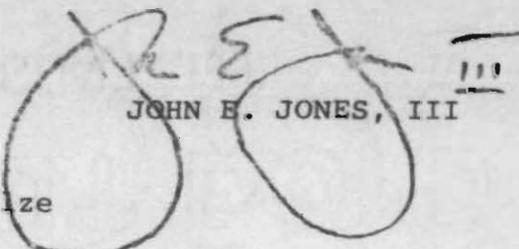
Federal Election Commission  
ATTN: Tamara Kapper  
February 25, 1993  
Page 2

Accordingly, I would argue that although the FEC may call expenditures, etc., by the candidate "contributions", we believe that the above sections allow the argument that they are not technically contributions and therefore not subject to a 48-hour report. All of this is in fact consistent with that which I cited in my letter of yesterday, which is that indeed these items are reported separately to the FEC on the FEC-3 form.

Notwithstanding the above, we again recognize that the FEC has taken the position that these are indeed contributions, and the offer as set forth in my letter of yesterday is consistent with that understanding. We truly feel that, as defined in 11 CFR 104.7, we have made our "best efforts" to obtain, maintain and submit the information required by the Act, and hence that per that section, we should be considered in substantial compliance with the Act.

Again, as I stated during our telephone conversation of yesterday, I would appreciate it if you would review this letter, together with my correspondence under yesterday's date, with your counsel and the Commission, and I will appreciate hearing from you thereafter concerning the Commission's determination. Thank you for your cooperation and consideration in this matter, and for your willingness to speak with me directly concerning the procedures before the Commission.

Very truly yours,



JOHN E. JONES, III

JEJ:jsm  
cc: Mr. Albert V. Schulze

94030962930

RECEIVED  
F.E.C.  
SECRETARIAT

94 JAN 28 AM 10:10

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )

John Jones for Congress )  
Committee and Albert V. )  
Schulze, as treasurer )

MUR 3735

**SENSITIVE**

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On February 1, 1993, the Federal Election Commission (the "Commission") found reason to believe that the John Jones for Congress Committee and Albert V. Schulze, as treasurer, ("Jones Committee") violated 2 U.S.C. § 434(a)(6) for the failure to file a forty-eight hour notification ("48 Hour Notice") for a contribution in the form of a loan guarantee from the candidate, John Jones, totaling \$30,000. On that same date, the Commission determined to enter into conciliation prior to a finding of probable cause to believe and approved a conciliation agreement.

94030962931

This report contains recommendations to assure that this matter conforms to the Court's opinion in FEC v. NRA Political Victory Fund, et al., No. 91-5360 (D.C. Cir. Oct. 22, 1993) ("NRA"). This report also includes the recommendation that the Commission approve the terms of the attached conciliation agreement, which is identical to the most recent agreement proposed by Respondents.

II. RECOMMENDED ACTIONS IN LIGHT OF FEC v. NRA

Based upon the original referral from the Reports Analysis Division and consistent with the Commission's November 9, 1993, decisions concerning compliance with the NRA opinion, this Office recommends that the Commission revoke its determinations to: 1) open a MUR; 2) find reason to believe that the Jones Committee violated 2 U.S.C. § 434(a)(6); 3) approve the factual and legal analysis that was attached to the First General Counsel's Report dated January 25, 1993; and (4) enter into preprobable cause conciliation with the Jones Committee. For the convenience of the Commission, this Office has attached the certifications in this matter dated February 1, 1993, and July 7, 1993. Attachments 2 and 3, respectively.

94030962932

94030962933

94030962934

94030962935

V. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that the John Jones for Congress Committee and Albert V. Schulze, as treasurer, violated 2 U.S.C. § 434(a)(6).
3. Enter into conciliation prior to a finding of probable cause to believe with the John Jones for Congress Committee and Albert V. Schulze, as treasurer, regarding the violation of 2 U.S.C. § 434(a)(6).
4. Approve the factual and legal analysis that was attached to the First General Counsel's Report dated January 25, 1993.

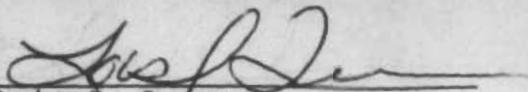
5. Approve the attached proposed conciliation agreement. Attachment 4.
6. Approve the appropriate letter.

Lawrence M. Noble  
General Counsel

Date

1-27-94

BY:

  
Lois G. Lerner  
Associate General Counsel

94030962936

060

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
 John Jones for Congress Committee ) MUR 3735  
 and Albert V. Schulze, as treasurer. )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 2, 1994, the Commission decided by a vote of 5-0 to take the following actions in MUR 3735:

1. Open a MUR.
2. Find reason to believe that the John Jones for Congress Committee and Albert V. Schulze, as treasurer, violated 2 U.S.C. § 434(a)(6).
3. Enter into conciliation prior to a finding of probable cause to believe with the John Jones for Congress Committee and Albert V. Schulze, as treasurer, regarding the violation of 2 U.S.C. § 434(a)(6).
4. Approve the factual and legal analysis that was attached to the First General Counsel's Report dated January 25, 1993.

(continued)

94030962937

5. Approve the proposed conciliation agreement, as recommended in the General Counsel's Report dated January 27, 1994.
6. Approve the appropriate letter, as recommended in the General Counsel's Report dated January 27, 1994.

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

Attest:

2-4-94  
Date

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

Received in the Secretariat: Fri., Jan. 28, 1994 10:10 a.m.  
Circulated to the Commission: Fri., Jan. 28, 1994 12:00 p.m.  
Deadline for vote: Wed., Feb. 02, 1994 4:00 p.m.

bjr

94030962938



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

FEBRUARY 8, 1994

John E. Jones III, Esquire  
P.O. Box 149  
13 Westwood Centre  
Pottsville, PA 17901

RE: MUR 3735  
John Jones for Congress Committee  
and Albert V. Schulze, as  
treasurer

Dear Mr. Jones:

On February 1, 1993, the Federal Election Commission found reason to believe that the John Jones for Congress Committee and Albert V. Schulze, as treasurer ("Jones Committee"), violated 2 U.S.C. § 434(a)(6), and subsequently entered into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. A proposed conciliation agreement was mailed to you, and a verbal counteroffer was received by the Office of the General Counsel on January 13, 1994.

As you may be aware, on October 22, 1993, the D.C. Circuit declared the Commission unconstitutional on separation of powers grounds due to the presence of the Clerk of the House of Representatives and the Secretary of the Senate or their designees as members of the Commission. FEC v. NRA Political Victory Fund, 6 F.3d 821 (D.C. Cir. 1993), petition for cert. filed, (U.S. No. 93-1151, Jan. 18, 1994). Since the decision was handed down, the Commission has taken several actions to comply with the court's decision. While the Commission petitions the Supreme Court for a writ of certiorari, the Commission, consistent with that opinion, has remedied any possible constitutional defect identified by the Court of Appeals by reconstituting itself as a six member body without the Clerk of the House and the Secretary of the Senate or their designees. In addition, the Commission has adopted specific procedures for revoting or ratifying decisions pertaining to open enforcement matters.

94030962939

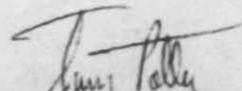
Mr. Jones, Esq.  
Page 2

In this matter, on February 2, 1994, the Commission revoted to find reason to believe that the Jones Committee violated 2 U.S.C. § 434(a)(6), and to approve the Factual and Legal Analysis previously mailed to the Jones Committee. You should refer to that document for the basis of the Commission's decision. If you need an additional copy, one will be provided upon request.

Furthermore, the Commission revoted to enter into conciliation negotiations prior to a finding of probable cause to believe, and approved the terms contained in your most recent counteroffer. It is necessary that you sign the enclosed conciliation agreement reflecting those terms. Please sign and return the enclosed agreement within ten days.

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

For the Commission,

  
Trevor Potter  
Chairman

Enclosure  
Conciliation Agreement

94030962940

OGC 171

RECEIVED  
FEDERAL ELECTION COMMISSION

94 FEB 23 AM 10:07



# JOHN JONES & ASSOCIATES

ROUTE 61 NORTH, P.O. BOX 149, POTTSVILLE, PA. 17901

JOHN E. JONES III, ESQ.

COUNSEL TO THE FIRM  
ROLAND & SCHLEGEL, P.C.  
627 N. FOURTH STREET  
READING, PA. 19603

TELEPHONE (717) 622-3355  
FACSIMILE (717) 622-5147

February 16, 1994

94030962941

Federal Election Commission  
999 E Street  
Room #457  
Washington, DC 20463

Attn: Ms. Tamara K. Kapper

**RE: MUR 3735**  
**John Jones for Congress Committee**

Dear Ms. Kapper:

I am enclosing herewith the Conciliation Agreement in the above matter which was executed by me per the instructions contained in Mr. Potter's cover letter of February 8, 1994.

As I read the Agreement, the first installment of \$500.00 is due within 30 days of full execution; hence, I would appreciate your office advising me of that date so that I may commence payments within the agreed-upon period.

Thank you again for your cooperation and consideration throughout this matter. If anything further is needed from me, I hope that you will not hesitate to contact me.

Very truly yours,

JOHN E. JONES, III

JEJ:jsm  
Enclosure

RECEIVED  
F.E.C.  
SECRETARIAT

94 FEB 24 AM 10:19

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 3735  
John Jones for Congress )  
Committee and Albert V. )  
Schulze, as treasurer )

**SENSITIVE**

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement that has been signed by the candidate, John E. Jones, III. Attachment 1.

The attached agreement contains no changes from the agreement approved by the Commission on February 2, 1994. Payment of the first installment of the civil penalty has not been received by the Commission.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with the John Jones for Congress Committee and Albert V. Schulze, as treasurer.
2. Close the file in this matter.
3. Approve the appropriate letter.

Lawrence M. Noble  
General Counsel

2/23/94  
Date

BY: [Signature]  
Lois G. Lerner  
Associate General Counsel

Attachment  
Conciliation Agreement, dated 2/10/94

Staff Member: Tamara Kapper

94030962942

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
John Jones for Congress Committee ) MUR 3735  
and Albert V. Schulze, as treasurer. )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 1, 1994, the Commission decided by a vote of 6-0 to take the following actions in MUR 3735:

1. Accept the conciliation agreement with the John Jones for Congress Committee and Albert V. Schulze, as treasurer, as recommended in the General Counsel's Report dated February 23, 1994.
2. Close the file in this matter.
3. Approve the appropriate letter, as recommended in the General Counsel's Report dated February 23, 1994.

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

Attest:

3-1-94  
Date

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

Received in the Secretariat:	Thurs., Feb. 24, 1994	10:19 a.m.
Circulated to the Commission:	Thurs., Feb. 24, 1994	11:00 a.m.
Deadline for vote:	Tues., Mar. 01, 1994	4:00 p.m.

bjr

94030962943



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20541

March 4, 1994

John E. Jones III, Esquire  
P.O. Box 149  
13 Westwood Centre  
Pottsville, PA 17901

RE: MUR 3735  
John Jones for Congress Committee  
and Albert V. Schulze, as  
treasurer

Dear Mr. Jones:

On March 1, 1994, the Federal Election Commission accepted the signed conciliation agreement that you submitted in settlement of a violation of 2 U.S.C. § 434(a)(6), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

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.

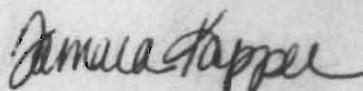
Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the

94030962944

Mr. Jones  
Page 2

first monthly installment payment of the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 219-3690.

Sincerely,



Tamara Kapper  
Paralegal

Enclosure  
Conciliation Agreement

94030962945

94 FEB 23 AM 10:07

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of )  
 ) MUR 3735  
John Jones for Congress Committee )  
and Albert V. Schulze, 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 John Jones for Congress Committee and Albert V. Schulze, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(6).

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 this matter.

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

94030962946

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

1. The John Jones for Congress Committee is a political committee within the meaning of 2 U.S.C. § 431(4), and is the authorized principal campaign committee for John Edward Jones III's 1992 congressional campaign.

2. Albert V. Schulze is the treasurer of John Jones for Congress Committee.

3. The Federal Election Campaign Act of 1971, as amended, ("the Act") requires principal campaign committees of candidates for federal office to notify, in writing, either the Secretary of the Senate, the Clerk of the U.S. House of Representatives or the Commission, as appropriate, and the Secretary of State, of each contribution totaling \$1,000 or more, received by any authorized committee of the candidate after the 20th day, but more than 48 hours before any election. 2 U.S.C. § 434(a)(6)(A). The Act further requires notification to be made within 48 hours after the receipt of the contribution and to include the name of the candidate and office sought, the date of receipt, the amount of the contribution, and the identification of the contributor. Id. The notification of these contributions shall be in addition to all other reporting requirements. 2 U.S.C. § 434(a)(6)(B).

4. According to 2 U.S.C. § 431(8)(A) and 11 C.F.R. § 100.7(a)(1)(B), a loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid. Each guarantor or endorser of a loan shall be deemed to have

94030962947

contributed that portion of the total amount of the loan for which the guarantor or endorser agreed to be liable until the loan is repaid. 2 U.S.C. § 431(8)(B)(vii)(I) and 11 C.F.R. § 100.7(a)(1)(i)(C).

5. The Respondents received on April 21, 1992, one contribution of \$1,000 or more (in the form of a loan guarantee) totaling \$30,000.

6. The contribution was reported on Schedules A and C of the 1992 July Quarterly Report, (with the candidate, John E. Jones III, listed as the sole guarantor of a \$30,000 loan to the Committee).

7. The Respondents did not submit 48 Hour Notice for this contribution.

V. The Respondents failed to report a campaign contribution of \$1,000 or more received after the 20th day, but more than 48 hours before the April 28, 1992 primary election, within 48 hours of receipt of the contribution, in violation of 2 U.S.C. § 434(a)(6).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Three Thousand Dollars (\$3,000), pursuant to 2 U.S.C. § 437g(a)(5)(A), such penalty to be paid as follows:

1. Initial payment of \$500 due thirty (30) days after the date on which the Conciliation Agreement is fully executed.

2. Thereafter, beginning thirty (30) days after the date of the initial payment, five (5) consecutive installment payments of \$500 each;

94030962948

3. Each such installment shall be paid thirty (30) days after the previous payment.

4. In the event that any installment payment is not received by the Commission within five (5) days of the date it becomes due, the Commission may, at its discretion, accelerate the remaining payments and cause the entire amount to become due upon ten days written notice to the Respondents. Failure by the Commission to accelerate the payments with regard to any overdue installment shall not be construed as a waiver of its right to do so with regard to future overdue installments.

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 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. Except as provided in Paragraph VI, Sections 2 and 3 above, 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

94030962949

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 Date 3/4/94  
Lois G. Lerner  
Associate General Counsel

FOR THE RESPONDENTS:

John E. Jones III Date 2-10-94  
(Name) Candidate  
(Position) JOHN E. JONES III

94030962950



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3735

DATE FILMED 3-14-94 CAMERA NO. 2

CAMERAMAN JMK

94030962951



FEDERAL ELECTION COMMISSION  
WASHINGTON D.C. 20463

Microfilm  
 Public Records  
 Press

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 3735.

3/30/94

94030964525

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
MAIL ROOM

MAR 16 12 00 PM '94

# JOHN JONES & ASSOCIATES

ROUTE 61 NORTH, P.O. BOX 149, POTTSVILLE, PA. 17901

March 14, 1994

TELEPHONE (717) 622-3355  
FACSIMILE (717) 622-5147

JOHN E. JONES III, ESQ.

COUNSEL TO THE FIRM:  
ROLAND & SCHLEGEL, P.C.  
627 N. FOURTH STREET  
READING, PA. 19603

Federal Election Commission  
999 E Street  
Room #457  
Washington, DC 20463

Attn: Tamara Kapper, Paralegal

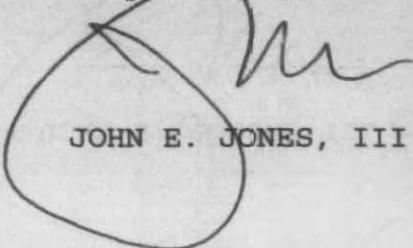
RE: MUR 3735  
John Jones for Congress Committee and  
Albert V. Schulze, as treasurer

Dear Ms. Kapper:

Consistent with your letter of March 4, 1994, and the fully executed Conciliation Agreement enclosed therewith, I am enclosing herewith my first installment thereunder, in the amount of \$500.00.

Thank you again for your cooperation and consideration in this matter.

Very truly yours,



JOHN E. JONES, III

JEJ:dms  
Enclosure

94 MAR 17 AM 9:36  
FEDERAL ELECTION COMMISSION RECEIVED

94030964526

OGC 559

RECEIVED

SEP 17 1994



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 16, 1994

TWO WAY MEMORANDUM

TO: OGC, Docket  
FROM: Philomena Brooks *PKB*  
Accounting Technician  
SUBJECT: Account Determination for Funds Received

We recently received a check from John E. Jones III, check number 5095 dated March 19, 1994, and in the amount of \$ 500.00. Attached is a copy of the check and any correspondence that was forwarded. Please indicate below the account into which it should be deposited, and the MUR number and name.

-----  
TO: Philomena Brooks  
Accounting Technician  
FROM: OGC, Docket *Byaa*

In reference to the above check in the amount of \$ 500.00, the MUR number is 3735 and in the name of John Jones for Congress Cmte.. The account into which it should be deposited is indicated below:

- Budget Clearing Account (OGC), 95F3875.16
- Civil Penalties Account, 95-1099.160
- Other: \_\_\_\_\_

Arita Alexander  
Signature

3-17-94  
Date

94030964527

9 4 0 3 0 9 6 4 5 2 8

LAW OFFICES OF  
JOHN E. JONES III  
ATTORNEY ACCOUNT  
P.O. BOX 149  
POTTSVILLE, PA. 17901

REMITTANCE ADVICE					

5093

60-0251  
0313

PAY Five Hundred and \_\_\_\_\_ DOLLARS

DATE	TO THE ORDER OF	REF	DESCRIPTION
3-14-94	Federal Election Commission		

CHECK AMOUNT
500.00

JOHN E. JONES III

UNION BANK AND TRUST CO  
POTTSVILLE, PA. 17901

⑈005093⑈ ⑆031302515⑆

59⑈159⑈9⑈

91 APR 1994



FEDERAL ELECTION COMMISSION

WASHINGTON, D C 20463

Microfilm  
 Public Rcds  
 Press

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 3735.

5110194

94030973270

OGC 1031

**CLOSED**

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

APR 19 2 48 PM '94



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 19, 1994

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Philomena Brooks  
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from John E. Jones, check number 5154, dated April 14, 1994, and in the amount of \$500.00. Attached is a copy of the check and any correspondence that was forwarded. Please indicate below the account into which it should be deposited, and the MUR number and name.

-----

TO: Philomena Brooks  
Accounting Technician

FROM: OGC, Docket By aa

In reference to the above check in the amount of \$ 500.00, the MUR number is 3735 and in the name of John Jones for Congress Cmte.. The account into which it should be deposited is indicated below:

- Budget Clearing Account (OGC), 95F3875.16
- Civil Penalties Account, 95-1099.160
- Other: \_\_\_\_\_

Crista Alexander  
Signature

4-19-94  
Date

94030973271



# JOHN JONES & ASSOCIATES

ROUTE 61 NORTH, P.O. BOX 149, POTTSVILLE, PA. 17901

JOHN E. JONES III, ESQ.

TELEPHONE (717) 622-3355

FACSIMILE (717) 622-5147

COUNSEL TO THE FIRM:  
ROLAND & SCHLEGEL, P.C.  
627 N. FOURTH STREET  
READING, PA. 19603

April 14, 1994

APR 19 2 48 PM '94

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

Federal Election Commission  
999 E Street  
Room #457  
Washington, DC 20463

Attn: Ms. Tamara K. Kapper

RE: MUR 3735  
John Jones for Congress Committee

Dear Ms. Kapper:

I am enclosing herewith my second, \$500.00 installment pursuant to the resolution of the matter involving the John Jones for Congress Committee.

Very truly yours,

JOHN E. JONES, III

JEJ:jsm  
Enclosure

94030973272

LAW OFFICES OF  
JOHN E. JONES III  
ATTORNEY ACCOUNT  
P.O. BOX 149  
POTTSVILLE, PA. 17901

REMITTANCE ADVICE					

5154

60-0251  
0313

PAY Field Under e

DOLLARS

DATE	TO THE ORDER OF	REF.	DESCRIPTION
4-14-94	F.E.C.		

CHECK AMOUNT
500 <sup>CR</sup>

JOHN E. JONES III

UNION BANK AND TRUST CO.  
POTTSVILLE, PA. 17901

⑆005154⑆ ⑆031302515⑆

59⑆159⑆9⑆

94030973273

APR 19 2 48 PM '94

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL



FEDERAL ELECTION COMMISSION  
WASHINGTON D C 20463

Microfilm  
 Public Rcds  
 Press

THE FOLLOWING DOCUMENTATION IS ADDED TO  
THE PUBLIC RECORD IN CLOSED MUR 3735.

6/8/94

94043522887



# JOHN JONES & ASSOCIATES

ROUTE 61 NORTH, P.O. BOX 149, POTTSVILLE, PA. 17901

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
ADMINISTRATIVE DIVISION  
MAY 11 01 AM '94

JOHN E. JONES III, ESQ.  
COUNSEL TO THE FIRM  
ROLAND & SCHLEGEL, P.C.  
627 N. FOURTH STREET  
READING, PA. 19603

TELEPHONE (717) 622-3355  
FACSIMILE (717) 622-3147

May 13, 1994

Federal Election Commission  
999 E Street  
Room #457  
Washington, DC 20463

Attn: Ms. Tamara K. Kapper

**RE: MUR 3735**  
**John Jones for Congress Committee**

Dear Ms. Kapper:

I am enclosing herewith my third \$500.00 installment pursuant to the resolution of the matter involving the John Jones for Congress Committee.

Very truly yours,

JOHN E. JONES, III

JEJ:jsm  
Enclosure

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
MAY 17 2 56 PM '94

9  
4  
0  
4  
3  
5  
2  
2  
8  
8  
8

MAY 17 2 56 PM '94

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

5/17/94

TWO WAY MEMORANDUM

**TO:** OGC, Docket  
**FROM:** Rosa Swinton  
Accounting Technician  
**SUBJECT:** Account Determination for Funds Received

We recently received a check from Law Office of John E. JONES III, check number 5218, dated 5/13/94, and in the amount of \$ 500.00. Attached is a copy of the check and any correspondence that was forwarded. Please indicate below the account into which it should be deposited, and the MUR number and name.

-----  
**TO:** Rosa Swinton  
Accounting Technician

**FROM:** OGC, Docket *aa by JDB*

In reference to the above check in the amount of \$ 3735, the MUR number is 3735 and in the name of John Jones for Congress Cont.. The account into which it should be deposited is indicated below:

- Budget Clearing Account (OGC), 95F3875.16
- Civil Penalties Account, 95-1099.160
- Other: \_\_\_\_\_

Robert D. Brown  
Signature

5/17/94  
Date

94043522889

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

MAY 17 2 56 PM '94

LAW OFFICES OF  
JOHN E. JONES III  
ATTORNEY ACCOUNT  
P.O. BOX 149  
POTTSVILLE, PA. 17901

REMITTANCE ADVICE					

5218

60-0251  
0313

PAY Five Hundred

DOLLARS

DATE	TO THE ORDER OF	REF.	DESCRIPTION
5-13-94	F. E. C.		

CHECK AMOUNT
500 <sup>00</sup>

JOHN E. JONES III

UNION BANK AND TRUST CO.  
POTTSVILLE, PA. 17901

*[Handwritten signature]*

⑆005218⑆ ⑆031302515⑆ 25340706



FEDERAL ELECTION COMMISSION

WASHINGTON DC 20463

Microfilm  
 Public Recds  
 Press

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 3735.

7/19/94

94043535468



# JOHN JONES & ASSOCIATES

ROUTE 61 NORTH, P.O. BOX 149, POTTSVILLE, PA. 17901

RECEIVED  
FEDERAL ELECTION  
COMMISSION

JUN 17 10 21 AM '94

JOHN E. JONES III, ESQ.  
COUNSEL TO THE FIRM:  
ROLAND & SCHLEGEL, P.C.  
627 N. FOURTH STREET  
READING, PA. 19603

TELEPHONE (717) 622-3355  
FACSIMILE (717) 622-5147

July 13, 1994

Federal Election Commission  
999 E Street  
Room #457  
Washington, DC 20463

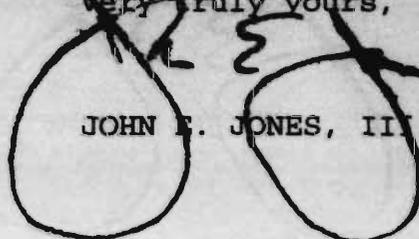
Attn: Ms. Tamara K. Kapper

RE: MUR 3735  
John Jones for Congress Committee

Dear Ms. Kapper:

I am enclosing herewith my fifth and sixth (final) \$500.00 installment pursuant to the resolution of the matter involving the John Jones for Congress Committee.

Very truly yours,

  
JOHN E. JONES, II

JEJ:jsm  
Enclosure

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
JUN 19 3 21 PM '94

94043535469



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

JUL 19 3 21 PM '94

7/19/94

**TWO WAY MEMORANDUM**

**TO:** OGC, Docket

**FROM:** Rosa E. Swintos  
Accounting Technician

**SUBJECT:** Account Determination for Funds Received

We recently received a check from John Jones for Congress Committee, check number 5316, dated 7/13/94, and in the amount of \$ 1,000.00. Attached is a copy of the check and any correspondence that was forwarded. Please indicate below the account into which it should be deposited, and the MUR number and name.

**TO:** Rosa E. Swinton  
Accounting Technician

**FROM:** OGC, Docket Byaa

In reference to the above check in the amount of \$ 1,000.00, the MUR number is 3735 and in the name of John Jones for Congress Cmte. The account into which it should be deposited is indicated below:

- Budget Clearing Account (OGC), 95F3875.16
- Civil Penalties Account, 95-1099.160
- Other: \_\_\_\_\_

Amita Alexander  
Signature

7-19-94  
Date

94043535470

LAW OFFICES OF  
JOHN E. JONES III  
ATTORNEY ACCOUNT  
P.O. BOX 149  
POTTSVILLE, PA. 17901

REMITTANCE ADVISE					

5316

60-0251  
0313

PAY One Thousand and

DOLLARS

DATE	TO THE ORDER OF	REF	DESCRIPTION
7-13-94	F. E. C.		

CHECK AMOUNT	
1000	00

JOHN E. JONES III

UNION BANK AND TRUST CO  
POTTSVILLE, PA. 17901

⑆005316⑆ ⑆031302515⑆

59⑆⑆59⑆⑆9⑆⑆

*[Handwritten signature]*

9404355471



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Microfilm  
 Public Reads  
 Press

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 3735.

7/20/94

2404355492



# JOHN JONES & ASSOCIATES

ROUTE 61 NORTH, P.O. BOX 149, POTTSVILLE, PA. 17901

JOHN E. JONES III, ESQ.  
COUNSEL TO THE FIRM  
ROLAND & SCHLEGEL, P.C.  
627 N. FOURTH STREET  
READING, PA. 19603

TELEPHONE (717) 622-3558  
FACSIMILE (717) 622-5147

June 15, 1994

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
JUN 21 9 03 AM '94

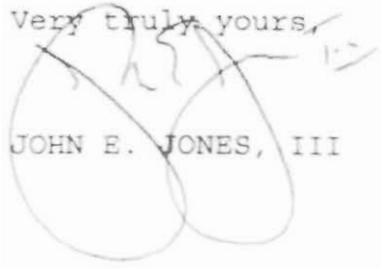
Federal Election Commission  
999 E Street  
Room #457  
Washington, DC 20463

Attn: Ms. Tamara K. Kapper

RE: MUR 3735  
John Jones for Congress Committee

Dear Ms. Kapper:

I am enclosing herewith my fourth \$500.00 installment pursuant to the resolution of the matter involving the John Jones for Congress Committee.

Very truly yours,  
  
JOHN E. JONES, III

JEJ:jsm  
Enclosure

2404355493

JUN 28 9 20 AM '94

LAW OFFICES OF  
JOHN E. JONES III  
ATTORNEY ACCOUNT  
P.O. BOX 149  
POTTSDVILLE, PA 17901

7 4 0 4 3 5 5 5 4 9 4

REMITTANCE ADVICE					

5263

60-0251  
0313

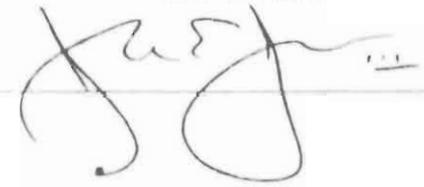
DOLLARS

PAY Five Hundred and no/100

DATE	TO THE ORDER OF	REF.	DESCRIPTION
6-15-74	F. E. C.		

CHECK AMOUNT
500 <sup>00</sup>

JOHN E. JONES III



UNION BANK AND TRUST CO  
POTTSDVILLE, PA 17901



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

6/20/94

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
JUN 21 9 03 AM '94

TWO WAY MEMORANDUM

TO: OGC, Docket  
FROM: Rosa Swinton  
Accounting Technician  
SUBJECT: Account Determination for Funds Received

We recently received a check from John Jones + Assoc. for Congress Comm, check number 5263, dated 6/15/94, and in the amount of \$ 500.00. Attached is a copy of the check and any correspondence that was forwarded. Please indicate below the account into which it should be deposited, and the MUR number and name.

-----  
TO: Rosa Swinton  
Accounting Technician  
FROM: OGC, Docket By aa

In reference to the above check in the amount of \$ 500.00, the MUR number is 3735 and in the name of John Jones for Congress Cmte. The account into which it should be deposited is indicated below:

- Budget Clearing Account (OGC), 95F3875.16
- Civil Penalties Account, 95-1099.160
- Other: \_\_\_\_\_

Anita Alexander  
Signature

6-21-94  
Date

2404355495