



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3746

DATE FILMED 3-17-94 CAMERA NO. 2

CAMERAMAN JM H

94030964456

## REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: December 24, 1992

ANALYST: Jack MacDonald

I. COMMITTEE: Hilliard for Congress Campaign  
(C00262816)  
James H. Parker, Treasurer  
P.O. Box 11385  
Birmingham, AL 35202-1385 1/

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

## III. BACKGROUND:

## Failure to File Forty-Eight Hour Notifications

The Hilliard for Congress Campaign committee ("the Committee") has failed to file twenty-five (25) or 60% of the required Forty-Eight (48) Hour Notifications ("48-Hour Notices") for contributions totalling \$32,500 received prior to the 1992 Runoff Election.

The candidate was involved in the 1992 Runoff Election held on June 30, 1992. Prior Notice was sent to the Committee on April 27, 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: Runoff 6/11 - 6/27. The notices must reach the appropriate federal and state filing offices within 48 hours of the committee's receipt of the contribution(s)."

Schedule A of the 1992 July Quarterly Report indicates that the Committee failed to file twenty-five (25) 48-Hour Notices for contributions received during the aforementioned period (Attachment 3). The following is a list of the contributions for which no 48-Hour Notices were filed:

1/ Correspondence was sent to the former address of record.

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HILLIARD FOR CONGRESS CAMPAIGN  
REPORTS ANALYSIS OGC REFERRAL  
PAGE 2

<u>Contributor Name</u>	<u>Date</u>	<u>Amount</u>
Dr. Roosevelt McCorvey	6/15/92	\$1,000
Beverly Love, M.D.	6/15/92	\$1,000
MTG Partners	6/15/92	\$3,000
J. George Mitnick	6/15/92	\$1,000
Nathan A. Chapman, Jr.	6/16/92	\$1,000
Ida Inez Chapman	6/16/92	\$1,000
Kevin E. Davis	6/16/92	\$1,000
Keith Andre Holmes	6/16/92	\$1,000
Earl U. Bravo, Sr.	6/16/92	\$1,000
A. Cecil Jones	6/16/92	\$1,000
Donald O. Drummond	6/16/92	\$1,000
John Drummond	6/16/92	\$1,000
E. A. Drummond	6/16/92	\$1,000
Garry N. Drummond	6/18/92	\$1,000
Segal Drummond	6/18/92	\$1,000
H. J. Russell	6/18/92	\$1,000
Central BancPac	6/12/92	\$2,000
Central BancPac	6/12/92	\$1,000
Arrington Campaign	6/16/92	\$1,000
CWA COPE PCC	6/16/92	\$2,500
Alabama Power Co. Employee Federal Political Action Committee	6/18/92	\$2,000
Florida Congressional Committee	6/18/92	\$1,000
Coal PAC	6/19/92	\$1,000
Voters for Choice	6/19/92	\$1,000
The Political Action Committee of the Alabama Farmers Federation	6/12/92	\$3,000

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.

The Committee's response dated October 23, 1992 to the RFAI did not address the missing 48 Hour Notices nor did an amendment dated December 4, 1992.

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

HILLIARD, EARL FREDERICK	HOUSE 07 DEMOCRATIC PARTY			ALABAMA	1992 ELECTION	ID# H2AL07041
1. STATEMENT OF CANDIDATE						
1992 STATEMENT OF CANDIDATE					18MAR92	1 92HSE/444/0668
STATEMENT OF CANDIDATE - AMENDMENT					23MAR92	1 92HSE/444/1866
STATEMENT OF CANDIDATE - AMENDMENT					24MAR92	1 92HSE/444/1986
2. PRINCIPAL CAMPAIGN COMMITTEE						

HILLIARD FOR CONGRESS CAMPAIGN					ID #C00262816	HOUSE
1992 STATEMENT OF ORGANIZATION					18MAR92	1 92HSE/444/0880
STATEMENT OF ORGANIZATION - AMENDMENT					23MAR92	1 92HSE/444/1865
STATEMENT OF ORGANIZATION - AMENDMENT					24MAR92	1 92HSE/444/1987
48 HOUR CONTRIBUTION NOTICE					29MAY92	2 92HSE/453/3040
48 HOUR CONTRIBUTION NOTICE					24JUN92	1 92HSE/454/1208
48 HOUR CONTRIBUTION NOTICE					25JUN92	1 92HSE/454/1435
48 HOUR CONTRIBUTION NOTICE					29JUN92	1 92HSE/454/1955
48 HOUR CONTRIBUTION NOTICE					16OCT92	1 92HSE/470/4537
48 HOUR CONTRIBUTION NOTICE					20OCT92	2 92HSE/476/2907
48 HOUR CONTRIBUTION NOTICE					22OCT92	1 92HSE/479/3998
48 HOUR CONTRIBUTION NOTICE					23OCT92	2 92HSE/480/2886
48 HOUR CONTRIBUTION NOTICE					27OCT92	1 92HSE/481/2758
48 HOUR CONTRIBUTION NOTICE					30OCT92	1 92HSE/481/5627
48 HOUR CONTRIBUTION NOTICE					3NOV92	1 92HSE/482/2839
APRIL QUARTERLY		19,290	16,298		7MAR92 -15APR92	18 92HSE/450/0861
APRIL QUARTERLY - AMENDMENT		18,224	17,698		7MAR92 -15APR92	23 92HSE/463/5786
APRIL QUARTERLY - AMENDMENT		18,224	17,698		7MAR92 -15APR92	24 92HSE/464/0185
REQUEST FOR ADDITIONAL INFORMATION					7MAR92 -15APR92	9 92FEC/762/3967
REQUEST FOR ADDITIONAL INFORMATION 2ND					7MAR92 -15APR92	10 92FEC/772/0215
PRE-PRIMARY		26,693	24,418		1APR92 -15MAY92	19 92HSE/452/2615
PRE-PRIMARY - AMENDMENT		28,068	23,018		16APR92 -15MAY92	23 92HSE/463/5681
REQUEST FOR ADDITIONAL INFORMATION					1APR92 -15MAY92	5 92FEC/762/3977
REQUEST FOR ADDITIONAL INFORMATION 2ND					1APR92 -15MAY92	6 92FEC/772/0209
PRE-RUN-OFF		33,087	32,269		14MAY92 -10JUN92	23 92HSE/453/5110
PRE-RUN-OFF - AMENDMENT		41,110	32,269		15MAY92 -10JUN92	28 92HSE/463/5758
PRE-RUN-OFF - AMENDMENT					14MAY92 -10JUN92	2 92HSE/465/2775
PRE-RUN-OFF - AMENDMENT		41,110	32,269		15MAY92 -10JUN92	27 92HSE/467/4445
NOTICE OF FAILURE TO FILE					14MAY92 -10JUN92	1 92FEC/761/5487
REQUEST FOR ADDITIONAL INFORMATION					14MAY92 -10JUN92	8 92FEC/771/5119
REQUEST FOR ADDITIONAL INFORMATION 2ND					14MAY92 -10JUN92	2 92FEC/776/0139
JULY QUARTERLY		108,035	116,110		1APR92 -30JUN92	49 92HSE/457/4969
JULY QUARTERLY - AMENDMENT		105,058	116,110		12JUN92 -30JUN92	51 92HSE/464/0134
JULY QUARTERLY - AMENDMENT		95,058	118,179		12JUN92 -30JUN92	49 92HSE/480/0404
JULY QUARTERLY - AMENDMENT		95,058	118,179		12JUN92 -30JUN92	3 92HSE/488/4251 *
REQUEST FOR ADDITIONAL INFORMATION					12JUN92 -30JUN92	19 92FEC/783/3177
REQUEST FOR ADDITIONAL INFORMATION 2ND					12JUN92 -30JUN92	1 92FEC/800/2527
REQUEST FOR ADDITIONAL INFORMATION					12JUN92 -30JUN92	2 92FEC/800/5088
REQUEST FOR ADDITIONAL INFORMATION 2ND					12JUN92 -30JUN92	3 92FEC/804/2369

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CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/ PARTY	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION	
		PRIMARY	GENERAL	PRIMARY	GENERAL				
OCTOBER QUARTERLY			73,239		69,013	1JUL92 -30SEP92	41	92HSE/480/2764 *	
OCTOBER QUARTERLY	- AMENDMENT		73,239		69,013	1JUL92 -30SEP92	40	92HSE/481/0641 *	
OCTOBER QUARTERLY	- AMENDMENT		73,239		69,013	1JUL92 -30SEP92	2	92HSE/488/4249 *	
NOTICE OF FAILURE TO FILE						1JUL92 -30SEP92	1	92FEC/799/5213	
PRE-GENERAL			20,870		24,028	1OCT92 -14OCT92	22	92HSE/481/0058 *	
PRE-GENERAL	- AMENDMENT		20,870		24,028	1OCT92 -14OCT92	2	92HSE/488/4247 *	
NOTICE OF FAILURE TO FILE						1OCT92 -14OCT92	1	92FEC/800/1856	
POST-GENERAL			72,100		57,532	15OCT92 -23NOV92	33	92HSE/488/4738 *	
POST-GENERAL						-15OCT92 -23NOV92	1	92HSE/488/4232 *	
TOTAL			182,460	166,209	191,164	150,573	565	TOTAL PAGES	
3. AUTHORIZED COMMITTEES									
4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN									

All reports except those asterisked have been reviewed.

Ending cash-on-hand as 11/23/92: \$7,031

Outstanding debts and obligations owed by the committee as of 11/23/92: \$36,421

94030964460

# REPORT NOTICE

## FEDERAL ELECTION COMMISSION

ALABAMA  
Congressional Committees

April 27, 1992

**FOR COMMITTEES INVOLVED ONLY IN THE PRIMARY (06/02):**

REPORT	REPORTING PERIOD	REG./CERT. MAILING DATE*	FILING DATE
Pre-Primary	04/01/92 - 05/13/92**	05/18/92	05/21/92
48 Hour Notices	----See Below----		
July Quarterly	05/14/92 - 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 May 14 through May 30. 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.

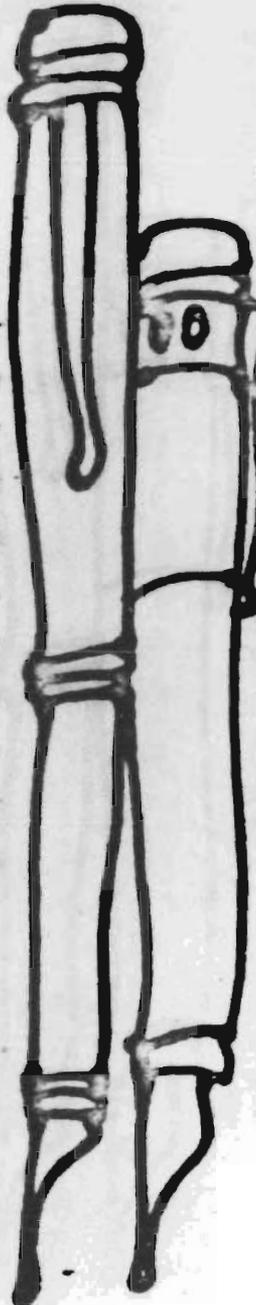
\*Reports sent by registered or certified mail must be postmarked by the mailing date; otherwise, they must be received by the filing date.

\*\*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

SEE OPPOSITE SIDE FOR RUNOFF INFORMATION

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**ALABAMA  
RUNOFF**

**FOR COMMITTEES INVOLVED IN BOTH THE PRIMARY (06/02) AND RUNOFF  
(06/30):**

<b>REPORT</b>	<b>REPORTING PERIOD</b>	<b>REG./CERT. MAILING DATE<sup>a</sup></b>	<b>FILING DATE</b>
Pre-Primary	04/01/92 - 05/13/92	05/18/92	05/21/92
48 Hour Notices	----See Below----		
Pre-Runoff	05/14/92 - 06/10/92	06/15/92	06/18/92
48 Hour Notices	----See Below----		
July Quarterly	06/11/92 - 06/30/92	07/15/92	07/15/92

**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:

Primary 5/14 - 5/30  
Runoff 6/11 - 6/27

The notices must reach the appropriate federal and state filing offices within 48 hours of the committee's receipt of the contribution(s).

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

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**SCHEDULE A ITEMIZED RECEIPTS**

Use separate schedules for each category of the Detailed Summary Page  
PAGE 1 OF 24  
FOR LINE NUMBER 11(a)(1)

**Contributions from Individuals/Persons**

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

NAME OF COMMITTEE In Full  
**Hilliard for Congress C00262816**

94030964463  
92011514971

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Rodney B. Jones 2145 Belfast Street Montgomery, AL 36106		6/15/92	25.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 8	
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
C. F. Zukoski, Jr. 3605 Ratcliff Road Birmingham, AL 35210		5/15/92	25.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 8	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
W. C. Patton 1121 Cahaba Street Birmingham, AL 35234		6/15/92	25.00 (memo)
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 8	
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Curtis I. Eatmon Rt. 3 Bcx 150 Eufaula, AL 35462		6/15/92	300.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 8	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Cynthia M. Cotton 500 Eastdale Road, So., Ap. P-6 Montgomery, AL 36117		6/15/92	100.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 8	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Louise P. Siles 1406 S. Main Street Tuskegee, AL 36083		6/15/92	100.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 8	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Dr. Roosevelt McCorvey 9200 Gainswolds Drive Montgomery, AL 36117		6/15/92	1,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 8	

SUBTOTAL of Receipts This Page (optional) ..... 1,575.00  
TOTAL This Period (last page also has number only) .....

**SCHEDULE A**

**ITEMIZED RECEIPTS**

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

PAGE 2 OF 24  
FOR LINE NUMBER 11(a)(1)

**Contributions from Individuals/Persons**

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

NAME OF COMMITTEE (in Full)

Milliard for Congress C00262816

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Beverly Love, M.D. 3090 Rosa L. Parks Avenue Montgomery, AL 36130		6/15/92	1,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
Aggregate Year-to-Date > 0			
KIG Partners P. O. Drawer 5058 Montgomery, AL 36101		6/15/92	3,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
Aggregate Year-to-Date > 0			
J. George Mitnick College Hill Road Jasper, AL 35501		6/15/92	1,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
Aggregate Year-to-Date > 0			
Joe Engel 301 Engel Circle, Pinecrest Jasper, AL 35501		6/15/92	500.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
Aggregate Year-to-Date > 0			
Ariene F. Mitchell P. O. Box 16006 Mobile, AL 36686		6/15/92	500.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
Aggregate Year-to-Date > 0			
Lee E. Bains, Jr. 3536 Country Club Road Birmingham, AL 35213		6/16/92	500.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
Aggregate Year-to-Date > 0			
James E. Priester 3604 Ridge View Drive Birmingham, AL 35213		6/16/92	500.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
Aggregate Year-to-Date > 0			

**SUBTOTAL of Receipts This Page (optional)** ..... 7,000.00

**TOTAL This Period (see page 11b line number only)** .....

94030964464  
92014314972

**SCHEDULE A**

**ITEMIZED RECEIPTS**

Use separate schedules for each category of the Detailed Summary Page

PAGE 3 OF 24  
FLIN LINE NUMBER 11(a)(1)

**Contributions from Individuals - Persons**

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NAME OF COMMITTEE (in Full)

Hilliard for Congress C00262816

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt (this Period)
J. Michael Savage 1015 40th Street South Birmingham, AL 35222		6/16/92	500.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 0	
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt (this Period)
Nathan A. Chapman, Jr. 311 Attendale Street Baltimore, MD 21229		6/16/92	1,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 0	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt (this Period)
Ida Iuz Chapman 1044 Fair Oaks Columbia, MD 21044		6/16/92	1,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 0	
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt (this Period)
Kevin E. Davis 1530 Stonewood Road Baltimore, MD 21239		6/16/92	1,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 0	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt (this Period)
Keith Andre Holmes 3526 Woodmoore Road Baltimore, MD 21207		6/16/92	1,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 0	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt (this Period)
Earl U. Bravo, Sr. 10813 Wide Woods Way Columbia, MD 21044		6/15/92	1,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 0	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt (this Period)
A. Cecil Jones 5004 5th Avenue South Birmingham, AL 35212		6/16/92	1,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 0	

<b>SUBTOTAL of Receipts This Page (optional)</b> .....	6,500.00
<b>TOTAL This Period (last page with line number only)</b> .....	

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920134973

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

PAGE 4 OF 24  
FOR LINE NUMBER 11(a)(1)

**SCHEDULE A ITEMIZED RECEIPTS**

**Contributions from Individuals/Persons**

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

NAME OF COMMITTEE In Full

Williard for Congress C00262816

94030964466  
92014514974

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Harold Gilchrist 1457 Miami Drive Birmingham, AL 35214		6/16/92	250.00 (Memo)
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date > \$ 500.00	
B. Full Name, Mailing Address and ZIP Code Joseph A. Miller, Jr. 4749 Overwood Circle Birmingham, AL 35222		6/16/92	500.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date > \$	
C. Full Name, Mailing Address and ZIP Code Anthony G. Henry, III 1625 Bessemer Road Birmingham, AL 35208	Henry & Associates	6/16/92	50.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date > \$	
D. Full Name, Mailing Address and ZIP Code Anthony G. Henry, Jr. 1625 Bessemer Road Birmingham, AL 35208	Henry & Associates	6/16/92	200.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date > \$	
E. Full Name, Mailing Address and ZIP Code Gene Freeman F. O. Box 320036 Birmingham, AL 35232-0036		6/14/92	300.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date > \$	
F. Full Name, Mailing Address and ZIP Code Donald O. Drummond 101 Walston Bridge Road Jasper, AL 35801		6/16/92	1,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date > \$	
G. Full Name, Mailing Address and ZIP Code John Drummond Route 4 Box 140 Jasper, AL 35801		6/16/92	1,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date > \$	

<b>SUBTOTAL</b> of Receipts This Page (entered)	3,300.00
<b>TOTAL</b> This Period (last page (do line number only)	

**SCHEDULE A**

**ITEMIZED RECEIPTS**

Use separate schedule for each category of the attached Summary Page

PAGE 5 OF 24  
FORM LINE NUMBER  
11(a)(1)

**Contributions from Individuals/Persons**

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

NAME OF COMMITTEE (in Full)

Milliard for Congress C00262816

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93014314975

Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
E. A. Drummond 501 Glen Oaks Drive Jasper, AL 35501		6/16/92	1,000.00 (memo)
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 2,000.00	
F. Suzanne Tichelli 4350 Cliff Road B'ham, AL 35222		6/16/92	25.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 0	
G. Joroth G. Baker 2512 Glenmere Place B'ham, AL 35211		6/16/92	25.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 0	
H. B. Joan Rickels P. O. Box 55284 Birmingham, AL 35255-5284		6/16/92	50.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Attorney	Aggregate Year-to-Date > 0	
I. Julia & Ennis Morning 1825 Shades Crest Road B'ham, AL 35215 B'ham, AL 35216-1413		6/18/92	50.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 0	
J. Carol A. Hickay 1201 Sharpsburg Circle B'ham, AL 35213		6/20/92	25.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 0	
K. Eula McGill P. O. Box 101463 B'ham, AL 35210		6/18/92	25.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 0	

<b>SUBTOTAL</b> of Receipts This Page (optional) .....	1,200.00
<b>TOTAL</b> This Period (last page this line number only) .....	

**SCHEDULE A**

**ITEMIZED RECEIPTS**

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

PAGE **6** OF **24**  
FORM LINE NUMBER  
**11(a)(1)**

**Contributions from Individuals/Persons**

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

NAME OF COMMITTEE IN FULL

**Hilliard for Congress C00262816**

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Rachel D. Daughty 624 46th Street So. B'ham, AL 35222		6/18/92	10.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 0	
A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Ada White Long 1732 15th Avenue So. B'ham, AL 35205		6/18/92	30.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 0	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Steven C. Gilmer 1412 17th Avenue So. B'ham, AL 35205		6/18/92	20.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 0	
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Patrick Byington 2108 28th Street So., Apt. #1 B'ham, AL 35205		6/18/92	20.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 0	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Patrick H. Smith, M.D. 1105 Parkway East B'ham, AL 35206		6/18/92	100.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 0	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Lillian T. Conrad 1908 Post Oak Road B'ham, AL 35216		6/18/92	100.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 0	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Garry N. Drummond P. O. Box 1549 Jasper, AL 35501		6/18/92	1,000.00 (memo)
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 0	

**SUBTOTAL of Receipts This Page (optional) ..... 1,280.00**

**TOTAL This Period (next page this line number only) .....**

94030964468  
92014314973

**SCHEDULE A**

**ITEMIZED RECEIPTS**

Use separate schedules for each category of the Detailed Summary Page

PAGE 9 OF 24  
FORM LINE NUMBER 11(a)(i)

**Contributions from Individuals/Persons**

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

NAME OF COMMITTEE (in Full)

Hilliard for Congress C00262816

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Segal Drummond 1200 Hickory Hill Lane Jasper, AL 35501		6/18/92	1,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 8	
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
H. J. Russell 714 Shorter Terrace N.W. Atlanta, GA 30318		6/18/92	1,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 8	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Bruce A. Lucero, M.D. 1513 4th Avenue So. B'ham, AL 35203		6/18/92	500.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 8	
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
J. George Mitnick College Hill Road Jasper, AL 35501		6/18/92	250.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 8 1,250.00	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Claire G. Hazer 940 Brittany Road Highland Park, IL 60035		6/18/92	500.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 8	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Virginia Parker Cook 84 The Highlands Tuscaloosa, AL 35404		6/19/92	200.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 8	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Estan J. Bloom P. O. Box 580 Tuscaloosa, AL 35402		6/19/92	100.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > 8	

SUBTOTAL of Receipts This Page (optional)

3,450.00

TOTAL This Period (last page only)

9201514979  
94030964469

**SCHEDULE A**

**ITEMIZED RECEIPTS**

Use separate schedule for each category of the Detailed Summary Page

PAGE 1 OF 4

FOR LINE NUMBER

11(c)

**Contributions from other Political Committees**

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

NAME OF COMMITTEE OR FULL

Billard for Congress Campaign C00262816

A. Full Name, Mailing Address and ZIP Code Central BanPAC P. O. Box 10566 Birmingham, AL 35205	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation	6/12/92	2,000.00

Receipt For:  Primary  General  Other (specify):

Aggregate Year-to-Date > 0

B. Full Name, Mailing Address and ZIP Code Central BanPAC P. O. Box 10566 Birmingham, AL 35205	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation	6/12/92	1,000.00

Receipt For:  Primary  General  Other (specify):

Aggregate Year-to-Date > \$ 3,000.00

C. Full Name, Mailing Address and ZIP Code Walter Industries, Inc. PAC P. O. Box 31601 Tampa, FL 33631-3601	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation	6/15/92	500.00

Receipt For:  Primary  General  Other (specify):

Aggregate Year-to-Date > 0

D. Full Name, Mailing Address and ZIP Code Arrington Campaign 1245 Pines Street, S.W. Birmingham, AL 35211	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation	6/18/92	1,000.00

Receipt For:  Primary  General  Other (specify):

Aggregate Year-to-Date > \$ 2,000.00

E. Full Name, Mailing Address and ZIP Code CMA Cope PCC 501 3rd Street, N.W. Washington, DC 2001	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation	6/16/92	2,500.00

Receipt For:  Primary  General  Other (specify):

Aggregate Year-to-Date > 0

F. Full Name, Mailing Address and ZIP Code Alabama Power Co. Employee Federal Political Action Committee P. O. Box 2691 Birmingham, AL 35291	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation	6/18/92	2,000.00

Receipt For:  Primary  General  Other (specify):

Aggregate Year-to-Date > 0

G. Full Name, Mailing Address and ZIP Code Florida Congressional Committee	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation	6/18/92	1,000.00

Receipt For:  Primary  General  Other (specify):

Aggregate Year-to-Date > 0

**SUBTOTAL of Receipts This Page (optional)** ..... 10,000.00

**TOTAL This Period (last page (fill the number only))** .....

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92014514995

**SCHEDULE A**

**ITEMIZED RECEIPTS**

(Use separate schedule for each category of the Detailed Schedule, Page

PAGE OF 4  
FORM LINE NUMBER 11(c)

**Contributions from other Political Committees**

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

NAME OF COMMITTEE (in Full)

Ballard for Congress Campaign C00762815

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt (this Period)
Cnel PAC 1130 Seventeenth Street, N.W. Washington, DC 20005 Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation: Aggregate Year-to-Date > 0	6/19/92	1,000.00
B. Full Name, Mailing Address and ZIP Code Independent Bankers Political Act. Committee One Thomas Circle, N.W., Suite 950 Washington, DC 20005 Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation: Aggregate Year-to-Date > 0	6/19/92	500.00
C. Full Name, Mailing Address and ZIP Code Voters for Choice 2000 P. Street, N.W., Suite 515 Washington, DC 20036-5916 Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation: Aggregate Year-to-Date > 0	6/19/92	1,000.00
D. Full Name, Mailing Address and ZIP Code Citizens for Responsible Government P. O. Box 2792 Birmingham, AL 35202 Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation: Aggregate Year-to-Date > 0	6/19/92	300.00
E. Full Name, Mailing Address and ZIP Code Alabama Realtors Political Action Committee P. O. Box 4070 Montgomery, AL 36105 Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation: Aggregate Year-to-Date > 0	6/22/92	300.00
F. Full Name, Mailing Address and ZIP Code Southern Company Services (PAC) 64 Forimeter Center East Atlanta, GA 30346 Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation: Aggregate Year-to-Date > 0	6/22/92	250.00
G. Full Name, Mailing Address and ZIP Code Georgia Power Company P. O. Box 4418 Atlanta, GA 30302 Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation: Aggregate Year-to-Date > 0	6/22/92	500.00

SUBTOTAL of Receipts This Page (optional) .....	3,150.00
TOTAL This Period (last page this line number only) .....	

92014314290

**SCHEDULE A**

**ITEMIZED RECEIPTS**

Use separate schedule for each category of the Detailed Summary Page

PAGE 4 OF 4  
FORM LINE NUMBER 11(c)

**Contributions from other Political Committees**

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

NAME OF COMMITTEE (in Full)

Hilliard for Congress Campaign C00762816

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A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Good Government League P. O. Box 2496 Birmingham, AL 35201 Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		6/25/92	250.00
Aggregate Year-to-Date > 0			
Energen Corporation Political Action Committee 2101 6th Avenue North Birmingham, AL 35203 Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		6/25/92	2,000.00
Aggregate Year-to-Date > 0			
George Perdue Campaign P. C. Box 2473 Birmingham, AL 35201 Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		6/26/92	100.00 (memo)
Aggregate Year-to-Date > 150.00			
American For Good Government, Inc. P. O. Box 3128 Jasper, AL 35502 Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		6/29/92	5,000.00
Aggregate Year-to-Date > 0			
ABPAC Alabama Builders Political Action Committee P. O. Box 1431 Montgomery, AL 36130 Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		6/30/92	500.00
Aggregate Year-to-Date > 0			
The Political Action Committee The Alabama Farmers Federation P. O. Box 11023 Montgomery, AL 36196 Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		6/12/92	3,000.00
Aggregate Year-to-Date > 0			
PeanutPAC of Alabama P. O. Box 1706 Dothan, AL 36302 Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		6/24/92	3,000.00
Aggregate Year-to-Date > 0			

<b>SUBTOTAL of Receipts This Page (optional)</b> .....	13,850.00
<b>TOTAL This Period (fill page this line number only)</b> .....	44,050.00



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20543

BQ-2

OCT 6 1992

James H. Parker, Treasurer  
Williard For Congress Campaign  
1614 3rd Avenue North  
Birmingham, AL 35203

Identification Number: C00262816

Reference: Amended July Quarterly Report (6/12/92-6/30/92),  
dated 8/12/92

Dear Mr. Parker:

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:

-Schedule A of your report (pertinent portion attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. An individual, a partnership, or a political committee other than a qualified multi-candidate committee may not make a contribution to a candidate for federal office in excess of \$1,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (2 U.S.C. §441a(a) and (f); 11 CFR §110.1(b), (c) and (h))

Please note that contributions designated in writing by the contributor for a particular election must be attributed to that election. Contributions not designated in writing by the contributor will be considered made for the next election for that Federal Office (runoff) (11 CFR §110.1(b)(2)(i) and (ii)).

Any contribution drawn on a joint checking account will be considered made by both individuals only if the check is signed by both or is accompanied by a written document noting the amount attributable to each individual and is signed by each individual. (11 CFR §110.1(k)(1) and (2))

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with the clarifying information. If the

9..4 0 3 0 9 6 4 4 7 3  
7 2 . 3 7 3 3 1 7 7

contribution(s) you received exceeds the limits, you should refund to the donor the amount in excess of \$1,000. Refunds must be made within sixty days of the treasurer's receipt of the contribution. Copies of refund checks may be used to respond to this letter. Refunds are reported on Line 30 of the Detailed Summary Page and on Schedule B of the report covering the period in which they are made. (11 CFR §104.8(d)(4))

Although the Commission may take further legal steps, prompt action by you to refund the excessive amount will be taken into consideration.

Review of the last two reports required to be filed indicates that your committee has accepted contributions in excess of the limitations established by Section 441a of the Federal Election Campaign Act. It is recommended that your procedures for screening contributions be examined and adjustments made to remedy this problem.

-Column B figures for the Summary and Detailed Summary Pages should equal the sum of the Column B figures on your amended 15 Day Pre-Runoff report and the Column A figures on this report. Please amend your report to correct the Column B discrepancies for Line(s) 17 and any subsequent report(s) which may be affected by this correction. Note that Column B should reflect only the year-to-date totals for calendar year 1992.

-Line 10 of the Summary Page of your report discloses \$7,099.00 in outstanding loans/debts. The sum of Schedule C loans and Schedule D debts indicates \$13,572.34 in outstanding obligations. Please explain the discrepancy and amend your report. (11 CFR §104.3(d))

-Line 17, Column A, of the Detailed Summary Page discloses \$111,610.37 in operating expenditures. The total on the last page of Schedule B supporting this line equals \$111,610.37; however, the sum of all entries itemized equals \$113,949.30. Please explain this discrepancy and amend your report(s).

-Line 11(c), Column A, of the Detailed Summary Page discloses \$44,050 in receipts. Schedule A supporting Line 11(c) itemizes \$10,050 in receipts. These amounts should be the same. Please explain the discrepancy and amend your report(s). (11 CFR §104.11(a))

-Debt payments for this period (Schedule D) are greater than the payments itemized on Schedule B. Each expenditure to a person which in the aggregate is greater than \$200 for the year must be reported on Schedule B. "Person" includes an individual,

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partnership, corporation, association, and public or private organization -- other than an agency of the United States Government. Please explain the discrepancies in the payments made to WXTT, WTUG, and Street Printing. (11 CFR §§104.3(b)(4)(i)(A) and 100.10)

-Schedule B of your report itemizes debts with outstanding beginning balances; however, these debts were not included on your previous report. Please refer to Section 104.11(b) of the FEC Regulations and amend your report(s).

-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-Pushoff 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 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(2))

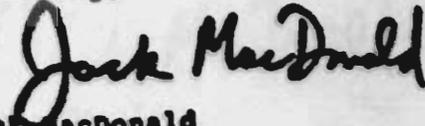
-You have previously indicated that your committee has been using "best efforts" to obtain the occupation and name of employer for each contributor. This report discloses a significant increase in the number of entries for which the occupation and/or employer is not available. Please note that the treasurer of a political committee must make at least one effort per solicitation, either by a written request or by an oral request, documented in writing.

-2 U.S.C. §434(b)(3) requires itemization of contributions from individuals and persons other than political committees, where the aggregate total from the contributor exceeds \$200 in a calendar year. In addition, 11 CFR §104.3(a)(2)(i)(B) requires a committee to report the total amount of unitemized contributions (see Line 11(a)(iii) of the Detailed Summary Page). If a committee wishes to disclose contributions regardless of the amount contributed, the committee must separate (on separate receipt schedules) those contributors requiring itemization from those who are not required to be itemized. (11 CFR §104.3(a)(4)(i)) For future filings, please submit your reports in this order.

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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) 219-3500.

Sincerely,



Jack MacDonald  
Reports Analyst  
Reports Analysis Division

94030964476

92037333160

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

FIRST GENERAL COUNSEL'S REPORT

RAD Referral 92L-29  
STAFF MEMBER: Frances B. Hagan

SOURCE: INTERNALLY GENERATED

RESPONDENTS: Hilliard for Congress Campaign  
James H. Parker, as treasurer

**SENSITIVE**

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

I. GENERATION OF MATTER

The Office of the General Counsel received a referral from the Reports Analysis Division ("RAD") on December 29, 1993. Attachment A. The basis for the attached referral is the failure of the Hilliard for Congress Campaign and James H. Parker, as treasurer, ("Respondents") to file five 48 Hour notifications ("48 Hour Notices") for contributions totaling \$32,500, received before the 1992 Primary Run-off Election. Candidate Earl Frederick Hilliard won the 1992 Primary Run-off and General Elections in Alabama's Seventh Congressional District with 50.5% and 80% of the vote, respectively.

II. FACTUAL AND LEGAL ANALYSIS

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

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

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**IV. RECOMMENDATIONS**

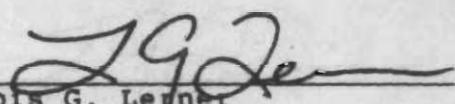
1. Open a MUR.
2. Find reason to believe that the Hilliard for Congress Campaign and James H. Parker, as treasurer, violated 2 U.S.C. § 434(a)(6), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the attached Factual and Legal Analysis, the proposed Conciliation Agreement, and the appropriate letter.

Lawrence M. Noble  
General Counsel

Date

2/25/93

BY:

  
Lois G. Lerner  
Associate General Counsel

**Attachments:**

- A. Referral Materials
- B. Factual and Legal Analysis
- C. Proposed Conciliation Agreement



FEDERAL ELECTION COMMISSION  
WASHINGTON DC 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS /DONNA ROACH *DR*  
COMMISSION SECRETARY

DATE: MARCH 4, 1993

SUBJECT: RAD REFERRAL #92L-29 - FIRST GENERAL COUNSEL'S REPORT  
DATED FEBRUARY 25, 1993.

The above-captioned document was circulated to the Commission on MONDAY, MARCH 1, 1993 at 11:00 A.M.

Objection(s) have been received from the Commissioner(s) as indicated by the name(s) checked below:

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Potter	<u>XXX</u>
Commissioner Thomas	_____

This matter will be placed on the meeting agenda for TUESDAY, MARCH 9, 1993.

Please notify us who will represent your Division before the Commission on this matter.

94030964479

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Hilliard for Congress Campaign; )  
James H. Parker, as treasurer. )

RAD Referral  
#92L-29

MUR 3746

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on March 9, 1993, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions with respect to RAD Referral #92L-29:

1. Open a MUR.
2. Find reason to believe that the Hilliard for Congress Campaign and James H. Parker, 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, the proposed Conciliation Agreement, and the appropriate letter as recommended in the General Counsel's report dated February 25, 1993.

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

Attest:

3-9-93  
Date

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

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 11, 1993

James H. Parker, Treasurer  
Hilliard for Congress Campaign  
P.O. Box 11385  
Birmingham, AL 35202-1385

RE: MUR 3746  
Hilliard for Congress Campaign  
James H. Parker, as treasurer

Dear Mr. Parker:

On March 9, 1993, the Federal Election Commission found that there is reason to believe the Hilliard for Congress Campaign ("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.

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

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James H. Parker, Treasurer  
Page 2

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 Frances B. Hagan, the staff member assigned to this matter, at (202) 219-3400.

Sincerely,



Scott E. Thomas  
Chairman

Enclosures

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

cc: The Honorable Earl Frederick Hilliard

94030964482

FEDERAL ELECTION COMMISSION  
FACTUAL AND LEGAL ANALYSIS

MUR: 3746

RESPONDENTS: Hilliard for Congress Campaign  
James H. Parker, as treasurer

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).

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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).

The Primary Run-off Election in the State of Alabama was held on June 30, 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 June 11 to June 27, 1992, within

48 hours of receipt. A review of the Committee's 1992 July Quarterly Report identified 25 contributions received between June 12 and June 19, 1992, of \$1,000 or more totaling \$32,500. The Committee did not submit 48 Hour Notices for these contributions.

Therefore, there is reason to believe that the Hilliard for Congress Campaign and James H. Parker, as treasurer, violated 2 U.S.C. § 434(a)(6) by failing to report campaign contributions of \$1,000 or more, received after the 20th day, but more than 48 hours before the primary run-off election, within 48 hours of receipt of the contributions.

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COMMISSION  
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Apr 8 9 24 AM '93

HILLIARD FOR CONGRESS CAMPAIGN  
P. O. BOX 11385  
BIRMINGHAM, ALABAMA 35202  
(205) 324-7575

April 5, 1993

Frances B. Hagan  
Paralegal Specialist  
Federal Elections Commission  
Washington, DC 20463

RE: MUR 3746  
Hilliard for Congress Committee

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF COUNSEL  
93 APR -8 AM 9:50

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Dear Ms. Hagan:

I am enclosing copies of the 48-Hour Notices for the time period June 12 thru 19, 1992. We are not sure as to why you did not receive the Notices for the time period indicated herein. We were faxing and mailing notices as timely as we could. We timely reported all 48-Hour Notices before this time period and after this time period. The \$2,000 discrepancy we questioned, has been found.

If you have any questions, comments or need additional information, please do not hesitate to contact me.

Sincerely,  
*Don C. Hull*  
Don C. Hull  
Assistant Bookkeeper

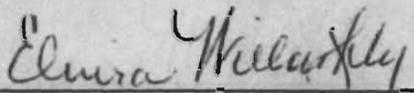
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Enclosures as stated

HILLIARD FOR CONGRESS  
C00262816  
CONTRIBUTIONS TOTALING 1,000 OR MORE

DATE	NAME	AMOUNT
6/12/92	The Political Action Committee The Alabama Farmers Federation P. O. Box 11023 Montgomery, AL 36198	\$ 3,000.00
6/12/92	Central Banpac P. O. Box 10566 Birmingham, AL 35205	2,000.00
6/12/92	Central Banpac	1,000.00
	Total Contributions	<u>\$ 6,000.00</u>

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

  
\_\_\_\_\_  
ELVIRA WILLOUGHBY  
ASSISTANT TREASURER

6-12-92  
DATE

Hilliard for Congress Campaign  
1612 3rd Avenue North  
Birmingham, AL 35203 AL/07

94030964486

HILLIARD FOR CONGRESS  
C00262816  
CONTRIBUTIONS TOTALING 1,000 OR MORE

DATE	NAME	AMOUNT
6/15/92	Dr. Roosevelt McCorvey 9200 Gainswoods Drive Montgomery, AL 36117	\$ 1,000.00
6/15/92	Beverly Love, M.D. 3090 Rosa L. Parks Avenue Montgomery, AL 36130	1,000.00
6/15/92	MTG Partners P. O. Drawer 5058 Montgomery, AL 36101	3,000.00
6/15/92	J. George Mitnick College Hill Road Jasper, AL 35501	1,000.00
6/16/92	Nathan A. Chapman, Jr. 311 Allendale Street Baltimore, MD 21229	1,000.00
6/16/92	Ida Inez Chpaman 1044 Fair Oaks Columbia, MD 21044	1,000.00
6/16/92	Kevin E. Davis 1530 Stonewood Road Baltimore, MD 21239	1,000.00
6/16/92	Keith Andre Holmes 3526 Woodmoore Road Baltimore, MD	1,000.00
6/16/92	Earl U. Bravo, Sr. 10813 Olde Woods Way Columbia, MD 21044	1,000.00
6/16/92	A. Cecil Jones 5004 5th Avenue South Birmingham, AL 35212	1,000.00

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6/16/92	Arrington Campaign 1245 Mims Street, S.W. Birmingham, AL 35211	1,000.00
6/16/92	CWA COPE PCC 501 3rd Street, N.W. Washington, DC 20001	2,500.00
6/16/92	Donald O. Drummond 101 Walston Bridge Road Jasper, AL 35501	1,000.00
6/16/92	John Drummond Route 4 Box 140 Jasper, AL 35501	1,000.00
6/16/92	E. A. Drummond 501 Glen Oaks Drive Jasper, AL 35501	1,000.00
	Total Contributions	<u>\$ 18,500.00</u>

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

*Elvira Willoughby*  
 \_\_\_\_\_  
 ELVIRA WILLOUGHBY  
 ASSISTANT TREASURER

6-17-92  
 DATE

Hilliard for Congress Campaign  
 1612 3rd Avenue North  
 Birmingham, AL 35203 AL/07

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HILLIARD FOR CONGRESS  
C00262816  
CONTRIBUTIONS TOTALING 1,000 OR MORE

DATE	NAME	AMOUNT
6/18/92	Garry N. Drummond P. O. Box 1549 Jasper, AL 35501	\$ 1,000.00
6/18/92	Segal Drummond 1200 Hickory Hill Lane Jasper, AL 35501	1,000.00
6/18/92	H. J. Russell 714 Shorter Terrace N.W. Atlanta, GA 30318	1,000.00
6/18/92	Alabama Power Company Employees Federal PAC P. O. Box 2641 Birmingham, AL 35291	2,000.00
6/18/92	Florida Congressional Comm.	1,000.00
6/19/92	Coal PAC 1130 Seventeenth Street, N.W. Washington, DC 20036	1,000.00
6/19/92	Voters For Choice 2000 P. Street, N.W., Ste. 515 Washington, DC 20036	1,000.00
	Total Contributions	\$ 8,000.00

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

*Elvira Willoughby*  
ELVIRA WILLOUGHBY  
ASSISTANT TREASURER

6-22-92

DATE

Hilliard for Congress Campaign  
1612 3rd Avenue North  
Birmingham, AL 35203 AL/07

94030964489

HILLIARD FOR CONGRESS  
P. O. BOX 11385  
BIRMINGHAM, ALABAMA 35202-1385  
(205) 324-7575

Frances B. Hagan  
Paralegal Specialist  
Federal Elections Commission  
Washington, DC 20463

RE: MUR 3746  
Hilliard for Congress Committee

Dear Ms. Hagan:

Please accept this statement as authorization for you to confer with Ms. Theta Shipp in reference to the 48-hour notices that were not timely received.

If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

*Elvira Willoughby*  
Elvira Willoughby  
Assistant Treasurer

/ew

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HILLIARD FOR CONGRESS

GOTV HEADQUARTERS  
1612 3rd AVENUE NORTH  
P. O. BOX 11385 35202  
BIRMINGHAM, ALABAMA 35203  
TELEPHONE (205) 324-7575  
FAX (205) 324-7589

MAY 6 8 13 AM '93

MAY 6

May 3, 1993

JOHN HILLIARD  
Campaign Chairman  
EARL HILLIARD, JR.  
Campaign Manager

Ms. Frances B. Hagan  
Paralegal Specialist  
Federal Election Commission  
999 E Street, N.W., Suite 657  
Washington, DC 20463

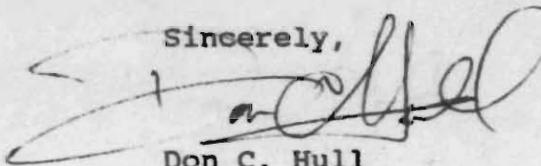
Dear Ms. Hagan:

I am writing in regards to MUR 3746, the Hilliard for Congress Committee concerning reporting of 48-Hour contributor notices. As discussed, our committee has attempted to locate mailing or faxing receipts for 48-Hour Notices as defined in 2 USC §434(a)(6)(A). We cannot explain why there are missing contribution reports for the period of June 12 to June 19. Our record had been consistent in that we had filed all 48-Hour reports for the primary as well as the general election. In addition, we filed 48-Hour reports for the period of June 23-June 27 for the special election.

Since we had consistently filing the disclosure requirements of the FEC in our other campaign reports, there is no inherent reason for us to mask the source of our support. Either it was an honest mistake or the reports were lost in transmission.

Thank you for your cooperation.

Sincerely,



Don C. Hull  
Assistant Treasurer

/dch  
Enclosure as stated

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93 JUN 11 11:11 AM '93

**HILLIARD FOR CONGRESS**

GOTV HEADQUARTERS  
1612 3rd AVENUE NORTH  
P. O. BOX 11385 35202  
BIRMINGHAM, ALABAMA 35203  
TELEPHONE (205) 324-7575  
FAX (205) 324 7589

JOHN HILLIARD  
Campaign Chairman  
EARL HILLIARD, JR.  
Campaign Manager

June 4, 1993

Re: MUR 3746

Frances B. Hagan  
Paralegal Specialist  
Federal Election Commission  
Washington, D.C. 35202

Dear Ms. Hagan:

The Congressman is out of the country presently and we can't transmit a reply until he returns later next week.



Don C. Hull  
Assistant Treasurer

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 3746  
Hilliard for Congress Campaign )  
Rita Hall, as treasurer )  
 )

**SENSITIVE**

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On March 9, 1993, the Federal Election Commission found reason to believe that the Hilliard for Congress Campaign ("Committee") and its treasurer violated 2 U.S.C. § 434(a)(6). At the same time, the Commission approved a conciliation agreement including an admission of the violation and a civil penalty for failure to submit 48-hour reports for contributor donations totaling \$32,500.

II. ANALYSIS

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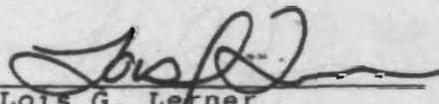
This Office will move to the next enforcement stage as the extended pre-probable cause period has not produced a resolution.

III. RECOMMENDATIONS

- 1.
2. Approve the appropriate letter.

Lawrence M. Noble  
General Counsel

Date 7/28/93

BY:   
Lois G. Lerner  
Associate General Counsel



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/BONNIE J. ROSS   
COMMISSION SECRETARY

DATE: AUGUST 2, 1993

SUBJECT: MUR 3746 - GENERAL COUNSEL'S REPORT  
DATED JULY 28, 1993.

The above-captioned document was circulated to the Commission on Thursday, July 29, 1993 at 4:00 p.m.

Objection(s) have been received from the Commissioner(s) as indicated by the name(s) checked below:

Commissioner Aikens \_\_\_\_\_

Commissioner Elliott XXX

Commissioner McDonald \_\_\_\_\_

Commissioner McGarry \_\_\_\_\_

Commissioner Potter \_\_\_\_\_

Commissioner Thomas \_\_\_\_\_

This matter will be placed on the meeting agenda for Tuesday, August 10, 1993.

Please notify us who will represent your Division before the Commission on this matter.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 3746  
Hilliard for Congress Campaign; )  
Rita Hall, as treasurer )

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on August 10, 1993, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 3746:

- 1.
2. Direct the Office of General Counsel to inform the Hilliard for Congress Campaign and James H. Parker, as treasurer, that

within ten days of its receipt, the Commission will move to the next stage of the enforcement process.

(continued)

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3. Direct the Office of General Counsel to send an appropriate letter pursuant to the above actions.

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

Attest:

8-12-93  
Date

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

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20461

AUGUST 13, 1993

Don Hull, Assistant Treasurer  
Hilliard for Congress  
1612 3rd Avenue North  
P.O. Box 11385  
Birmingham, Alabama 35203

RE: MUR 3746

Dear Mr. Hull:

The Commission is still hopeful that this matter can be settled through a preprobable cause conciliation agreement. Nevertheless, the Commission has directed the Office of the General Counsel to move on to the next stage of the enforcement process if the enclosed agreement is not accepted within ten days of receipt of notification.

Should you have any further questions, please contact me at (202) 219-3400.

Sincerely,

*Frances B. Hagan* (F.B.H.)  
Frances B. Hagan  
Paralegal Specialist

Enclosure  
Conciliation Agreement

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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F.E.C.  
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93 SEP -9 PM 3:56

**SENSITIVE**

September 9, 1993

Elvira Willoughby, Treasurer  
Hilliard for Congress Campaign  
1612 Third Avenue North  
P.O. Box 11385  
Birmingham, Alabama 35203

RE: MUR 3746  
Hilliard for Congress Campaign  
Elvira Willoughby, as treasurer

Dear Ms. Willoughby:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, on March 9, 1993, the Federal Election Commission found reason to believe that the Hilliard for Congress Campaign ("Committee") and its treasurer violated 2 U.S.C. § 434(a)(6), 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 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.

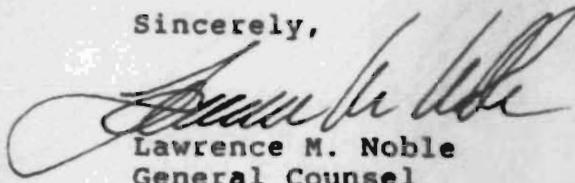
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Elvira Willoughby, Treasurer  
Page 2

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 Frances B. Hagan, the staff member assigned to this matter, at (202) 219-3400.

Sincerely,



Lawrence M. Noble  
General Counsel

Enclosure  
Brief

94030964500

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 3746  
Hilliard for Congress Campaign )  
Elvira Willoughby, as treasurer )

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

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).

The Hilliard for Congress Campaign ("Committee") was principal campaign committee for Earl Frederick Hilliard, candidate for the U.S. House of Representatives in Alabama's Seventh Congressional District.

The Primary Run-off Election in the State of Alabama was held on June 30, 1992. Pursuant to the Act, the Committee was required to notify the Commission in writing of all contributions of \$1,000 or more received from June 11 to June 27, 1992, within 48 hours of receipt. A review of the Committee's 1992 July Quarterly Report identified 25 contributions of \$1,000 or more received between June 12 and June 19, 1992, totaling \$32,500. The Committee did not submit 48 Hour Notices for these contributions.

On March 9, 1993, the Federal Election Commission found reason to believe that the Hilliard for Congress Campaign and its treasurer violated 2 U.S.C. § 434(a)(6).

II. ANALYSIS

The Federal Election Campaign Act of 1971, as amended ("the

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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).

The Committee received 25 contributions within 20 and two days of the June 30, 1992, primary run-off election. Therefore, 48-hour reports were required. The Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that the Hilliard for Congress Campaign and Elvira Willoughby, as treasurer, violated 2 U.S.C. § 434(a)(6) by failing to report within 48 hours of receipt campaign contributions of \$1,000 or more received after the 20th day, but more than 48 hours before the primary run-off election.

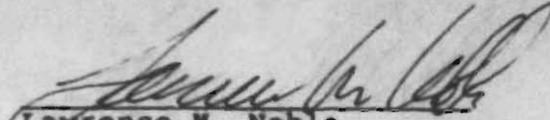
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**III. GENERAL COUNSEL'S RECOMMENDATION**

Find probable cause to believe that the Hilliard for Congress Campaign and Elvira Willoughby, as treasurer, violated 2 U.S.C. § 434(a)(6).

9/8/93

Date

  
Lawrence M. Noble  
General Counsel

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 3746  
Hilliard for Congress Campaign )  
Elvira Willoughby, treasurer )  
 )

**SENSITIVE**

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On March 9, 1993, the Federal Election Commission found reason to believe that the Hilliard for Congress Campaign ("Committee") and its treasurer violated 2 U.S.C. § 434(a)(6). The Hilliard for Congress Campaign was principal campaign committee for Earl Frederick Hilliard, 1992 candidate for the U.S. House of Representatives in Alabama's Seventh Congressional District.

On September 9, 1993, the General Counsel's Brief was mailed, notifying the Committee that this Office is prepared to recommend that the Commission find probable cause to believe the violation occurred in this matter. The Committee did not formally respond to the Brief even though we discussed the issues and procedures with the Committee treasurer and the candidate after they received the Brief.

On November 8, 1993, this Office circulated a report recommending that the Commission find probable cause to believe that a violation occurred in this matter. That report was withdrawn in light of the Court's opinion in FEC v. NRA Political

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Victory Fund, et al., No. 91-5360 (D.C. Cir. Oct. 22, 1993) ("NRA"). This report contains a recommendation to assure that this matter conforms to the NRA opinion.

II. RECOMMENDED ACTIONS IN LIGHT OF FEC v. NRA

Consistent with the Commission's November 9, 1993 decisions concerning compliance with the NRA opinion, and based on the original referral from the Reports Analysis Division, this Office recommends that the Commission ratify the determination to find reason to believe that the Hilliard for Congress Campaign and its treasurer violated 2 U.S.C. § 434(a)(6). See Attachment B.

III. ANALYSIS

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).

The Primary Run-off Election in the State of Alabama was held on June 30, 1992. Pursuant to the Act, the Committee was

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required to notify the Commission in writing of all contributions of \$1,000 or more received from June 11 to June 27, 1992, within 48 hours of receipt. A review of the Committee's 1992 July Quarterly Report identified 25 contributions of \$1,000 or more received between June 12 and June 19, 1992, totaling \$32,500. The Committee did not submit 48 Hour Notices for these contributions.

Therefore, the Office of the General Counsel recommends that the Commission find probable cause to believe that the Hilliard for Congress Campaign and Elvira Willoughby, as treasurer, violated 2 U.S.C. § 434(a)(6) by failing to report within 48 hours of receipt campaign contributions of \$1,000 or more received after the 20th day, but more than 48 hours before the primary run-off election.

IV. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

V. RECOMMENDATIONS

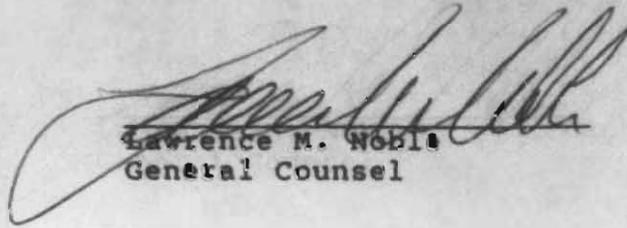
1. Ratify the Commission's determination to find reason to believe that the Hilliard for Congress Campaign and its treasurer violated 2 U.S.C. § 434(a)(6).

2. Find probable cause to believe that the Hilliard for Congress Campaign and Elvira Willoughby, as treasurer, violated 2 U.S.C. § 434(a)(6).

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3. Approve the attached conciliation agreement and the appropriate letter.

12/27/93  
Date

  
Lawrence M. Noble  
General Counsel

Attachment:

- A. Conciliation Agreement
- B. Certification of Vote on Reason to Believe

Staff assigned: Frances B. Hagan

94030964507



FEDERAL ELECTION COMMISSION  
WASHINGTON DC 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/BONNIE J. ROSS   
COMMISSION SECRETARY

DATE: JANUARY 6, 1994

SUBJECT: MUR 3746 - GENERAL COUNSEL'S REPORT  
DATED DECEMBER 27, 1993.

The above-captioned document was circulated to the Commission on Monday, December 27, 1993 at 4:00 p.m.

Objection(s) have been received from the Commissioner(s) as indicated by the name(s) checked below:

Commissioner Aikens \_\_\_\_\_

Commissioner Elliott \_\_\_\_\_

Commissioner McDonald \_\_\_\_\_

Commissioner McGarry XXX

Commissioner Potter XXX

Commissioner Thomas \_\_\_\_\_

This matter will be placed on the meeting agenda for Tuesday, January 11, 1994.

Please notify us who will represent your Division before the Commission on this matter.

94030964508

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 3745  
Hilliard for Congress Campaign; )  
Elvira Willoughby, treasurer )

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on January 11, 1994, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 3746:

1. Ratify the Commission's determination to find reason to believe that the Hilliard for Congress Campaign and its treasurer violated 2 U.S.C. § 434(a)(6).
2. Find probable cause to believe that the Hilliard for Congress Campaign and Elvira Willoughby, as treasurer, violated 2 U.S.C. § 434(a)(6).
3. Approve the conciliation agreement and the appropriate letter as recommended in the General Counsel's report dated December 27, 1993.

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

Attest:

1-12-94  
Date

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

94030964509



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

JANUARY 19, 1994

Elvira Willoughby, Treasurer  
Hilliard for Congress Campaign  
1612 Third Avenue North  
P.O. Box 11385  
Birmingham, Alabama 35203

RE: MUR 3746  
Hilliard for Congress Campaign  
Elvira Willoughby, as treasurer

Dear Ms. Willoughby:

On January 11, 1994, the Federal Election Commission found that there is probable cause to believe the Hilliard for Congress Campaign and you, as treasurer, violated 2 U.S.C. § 434(a)(6), a provision of the Federal Election Campaign Act of 1971, as amended, in connection with the failure to report certain campaign contributions within 48 hours of receipt.

The Commission has taken several actions to comply with the requirements of the court's decision in FEC v. NRA Political Victory Fund, No 91-5360 (D.C. Cir. Oct. 22, 1993). 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 ex officios. In addition, the Commission has adopted specific procedures for revoting or ratifying decisions pertaining to open enforcement matters. As a result, the NRA decision does not further affect this enforcement action.

In this matter, on January 11, 1994, the Commission ratified its prior finding of reason to believe that the Hilliard for Congress Campaign and its treasurer violated 2 U.S.C. § 434(a)(6).

As to the probable cause finding, 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.

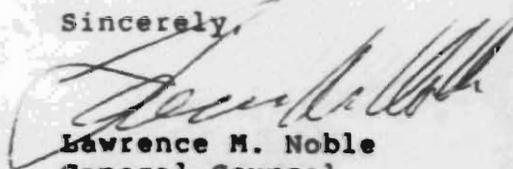
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Elvira Willoughby, Treasurer  
Page 2

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it along with the civil penalty to the Commission within ten days. I will then recommend that the Commission accept the agreement. Please make your check for the civil penalty payable to the Federal Election Commission.

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 Frances B. Hagan, the staff member assigned to this matter, at (202) 219-3400.

Sincerely,



Lawrence M. Noble  
General Counsel

Enclosure  
Conciliation Agreement

94030964511

HILLIARD FOR CONGRESS

GOTV HEADQUARTERS  
1612 3rd AVENUE NORTH  
P. O. BOX 11385 35202  
BIRMINGHAM, ALABAMA 35202  
TELEPHONE (205) 324-7575  
FAX (205) 324-7589

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF THE CLERK  
94 FEB 29 AM 9:37

JOHN HILLIARD  
Campaign Chairman  
EARL HILLIARD, JR.  
Campaign Manager

February 24, 1994

FRAN HAGAN  
PARALEGAL SPECIALIST  
FEDERAL ELECTION COMMISSION  
999 E STREET, N.W.  
WASHINGTON, D.C. 20463

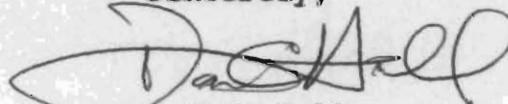
RE: MUR 3746

Dear Ms. Hagan:

Enclosed is the conciliation agreement executed by Assistant Treasurer, Toni Motley on behalf of Hilliard for Congress Campaign Committee and a cashier check in the amount of (\$1375.00) thirteen hundred and seventy-five dollars. The campaign committee had previously paid (\$4000.00) four thousand dollars in civil penalties, which when added to the (\$1375.00) should equal the total civil penalty agreed upon in paragraph (VI) of the conciliation agreement.

Please provide the Campaign Committee with a copy of the agreement once it has been executed by your office along with any other documentation that may result from the execution of the conciliation agreement.

Sincerely,

  
Don C. Hull

94 FEB 29 AM 9:40

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 3746  
Hilliard for Congress Campaign )  
Elvira Willoughby, as treasurer )  
 )

**SENSITIVE**

GENERAL COUNSEL'S REPORT

I. BACKGROUND

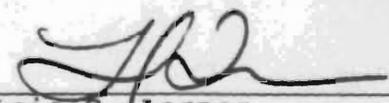
Attached is a conciliation agreement signed by Toni Motley, assistant treasurer of the Hilliard for Congress Campaign ("the Committee"). The attached agreement contains no changes from the agreement approved by the Commission on January 11, 1994. We previously received civil penalty checks totaling \$4,000. The Committee submitted an additional check of \$1,375 for the balance of the civil penalty totaling \$5,375. This Office recommends that the Commission accept the signed conciliation agreement and the civil penalty, and close the file in this matter.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with the Hilliard for Congress Campaign and Elvira Willoughby, as treasurer.
2. Close the file.
3. Approve the appropriate letter.

Lawrence M. Noble  
General Counsel

3/2/94  
Date

BY:   
Lois G. Lerner  
Associate General Counsel

Attachments

- A. Conciliation Agreement
- B. Photocopy of civil penalty check balance

Staff Assigned: Frances B. Hagan

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
 Hilliard for Congress Campaign ) MUR 3746  
 and Elvira Willoughby, as treasurer. )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 8, 1994, the Commission decided by a vote of 4-0 to take the following actions in MUR 3746:

1. Accept the conciliation agreement with the Hilliard for Congress Campaign and Elvira Willoughby, as treasurer, as recommended in the General Counsel's Report dated March 2, 1994.
2. Close the file.
3. Approve the appropriate letter, as recommended in the General Counsel's Report dated March 2, 1994.

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

Attest:

3-8-94  
Date

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

Received in the Secretariat: Thurs., Mar. 03, 1994 12:17 p.m.  
Circulated to the Commission: Thurs., Mar. 03, 1994 4:00 p.m.  
Deadline for vote: Tues., Mar. 08, 1994 4:00 p.m.

bjr

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20543

March 10, 1994

Elvira Willoughby, Treasurer  
Hilliard for Congress Campaign  
1612 Third Avenue North  
P.O. Box 11385  
Birmingham, Alabama 35203

RE: MUR 3746  
Hilliard for Congress Campaign  
Elvira Willoughby, as treasurer

Dear Ms. Willoughby:

On March 8, 1994, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on behalf of the Hilliard for Congress Campaign and you, as treasurer, 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. If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Frances B. Hagan  
Paralegal Specialist

Enclosure  
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Hilliard for Congress Campaign ) MUR 3746  
Elvira Willoughby, as treasurer )

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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 the Hilliard for Congress Campaign and its treasurer ("Respondents") violated 2 U.S.C. § 434(a)(6).

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. The Hilliard for Congress Campaign is a political committee within the meaning of 2 U.S.C. § 431(4), and is the authorized principal campaign committee for Earl Frederick Hilliard's 1992 congressional campaign.
  2. Elvira Willoughby is treasurer of the respondent

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committee. During the period in question, James H. Parker was the treasurer.

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. Among the contributions that the Respondents received between June 12 and June 19, 1992, were 25 contributions of \$1,000 or more totaling \$32,500. The Respondents did not submit 48 Hour Notices for these contributions.

V. Respondents failed to report campaign contributions in excess of \$1,000 received after the 20th day, but more than 48 hours before the primary run-off election, within 48 hours of receipt of the contributions, 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 five thousand three hundred

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seventy-five dollars (\$5,375), 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 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

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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

3-10-94  
Date

FOR THE RESPONDENTS:

*Tom R. Motley*  
(Name)  
(Position) *Asst. Treasurer*

2/23/94  
Date

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3746

DATE FILMED 3-17-94 CAMERA NO. 2

CAMERAMAN JMH

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Microfilm  
 Public Rcds  
 Press

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 3746.

5/10/94

94030973274

OGC 660

**HILLIARD FOR CONGRESS**

GOTV HEADQUARTERS  
1612 3rd AVENUE NORTH  
P. O. BOX 11385 35202  
BIRMINGHAM, ALABAMA 35203  
TELEPHONE (205) 324-7575  
FAX (205) 324-7589

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COMMISSION  
MAIL ROOM

MAR 25 11 19 AM '94

JOHN HILLIARD  
Campaign Chairman  
EARL HILLIARD, JR.  
Campaign Manager

March 22, 1994

**CLOSED**

Ms. Fran Hagan  
Paralegal Specialist  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

RE: MUR 3746

Dear Ms. Hagan:

The Hilliard for Congress Campaign Committee ("Committee") wishes to respond to your letter of March 10, 1994 in regards to a settlement of a civil violation of 2 U.S.C. 434(a)(6), a provision of the Federal Election Campaign Act of 1971, as amended. As indicated by the March 10th letter, you stated that the Committee could submit factual or legal information to be submitted for the public record. By this letter, we wish to provide such information.

The Federal Election Commission maintained that the Committee did not submit certain contributions between the dates of June 12 and June 19, 1992, by the use of 48 Hour Notices. The Committee tried to retrieve mailing or faxing receipts for this specific period but was unsuccessful. The Committee's record in filing such notices had been consistent in that it had filed all other 48 Hour Reports for the primary as well as the general election. Also, the Committee had filed 48 Hour notices for the special election for the period of June 23 - June 27 for that election. The omission for the June 12-19 period was either a honest mistake or the reports were lost in transmission. There was no reason to conceal the source of our financial support.

In addition, we were of the opinion that the penalty amount (\$5,375) was too great, both in terms of the technical violation of the missing reports, as well as past Federal Election Commission actions in the treatment of similar 48 Hour Notice violations. In our research of closed MUR cases involving 48 Hour Notice violations, there appears to be a large discrepancy in the amount of fines levied against other candidate committees and our committee. Of eleven cases disposed of between June and August of 1991, each case involved an average non-reporting of \$61,865 in contributions, almost double our violation of \$32,500. However, the average fine levied was \$2,204, considerably less than one-half our fine of \$5,375.

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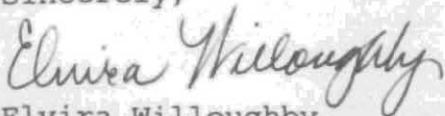
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Fran Hagan  
Page 2

Furthermore, in two 1992 election cycle cases involving 48 Hour violations, one fine was \$3,000 for violations involving \$30,000 and a \$3,000 fine for a \$25,000 violation. Clearly we paid an excessive fine. We attempted to negotiate a lesser penalty in line with the amount of our violation with the commission but were unsuccessful.

We would emphasize that our violations were inadvertent and technical in nature and absence of any intent to deceive. We think our record demonstrates this. We also feel that the Federal Election Commission was discriminatory based on race.

Sincerely,



Elvira Willoughby  
Treasurer

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