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October 22, 2007

REDACTED

VIA HAND DELIVERY

Thomasenia Duncan, Esq.
General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20436

Re: Sua Sponte Submission

Dear Ms. Duncan:

At the request of our client, undersigned counsel are bringing a matter to the attention of the Federal Election Commission. We respectfully request Fast Track Resolution ("FTR") as outlined in the Federal Election Commission's ("FEC" or "Commission") April 5, 2007 Statement of Policy (Notice 2007-8). Enclosed please find a letter summarizing the relevant facts as well as an executed statement of Designation of Counsel.

Because of the nature of certain company proprietary information contained in this submission, we would also request that this submission remain confidential pursuant to 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), and 11 C.F.R. §§ 4.5(a) and 111.21.

Sincerely,

SONNENSCHN NATH & ROSENTHAL LLP



By:

Mike McNamara

Enclosures

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STATEMENT OF DESIGNATION OF COUNSEL

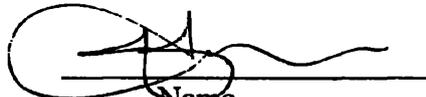
Pre-MUR: _____

COUNSEL: Mike McNamara, Esq.
Michael Zolanz, Esq.
Sonnenschein Nath & Rosenthal LLP
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The above named individuals are hereby designated as counsel and are authorized to receive any notifications or other communications from the Commission and to act on behalf of Brinker International, Inc., and Brinker International, Inc. Political Action Committee before the Commission.

28190280389

October 18, 2007
Date


Name

VP & AGC
Title

Jeffrey Hoban
Signature

Brinker International, Inc.
6820 LBJ Freeway
Dallas, Texas 75240
Tel: 972.770.4998
Fax: 972.770.9465

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BEFORE THE FEDERAL ELECTION COMMISSION RECEIVED
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In the Matter of)
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Brinker International, Inc.)
Political Action Committee)
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CONFIDENTIAL SUBMISSION

SUA SPONTE SUBMISSION

On behalf of Brinker International, Inc. ("Brinker"), and its Separate Segregated Fund the Brinker International, Inc. Political Action Committee ("Brinker PAC"), the following summarizes a series of reporting inaccuracies and recordkeeping errors identified by the company and PAC.

These reporting matters are presented in this *sua sponte* submission in order to promptly resolve these issues and take corrective action with Commission approval. Brinker respectfully requests Fast Track Resolution ("FTR") as outlined in the Federal Election Commission's ("FEC" or "Commission") April 5, 2007 Statement of Policy (Notice 2007-8). Because of the nature of certain company proprietary information contained in this submission, Brinker also requests that this submission remain confidential pursuant to 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), and 11 C.F.R. §§ 4.5(a) and 111.21.

Issue Summary

As will be further detailed below, Brinker identified a series of recordkeeping errors that resulted in inaccurate reports of PAC receipts and disbursements to the Commission over a multiple year period. In investigating these errors and developing a response, Brinker identified no misappropriation of funds or other actions intended to intentionally disguise PAC activities. All receipts and disbursements were accounted for in the course of the review, with no miscellaneous transfers, deposits, or expenditures that would provide any indication of improper or personal use of PAC funds.

As of August 31, 2007, the balance in Brinker PAC's bank account at Chase Bank, the sole financial institution for PAC funds, was \$73,952. Brinker PAC's FEC report for the period ending August 31, 2007 reported an end-balance of \$33,717 – a difference of \$40,235. Brinker has concluded this amount is the cumulative difference of four separate issues stemming from shortcomings in Brinker's recordkeeping, reporting, and other internal processes. Specifically, the following issues are outlined in this submission:

1. **Additional PAC Funds:** In 1994, \$59,072 was transferred into the Brinker PAC bank account at Chase Bank from Comerica Bank. This transfer caused a larger cash-on-hand balance than the balance previously reported to the FEC from 1994 to present. This discrepancy was first identified in early 2005, in the course of Brinker PAC's preparation to transfer PAC accounting and recordkeeping functions to Comerica Bank as the PAC's Third Party Administrator ("TPA") and Designated Reporting Agent.

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2. **Unreported Contributions:** In 2002, Brinker PAC made contributions to nine federal candidates totaling \$20,500 that were not reported to the FEC. Similarly, in September 2005, Brinker PAC made contributions totaling \$3,500 to two candidates for State office. These contributions were not reported on Brinker's FEC reports. All of these contributions were reported by the recipient committees.
3. **Payroll & Accounting Errors:** As a result of internal system and process errors, Brinker did not transfer employee payroll contributions to the Brinker PAC bank account in a timely fashion on a number of occasions from 2002 through 2006. In other instances, payroll receipts were inaccurately reported to the FEC. As a result of these issues, as of September 30, 2007, there remain untransferred employee payroll deductions as more fully discussed below.
4. **Corrective Transfer:** In August 2005, Brinker implemented a new PAC recordkeeping process. In order to correct for unfunded payroll deductions that occurred in 2002 and 2003 under the outdated process, Brinker initiated a corrective deposit to the Brinker PAC bank account in the sum of \$17,170.

When the scope and impact of these issues were identified, Brinker PAC and Brinker: (1) undertook an extensive and detailed review of internal and external records; (2) conducted employee interviews; (3) conducted a series of internal meetings to review the results of this inquiry and set a course of action; and (4) developed new PAC procedures and guidelines. These efforts are more fully detailed below in Section II.

The disclosures and analysis provided below includes further detail on Brinker PAC operations, additional specifics related to the reporting, recordkeeping, and accounting matters identified above, and a proposed conciliation approach based on the reporting errors at issue and applicable law and Commission guidance.

I. Overview

A. The Company

Brinker, headquartered in Dallas, Texas, is the operator of more than 1,800 restaurants worldwide. Brinker's brands include Chili's Grill & Bar[®], Romano's Macaroni Grill[®], On The Border Mexican Grill & Cantina[®], and Maggiano's Little Italy[®]. The first Chili's[®] restaurant opened in 1975, and Brinker became a publicly traded company (NYSE: EAT) in 1983. Brinker currently employs over 100,000 individuals, with annual sales for the fiscal year ending June 27, 2007 of approximately \$4 billion.

B. Brinker PAC Operations In General

Brinker PAC is the Separate Segregated Fund established by Brinker in the mid-1980's. Initially, the Brinker PAC bank account, along with most other Brinker accounts, was held at Comerica Bank. The PAC account was transferred to Chase Bank in 1995. Brinker PAC utilizes payroll deduction authorization, as permitted under 11 C.F.R. 114.5(k)(1) and 114.1(f), as well as solicitation of paper checks, for contributions from Brinker's restricted class to the PAC. Brinker instituted its payroll deduction system for the PAC in January 1994, and continues to

utilize an employee payroll deduction system to collect the majority of contributions to the PAC. Brinker provides executive and administrative support to the PAC, and serves as a collecting agent for employee contributions to Brinker PAC under 11 C.F.R. 102.6(b)(1). Brinker PAC has elected to file monthly with the FEC.

In May 2004, Brinker reauthorized PAC operations by corporate resolution and established new governance procedures. These procedures established a governing committee, in addition to outlining PAC operating requirements.

C. Recordkeeping and Reporting Systems

1. Brinker Payroll System and Fiscal Calendar

During the review conducted in preparation for presenting its findings to the Commission, Brinker identified a systemic mismatch between its fiscal reporting calendar and the FEC's reporting calendar, a mismatch that was exacerbated by Brinker's use of monthly reporting to the FEC. Specifically, as a result of the Brinker fiscal calendar and the operation of Brinker accounting systems under that calendar, there are days covered by the FEC reporting calendar that are not yet reflected in the Brinker systems in any given FEC reporting period.

Brinker maintains a number of internal systems for managing payroll and treasury functions. These systems include PeopleSoft, ESSBase, Single Source P&L, and other data systems (collectively, "Brinker systems"). These systems capture, compile, and report information based on Brinker's fiscal reporting calendar. Accordingly, these automated systems create administrative hurdles to any effort to implement alternative reporting schedules.

Exhibit A to this submission outlines Brinker's fiscal calendar as well as the payroll deduction and accounting process for the Brinker PAC. From an internal process perspective, the issuance of a paycheck serves as the "triggering event" for purposes of PAC accounting transfers. Specifically, once an employee paycheck is issued, any voluntary PAC payroll deduction authorized by a restricted class member is transferred to an internal "holding account."

Following the payroll deduction, as a result of Sarbanes-Oxley compliance systems, payroll must then submit a wire transfer request to have the funds transferred from the holding account to the PAC bank account at Chase Bank. This holding account contains only PAC payroll deductions, and does not contain any other non-PAC employee payroll deductions or corporate treasury funds. Once Brinker's Treasury department receives the wire transfer request from payroll, a transfer is executed. If executed properly, this process should result in a transfer of payroll deductions to the PAC account within the appropriate 10-day period.

However, Brinker's fiscal calendar and internal process timelines frequently diverge from the FEC reporting calendar. For example, the last payroll cycle in Fiscal 2007 for many of Brinker's managerial employees in the restaurants was June 8th through June 21st with paychecks issued on June 29, 2007. Funds withheld from these paychecks on June 27, 2007 would not be reflected in a bank balance until at least July 7, 2007, creating challenges to PAC recordkeeping for a monthly report to the FEC for the period ending on June 30, 2007.

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a. Brinker PAC Recordkeeping and Reporting Process

FEC reports are prepared based on Brinker's payroll data augmented with the addition of any paper checks that are delivered from restricted class members. The overwhelming majority of PAC contributions (currently in excess of 98%) are received via payroll deduction. As indicated in Exhibit A, payroll records from the Brinker systems provide the basis for preparation of the Brinker PAC reports to the FEC.

Brinker's internal review identified shortcomings in the payroll and treasury process as it related to the Brinker PAC. Brinker's review found that Brinker PAC payroll receipt data and Brinker PAC bank records were not reconciled on a regular or scheduled basis, and there were a series of delays in transferring payroll receipts to the PAC bank account. When combined with the inherent systemic lags resulting from the Brinker fiscal calendar, balance and reporting discrepancies became fairly widespread. In addition to these discrepancies, the unreported additional PAC funds of \$59,072, unreported 2002 contributions of \$20,500, and unreported 2005 contributions of \$3,500, all further aggravated the recordkeeping and reporting errors.

As shown in Exhibits D-4 and D-5, recent PAC records indicate the current payroll and transfer process has been successful in ensuring that payroll deductions are transferred to the PAC bank account within 10 days of the paycheck being issued. While earlier systemic issues have been addressed with respect to the most recent series of FEC reports filed by Brinker PAC, the impact of these prior practice errors and inaccuracies in reporting continue to impact the end balances reported by Brinker PAC currently.

II. Internal Review Timeline and Identification of Errors

A. Initial Identification of Balance Issues

In early 2005, Brinker and Brinker PAC began to explore a transfer of PAC recordkeeping and banking functions to a third party, Comerica Bank. This process would include the transfer the majority of PAC recordkeeping, reporting and treasury functions to Comerica Bank in order to dramatically improve the accuracy of FEC reporting. Specifically, Brinker employee payroll receipts would be directly transferred to Comerica Bank as a Third Party Administrator (TPA) for the PAC, and recordkeeping functions, actual check writing functions, and FEC report preparation would also be managed by Comerica Bank as a Designated Reporting Agent - subject to the approval of the Brinker PAC Treasurer. This proposed process is included at Exhibit B (as well as a copy of the contract with Comerica Bank). The initial identification of the issues referenced in this submission occurred during a review of PAC records in preparation for the transfer to Comerica Bank.

Brinker undertook a two-phased approach to remedy the bookkeeping, accounting, recordkeeping, and reporting issues. The first phase ("Phase I") took place between February 2005 and August 2005. The second phase ("Phase II") occurred between August 2005 and November 2006. Further analysis and review of the results of this internal review occurred between November 2006 and September 2007, including additional review of Brinker payroll

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and treasury data, and preparation of this submission and relevant documentation. These efforts are set forth in detail below.

Collectively, this review process succeeded in identifying the root causes of the PAC account balance discrepancies and resulted in the development of improved reporting protocols to ensure the accuracy of future reports to the FEC.

B. Phase I

1. Initial Review

An initial review of PAC records, bank account statements, and payroll receipts was conducted between February 2005 and August 2005, and identified the following:

1. Dating back to at least 1995, Brinker PAC had additional funds of approximately \$59,000 that were not reflected in Brinker PAC's reports to the FEC.
2. In 2002, Brinker PAC made a series of contributions to candidates for federal office that were not reported to the FEC. These amounts were received by the candidate committees and reported as received from the Brinker PAC. The total amount of these contributions was \$20,500, and included the following:

| Committee/Candidate | FEC ID | Date | Amount |
|---|---------------|-------------|---------------|
| Alexander for Senate, Inc. | C00375725 | 10/31/2002 | \$5,000 |
| Wayne Allard for United States Senate Committee | C00236810 | 10/31/2002 | \$2,000 |
| Dole 2002 Committee, Inc. | C00369140 | 10/31/2002 | \$3,000 |
| Friends of Connie Morella for Congress | C00198614 | 10/26/2002 | \$2,000 |
| Northup for Congress | C00364448 | 10/30/2002 | \$1,000 |
| Rangel for Congress | C00302422 | 10/31/2002 | \$1,000 |
| Team Sununu | C00370031 | 10/28/2002 | \$3,000 |
| Talent for Senate, Inc. | C00368183 | 11/2/2002 | \$3,000 |
| Turner for Congress | C00373001 | 10/30/2002 | \$500 |

Excerpted copies of the relevant reports for these committees are enclosed at Exhibit C.

3. Although Brinker had properly deducted employee contribution via payroll deduction, not all funds had been timely transferred to the Brinker PAC bank account. The Phase I review of payroll records compared to bank deposits identified the following discrepancies:

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- a. In 2002, Brinker payroll records demonstrated \$60,134 in payroll contributions, but only \$56,208 in bank deposits, a difference of \$3,926. In that same year, Brinker PAC reported \$52,408 in receipts to the FEC; and
- b. In 2003, Brinker payroll records demonstrated \$61,970 in payroll contributions, but only \$48,227 in bank deposits, a difference of \$13,742. In that same year, Brinker PAC reported \$61,862 in receipts to the FEC.

2. Initial Response

Following this initial internal review, Brinker undertook the following steps intended to resolve these discrepancies:

1. In August 2005, the PAC recordkeeping, reconciliation and review process was revised to improve coordination between Brinker's payroll and treasury teams in order to ensure both the proper reporting of receipts and disbursements, and the proper flow of funds between Brinker's internal payroll system and the PAC bank account.
2. Brinker transferred the 2002 and 2003 payroll contributions still resident in the Brinker internal payroll account to the Brinker PAC account at Chase Bank, a total transfer of \$17,170. Supporting documentation for this transfer is attached as Exhibit I.
3. Brinker implemented a comprehensive internal review of all available records from 1994 forward, as well as pre-1994 records that were available, in order to:
 - a. identify root causes of the balance discrepancies;
 - b. analyze existing and past payroll and treasury functions and processes;
 - c. determine whether any misappropriation of PAC funds had occurred;
 - d. identify the source of the approximately \$59,000 in additional funds;
 - e. ensure that all balance discrepancies were identified and cataloged; and
 - f. develop a plan for resolving these issues.

C. Phase II

1. Internal Review

Brinker legal, accounting, and government affairs personnel conducted an internal review designed to identify the scope of the issues related to the PAC records and treasury functions. From August 2005 until November 2006, Brinker undertook a detailed and extensive review of available records, developed a system for cataloging the results of this review, and prepared summaries of the data identified. This Phase II inquiry included the following:

1. The development of a review plan, including a month-by-month review of FEC Reports, bank statements, and internal payroll records covering the period from 1999 to 2006.
2. A review of banking records for years prior to 1999, to the extent they were available.

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3. A review of Brinker internal records from Brinker systems in order to track payroll receipts from the period from 2002 to 2006, including data reports on a month-by-month, aggregate, and annual basis.
4. A review of payroll solicitation authorizations and comparison of same with payroll records for the period from 2002 to 2006.
5. Preparation of summary charts that compared Brinker record data, FEC report data, and bank deposit records on a month-by-month basis for the period 2002-2006.
6. Preparation of written analyses reflecting a comparison of FEC reports, Brinker records, and other internal Brinker records to identify all aggregate variances in the categories of receipts, disbursements, cash on hand, and ending balances from 1994 through 2006.
7. Interviews held with key individuals in Brinker's treasury, payroll, and accounting departments, as well as other Brinker employees with responsibility for PAC recordkeeping and treasury functions;
8. Interim results were reviewed during meetings throughout the review process, and additional lines of inquiry were developed and refined to ensure that all available records were reviewed and analyzed.

2. Results of Phase II Inquiry

The results of the Phase II review substantially clarified the scope of the recordkeeping and process issues, and also provided a complete picture of the various balance discrepancies and reporting errors. Most critically, this review identified no misappropriation of funds. All receipts and disbursements were accounted for in the course of the review, with no miscellaneous transfers, deposits, or expenditures that would give an indication of improper or personal use of PAC funds. This review also identified the process shortcomings that caused many of these issues.

A month-by-month summary of Brinker PAC data from January 2002 through June 2007 is included at Exhibits D-1 through D-5. This data demonstrates the discrepancies identified between Brinker's payroll receipt records, PAC reports, and bank account activity. The following summarizes this data:

1. **2002 [Exhibit D-1]:** Brinker records demonstrate \$60,134 in payroll contributions, but only \$56,207.51 in bank deposits, a difference of \$3,926. In that same year, Brinker PAC reported \$52,408 in receipts to the FEC. Brinker also did not report \$20,500 in contributions to federal candidates as identified above.
2. **2003 [Exhibit D-2]:** Brinker records demonstrate \$61,970 in payroll contributions, but only \$48,227 in bank deposits, a difference of \$13,742. Brinker's PAC reports to the FEC differed from the payroll report by \$108.
3. **2004 [Exhibit D-3]:** Brinker records demonstrate \$75,635 in payroll contributions, along with a \$1,000 individual contribution. Bank records demonstrate deposits of \$75,478. In this same period, Brinker PAC reported \$75,253 to the FEC, a difference of \$619.
4. **2005 [Exhibit D-4]:** Brinker records demonstrate \$63,678 in payroll deductions, compared to \$83,948 in bank deposits. This disparity resulted largely from the August

2005 corrective deposit outlined above. Brinker PAC reported receipts of \$63,475 to the FEC. With respect to disbursements, Brinker PAC's September Monthly Report failed to identify \$3,500 in "other disbursements" related to contributions to state candidates.

5. **2006 [Exhibit D-5]:** Brinker records demonstrate \$71,293 in payroll deductions, compared to \$69,891 in bank deposits. Brinker PAC reported \$73,585 to the FEC for this same period, a difference of \$2,292.

Through August 31, 2007 (Exhibit E), Brinker records demonstrate \$58,472 in payroll deductions, compared to \$65,871 in bank deposits. Brinker PAC has reported \$61,941 to the FEC to date, a difference of \$3,469.

In addition, the comprehensive review of all PAC payroll records since 1994, compared with a month-over-month and period-by-period analysis of PAC bank account activity, identified an additional \$15,822 in payroll deductions that were not transferred from the payroll holding account to the PAC bank account (as shown on Exhibit J).

Exhibit F contains an aggregate review of Brinker records and FEC reports from 1994 - 2007, with Exhibit G demonstrating the same records – net of the impact of the issues identified in this submission.

III. Issue Analysis

A. Additional PAC Funds

Brinker PAC is obligated to accurately report receipts and disbursements to the Commission. 2 U.S.C. § 434(a)(1). These reports are required to disclose the amount of cash on hand, total amounts and details as required of contributions received, and the total amounts of disbursements made during the reporting period. 2 U.S.C. § 434(b)(1)-(4). Accordingly, as a result of the undisclosed deposit, a significant number of Brinker's reports to the FEC reflect inaccurate opening and closing balances as a result of these additional funds residing in the PAC account.

Based on a review of 13 years of bank records, internal system records, FEC reports, and interviews with treasury personnel, the internal review conducted by Brinker identified a deposit of \$59,072 to the Brinker PAC bank account in 1994. The source of these funds could not be definitively identified, but a plausible reconstruction of all available records indicates that these funds were transferred from the earlier PAC account at Comerica Bank during a broader transition of Brinker's banking relationships from Comerica Bank to Chase Bank in 1994.

While the internal analysis included interviews with Brinker treasury department and accounting staff, there were no Brinker personnel available internally that had responsibility for the PAC or for Brinker internal systems from 1994-2007, creating additional challenges to efforts to resolve the existing balance discrepancies. Brinker has accordingly elected to disclose this end-balance discrepancy to the Commission, and seek resolution of the reporting inaccuracies resulting from these funds.

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B. Unreported Contributions

Brinker PAC is obligated to accurately report receipts and disbursements to the Commission. 2 U.S.C. § 434(a)(1). These reports are required to disclose the amount of cash on hand, total amounts and details as required of contributions received, and the total amounts of disbursements made during the reporting period. 2 U.S.C. § 434(b)(1)-(4). Accordingly, Brinker's failure to disclose these contributions may represent a violation of the Federal Election Campaign Act ("Act"). The 2002 contributions occurred outside of the applicable statute of limitations, given that they occurred before the effective date of the amendments to the Act made by the Bipartisan Campaign Finance Reform Act of 2002 ("BCRA"). For violations occurring prior to November 6, 2002, a three-year statute of limitations applies. With respect to each of the unreported contributions, the omission from the FEC reports was inadvertent and unintentional on the part of Brinker PAC. In addition, with respect to the 2002 contributions, each of the candidates properly reported the receipt of a contribution from Brinker PAC. The 2005 contributions were similarly unintentional and inadvertent.

Although the 2002 contributions fall outside the statute of limitations, Brinker has elected to disclose this matter given the PAC's intention to submit a complete and detailed disclosure to the Commission. The 2005 unreported contributions were made to:

1. John Corona, a candidate for Texas State Senate -- \$2,500 on September 16, 2005; and
2. Greg Abbott, a candidate for Texas Attorney General -- \$1,000 on September 26, 2005.

These contributions were unintentionally and inadvertently omitted from Brinker PAC's September 2005, but the contributions were timely reported by both candidate committees.

Although the 2002 unreported contributions fall outside the statute of limitations, given the financial impact of these transactions on the PAC and FEC records and their interaction with other reporting errors, Brinker has elected to disclose this finding as part of a comprehensive effort to resolve all potential issues before the FEC and move forward with an integrated PAC management and accounting system through Comerica Bank.

Over the course of the Brinker PAC's operation, the nine 2002 contributions and two 2005 contributions represent uncommon errors from the perspective of Brinker PAC operations. Brinker PAC has not habitually failed to report contributions made to candidates, and has identified no other instances over a more than 13-year period in which contributions were unreported to the FEC. In each instance, the contributions were reported by the recipient committees. While there have been a series of recordkeeping errors with respect to PAC receipts and recordkeeping, a detailed review of internal Brinker records and bank statements identified no other unreported contributions. Indeed, in 2006 Brinker identified an unreported contribution to Texas Representative Kent Grusendorf (\$1,000), and immediately amended its FEC reports from February 2006 through November 2006 to correct this error.

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C. Payroll Transfers and Recordkeeping

Brinker serves as a collecting agent within the meaning of 11 C.F.R. 102.6(b)(1). As a collecting agent for Brinker PAC, Brinker is under a statutory and regulatory obligation to ensure that payroll contributions are transferred in a timely fashion to the PAC account. 2 U.S.C. §§ 432(b)(2)(A)-(B), 11 C.F.R. 102.8(b). In addition, Brinker PAC is obligated to ensure that its collecting agent complies with Commission regulations with respect to recordkeeping, reporting and transmittal. 11 C.F.R. 102.6(c)(1).

Based on the extensive internal review conducted by Brinker personnel, it is apparent that there are a number of instances in which payroll contributions were not timely transferred from the internal general ledger account designated for the PAC to the PAC bank account. Accordingly, Brinker's internal systems and process may have resulted in violations of applicable law and regulations. Exhibits D(1)-D(5) and Exhibit E detail month-by-month summaries of the preceding five years (2002 - 2007) that demonstrate the extent of the delays.

The PAC's efforts to resolve this matter internally in 2005 via a single transfer of delayed payroll deductions was born of a desire to correct the inaccuracies resulting from an outdated recordkeeping process in conjunction with the implementation of a new, improved recordkeeping process to ensure timely and accurate reports to the FEC.

The corrective transfer of funds made in 2005 from the holding account was not intended to disguise contributions or errors, but was undertaken in the belief that the issues relating to the internal discrepancies had been resolved, and in the context of an ongoing extensive internal review intended to identify all outstanding issues that had significant latency. Once the full review revealed the extent of the issue (including the manner in which the payroll transfer delays interacted with the unreported contributions and end balance discrepancy), Brinker personnel were uncertain as to the proper course for amending their filings, given the complexity of the discrepancies at issue.

Unlike other matters that the Commission has reviewed, the present circumstances do not present a case in which the vast majority of the untransferred contributions were also unreported on the Committee's FEC filings. *See, e.g.*, MUR 5229, MUR 5808, AO 2000-11, AO 1999-33. Indeed, the internal review conducted by Brinker indicated that because Brinker PAC reports were based on payroll records, Brinker's reports to the Commission accurately reflect the names, amounts, and dates of employee contributions to the PAC in most instances. The error lies with the internal recordkeeping process (e.g., absence of regular reconciliation between the PAC's bank account and payroll records, multiple data sources for preparation of PAC reports, and inadequate training of personnel responsible for preparing the FEC).

As a result of the comprehensive internal process review, the implementation of new PAC procedures in 2005, and continuing refinement of those procedures in 2006, the current process results in timely transfers of funds and accurate reporting of employee contributions to the FEC. Nevertheless, the interaction of this issue with the existence of the additional \$59,072 in funds available, as well as the unreported 2002 and 2005 contributions, create a net effect that made disclosure and conciliation the preferred route in this instance.

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Exhibit H demonstrates the comprehensive new PAC charter, operating procedures, and operating guidelines developed in response to the issues referenced in this submission.

D. Current Status of PAC Activities and Future Compliance

Brinker PAC has adopted a new series of PAC governing procedures and policies modeled on the Commission's recent guidance on best practices for PACs. These updated procedures are included at Exhibit H. In addition, Brinker has conducted internal training for those involved in PAC recordkeeping and reporting. Following resolution of this matter before the Commission, Brinker intends to proceed with outsourcing the treasury and recordkeeping functions of the PAC to Comerica Bank as its TPA and Designated Reporting Agent. Under the Comerica Bank system, Brinker payroll deductions will be processed directly by Comerica Bank, resulting in a more direct and integrated internal process for managing receipts, and adding additional expertise to the payroll deduction and transfer process.

Comerica Bank will also manage disbursements from the PAC account with the approval of the PAC treasurer and consistent with Brinker PAC Operating Guidelines. Comerica Bank will provide monthly reconciliation of the PAC bank account, and will prepare required FEC reports. Brinker PAC is prepared to activate the Comerica Bank system within 1-2 weeks of resolving the matters in this submission.

In the context of reviewing FEC reports and reconciliation reports from Comerica Bank, Brinker, with the assistance of outside compliance counsel, will evaluate the filing methodology (monthly versus quarterly) that provides the most consistent and administratively efficient method of filing with the Commission. For 2008, Brinker intends to change its filing frequency to quarterly to mitigate the impact of the Brinker fiscal year and payroll schedule.

In addition to the filing changes and recordkeeping process outlined above, after reviewing the FEC's Statement of Policy regarding internal best practices (Notice 2007-9), Brinker's internal governing documents have been amended to ensure that bank account statements are reconciled on a monthly basis by someone other than a PAC check signatory, that incoming receipts are monitored by a similarly situated individual, and that dual authorizations are required for disbursements in excess of \$1,000.

Throughout the reconciliation process, Brinker has continued to review payroll receipts and bank records on a monthly basis. On a going forward basis, beyond the reconciliation process undertaken by Comerica Bank as a part of its TPA function, Brinker accounting personnel will also review payroll receipts and bank activity records as an added layer of review. In addition, the PAC will be enlisting the support of new personnel following the transfer of PAC accounting and treasury functions to Comerica Bank.

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IV. Request for Conciliation

As shown on Exhibits D-4 and D-5, the improved process implemented by Brinker in August 2005 has resulted in consistent compliance with the 10-day transfer requirement and consistently accurate recordkeeping. The PAC believes this process will only improve with the added expertise of Comerica Bank. Although Brinker has found no evidence of fraud, embezzlement, or criminal activity, Brinker is acutely aware of the importance of these issues and is prepared to promptly initiate remedial action to resolve these matters.

Brinker PAC proposes the following action items to resolve the matters referenced herein and respectfully requests the Commission's consideration of these items.

- 1) Filing of amended reports for 2004, 2005, 2006 and 2007 to identify any inaccuracies in contributions, opening or closing balances.
- 2) Transfer of residual payroll receipts to the Brinker PAC bank account, in coordination with the filing of amended reports.
- 3) Implementation of new PAC Charter and Operating Procedures.
- 4) Implementation of new PAC operations through the retention of Comerica Bank as Designated Reporting Agent.
- 5) Attendance by key individuals involved in the operation of the Brinker PAC at an upcoming reporting seminar offered by the Commission

* * * *

We thank you and the Commission for the opportunity to voluntarily disclose the issues referenced in this submission and we are available to discuss this matter at your convenience.

Sincerely,

SONNENSCHN NATH & ROSENTHAL LLP

By:

**Mike McNamara
Michael Zolandz
Counsel for Brinker International
1301 K Street, NW
Suite 600, East Tower
Washington, DC 20005**

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EXHIBIT A

Brinker's Fiscal Calendar & Accounting Process

REDACTED

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EXHIBIT B

Contract with Comerica Bank & Proposed New Process

REDACTED

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EXHIBIT C

Excerpts of FEC Reports

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**FEC
FORM 3**

**REPORT OF RECEIPTS
AND DISBURSEMENTS**

For An Authorized Committee

SECRETARY OF THE SENATE

02 DEC -9 PM 12: 37

Office Use Only

1. NAME OF COMMITTEE (in full) **USE FEC MAILING LABEL OR TYPE OR PRINT** Example: If typing, type over the lines

Alexander for Senate, Inc.

ADDRESS (number and street) **P. O. Box 121919**

Check if different than previously reported. (ACC) **Nashville** **TN** **37212**

2. FEC IDENTIFICATION NUMBER **C00375725**

3. IS THIS REPORT NEW (N) OR AMENDED (A)

CITY STATE ZIP CODE STATE DISTRICT **TN**

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

- April 15 Quarterly Report (Q1)
- July 15 Quarterly Report (Q2)
- October 15 Quarterly Report (Q3)
- January 31 Year-End Report (YE)
- July 31 Mid-Year Report (Non-election Year Only) (MY)
- Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

- Primary (12P) General (12G) Runoff (12R)
- Convention (12C) Special (12S)

Election on _____ In the State of _____

(c) 30-Day POST-Election Report for the:

- General (30G) Runoff (30R) Special (30S)

Election on **11 05 2002** In the State of **TN**

5. Covering Period **10 17 2002** through **11 25 2002**

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

Type or Print Name of Treasurer **James R. Graham**

Signature of Treasurer *[Handwritten Signature]* Date **12 05 2002**

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

Office Use Only

FEC FORM 3
(Revised 1/2001)

28190280405

SCHEDULE A ITEMIZED RECEIPTS

| | | |
|--|---|----------------|
| Use separate schedule(s) or each category of the Detailed Summary Page | FOR LINE NUMBER: (check only one) | PAGE 250 / 414 |
| | <input type="checkbox"/> 11a <input type="checkbox"/> 11b <input checked="" type="checkbox"/> 11c <input type="checkbox"/> 11d | |
| | <input type="checkbox"/> 12 <input type="checkbox"/> 13a <input type="checkbox"/> 13b <input type="checkbox"/> 14 <input type="checkbox"/> 15 | |

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)
Alexander for Senate, Inc.

A. Full Name (Last, First, Middle Initial)
Bicker International

Mailing Address
Political Action Committee 8820 LBJ Freeway
City Dallas State TX Zip Code 75240

FEC ID number of contributing federal political committee: C00241851

Name of Employer: Political Action Committee Occupation: Political Action Committee

Receipt For: Primary General Other (specify) _____

Election Cycle-to-Date: 5000.00

Date of Receipt: 10 / 31 / 2002

Amount of Each Receipt this Period: 5000.00

Receipt

Transaction ID: 110120024C8826187

B. Full Name (Last, First, Middle Initial)
Brown & Williamson Tobacco Corporation

Mailing Address
Employee Political Action Committee P. O. Box 35090
City Louisville State KY Zip Code 40292

FEC ID number of contributing federal political committee: C00087781

Name of Employer: Political Action Committee Occupation: Political Action Committee

Receipt For: Primary General Other (specify) _____

Election Cycle-to-Date: 2000.00

Date of Receipt: 10 / 24 / 2002

Amount of Each Receipt this Period: 2000.00

Receipt

Transaction ID: 1025200212C8114174

C. Full Name (Last, First, Middle Initial)
Build Political Action Committee

Mailing Address
of the National Assoc. of Home Builders 1201 15th Street, NW
City Washington State DC Zip Code 20005-2600

FEC ID number of contributing federal political committee: C00000801

Name of Employer: Political Action Committee Occupation: Political Action Committee

Receipt For: Primary General Other (specify) _____

Election Cycle-to-Date: 3000.00

Date of Receipt: 10 / 30 / 2002

Amount of Each Receipt this Period: 3000.00

Receipt

Transaction ID: 1031200227C8543180

SUBTOTAL of Receipts This Page (optional) 10000.00

TOTAL This Period (last page this line number only)

28190280406

22020042182
22020042182

**FEC
FORM 3**

**REPORT OF RECEIPTS
AND DISBURSEMENTS**

For An Authorized Committee

SECRETARY OF THE SENATE

02 DEC -9 PM 12:46

Office Use Only

1. NAME OF COMMITTEE (in full) **USE FEC MAILING LABEL OR TYPE OR PRINT** Example: If typing, type over the lines

Talent for Senate, Inc.

ADDRESS (number and street) **8378 Olive Blvd, Suite 206**

Check if different than previously reported. (ACC)

Saint Louis **MO** **63132**

2. FEC IDENTIFICATION NUMBER **CD0368183**

3. IS THIS REPORT NEW (N) OR AMENDED (A)

CITY STATE ZIP CODE STATE DISTRICT

MO

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

- April 15 Quarterly Report (Q1)
- July 15 Quarterly Report (Q2)
- October 15 Quarterly Report (Q3)
- January 31 Year-End Report (YE)
- July 31 Mid-Year Report (Non-election Year Only) (MY)
- Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

- Primary (12P) General (12G) Runoff (12R)
- Convention (12C) Special (12S)

Election on [] [] [] in the State of []

(c) 30-Day POST-Election Report for the:

- General (30G) Runoff (30R) Special (30S)

Election on [] [] [] in the State of **MO**

5. Covering Period **10** **17** **2002** through **11** **25** **2002**

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

Type or Print Name of Treasurer **Garrett M. Lott**

Signature of Treasurer *Garrett M. Lott* Date **12** **05** **2002**

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

28190280407

SCHEDULE A ITEMIZED RECEIPTS

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

| | | | |
|------------------------------|------------------------------|---|------------------------------|
| FOR LINE NUMBER: | | PAGE 1179 / 1256 | |
| <input type="checkbox"/> 11a | <input type="checkbox"/> 11b | <input checked="" type="checkbox"/> 11c | <input type="checkbox"/> 11d |
| <input type="checkbox"/> 12 | <input type="checkbox"/> 13a | <input type="checkbox"/> 13b | <input type="checkbox"/> 14 |
| | | | <input type="checkbox"/> 15 |

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)
Talent for Senate, Inc.

A. American Republican Insurance PAC

Full Name (Last, First, Middle Initial)
Mailing Address
601 - 9th Avenue
City State Zip Code
Des Moines IA 50334

FEC ID number of contributing federal political committee.

Name of Employer Occupation

Receipt For:
 Primary General
 Other (specify) ▾

Election Cycle to Date ▾

Date of Receipt
11 / 02 / 2002

Amount of Each Receipt this Period
1000.00

Receipt

Transaction ID: 120420026C344615978

B. Contract Services Assoc. PAC

Full Name (Last, First, Middle Initial)
Mailing Address
1000 Wilson Boulevard, Suite 1800
City State Zip Code
Arlington VA 22209

FEC ID number of contributing federal political committee.

Name of Employer Occupation

Receipt For:
 Primary General
 Other (specify) ▾

Election Cycle to Date ▾

Date of Receipt
11 / 02 / 2002

Amount of Each Receipt this Period
1000.00

Receipt

Transaction ID: 120420026C344645979

C. Binko Int. PAC

Full Name (Last, First, Middle Initial)
Mailing Address
6620 LBJ Freeway
City State Zip Code
Dallas TX 75240

FEC ID number of contributing federal political committee.

Name of Employer Occupation

Receipt For:
 Primary General
 Other (specify) ▾

Election Cycle to Date ▾

Date of Receipt
11 / 02 / 2002

Amount of Each Receipt this Period
3000.00

Receipt

Transaction ID: 120420026C344655980

SUBTOTAL of Receipts This Page (optional) ▶ 5000.00

TOTAL This Period (last page this line number only) ▶

28190280408

FEC FORM 3

REPORT OF RECEIPTS AND DISBURSEMENTS For An Authorized Committee

SECRETARY OF THE SENATE

02 DEC -5 PM 4:47

Office Use Only

1. NAME OF COMMITTEE (In full)

USE FEC MAILING LABEL OR TYPE OR PRINT

Example: If typing, type over the lines.

12FE4M5

TERM. SUNUMU

ADDRESS (number and street)

P.O. BOX 500



Check if different than previously reported. (ACC)

R.Y.E.

N.H.

03870-

2. FEC IDENTIFICATION NUMBER

CITY

STATE

ZIP CODE

STATE DISTRICT

C00370031

3. IS THIS REPORT

NEW (N)

OR

AMENDED (A)

N.H.

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:



April 15 Quarterly Report (Q1)



July 15 Quarterly Report (Q2)



October 15 Quarterly Report (Q3)



January 31 Year-End Report (YE)



July 31 Mid-Year Report (Non-election Year Only) (MY)



Termination Report (TER)

(b) 12-Day PRE-Election Report for the:



Primary (12P)



General (12G)



Runoff (12R)



Convention (12C)



Special (12S)

Election on

10

11

2002

in the State of

N.H.

(c) 30-Day POST-Election Report for the:



General (30G)



Runoff (30R)



Special (30S)

Election on

11

05

2002

in the State of

N.H.

5. Covering Period

10

17

2002

through

11

25

2002

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

Type or Print Name of Treasurer

Paul J. Collins, Jr.

Signature of Treasurer

PJC

Date

12

4

2002

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. 5437j.

Office Use Only

FEC FORM 3 (Revised 1/01)

F2AND4

28190280409

**SCHEDULE A
ITEMIZED RECEIPTS**

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

FOR LINE NUMBER: PAGE 91 / 332

| | | | | | | | | | |
|--|------------------------------|---|------------------------------|----|--------------------------------|--|--|--|--|
| Use separate schedule(s) or each category of the Detailed Summary Page | | | | | FOR LINE NUMBER: PAGE 91 / 332 | | | | |
| (check only one) | | | | | | | | | |
| <input type="checkbox"/> 11a | <input type="checkbox"/> 11b | <input checked="" type="checkbox"/> 11c | <input type="checkbox"/> 11d | | | | | | |
| 12 | 13a | 13b | 14 | 15 | | | | | |

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)

Team Sururu

A. Full Name (Last, First, Middle Initial)
National Association of Independent Insurers Political Action Committee

Mailing Address
444 North Capitol Street, NW
City State Zip Code
Washington DC 20001-

FEC ID number of contributing federal political committee.

Name of Employer Occupation

Receipt For:
 Primary General
 Other (specify) ▼

Election Cycle-to-Date ▼

Date of Receipt
10 / 23 / 2002

Amount of Each Receipt this Period
5000.00

Receipt

Transaction ID: 1125200250C10594324

B. Full Name (Last, First, Middle Initial)
Blue Cross and Blue Shield Association

Mailing Address
Political Action Committee (BluePA) 1310 G Street, NW
City State Zip Code
Washington DC 20005-

FEC ID number of contributing federal political committee.

Name of Employer Occupation

Receipt For:
 Primary General
 Other (specify) ▼

Election Cycle-to-Date ▼

Date of Receipt
11 / 05 / 2002

Amount of Each Receipt this Period
1000.00

Receipt

Transaction ID: 1125200250C10635326

C. Full Name (Last, First, Middle Initial)
Brinker International

Mailing Address
Political Action Committee 400 North Washington Street
City State Zip Code
Alexandria VA 22314-

FEC ID number of contributing federal political committee.

Name of Employer Occupation

Receipt For:
 Primary General
 Other (specify) ▼

Election Cycle-to-Date ▼

Date of Receipt
10 / 28 / 2002

Amount of Each Receipt this Period
3000.00

Receipt

Transaction ID: 1125200250C10589932

SUBTOTAL of Receipts This Page (optional)

8000.00

TOTAL This Period (last page two line number only)

28190280410

**FEC
FORM 3**

**REPORT OF RECEIPTS
AND DISBURSEMENTS**

For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (In full) **USE FEC MAILING LABEL OR TYPE OR PRINT** Example: If typing, type over the lines

Rangel for Congress

ADDRESS (number and street) **PO Box 5577**

Check if different than previously reported. (ACC)

New York NY 10027

2. FEC IDENTIFICATION NUMBER **C00302422**

CITY STATE ZIP CODE STATE DISTRICT

3. IS THIS REPORT NEW (N) OR X AMENDED (A)

NY 15

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

- April 15 Quarterly Report (Q1)
- July 15 Quarterly Report (Q2)
- October 15 Quarterly Report (Q3)
- January 31 Year-End Report (YE)
- Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

Primary (12P) General (12G) Runoff (12R)

Convention (12C) Special (12S)

Election on _____ In the State of _____

(c) 30-Day POST-Election Report for the:

X General (30G) Runoff (30R) Special (30S)

Election on 11 05 2002 in the State of NY

5. Covering Period 10 17 2002 through 11 25 2002

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

Type or Print Name of Treasurer Basil Paterson

Signature of Treasurer Electronically Filed by Basil Paterson Date 03 25 2003

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

28190280411

| | | | | | | | |
|-----------------|--|--|--|--|--|--|--|
| Office Use Only | | | | | | | |
|-----------------|--|--|--|--|--|--|--|

**SCHEDULE A (FEC Form F3)
ITEMIZED RECEIPTS**

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

| | | | |
|-----------------------------------|------------------------------|---|------------------------------|
| FOR LINE NUMBER: (check only one) | | PAGE 20/70 | |
| <input type="checkbox"/> 11a | <input type="checkbox"/> 11b | <input checked="" type="checkbox"/> 11c | <input type="checkbox"/> 11d |
| <input type="checkbox"/> 12 | <input type="checkbox"/> 13a | <input type="checkbox"/> 13b | <input type="checkbox"/> 14 |
| | | | <input type="checkbox"/> 15 |

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)
Rengel for Congress

| | | |
|---|--|--|
| A. Full Name (Last, First, Middle Initial) Boeing PAC Mailing Address 1200 Wilson Blvd City Arlington State VA Zip Code 22208 FEC ID number of contributing federal political committee. C Name of Employer Occupation Receipt For: 2002 Primary X General Other (specify) <input type="checkbox"/> Aggregate Year-to-Date ▼ 4000.00 | | Date of Receipt 11 / 01 / 2002 Transaction ID: C8012 Amount of Each Receipt this Period 1000.00 Limit Increased Due to Opponent's Spending (2 U.S.C. 441a(j)(4)(1)) |
|---|--|--|

| | | |
|--|--|--|
| B. Full Name (Last, First, Middle Initial) Boston Scientific Corporation PAC Mailing Address One Boston Scientific Place City Natick State MA Zip Code 01790 FEC ID number of contributing federal political committee. C Name of Employer Occupation Receipt For: 2002 Primary X General Other (specify) <input type="checkbox"/> Aggregate Year-to-Date ▼ 2000.00 | | Date of Receipt 11 / 05 / 2002 Transaction ID: C6032 Amount of Each Receipt this Period 2000.00 Limit Increased Due to Opponent's Spending (2 U.S.C. 441a(j)(4)(1)) |
|--|--|--|

| | | |
|---|--|--|
| C. Full Name (Last, First, Middle Initial) Briter International PAC Mailing Address LBJ Fwy., Suite City Dallas State TX Zip Code 75240 FEC ID number of contributing federal political committee. C Name of Employer Occupation Receipt For: 2002 Primary X General Other (specify) <input type="checkbox"/> Aggregate Year-to-Date ▼ 1000.00 | | Date of Receipt 10 / 31 / 2002 Transaction ID: C5089 Amount of Each Receipt this Period 1000.00 Limit Increased Due to Opponent's Spending (2 U.S.C. 441a(j)(4)(1)) |
|---|--|--|

| | | |
|---|---|---------|
| SUBTOTAL of Receipts This Page (optional) | ▶ | 4000.00 |
| TOTAL This Period (last page this line number only) | ▶ | |

28190280412

FEC FORM 3

REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) USE FEC MAILING LABEL OR TYPE OR PRINT Example: If typing, type over the lines

Northup for Congress

ADDRESS (number and street) PO Box 7313
Check if different than previously reported. (ACC) Louisville KY 40257

2. FEC IDENTIFICATION NUMBER C00364448
3. IS THIS REPORT NEW (N) OR AMENDED (A) X
CITY A STATE A ZIP CODE A STATE DISTRICT KY 03

4. TYPE OF REPORT (Choose One)
(a) Quarterly Reports:
April 15 Quarterly Report (Q1)
July 15 Quarterly Report (Q2)
October 15 Quarterly Report (Q3)
January 31 Year-End Report (YE)
Termination Report (TER)

(b) 12-Day PRE-Election Report for the:
Primary (12P) General (12G) Runoff (12R)
Conversion (12C) Special (12B)
Election on In the State of
(c) 30-Day POST-Election Report for the:
X General (30G) Runoff (30R) Special (30S)
Election on 11 05 2002 in the State of KY

5. Covering Period 10 17 2002 through 11 25 2002

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

Type or Print Name of Treasurer James L. Meagher

Signature of Treasurer Electronically Filed by James L. Meagher Date 06 08 2004

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

28190280413

**SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS**

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

FOR LINE NUMBER: PAGE 85 / 155

(check only one)

| | | | |
|------------------------------|------------------------------|---|------------------------------|
| <input type="checkbox"/> 11a | <input type="checkbox"/> 11b | <input checked="" type="checkbox"/> 11c | <input type="checkbox"/> 11d |
| <input type="checkbox"/> 12 | <input type="checkbox"/> 13a | <input type="checkbox"/> 13b | <input type="checkbox"/> 14 |
| | | | <input type="checkbox"/> 15 |

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)

Northrup for Congress

| | | |
|--|--|---|
| A. Eastman Kodak PAC Full Name (Last, First, Middle Initial) Mailing Address Attn: Ms. Amy Plaster or Nancy Nor (Dir. of Govt. Relations) 343 Stat City Rochester State NY Zip Code 14650- FEC ID number of contributing federal political committee. C Name of Employer Occupation Receipt For: 2002 Election Cycle-to-Date ▼ Primary X General Other (specify) ▼ 2000.00 | | Date of Receipt M M / D D / Y Y Y Y 10 / 30 / 2002 Transaction ID: 082820091C22787 Amount of Each Receipt this Period 1000.00 Receipt Limit Increased Due to Opponent's Spending (2 U.S.C. 441a(f)(4)(1a)-1) |
| B. Brinker International PAC Full Name (Last, First, Middle Initial) Mailing Address 6820 LBJ Fwy. Suite 200 City Dallas State TX Zip Code 75248- FEC ID number of contributing federal political committee. C Name of Employer Occupation Receipt For: 2002 Election Cycle-to-Date ▼ Primary X General Other (specify) ▼ 2000.00 | | Date of Receipt M M / D D / Y Y Y Y 10 / 30 / 2002 Transaction ID: 082620031C22774 Amount of Each Receipt this Period 1000.00 Receipt Limit Increased Due to Opponent's Spending (2 U.S.C. 441a(f)(4)(1a)-1) |
| C. National Soft Drink Association PAC Full Name (Last, First, Middle Initial) Mailing Address Attn: Barbara Hiden 1101 Sixteenth Street NW City Washington State DC Zip Code 20036- FEC ID number of contributing federal political committee. C Name of Employer Occupation Receipt For: 2002 Election Cycle-to-Date ▼ Primary X General Other (specify) ▼ 5000.00 | | Date of Receipt M M / D D / Y Y Y Y 11 / 01 / 2002 Transaction ID: 082620034C23789 Amount of Each Receipt this Period 2000.00 Receipt Limit Increased Due to Opponent's Spending (2 U.S.C. 441a(f)(4)(1a)-1) |

| | | |
|---|---|---------|
| SUBTOTAL of Receipts This Page (optional) | ▶ | 4000.00 |
| TOTAL This Period (last page this line number only) | ▶ | |

28190280414

**FEC
FORM 3**

**REPORT OF RECEIPTS
AND DISBURSEMENTS**

For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) USE FEC MAILING LABEL OR TYPE OR PRINT Example: If typing, type over the lines

Friends of Connie Morella for Congress

ADDRESS (number and street) 7101 Wisconsin Avenue # 102
 Check if different than previously reported. (ADC) Bethesda MD 20814

2. FEC IDENTIFICATION NUMBER C00198814
 3. IS THIS REPORT X NEW (N) OR AMENDED (A) MD 8

4. TYPE OF REPORT (Choose One)
 (a) Quarterly Reports: April 15 Quarterly Report (Q1) July 15 Quarterly Report (Q2) October 15 Quarterly Report (Q3) January 31 Year-End Report (YE) July 31 Mid-Year Report (Non-election Year Only) (MY) Termination Report (TER)
 (b) 12-Day PRE-Election Report for the: Primary (12P) General (12G) Runoff (12R) Convention (12C) Special (12S)
 Election on in the State of
 (c) 30-Day POST-Election Report for the: X General (30G) Runoff (30R) Special (30S)
 Election on 11 05 2002 in the State of MD

5. Covering Period 10 17 2002 through 11 25 2002

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

Type or Print Name of Treasurer Carolyn H. Milkey

Signature of Treasurer Electronically Filed by Carolyn H. Milkey Date 12 04 2002

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

28190280415

**SCHEDULE A
ITEMIZED RECEIPTS**

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

| | | | | | | |
|------------------------------|------------------------------|---|------------------------------|-----------------------------|--|--|
| FOR LINE NUMBER: | | PAGE 18 / 280 | | | | |
| (check only one) | | | | | | |
| <input type="checkbox"/> 11a | <input type="checkbox"/> 11b | <input checked="" type="checkbox"/> 11c | <input type="checkbox"/> 11d | | | |
| <input type="checkbox"/> 12 | <input type="checkbox"/> 13a | <input type="checkbox"/> 13b | <input type="checkbox"/> 14 | <input type="checkbox"/> 15 | | |

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)
Friends of Connie Moralls for Congress

A. Full Name (Last, First, Middle Initial)
Briker International Inc. PAC

Date of Receipt
10 / 26 / 2002

Mailing Address
8820 LBJ Freeway, # 200
City: Dallas State: TX Zip Code: 75240-6515

Amount of Each Receipt this Period
2000.00

FEC ID number of contributing federal political committee.

Name of Employer | **Occupation** | **Receipt**

Receipt For: 2002 Election Cycle-to-Date ▼
Primary General Other (specify) ▼ 4000.00

Transaction ID: 1020200213C20323130

B. Full Name (Last, First, Middle Initial)
Bristol-Myers Squibb Co. Employee

Date of Receipt
10 / 31 / 2002

Mailing Address
PAC 655 15th Street, NW #300
City: Washington State: DC Zip Code: 20005

Amount of Each Receipt this Period
1000.00

FEC ID number of contributing federal political committee.

Name of Employer | **Occupation** | **Receipt**

Receipt For: 2002 Election Cycle-to-Date ▼
Primary General Other (specify) ▼ 3000.00

Transaction ID: 1031200237C20502131

C. Full Name (Last, First, Middle Initial)
Business Industry PAC

Date of Receipt
10 / 24 / 2002

Mailing Address
BIPAC 688 16th Street, NW
City: Washington State: DC Zip Code: 20008

Amount of Each Receipt this Period
1000.00

FEC ID number of contributing federal political committee.

Name of Employer | **Occupation** | **Receipt**

Receipt For: 2002 Election Cycle-to-Date ▼
Primary General Other (specify) ▼ 1000.00

Transaction ID: 1024200242C20237140

| | |
|--|---------|
| SUBTOTAL of Receipts This Page (optional) | 4000.00 |
| TOTAL This Period (last page this line number only) | |

28190280416

FEC
FORM 3

REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee

SECRETARY OF THE SENATE

02 DEC - 9 PM 12:48
Office Use Only

1. NAME OF COMMITTEE (in full) **USE FEC MAILING LABEL OR TYPE OR PRINT** Example: If typing, type over the lines. **12 PR 4MS**
Dole 2002 Committee, Inc.

ADDRESS (number and street) Post Office Box 2109
 Check if different than previously reported. (ACC) Salisbury NC 28145

2. FEC IDENTIFICATION NUMBER **CITY** **STATE** **ZIP CODE**
C00369140 **IS THIS REPORT** **NEW (N)** OR **AMENDED (A)** **STATE** **DISTRICT**
NC

4. TYPE OF REPORT (Choose One)
(a) Quarterly Reports:
 April 15 Quarterly Report (Q1)
 July 15 Quarterly Report (Q2)
 October 15 Quarterly Report (Q3)
 January 31 Year-End Report (YE)
 July 31 Mid-Year Report (Non-election Year Only) (MY)
 Termination Report (TER)

(b) 12-Day PRE-Election Report for the:
 Primary (12P) General (12G) Runoff (12R)
 Convention (12C) Special (12S)
Election on in the State of
(c) 30-Day POST-Election Report for the:
 General (30G) Runoff (30R) Special (30S)
Election on 11 05 2002 in the State of NC

5. Covering Period 10 17 2002 through 11 25 2002

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

Type or Print Name of Treasurer Brent D. Barringer

Signature of Treasurer  Date 12 05 2002

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §427g.

Office Use Only

| | | | | | | | |
|--|--|--|--|--|--|--|--|
| | | | | | | | |
|--|--|--|--|--|--|--|--|

FEC FORM 3
(Revised 1/01)

28190280417

SCHEDULE A ITEMIZED RECEIPTS

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

FOR LINE NUMBER: PAGE 1380 / 1873

(check only one)

| | | | | |
|------------------------------------|-------------------------------------|--|------------------------------------|-----------------------------|
| <input type="checkbox"/> 11a 12 | <input type="checkbox"/> 11b 13a | <input checked="" type="checkbox"/> 11c 13b | <input type="checkbox"/> 11d 14 | <input type="checkbox"/> 15 |
|------------------------------------|-------------------------------------|--|------------------------------------|-----------------------------|

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)

Dole 2002 Committee, Inc.

Full Name (Last, First, Middle Initial)

A. Brinker International Inc. PAC

Mailing Address

8820 Lyndon B Johnson Fwy

City

State

Zip Code

Dallas

TX

75240-8516

FEC ID number of contributing federal political committee.

Name of Employer

Occupation

Receipt For:

Primary General
 Other (specify) ▾

Election Cycle-to-Date ▾

4000.00

Date of Receipt

10 / 31 / 2002

Amount of Each Receipt this Period

3000.00

Receipt

Transaction ID: 1114200239C185196254

Full Name (Last, First, Middle Initial)

B. The Limited, Inc. PAC

Mailing Address

3 Limited Pkwy

City

State

Zip Code

Columbus

OH

43230

FEC ID number of contributing federal political committee.

Name of Employer

Occupation

Receipt For:

Primary General
 Other (specify) ▾

Election Cycle-to-Date ▾

10000.00

Date of Receipt

10 / 23 / 2002

Amount of Each Receipt this Period

5000.00

Receipt

Transaction ID: 1114200239C158354301

Full Name (Last, First, Middle Initial)

C. Federation of American Hospitals PAC

Mailing Address

FEDPAC

801 Pennsylvania NW, Ste. 245

City

State

Zip Code

Washington

DC

20004

FEC ID number of contributing federal political committee.

Name of Employer

Occupation

Receipt For:

Primary General
 Other (specify) ▾

Election Cycle-to-Date ▾

6500.00

Date of Receipt

11 / 05 / 2002

Amount of Each Receipt this Period

500.00

Receipt

Transaction ID: 1114200239C167481335

SUBTOTAL of Receipts This Page (optional)

6500.00

TOTAL This Period (last page this line number only)

28190280418

FEC FORM 3

REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee

SECRETARY OF THE SENATE

02 DEC -5 PM 2:58

Office Use Only

1. NAME OF COMMITTEE (in full) USE FEC MAILING LABEL OR TYPE OR PRINT Example: If typing, type over the lines

Wayne Allard for United States Senate Committee

ADDRESS (number and street)

PO Box 32

Check if different than previously reported. (ACC)

Lowland

CO

80539

2. FEC IDENTIFICATION NUMBER

C00236810

CITY

STATE

ZIP CODE

STATE DISTRICT

3. IS THIS REPORT

X

NEW (N)

OR

AMENDED (A)

CO

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

July 31 Mid-Year Report (Non-election Year Only) (MY)

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

In the State of

(c) 30-Day POST-Election Report for the:

X

General (30G)

Runoff (30R)

Special (30S)

Election on

In the State of

5. Covering Period

10

17

2002

through

11

25

2002

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

Type or Print Name of Treasurer

Wendy L. Evans, Assistant Treasurer

Signature of Treasurer

Wendy L. Evans

Date

12

04

2002

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

Office Use Only

FEC FORM 3 (Revised 1/2001)

28190280419

**SCHEDULE A
ITEMIZED RECEIPTS**

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

| | | | |
|------------------------------|------------------------------|---|------------------------------|
| FOR LINE NUMBER: | | PAGE 18 / 202 | |
| (check only one) | | | |
| <input type="checkbox"/> 11a | <input type="checkbox"/> 11b | <input checked="" type="checkbox"/> 11c | <input type="checkbox"/> 11d |
| <input type="checkbox"/> 12 | <input type="checkbox"/> 13a | <input type="checkbox"/> 13b | <input type="checkbox"/> 14 |
| | | | <input type="checkbox"/> 15 |

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NAME OF COMMITTEE (In Full)
Wayne Allard for United States Senate Committee

A. Full Name (Last, First, Middle Initial)
Sen South Federal PAC

Mailing Address
1133 21st St NW #800

City State Zip Code
Washington DC 20036-

FEC ID number of contributing federal political committee

Name of Employer Occupation

Receipt For:
Primary General Other (specify)

Election Cycle-to-Date
4000.00

Date of Receipt
10 / 30 / 2002

Amount of Each Receipt this Period
1000.00

Receipt

Transaction ID: 1122200253C43608155

B. Full Name (Last, First, Middle Initial)
Black Republican PAC

Mailing Address
6911 E. Girard

City State Zip Code
Denver CO 80224-

FEC ID number of contributing federal political committee

Name of Employer Occupation

Receipt For:
Primary General Other (specify)

Election Cycle-to-Date
250.00

Date of Receipt
10 / 31 / 2002

Amount of Each Receipt this Period
250.00

Receipt

Transaction ID: 1122200259C43789170

C. Full Name (Last, First, Middle Initial)
Rinkler International PAC

Mailing Address
6820 LBJ Freeway Suite 200

City State Zip Code
Dallas TX 75240-

FEC ID number of contributing federal political committee

Name of Employer Occupation

Receipt For:
Primary General Other (specify)

Election Cycle-to-Date
5000.00

Date of Receipt
10 / 30 / 2002

Amount of Each Receipt this Period
2000.00

Receipt

Transaction ID: 1122200253C43610209

SUBTOTAL of Receipts This Page (optional) **3250.00**

TOTAL This Period (last page this line number only)

28190280420

**FEC
FORM 3**

**REPORT OF RECEIPTS
AND DISBURSEMENTS**

For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) **TURNER FOR CONGRESS** USE FEC MAILING LABEL OR TYPE OR PRINT Example: If typing, type over the lines

ADDRESS (number and street) **131 N. Ludlow Street, Suite 317**

City **Dayton** State **OH** ZIP CODE **45402**

Check if different than previously reported. (AOC)

2. FEC IDENTIFICATION NUMBER **C00373001**

CITY STATE ZIP CODE STATE DISTRICT

OH OH 03

3. IS THIS REPORT NEW (N) OR AMENDED (A)

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

- April 15 Quarterly Report (Q1)
- July 15 Quarterly Report (Q2)
- October 15 Quarterly Report (Q3)
- January 31 Year-End Report (YE)

(b) 12-Day PRE-Election Report for the:

- Primary (12P)
- General (12G)
- Runoff (12R)
- Convention (12C)
- Special (12S)

(c) 30-Day POST-Election Report for the:

- General (30G)
- Runoff (30R)
- Special (30S)

Termination Report (TER) Election on **11 05 2002** in the State of **OH**

5. Covering Period **10 17 2002** through **11 25 2002**

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

Type or Print Name of Treasurer **Robert C. Schlemmer**

Signature of Treasurer **Electronically Filed by Robert C. Schlemmer** Date **12 05 2002**

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

28190280421

Office Use Only

FEC FORM 3
(Revised 1/2001)

**SCHEDULE A
ITEMIZED RECEIPTS**

| | | | | |
|--|------------------------------|---|------------------------------|-----------------------------|
| Use separate schedule(s) or each category of the Detailed Summary Page | FOR LINE NUMBER: | | PAGE 10 / 93 | |
| | (check only one) | | | |
| <input type="checkbox"/> 11a | <input type="checkbox"/> 11b | <input checked="" type="checkbox"/> 11c | <input type="checkbox"/> 11d | |
| <input type="checkbox"/> 12 | <input type="checkbox"/> 13a | <input type="checkbox"/> 13b | <input type="checkbox"/> 14 | <input type="checkbox"/> 15 |

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NAME OF COMMITTEE (in Full)
Turner for Congress

A. Brinker International PAC

Full Name (Last, First, Middle Initial)
Mailing Address
8820 LBJ Freeway
City State Zip Code
Dallas TX 75240

Date of Receipt
10 / 31 / 2002

Amount of Each Receipt this Period
500.00

FEC ID number of contributing federal political committee.

Name of Employer Occupation Receipt

Receipt For: 2002 Election Cycle-to-Date
Primary X General
Other (specify) 500.00

Transaction ID: 1130200240C268054

B. Brown & Williamson Tobacco Corp. PAC

Full Name (Last, First, Middle Initial)
Mailing Address
PO Box 35000
City State Zip Code
Louisville KY 40232

Date of Receipt
10 / 28 / 2002

Amount of Each Receipt this Period
1000.00

FEC ID number of contributing federal political committee.

Name of Employer Occupation Receipt

Receipt For: 2002 Election Cycle-to-Date
Primary X General
Other (specify) 1000.00

Transaction ID: 1029200215C283459

C. John Gater For Congress

Full Name (Last, First, Middle Initial)
Mailing Address
307 W. Main Street
City State Zip Code
Round Rock TX 78684

Date of Receipt
10 / 31 / 2002

Amount of Each Receipt this Period
500.00

FEC ID number of contributing federal political committee.

Name of Employer Occupation Receipt

Receipt For: 2002 Election Cycle-to-Date
Primary X General
Other (specify) 500.00

Transaction ID: 1130200240C289870

SUBTOTAL of Receipts This Page (optional) 2000.00

TOTAL This Period (last page this line number only) 2000.00

28190280422

EXHIBIT D1-D5

January 2002 to June 2007
(month-by-month summary)

REDACTED

28190280423

EXHIBIT E

**January to August 2007
(month-by-month summary)**

REDACTED

28190280424

EXHIBIT F

Annual Summary 1994-2007

REDACTED

28190280425

EXHIBIT G

Annual Summary 1994-2007 (Net of Issues)

REDACTED

28190280426

EXHIBIT H

Proposed PAC Operating Procedures & Guidelines

REDACTED

28190280427

EXHIBIT I

Supporting Documentation for 2005 Transfer

REDACTED

28190280428

EXHIBIT J

Supporting Documentation for Unfunded Payroll

REDACTED

28190280429