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# FEDERAL ELECTION COMMISSION

1325 K STREET N.W. WASHINGTON, D.C. 20463

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FEDERAL	ELECTION	COMMISSION

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The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

	(1)	Classified Information		(6)	Personal privacy
	(2)	Internal rules and practices		(7)	Investigatory files
	(3)	Exempted by other statute		(8)	Banking Information
	(4)	Trade secrets and commercial or financial information		(9)	Well Information (geographic or geophysical)
_	(5)	Internal Documents			
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FEC 9-21-77

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January 17, 1984

Donald White, Jr., Treasurer Harold Byrd for Congress 6634 Rainbrook Memphis, Tennessee 38134

#### RE: MUR 1559

Dear Mr. White:

On January 16, 1984, the Commission accepted the conciliation agreement signed by you, and a civil penalty in settlement of a violation of 2 U.S.C. § 434(a)(2)(A)(iii), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

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

Sincerely,

Charles N. Steele General Counsel Kenneth A.

BY:

Associate General Counsel

Enclosure Conciliation Agreement



Donald White, Jr., Treasurer Harold Byrd for Congress 6634 Rainbrook Memphis, Tennessee 38134

#### RE: MUR 1559

Dear Mr. White:

On January , 1984, the Commission accepted the conciliation agreement signed by you, and a civil penalty in settlement of a violation of 2 U.S.C. § 434(a) (2) (Å) (iii), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a) (4) (B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

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

Sincerely,

Charles N. Steele General Counsel r

1.11/84

BY: Kenneth A. Gross Associate General Counsel

Enclosure Conciliation Agreement

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of Harold Byrd for Congress Donald White, Jr., Treasurer

MUR 1559

#### CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Reason to believe was found that Harold Byrd for Congress and Donald White, Jr., ("Respondents") as treasurer of Harold Byrd for Congress, violated 2 U.S.C. § 434(a)(2)(A)(iii) by failing to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports.

NOW, THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

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

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

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

-2-

1. Respondents were the principal campaign committee of Harold W. Byrd and treasurer of the principal campaign committee (Harold Byrd for Congress).

2. Respondents failed to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports in violation of 2 U.S.C. § 434(a)(2)(A)(iii).

V. WHEREFORE, Respondents agree:

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Respondents' failure to file Harold Byrd for
 Congress's 1982 October 15th Quarterly and Year End Reports
 is a violation of 2 U.S.C. § 434(a)(2)(A)(iii).

3. Respondents have filed Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports as required by 2 U.S.C. § 434(a)(2)(A)(iii).

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of One Hundred Dollars (\$100), pursuant to 2 U.S.C. § 437g(a) (5) (A).

VII. Respondents agree that Harold Byrd for Congress shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, <u>et</u> <u>seq</u>.

VIII. 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.

-3-

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

Respondents shall have no more than thirty (30) days Χ. from the date this Agreement becomes effective to comply with and implement the requirements contained in this Agreement and to so notify the Commission.

984

Date

Charles N. Steele General Counsel

Kenneth A. Gross Associate General Counsel

HAROLD BYRD FOR CONGRESS

BY:

ITS:

BY

# BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

MUR 1559

Harold Byrd for Congress Donald White, Jr., Treasurer

## CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 16, 1984, the Commission decided by a vote of 5-0 to take the following actions in MUR 1559:

- Approve the signed conciliation agreement in this matter, as attached to the General Counsel's January 12, 1984, Memorandum to the Commission.
- 2. Approve and send the letter as attached to the General Counsel's Memorandum dated January 12, 1984.
- 3. Close the file.

Commissioners Aikens, Elliott, Harris, McDonald, and McGarry voted affirmatively in this matter; Commissioner Reiche did not cast a vote.

Attest:

1-17-84

Date

Marjorie W. Emmons Secretary of the Commission

Received in Office of Commission Secretary: Circulated on 48 hour tally basis: **1-12-84**, **10:09 1-12-84**, **4:00** 

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MEMORI	ANDUM

TO:	Office of the Commission Secretary
FROM:	Office of General Counsel
DATE :	January 12, 1984
SUBJECT:	MUR 1559 - Memorandum to The Commission

The attached is submitted as an Agenda document

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for the Commission Meeting of

Open Session

Closed Session

CIRCULATIONS

Other

48	Sei	nsi	lly Vote tive ensitive	[X] [X] []
24	Hour	No	Objection	[]

Sensitive Non-Sensitive Information Sensitive Non-Sensitive

DISTRIBUTION

Compliance	[X	1
Audit Matters	I	1
Litigation	I	1
Closed MUR Letters	I	1
Status Sheets	I	]
Advisory Opinions	ľ	1
Other (see distribution below)	t	1



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

84 JAN 12 AID: 09

RECEIVED OFFICE OF THE OFFICE ON SECRETARY

January 12, 1984

MEMORANDUM

TO : The Commission



FROM : Charles N. Steele General Counsel

> BY: Kenneth A. Gross Associate General Counsel

SUBJECT: MUR 1559 - Conciliation Agreement

Attached is a conciliation agreement which has been signed by Donald White, Jr., treasurer of Harold Byrd for Congress.

The attached agreement contains no changes from the agreement approved by the Commission. A check for the civil penalty imposed by the Commission has been received.

The Office of General Counsel recommends the acceptance of this agreement and the closing of the file.

Recommendations

1. Approve the signed conciliation agreement in this matter.

2. Approve and send the attached letter.

3. Close the file.

Attachments Conciliation Agreement (1) Photocopy of civil penalty check Proposed letter

# BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Harold Byrd for Congress Donald White, Jr., Treasurer MUR 1559

## CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Reason to believe was found that Harold Byrd for Congress and Donald White, Jr., ("Respondents") as treasurer of Harold Byrd for Congress, violated 2 U.S.C. § 434(a)(2)(A)(iii) by failing to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports.

NOW, THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

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

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

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

-2-

Respondents were the principal campaign committee
 of Harold W. Byrd and treasurer of the principal campaign
 committee (Harold Byrd for Congress).

2. Respondents failed to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports in violation of 2 U.S.C. § 434(a)(2)(A)(iii).

V. WHEREFORE, Respondents agree:

Respondents' failure to file Harold Byrd'for
 Congress's 1982 October 15th Quarterly and Year End Reports
 is a violation of 2 U.S.C. § 434(a) (2) (A) (iii).

3. Respondents have filed Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports as required by 2 U.S.C. § 434(a)(2)(A)(iii).

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of One Hundred Dollars (\$100), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondents agree that Harold Byrd for Congress shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, <u>et</u> seq.

VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(l) concerning the matters at issue herein or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement

-3-

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.

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

х. Respondents shall have no more than thirty (30) days from the date this Agreement becomes effective to comply with and implement the requirements contained in this Agreement and to so notify the Commission.

> Charles N. Steele General Counsel

Date

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BY:

Kenneth A. Gross Associate General Counsel

Date

HAROLD BYRD FOR CONGRESS

BY:

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Donald White, Jr., Treasurer Harold Byrd for Congress 6634 Rainbrook Memphis, Tennessee 38134

#### RE: MUR 1559

Dear Mr. White:

On January , 1984, the Commission accepted the conciliation agreement signed by you, and a civil penalty in settlement of a violation of 2 U.S.C. § 434(a)(2)(Å)(iii), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

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

Sincerely,

Charles N. Steele General Counsel

BY: Kenneth A. Gross Associate General Counsel

Enclosure Conciliation Agreement

# MEMORANDUM

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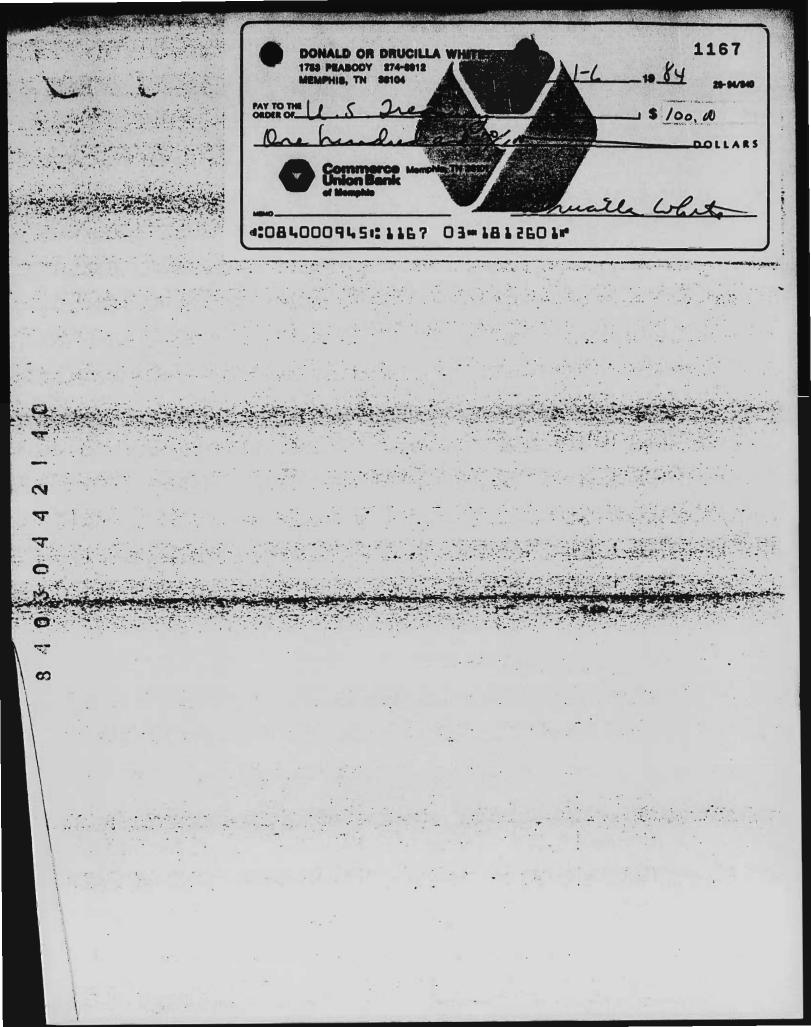
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FROM:	JOAN HARRIS	FROM:	CHERYL THOMAS	ř=1
TO:	CHERYL THOMAS	TO:	JOAN HARRIS	
	CHECK NO. 1167	_ (a copy of w	which is attack	ed)
RELATING T	O MUR 155 WAS	RECEIVED ON	1-9-84	
PLEASE IND	ICATE THE ACCOUNT INTO	WHICH IT SHOU	ILD BE DEPOSITE	D:
	BUDGET CLEAF	RING ACCOUNT	(#95F3875.16)	
	CIVIL PENALT	TIES ACCOUNT	(#95-1099.160	)
	OTHER			

Gat 1381 Mul 1559 Edwards

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December 6, 1983

Donald White, Jr., Treasurer Harold Byrd for Congress 6634 Rainbrook Memphis, Tennessee 38134

#### **RE: MUR 1559**

Dear Mr. White:

On October 4, 1983, the Commission found reason to believe that Harold Byrd for Congress and Donald White, Jr., as treasurer to Harold Byrd for Congress, ("Respondents") violated 2 U.S.C. § 434(a)(2)(A)(iii) by failing to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports. At your request, the Commission determined on December 2, 1983, 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 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. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Conley Edwards, Jr. at (202) 523-4060.

Sincerely,

Charles N. Steele General Counsel BY: Associate General Counsel

Enclosure Conciliation Agreement

#### BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of Harold Byrd for Congress Donald White, Jr., Treasurer

MUR 1559

#### CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Reason to believe was found that Harold Byrd for Congress and Donald White, Jr., ("Respondents") as treasurer of Harold Byrd for Congress, violated 2 U.S.C. § 434(a)(2)(A)(iii) by failing to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports.

NOW, THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

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

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

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

-2-

1. Respondents were the principal campaign committee of Harold W. Byrd and treasurer of the principal campaign committee (Harold Byrd for Congress).

2. Respondents failed to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports in violation of 2 U.S.C. § 434(a)(2)(A)(iii).

V. WHEREFORE, Respondents agree:

Respondents' failure to file Harold Byrd for
 Congress's 1982 October 15th Quarterly and Year End Reports
 is a violation of 2 U.S.C. § 434(a) (2) (A) (iii).

3. Respondents have filed Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports as required by 2 U.S.C. § 434(a)(2)(A)(iii).

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of One Hundred Dollars (\$100), pursuant to 2 U.S.C. § 437g(a) (5) (A).

VII. Respondents agree that Harold Byrd for Congress shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

VIII. 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.

-3-

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

X. Respondents shall have no more than thirty (30) days from the date this Agreement becomes effective to comply with and implement the requirements contained in this Agreement and to so notify the Commission.

> Charles N. Steele General Counsel

BY:

Kenneth A. Gross Associate General Counsel

HAROLD BYRD FOR CONGRESS

Date

Date

BY:

ITS:



FEDERAL ELECTION COMMISSION washington, d.c. 20463

Donald White, Jr., Treasurer Harold Byrd for Congress 6634 Rainbrook Memphis, Tennessee 38134

#### **RE: MUR 1559**

Dear Mr. White:

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Sincerely,

Charles N. Steele General Counsel

BY: Kenneth A. Gross W Associate General Counsel 12/83

Enclosure Conciliation Agreement

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of Harold Byrd for Congress Donald White, Jr., Treasurer

MUR 1559

### CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 2, 1983, the Commission decided by a vote of 6-0 to take the following actions in MUR 1559:

- Accept the respondents' request to enter into conciliation prior to a finding of probable cause to believe.
- Approve the proposed letter and conciliation agreement as attached to the General Counsel's November 29, 1983 Memorandum to the Commission.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

12-2-8-

Date

. Commons Mariane

Marjorie W. Emmons Secretary of the Commission

Received in Office of Commission Secretary: Circulated on 48 hour tally basis: 11-29-83, 3:57 11-30-83, 11:00



MEM	5	DI	A AT	D	THE
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то:	Office of the Commission Secretary
FROM:	Office of General Counsel
DATE:	November 29, 1983
SUBJECT:	MUR 1559 - General Counsel's Report
	tached is submitted as an Agenda document mission Meeting of
	Open Session
	Closed Session
CIRCULATION	DISTRIBUTION

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24 Hour No Ob Sensitiv Non-Sens	e []
Information Sensitiv Non-Sens	

Other

Compliance	13	<b>K</b> ]	
Audit Matters	[	1	
Litigation	I	]	
Closed MUR Letters	l	]	
Status Sheets	l	]	
Advisory Opinions	l	)	
Other (see distribution below)	[	1	



Donald White, Jr., Treasurer Harold Byrd for Congress 6634 Rainbrook Memphis, Tennessee 38134

#### RE: MUR 1559

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Sincerely,

Charles N. Steele General Counsel

BY: Kenneth A. Gross Associate General Counsel

Enclosure Conciliation Agreement

ATTACHMENT IN 17

# BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of Harold Byrd for Congress Donald White, Jr., Treasurer

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MUR 1559

# CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Reason to believe was found that Harold Byrd for Congress and Donald White, Jr., ("Respondents") as treasurer of Harold Byrd for Congress, violated 2 U.S.C. § 434(a)(2)(A)(iii) by failing to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports.

NOW, THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

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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.

ATTACHMENT IL

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-2-

Respondents were the principal campaign committee
 of Harold W. Byrd and treasurer of the principal campaign
 committee (Harold Byrd for Congress).

2. Respondents failed to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports in violation of 2 U.S.C. § 434(a)(2)(A)(iii).

V. WHEREFORE, Respondents agree:

Respondents' failure to file Harold Byrd for
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 is a violation of 2 U.S.C. § 434(a) (2) (A) (iii).

3. Respondents have filed Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports as required by 2 U.S.C. § 434(a)(2)(A)(iii).

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of One Hundred Dollars (\$100), pursuant to 2 U.S.C. § 437g(a) (5) (A).

VII. Respondents agree that Harold Byrd for Congress shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

VIII. 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

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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.

-3-

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

X. Respondents shall have no more than thirty (30) days from the date this Agreement becomes effective to comply with and implement the requirements contained in this Agreement and to so notify the Commission.

> Charles N. Steele General Counsel

BY:

Kenneth A. Gross Associate General Counsel

HAROLD BYRD FOR CONGRESS

Date

Date

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BY:

ITS:







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RECEIVED OFFICE OF THE COMMISSION SECRETARY

November 29, 1983

#### MEMORANDUM

TO : The Commission

FROM : Charles N. Steele General Counsel

> BY: Kenneth A. Gross Associate General Counsel

SUBJECT: MUR 1559 - Harold Byrd for Congress Donald White, Jr., Treasurer

On October 4, 1983, the Commission found reason to believe that Harold Byrd for Congress and Donald White, Jr. (hereinafter "the Respondents"), as treasurer to Harold Byrd for Congress, violated 2 U.S.C. § 434(a)(2)(A)(iii) by failing to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports. This matter was generated internally as a result of a referral from the Reports Analysis Division to the Office of General Counsel.

Harold Byrd for Congress was established on November 23, 1981, as the principal campaign committee of Harold W. Byrd. Mr. Byrd was an unsuccessful Democratic candidate in the 1982 Tennessee primary election for election to the United States House of Representatives. On October 12 and 26, 1983, this Office was contacted by the Respondents in response to the Commission's findings. During this communication, Respondents were informed of their options and that all past due reports must be filed before this matter could be resolved. Consequently, on October 11, 1983, we received a written request from the Committee to enter into pre-probable cause conciliation pursuant to 11 C.F.R. § 111.18(d). Attachment I.

On October 31, 1983, the Commission received Respondents' 1982 October 15th Quarterly Report. Attachment II. This Office received Respondents' 1982 Year End Report on November 16, 1983. Attachment III. Memorandum to the Commission MUR 1559 Page 2

Based on the above, this Office recommends that the Commission enter into conciliation prior to a finding of probable cause to believe and so notify the Committee by forwarding a proposed conciliation agreement. Although the reports in this matter were filed approximately a year later, the respondents have been cooperative and have mitigated the violations by filing all reports. In addition, the late reports were post-election reports in that the respondent lost in the primary. Thus, we recommend a civil penalty of \$100.

# RECOMMENDATIONS

- 1. Accept the Respondents' request to enter into conciliation prior to a finding of probable cause to believe.
- 2. Approve proposed letter and conciliation agreement.

# Attachments

- 1. Letter from Respondents
- 2. Respondents' Report
- 3. Respondents' Report
- 4. Proposed letter and conciliation agreement to Respondents

# October 12, 1983

- TO: Federal Election Commission C/O Mr. Conley Edwards, Jr. Washington, D.C, 20463
- From: Donald White, Jr., Treasurer Harold Byrd For Congress 6634 Rainbrook Lane Memphis, TN 38134

Subject: MUR 1559

Dear Mr. Edwards:

We have been advised that we are in violation of 2 U.S.C. 434 (A) (2) (A) (iii), a provision of the Federal Election Campaign Act of 1971 by failing to file the committee's 1982 October 15th Quarterly and year end reports.

RECEIVED ... THE FEC

6 C.C #9 8305117 P2:

1P 2: 57

Altachment I

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We regret these violations and ask to correct inadequacies of our reporting through settlement provided under conciliation in 11 C.F.R. 111.18(d).

The treasurer of the campaign has taken leave of absence from his C.P.A. firm (Cannon, Phillips. & White) and assumed the chief administrative official position under the new mayoral administration (Mayor Dick Hackett) in Memphis. This change was effected in 8-82 and Donald White will continue as CAO under Mayor Dick Hackett.

Therefore, due to the high level of activity we are in error and respectfully ask for your consideration in giving us time to correct this situation.

Respectfully,

Harold Byrd HB/da EGULAR MALL DCT 26 1983

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RICHARD C. HACKETT Mayor

Chief Administrative Officer

Mr. Conley Edwards C/O Federal Election Commission Washington, D.C. 20463

Dear Conley:

Attached is the October 15 Quarterly Report.

Although this report is being filed late, I would request your consideration for this time delay, due to the circumstances I will describe below.

With of Memphis

C Hannes stat

Immediately following the primury in which Mr. Byrd was unsuccessful, I assumed the role of Treasurer in a may val campaign in Memphis. There was an election held in early Noverser and a run off took place in the first week of December. In that race, we were successful, and the Mayor took office immediately. Concurrent with that election in December, the accounting firm in which I was a principal entered into a merger with another accounting firm effective December 1, 1982. Following the December election, I accepted the position of Chief Administrative Officer in the City of Memohis and functioned in that position beginning the middle of December. Since this was a new administration, there was an enormous amount of time required in laying the groundwork for a one year interim term of office. During this time of organization, our third child was born in the early part of March. In the months following March, I was required to spend a considerable amount of time outside of the City which had been unexpected. By this time elections for a full four year term of office for the Mayor had commenced. This election occurred on October 6, 1983.

These circumstances as outlined above were the overriding factors in detering me from completing the report in a timely fashion. Although it would probably have been preferable to have filed some type of report, and amended that report as necessary, I held off on filing the report until it could be properly compiled and submitted to you.

If any additional information or explanations are necessary, I will be ready to provide such to you upon request.

Sincerely, White,

A Hachment II

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October 26, 1983

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turne of Commisses in Full Larold Byrd for C	ongress		2. FRC 100	223	-	9	B
Addres Humber and Bress 5634 Rainbrook			2. 6 56 R	Anna	2000	1	VED
City, State and Zif Cade Mamphis, TN, 38	13. TACC	le different then provieus	C	0014	122	30	-TAL
		TYPE OF REPOR			YES	-	<i>.</i>
April 15 Querterly		L_ Twee	h day report	preceding	Type	of Election)	
	ity Report Q 3	election	n on	in	the State	of	
January 31 Year 5		Thirti	eth day repor	t following t	he General	Election	1.6
	Report (Non-election Yes	en			State of .		
	-	· · · ·	nation Repor				
This report contains act	Nity for - ZX Primery	Election C Gener	el Election	D Speciel	Election	C Runoff	
Covering Pariod 7-1	7-82	9-30-82	T	the Purlow		Trades Year-	-Deto
Net Contributions (othe	r than loans):		A starting			Stand Stand Stand	
(a) Total Contribution	(other than loons) (from	Line 11e)	. 8 12	,799		93,649	,
(b) Total Contribution	Refunds (from Line 20d)			,400	8	3,400	,
(c) Net Contribution.	(other then loans) (Subtra	act Line 6b from 6e).		,399		90,249	2.02-223
Net Operating Expendit	MINE						
(s) Total Operating Ex	penditures (from Line 17	n	8 77	,391		192,986	5
(b) Total Offiers to Op	pereting Expanditures (fro	om Line 14)			8		
	enditures (Bubtract Line '			,391	*	192,986	
Cash on Hand at Close	of Reporting Pariod (from	n Line 27)		813			
Debts and Obligations (	wed TO the Committee				and the second se		
Debts and Obligations (							
(Itemize all on Sched	tule C or Schedule D)	• • • • • • • • • • • • • • • • •	· · · · · · · · · · · · · · · · · · ·	B25			- 19 an
writty that I have soundeed		of my knowledge and ball		Per ler	the Inform	rtion, contact	
is grup, approce and complete				Fed	Free SDD-6		•
Donald White, Jr.					202-623-		
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Attachment

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Page 2,	PEC	P DP	
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	Nome of Committees (In Fall)	Report covering the Paried:		
	Harold Byrd for Congress	- From: 7-17-82	Te: 9-30-82	
		DOLUMN A Tomi The Ported	COLUMN B Colonder Year-to-Date	
	I. RECEIPTS			
	11. CONTRIBUTIONS (other then leave) FROM:			
	(a) Individuals/Persons Differ Than Political Commitmes	10,549	87,199	
	(Memo Entry Uniternized S)			
	(b) Political Party Committees.			
	(c) Other Political Committees	2,250	6,350 100	
	(g) The Condident.	••••••••••••	•••••••	
	(e) TOTAL CONTRIBUTIONS (other than loons) and 13a, 13b, 13c and 13d)	12,799	93,649	
	12. TRANSFERS FROM DTHER AUTHORIZED COMMITTEES		a sector de la companya de la compa	
	13.LDANS:			
•	(a) Made or Guaramoed by the Candiana	62,326	101,679	
	E) All Other Loons		2,500	
•	(c) TOTAL LOANS (and 13a and 13b)	62,326	104,179	
2	14. OFF SETS TO OPERATING EXPENDITURES (Refunds, Repares, etc.)	· · ·	1 : · ·	
<b>*</b> •	15. OTHER RECEIPTS (Dividends, Internet, etc.) . Interest		225	
8	15. TOTAL RECEIPTS (400 11e, 12, 13c, 14 and 15)	75,125	198.053	
-	II. DISBURSEMENTS	a		
•	17.0PERATING EXPENDITURES	77,391	192,956	
>	18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES			
>	19. LOAN REFAYMENTS:			
>	(a) Of Loans Made or Guaranteed by the Conditions	854		
•	(b) Of All Other Loons			
,	ETOTAL LOAN REPAYMENTS (and 194 and 190)	854	E54 ·	
	20.REFUNDS OF CONTRIBUTIONS TO:	E Berner Contraction	j la contraction de la contracticion de la contractica de la contr	
	(a) Individuals/Persone Other Than Polizical Committees	3,400	3,400	
	b) Politics: Party Committees.			
	(c) Other Political Committees			
	(d) TOTAL CONTRIBUTION REFUNDS (add 20s, 20s and 20s)	3,400	3,400	
	21. OTHER DISBURSEMENTS.		•	
	22.TOTAL DISBURSEMENTS (Add 17, 18. 190, 200 and 21)	B1,645	197,240	
	III. CASH SUMMARY			
	23. CASH ON HAND AT BEGINNING OF THE REPORTING PERIOD		,333	
	24. TOTAL RECEIPTS THIS PERIOD (From Line 16)	75	,125	
	25. SUETOTAL (Add Line 23 and Line 24)	82	2,45B	
	26 TOTAL DISBURSEMENTS THIS PERIOD (From Line 22)	81	,645	
		A DECEMBER OF THE OWNER	B13 (ic	
	27. CASH ON HAND AT CLOSE OF THE REPORTING PERIDD IS HOW 26 th	Altac		

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lone of Comminee (in Full) Harold Byrd for Congress			
, Full Nome, Malling Addres and ZIP Code	Name of Employer		
Gary R. Belz 149 Union Memphis, TN. 38103	Belz Properties	Des (month, doy, yest) 7-30-82	Amount of Each Receipt this Period 250
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D Drher (specify):	Approprie Yanno-Den-\$475		•
I. Full Norme, Mailing Address and ZIP Code Robert Butler B.N. Third Memphis, TN.	Nerve of Employer Schledwitz, Crow Beliles Decupation	Ders (month, stey, year) B-2-82	Amount of Each Receip: This Period 1,000
Accelor For: Diffinary D General .	Attorney		
= Other (specify):	Approprie Yearto-Data-\$1,000		
C. Full Name, Mailing Address and ZIP Code Barbara Butler 8 N. Third Memphis, TN.	Nome of Employer	Deta (month, dey, yeer) 8-2-82	Amount of Each Reseip: This Period 1,000
Receipt For: Q Primary D General			
D Other (specify):	Apprese Years Den-\$1,000		
D. Full Name, Mailing Address and ZIP Casts Rey Beliles E N. Third	Schledwitz, Crow	Des (month, dey, year)	Amount of Each Receipt This Period
Memphis, TN.	Beliles Occupation Attorney	E-2-E2	1,000
Receip: For: Primery P General D Other (specify):			
E. Full Name, Mailing Address and 21P Cade	Neme of Employer	Approprie Yes- 22-222-51,000	
Jeff Crow 8 N. Third Memphis, TN.	Schledwitz, Crow Beliles	Detr (month, dey, year) 8-4-52	Amount of Each Receipt This Perio 1,000
Receipt For: Brimery D General D Other (specify):	Attorney		1
F. Full Name, Malling Addres and 21 Code W. Terry Edwards 5705 Stage Rd. #120 Bartlett, TN. 38138	Agregen Yearto Dero-\$1,000 Name of Employer	Den (month, dey, year) 7-30-82	Amouns of Each Receipt This Perio 100
Receipt For: D'Frimery D General	Decupation		
P Other (Decity):	Attorney Apropri Yeer-2600		-
G. Full home, Molling Address and ZIP Code	Name of Employer	10-1	Lange and Read
Mrs. William W. Farris 165 Maĉison #1620 Memphis, TN. 38103	Farris Bancock	Des: (month, day, yest) 7-19-52	Amount of Each Receipt This Perio 200
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ITEMIZED RECEIPTS

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point For: 20 Primery D General	Farmer		
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acsign For: D Primery E General	C.P.A.		
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action For: 2 Primery D General			
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lacalpi For: 20 Primary D General	Decumenter Broker	•	
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Memphis, TN. 38122	Designion Retired		
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		Gey, year)	Ready; This Peri
	Decupation		
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Harold Byrd for Congress		and the second	
, Full Name, Malling Addres and ZIP Code American Agri Movement PACT Sikeston, Missouri 63801	Nome of Employer	Dem (menth, dey, year) 7-27-82	Amount of Each Reasion this Period 1,000
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, Full Name, Molling Address and ZIP Code Bob Clement Campaign	Nome of Employer	Ders (month, dev, yest) 9-10-82	Amount of Each Result: This Period
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lecolo; For: D Primery D General	Decupation		
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South Central Bell Memphis, TN.	D Driver (asserting): Purpose of Disburgerments Telephone Expense Disburgerments for: D Primary D General D Driver (asserting):	Ders (month, - dey, year) 7-17-82 7-26-82	Amount of Each Disburgement This Peris 589 600
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D. Full Nome, Malling Address and ZIP Code McCormick Business Forms 545 N. Parkway Memphis, TN.	D Driver (specify): Purpose of Disburgement Printing Disburgement for: Dirimary Disevers! E Oriver (specify):	7-26-82 Dere (month, doy, year) 7-17-82	1,000 Amount of Each Disburnement This Peril 257
E Full Name, Malling Address and ZHP Code Walker & Associates 2605 Nonconnah Rd. Memphis, TN. 38132	Disbunement for: DPrimery DGeneral D Other (specify):	Dette (month, Eisy, vier) 7-23-52 7-26-52 7-27-52 7-30-52 5-4-53	Amourn of Each Disburnement This Peri 25,000 4,000 10,000 15,000
Full Name, Mailing Addres and 20 Code Shelby County Election Commission 157 Poplar Memphis, TN. 38103	Purpon of Debunement Labels Disburgement for: DPrimary, DGeneral	B=0=82 Dere (month, dey, year) 7-26-82	Amount of Each Disburnement This Peri 608
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Any information applied from such Reports and Standmonts may not be sold or used by any person for the purpose of soliching contributions or for commercial purposes, other then using the terms and address of any particular committee to collich committees from such committees.

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Attachment II

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Harold Byrd for Congress . >

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Memphis, TN.	Disburisment for: Diffinisry Different Di Drive (specify):		
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Mike Phillips	Refund		
2670 Únion Extended- Memphis, TN.	Disburiement for: Difrimery DiGeneral Disburiemently):	7-17 .	1,000
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tinte Didates	De fine à	sley, year) 7-17	Disbursement This Period
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TOTAL This Period (last page this line number only) .			

Harold Byrd for Congress A. full Name, No Hing Ageres and ZIP Gets of Leon Source Harold Byrd 5634 Rainbrook Memphis, TN. 38134 Elemion: Dovimeny Discource Conter (esectiv): Terms: Date Incomp 5/7/52 Date Due		Driginal Ameum of Luan 24 ; 353 62 ; 326	To Dan 254	Balmer Durgranding of Close of This Period .85,825
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	Decadation			
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# REPORT OF RECEIPTS AND DISBURSEMENTS

(Summary Page)

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Nome of Commissee (in Full)		2. FEC Identification Numbe	Contraction of the second second
Harold Byrd for Congress		CO0147223 3. Is this Report on Amendm	
Address (Number and Breez)			ND
6634 Reinbrook Lane	Herent then previously		
Memphis, TN 38134			
	TYPE OF REPOR	т	Contraction of the second second
April 15 Quarterly Report	Twelt	h day report preceding	(Type of Election)
July 15 Quarterly Report		·	
October 15 Quarterly Report	electio	n onin th	e State of
	Thirtie	th day report following the	General Election
I January 31 Year End Report	on	in the Sta	ne of
July 31 Mid Year Report (Non-election Year Or		ation Report	
· · · · · · · · · · · · · · · · · · ·			
This report contains activity for I Primary Elec	tion. D Genera	Election D Special Electron	ction D Runoff Elect
SUMMARY		Column A	Column B
		This Period	
Covering Period Through	/31/82	This Period	Calendar Year-to-Der
	/31/82	This Period	
Covering Period <u>10/1/82</u> Through <u>12</u> Net Contributions (other than loans): (a) Total Contributions (other than loans) (from Lin			
Net Contributions (other than loans):	e 11e)	s	<b>\$</b> 93,649
<ul> <li>Net Contributions (other than loans):</li> <li>(a) Total Contributions (other than loans) (from Lin</li> </ul>	e 11e)	s	\$ 93,649 \$ 3,400
<ul> <li>Net Contributions (other than loans):</li> <li>(a) Total Contributions (other than loans) (from Lin</li> <li>(b) Total Contribution Refunds (from Line 20d)</li> </ul>	e 11e)	s	\$ 93,649 \$ 3,400
<ul> <li>Net Contributions (other than loans):</li> <li>(a) Total Contributions (other than loans) (from Lin</li> <li>(b) Total Contribution Refunds (from Line 20d)</li> <li>(c) Net Contributions (other than loans) (Subtract L</li> </ul>	e 11e)	\$ \$ \$	\$ 3,400
<ul> <li>Net Contributions (other than loans):</li> <li>(a) Total Contributions (other than loans) (from Lin</li> <li>(b) Total Contribution Refunds (from Line 20d)</li> <li>(c) Net Contributions (other than loans) (Subtract L</li> <li>Net Operating Expenditures:</li> </ul>	e 11e)	s s s s 1,488	\$ 93,649 \$ 3,400 \$ 90,249
<ul> <li>i. Net Contributions (other than loans):</li> <li>(a) Total Contributions (other than loans) (from Lin</li> <li>(b) Total Contribution Refunds (from Line 20d)</li> <li>(c) Net Contributions (other than loans) (Subtract L</li> <li>c. Net Operating Expenditures:</li> <li>(a) Total Operating Expenditures (from Line 17)</li> </ul>	e 11e)	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$	\$ 93,649 \$ 3,400 \$ 90,249 \$ 194,474 \$
<ul> <li>i. Net Contributions (other than loans):</li> <li>(a) Total Contributions (other than loans) (from Line</li> <li>(b) Total Contribution Refunds (from Line 20d)</li> <li>(c) Net Contributions (other than loans) (Subtract L</li> <li>i. Net Operating Expenditures:</li> <li>(a) Total Operating Expenditures (from Line 17)</li> <li>(b) Total Offsets to Operating Expenditures (from L</li> </ul>	e 11e)	s s s s s s s 	\$ 93,649 \$ 3,400 \$ 90,249 \$ 194,474 \$
<ul> <li>i. Net Contributions (other than loans):</li> <li>(a) Total Contributions (other than loans) (from Line</li> <li>(b) Total Contribution Refunds (from Line 20d)</li> <li>(c) Net Contributions (other than loans) (Subtract L</li> <li>c) Net Operating Expenditures:</li> <li>(a) Total Operating Expenditures (from Line 17)</li> <li>(b) Total Offsets to Operating Expenditures (from L</li> <li>(c) Net Operating Expenditures (Subtract Line 7b fr</li> </ul>	e 11e) ine 6b from 6a) ine 14) om 7a) e 27)	s s s s s s s 	\$ 93,649 \$ 3,400 \$ 90,249 \$ 194,474 \$

It is true, correct and complete.

Donald White, Jr. Type or Print Nome of Tressun

SIGNATURE OF TREASURER

11/15/83

Federal Election Commission Toll Free 800-424-9530 Local 202-523-4068

> FECFORM3 (3/80) Attachment III

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §4379.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolets and should no longer be used.

# of Receipts and Disbursements (Page 2, FEC FORM 3)

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ione of Committee (in Full) Harold Byrd for Congress	Report Covering the Period: From: 10/1/82	To: 12/31/82
	COLUMNA	COLUMN B
I. RECEIPTS	Total This Period	Calendar Year-to-Date
1. CONTRIBUTIONS (other then loans) FROM:	the second s	
(a) Individuals/Persons Other Then Political Committees		87,199
(Memo Entry Uniternized \$)		
(b) Political Party Committees		
(c) Other Political Committees		6,350
(d) The Cendidette.	••••••	
(e) TOTAL CONTRIBUTIONS (other then icens) (edd 11s, 11b,	,11c and 11d)	93,649
12 TRANSFERS FROM OTHER AUTHORIZED COMMITTEES.		· ·
13. LOANS:		
(a) Made or Gueranneed by the Candidate	1,488	
b) All Other Loons		2,500
(c) TOTAL LOANS (add 13e and 13b)	1,488	105,667
14. OFFSETS TO OPERATING EXPENDITURES (Retunds, Reben	es, etc.)	
15. OTHER RECEIPTS (Dividends, Interest, etc.)		225
16. TOTAL RECEIPTS (Add 11e, 12, 13c, 14 and 15)	1 488	199,541
II. DISBURSEMENTS		
17. OPERATING EXPENDITURES	1,488	194,474
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES		
19. LOAN REPAYMENTS:	E.C.	
(a) Of Loans Made or Guaranteed by the Candidate		
(b) Of All Other Loons		
(c) TOTAL LOAN REPAYMENTS (add 19a and 19b)		854
20.REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees		3,400
(b) Political Party Committees		
(c) Other Political Committees	·····	· · · · · · · · · · · · · · · · · · ·
(d) TOTAL CONTRIBUTION REFUNDS (add 20a, 20b and 20		3,400
21.OTHER DISBURSEMENTS		
22.TOTAL DISBURSEMENTS (Add 17, 18. 19c, 20d and 21)	1,488	198,728
III. CASH SUMMARY		
23. CASH ON HAND AT BEGINNING OF THE REPORTING PER	NDD	813
24. TOTAL RECEIPTS THIS PERIOD (From Line 16)		1,488
25.SUBTOTAL (Add Line 23 and Line 24)		2,301
26. TOTAL DISBURSEMENTS THIS PERIOD (From Line 22)		1.488
27. CASH ON HAND AT CLOSE OF THE REPORTING PERIOD	(Subtract Line 26 from 25)	813
	Atta	chment_111

SCHEDULE B

3

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### ITEMIZED DISBURSEMENTS

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Page \_\_\_\_\_\_ of \_\_\_\_\_ for LINE NUMBER \_\_\_\_\_\_ (Use separate schedulois) for each category of the Datalled Summary Page)

Nome of Committee (in Full)	*		
Harold Byrd for Congress			
A. Full Norme, Mailing Address and ZIP Code C. A. Davis Printing 349-351 North Main Street	Purpose of Disbursement Printing	Dets (month, dey, year)	Amount of Each Disbursement This Perio
Memphis, TN 38134	Disburgement for: D Primery D General D Other (specify):	12/16/82	1,488
B. Full Name, Mailing Address and ZIP Cade	Purpose of Disbursement	Dete (month, day, year)	Amount of Each Disbursement This Perio
	Disbursement for: D Primary D General D Other (specify):		
C. Full Norme, Mailing Address and ZIP Code	Purpose of Disbursement	Date imonth,	Amount of Each
•		cley, yeer)	Disbursement This Period
	Disburgement for: DPrimary DGeneral D Other (specify):		
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Dete (month, dey, year)	Amount of Each Disbursement This Perio
	Disbursement for: DPrimary D General D Other (specify):		•
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, dey, year)	Amount of Each Disbursement This Perio
•	Disburgement for: D Primery D General D Other (specify):		
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, dey, year)	Amount of Each Disbursement This Perio
	Disburgement for: DPrimary DGeneral D Other (specify):		16
G. Full Name, Malling Address and 21P Code	Purpose of Disbursement	Dete (month, day, year)	Amount of Each Disbursement This Perio
	Disbursement for: DPrimery D General D Other (specify):		
H. Full Name, Malling Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disburgement This Perio
	Disburgement for: D Primary D General D Other (specify):		
I. Full Name, Mailing Address and ZIP Code	Purpose of Disburssment	Date (month, day, year)	Amount of Each Disburgement This Peric
· ·	Disburgement for: DPrimary D General D Other (specify):		
SUBTOTAL of Disbursements This Page (optional)	•••••••••••••••••••••••••••••••••••••••		•
TOTAL This Period (last page this line number only	1)		1,488

	LOANS	tor esc	eparate schedules th numbered line)
Neme of Committee (in Full) Marold Byrd for Congress			
A. Full Name, Mailing Address and ZIP Code of Loon Source Harold Byrd 6634 Rainbrook Memphis, TN 38134	Original Amount of Lasn 24,353 62,326 1,488	Cumulative Payment To Date 854	Belence Overandin Closs of This Peri 87, 313
Election: Difference D			
	Interest Rate DODP		Secured
List All Endorsers or Guarantors (if any) to from A	·		line res
1. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation	1	
	Amount Guaranteed Outstanding	P	
2. Full Name, Mailing Address and ZIP Code	Name of Employer	· • · · · ·	
	Occupation	-	
	Amount Guaranteed Outstanding	<b>1</b>	a second
3. Full Name, Mailing Address and ZIP Code	S Name of Employer	-	
	Occupation		
	Amount Guaranteed Outstanding		
	5		
B. Full Nome, Mailing Address and ZIP Code of Loan Source Bank of Bartlett	Original Amount of Loan	Cumulative Payment To Date	Belence Outstandi Close of This Per
Bank of Bartlett Bartlett, TN Personal Loan to Harold Byrd			
Bank of Bartlett Bartlett, TN Personal Loan to Harold Byrd Election: Eprimary DGeneral DOther (specify):	ef Loon 15,000	-0- ·	Close of This Per 15,000
Bank of Bartlett Bartlett, TN Personal Loan to Harold Byrd Election: Eprimary D General Dother (specify): Terms: Date Incurred 6/7/82 Date Due 3/7	ef Loon 15,000	То Dere -0	Close of This Per
Bank of Bartlett Bartlett, TN Personal Loan to Harold Byrd Election: E Primery D General DOther (specify): Terms: Date Incurred 6/7/82 Date Due 3/7 List All Endorsers or Guerantors (if any) to Item B	of Loon 15,000 /82 Interest Rate Prime	-0- ·	Close of This Per 15,000 Secured
Bank of Bartlett Bartlett, TN Personal Loan to Harold Byrd Election: E Primary D General DOther (specify): Terms: Date Incurred 6/7/82 Date Due 3/7. List All Endorsers or Guarantors (if any) to Item B 1. Full Name, Mailing Address and ZIP Code Harold Byrd	ef Loon 15,000	-0-	Close of This Per 15,000 Secured
Bank of Bartlett Bartlett, TN Personal Loan to Harold Byrd Election: E Primary D General DOther (specify): Terms: Date Incurred 6/7/82 Date Due 3/7 List All Endorsers or Guarantors (if any) to Item B 1. Full Name, Mailing Address and ZIP Code	of Loon 15,000 /82 Interest Rate Prime Name of Employer	To Dere _0_ "%(apr) [	Close of This Per 15,000 Secured
Bank of Bartlett Bartlett, TN Personal Loan to Harold Byrd Election: EPrimary DGeneral DOther (specify): Terms: Date Incurred 6/7/82 Date Due 3/7. List All Endorsers or Guarantors (if any) to Item B 1. Full Name, Mailing Address and ZIP Code Harold Byrd 6634 Rainbrook Lane Memphis, TN 38134	ef Loon 15,000 /82Interest Rate Prime Name of Employer Byrd Brothers Occupation	To Dere -0-	Close of This Per 15,000 Secured
Bank of Bartlett Bartlett, TN Personal Loan to Harold Byrd Election: E Primary D General Dother (specify): Terms: Date Incurred 6/7/82 Date Due 3/7. List All Endorsers or Guarantors (if any) to them B 1. Full Name, Mailing Address and ZIP Code Harold Byrd 6634 Rainbrook Lane	ef Loon 15,000 /82 Interest Rate Prime Name of Employer Byrd Brothers Occupation Farmer Amount Guaranteed Outstanding	To Dere -0-	Close of This Per 15,000 Secured
Bank of Bartlett Bartlett, TN Personal Loan to Harold Byrd Election: EPrimary DGeneral DOther (specify): Terms: Date Incurred 6/7/82 Date Due 3/7. List All Endorsers or Guerantors (if any) to Item B 1. Full Name, Mailing Address and ZIP Code Harold Byrd 6634 Rainbrook Lane Memphis, TN 38134	ef Loon 15,000 /82 Interest Rate Prime Name of Employer Byrd Brothers Occupation Farmer Amount Guaranteed Outstanding \$ 15,000	To Dere 0-	Close of This Per 15,000 Secured
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Bank of Bartlett Bartlett, TN Personal Loan to Harold Byrd Election: Eprimary DGeneral Dother (specify): Terms: Date Incurred_6/7/82Date Due_3/7. List All Endorsers or Guarantors (if any) to them B 1. Full Name, Mailing Address and ZIP Code Harold Byrd 6634 Rainbrook Lane Memphis, TN 38134 2. Full Name, Mailing Address and ZIP Code	ef Loan 15,000 /82 Interest Rate Prime Name of Employer Byrd Brothers Occupation Farmer Amount Guaranteed Outstanding S	To Dere O-	Close of This Pe 15,000 Secured
Bank of Bartlett Bartlett, TN Personal Loan to Harold Byrd Election: Eprimary DGeneral Dother (specify): Terms: Date Incurred 6/7/82 Date Due 3/7. List All Endorsers or Guarantors (if any) to them B 1. Full Name, Mailing Address and ZIP Code Harold Byrd 6634 Rainbrook Lane Memphis, TN 38134 2. Full Name, Mailing Address and ZIP Code	ef Leen 15,000 /82Interest Rete Prime Name of Employer' Byrd Brothers Occupation Farmer Amount Guaranteed Outstanding \$ 15,000 Name of Employer Occupation Amount Guaranteed Outstanding Name of Employer	To Dere O-	Close of This Pe 15,000 Secured
Bank of Bartlett Bartlett, TN Personal Loan to Harold Byrd Election: EPrimary DGeneral Dother (specify): Terms: Date Incurred 6/7/82 Date Due 3/7. List All Endorsers or Guarantors (if any) to item B 1. Full Name, Mailing Address and ZIP Code Harold Byrd 6634 Rainbrook Lane Memphis, TN 38134 2. Full Name, Mailing Address and ZIP Code	ef Loon 15,000 /82Interest Rate Prime Name of Employer Byrd Brothers Occupation Farmer Amount Guaranteed Outstanding \$ 15,000 Name of Employer Occupation Amount Guaranteed Outstanding \$ Name of Employer Occupation Amount Guaranteed Outstanding \$	To Dere O-	Close of This Pe 15,000 Secured
Bank of Bartlett Bartlett, TN Personal Loan to Harold Byrd <u>Election: Eprimary DGeneral DOther (specify):</u> Terms: Date Incurred_6/7/82Date Due_3/7_ List All Endorsers or Guarantors (if any) to Item B 1. Full Name, Mailing Address and ZIP Code Harold Byrd 6634 Rainbrook Lane Memphis, TN 38134 2. Full Name, Mailing Address and ZIP Code 3. Full Name, Mailing Address and ZIP Code	ef Loan 15,000 /82Interest Rate Prime Name of Employer Byrd Brothers Occupation Farmer Amount Guaranteed Outstanding S 15,000 Name of Employer Occupation Amount Guaranteed Outstanding S Name of Employer Occupation Amount Guaranteed Outstanding S	To Dere O-	Close of This Pe 15,000 Secured

(16)

October 12, 1983

- TO: Federal Election Commission C/O Mr. Conley Edwards, Jr. Washington, D.C, 20463
- From:Donald White, Jr., Treasurer Harold Byrd For Congress 6634 Rainbrook Lane Memphis, TN 38134

Subject: MUR 1559

Dear Mr. Edwards:

We have been advised that we are in violation of 2 U.S.C. 434 (A) (2) (A) (iii), a provision of the Federal Election Campaign Act of 1971 by failing to file the committee's 1982 October 15th Quarterly and year end reports.

RECEIVED AT THE FEC

DICT 117

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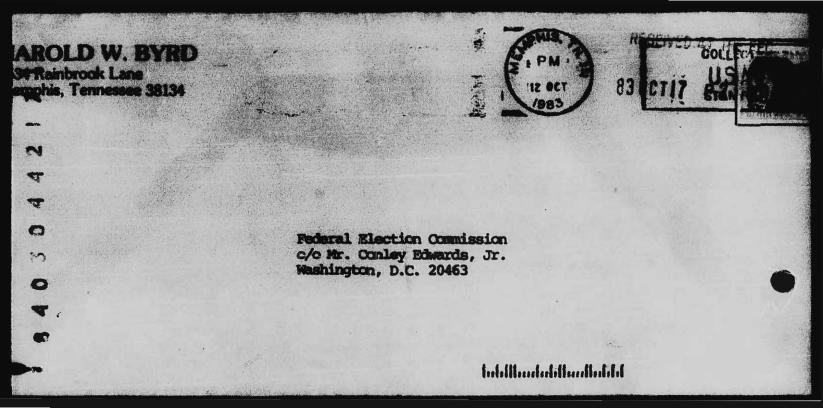
5

We regret these violations and ask to correct inadequacies of our reporting through settlement provided under conciliation in 11 C.F.R. 111.18(d).

The treasurer of the campaign has taken leave of absence from his C.P.A. firm (Cannon, Phillips. & White) and assumed the chief administrative official position under the new mayoral administration (Mayor Dick Hackett) in Memphis. This change was effected in 8-82 and Donald White will continue as CAO under Mayor Dick Hackett.

Therefore, due to the high level of activity we are in error and respectfully ask for your consideration in giving us time to correct this situation.

Respectfully, Synd Harold Byrd HB/da





#### FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 6, 1983

Donald White, Jr., Treasurer Harold Byrd for Congress 2670 Union Avenue Extended Suite 1112 Memphis, Tennessee 38112

#### RE: MUR 1559

Dear Mr. White:

On October 4, 1983, the Commission found reason to believe that Harold Byrd for Congress and you as Treasurer of Harold Byrd for Congress, violated 2 U.S.C. § 434(a)(2)(A)(iii), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") by failing to file the committee's 1982 October 15th Quarterly and Year End Reports. The General Counsel's 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 you. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, or you as Treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if you so desire. <u>See</u> 11 C.F.R. § 111.18(d).

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 a statement authorizing such counsel to receive any notifications and other communications from the Commission. Donald White, Jr. Page 2

The investigation now being conducted will be 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 Conley Edwards, Jr. at (202) 523-4060.

Sincerely,

myal

Danny L. McDonald, Chairman

Enclosures General Counsel's Factual and Legal Analysis Procedures Designation of Counsel Statement

cc: Harold W. Byrd

#### FEDERAL ELECTION COMMISSION

#### GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT Harold Byrd for Congress and Donald White, Jr., Treasurer MUR NO. <u>1559</u> STAFF MEMBER AND TELEPHONE NUMBER <u>Conley Edwards, Jr.</u> (202) 523-4060

SOURCE OF MUR: INTERNALLY GENERATED

#### SUMMARY OF ALLEGATIONS

The Harold Byrd for Congress committee's (hereinafter "the Committee") continued failure to file its 1982 October 15th Quarterly Report.

#### FACTUAL BASIS AND LEGAL ANALYSIS

On September 21, 1982, the Committee was notified that the October Quarterly Report was due on October 15, 1982. On January 17, 1983, the Committee was notified that the Clerk of the House of Representatives had not received the report. On April 12, 1983, the Reports Analysis Division tried unsuccessfully to contact a representative of the Committee. The last report filed by the Committee was its July 15th Quarterly Report.

2 U.S.C. § 434(a)(2)(A)(iii) requires that all principal campaign committees of a candidate for the House of Representatives shall file

> additional quarterly reports, which shall be filed no later than the 15th day after the last day of each calendar quarter, and which

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shall be complete as of the last day of each calendar quarter; except that the report for the quarter ending December 31 shall be filed no later than January 31 of the following calendar year.

Additionally, 2 U.S.C. § 434(a)(1) states that:

Each treasurer of a political committee shall file reports of receipts and disbursements in accordance with the provisions of this subsection. The treasurer shall sign each such report.

Based on the above statement of facts, it appears that

Harold Byrd for Congress and Donald White, Jr., as Treasurer of the Committee, violated 2 U.S.C. § 434 by failing to file the Committee's 1982 October 15th Quarterly Report. Therefore, the Office of General Counsel recommends that reason to believe be found against Donald White, Jr., as Treasurer of Harold Byrd for Congress.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Donald White, Jr., Treasurer Harold Byrd for Congress 2670 Union Avenue Extended Suite 1112 Memphis, Tennessee 38112

#### RE: MUR 1559

Dear Mr. White:

On , 1983, the Commission found reason to believe that Harold Byrd for Congress and you as Treasurer of Harold Byrd for Congress, violated 2 U.S.C. § 434(a)(2)(A)(iii), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") by failing to file the committee's 1982 October 15th Quarterly and Year End Reports. The General Counsel's 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 you. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, or you as Treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if you so desire. <u>See</u> 11 C.F.R. § 111.18(d).

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 a statement authorizing such counsel to receive any notifications and other communications from the Commission.

Donald White, Jr. Page 2

The investigation now being conducted will be 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 Conley Edwards, Jr. at (202) 523-4060.

Sincerely,

Enclosures General Counsel's Factual and Legal Analysis Procedures Designation of Counsel Statement

cc: Harold W. Byrd

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#### BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

MJR 1559

Harold Byrd for Congress ) Donald White, Jr., Treasurer )

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session on October 4, 1983, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1559:

- Find reason to believe that Harold Byrd for Congress Committee and Donald White, Jr., as Treasurer to the Harold Byrd for Congress Committee, violated 2 U.S.C. §434(a) (2) (A) (iii) by failing to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports.
- 2. Send the Factual and Legal Analysis attached to the General Counsel's report dated September 21, 1983, and an appropriate letter.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry,

and Reiche voted affirmatively for the decision.

Attest:

10/4/83

Date

Marion Winness

Marjorie W. Emmons Secretary of the Commission



FROM:

DATE:

SUBJECT:

FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

MEMORANDUM TO:

CHARLES STEELE, GENERAL COUNSEL MARJORIE W. EMMONS/JODY C. RANSOM JC/C SEPTEMBER 29, 1983 OBJECTION - MUR 1559 First General Counsel's Report dated September 23, 1983

The above-named document was circulated to the Commission on Monday, September 26, 1983 at 11:00.

Objections have been received from the Commissioners as indicated by the name(s) checked:

Commissioner	Aikens	
Commissioner	Elliott	<u> </u>
Commissioner	Harris	
Commissioner	McDonald	
Commissioner	McGarry	
Commissioner	Reiche	

This matter will be placed on the Executive Session agenda for Tuesday, October 4, 1983.



FEDERAL ELECTION COMMISSION WASHINGTON. D.C. 20463

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**SENSITIVE** RECEIVED OFFICE OF THE FEDERAL ELECTION COMMISSION SECRETARY 1325 K Street, N.W. Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT P 3: 13

DATE AND TIME OF TRANSMITTAL BY OGC TO THE COMMISSION 9-23-83 MUR NO. <u>1559</u> STAFF MEMBER Conley Edwards, Jr.

SOURCE OF MUR: INTERNALLY GENERATED RESPONDENT'S NAME: Harold Byrd for Congress Donald White, Jr., Treasurer RELEVANT STATUTE: 2 U.S.C. § 434(a)(2)(A)(iii) INTERNAL REPORTS CHECKED: Committee Reports

FEDERAL AGENCIES CHECKED: None

#### GENERATION OF MATTER

This matter was referred to the Office of General Counsel for review as a result of the continued failure of the Harold Byrd for Congress committee (hereinafter "the Committee"), the principal campaign committee of Harold W. Byrd, to file its 1982 October 15th Quarterly Report. Mr. Byrd lost the election with 40.8 percent of the vote. On July 19, 1983, the Commission voted to initiate a compliance action in this matter.

#### FACTUAL AND LEGAL ANALYSIS

On September 21, 1982, the Committee was notified that the October Quarterly Report was due on October 15, 1982. On January 17, 1983, the Committee was notified that the Clerk of the House of Representatives had not received the report. On April 12, 1983, the Reports Analysis Division made an unsuccessful attempt to contact a representative of the Committee. The last report filed by the Committee was its July 15th Quarterly Report. Attachment I. 2 U.S.C. § 434(a)(2)(A)(iii) requires that all principal campaign committees of a candidate for the House of Representatives shall file

> additional quarterly reports, which shall be filed no later than the 15th day after the last day of each calendar quarter, and which shall be complete as of the last day of each calendar quarter; except that the report for the quarter ending December 31 shall be filed no later than January 31 of the following calendar year.

Based on the above statement of facts, it appears that the Committee and Donald White, Jr., as Treasurer of the Committee, violated 2 U.S.C. § 434(a)(2)(A)(iii) by failing to file the Committee's 1982 October 15th Quarterly and Year End Reports.

#### RECOMMENDATIONS

- Find reason to believe that Harold Byrd for Congress Committee and Donald White, Jr., as Treasurer to the Harold Byrd for Congress Committee, violated 2 U.S.C. § 434(a) (2) (A) (iii) by failing to file Harold Byrd for Congress's 1982 October 15th Quarterly and Year End Reports.
- 2. Approve and send attached letter and General Counsel's Factual and Legal Analysis.

Charles N. Steele General Counsel

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Gross Kenneth Α.

Associate General Counsel

Attachments July 15th Quarterly Report Letter General Counsel's Factual and Legal Analysis

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Name of Committee (in Full)	Report Covering the Parist	
HAROLD BYRD FOR CONGRESS	Press: 7/1/82	Te: 7/16/82
	COLUMN A Turr This Period	COLUMIX B Columber Your to Date
L. RECEIPTS		and the second second
11. CONTRIBUTIONS (when then Icane) FROM:	6,720	76,650
(a) Individuals/Persons Other Than Political Commisses		
DJ Political Party Committante.		× 4.100
(a) Other Political Committees		.100.
Id) The Candidate	7,720	80,850
(a) TOTAL CONTRIBUTIONS (other shan teanaliseds 1 to, 1 to, 1 to and 1 to	19720	
12.TAANSFERS FROM OTHER AUTHORIZED COMMITTEES		
13.LOANE:		39,353
(a) Made or Gue-snaed by the Candidate	•••••	
(a) An Other Louns.		
(c) TOTAL LOANS (edd 13e and 13b)		41,853
14. OFFSETS TO OPERATING EXPENDITURES (Rohmds, Robers, etc.)		
15. OTNER RECEIPTS (Dividende, Income, etc.) INTEREST		225
18. TOTAL RECEIPTS [Add 11a, 12, 13c, 14 and 15]		122,923
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17. OFERATING EXPENDITURES	8,001	115,595
18. SANGFERS TO OTHER AUTHORI TO COMMITTEES		
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22. TOTAL DISCURSEMENTS (Add 17, 18, 19, 308 are 21)	B.6012	115.595
H. CASH SLASSARY		7,704
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25. SUSTOTAL (Add Live 23 and Live 24)	· · · · · · · · · · · · · · · · · · ·	15,424
28. TOTAL DISSURGEMENTS THIS MEANED Dram Line 221		
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FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

Donald White, Jr., Treasurer Harold Byrd for Congress 2670 Union Avenue Extended Suite 1112 Memphis, Tennessee 38112

#### **RE: MUR 1559**

Dear Mr. White:

On , 1983, the Commission found reason to believe that you, as Treasurer of Harold Byrd for Congress, violated 2 U.S.C. § 434(a)(2)(A)(iii), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") by failing to file your 1982 October 15th Quarterly and Year End Reports. The General Counsel's 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 you. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if you so desire. <u>See</u> 11 C.F.R: § 111.18(d).

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 a statement authorizing such counsel to receive any notifications and other communications from the Commission. Donald White, Jr. Page 2

The investigation now being conducted will be 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 Conley Edwards, Jr. at (202) 523-4060.

Sincerely,

Enclosures General Counsel's Factual and Legal Analysis Procedures Designation of Counsel Statement

cc: Harold Byrd

#### FEDERAL ELECTION COMMISSION

#### GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

**RESPONDENT** Harold Byrd for Congress and Donald White, Jr., Treasurer MUR NO. <u>1559</u> STAFF MEMBER AND TELEPHONE NUMBER <u>Conley Edwards, Jr.</u> (202) 523-4060

SOURCE OF MUR: INTERNALLY GENERATED

#### SUMMARY OF ALLEGATIONS

The Harold Byrd for Congress committee's (hereinafter "the Committee") continued failure to file its 1982 October 15th Quarterly and Year End Reports.

#### FACTUAL BASIS AND LEGAL ANALYSIS

On September 21, 1982, the Committee was notified that the October Quarterly Report was due on October 15, 1982. On January 17, 1983, the Committee was notified that the Clerk of the House of Representatives had not received the report. On April 12, 1983, the Reports Analysis Division tried unsuccessfully to contact a representative of the Committee. The last report filed by the Committee was its July 15th Quarterly Report.

2 U.S.C. § 434(a)(2)(A)(iii) requires that all principal campaign committees of a candidate for the House of Representatives shall file

additional quarterly reports, which shall be filed no later than the 15th day after the last day of each calendar quarter, and which shall be complete as of the last day of each calendar quarter; except that the report for the quarter ending December 31 shall be filed no later than January 31 of the following calendar year.

-2-

Based on the above statement of facts, it appears that Harold Byrd for Congress and Donald White, Jr., as Treasurer of the Committee, violated 2 U.S.C. § 434(a)(2)(A)(iii) by failing to file the Committee's 1982 October 15th Quarterly and Year End Reports. Therefore, the Office of General Counsel recommends that reason to believe be found against Harold Byrd for Congress and Donald White, Jr., as Treasurer of Harold Byrd for Congress.

#### BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of Harold Byrd for Congress

RAD Referral 83NF-5

#### CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 19, 1983, the Commission decided by a vote of 5-0 to open a MUR in the above-captioned matter.

Commissioners Aikens, Elliott, Harris, McDonald and McGarry voted affirmatively in this matter; Commissioner Reiche did not cast a vote.

Attest:

1-20-83

Date

especie W. Emmane

Marjorie W. Emmons Secretary of the Commission

Received in Office of Commission Secretary: Circulated on 48 hour tally basis: 7-14-83, 5:11 7-15-83, 2:00





FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

83 JUL 14 P 5: 11

RECEIVED OFFICE OF THE COMMISSION SECRETARY

July 14, 1983

MEMORANDUM

- TO : The Commission
- FROM : Charles N. Steele General Counsel

BY: Kenneth A. Gross Associate General Counsel

SUBJECT: RAD Referral 83NF-5 Harold Byrd for Congress

The Office of General Counsel has prepared for Commission review twenty-seven (27) critiques of referrals from the Reports Analysis Division.

Attached to this referral is a critique prepared by this Office, a copy of the referral from the Reports Analysis Division, and a 48-hour tally vote sheet. The OGC critique summarizes the facts, presents an analysis of the legal issues involved, and makes a recommendation as to the disposition of the referrals. The copy of the RAD referral is attached for informational purposes, and the separate vote sheet provides for a vote on this referral.

Attachments Critique and Referral

#### BAD REFERRAL NUMBER: 83NF-5

SUBJECT: Harold Byrd for Congress

#### Background

1. Date of referral: April 20, 1983

#### 2. Financial background:

a. Total 1981-1982 receipts: \$122,928

- b. Total 1981-1982 disbursements: \$115,595
- c. Cash on hand (June 30, 1982): \$7,704
- d. Debts owed to the committee (June 30, 1982): 0
- e. Debts owed by the committee (June 30, 1982): \$41,853

#### 3. Status of candidate

Harold Byrd, a Democrat, lost in the August 5, 1982, Tennessee primary receiving 40.8% of the vote. The winner received 59.2% of the vote.

#### Summary of RAD Actions

Referral category 1 (failure to file reports in violation of 2 U.S.C. § 434(a)(2)(A)(iii))

On September 21, 1982, the committee was notified that the October Quarterly Report was due on October 15, 1982. On January 17, 1983, the committee was notified that the Clerk of the House of Representatives had not received the report. On April 12, 1983, the RAD analyst tried unsuccessfully to contact the committee.

#### OGC Analysis

Pursuant to 2 U.S.C. § 434(a)(2)(A)(iii), the principal campaign committee of a candidate for the House of Representatives must file, in an election year, quarterly reports, which shall be filed no later than the 15th day after the last day of each calendar quarter: except that the report for the quarter ending December 31 shall be filed no later than January 31 of the following calendar year.

The last report filed by the committee was the July 15, 1982, Quarterly Report which covered up to June 30, 1982. Therefore, the committee appears to have violated 2 U.S.C. § 434(a)(2)(A)(iii) by not filing the October 15, 1982, and Year End 1982 Quarterly Reports. In light of the committee's substantial activity and outstanding debts and the fact that preelection activity has gone unreported, the General Counsel recommends that the Commission open a MUR.

Recommendation

Open a MUR.

Attachment

**RAD Referral** 



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

20 April 1983

#### MEMORANDUM

TO: CHARLES N. STEELE GENERAL COUNSEL THROUGH: B. ALLEN CLUTTER PRI-STAFF DIRECTOR

FROM: JOHN D. GIBSON ASSISTANT STAFF DIRECTOR, RAD

SUBJECT: REFERRAL OF THE OCTOBER QUARTERLY REPORT NON-FILERS

Attached are the referrals of four committees which failed to file timely the 1982 October Quarterly Report of Receipts and Disbursements. According to the Review and Referral Procedures, these matters require further examination by your office (Chart 1). One committee, the Mallot for U.S. House Committee, filed a Year End Report which incorporated the October Quarterly reporting period. The other committees, Harold Byrd for Congress, Barry Seward for Congress Committee and Bob Eberle for Congress have not filed the report.

In addition to their failure to file the October Quarterly Report, the committee's supporting Byrd, Seward, and Eberle failed to file their 1982 Year End Reports. This matter will not be referred to your office in accordance with the Review and Referral Procedures (Chart 1).

The Bob Eberle for Congress Committee was involved in another compliance matter. On January 14, 1983, the committee was referred for a possible audit. On February 1, 1983, the Commission voted not to audit the committee.

If you have any questions please contact the appropriate analyst or Daniel Zoller in the Reports Analysis Division.

Attachments

cc: Commissioners

#### **REPORTS ANALYSIS REFERRAL**

#### TO

#### OFFICE OF GENERAL COUNSEL

DATE: 20 April 1983

ANALYST: Anthony Raymond

I. COMMITTEE:

Harold Byrd for Congress (C00147223) (TN-07) Donald White, Jr., Treasurer 2670 Union Avenue Extended, Suite 1112 Memphis, TN 38112

#### II. RELEVANT STATUTE: 2 U.S.C. 434(a)(2)(A)(iii)

#### III. BACKGROUND:

Harold Byrd for Congress, the principal campaign committee, supporting Harold W. Byrd in the 1982 Tennessee Primary Election, failed to file the 1982 October Quarterly Report. Mr. Byrd lost the election with 40.8 percent of the vote. The winner received 59.2 percent (Attachment 2).

On September 21, 1982, the committee was notified that the October Quarterly Report was due on October 15, 1982 (Attachment 3). On January 17, 1983, the committee was notified that the Clerk of the House of Representatives had not received the report (Attachment 4). On April 12, 1983, the analyst tried unsuccessfully to contact the committee to obtain the report (Attachment 5).

#### IV. OTHER PENDING MATTERS INITIATED BY RAD:

None

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3. PRINCIPAL CAMPAIGN COMMITTEE Harold Byrd for Congress			190 C00147223 HOUSE
1781 STATEMENT OF ORGANIZATION			. 30H0V81 1 01H8E/206/9
YEAR-END 1982 April Quarterly	100	2,268	23NOV81 -31DEC01 2 82NBE/210/30 1JAN82 -31NAR82 10 82NBE/214/46
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Cash-on-Hand as of July 16, 1982	 \$7,333.00
Debts as of July 16, 1982	 \$41,853.00

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# CONGRESSIONAL QUARTERLY

Politics - 22

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	•		A MARKET	Age	Cocupation		Percent	
		'Jim Sessor (D) Charles G. Vick (D)	Manghia	45 57	Incumbent Salesman	446,970 61,013	11.6	
		Robin L. Board (R) William B. Thompson Jr. (R)	Franklin Mamphis	42 45	U.S. representative Selesmen	186,979 18,866	90.8 9.2	
GOVERNOR								
		Candidate	Residence	Age	Occupation	Vete	Percent	
		Anna Belle Clement O'Brien (D) Randy Tyree (D)	Cressville	59 42	State senator Knowville mayor	234,706 293,078	40.0	
		John G. Love (D)	Johnson City	57	Former Johnson City mayor	10,044	1.7	
		Temmy McKnight (D) Tem Henry (D)	Jackson Lobanon	47	Former state representative Former director, state Com- mission on Aging	9,886 17,599	1.7	
		Luther M. Kindall (D)	Knewville	39	Psychology professor	7,051	1.2	
		Boyce McCall (D)	Knowville	50	Electrical contractor	2,417	0.4	
		Virginia Nyabongo (D) James W. Thomas (D)	Nashville Lowisburg	49 37	Retired professor Engineering and electronics consultant	5,642	1.0	
		*Lamar Alexander (R)	Nashville	42	incumbent		posed	
HOUSE								
District Loca	neiten	Condidate	Residence	Age	Occupation	Vote	Percent	
h 1 Northeast -	- Tri-cities	"Jessie J. Cable (D)	Jonesboro		Former	Unop	posed	
		*James H. Quillen (R)	Kingsport	66	Incumbent	Unop	posed	
2 East — Kno 1		No Democratic Candidate *John J. Duncan (R)	Knoxville	63	Incumbent	Unop	posed .	
3 Southeast - Oak Ridge		*Marilyn Lloyd Bouquard (D) Stephen L. Roberts (D)	Chattanoogo Altamont	53 34	Incumbent Former Altamont mayor	46,183 9,460	<b>83</b> .0 17.0	
T		*Gien Byers (R)	Cleveland	45	Physician		posed	
04 Northeast a	and South Central 1	*Jim Cooper (D) Buddy Perry (D)	Shelbyville Winchester	28 35	Lawyer Lawyer	48.626 22,811	68.0 32.0	
5		*Cissy Baker (R)	Huntsville	26	Former television news editor	18,226	55.3	
		Marianna Frost (R) Ronald C. Winkles (R)	Prospect Morristown	43 36	Former and minister Former military science	8,806	26.7	
P.					professor	5,949	18.0	
T <sup>T</sup> 5 Nashville		*Bill Boner (D) Nick Cupido (D)	Nashville Nashville	37 52	Incumbent Liquor store owner	61,817 8,287	88.2 11.8	
		*Loural Steinhice (R)	Nashville	46	Political activist	Unop	posed	
6 North Centr		*Albert Gore Jr. (D)	Certhope	34	Incumbent	1 hours	posed	
		No Republican Candidate				Uno		
	al — Clarksville, " helby County	*Bob Clement (D)	Dickson	38	Former Tennessee public service commissioner	35,954	59.2	NB
-		Harold Byrd (D)	Memphis	31	State representative	24,815	40.8	Ļ
		*Don Sundquist (R)	Memphis	46	Advertising executive	Uno	posed	
	Calif Restroaded and Phillips	*Ed Jones (D)	Yorkville	70	Incumbent	58,625	67.4	
of Shelby		Lorry Bates (D) *Bruce Benson (R)	Martin Memphis	37 33	Former state representative Businessman	28,331 Unoj	32.6 pposed	
9 Memphis		*Harold E. Ford (D)	Memphis	37	Incumbert	58,822	84.1	
		Mark F. Flanagan (D) Joe Crawford (R)	Memphis Memphis	39 35	Businessman Alcohol and drug abuse	11,149	15.9	

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FEDERAL ELECTION COMMISSION

September 21, 1982

WASHINGTON, D.C. 20463

#### ctober Filing Notice for Unauthorized Political Committees Filing Third Quarterly or Monthly Reports of Receipts and Disbursements

This notice summarizes the October reporting obligations of political committees which are not authorized by any Federal candidate. The notice explains requirements for filing reports of receipts and distursements under the Federal Election Campaign Act of 1971, as amended.

#### THIRD QUARTERLY REPORT

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Unauthorized political committees (Le., committees not authorized by any Federal candidate) must file the Third Quarterly Report unless they are filing on a monthly basis (see below).

On this report, committees must disclose all reportable transactions from the later of:

- The date of registration, if this is the committee's first report; or
- The date of the close of books of the last report filed.

The Third Quarterly Report must disclose all financial activity of the committee not previously disclosed through September 30, 1982, and must be filed regardless of the amount of financial activity involved during the reporting period.

The Third Quarterly Report may be hand delivered no later than close of business October 15, 1982. Reports mailed first-class must be received no later than close of business October 15, 1982. Reports sent by registered or certified mail must be post-marked no later than midnight October 15. 11 CFR 104.5(c)(1)(1) and 104.5(e).

#### NOTE: If a committee filing on a quarterly basis makes contributions or expenditures in connection with the primary or general election(s) and such disburements have not been previously reported, the committee must also file a Pre-election Report of Receipts and Disbursements. (Information concerning the general election reporting requirements will be mailed to all unauthorized committees prior to the election.)

#### MONTHLY REPORT

Unauthorized committees reporting on a monthly filing schedule must file their monthly report by October 20, covering activity from September 1 through September 30, 1982. This report is filed in lieu of the Third Quarterly Report. 11 CFR 104.5(c)(3).

#### WHAT FORM TO USE

All unauthorized political committees should use FEC Form 3X with appropriate schedules for filing the report. If an unauthorized committee has qualified as a multicandidate committee during this reporting period, it should check the appropriate box on page one of FEC Form 3X. (See FEC Regulations at 100.5(e)(3) for the definition of a multicandidate committee.)

#### WHERE TO FILE

Committees should consult the instructions on the reverse side of the Summary Page of the reporting form for details on where to file their reports.

#### FAILURE TO FILE REPORTS

Committees should be aware that failure to file required reports may result in compliance proceedings under the provisions of the Federal Election Campaign Act. According to a revised Commission policy, although political committees that are not authorized by any Federal candidate will no longer receive mailgram notification of their failure to file reports, they nevertheless remain fully liable for failure to file any report required under the Act.

(continued)

### FEDERAL ELECTION COMMISSION



WASHINGTON, D.C. 20463

MSF

17 January 1983

Donald White, Jr., Treasurer Harold Byrd for Congress 2670 Union Avenue Extended, Suite 1112 38112 Memphis, TN

Identification Number: C00147223

Dear Mr. White:

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It has come to the attention of the Federal Election Commission that you may have failed to file the October Quarterly Report of Receipts and Expenditures as required by the Federal Election Campaign Act. Prior notice was sent to you on September 21, 1982 advising you that the October Quarterly Report (covering the period from the closing date of your last report or from the date of registration, whichever is later, through September 30, 1982) was due on October 15, 1982.

It is important for your report to be available on a timely basis for the public record. The report should be filed immediately with the Clerk of the House, Office of Records and Registration, 1036 Longworth House Office Building, Washington, DC 20515, or the Secretary of the Senate, Office of Public Records, 119 D Street, NE, Washington, DC 20510, as appropriate. A copy of the report should also be filed with the Secretary of State or equivalent state officer.

The failure to file the October Quarterly Report may result in audit or legal enforcement action.

If you have any questions regarding this matter, please contact Anthony Raymond on our toll-free number (800) 424-9530. Our local number is (202) 523-4048.

Sincerely,

Tiloo

John D. Gibson Assistant Staff Director Reports Analysis Division

MEMORANDUM FOR FILES

RE: Non-Filer TELECON

DATE: . 4/12/83

FROM: Tony Raymond

TO:

NAME OF COMMITTEE:

HAROLD BYRD FOR CONGRESS

ATTACHMENT 5

Several attempts were made to reach the committee. Information was unable to locate the treasurer, candidate nor the committee under the listings.

#### **REPORTS ANALYSIS REFERRAL**

TO

#### OFFICE OF GENERAL COUNSEL

DATE: 20 April 1983

83NF-5

ANALYST: Anthony Raymond

I. COMMITTEE:

Harold Byrd for Congress (C00147223) (TN-07) Donald White, Jr., Treasurer 2670 Union Avenue Extended, Suite 1112 Memphis, TN 38112

II. RELEVANT STATUTE: 2 U.S.C. 434(a)(2)(A)(iii)

III. BACKGROUND:

Harold Byrd for Congress, the principal campaign committee, supporting Harold W. Byrd in the 1982 Tennessee Primary Election, failed to file the 1982 October Quarterly Report. Mr. Byrd lost the election with 40.8 percent of the vote. The winner received 59.2 percent (Attachment 2).

On September 21, 1982, the committee was notified that the October Quarterly Report was due on October 15, 1982 (Attachment 3). On January 17, 1983, the committee was notified that the Clerk of the House of Representatives had not received the report (Attachment 4). On April 12, 1983, the analyst tried unsuccessfully to contact the committee to obtain the report (Attachment 5).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None

		3 0 4 4 2 EDERAL ELECTION COM 1981-1982 EX OF SUPPORTING DO	MISSION	PA	DATE GAPRES NE 3
CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/ PARTY	RECEIPTS Frihary Genera	EXPENDITURES L PRIMARY GENER		OF NICROFILM PAGES LOCATION OF FILER
BYRD, HAROLD W	HOUSE 07 DEMOCRATIC	PARTY	TENNEBBEE	1982 ELECTION	150 H2TH07612
1. STATEMENT OF CANDIDATE 1981 STATEMENT OF CAN 2. Candidate Reports of Re 3. Principal Campaign Comp	CEIPTS & EXPENDITURES			30NOV81	1 81162/206/0641
HAROLD BYRD FOR CONGRESS				190 C00147223 HOUS	
1981 STATEMENT OF ORE	SANIZATION			. 30NDV81	1 01HBE/204/04
YEAR-END		100		23NOV81 -31DEC81	2 82888/210/317
1982 APRIL QUARTERLY April Quarterly Request for Addi	- AMENDMENT	27,199 27,199	2,268	1 JAN62 - 31 MAR62 1 JAN62 - 31 MAR62	10 82H8E/214/4051 + 10 82H8E/217/4494 * 2 82FEC/232/1701
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8.071

105,236

115,595

1JUL82 -16JUL82

1APR82 -30JUN82

1APR82 - 30JUN82

1APR82 -30JUN82

**17JAN63 FROM FEC** 

ID0 C00162180

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43 TOTAL PAGES

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HOUSE

83FEC/241/4470

7,720

87,909

122,928

4D. TRANSFERS IN FROM JOINT FUNDRAISING COMMITTEES

7TH DISTRICT DEMOCRATIC CONGRESSIONAL COMMITTEE

REQUEST FOR ADDITIONAL INFORMATION

REQUEST FOR ADDITIONAL INFORMATION 2ND

PRE-PRIMARY

TOTAL

4. AUTHORIZED COMMITTEES

JULY QUARTERLY

1783 MISCELLANEOUS REPORT

1982 STATEMENT OF ORGANIZATION

C.

\*Denotes reports which received basic review.

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Cash-on-Hand as of July 16, 1982 -- \$7,333.00

- ANENDHENT

Debts as of July 16, 1982 -- \$41,853.00

# ATTACHMENT 2 CONGRESSIONAL QUARTERLY

Politics - 22

District 0, 2

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ALL LOCALES								
SENAT								8
		Condidate	Residence	Age	Occupation	Velo	Percent	
		*Jim Sasser (D) Charles G. Vick (D)	Nashville Mamphis	45 57	Incumbent Salesman	466,970 61,013	88.4 11.6	
		*Robin L. Beard (R) William B. Thompson Jr. (R)	Franklin Momphis	42 45	U.S. representative Solesman	186,979	90.8 9.2	
GOVE								
GOVE		Condidate	Residence	Age	Occupation	Vete	Percent	
		Anna Bolle Clement O'Brien (D)	Croswille	59	State senator	234,706	40.0	
		*Randy Tyree (D)	Knowville	42	Knoxville mayor	293,078	50.0	
		John G. Love (D)	Johnson City	57	Former Johnson City mayor	10,044	1.7	
		Tommy McKnight (D) Tom Henry (D)	Jeckson Lebanon	47 44	Former state representative Former director, state Com-	9,886	1.7	
					mission on Aging	17,599	3.0	
		Luther M. Kindall (D)	Knoxville	39	Psychology professor	7,051	1.2	
		Boyce McCall (D)	Knoxville	50	Electrical contractor	2,417	0.4	
		Virginia Nyabongo (D)	Nashville	69	Retired professor	5,642	1.0	
		James W. Thomas (D)	Lewisburg	37	Engineering and electronics			
					consultant	5,577	1.0	
		*Lamar Alexander (R)	Nashville	42	incumbent	Unop	posed	
HOUS	E							
District	Lecation	Condidate	Residence	Age	Occupation	Vete	Percent	
0,						100.0		
	Northeast — Tri-cities	*Jessie J. Cable (D) *James H. Guillen (R)	Jonesboro Kingsport	66	Former Incumbent		posed posed	
M.								
$N^2$	East — Knoxville	No Democratic Candidate *John J. Duncan (R)	Knozville	63	Incumbent	lhan	posed	
σ.								
3	Southeast — Chattanooga, Oak Ridge	*Marilyn Lloyd Bouquard (D) Stephen L. Roberts (D)	Chattanooga Altamont	53 34	Incumbent Former Altamont mayor	46,183 9,460	83.0 17.0	
ব		*Gien Byers (R)	Cleveland	45	Physician	Unop	posed	
0.	Mathemat and Easth Control	the Course (D)	Ch	-		48 494	68.0	
	Northeast and South Central	Buddy Perry (D)	Shelbyville Winchester	28 35	Lawyer Lawyer	48,626 22,811	32.0	
3		*Cissy Baker (R)	Huntsville	26	Former television news editor	18,226	55.3	
		Marianna Frost (R)	Prospect	43	Former and minister	8,806	26.7	
0		Ronald C. Winkles (R)	Morristown	36	Former military science professor	5,949	18.0	
4					protessor	3,747	18.0	
5	Nashville	*Bill Boner (D)	Nashville	37	Incumbent	61,817	88.2	
80		Nick Cupido (D)	Nashville	52	Liquor store owner	8,287	11.8	
		*Laural Steinhice (R)	Nashville	46	Political activist	Unop	posed	
6	North Central — Murfreesboro	*Albert Gore Jr. (D)	Carthage	34	Incumbent	Unop		
		No Republican Candidate	Connuge	-		Unop	polito	
7 /	Mark Cantal Clasherilla		P: 1				-	
1	West Central — Clarksville, part of Shelby County	*Bob Clement (D)	Dickson	38	Former Tennessee public service commissioner	35,954	59.2	>
	-	Harold Byrd (D)	Memphis	31	State representative	24,815	40.8	
		*Don Sundquist (R)	Memphis	46	Advertising executive	Unop	posed	
8	West - Jackson, part	*Ed Jones (D)	Yorkville	70	Incumbent	58,625	67.4	
	of Shelby County	Larry Bates (D) *Bruce Benson (R)	Montin	37 33	Former state representative	28,331	32.6	
			Memphis	33	Businessman	Unop	posed	
9	Memphis	*Harold E. Ford (D) Mark F. Flanagan (D)	Memphis Memphis	37 39	Incumbent Businessman	58,822 11,149	84.1 15.9	
		Joe Crawford (R)	Memphis	35	Alcohol and drug abuse	11,147		
					counselor	Unop	posed	

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COPVEIGHT 1982 CONDRESSIONAL QUARTERLY INC d in whole or in part except by ed

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 21, 1982

#### October Filing Notice for Unauthorized Political Committees Filing Third Quarterly or Monthly Reports of Receipts and Disbursements

This notice summarizes the October reporting obligations of political committees which are not authorized by any Federal candidate. The notice explains requirements for filing reports of receipts and disbursements under the Federal Election Campaign Act of 1971, as amended.

#### THIRD QUARTERLY REPORT

Unauthorized political committees (Le., committees not authorized by any Federal candidate) must file the Third Quarterly Report unless they are filing on a monthly basis (see below).

On this report, conmittees must disclose all reportable transactions from the later of:

- The date of registration, if this is the committee's first report; or
- The date of the close of books of the last report filed.

The Third Quarterly Report must disclose all financial activity of the committee not previously disclosed through September 30, 1982, and must be filed regardless of the amount of financial activity involved during the reporting period.

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(continued)

### FEDERAL ELECTION COMMISSION



WASHINGTON, D.C. 20463

MSF

ATTACHMENT 4

17 January 1983

Donald White, Jr., Treasurer Harold Byrd for Congress 2670 Union Avenue Extended, Suite 1112 Memphis, TN 38112

Identification Number: C00147223

Dear Mr. White:

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If you have any questions regarding this matter, please contact Anthony Raymond on our toll-free number (800) 424-9530. Our local number is (202) 523-4048.

Sincerely,

Tiloo

John D. Gibson Assistant Staff Director Reports Analysis Division

	ATTACHMENT 5
MENORANDUM FOR FILES	
RE: Non-Filer TELECON	
DATE: 4/12/83	
FROM: Tony Raymond	

TO:

NAME OF COMMITTEE:

HAROLD BYRD FOR CONGRESS

Several attempts were made to reach the committee. Information was unable to locate the treasurer, candidate nor the committee under the listings.



# FEDERAL ELECTION COMMISSION

1325 K STREET N.W. WASHINGTON, D.C. 20463

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