FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20443

THIS IS THE BEGINNING OF MUR # 2797

DATE FILMED 5/21/92 CAMERA NO. 1

CAMERAMAN E.E.S.
The Honorable Thomas Josefiak  
Chairman  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463  

Dear Mr. Chairman:

Re: Joseph Perkins, et al.; 2 U.S.C. §§ 441a, 441b and 441f

This will refer to, and confirm, our conversation of  
August 11, 1986, with Associate General Counsel Lois Lerner  
concerning the captioned matter.

In early 1986, this Department initiated a criminal investiga-  
tion into an alleged pattern of illegal corporate political  
contributions, which were made through conduits by Alabama  
businessman Joseph Perkins. This investigation determined that  
approximately $8,000 was given by Mr. Perkins to the 1986 Alabama  
congressional campaign of Roy Johnson in the names of several of  
his (Perkins') employees. However, this investigation has also  
determined that, contrary to our original belief, these illegal  
contributions were made in 1985, rather than in 1986. As such,  
the special three-year statute of limitations applicable to  
criminal violations of the Federal Election Campaign Act  
(2 U.S.C. § 455) has run on this matter, and we are barred from  
prosecuting it under 2 U.S.C. § 437g(d).

We are referring this matter to the Commission for what-  
ever action it considers appropriate under the administrative  
provisions of 2 U.S.C. § 437g(a). This matter is closed in the  
Department of Justice, and we do not plan to take further  
criminal investigative or enforcement action in it.
Enclosed herewith is a copy of pertinent investigative material developed by the Federal Bureau of Investigation in this matter.

Sincerely,

Gerald E. McDowell
Chief, Public Integrity Section
Criminal Division

By:

Craig C. Donsanto
Director, Election Crimes Branch
Public Integrity Section
Criminal Division

Enclosure

cc: Frank W. Donaldson
United States Attorney
Middle District of Alabama
Birmingham, Alabama 35203

Dennis Aiken
Headquarters
Federal Bureau of Investigation
### Reports of Receipts and Disbursements

For Authorized Committee

#### Summary

<table>
<thead>
<tr>
<th>TYPE OF REPORT</th>
<th>COLUMN A</th>
<th>COLUMN B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Election</td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Election</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special Election</td>
<td></td>
<td></td>
</tr>
<tr>
<td>None</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

####活动

### Covering Period

<table>
<thead>
<tr>
<th>1/1/85 through 6/30/85</th>
</tr>
</thead>
</table>

### Net Contributions (other than loans)

<table>
<thead>
<tr>
<th>Item</th>
<th>This Period</th>
<th>Calendar Year-to-Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Total Contributions (other than loans) (from Line 11 (a))</td>
<td>$153,361.29</td>
<td>$153,361.29</td>
</tr>
<tr>
<td>b) Total Contribution Refunds (from Line 20 (d))</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>c) Net Contributions (other than loans) (subtract Line 8 (b) from 8 (a))</td>
<td>$153,361.29</td>
<td>$153,361.29</td>
</tr>
</tbody>
</table>

### Net Operating Expenditures

<table>
<thead>
<tr>
<th>Item</th>
<th>This Period</th>
<th>Calendar Year-to-Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Total Operating Expenditures (from Line 17)</td>
<td>$3,572.56</td>
<td>$3,572.56</td>
</tr>
<tr>
<td>b) Total Offsets to Operating Expenditures (from Line 14)</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>c) Net Operating Expenditures (Subtract Line 7 (b) from 7 (p))</td>
<td>$3,572.56</td>
<td>$3,572.56</td>
</tr>
</tbody>
</table>

### Cash on Hand at Close of Reporting Period (from Line 27)

<table>
<thead>
<tr>
<th>Item</th>
<th>This Period</th>
<th>Calendar Year-to-Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>b) Cash On Hand At Close Of Reporting Period (from Line 27)</td>
<td>$151,421.87</td>
<td></td>
</tr>
</tbody>
</table>

### Debts and Obligations Owed To The Committee

<table>
<thead>
<tr>
<th>Item</th>
<th>This Period</th>
<th>Calendar Year-to-Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Debts And Obligations Owed To The Committee (Items All On Schedule C Or Schedule D)</td>
<td>-0-</td>
<td></td>
</tr>
<tr>
<td>b) Debts And Obligations Owed By The Committee (Items All On Schedule C Or Schedule D)</td>
<td>$1,712.70</td>
<td></td>
</tr>
</tbody>
</table>

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

Dana T. Clements

**Date**

2-29-85

For further information, contact:
Federal Election Commission
Toll Free 800-424-9330
Local 202-623-4088

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

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.
<table>
<thead>
<tr>
<th>Description</th>
<th>COLUMN A Total This Period</th>
<th>COLUMN B Calendar Year-to-Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>11. CONTRIBUTIONS (other than loans) FROM:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Individuals/Persons Other Than Political Committees</td>
<td>$113,961.29</td>
<td>$113,961.29</td>
</tr>
<tr>
<td>(b) Political Party Committees</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>(c) The Candidate</td>
<td>$32,400.00</td>
<td>$32,400.00</td>
</tr>
<tr>
<td>(d) TOTAL CONTRIBUTIONS (other than loans) (add 11(a), 11(b), 11(c) and 11(d))</td>
<td>$153,361.29</td>
<td>$153,361.29</td>
</tr>
<tr>
<td>12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>13. LOANS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Made or Guaranteed by the Candidate</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>(b) All Other Loans</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>(c) TOTAL LOANS (add 13 (a) and 13 (b))</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>15. OTHER RECEIPTS (Dividends, Interest, etc.)</td>
<td>$1,633.14</td>
<td>$1,633.14</td>
</tr>
<tr>
<td>16. TOTAL RECEIPTS (add 11 (a), 12, 13 (a), 14 and 15)</td>
<td>$154,994.43</td>
<td>$154,994.43</td>
</tr>
<tr>
<td>17. OPERATING EXPENDITURES</td>
<td>$3,572.56</td>
<td>$3,572.56</td>
</tr>
<tr>
<td>18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>19. LOAN REPAYMENTS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Of Loans Made or Guaranteed by the Candidate</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>(b) Of All Other Loans</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>(c) TOTAL LOAN REPAYMENTS (add 19 (a) and 19 (b))</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>20. REFUNDS OF CONTRIBUTIONS TO:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Individuals/Persons Other Than Political Committees</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>(b) Political Party Committees</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>(c) The Candidate</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>(d) TOTAL CONTRIBUTION REFUNDS (add 20 (a), 20 (b), and 20 (c))</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>21. OTHER DISBURSEMENTS</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>22. TOTAL DISBURSEMENTS (add 17, 18, 19 (a), 20 (d) and 21)</td>
<td>$3,572.56</td>
<td>$3,572.56</td>
</tr>
</tbody>
</table>

### III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD                          | $0                        | $0                            |
24. TOTAL RECEIPTS THIS PERIOD (From Line 16)                              | $154,994.43               |                               |
25. SUBTOTAL (Add Line 23 and Line 24)                                     | $154,994.43               |                               |
26. TOTAL DISBURSEMENTS THIS PERIOD (From Line 22)                         | $3,572.56                 |                               |
27. CASH ON HAND AT CLOSE OF THE REPORTING PERIOD (Subtract Line 26 from 25) | $151,421.87               |                               |
<table>
<thead>
<tr>
<th>A. Full Name, Mailing Address and ZIP Code</th>
<th>Name of Employer</th>
<th>Date (month, day, year)</th>
<th>Amount of Cash Received This Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charles Allison</td>
<td>Gulf States Paper</td>
<td>4/12/85</td>
<td>$250.00</td>
</tr>
<tr>
<td></td>
<td>Corporation</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Attorneys</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B. Full Name, Mailing Address and ZIP Code</td>
<td>Tuscaloosa County</td>
<td>6/28/85</td>
<td>$1,000.00</td>
</tr>
<tr>
<td></td>
<td>Board of Education</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>High School Principal</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Occupation Assistant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C. Full Name, Mailing Address and ZIP Code</td>
<td>Ramona M. Andrews</td>
<td>3/22/85</td>
<td>$500.00</td>
</tr>
<tr>
<td></td>
<td>Racon, Inc.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Secretary</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D. Full Name, Mailing Address and ZIP Code</td>
<td>Aaron Aronov</td>
<td>2/20/85</td>
<td>$500.00</td>
</tr>
<tr>
<td></td>
<td>Aronov Realty</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Owner</td>
<td></td>
<td></td>
</tr>
<tr>
<td>E. Full Name, Mailing Address and ZIP Code</td>
<td>Jackie F. Ayers</td>
<td>3/25/85</td>
<td>$500.00</td>
</tr>
<tr>
<td></td>
<td>Security Mutual</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Financi Corporation</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sr. Vice President</td>
<td></td>
<td></td>
</tr>
<tr>
<td>F. Full Name, Mailing Address and ZIP Code</td>
<td>David W. Badham</td>
<td>2/9/85</td>
<td>$1,000.00</td>
</tr>
<tr>
<td></td>
<td>Self-Employed</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Optometrist</td>
<td></td>
<td></td>
</tr>
<tr>
<td>G. Full Name, Mailing Address and ZIP Code</td>
<td>George F. Bailey</td>
<td>2/20/85</td>
<td>$250.00</td>
</tr>
<tr>
<td></td>
<td>Alabama Railroad</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Association</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Affairs Director</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**SUBTOTAL of Receipts This Page (optional):** $4,000.00

**TOTAL This Period (last page this line number only):** $4,000.00
<table>
<thead>
<tr>
<th>Receipt For:</th>
<th>Primary</th>
<th>General</th>
<th>Other (specify):</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Full Name, Mailing Address and ZIP Code</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Omer A. Baker</td>
<td>400-C 10th Street, East Tuscaloosa, AL 35401</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B. Full Name, Mailing Address and ZIP Code</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>T. H. Benners, Jr.</td>
<td>P. O. Box 30086 Birmingham, AL 35222</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C. Full Name, Mailing Address and ZIP Code</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rose M. Betz</td>
<td>2105 Bridge Avenue Northport, AL 35476</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D. Full Name, Mailing Address and ZIP Code</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jack Biddle, III</td>
<td>256 Pinehurst Drive Gardendale, AL 35071</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E. Full Name, Mailing Address and ZIP Code</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mrs. Jack Biddle, III</td>
<td>2256 Pinehurst Drive Gardendale, AL 35071</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>F. Full Name, Mailing Address and ZIP Code</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>John C. Blackenburg</td>
<td>900 Church Street Selma, AL 36702</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>G. Full Name, Mailing Address and ZIP Code</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>W. H. Blount</td>
<td>P. O. Box 7497 Birmingham, AL 35253</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Employer</th>
<th>Date (month, day, year)</th>
<th>Amount of Each Receipt This Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Self-Employed</td>
<td>6/11/85</td>
<td>$250.00</td>
</tr>
<tr>
<td>Self-Employed</td>
<td>2/9/85</td>
<td>$250.00</td>
</tr>
<tr>
<td>Self-Employed</td>
<td>4/8/85</td>
<td>$175.00</td>
</tr>
<tr>
<td>Self-Employed</td>
<td>2/9/85</td>
<td>$500.00</td>
</tr>
<tr>
<td>Vulcan Materials</td>
<td>6/11/85</td>
<td>$250.00</td>
</tr>
</tbody>
</table>

<p>| TOTAL This Period (last page this line number only) | $3,050.00 |</p>
<table>
<thead>
<tr>
<th>Name of Committee (in Full)</th>
<th>Roy Johnson for Congress</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Name of Employer</strong></td>
<td>Self-Employed</td>
</tr>
<tr>
<td><strong>Date (month, day, year)</strong></td>
<td>6/27/85</td>
</tr>
<tr>
<td><strong>Amount of Each Receipt This Period</strong></td>
<td>$1,000.00</td>
</tr>
</tbody>
</table>

**Receipt For:**
- Primary
- General
- Other (specify):

<table>
<thead>
<tr>
<th>Name of Employer</th>
<th>Balch &amp; Bingham</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Date (month, day, year)</strong></td>
<td>6/11/85</td>
</tr>
<tr>
<td><strong>Amount of Each Receipt This Period</strong></td>
<td>$ 250.00</td>
</tr>
</tbody>
</table>

**Occupation:**
- Accountant
- Attorney

**Receipt For:**
- Primary
- General
- Other (specify):

<table>
<thead>
<tr>
<th>Name of Employer</th>
<th>Jefferson State Junior College</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Date (month, day, year)</strong></td>
<td>6/27/85</td>
</tr>
<tr>
<td><strong>Amount of Each Receipt This Period</strong></td>
<td>$1,000.00</td>
</tr>
</tbody>
</table>

**Occupation:**
- Teacher/Counselor

**Receipt For:**
- Primary
- General
- Other (specify):

<table>
<thead>
<tr>
<th>Name of Employer</th>
<th>Boone Newspapers, Inc.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Date (month, day, year)</strong></td>
<td>4/4/85</td>
</tr>
<tr>
<td><strong>Amount of Each Receipt This Period</strong></td>
<td>$ 250.00</td>
</tr>
</tbody>
</table>

**Occupation:**
- Owner

**Receipt For:**
- Primary
- General
- Other (specify):

<table>
<thead>
<tr>
<th>Name of Employer</th>
<th>Balch &amp; Bingham</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Date (month, day, year)</strong></td>
<td>6/11/85</td>
</tr>
<tr>
<td><strong>Amount of Each Receipt This Period</strong></td>
<td>$ 250.00</td>
</tr>
</tbody>
</table>

**Occupation:**
- Attorney

**Receipt For:**
- Primary
- General
- Other (specify):

<table>
<thead>
<tr>
<th>Name of Employer</th>
<th>Cahaba Eye Associates</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Date (month, day, year)</strong></td>
<td>2/15/85</td>
</tr>
<tr>
<td><strong>Amount of Each Receipt This Period</strong></td>
<td>$ 250.00</td>
</tr>
</tbody>
</table>

**Occupation:**
- Optometrist

**Receipt For:**
- Primary
- General
- Other (specify):

**SUBTOTAL of Receipts This Page (optional):** $4,000.00

**TOTAL This Period (last page this line number only):**
<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Date (Month, Day, Year)</th>
<th>Amount of Each Receipt This Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>R. Frank Brown</td>
<td>4/19/85</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>B.</td>
<td>Kay Bunn</td>
<td>3/22/85</td>
<td>$500.00</td>
</tr>
<tr>
<td>C.</td>
<td>Mrs. S. T. Bunn</td>
<td>3/22/85</td>
<td>$250.00</td>
</tr>
<tr>
<td>D.</td>
<td>S. T. Bunn, Jr.</td>
<td>3/22/85</td>
<td>$700.00</td>
</tr>
<tr>
<td>E.</td>
<td>Suzanne Burnett</td>
<td>6/27/85</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>F.</td>
<td>Sheri Bushery</td>
<td>3/29/85</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>G.</td>
<td>J. Frank Caldwell</td>
<td>2/9/85</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>H.</td>
<td>Oth.</td>
<td></td>
<td>$5,450.00</td>
</tr>
<tr>
<td>Name of Employer</td>
<td>Date (month, day, year)</td>
<td>Amount of Each Receipt This Period</td>
<td></td>
</tr>
<tr>
<td>------------------------------------------------------</td>
<td>-------------------------</td>
<td>-----------------------------------</td>
<td></td>
</tr>
<tr>
<td>Howard, Weil, Labouisse, Friedrics, Inc.</td>
<td>1/22/85</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>Self-Employed</td>
<td>2/9/85</td>
<td>$500.00</td>
<td></td>
</tr>
<tr>
<td>Self-Employed</td>
<td>2/15/85</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>Self-Employed</td>
<td>2/21/85</td>
<td>$500.00</td>
<td></td>
</tr>
<tr>
<td>N/A</td>
<td>6/28/85</td>
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</tr>
<tr>
<td>Collinsville Nursing Home, Inc.</td>
<td>3/23/85</td>
<td>$1,000.00</td>
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</tr>
<tr>
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**TOTAL** $6,000.00
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<thead>
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<th>Date (month, day, year)</th>
<th>Amount of Each Receipt This Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Self-Employed</td>
<td>2/26/85</td>
<td>$500.00</td>
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<tr>
<td>Real Estate Agent</td>
<td>3/23/85</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>Health Care Executive</td>
<td>3/23/85</td>
<td>$500.00</td>
</tr>
<tr>
<td>Optometrist</td>
<td>2/15/85</td>
<td>$300.00</td>
</tr>
<tr>
<td>Self-Employed</td>
<td>2/21/85</td>
<td>$250.00</td>
</tr>
<tr>
<td>Insurance Agent</td>
<td>3/5/85</td>
<td>$500.00</td>
</tr>
<tr>
<td>Optometrist</td>
<td>2/9/85</td>
<td>$250.00</td>
</tr>
<tr>
<td>A. Full Name, Mailing Address and ZIP Code</td>
<td>Name of Employer</td>
<td>Date (month, day, year)</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>-----------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td>Milo Dakin 660 Adams Avenue, Suite 339  Montgomery, AL 36104</td>
<td>Alabama Consumer Finance Association, Inc.</td>
<td>6/11/85</td>
</tr>
<tr>
<td>B. Full Name, Mailing Address and ZIP Code</td>
<td>Name of Employer</td>
<td>Date (month, day, year)</td>
</tr>
<tr>
<td>V. Julian Davis P. O. Box 218 Moundville, AL 35474</td>
<td>Moundville Mercantile</td>
<td>8/28/85</td>
</tr>
<tr>
<td>C. Full Name, Mailing Address and ZIP Code</td>
<td>Name of Employer</td>
<td>Date (month, day, year)</td>
</tr>
<tr>
<td>Jim H. Day, Jr. P. O. Box 947 Gardendale, AL 35071</td>
<td>Self-Employed</td>
<td>2/9/85</td>
</tr>
<tr>
<td>D. Full Name, Mailing Address and ZIP Code</td>
<td>Name of Employer</td>
<td>Date (month, day, year)</td>
</tr>
<tr>
<td>T. H. Day, Sr. O. Box 947 Gardendale, AL 35071</td>
<td>Self-Employed</td>
<td>2/9/85</td>
</tr>
<tr>
<td>E. Full Name, Mailing Address and ZIP Code</td>
<td>Name of Employer</td>
<td>Date (month, day, year)</td>
</tr>
<tr>
<td>Fred DeLoach Beacon Point Northport, AL 35476</td>
<td>Trans-Video, Inc.</td>
<td>3/29/85</td>
</tr>
<tr>
<td>F. Full Name, Mailing Address and ZIP Code</td>
<td>Name of Employer</td>
<td>Date (month, day, year)</td>
</tr>
<tr>
<td>W. B. DeLoach 1027 Greensboro Avenue Tuscaloosa, AL 35401</td>
<td>W. B. DeLoach Rentals</td>
<td>4/12/85</td>
</tr>
<tr>
<td>G. Full Name, Mailing Address and ZIP Code</td>
<td>Name of Employer</td>
<td>Date (month, day, year)</td>
</tr>
<tr>
<td>Kendall P. Dexter 9 Country Club Road Mobile, AL 36608</td>
<td>McMillan-Bloedel</td>
<td>4/16/85</td>
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</tbody>
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TOTAL of Receipts This Page (optional) ........................................ $4,050.00

TOTAL This Period (last page this line number only) ........................ $4,050.00
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<th>Name of Employer</th>
<th>Date (month, day, year)</th>
<th>Amount of Each Receipt This Period</th>
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</thead>
<tbody>
<tr>
<td>Jack Drake, P. O. Box 86, Tuscaloosa, AL 35402</td>
<td>Self-Employed</td>
<td>4/18/85</td>
<td>$500.00</td>
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<tr>
<td>B. Full Name, Mailing Address and ZIP Code</td>
<td>Name of Employer</td>
<td>Date (month, day, year)</td>
<td>Amount of Each Receipt This Period</td>
</tr>
<tr>
<td>Fred Draper, Route 1, Box 10, Natchez, AL 36052</td>
<td>Self-Employed</td>
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<tr>
<td>C. Full Name, Mailing Address and ZIP Code</td>
<td>Name of Employer</td>
<td>Date (month, day, year)</td>
<td>Amount of Each Receipt This Period</td>
</tr>
<tr>
<td>E. A. Drummond, P. O. Box 1549, Jasper, AL 35501</td>
<td>Drummond Coal Company</td>
<td>6/11/85</td>
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</tr>
<tr>
<td>D. Full Name, Mailing Address and ZIP Code</td>
<td>Name of Employer</td>
<td>Date (month, day, year)</td>
<td>Amount of Each Receipt This Period</td>
</tr>
<tr>
<td>Garry N. Drummond, P. O. Box 1549, Jasper, AL 35501</td>
<td>Drummond Coal Co.</td>
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<tr>
<td>E. Full Name, Mailing Address and ZIP Code</td>
<td>Name of Employer</td>
<td>Date (month, day, year)</td>
<td>Amount of Each Receipt This Period</td>
</tr>
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<td>Clyde G. Echols, 2244 Center Point Road, Birmingham, AL 35215</td>
<td>Self-Employed</td>
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</tr>
<tr>
<td>F. Full Name, Mailing Address and ZIP Code</td>
<td>Name of Employer</td>
<td>Date (month, day, year)</td>
<td>Amount of Each Receipt This Period</td>
</tr>
<tr>
<td>Robert E. Edge, P. O. Box 187, Jackson, AL 36545</td>
<td>Self-Employed</td>
<td>2/9/85</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>G. Full Name, Mailing Address and ZIP Code</td>
<td>Name of Employer</td>
<td>Date (month, day, year)</td>
<td>Amount of Each Receipt This Period</td>
</tr>
<tr>
<td>Richard Ellis, 1641 N. McFarland Blvd., Suite A-1, Tuscaloosa, AL 35406</td>
<td>Advantage Realty</td>
<td>3/5/85</td>
<td>$500.00</td>
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**SUBTOTAL of Receipts This Page (optional):** $4,500.00

**TOTAL This Period (last page this line number only):**
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<th>Name of Employer</th>
<th>Date (month, day, year)</th>
<th>Amount of Each Receipt This Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Perkins &amp; Associates, Inc.</td>
<td>3/29/85</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>Media Buyer</td>
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<td></td>
</tr>
<tr>
<td>Northport Health Services</td>
<td>1/21/85</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>Health Care Executive</td>
<td></td>
<td></td>
</tr>
<tr>
<td>All American Self-Storage</td>
<td>3/27/85</td>
<td>$250.00</td>
</tr>
<tr>
<td>Optometrist</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Perkins &amp; Associates, Inc.</td>
<td>3/29/85</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>Business Manager</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Duckworth-Morris Insurance Co.</td>
<td>5/9/85</td>
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<tr>
<td>Insurance Agent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Self-Employed</td>
<td>2/15/85</td>
<td>$250.00</td>
</tr>
<tr>
<td>Optometrist</td>
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**TOTAL** of Receipts This Page (optional): $4,750.00

**TOTAL** This Period (last page this line number only):
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<th>Date (month, day, year)</th>
<th>Amount of Each Receipt This Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Self-Employed</td>
<td>2/28/85</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>E. Burdette Gatten, III</td>
<td>2/9/85</td>
<td>$250.00</td>
</tr>
<tr>
<td>Self-Employed</td>
<td>2/20/85</td>
<td>$250.00</td>
</tr>
<tr>
<td>Self-Employed</td>
<td>2/9/85</td>
<td>$500.00</td>
</tr>
<tr>
<td>Self-Employed</td>
<td>6/11/85</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>Oak Crest Nursing Home</td>
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</tr>
<tr>
<td>Indec, Inc.</td>
<td>3/22/85</td>
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</tr>
<tr>
<td>Owner</td>
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<td>$5,000.00</td>
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</table>

TOTAL This Period (last page this line number only) $5,000.00
**SCHEDULE A**

<table>
<thead>
<tr>
<th>Name of Committee (in Full)</th>
<th>Roy Johnson for Congress</th>
<th>114251</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Full Name, Mailing Address and ZIP Code</td>
<td>Richard Hanan</td>
<td>2771 Fernway Drive, Montgomery, AL 36111</td>
</tr>
<tr>
<td>Name of Employer</td>
<td>Self-Employed</td>
<td></td>
</tr>
<tr>
<td>Date (month, day, year)</td>
<td>1/21/85</td>
<td></td>
</tr>
<tr>
<td>Amount of Each Receipt This Period</td>
<td>$500.00</td>
<td></td>
</tr>
<tr>
<td>Occupation</td>
<td>Real Estate Investments</td>
<td></td>
</tr>
<tr>
<td>Aggregate Year-to-Date</td>
<td>$500.00</td>
<td></td>
</tr>
</tbody>
</table>

| Name of Employer | James C. Harris | 400 Joseph Drive, Ozark, AL 36360 |
| Date (month, day, year) | 2/28/85 |
| Amount of Each Receipt This Period | $1,000.00 |
| Occupation | Pharmacist |
| Aggregate Year-to-Date | $1,000.00 |

| Name of Employer | James I. Harrison, Jr. | 29 Arcadia, Tuscaloosa, AL 35401 |
| Date (month, day, year) | 5/10/85 |
| Amount of Each Receipt This Period | $500.00 |
| Occupation | Owner |
| Aggregate Year-to-Date | $500.00 |

| Name of Employer | C. J. Hartley | 1005 Moravshire, Tuscaloosa, AL 35405 |
| Date (month, day, year) | 3/5/85 |
| Amount of Each Receipt This Period | $500.00 |
| Occupation | Owner |
| Aggregate Year-to-Date | $500.00 |

| Name of Employer | Weston Hartley | Tuscaloosa County Courthouse, Route 7, Box 180, Northport, AL 35476 |
| Date (month, day, year) | 3/22/85 |
| Amount of Each Receipt This Period | $250.00 |
| Occupation | Bailiff |
| Aggregate Year-to-Date | $250.00 |

| Name of Employer | Emily G. Hartzog | P. O. Box 519, Clayton, AL 36016 |
| Date (month, day, year) | 2/15/85 |
| Amount of Each Receipt This Period | $500.00 |
| Occupation | Housewife |
| Aggregate Year-to-Date | $500.00 |

| Name of Employer | Judy B. Haymon | Route 2, Fyffe, AL 35971 |
| Date (month, day, year) | 3/23/85 |
| Amount of Each Receipt This Period | $1,000.00 |
| Occupation | Health Care Executive |
| Aggregate Year-to-Date | $1,000.00 |

**SUBTOTAL of Receipts This Page (optional):** $4,250.00

**TOTAL This Period (last page this line number only):**
### Schedule A

#### Itemized Receipts

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

<table>
<thead>
<tr>
<th>Receipt For:</th>
<th>X Primary</th>
<th>General</th>
<th>Other (specify):</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Full Name, Mailing Address and ZIP Code</td>
<td>Grover Gene Hill</td>
<td>33 Essex Square Northport, AL 35476</td>
<td>B. F. Goodrich</td>
</tr>
<tr>
<td>B. Full Name, Mailing Address and ZIP Code</td>
<td>Jimmy W. Holley</td>
<td>Route 3 Elba, AL</td>
<td>Troy State University</td>
</tr>
<tr>
<td>C. Full Name, Mailing Address and ZIP Code</td>
<td>Lee Hudson</td>
<td>54 Claymont Tuscaloosa, AL 35404</td>
<td>Perkins &amp; Associates, Inc.</td>
</tr>
<tr>
<td>D. Full Name, Mailing Address and ZIP Code</td>
<td>John T. Huff</td>
<td>O. Box 2740 Auburn, AL 36831-2740</td>
<td>Huff Investment Co.</td>
</tr>
<tr>
<td>E. Full Name, Mailing Address and ZIP Code</td>
<td>Reginald Hug</td>
<td>P. O. Box 43547 Birmingham, AL 35243-0547</td>
<td>Self-Employed</td>
</tr>
<tr>
<td>F. Full Name, Mailing Address and ZIP Code</td>
<td>Fred Hunter</td>
<td>33 Lake Wildwood Cottondale, AL 35453</td>
<td>Perkins &amp; Associates, Inc.</td>
</tr>
<tr>
<td>G. Full Name, Mailing Address and ZIP Code</td>
<td>Ivy Hunter</td>
<td>33 Lake Wildwood Cottondale, AL 35453</td>
<td>Perkins &amp; Associates, Inc.</td>
</tr>
</tbody>
</table>

**Total of Receipts This Page (optional):** $6,250.00

**Total This Period (last page this line number only):**

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**Note:** The above table summarizes contributions received by Joy Johnson for Congress during a specific period. Each entry includes the full name, mailing address, and ZIP code of the contributor, the name and address of the employer, the occupation, the date of the receipt, and the amount of cash received. The table also includes a subtotal of contributions received this period and the total for the entire period.
<table>
<thead>
<tr>
<th>Name of Employer</th>
<th>Date (month, day, year)</th>
<th>Amount of Cash Received This Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Durward W. Jackson</td>
<td>3/22/85</td>
<td>$800.00</td>
</tr>
<tr>
<td>George L. Jackson</td>
<td>2/9/85</td>
<td>$250.00</td>
</tr>
<tr>
<td>Mildred M. Jobe</td>
<td>4/10/85</td>
<td>$800.00</td>
</tr>
<tr>
<td>Etta B. Johnson</td>
<td>6/28/85</td>
<td>$1,000.00</td>
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<tr>
<td>Norman C. Johnson</td>
<td>2/9/85</td>
<td>$500.00</td>
</tr>
<tr>
<td>Thomas J. Joiner</td>
<td>4/12/85</td>
<td>$500.00</td>
</tr>
<tr>
<td>Fred R. Jones</td>
<td>6/22/85</td>
<td>$500.00</td>
</tr>
<tr>
<td>TOTAL This Period (last page this line number only)</td>
<td></td>
<td>$3,750.00</td>
</tr>
<tr>
<td>Name of Individual</td>
<td>Employer</td>
<td>Date (month, day, year)</td>
</tr>
<tr>
<td>--------------------</td>
<td>----------</td>
<td>-------------------------</td>
</tr>
<tr>
<td>William M. Kelce</td>
<td>Alabama Coal Association</td>
<td>6/27/85</td>
</tr>
<tr>
<td>William R. Lester, Jr.</td>
<td>Gadsden Health Care</td>
<td>3/23/85</td>
</tr>
<tr>
<td>James W. Narbour</td>
<td>Self-Employed</td>
<td>2/15/85</td>
</tr>
<tr>
<td>A. Wayne May</td>
<td>May Veterinary Hospital</td>
<td>4/26/85</td>
</tr>
<tr>
<td>Harold McAbee</td>
<td>McAbee Construction Company</td>
<td>3/23/85</td>
</tr>
<tr>
<td>Leroy McAbee</td>
<td>McAbee Construction Company</td>
<td>3/23/85</td>
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</table>

**TOTAL:** $5,500.00
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<th>Date (month, day, year)</th>
<th>Amount of Each Receipt This Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rose Manor Health Care</td>
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<tr>
<td>Self-Employed</td>
<td>2/9/85</td>
<td>$500.00</td>
</tr>
<tr>
<td>Craig Auto Supply Co.</td>
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</tr>
<tr>
<td>Perkins &amp; Associates, Inc.</td>
<td>3/29/85</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>Self-Employed</td>
<td>3/7/85</td>
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</tr>
<tr>
<td>Pritchett-Moore, Inc.</td>
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<tr>
<td>Marlin D. Moore, Jr.</td>
<td>3/22/85</td>
<td>$250.00</td>
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**TOTAL This Period (last page this line number only)**

$3,300.00
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<thead>
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<th>Date (month, day, year)</th>
<th>Amount of Each Receipt This Period</th>
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<tbody>
<tr>
<td>Johnson</td>
<td>Pritchett-Moore, Inc.</td>
<td>3/22/85</td>
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<tr>
<td>Thomas W. Moore</td>
<td>Pritchett-Moore, Inc.</td>
<td>3/22/85</td>
<td>$ 250.00</td>
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<tr>
<td>Neil C. Morgan</td>
<td>N. C. Morgan Construction Co.</td>
<td>4/26/85</td>
<td>$ 500.00</td>
</tr>
<tr>
<td>Robert H. Morris</td>
<td>Engineering Service Associates, Inc.</td>
<td>6/11/85</td>
<td>$ 250.00</td>
</tr>
<tr>
<td>Frederick C. Moses</td>
<td>Self-Employed</td>
<td>2/15/85</td>
<td>$ 250.00</td>
</tr>
<tr>
<td>C. Delaine Mountain</td>
<td>Self-Employed</td>
<td>3/5/85</td>
<td>$ 500.00</td>
</tr>
<tr>
<td>Michael Onderdonk</td>
<td>Onderdonk Quarter Horse Farms</td>
<td>2/15/85</td>
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<tr>
<td>TOTAL This Period</td>
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<td>$2,500.00</td>
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<tr>
<td>A. Full Name, Mailing Address and ZIP Code</td>
<td>Name of Employer</td>
<td>Date (month, day, year)</td>
<td>Amount of Cash Received This Period</td>
</tr>
<tr>
<td>------------------------------------------</td>
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<td>----------------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td>Ruth L. Osborne</td>
<td>Self-Employed</td>
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<tr>
<td>212 East Way</td>
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<tr>
<td>Birmingham, AL 35228</td>
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<table>
<thead>
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<th>Name of Employer</th>
<th>Date (month, day, year)</th>
<th>Amount of Cash Received This Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fred M. Palmer</td>
<td>Creative Leasing, Inc.</td>
<td>4/19/85</td>
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<tr>
<td>142 - 52nd Street, East</td>
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</tr>
<tr>
<td>Tuscaloosa, AL 35405</td>
<td></td>
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</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>C. Full Name, Mailing Address and ZIP Code</th>
<th>Name of Employer</th>
<th>Date (month, day, year)</th>
<th>Amount of Cash Received This Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michael R. Parker</td>
<td>Self-Employed</td>
<td>2/9/85</td>
<td>$300.00</td>
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<tr>
<td>P. O. Box 595</td>
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</tr>
<tr>
<td>Fort Payne, AL 35967</td>
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<table>
<thead>
<tr>
<th>D. Full Name, Mailing Address and ZIP Code</th>
<th>Name of Employer</th>
<th>Date (month, day, year)</th>
<th>Amount of Cash Received This Period</th>
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</thead>
<tbody>
<tr>
<td>Tim Parker, Jr.</td>
<td>Parker Towing Co.</td>
<td>5/18/85</td>
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<tr>
<td>P. O. Box 72</td>
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<th>Date (month, day, year)</th>
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<tr>
<td>Donald W. Peak</td>
<td>Forest Manor, Inc.</td>
<td>1/21/85</td>
<td>$1,000.00</td>
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<tr>
<td>2401 - 32nd Street</td>
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<tr>
<td>Northport, AL 35476</td>
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<th>F. Full Name, Mailing Address and ZIP Code</th>
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<tr>
<td>Cynthia K. Perkins</td>
<td>Perkins &amp; Associates, Inc.</td>
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<td>$1,000.00</td>
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<tr>
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<td>Emergency Medical Services</td>
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<td>Perkins &amp; Associates, Inc.</td>
<td>3/29/85</td>
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<td>President and Owner</td>
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<td>Loretta T. Perkins</td>
<td>Tuscaloosa Library</td>
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<td>Margaret C. Pickens</td>
<td>N/A</td>
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<td>1401 Cost Drive</td>
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<td>Howell Poole</td>
<td>Bank of Moundville</td>
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<tr>
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<tr>
<td>G. Full Name, Mailing Address and ZIP Code</td>
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<tr>
<td>Madie H. Poole</td>
<td>Bank of Moundville</td>
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**TOTAL of Receipts This Page (optional):** $25,750.00
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<tbody>
<tr>
<td>Jfoa Johnson</td>
<td>P. O. Box 207, Moundville, AL 35474</td>
<td>Bank of Moundville</td>
<td>6/28/85</td>
<td>$1,000.00</td>
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<tr>
<td>Jerry Powell</td>
<td>Route 5, Box 289A, Wetumpka, AL 36092</td>
<td>Self-Employed</td>
<td>1/21/85</td>
<td>$1,000.00</td>
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<tr>
<td>Roland Pugh</td>
<td>P. O., Box 350, Northport, AL 35476</td>
<td>Roland Pugh Construction Company</td>
<td>4/25/85</td>
<td>$500.00</td>
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<tr>
<td>Mitchell V. Purvis</td>
<td>112 North Claxton Avenue, Muscle Shoals, AL 35660</td>
<td>Self-Employed</td>
<td>2/9/85</td>
<td>$250.00</td>
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<tr>
<td>Clyde Ray, Jr.</td>
<td>118 Hickory Drive, Muscle Shoals, AL 35660</td>
<td>Shoals Nursing Home</td>
<td>3/23/85</td>
<td>$1,000.00</td>
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<tr>
<td>Martin Ray</td>
<td>1810 - 4th Street, Tuscaloosa, AL 35401</td>
<td>Self-Employed</td>
<td>5/14/85</td>
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<tr>
<td>Leon A. Renaud</td>
<td>P. O. Box 456, Bessemer, AL 35020</td>
<td>Self-Employed</td>
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<td>$300.00</td>
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**TOTAL** |  |  |  | **$4,550.00** |
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<thead>
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<th>Amount of Both Receipts This Period</th>
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<tbody>
<tr>
<td>Ronald Guy Scott 5715 Bridle Path Lane Montgomery, AL 36116</td>
<td>Alabama Service Station Association</td>
<td>2/20/85</td>
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<tr>
<td>Charlie O. Sealy, Jr. 1200 Greensboro Avenue Tuscaloosa, AL 35401</td>
<td>Sealy Realty Co.</td>
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<tr>
<td>John A. Searcy 4500 Shoreline Drive Alexander City, AL 35010</td>
<td>Guerdon Industries</td>
<td>2/14/85</td>
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<tr>
<td>Clyde Shown 902 South Memorial Drive Prattville, AL 36067</td>
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<td>2/9/85</td>
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<tr>
<td>Charles A. Snyder 2715 Cherokee Road Tuscaloosa, AL 35404</td>
<td>Dixie Steel &amp; Supply Company</td>
<td>6/18/85</td>
<td>$500.00</td>
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<tr>
<td>Mike Spiller Route 4, Box 47 Tuscaloosa, AL 35405</td>
<td>Spiller Furniture Company</td>
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**TOTAL This Period:** $2,500.00
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<tbody>
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<td>Neber Stockham 4000 - 10th Avenue</td>
<td>Stockham Valves and Fittings</td>
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<tr>
<td>B. Full Name, Mailing Address and ZIP Code</td>
<td>Kenneth D. Strong</td>
<td>Self-Employed</td>
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<td>Drawer C</td>
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<td>Elba, AL 36323</td>
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<td>William Sullivan</td>
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<td>2/15/85</td>
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<tr>
<td>1420 East Olive Drive</td>
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<tr>
<td>Huntsville, AL 35801</td>
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<tr>
<td>D. Full Name, Mailing Address and ZIP Code</td>
<td>Alan J. Swindall</td>
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<tr>
<td>route 2, Box 24W</td>
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<tr>
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<td>Marshall Timberlake</td>
<td>Balch &amp; Bingham</td>
<td>6/11/85</td>
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<tr>
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<tr>
<td>F. Full Name, Mailing Address and ZIP Code</td>
<td>Lanny S. Vines</td>
<td>Emond &amp; Vines</td>
<td>4/1/85</td>
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<tr>
<td>1800 City Federal Building</td>
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<td>Fred Wallace</td>
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<td>Jon Warner</td>
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<td>James W. Webb</td>
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<tr>
<td>Full Name, Mailing Address and ZIP Code</td>
<td>1606 Paul W. Bryant Drive Tuscaloosa, AL 35401</td>
<td>Fitts &amp; White Architects</td>
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<tr>
<td>Full Name, Mailing Address and ZIP Code</td>
<td>Route 1, Box 360 Duncanville, AL 35456</td>
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<tr>
<td>Full Name, Mailing Address and ZIP Code</td>
<td>P. O. Box 306 Birmingham, AL 35201</td>
<td>Balch &amp; Bingham</td>
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<tr>
<td>D.</td>
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<tr>
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<td>O. Box 1090 aspen, AL 35501</td>
<td>Self-Employed</td>
<td></td>
</tr>
<tr>
<td>E.</td>
<td></td>
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<tr>
<td>Full Name, Mailing Address and ZIP Code</td>
<td>1127 Overlook Road, North Tuscaloosa, AL 35406</td>
<td>Alabama Reassurance Company</td>
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</tr>
<tr>
<td>F.</td>
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</tr>
<tr>
<td>Full Name, Mailing Address and ZIP Code</td>
<td>1517 Toney Drive Huntsville, AL 35802</td>
<td>Self-Employed</td>
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</tr>
<tr>
<td>G.</td>
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<td></td>
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</tr>
<tr>
<td>Full Name, Mailing Address and ZIP Code</td>
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**TOTAL of Receipts This Page (optional):** $2,500.00

**TOTAL This Period** (first page this line number only)

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Any information cited from such Reports or Statements may not be sold or used by any person for the purposes of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.
<table>
<thead>
<tr>
<th>A. Full Name, Mailing Address and ZIP Code</th>
<th>Name of Employer</th>
<th>Date (month, day, year)</th>
<th>Amount of Each Receipt This Period</th>
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<td>Art McWinney</td>
<td>N/A (Air Force)</td>
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<td>Deatsville, AL 36022</td>
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<td>6/11/85</td>
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<td>AT&amp;T PAC</td>
<td>6/28/85</td>
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<td>6/11/85</td>
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<td>ALAGASCOPAC</td>
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**Subtotal of Receipts This Page (Optional):** $5,250.00

**Total This Period (last page this line number only):** $5,250.00
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<th>Date (month, day, year)</th>
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<tr>
<td>B.</td>
<td>2/20/85</td>
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<td>5/24/85</td>
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<td>2/16/85</td>
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<td>6/11/85</td>
<td>$250.00</td>
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<td>D.</td>
<td>4/1/85</td>
<td>$1,000.00</td>
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<tr>
<td></td>
<td>5/21/85</td>
<td>$1,000.00</td>
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<tr>
<td>E.</td>
<td>4/13/85</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>F.</td>
<td>4/26/85</td>
<td>$500.00</td>
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<tr>
<td>G.</td>
<td>5/3/85</td>
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**TOTAL** of Receipts This Page (optional): $8,100.00

**TOTAL** This Period (last page this line number only):
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<th>Name of Committee (in Full)</th>
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<th>Date (month, day, year)</th>
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<tbody>
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<td>A. Constructive Congress Committee of the Edison Electric Institute</td>
<td></td>
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<td>B. Creditthrift of America Political Action Committee</td>
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<td>3/23/85</td>
<td>$ 500.00</td>
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<tr>
<td>C. Culac</td>
<td></td>
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<td>D. Dealers Election Action Committee of the National Automobile Dealers Association</td>
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<td>3/7/85</td>
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<tr>
<td>E. Dixie Oil Producers PAC</td>
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<td>2/21/85</td>
<td>$ 300.00</td>
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<tr>
<td>F. 1871 Committee for Good Government</td>
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<td>3/7/85</td>
<td>$ 1,000.00</td>
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<td>G. Elect-PAC</td>
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<td>2/20/85</td>
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<td></td>
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**TOTAL of Receipts This Page (optional):** $4,000.00
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<th>Amount of Each Receipt This Period</th>
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<td></td>
<td>G-P Employees Fund 1875 Eye Street, NW, Suite 470 Washington, D.C. 20006</td>
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<td>2/20/85</td>
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<td>Date (month, day, year)</td>
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<td>Georgia Power Company Federal PAC, Inc. P.O. Box 4545 Atlanta, GA 30302</td>
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<td>C. Full Name, Mailing Address and ZIP Code</td>
<td>Name of Employer</td>
<td>Date (month, day, year)</td>
<td>Amount of Each Receipt This Period</td>
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<td></td>
<td>Gulf Power Employees' Committee for Responsible Government, Inc. P.O. Box 1151 Pensacola, FL 32520</td>
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<td>6/27/85</td>
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<td>D. Full Name, Mailing Address and ZIP Code</td>
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<td></td>
<td>House PAC 40 Sanders Road Prospect Heights, IL 60070</td>
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<td>The National Association of Life Underwriters Political Action Committee 1922-F Street NW Washington, D.C. 20006</td>
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<td>3/7/85</td>
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<td><strong>Aggregate Year-to-Date—$ 500.00</strong></td>
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<td></td>
<td>F. Full Name, Mailing Address and ZIP Code</td>
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<td>Date (month, day, year)</td>
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<td>Manufacturers Hanover Corporation Association for Responsible Government 270 Park Avenue, 34th Floor New York, NY 10017</td>
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<td>Date (month, day, year)</td>
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<td>A.</td>
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<td>C.</td>
<td>NCNB-PAC</td>
<td>4/6/85</td>
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<td>D.</td>
<td>New York State Electric &amp; Gas Corporation PAC</td>
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<td>Norfolk Southern Corporation Tax Eligible Good Government Fund</td>
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<td>PAC-One</td>
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<td>G.</td>
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**Subtotal** of Receipts This Page (optional): $2,800.00
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<td>Russell Corporation PAC - Federal</td>
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<td>SOUTH CENTRAL BELL FEDERAL POLITICAL ACTION COMMITTEE</td>
<td>South Central Bell Federal Political Action Committee</td>
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<td>SOUTHERN COMPANY SERVICES PAC</td>
<td>Southern Company Services PAC</td>
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<td>SOUTHTRUST CORPORATION COMMITTEE FOR GOOD GOVERNANCE</td>
<td>Southtrust Corporation Committee for Good Government</td>
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<td>STATE EMPLOYEES ASSOCIATION PAC</td>
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<td>Cleveland, OH 44107</td>
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<td>B.</td>
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<td>Date (month, day, year)</td>
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<td>WALTPAC</td>
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<td>Oak Brook, IL 60521</td>
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<td>West Point GA 31833</td>
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<td>G.</td>
<td>Full Name, Mailing Address and ZIP Code</td>
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<td>Amount of Each Receipt for This Period</td>
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<tr>
<td></td>
<td>Weyerhaeuser Political Action Committee</td>
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<td>33663-32nd Drive, South</td>
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</tr>
<tr>
<td></td>
<td>Federal Way</td>
<td></td>
<td></td>
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<td></td>
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**SUBTOTAL of Receipts This Page (optional):** $9,750.00

**TOTAL This Period (last step this line number only):** $39,400.00
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<td>Roy Johnson for Congress</td>
<td>114251</td>
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<tr>
<td><strong>A.</strong> Full Name, Mailing Address and ZIP Code</td>
<td><strong>Name of Employer</strong></td>
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<td>First National Bank of Tuscaloosa</td>
<td>(Interest on savings account)</td>
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<tr>
<td>P. O. Box 2028</td>
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</tr>
<tr>
<td>Tuscaloosa, AL 35403</td>
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<td><strong>B.</strong> Full Name, Mailing Address and ZIP Code</td>
<td><strong>Name of Employer</strong></td>
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<td><strong>C.</strong> Full Name, Mailing Address and ZIP Code</td>
<td><strong>Name of Employer</strong></td>
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<td><strong>D.</strong> Full Name, Mailing Address and ZIP Code</td>
<td><strong>Name of Employer</strong></td>
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<td><strong>E.</strong> Full Name, Mailing Address and ZIP Code</td>
<td><strong>Name of Employer</strong></td>
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<td><strong>F.</strong> Full Name, Mailing Address and ZIP Code</td>
<td><strong>Name of Employer</strong></td>
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<td><strong>G.</strong> Full Name, Mailing Address and ZIP Code</td>
<td><strong>Name of Employer</strong></td>
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</table>

**SUBTOTAL of Receipts This Page (optional):** 1,633.14

**TOTAL This Period (last page this line number only):** $1,633.14
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<thead>
<tr>
<th>Name of Committee (in Full)</th>
<th>Purpose of Disbursement</th>
<th>Date (month, day, year)</th>
<th>Amount of Each Disbursement This Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roy Johnson for Congress</td>
<td>Fund-raising trip to Washington, D.C., includes meals, hotels, gasoline, etc., 4 persons</td>
<td>6/18/85</td>
<td>$1,000.00</td>
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<tr>
<td>Jimmie R. Clements</td>
<td>Reception for Candidate</td>
<td>2/18/85</td>
<td>$707.65</td>
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<td>Jimmie R. Clenmets</td>
<td>Printing letterhead, envelopes, and cards</td>
<td>2/18/85</td>
<td>$310.48</td>
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<td>Drake Printers</td>
<td>Reception for candidate</td>
<td>6/30/85</td>
<td>$530.68</td>
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<td>Julian Smith</td>
<td>Reception for Candidate</td>
<td>2/18/85</td>
<td>$507.65</td>
</tr>
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<td>Art McWinney</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deatsville, AL 36022</td>
<td></td>
<td></td>
<td></td>
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<td>Art McWinney</td>
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**TOTAL of Disbursements This Page (optional)** $3,303.56

**TOTAL This Period (last page this line number only)** $3,303.56
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<th>Name of Committee (in Full)</th>
<th>Outstanding Balance Beginning This Period</th>
<th>Amount Incurred This Period</th>
<th>Payment This Period</th>
<th>Outstanding Balance at Close of This Period</th>
</tr>
</thead>
<tbody>
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<td>Roy Johnson for Congress</td>
<td>$1,712.70</td>
<td>-0-</td>
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<td>$1,712.70</td>
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</table>
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 31, 1988

Craig Donsanto, Esquire
Director
Election Crimes Branch
Public Integrity Section
Department of Justice
Washington, DC 20530

RE: PreMUR 196

Dear Mr. Donsanto:

This is to acknowledge receipt of your letter dated August 19, 1988, advising us of the possibility of a violation of the Federal Election Campaign Act of 1971, as amended ("the Act"), by Joseph Perkins and certain of his employees. We are currently reviewing the matter and will advise you of the Commission's determination.

If you have any questions or additional information, please call Celia Jacoby, the attorney assigned to this matter, at (202) 376-5690. Our file number for this matter is PreMUR 196.

Pursuant to 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A), the Commission's review of this matter shall remain confidential until the file has been closed.

Sincerely,

Lawrence M. Nible
General Counsel

By: Lois G. Lerner
Associate General Counsel
On August 24, 1988, the Office of the General Counsel received a referral from the Department of Justice. This referral arose from a 1986 criminal investigation of alleged illegal corporate contributions made through individual conduits. The investigation determined that Joseph W. Perkins, president and owner of Perkins & Associates, Inc., presented bonuses to employees and other persons who then contributed the amount of bonus ($1000) to the 1986 Alabama congressional campaign of Roy Johnson. These contributions principally occurred in late March.
1985. As the statutory limitation period has run, the Department of Justice has referred the matter for civil enforcement and closed its files.

II. FACTUAL AND LEGAL ANALYSIS

Section 441f of Title 2, United States Code makes it unlawful for any person to make a contribution in the name of another or for any person to knowingly permit his or her name to be used for that purpose. Under Section 441b(a), no corporation or labor organization may contribute to a federal electoral campaign and no officer or director may consent to such contribution by the corporation or labor organization. In March 1985, Joseph Perkins had $10,000 in cash withdrawn from a corporate checking account. That sum was then apparently distributed to various employees and others as "bonuses" with an inquiry or suggestion that the recipient contribute a like amount to the Roy Johnson for Congress campaign.

Corporate assets were apparently contributed to a federal political committee in the names of others by the giving of "bonuses" to certain individuals who then contributed those sums to the federal political committee. Therefore, there is reason to believe that the corporation violated 2 U.S.C. §§ 441f and 441b(a). Mr. Perkins as the president and owner of the corporation is also subject to the prohibitions under Section 441b(a). Yet he apparently directed that the corporate bonuses be paid and instigated the employees' making of contributions with those bonuses. Therefore, there is reason to believe that Joseph W. Perkins violated 2 U.S.C. §§ 441b(a) and 441f. By
accepting such bonus and making the proposed contribution to a
government candidate, the bonus recipients apparently violated
Section 441f by allowing their names to be used to make prohibited contributions.

It was also alleged that the source of the $10,000 which was withdrawn from the Perkins & Associates, Inc. account was the Alabama Education Association ("AEA"), a corporation organized under the laws of Alabama. If AEA provided these funds for the purpose of redistribution to a federal electoral campaign through conduits, then there would be reason to believe AEA violated 2 U.S.C. §§ 441b(a) and 441f.

At this time there are no indications that the Roy Johnson for Congress Committee had knowledge that certain contributions possibly derived from prohibited funds or had been made in the name of another. Should the investigation disclose any involvement by the political committee, this Office will make appropriate recommendations to the Commission.

III. RECOMMENDATIONS


*/ The AEA was identified as a nonprofit corporation by the Alabama Secretary of State, Corporate Division. It is possible, however, that the AEA is a labor organization within the meaning of 2 U.S.C. § 441b(b)(1).
3. Approve the attached letters, Factual and Legal Analyses and Questions.

Lawrence M. Noble
General Counsel

Date 11/4/88

By: Lois C. Lerner
Associate General Counsel

Attachments
1. Referral Materials
2. Proposed Letters (15)
3. Proposed Factual and Legal Analyses (15)
4. Questions
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Perkins & Associates, Inc.
Joseph W. Perkins
Harry H. Ferguson, Jr.
Cynthia K. Perkins
Ivy Hunter
Fred Hunter
W. Lee Hudson
Fred DeLoach
Laurie Enslen
Sheri Bushery Arnold
Joyce Miller
Grover Gene Hill
Daniel Mark Perkins
Loretta T. Perkins
Alabama Education Association

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of November 30, 1988, do hereby certify that the Commission decided by a vote of 4-0 to take the following actions with respect to the above-captioned matter:

1. Open a Matter Under Review (MUR).


(continued)

4. Approve the letters, Factual and Legal Analyses, and Questions as recommended in the General Counsel's report dated November 4, 1988.

Commissioners Aikens, Elliott, McDonald, and McGarry voted affirmatively for the decision; Commissioners Josefiak and Thomas were not present at the time of the vote.

Attest:

12/6/88

Marjorie W. Emmons
Secretary of the Commission
Cynthia K. Perkins  
3117 Alabama Avenue  
Holt, Alabama 35404

RE: MUR 2797  
Cynthia K. Perkins

Dear Ms. Perkins:

On November 30, 1988, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials, along with answers to the enclosed questions, to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter.
Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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

Sincerely,

Thomas J. Josefiak
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form
Questions
Ivy Hunter
33 Lake Wildwood
Cotondale, Alabama 35453

RE: MUR2797
Ivy Hunter

Dear Ms. Hunter:

On November 30, 1988, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials, along with answers to the enclosed questions, to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

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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 Celia L. Jacoby, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Thomas J. Josefiak
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form
Questions
Fred Hunter  
33 Lake Wildwood  
Cotondale, Alabama 35453

RE: MUR 2797  
Fred Hunter

Dear Mr. Hunter:

On November 30, 1988, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

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Further, the Commission will not entertain requests for pre-
probable cause conciliation after briefs on probable cause have
been mailed to the respondent.

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

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please advise the Commission by completing the enclosed form
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and authorizing such counsel to receive any notifications and
other communications from the Commission.

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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 Celia L.
Jacoby, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Thomas J. Josefiak
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form
Questions
Dear Mr. Hudson:

On November 30, 1988, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

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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 Celia L. Jacoby, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Thomas J. Josefiak
Chairman
December 8, 1988

Fred DeLoach
39 Beacon Point
Northport, Alabama 35476

RE: MUR 2797
Fred DeLoach

Dear Mr. DeLoach:

On November 30, 1988, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials, along with answers to the enclosed questions, to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

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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 Celia L. Jacoby, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Thomas J. Josefiak
Chairman

Enclosures
- Factual and Legal Analysis
- Procedures
- Designation of Counsel Form
- Questions
Laurie Enslen  
3514 Forrest Brook Lane  
Montgomery, Alabama 36116  

RE: MUR 2797  
Laurie Enslen

Dear Ms. Enslen:

On November 30, 1988, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

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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 Celia L. Jacoby, the attorney assigned to this matter, at (202) 376-5699.

Sincerely,

[Signature]

Thomas J. Josefiak
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form
Questions
Sheri Bushery Arnold
3706 12th St., East
Tuscaloosa, Alabama 35404

RE: MUR 2797
Sheri Bushery Arnold

Dear Ms. Arnold:

On November 30, 1988, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission’s finding, is attached for your information.

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Sincerely,

[Signature]

Thomas J. Josefiak
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form
Questions
Joyce Miller
Southfolk Trailer Park
Duncanville, Alabama 35456

RE: MUR 2797
Joyce Miller

Dear Ms. Miller:

On November 30, 1988, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

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Sincerely,

[Signature]

Thomas J. Josefiak
Chairman

Enclosures
- Factual and Legal Analysis
- Procedures
- Designation of Counsel Form
- Questions
Grover Gene Hill  
29 Brookside  
Northport, Alabama 35476

RE: MUR 2797  
Grover Gene Hill

Dear Mr. Hill:

On November 30, 1988, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials, along with answers to the enclosed questions, to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter.
Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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

Sincerely,

Thomas J. Josefiak
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form
Questions
Daniel Mark Perkins
3913 6th Street East
Tuscaloosa, Alabama 35404

RE: MUR 2797
Daniel Mark Perkins

Dear Mr. Perkins:

On November 30, 1988, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials, along with answers to the enclosed questions, to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter.
Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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

Sincerely,

Thomas J. Josefiak
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form
Questions
Loretta T. Perkins
3913 6th Street East
Tuscaloosa, Alabama 35404

RE: MUR 2797
Loretta T. Perkins

Dear Ms. Perkins:

On November 30, 1988, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials, along with answers to the enclosed questions, to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter.
Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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

Sincerely,

Thomas J. Josefiak
Chairman

Enclosures
Factual and Legal Analysis
Procedures
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Questions
December 8, 1988

Alabama Education Association
422 Dexter Avenue
Montgomery, Alabama 36104

RE: MUR 2797
Alabama Education Association

Dear Sir/Madam:

On November 30, 1988, the Federal Election Commission found that there is reason to believe the Alabama Education Association (the "AEA") violated 2 U.S.C. §§ 441b(a) and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the AEA. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials, along with answers to the enclosed questions, to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against the AEA, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter.
Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Celia L. Jacoby, the attorney assigned to this matter, at (202) 376-3690.

Sincerely,

Thomas J. Josefiak
Chairman

Enclosures
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Designation of Counsel Form
Questions
RE: MUR 2797
Perkins & Associates, Inc.

Dear Mr. Perkins:

On November 30, 1988, the Federal Election Commission found that there is reason to believe Perkins & Associates, Inc. violated 2 U.S.C. §§ 441b(a) and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against Perkins & Associates, Inc. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials, along with answers to the enclosed questions, to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against Perkins & Associates, Inc., the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter.
Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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

Sincerely,

[Signature]

Thomas J. Josefiak
Chairman

Enclosures
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Procedures
Designation of Counsel Form
Questions
December 8, 1988

Joseph W. Perkins
Route 4, Box 95
Northport, Alabama 35476

RE: MUR 2797
Joseph W. Perkins

Dear Mr. Perkins:

On November 30, 1988, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. §§ 441b(a) and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials, along with answers to the enclosed questions, to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter.
Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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

Sincerely,

Thomas J. Josefiak
Chairman

Enclosures
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Dear Mr. Ferguson:

On November 30, 1988, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials, along with answers to the enclosed questions, to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter.
Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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

Sincerely,

Thomas J. Josefiak
Chairman

Enclosures
- Factual and Legal Analysis
- Procedures
- Designation of Counsel Form
- Questions
Hand-Delivered

Celia L. Jacoby, Esq.
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2797
Alabama Education Association

Dear Ms. Jacoby:

This memorandum summarizes our telephone conversation of December 14, 1988. This office represents the Alabama Education Association ("AEA") in the above MUR, and a Statement of Designation of Counsel is attached. The AEA received notification from the Commission that there is reason to believe AEA violated the Federal Election Campaign Act of 1971, as amended, on December 13, 1988, which would make a response due December 28. We request a 20-day extension of time from that date in which to prepare a response (making the response due January 17) for the following reasons: (1) AEA Executive Secretary Paul Hubbert, who may have knowledge of the matter in question, is traveling and will be unavailable to consult with us until at least January 3; (2) the undersigned counsel is leaving town on December 22 and will be away from the office until January 2; and (3) both the AEA and NEA buildings will be closed over the Christmas holiday. Thus, as a practical matter, we will be unable to prepare a response within the initial time frame.

We appreciate your consideration in this matter.

Sincerely,

Joy Koletsky
Counsel for NEA-PAC, et al.

cc: Paul Hubbert

JK/jp
STATEMENT OF DESIGNATION OF COUNSEL

MUR 2797

NAME OF COUNSEL: Robert H. Chanin
Joy L. Koletsky

ADDRESS: Office of General Counsel
National Education Association

1201 - 16th Street, N.W.
Washington, D.C. 20036

TELEPHONE: (202) 822-7035

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

December 19, 1986

Signature

Paul Hubbert, Executive Secretary

RESPONDENT'S NAME:

ADDRESS:

422 Dexter Avenue, Box 4177
Montgomery, Alabama 36104

HOME PHONE:

BUSINESS PHONE: (205) 834-9790
December 16, 1988

Federal Election Commission
Washington, D. C. 20463

ATTN: Ms. Celia L. Jacoby

Re: MVR 2797
Laurie Enslen

Dear Ms. Jacoby:

My sister-in-law, Laurie Enslen, received the information from your office on December 14, 1988. She has moved twice since she made her last statement to federal authorities.

Laurie is in her ninth month of a very complicated pregnancy and is not in any condition to re-hash this matter. As a matter of fact, this mailing is quite upsetting to her. In other words, she cannot complete the questions by fifteen days from the date she received the letter.

I am certain Laurie will cooperate with you as she has done in the past. I will work with her on the questions soon after the first of the year and after her baby is born. I therefore request sufficient time for recuperation before the answers are due.

If you have any questions, please give me a call.

Sincerely,

Frederick T. Enslen

cc: Ms. Laurie P. Enslen
Dear Ms. Jacoby:

In addition to those persons previously listed in my earlier letter, I will be representing Cynthia K. Perkins. Her designation is enclosed.

Sincerely,

Jack Drake

Celia Jacoby
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2797

JD/lb
enclosure
STATEMENT OF DESIGNATION OF COUNSEL

MUR 2797

NAME OF COUNSEL: Jack Draper

ADDRESS: Drake, Knauer & Prine
1509 University Blvd.
Tuscaloosa, AL.

TELEPHONE: 35400

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

12-19-88
Date

[Signature]

RESPONDENT'S NAME: Cynthia K. Perkins

ADDRESS: 3117 Oklahoma Avenue
Holt, AL 35404

HOME PHONE: 559-9721
BUSINESS PHONE: 759-7122
December 19, 1988

Celia L. Jacoby
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2797

Dear Ms. Jacoby:

In the above-referenced proceeding, I represent Loretta Perkins, Joyce E. Albright (formerly Miller), Fred A. Hunter, and Ivy Hunter. It is entirely possible that other persons involved will ask me to represent them. However, I have so far only been contacted by these individuals and their Statements of Designation Of Counsel are enclosed. For your information, Daniel Mark Perkins is deceased.

I would like a continuance of thirty (30) days so that I can complete answers to all your questions.

My clients are interested in conciliation, depending, of course, upon what you propose.

You may be interested in knowing that the original allegation with the Justice Department was that the Alabama Education Association and the Alabama Trial Lawyers Association provided money to Perkins and Associates, Inc. to give, through its employees, to Roy Johnson's congressional campaign. That allegation was an interesting one to the Assistant U. S. Attorneys involved. However, when the prosecutors involved learned that that allegation was baseless, they lost interest in the matter. Assuming that there was a violation of 441(f), we are talking about a very minor and unimportant matter. It is not insignificant to me that Roy Johnson never ran for Congress.

Given my perspective of the matter, I would be happy to talk about conciliation of the matter.

Sincerely,

JD/lb

enclosures
STATEMENT OF DESIGNATION OF COUNSEL

MUR 2777

NAME OF COUNSEL: Jorie Drake
ADDRESS: Drake, Knowles & Frawe
1509 University Blvd
Tuscaloosa, AL

TELEPHONE: 35401

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

12-15-88
Date

Signature

RESPONDENT'S NAME: Loretha Perkins
ADDRESS: 3513 6th St Em
Tuscaloosa, AL

HOME PHONE: 205 553-0156
BUSINESS PHONE: 
STATEMENT OF DESIGNATION OF COUNSEL

NAME OF COUNSEL: Jack Drake
ADDRESS: 1509 University Blvd.
Tuscaloosa, AL 35401

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

Date: 10/16/88
Signature: [Signature]

RESPONDENT'S NAME: Joyce E. Albright
ADDRESS: 26 Southfork
Duncanville, AL 35456

HOME PHONE: 758-9984
BUSINESS PHONE: 758-5773
STATEMENT OF DESIGNATION OF COUNSEL

MUR 2797

NAME OF COUNSEL: Judd Dunne

ADDRESS: Oxley, Zemke & Freer
1509 University Blvd
Tuscaloosa, AL 35401

TELEPHONE: _______________________

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

12/14/88

Date

SIGNATURE _______________________

RESPONDENT'S NAME: Cl. 3 Bag 314 Canyon Lake

ADDRESS: Cottondale, AL 35453

HOME PHONE: 553-1757

BUSINESS PHONE: 345-5188
STATEMENT OF DESIGNATION OF COUNSEL

NAME OF COUNSEL: Jack Drake
ADDRESS: Dunn, Lemke & Moren
1509 University Blvd
Trussville, AL 35401
TELEPHONE: _______________________

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

12/16/88 _______________________
Date  Signature

RESPONDENT'S NAME: Fred A. Hunter
ADDRESS: 394 Canyon Lake
           COTTONDALE, AL 35453

HOME PHONE: 205-553-1757
BUSINESS PHONE: 205-758-0407
                205-553-1333
December 23, 1988

Joy Koletsky, Esquire
Office of General Counsel
National Education Association
1201 16th Street, N.W.
Washington, D.C. 20036

RE: MUR 2797
Alabama Education Association

Dear Ms. Koletsky:

This is in response to your letter dated December 19, 1988, which we received on December 19, requesting an extension of twenty days to respond to the questions posed to your client, the Alabama Education Association, in the above-referenced matter. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on Tuesday, January 17, 1989.

If you have any questions, please contact Celia Jacoby, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

[Signature]

BY: Lois G. Lerner
Associate General Counsel
Dear Ms. Jacoby:

I have now been retained by Harry Ferguson Jr. His designation is enclosed.

Sincerely,

Jack Drake

JD/1b

enclosure
STATEMENT OF DESIGNATION OF COUNSEL

MUR 2797

NAME OF COUNSEL: Jack Drake
ADDRESS: Drake, Kinnick & Pierce
1509 University Blvd.
Tucson, AZ 85721

TELEPHONE: 35401

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

12/20/88

[Signature]

Date

RESPONDENT'S NAME: Henry Ferguson Jr
ADDRESS: 1604 Bellingrath Drive
Tucson, AZ 85711

HOME PHONE: ____________
BUSINESS PHONE: ____________

12040901258
December 21, 1988

Secretary
Federal Election Commission
999 E Street, NW
Washington, DC 20463

RE: MUR 2797, Sheri Bushery Arnold
(now Sheri Arnold Brown)

Dear Sir:

This Firm represents the above-named individual (see enclosed Statement of Designation of Counsel) in connection with your letter dated December 8, 1988, wherein the Commission states it has found reason to believe Ms. Brown has violated 2 USC § 441F of the Federal Election Campaign Act of 1971.

The Commission's letter was sent to Ms. Brown's last known address in the state of Alabama and eventually forwarded to her at her present address which is 114 Oaklawn Drive, Conway, Arkansas 72032. However, Ms. Brown only received the letter on December 20, 1988, and retained us to assist her on December 21, 1988. While I have reviewed the written materials enclosed with the Commission's letter and spoken briefly to Ms. Jacoby in the General Counsel's office, I have not had any opportunity to discuss the matter in detail with Ms. Brown at this time. For these reasons, I respectfully request an extension of time until January 20, 1989, in which to respond to the matters contained in this letter.

Thank you for your kind consideration of this request.

Sincerely yours,

MITCHELL, WILLIAMS, SELIG & TUCKER

By

Pat Moran

cc: Ms. Celia L. Jacoby
Ms. Sheri Arnold Brown
The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

December 20, 1988

Signature

Sheri Lynn Arnold Brown

114 Oaklawn Drive
Conway, AR 72032

(501) 329-7886
December 27, 1988

Dear Ms. Jacobs,

My office is closed today. Mr. Hall contacted me and asked me to represent him. I am undertaking his designation.

[Signature]

RUSSELL JACKSON DRAKE
RAUL KNOWLES JR.
JOSEPH G. PIERCE

DRAKE KNOWLES AND PIERCE
1509 UNIVERSITY BOULEVARD
TUSCALOOSA, ALABAMA 35401
The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

[Date]

[Signature]

RESPONDENT'S NAME: Grover Cem Hill
ADDRESS: 29 Brookside
CORPO. M/S
75-476
January 3, 1989

Frederick T. Enslen, Esquire  
Argo, Enslen, Holloway & Sabel, P.C.  
300 South Hull Street  
P.O. Drawer 1550  
Montgomery, Alabama 36102-1550

RE: MUR 2797  
Laurie Enslen

Dear Mr. Enslen:

This is in response to your letter dated December 16, 1988, which we received on December 21, requesting an indefinite extension of time to respond to the questions posed to your client, Ms. Enslen, in the above-referenced matter. After considering the circumstances presented in your letter, I have granted an extension of thirty days. Accordingly, your response is due by the close of business on Monday, January 30, 1989.

If you have any questions, please contact Celia Jacoby, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble  
General Counsel

Lois G. Lerner  
Associate General Counsel
January 3, 1989

Jack Drake, Esquire
Drake, Knowles and Pierce
P.O. Box 86
Tuscaloosa, Alabama 35402

RE: MUR 2797
Loretta Perkins, Joyce (Miller) Albright, Fred A. Hunter,
Ivy Hunter, Grover Gene Hill,
Harry Ferguson, Jr. and
Cynthia K. Perkins

Dear Mr. Drake:

This is in response to your letters dated December 19, 20
and 23, 1988, which we received on December 22, 23 and 27,
respectively, requesting extensions of thirty days to respond to
the questions posed to your clients in the above-referenced
matter. After considering the circumstances presented in your
letter, I have granted the requested extension. Accordingly,
your response is due by the close of business on Monday, January

If you have any questions, please contact Celia Jacoby, the
attorney assigned to this matter, at (202) 376-5890.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel
January 3, 1989

Pat Moran, Esquire
Mitchell, Williams, Selig & Tucker
1000 Savers Federal Building
Little Rock, Arkansas 72201

RE: MUR 2797
Sheri Bushery Arnold Brown

Dear Mr. Moran:

This is in response to your letter dated December 21, 1988, which we received on December 27, requesting extension until January 20, 1989 to respond to the questions posed to your client, Ms. Brown, in the above-referenced matter. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on Monday, January 23, 1989.

If you have any questions, please contact Celia Jacoby, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

[Signature]

BY: Lois G. Lerner
Associate General Counsel
Celia Jacoby  
Federal Election Commission  
Washington, D.C.  20463

Re: MUR 2797

Dear Ms. Jacoby:

This is to confirm our telephone conversation in which I stated to you that my request for additional time is being made on behalf of every person represented by me. This would include Gene Hill, Harry Ferguson, Cynthia Perkins, Loretta Perkins, Joyce Albright, Ivy Hunter and Fred Hunter. I also represent Perkins & Associates, Inc., and include the corporation within my request.

Sincerely,

Jack Drake

JD/mjd
Janurary 9, 1989

Jack Drake, Esquire
Drake, Knowles and Pierce
P.O. Box 86
Tuscaloosa, Alabama 35402

RE: MUR 2797
Perkins & Associates, Inc.

Dear Mr. Drake:

This is in response to your letter dated December 29, 1988, which we received on January 3, 1989, requesting an extension of thirty days to respond to the questions posed to your client in the above-referenced matter. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on Monday, February 6, 1989.

If you have any questions, please contact Celia Jacoby, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel
January 6, 1989

Celia Jacoby
Federal Election Commission
Washington, D.C. 20463

Dear Ms. Jacoby:

Enclosed is the Designation Of Counsel for Perkins and Associates. I will respond for all my clients no later than January 30, 1989.

Sincerely,

Jack Drake

JD/1b

enclosure
STATEMENT OF DESIGNATION OF COUNSEL

MUR 2797

NAME OF COUNSEL: Jack Drake
ADDRESS: Drake, Knodel & Pierce
P.O. Box 86
Tucson, Ariz.

TELEPHONE: 354-02

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

1/6/88

Date

Perkins & Associates
Signature

RESPONDENT'S NAME: Perkins & Associates Inc.
ADDRESS: Am South 2145
2330 University Blvd
Tucson, Ariz. 85719

HOME PHONE:
BUSINESS PHONE: 758-0407
In the Matter of

Loretta Perkins, Joyce (Miller) Albright, Fred Hunter and Ivy Hunter

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On November 30, 1988, the Commission found reason to believe that Loretta Perkins, Joyce Miller, Fred Hunter and Ivy Hunter had participated in contribution-reimbursement activity contrary to 2 U.S.C. § 441f. Counsel for these individuals indicated an interest in conciliation in a letter dated December 19, 1988.

II. ANALYSIS

Included in the reason to believe notification addressed to these respondents were interrogatories. Counsel sought and received a thirty-day extension of time to respond to those interrogatories. This Office believes that conciliation prior to the receipt and analysis of those responses would be premature. Therefore, this Office recommends that the Commission decline to enter into conciliation prior to the completion of the investigation in this matter.

III. RECOMMENDATIONS

1. Decline to enter into conciliation with Loretta Perkins, Joyce Albright, Fred Hunter and Ivy Hunter prior to a finding of probable cause to believe.

\(*/ According to her counsel, Joyce Miller presently uses the name Albright.
2. Approve the attached letter.

Lawrence M. Noble
General Counsel

Date: 1-10-84

BY: Lois G. Lerner
Associate General Counsel

Attachments
1. Request for Conciliation
2. Letter

Staff Assigned: C. Jacoby
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Loretta Perkins, Joyce (Miller) Albright, Fred Hunter and Ivy Hunter

MUR 2797

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 17, 1989, the Commission decided by a vote of 6-0 to take the following actions in MUR 2797:

1. Decline to enter into conciliation with Loretta Perkins, Joyce Albright, Fred Hunter and Ivy Hunter prior to a finding of probable cause to believe.

2. Approve the letter, as recommended in the General Counsel's report signed January 10, 1989.

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

Attest:

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Wed., 1-11-89, 4:31
Circulated on 48 hour tally basis: Thurs., 1-12-89, 11:00
Deadline for vote: Tues., 1-17-89, 11:00
Thomas J. Josefiak  
Chairman 
Federal Election Commission 
Washington, D.C. 20463 

Re: MUR 2797 - Alabama Education Association 

Dear Chairman Josefiak:

On December 8, 1988 you notified the Alabama Education Association ("AEA") that the Commission found there is reason to believe [AEA] violated 2 U.S.C. §§441b(a) and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). You invited AEA to "submit any factual or legal materials that [we] believe are relevant to the Commission's consideration of this matter." In addition you asked AEA to answer questions submitted by the Commission. This letter and the attached Answers are submitted on behalf of AEA in response to the Commission's invitation and request.

The Analysis does not provide in any manner whatsoever the factual basis for the Commission's belief that AEA was involved in the transaction at issue, and we are hard pressed to find one. AEA's only involvement with Perkins has been that, over a period of about eight years, AEA has employed Perkins for various state political projects, including advice on state legislative matters, state political advertisements, polling relating to state educational and political issues, and other
political advice. AEA's transactions with Perkins have consisted of the purchase of, and payment for, services rendered. AEA did not in any way provide monies or other current funds to Perkins, Inc. or Joseph W. Perkins for the purpose of its or him making contributions to the Roy Johnson for Congress Committee. The foregoing information is attested to in the attached Answers by Paul R. Hubbert, Executive Secretary, AEA.

Based on the foregoing, we respectfully request that the Commission take no further action against AEA and that it close the file on AEA in this matter.

Sincerely,

Robert H. Chanin
Joy L. Koletsky
Counsel for AEA
1. The Alabama Education Association ("AEA") is an organization that represents the interests of public school employees in the state of Alabama. AEA has as purposes the protection and enhancement of employee rights and benefits and the promotion of the cause of public education.

2. A list of AEA's Board of Directors and officers is attached. AEA does not have a registered agent, but service of process may be made upon the undersigned.

3. AEA's primary contact with Perkins and Associates, Inc. ("Perkins, Inc.") has been through Joseph W. Perkins, the company's president and owner. AEA has employed Perkins, Inc. over a period of about eight years for various state political projects, including advice on state legislative matters, state political advertisements, polling relating to state educational and political issues, and other political advice. AEA's transactions with Perkins, Inc. have consisted of the purchase of, and payment for, services rendered.

4. See answer to No. 3 above.

5. Roy Johnson has been Speaker Pro Tem of the Alabama House of Representatives and recognized as a spokesperson for education. As such AEA has had numerous contacts with Johnson regarding education issues and has assisted him in his campaigns for state legislature. Johnson is a member of AEA.

6. AEA made a recommendation to the National Education Association-Political Action Committee ("NEA-PAC") to make a contribution to the Roy Johnson for Congress Committee. NEA-PAC acted favorably on this recommendation. (See answer to No. 8 below.)

7. No.

8. Yes.

   a. NEA-PAC
      1201 - 16th Street, NW
      Washington, DC 20036

   b. See answer to No. 6 above.
9. The foregoing questions were answered on the basis of the personal knowledge of the undersigned.

I hereby declare under penalty of perjury that to the best of my knowledge and belief the foregoing is true and correct.

Paul R. Hubert, Executive Secretary
Alabama Education Association

DATE: January 17, 1989
1988-89
AEA OFFICERS AND BOARD OF DIRECTORS

Joan Aldridge
Barbara Boyd
John Drenning
Tonia Eason
Phillip Fields
Linda C. Garrett
Betty C. Graham
Edna Harris
James Harris
Sheila Hocutt
Eunice Horton
Ralph Howard, Sr.
Becky Howell Lee
Sherry Lott
Judy Lowe
Tom McDonald
Kathy McVay
Genette Meeks
Jo Anne Minnitt
Peggy Mobley
Evelyn Moore
Theresa Patterson
Montriel Pitts
Garland Pounds - President
Anita Raby
L. M. Randolph
Shirley Rose
Eleanor Smithers
Maryann Spann
David Sprayberry
Frankye Underwood - Vice President
Edward Walton
Myra Wooldridge
Jack Drake, Esquire  
Drake, Knowles and Pierce  
1509 University Boulevard  
Tuscaloosa, Alabama 35401  

RE: MUR 2797  
Loretta Perkins, Joyce Miller Albright, Fred Hunter and Ivy Hunter  

Dear Mr. Drake:  

On December 8, 1988, your clients, Loretta Perkins, Joyce Miller Albright, Fred Hunter and Ivy Hunter, were notified that the Federal Election Commission found reason to believe that they had violated 2 U.S.C. § 441f. On December 19, 1988, you submitted a request to enter into conciliation negotiations prior to a finding of probable cause to believe.  

The Commission has considered your request and determined, because of the need to complete the investigation, to decline at this time to enter into conciliation prior to a finding of probable cause to believe.  

At such time when the investigation in this matter has been completed, the Commission will consider your request to enter into conciliation prior to a finding of probable cause to believe.  

If you have any questions, please contact Celia Jacoby, the attorney assigned to this matter, at (202) 376-5690.  

Sincerely,  

Lawrence M. Noble  
General Counsel  

BY: Lois G. Lerner  
Associate General Counsel
Office of General Counsel
Federal Election Commission
999 E. Street, N.W.
Washington, DC 20463

Attn: Ms. Cecilia Jacoby

RE: MUR 2797
Sheri Bushery Arnold Brown

Dear Ms. Jacoby:

On behalf of the above named respondent, we reply to the Commission’s letter of December 8, 1988, stating reason to believe respondent had violated 2 U.S.C. § 441f. The Commission’s letter was sent to respondent at her last known address and eventually forwarded to her at her present Arkansas address, being received by her on December 20, 1988. By letter dated December 21, 1988, respondent’s counsel requested an extension of time in which to answer, which extension until January 23, 1989, was granted by the General Counsel in a letter dated January 3, 1989. Having entered this case for the respondent in the “reason to believe” stage, you may treat this letter as a request for pre-probable cause conciliation.

Enclosed with this response, in affidavit form, you will find respondent’s answers to questions propounded to her in the Commission’s letter of December 8. We also submit the following additional information and arguments on behalf of respondent.
Ms. Cecilia Jacoby  
January 18, 1989  
Page 2

This matter involves events transpiring nearly four years ago. Respondent Sheri Brown is presently a 29 year old housewife with an 11 month old baby who resides in Conway, Arkansas. She and her present husband are also expecting their second child in mid 1989. She is not employed outside the home and has no plans to be any time in the foreseeable future. She has only modest financial means at her disposal. As with many couples in this situation, what little money available, after payment of fixed monthly expenses, is saved for the purpose of eventually making a down payment on a home.

What we apparently have in this case according to the factual and legal analysis furnished (which is all respondent's counsel has to go on) is a series of highly questionable acts committed by some of the main principals in the corporate firm where respondent was formerly employed and certain members of the Roy Johnson Congressional Campaign Committee, all of which gave rise to a Justice Department criminal investigation. The Justice Department either found no criminal violations or chose not to pursue the matter for whatever reason and the question of whether to assess civil penalties is now in the hands of this Commission.

In the individual case of respondent Sheri Brown, we would submit that the Commission is not looking at one of the main principals at all, but rather a person who could, at best, be described as only peripherally involved and on the far periphery at that. We think that respondent's answers to the Commission's questions completely rule out any willful and knowing violation of the law. Respondent's job duties involved her mostly in the non-political type work of her firm. She was not a political operative and had no dealings at all with members of the congressional campaign committee of Roy Johnson. Respondent's complete trust in her superior was misplaced. Her unfamiliarity with the law is not a defense and respondent's counsel does not plead such here. Our plea for this respondent goes rather to the equity and fairness with which one in respondent's situation should be treated.
Ms. Cecilia Jacoby  
January 18, 1989  
Page 3

2 U.S.C. § 437g(a)(5)(A) is couched in permissive rather than mandatory language and leaves it within the sound discretion of this Commission whether or not to require the payment of a civil penalty in this matter. Sheri Brown, the respondent here, is questioned regarding a single instance that occurred in the somewhat distant past. In the ensuing four year period of time she has divorced, remarried and started a new life in another part of the country. She has cooperated in answering the Commission's questions and is willing to continue that cooperation if such is necessary. It would be most difficult for respondent to come up with any amount of money for the payment of a civil penalty. Based on the facts in this respondent's particular case, it would seem that neither the ends of justice nor any overall public purpose would be served by requiring the payment of a penalty.

For the above stated reasons, respondent respectfully requests that she not be required to pay a civil penalty in this matter.

Sincerely,

MITCHELL, WILLIAMS, SELIG & TUCKER
Attorneys for Respondent

By Pat Moran

PM: dap
Enclosure
AFFIDAVIT

STATE OF ARKANSAS)
COUNTY OF PULASKI)

KNOW ALL MEN BY THESE PRESENTS:

I Sheri Arnold Brown being first duly sworn, on oath make the following answers to a series of questions propounded to me by the Federal Election Commission in their letter dated December 8, 1988 in FEC File No. MUR2797:

QUESTION NO. 1: Please state your name, current address (residential and business), and telephone number (residential and business).

ANSWER NO. 1: My name is Sheri Lynn Arnold Brown. I live at 114 Oaklawn Drive, Conway, Arkansas 72032. My telephone number is

QUESTION NO. 2: Are you or have you been employed by Perkins & Associates, Inc.? If yes, please state dates of employment, positions or job title held, and salary received.

ANSWER NO. 2: I was employed with Perkins & Associates from January 31, 1983, to June 27, 1986. Beginning as a secretary, I later was Assistant Production Manager and then Production Manager. At the time I left Perkins & Associates, my salary was approximately per year.

QUESTION NO. 3: Do you know Joseph W. Perkins? Please describe your relationship to him (relative, friend, business, etc.)

ANSWER NO. 3: I know Joseph W. Perkins as a past employer.
QUESTION NO. 4: Did you make a contribution to Roy Johnson or the Roy Johnson for Congress Committee? If yes,

a. Please state the date on which you made the contribution, how and to whom you delivered the contribution.

b. Please provide a copy (both sides) of the check, money order or other written instrument used to make the contribution.

c. If the contribution was made by check, please provide a copy of the relevant bank statement or account reconciliation on which such check was reported or otherwise disclosed.

d. Please identify the source of funds used to make the contribution, including all relevant account identification. To extent available, please state the average balance in this account for the 60 days prior to the date of the contribution.

ANSWER NO. 4: Yes.

a. I do not remember the specific date I made the contribution. The check was written on a joint checking account, but I cannot recall exactly how I delivered the check.

b. Since the check was written almost 4 years ago, I cannot provide a copy of the check at this time. As I have stated, it was written on a joint checking account held with my former husband, Mr. Steve Bushery.

c. My former husband has indicated that he does not have this checking account statement at this time and is unable to locate it at this date.

d. The check was written on Alabama Federal Savings and Loan Association from an account held jointly by myself and my former husband, Steve Bushery.
QUESTION NO. 5: Did anyone ever solicit (or request or suggest) a contribution from you to Roy Johnson or the Roy Johnson for Congress Committee? If yes,

a. Please describe the circumstances in detail, including who solicited, how the solicitation was made and identify anyone else who was present.

ANSWER NO. 5: Yes.

a. Mr. Harry H. Ferguson, Business Manager at Perkins & Associates, who was my immediate superior and the person that I reported to, told me to make the contribution to the Johnson campaign. At the time, I questioned the legality of the contribution because of the nature in which I was being asked to make it, but was told in no uncertain terms by Mr. Ferguson that in no way was this transaction illegal. He simply said to "just do it and not worry about it." Hindsight at this point would indicate that I should have made some independent inquiry as to the legality of what I was being asked to do, but I completely trusted my superior, Mr. Ferguson, as well as Mr. Perkins. A majority of my work duties in the job I held at the Perkins firm involved working with their more traditional clients. I knew very little about political accounts or the laws governing political campaigns. Certainly, if I had had any idea that my making of the contribution could be a violation of federal law, then I would not have taken any part in the matter.

QUESTION NO. 6: Do you know anyone else who made a contribution to Roy Johnson or the Roy Johnson for Congress Committee? If yes, please state:

a. Name and address of each such person.

b. How you acquired this knowledge or information.
ANSWER NO. 6: Although I did not see them make a contribution, I know of others who may have made such contributions.

a. To the best of my knowledge, those other individuals who may have made such contributions were:

1. Harry Ferguson
2. Ivy Hunter
3. Dennis Stanard
4. Lee Hudson
5. Cindy Perkins
6. Fred DeLoach

b. My belief that these individuals may have made such contributions is based on general conversations had in the office with these individuals.

QUESTION NO. 7: Did you receive a bonus, advance, premium or other gratuity from Perkins & Associates, Inc. (or any officer, director, agent or employee thereof) on or about March 29, 1985? If yes,

a. How was such bonus, advance, premium or other gratuity made (e.g., cash, check, etc.)?

b. What was the amount?

c. How and by whom was it delivered?

d. Please describe in full all circumstances surrounding the making and receipt of such bonus, advance, premium or gratuity.

ANSWER NO. 7: Yes, although I do not recall the exact date.

a. The bonus was given to me in cash.

b. $1,000.00.

c. It was given to me by Harry Ferguson.
d. The bonus was given to me by Mr. Ferguson at the time he told me to make the contribution which I have mentioned in my Answer to Question 5.

QUESTION NO. 8: Had you ever received a bonus, advance, premium or other gratuity from Perkins & Associates, Inc. prior to March 29, 1985? If yes,

a. Please state dates, amounts and circumstances of each such prior bonus, advance, premium or other gratuity.

ANSWER NO. 8: Yes, I had received Christmas bonuses from the firm.

a. I am not sure of the exact dates and amounts, but, as stated, I did receive a bonus at Christmas time in each of the years that I worked at Perkins & Associates. The amount of such bonuses varied from $100 in my first year at the firm to $1500 one year.

QUESTION NO. 9: Do you know of any other employee or person who received a bonus, advance, premium or other gratuity from Perkins & Associates, Inc., on or about March 29, 1985? If yes, please identify each such person and describe in detail how you acquired this knowledge.

ANSWER NO. 9: See Answer No. 6 above.

QUESTION NO. 10: To your knowledge, information or belief were any officials, employees or agents of Roy Johnson for Congress Committee aware that Perkins & Associates, Inc. (or officers, employees, or agents thereof) provided cash to any individual in exchange for a check payable to Roy Johnson for Congress? If yes, please state the names of each such committee official, employee or agent, and state how your knowledge or belief was acquired.
ANSWER NO. 10: I have no knowledge or information on what members of the Johnson for Congress Campaign Committee may have been aware of because, as I have stated, I did not work much on political campaign accounts and I never had any direct dealings with any members of the Johnson Committee.

QUESTION NO. 11: Please identify any person (other than counsel) who was consulted or assisted in the preparation of answers to these interrogatories.

ANSWER NO. 11: No one, although my husband, Gene Brown, is aware of my discussions with counsel.

Further, affiant sayeth not.

WITNESS my hand on this 15 day of January, 1989.

Sheri Arnold Brown

Before me on this day appeared Sheri Arnold Brown who, after being duly sworn, gave the above and foregoing statement for the intents and purposes set forth therein.

Notary Public

My Commission Expires:

November 4, 1992

(SEAL)
Celia Jacoby  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 2797

Dear Ms. Jacoby:

Enclosed are the answers of my clients to the questions propounded to them by the Commission. As I indicated to you earlier, the complaint originally filed with the Justice Department alleged that money was funneled to the Roy Johnson campaign by the Alabama Education Association through Perkins and Associates, Inc. That did not occur. Once the U.S. Attorney's office realized that AEA was not involved, it dropped the investigation and referred the matter to your agency.

As you can see from the answers of various persons, Perkins and Associates, Inc. was actively engaged, in March 1985, in efforts to raise money for the Johnson campaign. P & A would also have run Johnson's campaign had he in fact run for Congress. It was natural for everyone in this small agency to be intimately involved in the fundraising effort.

It may also be of some interest to you that as a member of the Alabama Legislature, Roy Johnson secured the passage of a bill providing Joseph W. Perkins Sr. (father of the President of P & A) with an annual expense allowance to serve as constable in an unincorporated community in Tuscaloosa County, Alabama. This small community is the home of Roy Johnson. The Perkins family is very close to Roy Johnson.

Whoever filed this complaint cast a very wide net. Included in the complaint was an apparent allegation that Gene Hill, Mark Perkins, and Loretta Perkins had received money from AEA to give to Johnson. Again, that did not occur. Gene Hill is Roy Johnson's uncle. Mark Perkins (now deceased) was a member of the Perkins family, son of Joe Sr. and brother of Joe Jr. It may be of some interest to you that both Gene Hill
and Mark Perkins were elected to the Tuscaloosa County Board of Education, principally through the efforts of Roy Johnson. Loretta Perkins is the widow of Mark Perkins.

The FBI spent hundreds of hours investigating this case. Dozens of people have been interviewed. The bank records of each person named in the complaint have been examined. All of the business records of P & A have been examined. P & A has spent thousands of dollars in attorneys fees directly as a result of the Justice Department's investigation.

An agent in the FBI office in Montgomery leaked all of the details of the investigation to a Montgomery reporter. The case has received a great deal of attention in the state's media. The reputation of P & A has been damaged. A great many people have been embarrassed and harmed emotionally by the investigation. It is time it ended.

Sincerely,

Jack Drake

JD/1b

enclosures
BEFORE THE FEDERAL ELECTION COMMISSION

MUR 2797

Answers of Perkins & Associates, Inc.

1. President: Joseph W. Perkins, Jr.
   Secretary: Cynthia Perkins
   There are no other officers or directors.

   Registered Agent: Joseph W. Perkins, Jr.
   (home) 210-D Indian Lake Townhomes
   Tuscaloosa, AL

   (office) P. O. Box 309
   Tuscaloosa, AL 35402
   (205) 758-0407

2. Yes.
   a. Ivy Hunter; Harry Ferguson; Cynthia Perkins; Lee
      Hudson; Laurie Enslen; Sherry Buschery; Joyce Albright; Fred
      Deloach; Joseph W. Perkins, Jr.
   b. Cash.
   c. $1,000 each.
   d. Delivered by Harry Ferguson.
   e. It was common for Perkins & Associates, Inc. to
      pay its employees cash bonuses as a motivational incentive. The
      $1,000 bonuses were paid as a reward to employees and one
      independent contractor for jobs well done.
   f. The money came from Perkins & Associates, Inc.
      checking account at the First National Bank of Tuscaloosa, N.A.
      account
   g. No.
   h. Joseph W. Perkins, Jr.
   i. See (e).
   j. N.A. See (h).

3. Yes.
   a. Joe.
   b. Joseph W. Perkins, Jr.
4. No.

5. Persons who received the bonuses were not asked to contribute to the Roy Johnson campaign. Each person involved knew that Joseph W. Perkins, Jr. was actively involved in raising money for the Johnson campaign. Each recipient knew that Perkins & Associates Inc. would do all the advertising and polling work for the Johnson campaign. Each recipient made the contribution on his or her own. Each recipient was free to keep the money.

6. Perkins & Associates, Inc. (P & A) has done consulting work for the Alabama Education Association (AEA) for some 8 years. P & A has done polling work for AEA, helped AEA plan legislative lobbying strategy, and has done general political consulting work for AEA. P & A is an advertising agency which has run numerous political campaigns including statewide campaigns in both Alabama and Georgia. P & A has a general expertise in all services which are needed by political campaigns and political organizations. AEA is one of many organizations, individuals and entities which have made use of P & A's services over a period of nearly 10 years.

7. No.

8. My attorney, Jack Drake

By: Joseph W. Perkins, Jr.,
Its President.

STATE OF ALABAMA

TUSCALOOSA COUNTY

Sworn to and subscribed before me on this the 24th day of January, 1989.

Notary Public
BEFORE THE FEDERAL ELECTION COMMISSION

MUR 2797

Answers of Ivy Hunter

1. Ivy Hunter
   Route 3, Box 394, Canyon Lakes
   Cottondale, AL 35453

   (205) 345-5188-0

2. I am not now employed by Perkins & Associates Inc.; however, I was employed there from 1983 - 1988 as assistant business manager. My salary ranged from per year to per year.

3. Yes. I first met Joe when I worked at another job--he called on me to solicit the advertising business of my employer. My husband, Fred, also knew Joe. Of course, I knew Joe as an employee of his.

4. Yes. I gave $1,000 in March 1985. I cannot find the cancelled check. The check was written on my personal account.

5. Yes, Harry Ferguson asked me to make the contribution.

6. Yes. Joyce Albright, Lee Hudson, Sherry Bushery, Fred Deloach, Fred Hunter, and Laurie Enslen. I do not have their addresses (with the exception of Fred Hunter, my husband, who lives with me). These people told me they had made contributions.

7. Yes, $1,000 in cash. It was given to me by Harry Ferguson.

8. Yes. On numerous occasions I received cash bonuses, usually after a political campaign which required hard work and long hours. I do not remember any specific dates but it would usually be $100 or $200 at a time.

9. Yes, the persons listed in #6.

10. No.

11. No one.

Ivy Hunter
STATE OF ALABAMA

TUSCALOOSA COUNTY

Sworn to and subscribed before me on this the 24th day of January, 1989.

[Signature]

Notary Public
BEFORE THE FEDERAL ELECTION COMMISSION

MUR 2797

**Answers of Fred Hunter**

1. Fred Hunter  
   (home) 394 Canyon Lake  
   Cottondale, AL 35453  

   (business) P. O. Box 309  
   Tuscaloosa, AL 35403  
   (205) 758-0408


3. Yes. Joseph W. Perkins is the father of one of my employers, Joseph W. Perkins Jr.

4. Yes. A contribution was made on my behalf by my wife with my consent.
   
   a. March 1985. The contribution was made as described above. I do not have a copy of the check.

5. Yes. I received a telephone call from my wife saying that money was being raised for the Roy Johnson campaign. Since she knew of my prior association with Roy Johnson through local schools, she felt I would like to make a campaign contribution. At that point, as I recall, I asked her how much we could give and she said we were allowed to give $1,000 each. I said that was "Fine with me." There was no mention of any "bonus" or any requirement to make a donation of any amount.

6. Yes.

   a & b. Other than my wife, I have only a passing or business acquaintance with any of the other people who were contributors to the campaign in question. I do not know them well enough to be familiar with their current addresses.

7. No.

8. Yes. I customarily received periodic payments for free-lance services I performed for Perkins & Associates such as copy writing, talent in commercial production, etc. Often, however, these payments were included in my wife's regular salary check from Perkins & Associates. Thus, determining exact dates or amounts would be impossible without a complete record of invoices submitted to Perkins & Associates over the past 5 years.
9. Other than my wife, I have no personal knowledge of payroll or bonus payments of Perkins & Associates during the period in question.

10. No.


[Signature]

Fred Hunter

STATE OF ALABAMA

TUSCALOOSA COUNTY

Sworn to and subscribed before me on this the 24th day of January, 1989.

[Signature]

Jane Coplinger Betti
Notary Public
BEFORE THE FEDERAL ELECTION COMMISSION

MUR 2797

Answers of Cynthia Perkins

1. Cynthia Perkins
   3117 Alabama Ave.
   Holt, AL 35404
   (205) 759-7122-W

2. I am not now employed by Perkins & Associates Inc., but I was employed as a secretary from 1982 - 1988. My salary ranged from per week to per week.

3. Yes. He is my brother.

4. Yes. I do not have the bank records but I made a $1,000 contribution to Roy Johnson's campaign in March, 1985. The funds came from my personal checking account.

5. No.

6. My brothers, Joe and Mark, made contributions as did some of the employees of Perkins & Associates, Inc.

7. I received $1,000 in cash from Harry Ferguson.

8. Yes, from time to time I received cash bonuses. I do not remember the dates or amounts.

9. I was aware from office talk that other employees received a bonus of $1,000 in March 1985.

10. No.

11. No one.

Cynthia Perkins

STATE OF ALABAMA

TUSCALOOSA COUNTY

Sworn to and subscribed before me on this the 24th day of January, 1989.

Notary Public
BEFORE THE FEDERAL ELECTION COMMISSION

MUR 2797

Answers of Grover Gene Hill

1. Grover Gene Hill
   29 Brookside
   Northport, AL 35476

   No business number.

2. No.

3. Yes. I know Joe Perkins in a very casual way, mostly by reputation.

4. Yes. I do not have a copy of the check or bank statement. Roy Johnson is my nephew. I gave the contribution of $1,000.00 from my own personal funds to Roy Johnson.

5. No.

6. No.

7. No.

8. No.

9. No.

10. No.

11. No one.

STATE OF ALABAMA

TUSCALOOSA COUNTY

Sworn to and subscribed before me on this the 23rd day of January, 1989.

Grover Gene Hill

[Signature]

Notary Public
BEFORE THE FEDERAL ELECTION COMMISSION

MUR 2797

Answers of Loretta T. Perkins

1. Loretta Perkins
   3913 6th St. East
   Tuscaloosa, AL 35404

2. No.

3. Yes. Joseph W. Perkins Jr. is the brother of my deceased husband, Daniel Mark Perkins.

4. Yes. I do not have the checks or bank statements.

5. My husband suggested we make the contribution.

6. No other than my husband.

7. No.

8. No.

9. No.

10. No.

11. No one.

Loretta T. Perkins

STATE OF ALABAMA

TUSCALOOSA COUNTY

Sworn to and subscribed before me on this the 24th day of January, 1989.

Notary Public
BEFORE THE FEDERAL ELECTION COMMISSION

MUR 2797

Answers of Joyce Miller Albright

1. Joyce Miller Albright
   (home) 26 Southfork
   Duncanville, AL

   (business) 2303 13th St.
   Tuscaloosa, AL 35401
   (205) 752-5773


3. Yes. He was my employer until July 1988. He was and
       still is a good friend.

4. Yes. I do not have the checks or bank statements.

5. No.

6. Yes.
   a. Harry Ferguson, Ivy Hunter. Home addresses
      unknown.
   b. Just conversation in the office. I don’t know
      exactly what amount was contributed.

7. Yes. I received a bonus around the first of March. I
       don’t recall the exact date.
   a. I really don’t recall clearly. I presume a check.
   b. $1,000.
   c. By the business manager -- in his office.
   d. I had taken on more responsibility and had shown
      cause for advancement. I suppose Perkins & Associates saw cause
      for a bonus.

8. No.

9. No.
10. No.

11. No one.

STATE OF ALABAMA

TUSCALOOSA COUNTY

Sworn to and subscribed before me on this the 24th day of January, 1989.

By

Notary Public
B E F O R E  T H E  F E D E R A L  E L E C T I O N  C O M M I S S I O N

M U R  2 7 9 7

A n s w e r s  o f  H a r r y  F e r g u s o n ,  J r .

1. Harry Ferguson, Jr.
   1604 Bellingrath Drive
   Tuscaloosa, AL  35406

2. I am not now employed by Perkins & Associates, Inc. I was employed as Business Manager by P & A from March 1981 until August 1988 at a salary of $10,000 per year.

3. Yes. I knew Joe Perkins as my employer.

4. Yes. I contributed $1,000 to Roy Johnson's campaign in March 1985. The check was written on my account. A copy of the check is attached.

5. No. At P & A we were actively raising money for Roy Johnson's campaign. Without being asked, I understood that I should contribute to the campaign and did so.

6. Yes. Several P & A employees contributed. Among them were Cynthia Perkins, Ivy Hunter, and Joyce Miller Albright.

7. Yes. I received a cash bonus of $1,000. I paid it to myself at the direction of Joe Perkins. From time to time I was paid bonuses and at least once a year. The bonuses were paid in cash as a reward for work well done. The March 1985 bonus was paid to me as both a reward and an incentive.

8. Yes. I was paid a bonus on a number of occasions but I do not remember the exact dates or amounts. I can remember being paid a cash bonus of $100 and I remember other employees being paid bonuses in cash.


10. No.

11. No one.

Harry Ferguson, Jr.
STATE OF ALABAMA

TUSCALOOSA COUNTY

Sworn to and subscribed before me on this the 24th day of January, 1989.

[Signature]
Notary Public
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Please Examine At Once. If No Error Is Reported In Ten Days The Account Will Be Considered Correct.
All Items Credited Subject To Final Payment.
SEE REVERSE SIDE FOR IMPORTANT INFORMATION
Perkins & Assoc.
Bus. Mgr.

Pay any bank PEG 029850144622
THE CALIFORNIA TUSKABAR & PAY 89703906

2040901303
January 24, 1989

Federal Election Commission
Washington, D. C. 20463
ATTN: Ms. Celia Jacoby

Re: Laurie P. Enslen
MUR 2797

Dear Ms. Jacoby:

Enclosed please find answers to the questions you propounded to Laurie P. Enslen.

If you need anything further, please give me a call.

Sincerely,

Frederick T. Enslen

Enclosure
BEFORE THE FEDERAL ELECTION COMMISSION

IN RE: MUR 2797

ANSWERS TO QUESTIONS SUBMITTED TO LAURIE ENSLEN

ANSWERS

1. Residential - Laurie Enslen
   9713 Rosalie Drive
   Montgomery, Alabama 36117

   Business - None.

2. Yes.

   Date of Employment - October 1984 - August 1985

   Position - Media Buyer

   Salary - Approximately Annually.


4. (a) March 29, 1985? Either Harry Ferguson or Ivy Hunter in Accounting Department.

   (b) and (c) I have moved three times since 1985 and cannot locate my checks and bank statements for that year. The account was with The First National Bank of Tuscaloosa. I will attempt to get a copy of the checks and statement and forward it under separate cover.

   (d) Bonus of $1,000.00 deposited in my checking account; wrote personal check from my checking account. The average balance in my account for sixty days prior was approximately
5. Yes.
   (a) Solicited by Harry Ferguson. He told me that other employees were donating their $1,000.00 bonus to the Ray Johnson Campaign and asked if I'd like to do the same. No one else was present that I recall.

6. Harry Ferguson told me that other employees were donating their bonus.
   (a) I don't know which employees specifically.
   (b) from Harry Ferguson.

7. Yes.
   (a) Cash or check -- I don't remember.
   (b) $1,000.00.
   (c) Harry Ferguson or Ivy Hunter (I don't remember which one) handed it to me.
   (d) I don't know the circumstances, just that Harry Ferguson told me that other employees and I were getting a bonus.

8. No.

9. I know that other employees received a bonus, I don't know which ones specifically.

10. Not to my knowledge.

11. I called Joe Perkins upon receipt of these questions and asked him what it was all about. He said that these questions were from the Federal Election Commission and were similar to those I answered a couple of years ago in a deposition. He did not assist me in the preparation of my answers.
The questions propounded to me have been answered to the best of my knowledge, recollection and belief.

Laurie P. Enslen

Sworn to and subscribed before me this 24th day of January 1989.

Sarah B. Paris
Notary Public
January 30, 1989

Federal Election Commission
Washington, D. C. 20463
ATTN: Ms. Celia Jacoby

Re: Laurie P. Enslen
MUR 2797

Dear Ms. Jacoby:

In accordance with answer 4. (b) and (c) submitted by Laurie P. Enslen, I have enclosed a copy of her check made payable to the Roy Johnson Campaign and the corresponding bank statement.

Sincerely,

Frederick T. Enslen

Enclosure
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Sheri Bushery Arnold Brown

MR 2797

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On November 30, 1988, the Commission made various reasons to believe findings with respect to contributions made to the Roy Johnson for Congress Committee by fourteen respondents. These findings included a determination that there was reason to believe Sheri Bushery Arnold Brown violated 2 U.S.C. § 441f. Interrogatories and Requests for Documents were mailed to all respondents on December 8, 1988.

On December 21, 1988, Sheri Bushery Arnold Brown requested a 23-day extension of time, which was granted. This Office received Sheri Bushery Arnold Brown's response on January 23, 1989. The response includes answers to the December 8, 1988 Interrogatories and Requests for Documents and a request to enter into pre-probable cause conciliation. See Attachment 1.

II. ANALYSIS

At this time the Office of the General Counsel recommends that the request be denied.

Of the fourteen respondents in this matter, this Office has received responses to discovery requests from eleven. These responses indicate the need for a more detailed investigation with respect to the violations. This Office believes that until
such time as the investigation concludes with respect to all respondents, the Commission should deny the requests.

III. RECOMMENDATIONS

1. Decline, at this time, to enter into conciliation with Sheri Bushery Arnold Brown prior to a finding of probable cause to believe.

2. Approve the attached letter.

Lawrence M. Noble
General Counsel

March 31, 1969

Date

BY: George F. Ruhel
Acting Assistant
General Counsel

Attachments
1. Request for Conciliation
2. Letter

Staff Assigned: Michael Marinelli
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Sheri Bushery Arnold Brown

MUR 2797

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 5, 1989, the Commission decided by a vote of 6-0 to take the following actions in MUR 2797:

1. Decline, at this time, to enter into conciliation with Sheri Bushery Arnold Brown prior to a finding of probable cause to believe.

2. Approve the letter, as recommended in the General Counsel's report signed March 31, 1989.

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

Attest:

\[N-5-89\]
Date

[Signature]

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Mon., 4-3-89, 11:33
Circulated on 48 hour tally basis: Mon., 4-3-89, 4:00
Deadline for vote:

Wed., 4-5-89, 4:00
Pat Moran, Esquire
Mitchell, Williams, Selig & Tucker
1000 Savers Federal Building
Capital Avenue at Spring Street
Little Rock, Arkansas 72201

RE: MUR 2797
Sheri Bushery Arnold Brown

Dear Mr. Moran:

On December 8, 1988, your client, Sheri Bushery Arnold Brown, was notified that the Federal Election Commission found reason to believe that she had violated 2 U.S.C. § 441f.

On January 18, 1989, you submitted on behalf of Sheri Bushery Arnold Brown a request to enter into conciliation negotiations prior to a finding of probable cause to believe. The Commission has considered your request and determined, because of the need to complete the investigation, to decline at this time to enter into conciliation prior to a finding of probable cause to believe.

At such time when the investigation in this matter has been completed, the Commission will reconsider your request to enter into conciliation prior to a finding of probable cause to believe.

If you have any questions, please contact Michael Marinelli, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

By: George F. Rishe
Acting Associate
General Counsel
November 1, 1989

POSTMASTER
Tuscaloosa, AL 35404

RE: MUR 2797

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265(d)(1), we request that you provide us with the present address of Mr. W. Lee Hudson. According to our records, the address of Mr. W. Lee Hudson was 54 Claymont or Claymont Street, as of June 1986.

Under 39 C.F.R. § 265.8(e)(iii), we request a waiver of fees. In this connection I hereby certify that the Federal Election Commission, an agency of the U.S. Government, requires the information requested above in the performance of its official duties, and that all other known sources for obtaining it have been exhausted.

A return envelope is enclosed. Should you have any questions or require any further information, please call Michael Marinelli, the attorney assigned to this matter, at (202) 376-8200.

Thank you for your assistance.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Michael Marinelli  
Federal Election Commission  
Department of Justice  
Washington, D.C. 20463

Re: MUR 2797

Dear Mr. Marinelli:

This is to confirm my telephone conversation in which I told you that my request for conciliation was made on behalf of all my clients, including Joseph W. Perkins Jr., Perkins & Associates, Gene Hill, Harry Ferguson, Ivy Hunter, Loretta Perkins, and Joyce Albright. If I have left anyone out it is an oversight and you should treat the request as one made for all my clients. Of course, the proceedings against some people, e.g., Loretta Perkins and Gene Hill, are due to be dismissed since their contributions to the Johnson campaign had absolutely no connection with Perkins and Associates.

Sincerely,

Jack Drake

JD/lb
December 22, 1989

Michael Marinelli  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 2797

Dear Mr. Marinelli:

Enclosed are the answers of Joe Perkins and the supplemental answer of Gene Hill.

Sincerely,

Jack Drake

JD/1b

enclosures
4. As I have previously indicated, the $1,000.00 contribution I gave to Roy Johnson's campaign came from my own personal funds. At the time I was unmarried and worked a lot of overtime. It was my habit at the time to keep fairly large sums of cash on my person or at home. I deposited $1,000.00 of my own money into my checking account and wrote a check to the Johnson campaign.

I should say that Roy is my nephew, but my relationship to him is more like that of a brother. I did not and do not give large contributions to political candidates. But at the time, I was happy to make this large contribution to Roy.

Sworn to and subscribed before me on this the 22 day of December, 1989.

Grover Gene Hill

Notary Public, State at Large.

My Commission Expires: 1-3-93
ANSWERS OF JOSEPH W. PERKINS JR.

   Route 4, Box 95  (Home)
   Northport, AL 35476

   Box 39  (Business)
   Tuscaloosa, AL 35402
   (205) 758-0407


3. Yes.
   a. As I recall, a check was sent to the campaign on about March 30, 1985. I do not recall how it was delivered.
   b. Enclosed.
   c. Unavailable.
   d. Personal funds.
   e. I do not recall a direct solicitation at all. I have known Roy Johnson most of my life.

4a. Yes.

Mark Perkins
3913 6th St. E.
Tuscaloosa, AL 35404

Cindy Perkins
3117 Alabama Ave. NE
Tuscaloosa, AL 35040

Fred Hunter
Box 394 Canyon Lakes
Cottondale, AL 35453

Ivy Hunter
Box 395 Canyon Lakes
Cottondale, AL 35453

Gene Hill
29 Brookside
Northport, AL 35476

Joyce Albright
4509 21st St. NE
Tuscaloosa, AL 35404

Harry Ferguson
1604 Bellingrath Dr. N
Tuscaloosa, AL 35406

Laurie Enslen
Montgomery, AL

Sherry Bushery
Unavailable

Fred Deloach
Unavailable

Lee Hudson
Unavailable
4b. I know of these contributions because of family, social or business relationships through which these people revealed their contributions. And, of course, all contributions are published in the local newspaper. These are just the only ones I remember offhand.

5. I have known Roy Johnson since childhood. We grew up in the same community and attended the same schools. I have worked both professionally and on a volunteer basis in his campaigns for the state legislature.

6. None.

7. Yes. I have known Mr. Reed for approximately ten years. We have come in contact through his role as Associate Director of the Alabama Education Association and his role in the Democratic caucus. Our association has been casual and we have had few direct dealings with each other.

8. Yes. Dr. Paul Hubbert is the Executive Director of the Alabama Education Association. I have known him for about ten years. He is a friend and business associate. Over the years, I have done extensive research work for AEA and have provided public relations consultation on several occasions.

9. My dealings with AEA have always been directly with Dr. Paul Hubbert and consisted of research and public relations consultation jobs over a number of years.

10a. Yes.

Cindy Perkins   Laurie Enalen
Ivy Runner      Harry Ferguson
Fred Deloach    Joyce Albright
Lee Hudson      Sherry Buahery

b. Cash

c. $1,000 each.

d. In person, by Mr. Harry Ferguson, Business Manager at the time.

e. Each individual given a bonus was a key individual in our company’s operation. The bonuses were given for outstanding performance in their jobs. Bonuses are common and usually given in cash to our employees.

f. All funds come from the general operating account of Perkins & Associates. Records of this account along with other information requested here were obtained by Federal authorities years ago. The account number is and the account is at AmSouth Bank in Tuscaloosa.
11. Over the last ten years, I have received numerous bonuses from Perkins & Associates. Amounts range from a few hundred to several thousand dollars. I have kept no records of the dates of these bonuses.

12. In 1985, I was actively soliciting contributions to the Roy Johnson campaign from individuals around the state. These solicitations were numerous. However, I did not receive personally any contributions which may have resulted from the solicitations. Furthermore, I did not solicit contributions from any employees of Perkins & Associates.


14. This question asks if I have knowledge of other peoples' knowledge of something which, to my knowledge, did not happen. I authorize all expenditures of funds from Perkins & Associates and I did not give any employees money on the condition they give it to the Roy Johnson campaign.

15. None.

Answered this the 22nd day of December, 1989.

Joseph W. Perkins, Jr.

Sworn to and subscribed before me on this the 22nd day of December, 1989.

Lane Caplinger Bettie
Notary Public
State of Alabama At Large
Federal Election Commission

Washington, D. C. 20463

ATTN: Michael Marinelli

Re: Laurie P. Enslen
MUR 2797

Dear Mr. Marinelli:

On behalf of my client, Laurie P. Enslen, I would like to request conciliation in the above case.

When you have had an opportunity to draft your proposed conciliation agreement, please send me a copy for review.

Sincerely,

Frederick T. Enslen

sap

cc: Laurie P. Enslen
BEFORE THE FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Following a referral from the Department of Justice, the Commission found reason to believe that Perkins & Associates, Inc. ("P&A"), the Alabama Education Association ("AEA"); and Joseph W. Perkins, Jr., president of P&A, had violated 2 U.S.C. §§ 441b and 441f. The Commission also found that twelve individuals who were employees or friends or family members of employees of P&A had violated 2 U.S.C. § 441f. These individuals are Ivy Hunter, Fred Hunter, Cynthia Perkins, Grover Gene Hill, Daniel Mark Perkins, Loretta Perkins, Joyce Miller Albright, Harry Ferguson, Jr., W. Lee Hudson, Fred DeLoach, Sheri Arnold Brown and Laurie Enslen.

The Commission's findings were based upon the possibility that P&A had given Joseph Perkins, Jr., and the above twelve other individuals bonuses and gifts on or about March 29, 1985,
to enable them to make $13,000 in contributions of $1,000 each to
State representative Roy Johnson’s campaign in the 1985
Republican primary for the office of U.S. Representative from the
7th Congressional district in Alabama.¹ Twelve of these thirteen
contributions were reported in the Roy Johnson for Congress
Committee’s 1985 Mid-Year Report as having been made on March 29,
1985.² The referral from the Department of Justice also raised
the possibility that the money for the bonuses might have been
provided by the Alabama Education Association, a labor
organization of which Roy Johnson is a member.

Letters and questions were mailed to the respondents,
and responses have been received from the National Education
Association (responding on behalf of the AEA), Sheri Arnold
Brown and Laurie Enslen. A joint response as was submitted by
P&A, Joseph Perkins, Ivy Hunter, Fred Hunter, Cynthia Perkins,
Grover Gene Hill, Loretta Perkins, Joyce Miller Albright and
Harry Ferguson, Jr.³

¹. Roy Johnson, Speaker pro tem of the Alabama State Assembly, is
State Representative for the 47th Representative District of
Tuscaloosa city and county. In the 1986 race to succeed to the
Congressional seat vacated by Richard Shelby as a result of his
successful Senate bid, Mr. Johnson was considered the
leading candidate until his withdrawal from the race before the
June 24, 1985 primary.

². The exception was the $1,000 contribution made by Grover Gene
Hill. This was reported as having been made on July 29, 1985.

³. Counsel representing P&A represents these respondents as well
as Joseph W. Perkins, Jr. Several respondents have failed to
respond to the Commission’s findings and questions. These are
Fred DeLoach, W. Lee Hudson and Daniel Mark Perkins. In the
January 25, 1989 joint response, counsel representing P&A
informed this Office that Daniel Mark Perkins is deceased. As
for W. Lee Hudson and Fred DeLoach, the letter and questions to
In a November 20, 1989 letter, counsel representing P&A extended a previous request for pre-probable cause conciliation to those respondents not covered by an earlier request denied by the Commission. Included in the extended request are P&A, Joseph W. Perkins, Jr., Cynthia Perkins, Grover Gene Hill, and Harry Ferguson, Jr. On December 28, 1989 this Office received a request for conciliation from Laurie Enslen.

II. ANALYSIS

A. Response by P&A and its employees.

1. The Making of the March 29, 1985 Bonuses

P&A admits that it gave nine of its employees a $1,000 cash bonus on March 29, 1985. The employees whom P&A names as receiving bonuses are Harry Ferguson, Jr., Cynthia Perkins, Ivy Hunter, W. Lee Hudson, Fred DeLoach, Laurie Enslen, Sheri Arnold Brown, Joyce Miller Albright and Joseph W. Perkins, Jr. All the employees of the company named above who have responded to the Commission's findings admit to receiving a March 29, 1985, $1,000 cash bonus. P&A states that these bonuses were distributed by Harry Ferguson, Jr., the firm's business manager.

Fred Hunter's relationship with P&A differs from that of the other employees. Fred Hunter describes his employment

(Footnote 3 continued from previous page)

Fred DeLoach were remailed on November 9, 1989, when this Office found a new address for Mr. DeLoach. No new address could be found for Mr. Hudson and the postmaster stated in a November 14, 1989 response to a Commission letter that there was no forwarding order in force for Mr. Hudson.

4. Included in the original request were Loretta Perkins, Joyce Albright Miller, Fred Hunter and Ivy Hunter. The Commission has also denied an earlier request made by Sheri Arnold Brown.
relationship with P&A as free lance. P&A does not list him as receiving a bonus. However, Mr. Hunter explains that payment for his free lance services was included in the pay checks of his wife, Ivy Hunter. This Office notes that the Department of Justice referral indicates that bank records show that on March 29, 1985 there were two $1,000 deposits made into the Hunters' account.

In her response to the Commission's questions, Ivy Hunter states that she received only one $1,000 bonus.

P&A states that it was common for it to give its employees bonuses for motivational reasons. However, the employee responses indicate that the sizes of the March 29, 1985 bonuses were large by comparison to the usual bonuses received by P&A employees. Sheri Arnold Brown states in her response that, prior to the March 29, 1985 bonus, she received Christmas bonuses which varied in size from $100 in the first year she worked, to $1,500. This $1,500 is the largest previous bonus listed in any of the responses. Mrs. Hunter and Mr. Ferguson state they remember receiving previous bonuses of between $100 to $200. The newer employees at the time, Joyce Miller Albright and Laurie Enslen, state they do not remember receiving a previous bonus. Although Cynthia Perkins states she remembers receiving previous bonuses,
she does not remember the actual amounts.  


The responses of P&A employees admit to the making of $1,000 contributions to the Roy Johnson campaign. Most do not give the exact date of the contributions; however, Harry Ferguson, Jr., and Laurie Enslen have provided copies of the two $1,000 checks dated March 29, 1985 that were used to make their contributions.

In its response, P&A denies that there was any connection between the contributions and the bonuses. It states:

Persons who received the bonus were not asked to contribute to the Roy Johnson campaign. Each person involved knew that Joseph W. Perkins, Jr. was actively involved in raising money for the Johnson campaign. Each recipient knew that Perkins & Associates Inc. would do all the advertising and polling work for the Johnson campaign. Each recipient made the contribution on his or her own. Each recipient was free to keep the money. Attachment 4 at 25.

In his response, Joseph Perkins, Jr. likewise denies that there was a connection. Attachment 5 at 45.

Cynthia Perkins and Joyce Miller Albright also assert that they were not solicited to make the contribution. Fred Hunter states that his wife, Ivy Hunter, asked him to make the $1,000

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5. This Office further notes that the sizes of the March 29, 1985 bonuses seem large in comparison to the yearly salaries these nine employees were earning at the time. Yearly salaries of the respondent employees ranged from the $20,000 paid to to the $8,000 paid to

6. Ivy Hunter, Fred Hunter and Cynthia Perkins simply state that they made their contributions to the Johnson campaign in March of 1985. The remaining employees either fail to give a date or state they cannot remember the exact date. Nothing presented in the replies contests the March 29, 1985 date found in the Roy Johnson for Congress Committee reports.
contribution. Harry Ferguson denies he was actually asked to make a contribution, but states, "Without being asked, I understood that I should contribute to the campaign and did so." Id. at 35.

The remaining responses, however, including one from a respondent sharing P&A counsel, contradict the P&A assertion that no one was solicited. Ivy Hunter states in her response that "Harry Ferguson asked me to make the contribution." Id. at 26. Laurie Enslen states that she was "[s]olicited by Harry Ferguson. He told me that other employees were donating their $1,000 bonus to the Ray Johnson Campaign and asked if I'd like to do the same." Attachment 3 at 17. The response submitted by Sheri Arnold Brown goes into some detail on the solicitation:

Mr. Harry H. Ferguson, Business Manager at Perkins & Associates, who was my immediate superior and the person that I reported to, told me to make the contribution to the Johnson campaign. At the time, I questioned the legality of the contribution because of the nature in which I was being asked to make it, but was told in no uncertain terms by Mr. Ferguson that in no way was this transaction illegal. He simply said to "just do it and not worry about it." Hindsight at this point would indicate that I should have made some independent inquiry as to the legality of what I was being asked to do, but I completely trusted my superior, Mr. Ferguson, as well as Mr. Perkins. Attachment 2 at 11.

Information in the Department of Justice referral provided by

corroborate the responses given by Ivy Hunter, Laurie Enslen and Sheri Arnold stated that they were asked by Mr. Ferguson at the time they received their March 29, 1985 bonuses to make a contribution to the Roy Johnson Campaign.
B. Responses by relatives and friends of Joseph Perkins, Jr.

Notifications of the Commission's findings and questions were sent to other individuals who had not worked for P&A but who were friends or relatives of Mr. Perkins, its president. These were: Daniel Mark Perkins, brother of Joseph W. Perkins, Jr.; Loretta Perkins, Daniel Mark Perkins' wife; and Grover Gene Hill, a friend of Joseph W. Perkins, Jr., and uncle of Roy Johnson.

As noted earlier, this Office has received information that Daniel Mark Perkins is deceased. However, counsel for P&A included responses from both Loretta Perkins and Grover Gene Hill in the January 25, 1989 joint reply.

In her response, Loretta Perkins denies the receipt of any bonus or money from P&A. She states that she made the $1,000 contribution to Roy Johnson at the request of her husband. No further details are provided.

The response provided by Grover Gene Hill is similar in that it denies any money was received from the firm. Mr. Hill denies there was any solicitation involved before the contribution was made. This Office notes that bank records subpoenaed and described in the Department of Justice referral provide no record of a March 29, 1985 deposit into Mr. Hill's account. Rather, the referral describes a $1,000 deposit that was made into Mr. Hill's checking account on July 2, 1985. The referral, as well as
contributions to the Roy Johnson Campaign. None of the other responses indicate a financial link between the AEA and P&A's March 29, 1985 bonuses.

D. Analysis of responses and recommendations

While the responses received from P&A and its employees provide evidence of Section 441f and 441b violations, there is conflicting evidence regarding the role of the AEA.

Mr. Hudson's statements indicate that the AEA was the ultimate source for the $10,000 used for the bonuses. It is possible that, despite its statements to the contrary, the AEA provided P&A with funds directly for the purpose of facilitating the scheme to assist the Johnson campaign. It is also possible that the AEA contributed the $10,000 to the Johnson campaign to pay for political advertising work done by P&A and then, at the campaign's behest, P&A attempted to return the funds to the campaign by means of the bonuses.7

To remove all ambiguity regarding involvement by the AEA, this Office believes that the investigation in this matter should continue. This Office proposes sending additional questions to Harry Ferguson, Jr., regarding the details of what he told employees when he distributed the March 29, 1985 bonuses and his knowledge regarding the original source of the funds used by P&A.

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7. Commission records do not list a political action committee maintained by the AEA. Reports filed by the Johnson committee do not indicate that it received a contribution from either the AEA or NEA-PAC, the political action committee maintained by the National Education Association. This would seem to contradict the position taken by the AEA that the NEA made a contribution to the Johnson campaign. Attachment 1 at 3.
to make the bonuses. This Office also recommends that additional questions and requests for documents be sent to P&A and the AEA regarding the funds used to make the March 29, 1985 bonuses. This Office further recommends that the requests to enter into pre-probable cause conciliation made by P&A, Joseph W. Perkins, and Harry Ferguson, Jr., be denied at this time.

The Commission should also deny the request to enter into pre-probable cause conciliation made by Grover Gene Hill. Mr. Hill was not an employee of P&A either before or at the time he made his June 28, 1985 contribution. There is no evidence he received any compensation from P&A to make the contribution and he has stated in a Department of Justice interview that the deposit he made to his account on July 2, 1985, came from his own funds. Thus, the available evidence indicates that there was no violation of 2 U.S.C. § 441f on his part. Rather than in a conciliation agreement, Grover Gene Hill’s situation will be addressed in a brief which this Office is now preparing.

The evidence in hand indicates that, while they did not receive any compensation from P&A at the same time the P&A employees did, Daniel Mark Perkins and Loretta Perkins made their contributions to the Roy Johnson campaign at the same time as the various P&A employees made their contributions. Therefore, Mr. Perkins and his wife may have been involved in the reimbursement
scheme assisting the Roy Johnson campaign. However, the death of Daniel Mark Perkins hampers the investigation as it removes the person who apparently possessed the best information regarding his own and his wife's gifts to the Roy Johnson campaign. The response provided by Loretta Perkins demonstrates her limited knowledge of the contributions to the Roy Johnson campaign. No evidence collected thus far contradicts her position that she acted only at the request of her husband, the brother of the president of P&A. Therefore, this Office recommends that no further action be taken against Daniel Mark Perkins and Loretta Perkins and that the file be closed as to these two respondents.

There is sufficient information in hand concerning Section 441f violations by the remaining employees to permit the Commission to enter into conciliation negotiations. Therefore, this Office further recommends that the Commission grant the requests for pre-probable cause conciliation made by Ivy Hunter, Fred Hunter, Cynthia Perkins, Joyce Miller Albright, Sheri Arnold Brown and Laurie Enslen.

III. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY


IV. RECOMMENDATIONS

1. Approve the attached Questions to Harry Ferguson, Jr.

2. Approve the attached Questions and Request for Documents to Perkins & Associates and to the Alabama Education Association.

3. Decline, at this time, to enter into conciliation with Perkins and Associates, Joseph W. Perkins, Jr., Grover Gene Hill, and Harry Ferguson, Jr., prior to a finding of probable cause to believe.

4. Enter into conciliation prior to a finding of probable cause to believe with Ivy Hunter, Fred Hunter, Cynthia Perkins, Joyce Miller Albright, Sheri Arnold Brown and Laurie Enslen.

5. Take no further action and close the file as regards Daniel Mark Perkins and Loretta Perkins.

6. Approve the conciliation agreements (6) and attached letters (4).

Lawrence M. Noble
General Counsel

Date 1-11-90

BY: Lois G. Lerner
Associate General Counsel

Attaches

1. January 18, 1989 Response of the AEA
5. November 15, 1989 extended conciliation request
7. December 28, 1989 conciliation request by Laurie Enslen
8. Additional discovery requests to Harry Ferguson, Jr., Perkins & Associates and the Alabama Education Association
9. Proposed Conciliation agreements (6)
10. Letters (4)

Staff assigned: Michael Marinelli
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Alabama Education Association
Perkins & Associates, Inc.
Joseph W. Perkins, Jr.
Ivy Hunter
Fred Hunter
Cynthia Perkins
Grover Gene Hill
Daniel Mark Perkins
Loretta Perkins
Joyce Miller Albright
Harry Ferguson, Jr.
W. Lee Hudson
Fred DeLoach
Sheri Arnold Brown
Laurie Enslen

MUR 2797

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 18, 1990, the Commission decided by voted of 4-0 to take the following actions in MUR 2797:

1. Approve the Questions to Harry Ferguson, Jr., as recommended in the General Counsel’s Report dated January 11, 1990.

2. Approve the Questions and Request for Documents to Perkins & Associates and to the Alabama Education Association, as recommended in the General Counsel’s Report dated January 11, 1990.

3. Decline, at this time, to enter into conciliation with Perkins and Associates, Joseph W. Perkins, Jr., Grover Gene Hill, and Harry Ferguson, Jr. prior to a finding of probable cause to believe.

(continued)
Federal Election Commission
Certification for MUR 2797
Thursday, January 18, 1990

4. Enter into conciliation prior to a finding of probable cause to believe with Ivy Hunter, Fred Hunter, Cynthia Perkins, Joyce Miller Albright, Sheri Arnold Brown and Laurie Enslen.

5. Take no further action and close the file as regards Daniel Mark Perkins and Loretta Perkins, as recommended in the General Counsel’s Report dated January 11, 1990.

6. Approve the conciliation agreements (6) and letters (4), as recommended in the General Counsel’s Report dated January 11, 1990.

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

Attest:

[Signature]

Jan. 18, 1990

Date

Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Fri., Jan. 12, 1990 10:12 a.m.
Circulated to the Commission: Fri., Jan. 12, 1990 12:00 p.m.
Deadline for vote: Wed., Jan. 17, 1990 4:00 p.m.
At the time of deadline, 4 affirmative votes had not been received.
Final vote received: Thursday, January 18, 1990 at 11:12 a.m.
January 23, 1990

Pat Moran, Esquire
Mitchell, Williams, Selig & Tucker
1000 Savers Federal Building
Capital Avenue at Spring Street
Little Rock, Arkansas 72201

RE: MUR 2797
Sheri Arnold Brown

Dear Mr. Moran:

On November 30, 1988, the Federal Election Commission found reason to believe that Sheri Arnold Brown violated 2 U.S.C. § 441f. At your request, on January 18, 1990, the Commission determined 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 your client agrees 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 Michael Marinelli, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement
January 23, 1990

Frederick T. Enslen, Esquire
Argo, Enslen, Holloway & Sabel, P.C.
300 South Hull Street
P.O. Drawer 1550
Montgomery, Alabama 36102-1550

RE: MUR 2797
Laurie Enslen

Dear Mr. Enslen:

On November 30, 1988, the Federal Election Commission found reason to believe that Laurie Enslen violated 2 U.S.C. § 441f. At your request, on January 18, 1990, the Commission determined 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 your client agrees 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 Michael Marinelli, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement
January 23, 1990

Robert H. Chanin, Esquire
Joy L. Koletsky, Esquire
Office of General Counsel
National Education Association
1201 16th Street, N.W.
Washington D.C. 20036

RE: MUR 2797
Alabama Education Association

Dear Mr. Chanin and Ms. Koletsky:

On December 8, 1988, your clients were notified that the Federal Election Commission found reason to believe that the Alabama Education Association violated 2 U.S.C. §§ 441b and 441f. On January 17, 1989, you submitted a response on behalf of your clients to the Commission's findings.

The Commission has reviewed the response and has determined that additional information is needed in order that the Commission may complete its investigation. This information is requested in the attached Interrogatories and Request for Documents. A response should be submitted to the Office of the General Counsel within 15 days of receipt of this letter.

If you have any questions, please contact Michael Marinelli, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Interrogatories
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

) ) MUR 2797

INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS

TO: Alabama Education Association
422 Dexter Avenue, Box 4177
Montgomery, AL 36104

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.
INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1984 to December 1986.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.
DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.
INTERROGATORIES

State whether the Alabama Education Association made any payments to Perkins and Associates in 1985-86 related to services performed by Perkins and Associates on behalf of the campaign of Roy Johnson. If yes, please provide the dates and amounts of such payments.

REQUEST FOR PRODUCTION OF DOCUMENTS

Provide all documents including, but not limited to, bank statements, ledgers and correspondence related to payments made to Perkins and Associates in 1985.
Mr. Jack Drake, Esquire  
Drake, Knowles and Pierce  
1509 University Boulevard  
Tuscaloosa AL 35401

RE: MUR 2797  
Perkins & Associates  
et al.

Dear Mr. Drake:

On December 8, 1988, your clients, Perkins & Associates ("P&A") and Joseph W. Perkins, Jr., were notified that the Federal Election Commission found reason to believe that they had violated 2 U.S.C. §§ 441b and 441f. On that same day your clients, Daniel Mark Perkins, Loretta Perkins, Cynthia Perkins, Grover Gene Hill and Harry Ferguson Jr., were notified that the Commission found reason to believe that they had violated 2 U.S.C. § 441f. On January 25, 1989, you submitted a response on behalf of the above clients to the Commission's reason to believe findings in this matter.

After considering the circumstances of the matter, the Commission determined on January 18, 1990, to take no further action against Daniel Mark Perkins and Loretta Perkins. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel. The Commission reminds you that the making of contributions in the name of another is a violation of 2 U.S.C. § 441f. Your client, Loretta Perkins, should take immediate steps to insure that this activity does not occur in the future.

On December 22, 1988 and November 20, 1989 you made requests to enter into conciliation negotiations prior to a finding of probable cause to believe on behalf of Perkins and Associates, Joseph W. Perkins, Jr., Grover Gene Hill, Harry Ferguson, Jr., Ivy Hunter, Fred Hunter, Cynthia Perkins, and Joyce Miller Albright. The Commission has considered your most recent request and determined, because of the need to complete the investigation, to decline at this time to enter into conciliation with Perkins and Associates, Joseph W. Perkins, Jr., Grover Gene Hill, and Harry Ferguson, Jr. At such time as the investigation
in this matter has been completed, the Commission will reconsider these requests to enter into conciliation prior to findings of probable cause to believe.

Further, pursuant to its investigation of this matter, the Commission has issued the attached questions to your client, Harry Ferguson, Jr., and a request for documents and questions to your client, Perkins & Associates. It is requested that these two clients submit all answers to questions under oath within 15 days of your receipt of these questions. It is also requested that P&A produce the documents sought within 15 days of your receipt of this letter.

The Commission has, however, determined to enter into negotiations directed towards reaching conciliation agreements with your remaining clients, Ivy Hunter, Fred Hunter, Cynthia Perkins, and Joyce Miller Albright. Enclosed are conciliation agreements that the Commission has approved in settlement of this matter with these respondents. If your clients agree with the provisions of the enclosed agreements, please sign and return them, along with the civil penalties, 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 agreements, or if you wish to arrange a meeting in connection with mutually satisfactory conciliation agreements, please contact Michael Marinelli, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
Request for Production of Documents
Interrogatories
Conciliation Agreements
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) }
INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1984 to December 1986.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.
DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.
INTERROGATORIES

State whether the Alabama Education Association made any payments to Perkins and Associates in 1985-86 related to services performed by Perkins and Associates on behalf of the campaign of Roy Johnson. If yes, please provide the dates and amounts of such payments.

REQUEST FOR PRODUCTION OF DOCUMENTS

1. Provide all documents including, but not limited to, bank statements, ledgers, payroll records, canceled checks, and cover letters relating to the March 29, 1985 bonuses paid to Ivy Hunter, Harry Ferguson, Jr., Cynthia Perkins, Lee Hudson, Laurie Enslen, Sheri Arnold Brown, Joyce Albright, Fred DeLoach and Joseph W. Perkins, Jr.

2. Provide all documents including, but not limited to, bank statements, ledgers and correspondence related to payments received from the Alabama Education Association in 1985.
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

MUR 2797

INTERROGATORIES

TO: Harry Ferguson, Jr.
1604 Bellingrath Drive
Tuscaloosa, AL 35406

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request.
INSTRUCTIONS

In answering these questions each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each question propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the response.

If you cannot answer the following questions in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following questions, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1984 to December 1986.

The following questions are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.
DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

INTERROGATORIES

You have been identified as the employee of Perkins & Associates who distributed bonuses on March 29, 1985, to Harry Ferguson, Cynthia Perkins, Ivy Hunter, W. Lee Hudson, Fred DeLoach, Laurie Enslen, Sheri Arnold Brown, Joyce Miller Albright and Joseph W. Perkins, Jr.

1. Identify the source of the funds used to make these bonuses.

   a. If any person, entity or organization provided funds to Perkins & Associates for the purpose of making the March 29, 1985 bonuses or to make political contributions, identify each such person, entity or organization and the amount of the funds provided.

   b. If the Alabama Education Association ("the AEA") provided any part of the moneys used by Perkins and Associates to make the March 29, 1985 bonuses, state who at the AEA provided these moneys and the amount provided. Identify who informed you that the AEA had provided the moneys.
2. Please describe in full your contacts, dealings and other associations with the AEA and state the names of all persons affiliated with the AEA with whom you dealt during your employment at Perkins and Associates.
Office of General Counsel
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

ATTN: Mr. Michael Marinelli

RE: MUR2797 Sherry Arnold Brown

Dear Sir:
The Commission clearly has the discretion under 2 U.S.C. § 437g(a)(5)(A) to apply principles of fairness and equity to the plight in which Ms. Brown finds herself in this situation some 5 years after the fact. Ms. Brown was obviously an unwilling participant in a web of questionable conduct being engaged in by her superiors at her place of employment and principals in the Roy Johnson campaign. She understands that permitting use of her name for the contribution in question was a violation of the Act, albeit a very technical violation under the circumstances of her particular case.

I would appreciate hearing from you regarding these suggestions.

Sincerely yours,

Sincerely yours,

MITCHELL, WILLIAMS, SELIG & TUCKER
Attorney for Respondent

By Pat Moran

PM: dap
cc: Ms. Sherry Brown
Michael Marinelli
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2797

Dear Mr. Marinelli:

Enclosed are the answers of Perkins and Associates and Harry Ferguson, Jr. Also enclosed are copies of the documents requested.

Sincerely,

Jack Drake

JD/1b

cc: Joy Koletsky

enclosures
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of:  

) ) ) ) MUR 2797

ANSWERS OF PERKINS AND ASSOCIATES

In answer to the interrogatories propounded herein, Perkins and Associates states as follows:

To the one interrogatory propounded, the answer is "no".

Response to Request For Production

1. Perkins and Associates, Inc. is no longer in business. The corporation may or may not file a bankruptcy proceeding. We have been unable to locate the cancelled check in question. Harry Ferguson cashed one check and distributed the bonuses in cash.

2. An invoice and one ledger sheet are enclosed. An earlier ledger sheet must have existed at one time but cannot be located.

Please note the hand-written notations on the invoice. The notations read: “Includes February poll” and "Ivy, this includes my travel expenses for this job also." Both notations were written by Joe Perkins.

Perkins and Associates, Inc.
By Joseph W. Perkins, Jr.,
Its President

Sworn to and subscribed before me this the 19th day of February, 1990.

Notary Public
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of:

MUR 2797

ANSWERS OF HARRY FERGUSON, JR.

In answer to the interrogatories propounded to him, Harry Ferguson, Jr. answers as follows:

1. The funds for the bonuses came from working capital of Perkins and Associates, Inc.
   
   A. No/Not applicable.
   
   B. The money did not come from the Alabama Education Association.

2. I do not remember having had any personal contact with anyone at AEA.

Sworn to and subscribed before me this the 6th day of February, 1990.

Harry Ferguson, Jr.

Notary Public
<table>
<thead>
<tr>
<th>CONTROL #</th>
<th>DESCRIPTION</th>
<th>COST</th>
</tr>
</thead>
<tbody>
<tr>
<td>00000</td>
<td>For professional services rendered including consulting fees.</td>
<td>$10,000.00</td>
</tr>
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<tr>
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<td>Transferred to Delmar Budenske (4,350.00)</td>
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</table>

ACCOUNTS RECEIVABLE LEDGER
STATEWIDE SURVEY
OF
VOTER OPINIONS

CONFIDENTIAL

Perkins & Associates
April, 1985
STATEWIDE SURVEY OF VOTER OPINIONS

Perkins and Associates conducted a telephone survey during the week of March 1, 1985. The goals of this survey included:

1. ascertaining how certain groups influence voters
2. determining whether or not big or small business endorsement influences voters
3. determining voter attitudes toward the kind of job several public figures are doing
4. determining voter preference for Governor
5. determining voter preference for Attorney General
6. determining voter preference for Lt. Governor
7. determining voter preference for U.S. Senator and
8. determining issues which are of utmost importance to voters.
SUMMARY

The following is a summary of the results, which are discussed in greater detail in the body of this report.

1. The Alabama Education Association is the most influential endorsing organization.

2. Voters in Alabama are more inclined to vote for a candidate who is endorsed by small business than a candidate who is endorsed by big business.

3. There is no statistical difference in the support for Wallace, Boxley, Graddick, and McMillan. George Wallace will not be elected Governor again. The combination of a high negative rating and erosion of traditional voter base make his election remote although he does currently lead in the polls.

4. Charles Graddick has a very high positive rating and a growing constituency.

5. Because of his attraction of many former Wallace votes, Bill Boxley is the favorite for the Democratic Gubernatorial nomination, however, the race is still extremely close.

6. Jim Zeigler shows a strong position in a number of possible races.

7. Siegalman is favored at this time for Attorney General.

8. Camp is favored at this time for Lt. Governor. However, there is no statistical difference between Camp and Siegalman.

9. Denton is the overwhelming favorite at this time for U.S. Senator.

10. A clear majority prefers a plan which distributes oil and gas income to county and city governments.

11. The single most important issue facing voters is unemployment.
METHODOLOGY

A systematic, random sample was employed in this research, stratified by congressional districts. In addition, random digit dialing was utilized to ensure that each telephone number (unlisted as well) had an equal chance of being chosen for the survey. The total sample size equalled 700, 100 from each district. It is the opinion of Perkins and Associates that the quality of the sampling techniques used results in a 95 per cent confidence interval, with a maximum error of plus or minus 3 percentage points. This means that if the survey were administered 100 times, the same results which follow would occur 95 times with a margin of error of 3 percent.

Only trained interviewers were used to administer the survey. About 25 per cent of the calls were monitored by a trained research supervisor to ensure that the survey was administered properly. None of the interviewers were informed of the total purpose or the sponsor, to control for interviewer bias. In fact, as is customary in scientific research, an exit interview was conducted with each interviewer. No interviewer could guess the correct sponsor or the purpose of the survey.
February 9, 1990

Lawrence M. Noble
General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2797
Alabama Education Association

Dear Mr. Noble:

On January 23, 1990, you sent us Interrogatories and Request for Production of Documents for the Alabama Education Association (“AEA”) in connection with the above MUR. Enclosed is AEA’s response. With regard to the documents that we have provided, we note that because only a few lines on the enclosed bank statements and ledgers are relevant to your request, we have redacted all other information contained in these documents.

The enclosed response confirms that AEA purchased from, and paid for, services from Perkins and Associates, and we request once again that the Commission close the file with respect to AEA on this matter.

Sincerely,

Joy L. Koletsky
Counsel for AEA

cc: Paul Hubbert
BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF

ALABAMA EDUCATION ASSOCIATION

MUR 2797

Answers of Alabama Education Association

to Interrogatories Dated January 23, 1990

No

I hereby declare under penalty of perjury that to the best of my knowledge and belief the foregoing is true and correct.

Paul R. Hubbert, Executive Secretary
Alabama Education Association

DATE: 2/7/90
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>00000</td>
<td>For professional services rendered including consulting fees.</td>
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**TOTAL BILLING:** $44,000.00

**TOTAL DUE:** $44,000.00

Dues $24,000, Political Polling $5,000, Consulting on Legislative Issues $15,000

- 1/2 to be charged to Alabama Contingency
- 1/2 to be charged to AGET

*Paid 2/4/85, check 322*
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<thead>
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<tbody>
<tr>
<td>00000</td>
<td>For professional services rendered including consulting fees.</td>
<td></td>
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</table>

**Total Billing**

**Total Due**

2/7/85 04

757-11

FEB 6 1985

ALA Education Assoc.

$5,000 Political Polling

$5,000 Consulting on Legislative Issues

√
PAY TO THE ORDER OF

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NOTE: This is a remittance advice from the Alabama Education Association to Perkins & Associates, Inc., 2330 University Blvd., P.O. Box 309, Tuscaloosa, AL. The amount due is $2,000.00. The remittance advice is used to indicate the payment has been made and the account has been updated. The copy is not negotiable.
I certify that the above two copies of cancelled checks are true copies of the original.

Hilda Venable
Hilda Venable Accountant 1/31/90
ACCOUNT NO. 260-666-3 COMMERCIAL CHECKING

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<tr>
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<table>
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<th>CHECK #</th>
<th>AMOUNT</th>
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<td>CHECK NO.</td>
<td>AMOUNT</td>
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**ALABAMA EDUCATION ASSN**
422 DEXTER AVENUE
MONTGOMERY, ALABAMA 36104
ACCOUNT NO. 160-066-3
PAGE 2
DATE 02-28-03

**Account Summary**

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<th>Date</th>
<th>Check No.</th>
<th>Amount</th>
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**Notes:**
- Checks posted
- Dates of transactions
- Amounts of transactions
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<td>Amount</td>
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<td>Date</td>
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<td>AMOUNT</td>
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<td>02-19</td>
<td>11466</td>
<td>$3,000.00</td>
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*Denotes break in check number sequence*
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<tr>
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<td>02/14/08</td>
<td>11444 PERKINS &amp; ASSOC</td>
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Sub-Totals:

Debits/Credits: 5,000.00

Net Change: 5,000.00

Ending Balance: 20,000.00
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<td>07/05/85</td>
<td>CKR</td>
<td>12919 PERKINS &amp; ASSOC</td>
<td>$0.780.00</td>
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TO WHOM IT MAY CONCERN:

Please make a check payable to Joe Perkins Associates
District ______________________________ (for political campaigns)
Campaign Fund.

Make the check to: Dr. Rubbert

$1,000 Approved
4/25/85

Paul E. Rubbert

Paid 4/25/85
check 338

Date: 4/25/85
## Account Information

**Account Number:** 110-627-7  
**Commercial Checking**

### Previous Balance

- Date: 03-29-85  
- Amount: 17,226.96

### Deposits and Credits

- Date: 04-30-85  
- Amount: 11,099.74

### Checks and Debits

- Date: 04-30-85  
- Amount: 4,654.37

### Current Balance

- Date: 04-30-85  
- Amount: 24,572.33

### Miscellaneous Debits and Credits

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* Denotes break in check number sequence

### Daily Balance Summary

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---
**CLIENT:** Alabama Education Assoc.  
**ADDRESS:** Attn: Dr. Paul Hubbert  
422 Dexter Avenue  
Montgomery, AL 36104  

**CURRENT DATE:** 6/28/85  
**BILLING MONTH:** 05

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**CONTROL$ PRODUCTION:**

Half-payment for series of poles as described in proposal provided by Perkins & Associates..............$8750.00

7/9/85  
OK  

6/29/85  
629-15  

[Handwritten note:]  
Chrg to Billing Acct  
in Gov. Rel.
PAY TO THE ORDER OF

Paking & Associates, Inc.
7350 University Boulevard/8th Floor
P. O. Box 309
Tuscaloosa, Alabama 35402

ALABAMA EDUCATION ASSOCIATION

DATE 7/9/85

$6,720.00

REMITTANCE ADVICE

ACCOUNT AMOUNT ACCOUNT AMOUNT ACCOUNT AMOUNT ACCOUNT AMOUNT

$29-15

ALABAMA EDUCATION ASSOCIATION

425 CENTER AVENUE
MONTGOMERY, ALABAMA 36102

COPY - NOT NEGOTIABLE
July 10, 1985

Dr. Paul Hubbert  
Executive Director  
Alabama Education Association  
422 Dexter Avenue  
Montgomery, Alabama 36104

Dear Dr. Hubbert:

This document will serve as a letter of agreement between Perkins & Associates and the Alabama Education Association for provision of polling services. The nature and terms of the services are outlined in the attached document. However, one change to the schedule in the document is in order. Rather than the first poll being administered during June of 1985, it will be administered during July and will be delivered before August 15. This change was made necessary due to delays in gaining sufficient numbers of subscribers for the polling services.

Terms of payment for the polling services are as follows. Total cost of the service will be $17,500. Half of this amount is due upon agreement to participate in the subscription service. The second payment of $4,375 is on January 1, 1986, and the final payment of $4,375 is due July 1, 1986.

I hope the terms and arrangements for the polling service are satisfactory. Please call me if there are any questions.

Sincerely,

[Signature]

Joseph W. Perkins, Jr.
President

[Stamps and handwritten notes]
UNION BANK & TRUST CO.
MONTGOMERY, ALABAMA

ALABAMA EDUCATION ASS'N
422 DEXTER AVENUE
MONTGOMERY, ALABAMA 36104

ACCOUNT NO. 100-066-3

CHECKS POSTED
DATE CHECK NO. AMOUNT

DATE CHECK NO. AMOUNT

DATE CHECK NO. AMOUNT

DATE CHECK NO. AMOUNT

DATE CHECK NO. AMOUNT

DATE CHECK NO. AMOUNT
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<td>07-12</td>
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CONTINUED
CLIENT: ALABAMA EDUCATION ASSOCIATION
ADDRESS: ATTN: Dr. Paul Hubbert
422 Dexter Avenue
Montgomery, AL. 36104

CURRENT DATE: 12/27/83
BILLING MONTH: 01

CONTROL# MEDIA DESCRIPTION COST

CONTROL# PRODUCTION:

ONE-QUARTER BILLING FOR SERIES OF POLLS AS DESCRIBED
IN PROPOSAL PROVIDED BY PERKINS & ASSOCIATES...........$4,979.00

TOTAL DUE....$4,979.00

Final bill to come in June

629-15
A/12

1/3/85
OK

Client to Billing
Accept
Federal Election Commission
999 E. Street N. W.
Washington, D. C. 20463

ATTN: Hon. Michael Marinelli
Enforcement Attorney

Re: MUR 2797
Laurie Enslen

Dear Mr. Marinelli:

Enclosed please find the Conciliation Agreement which I have executed on behalf of my client. I have also enclosed our firm's check for $350.00 which represents the civil fine agreed to in this case.

If this meets with your approval, please send me an executed copy for my file.

Sincerely,

Frederick T. Enslen

sap

cc: Mrs. Laurie Enslen
Michael Marinelli  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 2797

Dear Mr. Marinelli:

Enclosed is the conciliation agreement for Cynthia Perkins and an American Express money order for $400.00. Also enclosed are the conciliation agreements for Joyce Albright, Ivy Hunter, and Fred Hunter. I do not have the money for the other agreements but will forward the money in a few days.

Sincerely,

Jack Drake

JD/1b  
enclosures
AMERICAN EXPRESS MONEY ORDER

Credit Union Money Order

04-218,633,871

PAY THE SUM OF

THE SUM $400.00

Feb 22, 1990

federal, electric connection

NAME AND ADDRESS

Julie K. Wolf
3119 California Ave. Apt. 3B

Issued by American Express
Travel Related Services Company, Inc.
Englewood, Colorado

Printed by
United Bank of Colorado
Grand Junction, Colorado

2186338716
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Ivy Hunter
Fred Hunter
Cynthia Perkins
Joyce Miller Albright
Laurie Enslen

MUR 2797

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached are conciliation agreements signed by Ivy Hunter, Fred Hunter, Cynthia Perkins, Joyce Miller Albright, and Laurie Enslen.

Following a referral from the Department of Justice, the Commission found reason to believe that Perkins & Associates, Inc. ("P&A"), the Alabama Education Association ("AEA"), and Joseph W. Perkins, Jr., president of P&A, had violated 2 U.S.C. §§ 441b and 441f. The Commission's findings were based upon the allegation that P&A had given several employees, or family members of employees, bonuses and gifts to enable them to make contributions of $1,000 each to Alabama State Representative Roy Johnson's 1985 Congressional campaign.

The Commission also found reason to believe that the five individuals cited above, who were employees or family members of employees of P&A, had violated 2 U.S.C. § 441f.

On January 18, 1990, the Commission agreed to enter into preprobable cause conciliation with these five respondents.
1. The Commission also found reason to believe that another employee of P&A, Sheri Arnold Brown, had violated Section 441f. A conciliation agreement identical to that approved for the other individuals was approved by the Commission for submission to Mrs. Brown and was mailed to her on January 23, 1990. Discussions with Mrs. Brown’s counsel on February 6, 1990 and March 7, 1990 indicate that further negotiations will produce an acceptable agreement. Therefore, this Office will continue that conciliation process an additional twenty days.

The Commission on January 18, 1990, approved questions and requests for documents to be sent to P&A and the Alabama Education Association, plus questions to be sent to another employee, Harry Ferguson, Jr. Responses have been received. When this Office has completed its review of the information provided, it will prepare a report making further recommendations regarding these respondents.
The agreements submitted contain no other changes from those approved by the Commission on January 18, 1990.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreements with Ivy Hunter, Fred Hunter, Cynthia Perkins, Joyce Miller Albright, and Laurie Enslen.

2. Close the file as to Ivy Hunter, Fred Hunter, Cynthia Perkins, Joyce Miller Albright, and Laurie Enslen.

3. Approve the attached letters (2).

Lawrence M. Noble
General Counsel

Date: 3/20/90

By: [Signature]

Lois G. Lerner
Associate General Counsel

Attachments

1. February 13, 1990 counteroffer by Laurie Enslen
2. February 27, 1990 counteroffer by Ivy Hunter, Fred Hunter, Cynthia Perkins, and Joyce Miller Albright.
3. Letters to Counsel (2)

Staff Assigned: Michael Marinelli
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Ivy Hunter
Fred Hunter
Cynthia Perkins
Joyce Miller Albright
Laurie Enslen

MUR 2797

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 30, 1990, the Commission decided by a vote of 6-0 to take the following actions in MUR 2797:

1. Accept the conciliation agreements with Ivy Hunter, Fred Hunter, Cynthia Perkins, Joyce Miller Albright, and Laurie Enslen, as recommended in the General Counsel’s report dated March 20, 1990.

2. Close the file as to Ivy Hunter, Fred Hunter, Cynthia Perkins, Joyce Miller Albright, and Laurie Enslen.

3. Approve the letters, as recommended in the General Counsel’s report dated March 20, 1990.

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

Attest:

3-30-90

Date

Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Wed., March 21, 1990 11:17 a.m.
Circulated to the Commission: Wed., March 21, 1990 4:00 p.m.
Deadline for vote: Fri., March 30, 1990 4:00 p.m.
April 4, 1990

Frederick T. Enslen, Esquire
Argo, Enslen, Holloway & Sabel, P.C.
300 South Hull Street
P.O. Drawer 1550
Montgomery, Alabama 36102-1550

RE: MUR 2797
Laurie Enslen

Dear Mr. Enslen:

On March 30, 1990, the Federal Election Commission accepted the signed conciliation agreement submitted on your client's behalf in settlement of a violation of 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to your client. This matter will become a part of the public record within 30 days after it has been closed with respect to all other respondents involved. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.
Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Michael Marinelli, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Laurie Enslen

MUR 2797

CONCILIATION AGREEMENT

This matter was initiated by a referral from the Department of the Justice. The Federal Election Commission ("Commission") found reason to believe that Laurie Enslen ("Respondent") violated 2 U.S.C. § 441f.

NOW, THEREFORE, the Commission and the 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 Respondent 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. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

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

1. Respondent, Laurie Enslen is a person within the meaning of 2 U.S.C. § 431(11).

2. Perkins & Associates, Inc., incorporated under the laws of Alabama, is an advertising agency involved in political campaign work in both Alabama and Georgia.

3. On March 29, 1985, various employees of
Perkins & Associates, including Respondent, accepted $1,000 in corporate funds given in the form of a $1,000 bonus.

4. On the same date, Respondent made a $1,000 contribution to the Roy Johnson for Congress Committee by means of a personal check.

5. Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person and no person shall knowingly permit his name to be used to effect such a contribution.

V. Respondent knowingly permitted her name to be used to effect a $1,000 contribution to the Roy Johnson for Congress Committee, in violation of 2 U.S.C. § 441f.

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of three hundred and fifty dollars ($350), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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

IX. Respondent 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.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

[Signature]
Lawrence M. Noble
General Counsel

FOR THE RESPONDENT:

[Signature]
Frederick T. Enslen
Attorney for Respondent
Argc Enslen Holloway & Sabel, P.C.
Attorneys at Law
P.O. Drawer 1552
Montgomery, AL 36102

[Date]
February 13, 1990
Mr. Jack Drake, Esquire  
Drake, Knowles and Pierce  
1509 University Boulevard  
Tuscaloosa, AL 35401

RE: MUR 2797  
Perkins & Associates et al.

Dear Mr. Drake:

On March 30, 1990, the Federal Election Commission accepted the signed conciliation agreements submitted by you on behalf of your clients, Ivy Hunter, Fred Hunter, Cynthia Perkins, and Joyce Miller Albright, in settlement of violations of 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to these respondents. This matter will become a part of the public record within 30 days after it has been closed with respect to all other respondents involved. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.
Enclosed you will find copies of the fully executed conciliation agreements for your files. If you have any questions, please contact Michael Marinelli, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreements
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Joyce Miller Albright

CONCILIATION AGREEMENT

This matter was initiated by a referral from the Department of the Justice. The Federal Election Commission ("Commission") found reason to believe that Joyce Miller Albright ("Respondent") violated 2 U.S.C. § 441f.

NOW, THEREFORE, the Commission and the 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 Respondent 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. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

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

1. Respondent, Joyce Miller Albright is a person within the meaning of 2 U.S.C. § 431(11).

2. Perkins & Associates, Inc., incorporated under the laws of Alabama, is an advertising agency involved in political campaign work in both Alabama and Georgia.

3. On March 29, 1985, various employees of
Perkins & Associates, including Respondent, accepted $1,000 in corporate funds given in the form of a $1,000 bonus.

4. On the same date, Respondent made a $1,000 contribution to the Roy Johnson for Congress Committee by means of a personal check.

5. Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person and no person shall knowingly permit his name to be used to effect such a contribution.

V. Respondent knowingly permitted her name to be used to effect a $1,000 contribution to the Roy Johnson for Congress Committee, in violation of 2 U.S.C. § 441f.

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of four hundred dollars ($400), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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

IX. Respondent 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.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

[Signature]

Lawrence M. Noble
General Counsel

Date 4/4/90

FOR THE RESPONDENT:

[Signature]

Name: Miller Albright
Position:

Date February 20, 1990
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Ivy Hunter NUR 2797

CONCILIATION AGREEMENT

This matter was initiated by a referral from the Department of the Justice. The Federal Election Commission ("Commission") found reason to believe that Ivy Hunter ("Respondent") violated 2 U.S.C. § 441f.

NOW, THEREFORE, the Commission and the 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 Respondent 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. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

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

1. Respondent, Ivy Hunter is a person within the meaning of 2 U.S.C. § 431(11).

2. Perkins & Associates, Inc., incorporated under the laws of Alabama, is an advertising agency involved in political campaign work in both Alabama and Georgia.

3. On March 29, 1985, various employees of
Perkins & Associates, including Respondent, accepted $1,000 in corporate funds given in the form of a $1,000 bonus.

4. On the same date, Respondent made a $1,000 contribution to the Roy Johnson for Congress Committee by means of a personal check.

5. Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person and no person shall knowingly permit his name to be used to effect such a contribution.

V. Respondent knowingly permitted her name to be used to effect a $1,000 contribution to the Roy Johnson for Congress Committee, in violation of 2 U.S.C. § 441f.

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of four hundred dollars ($400), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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

IX. Respondent 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.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

[Signature]
Lawrence M. Noble
General Counsel

Date: 4-5-90

FOR THE RESPONDENT:

[Signature]
(Name)
(Position)

Date: 2-16-90
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Fred Hunter

MUR 2797

CONCILIATION AGREEMENT

This matter was initiated by a referral from the Department of the Justice. The Federal Election Commission ("Commission") found reason to believe that Fred Hunter ("Respondent") violated 2 U.S.C. § 441f.

NOW, THEREFORE, the Commission and the 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 Respondent 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. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

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

1. Respondent, Fred Hunter is a person within the meaning of 2 U.S.C. § 431(11).

2. Perkins & Associates, Inc., incorporated under the laws of Alabama, is an advertising agency involved in political campaign work in both Alabama and Georgia. During 1985, Fred Hunter did freelance work for the firm.
3. On March 29, 1985, various employees of Perkins & Associates, including Respondent's wife, accepted corporate funds given in the form of bonuses. Respondent's wife accepted a $2,000 bonus, of which $1,000 consisted of a bonus to Respondent.

4. On the same date, Respondent made a $1,000 contribution to the Roy Johnson for Congress Committee by means of a personal check.

5. Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person and no person shall knowingly permit his name to be used to effect such a contribution.

V. Respondent knowingly permitted his name to be used to effect a $1,000 contribution to the Roy Johnson for Congress Committee, in violation of 2 U.S.C. § 441f.

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of four hundred dollars ($400), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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

IX. Respondent 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.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

[Signature] 4/5/90
Lawrence M. Noble
General Counsel

FOR THE RESPONDENT:

[Signature] 4/6/90
[Name]
[Position] Date
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Cynthia Perkins

CONCILIATION AGREEMENT

This matter was initiated by a referral from the Department of the Justice. The Federal Election Commission ("Commission") found reason to believe that Cynthia Perkins ("Respondent") violated 2 U.S.C. § 441f.

NOW, THEREFORE, the Commission and the 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 Respondent 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. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

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

1. Respondent, Cynthia Perkins is a person within the meaning of 2 U.S.C. § 431(11).

2. Perkins & Associates, Inc., incorporated under the laws of Alabama, is an advertising agency involved in political campaign work in both Alabama and Georgia.

3. On March 29, 1985, various employees of
Perkins & Associates, including Respondent, accepted $1,000 in corporate funds given in the form of a $1,000 bonus.

4. On the same date, Respondent made a $1,000 contribution to the Roy Johnson for Congress Committee by means of a personal check.

5. Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person and no person shall knowingly permit his name to be used to effect such a contribution.

V. Respondent knowingly permitted her name to be used to effect a $1,000 contribution to the Roy Johnson for Congress Committee, in violation of 2 U.S.C. § 441f.

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of four hundred dollars ($400), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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

IX. Respondent 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.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

[Signature]
Lawrence M. Noble
General Counsel

4-5-90

FOR THE RESPONDENT:

[Signature]
(Title)
(Position)

2-27-90
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Grover Gene Hill

The Office of the General Counsel is prepared to close the investigation in this matter as to Respondent Grover Gene Hill, based on the assessment of the information presently available.

Date: 1/4/90

Lawrence M. Noble
General Counsel
Michael Marinelli  
Federal Election Commission  
Washington, D.C. 20463

RE: MUR 279 7

Dear Mr. Marinelli:

Enclosed is my trust account check for $1,200.00 made payable to the Federal Election Commission. This covers the civil fines of Ivy Hunter, Fred Hunter, and Joyce Miller Albright. Cynthia Perkins previously paid her fine by postal money order.

Sincerely,

Jack Drake

JD/dc

enclosure
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Sheri Arnold Brown

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement signed by counsel on behalf of Sheri Arnold Brown.

Following a referral from the Department of Justice, the Commission found reason to believe that Perkins & Associates, Inc. ("P&A"), the Alabama Education Association ("AEA"), and Joseph W. Perkins, Jr., president of P&A, had violated 2 U.S.C. §§ 441b and 441f. The Commission's findings were based upon the allegation that P&A had given several employees, or family members of employees, bonuses and gifts to enable them to make contributions of $1,000 each to Alabama State Representative Roy Johnson's 1985 Congressional campaign.

The Commission also found reason to believe that Sheri Arnold Brown, an employee of P&A, had violated 2 U.S.C. § 441f. On January 18, 1990, the Commission agreed to enter into preprobable cause conciliation with Ms. Brown.

1. The Commission, on that same day agreed to enter into preprobable cause conciliation with five other respondents who also received funds from P&A in order to make their contributions. These were Ivy Hunter, Fred Hunter, Cynthia Perkins, Joyce Miller Albright, and Laurie Enslen. On March 30,
The agreement submitted contains no other changes from that approved by the Commission on January 18, 1990. A civil penalty check has not yet been received.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with Sheri Arnold Brown and close the file as it pertains to her.

(Footnote 1 continued from previous page)
1990, the Commission accepted signed conciliation agreements from the above respondents with civil penalties ranging from $450 to $350.
2. Approve the attached letter.

Lawrence M. Noble
General Counsel

Date: 4/16/90

BY: Lois G. Lerner
Associate General Counsel

Attachments
2. Letter to Counsel

Staff Assigned: Michael Marinelli
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Sheri Arnold Brown

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 23, 1990, the Commission decided by a vote of 5-0 to take the following actions in MUR 2797:

1. Accept the conciliation agreement with Sheri Arnold Brown and close the file as it pertains to her, as recommended in the General Counsel's Report dated April 18, 1990.

2. Approve the letter, as recommended in the General Counsel's Report dated April 18, 1990.

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

Attest:

Date

[Signature]

Secretary of the Commission

Received in the Secretariat: Thurs., April 19, 1990 11:17 a.m.
Circulated to the Commission: Thurs., April 19, 1990 4:00 p.m.
Deadline for vote: Mon., April 23, 1990 4:00 p.m.
Dear Mr. Moran:

On April 23, 1990, the Federal Election Commission accepted the signed conciliation agreement submitted on your client's behalf in settlement of a violation of 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to your client. This matter will become a part of the public record within 30 days after it has been closed with respect to all other respondents involved. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.
Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Michael Marinelli, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Sheri Arnold Brown

MUR 2797

CONCILIATION AGREEMENT

This matter was initiated by a referral from the Department of the Justice. The Federal Election Commission ("Commission") found reason to believe that Sheri Arnold Brown ("Respondent") violated 2 U.S.C. §441f.

NOW, THEREFORE, the Commission and the 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 Respondent 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. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

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

1. Respondent, Sheri Arnold Brown, is a person within the meaning of 2 U.S.C. §431(11).
2. Perkins & Associates, Inc., incorporated under the laws of Alabama, is an advertising agency involved in political campaign work in both Alabama and Georgia.

3. On March 29, 1985, various employees of Perkins & Associates, including Respondent, accepted $1,000.00 in corporate funds given in the form of a $1,000.00 bonus.

4. On the same date, Respondent made a $1,000.00 contribution to the Roy Johnson for Congress Committee by means of a personal check.

5. Pursuant to 2 U.S.C. §441f, no person shall make a contribution in the name of another person and no person shall knowingly permit his name to be used to effect such a contribution.

V. Respondent knowingly permitted her name to be used to effect a $1,000.00 contribution to the Roy Johnson for Congress Committee, in violation of 2 U.S.C. §441f.

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of Three Hundred and no/100 Dollars ($300.00), pursuant to 2 U.S.C. §437g(a)(5)(A). Said penalty shall be payable within thirty (30) days from the date the Commission approves this Conciliation Agreement.

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement
or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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

IX. Respondent shall notify the Commission when she has completed the requirements contained in this agreement.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

[Signature]
Lawrence M. Noble
General Counsel

Date

FOR THE RESPONDENT:

MITCHELL, WILLIAMS, SELIG & TUCKER
1000 Savers Federal Building
320 West Capitol
Little Rock, Arkansas 72201
(501) 688-8800

Attorneys for Respondent
Sheri Arnold Brown

[Signature]
Pat Moran

Date

4-6-90
Michael Marinelli
Federal Election Committee
Washington, D.C. 20463

Re: MUR 2797
Alabama Education Association

Dear Mr. Marinelli:

This is to advise you that I have terminated my employment with the National Education Association. Please direct all further correspondence in this matter solely to NEA General Counsel Robert H. Chanin.

Thank you.

Sincerely,

Joy L. Koletsky
Joy L. Koletsky

JK/jp
Office of the General Counsel  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

ATTN: Mr. Michael Marinelli

RE: MUR 2797; Sheri Arnold Brown

Dear Sir:

I enclose a money order from my client payable to the Federal Election Commission in the sum of Three Hundred Dollars ($300.00) in full payment of the civil penalty assessed in this matter.

Please let me know if there are any further steps that should be taken regarding this file, otherwise, we shall consider the matter closed.

Sincerely yours,

MITCHELL, WILLIAMS, SELIG & TUCKER  
Attorneys for Sheri Arnold Brown

By Pat Moran

PM/as  
Enclosure  
cc: Ms. Sheri Arnold Brown

May 18, 1990
MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel

SUBJECT: NUR 2797

June 12, 1990

Attached for the Commission’s review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying the respondent of the General Counsel’s intent to recommend to the Commission a finding of no probable cause to believe were mailed on June 12, 1990. Following receipt of the respondent’s reply to this notice, this Office will make a further report to the Commission.

Attachments
1. Brief
2. Letter to respondent
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Grover Gene Hill

) ) MUR 2797

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On August 24, 1988, the Office of the General Counsel received a referral from the Department of Justice arising from a 1986 criminal investigation of contributions made to the Roy Johnson for Congress Committee and bonuses received from Perkins and Associates by the makers of those contributions. Perkins & Associates, Inc. ("P&A"), incorporated under the laws of Alabama, is an advertising agency involved in political campaign work in both Alabama and Georgia. This investigation had determined that on March 29, 1985, Joseph W. Perkins, Jr., president and owner of P&A, had $10,000 in cash withdrawn from a corporate checking account. That sum was then allegedly distributed by Harry Ferguson, Jr., the business manager of ("P&A"), to employees of P&A. On March 29, 1985, as reported in the Roy Johnson for Committee's 1985 Mid-Year Report, those same ten employees each made a $1,000 contribution to the 1986 Alabama Congressional campaign of Roy Johnson.

Respondent, Grover Gene Hill, is the uncle of Roy Johnson and a friend of Joseph W. Perkins, Jr. The Roy Johnson for Congress Committee's 1985 Mid-Year Report states that Grover Gene Hill made a $1,000 contribution on June 28, 1985, to the Roy Johnson campaign. Bank records subpoenaed by the Justice Department
indicate that a $1,000 deposit was made by Mr. Hill into his checking account on July 2, 1985.

Based on the Justice Department referral, the Federal Election Commission found reason to believe on November 30, 1988 that Respondent had violated 2 U.S.C. § 441f. Questions were mailed to Mr. Hill on December 8, 1988 and a response was received on January 25, 1989.

In his response to the Commission's questions, Mr. Hill has denied any employment with P&A or that there was any solicitation prior to the making of his contribution to his nephew's campaign. In explaining the contribution, Mr. Hill affirms that the $1,000 to make contributions came from personal funds. In an affidavit in response to Commission questions Mr. Hill states:

> At the time [of the contribution] I was unmarried and worked a lot of overtime. It was my habit at the time to keep large sums of cash on my person or at home. I deposited $1,000 of my own money into my checking account and wrote a check to the Johnson campaign.

II. ANALYSIS

Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person and no person shall knowingly permit his name to be used to effect such a contribution.

Mr. Hill was not an employee of P&A either before or at the time he made his June 28, 1985 contribution to the Roy Johnson

1. Mr. Hill has declared in a sworn statement that in 1985 he paid income taxes on a number he states is taken from his 1985 tax return. In a February 2, 1990 conversation with staff of this Office, Mr. Hill's attorney stated that Mr. Hill held a position with B.F. Goodrich at the time the contribution was made.
for Congress Committee. This Office notes that Mr. Hill's contribution was made almost 4 months after the contributions that were related to P&A's March 29, 1989 bonus plan and that, unlike the employees of P&A, he is a close relative of the candidate. Further, there is no evidence in the information provided in the Justice Department referral, or in the information obtained through this Office's investigation, that Mr. Hill received any compensation from P&A to make the contribution. Thus, the available evidence does not indicate that there was a violation of 2 U.S.C. § 441f on his part. The Office of the General Counsel recommends that the Commission find no probable cause to believe that Grover Gene Hill violated 2 U.S.C. § 441f.

III. GENERAL COUNSEL'S RECOMMENDATION(S)

Find no probable cause to believe that Grover Gene Hill violated 2 U.S.C. § 441f.

Date Lawrence M. Noble
General Counsel
June 12, 1990

Mr. Jack Drake, Esquire
Drake, Knowles and Pierce
1509 University Boulevard
Tuscaloosa, AL 35401

RE: MUR 2797
Grover Gene Hill

Dear Mr. Drake:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, on December 8, 1988, the Federal Election Commission found reason to believe that your client, Grover Gene Hill, violated 2 U.S.C. § 441f and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred.

The Commission may or may not approve the General Counsel’s recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel’s brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.
If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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

Should you have any questions, please contact Michael Marinelli, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

[Signature]

Lawrence M. Noble
General Counsel

Enclosure
Brief
June 22, 1990

Lawrence Noble
General Counsel
Federal Election Commission
Washington, D.C. 20463

RE: MUR 2797
Grover Gene Hill

Dear Mr. Noble:

I do not desire to file a brief on behalf of Grover Gene Hill. I am satisfied with the brief and recommendation of the General Counsel's office.

Sincerely,

Jack Drake

JD/dc

cc: The Federal Election Commission
Dear Sir or Madame:

Pursuant to 39 C.F.R. § 265.6(b)(1), we request that you provide us with the present address of Mr. Fred DeLoach. According to our records, the address of Mr. Fred DeLoach, as of June 1990, was 1040 Fairfax Drive, Northport Tuscaloosa AL 35476.

Under 39 C.F.R. § 265.6(b)(iii), we request a waiver of fees. In this connection I hereby certify that the Federal Election Commission, an agency of the U.S. Government, requires the information requested above in the performance of its official duties, and that all other known sources for obtaining it have been exhausted.

A return envelope is enclosed. Should you have any questions or require any further information, please call Michael Marinelli, the attorney assigned to this matter, at (202) 376-8200.

Thank you for your assistance.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Berner
Associate General Counsel

Enclosure

1040 FAIRFAX DRIVE
TUSCALOOSA AL 35406
October 11, 1990

Mr. Fred DeLoach
1040 Fairfax Drive, Northport
Tuscaloosa AL 35406

RE: MUR 2797

Dear Mr. DeLoach

Enclosed is a copy of a letter and questions mailed to you on December 8, 1989 but returned to us by the postal service. Please submit your response to the enclosed questions within fifteen days.

Should you have any questions or require any further information, please call Michael Marinelli, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lois G. Lerner
Associate General Counsel
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Joel H. Rua 2797

Grover Gene Hill

GENERAL COUNSEL’S REPORT

I. BACKGROUND

On November 30, 1988, the Commission found reason to believe that Grover Gene Hill violated 2 U.S.C. § 441f. The finding was based on allegations contained in an August 24, 1988 referral from the Department of Justice that Mr. Hill’s June 28, 1985 $1,000 contribution to the 1986 Roy Johnson Congressional Campaign was paid for by Perkins & Associates, Inc., an Alabama corporation. Questions were mailed to Mr. Hill and a response was received. Following the conclusion of the investigation, this Office mailed to Mr. Hill’s counsel, a brief recommending that the Commission find no probable cause to believe that respondent violated 2 U.S.C. § 441f. On June 26, 1990, this Office received a response from counsel for Mr. Hill.

II. ANALYSIS (the General Counsel’s Brief is incorporated herein by reference)

Counsel for Mr. Hill in his response declined to file a brief on behalf of Mr. Hill but stated agreement with the position taken by this Office. Attachment 1.

As stated in the General Counsel’s Brief, it is the view of this Office that the available evidence does not indicate that Mr. Hill received compensation from Perkins & Associates for his June 28, 1985 $1,000 contribution. Therefore, the Office of the General Counsel recommends that the Commission find no probable
cause to believe that Grover Gene Hill violated 2 U.S.C. § 441f and close the file as to this respondent.

III. **RECOMMENDATIONS**

1. Find no probable cause to believe that Grover Gene Hill violated 2 U.S.C. § 441f and close the file as it pertains to him.

2. Approve the appropriate letter.

\[ \text{Date: } 11/16/90 \]

Lawrence N. Noble
General Counsel

Staff Assigned: Michael Marinelli

Attachment
June 16, 1990 response by Mr. Hill.
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of ) ) MUR 2797
Grover Gene Hill

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on November 27, 1990, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 2797:

1. Find no probable cause to believe that Grover Gene Hill violated 2 U.S.C. § 441f and close the file as it pertains to him.

2. Approve the appropriate letter as recommended in the General Counsel's report dated November 16, 1990.

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

Attest:

11-28-90

Marjorie W. Emmons
Secretary of the Commission
December 6, 1990

Mr. Jack Drake, Esquire
Drake, Knowles and Pierce
1509 University Boulevard
Tuscaloosa, AL 35401

RE: MUR 2797
Grover Gene Hill

Dear Mr. Drake:

This is to advise you that on November 27, 1990, the Federal Election Commission found that there is no probable cause to believe your client, Grover Gene Hill, violated 2 U.S.C. § 441f. Accordingly, the file in this matter has been closed as it pertains to Grover Gene Hill.

The file will be made part of the public record within 30 days after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

If you have any questions, please contact Michael Marinelli, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel
Mr. Michael Marinelli,
Federal Election Commission,
Office of General Counsel,
999 E St. N.W.,
Washington, DC 20463

Dear Mr. Marinelli:

Re: DELOACH, CLYDE FREDRICK
Your File: File # MOR 2797
Case No: 58196
Listing Expired: 27 FEB 1991

Using our Regular Service skip-tracing procedures, we have been unsuccessful, as of this date, in locating the whereabouts of the subject listed above. As per your request, we have ceased all efforts in locating this subject at no charge to you.

It is standard procedure to shred all paperwork included within this file for the protection of our members. Should you, at a later date, want us to reopen this case, it would be necessary to resend all documentation regarding this subject.

As always, we thank you for using PEOPLE LOCATOR, INC., and we look forward to servicing you again in the near future.

If I can be of any further assistance, please feel free to contact me at 1-800-327-8699.

Sincerely,

Melody E. Fieri
Vice President/General Manager
PEOPLE LOCATOR, INC.
Mr. Michael Marinelli,
Federal Election Commission,
Office of General Counsel,
999 E St. N.W.,
Washington, DC 20463

Dear Mr. Marinelli:

Regarding File: HUDSON, W. LEE
File #: MOR 2797
Case #: 58197
Listing Expired: 27 FEB 1991

Using our Regular Service skip-tracing procedures, we have been unsuccessful, as of this date, in locating the whereabouts of the subject listed above. As per your request, we have ceased all efforts in locating this subject at no charge to you.

It is standard procedure to shred all paperwork included within this file for the protection of our members. Should you, at a later date, want us to reopen this case, it would be necessary to resend all documentation regarding this subject.

As always, we thank you for using PEOPLE LOCATOR, INC., and we look forward to servicing you again in the near future.

If I can be of any further assistance, please feel free to contact me at 1-800-327-8699.

Sincerely,

Melody B. Pleri
Vice President/General Manager
PEOPLE LOCATOR, INC.
Tony Buckley
Federal Election Commission
999 E Street, NW
Washington, DC 20463

RE: MUR2797

Dear Mr. Buckley:

This is a follow up to our telephone conversation of October 16, 1991 in which I informed you that I still represent Perkins & Associates, Inc., Joseph W. Perkins, and Harry Ferguson in this matter. I am reasonably confident that Perkins & Associates, Inc. has been dissolved. It is certainly defunct and no longer operational. So far as I have been able to determine, all of the assets of Perkins & Associates, Inc., including its accounts receivable, were turned over to AmSouth Bank of Tuscaloosa in settlement of money owed to the bank.

I also indicated to you that Harry Ferguson is a retired military enlisted man. Joe Perkins is now a graduate student at the University of Alabama. Neither person is a man of substantial means.

Both Mr. Ferguson and Mr. Perkins would be amenable to entering into some conciliation discussions with the Commission. If, in fact, Perkins & Associates, Inc. has been dissolved, then there would, of course, be no reason for that company to be involved in any conciliation discussions.

I look forward to hearing from you.

Sincerely,

Jack Drake

JD/st
MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel

SUBJECT: MUR 2797
Alabama Education Association

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying the respondent of the General Counsel's intent to recommend to the Commission a finding of no probable cause to believe were mailed on October 28, 1991. Following receipt of the respondent's reply to this notice, this Office will make a further report to the Commission.

Attachments
1. Brief
2. Letter to respondent
BETORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Alabama Education Association

MUR 2727

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On August 24, 1988, the Office of the General Counsel received a referral from the Department of Justice arising from a 1986 criminal investigation of contributions made to the Roy Johnson for Congress Committee (the "Committee") and bonuses received from Perkins and Associates, Inc. ("P&A") by the makers of those contributions. P&A, incorporated under the laws of Alabama, is an advertising agency involved in political campaign work in both Alabama and Georgia. The Justice Department had determined that on March 29, 1985, Joseph W. Perkins, Jr., president and owner of P&A, had $10,000 in cash withdrawn from a corporate checking account. That sum was then allegedly distributed by Harry Ferguson, Jr., the business manager of P&A, to employees of P&A. According to the Committee's 1985 Mid-Year Report, those same ten employees each made a $1,000 contribution to the 1986 Alabama Congressional campaign of Roy Johnson on March 29, 1985.

The Justice Department referral [indicated that]...
return some money back to Roy Johnson. Ferguson stated that Perkins and Associates had been given $10,000.00 for Johnson's campaign and that Mr. Johnson did not want the money to stay with Perkins and Associates, that he wanted it back in his campaign fund. Ferguson also told them that the money could not be returned as a lump sum payment to the Johnson campaign, that it needed to be done in smaller amounts.... also stated that Ferguson told him that the Alabama Education Association... was the contributor of the $10,000 to the Johnson for Congress campaign.

Based on the Justice Department referral, the Commission found reason to believe that the Alabama Education Association ("AEA") had violated 2 U.S.C. § 441f. Questions were mailed to the AEA, P&A and Harry Ferguson, addressing the issue of AEA's involvement in P&A's bonus program. Responses were received from all three parties.

The AEA is a labor organization within the definition of 2 U.S.C. § 441b(b)(1) and a nonprofit corporation organized under the laws of Alabama. In its response, the AEA has stated that it has had business relations with P&A during the past eight years. According to the AEA, the services provided by P&A dealt with "state political projects" and consisted of "advice on state legislative matters, state political advertisements, polling relating to state educational and political issues, and other political advice."

AEA has denied involvement in P&A's violations of 2 U.S.C. § 441f. It has argued that any payments it made to P&A were

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1. Commission records do not list a political action committee maintained by the AEA. Reports filed by the Johnson committee do not indicate that it received a contribution from either the AEA or NEA-PAC, the political action committee maintained by the National Education Association.
pursuant to legitimate business transactions. Mr. Ferguson, in his responses to Commission questions, has denied any contact with the AEA and has stated that the funds for the bonuses came from "working capital of Perkins and Associates, Inc."

Mr. Ferguson also states that "[t]he money [for the bonuses] did not come from the Alabama Education Association."

Both AEA and P&A have produced documentation of the payments made by AEA during 1985, one of which was a $10,000 payment to P&A made near the time P&A bonuses were made. According to a January 29, 1985 invoice, copies of which were provided both by AEA and P&A, this payment was "[f]or professional services rendered including consulting fees." Bank records provided by AEA indicate that payment was made to P&A by means of two $5,000 checks dated February 14, 1985. Part of the work product for which these payments were apparently made has been provided by P&A. The submission by P&A includes the first three pages of a document dated April 1985 marked "confidential" which is entitled "Statewide Survey of Voter Opinions." These three pages summarize the results of the telephone survey.
conducted on March 1, 1985 and discuss the methodology used in making the survey.

According to the summary, the survey concerned the public perception of the AEA, public opinion on state issues and the level of support enjoyed by various candidates for state wide offices such as governor and attorney general. The only Federal election mentioned in the summary as included in the survey was the 1986 Senate Race. Neither Roy Johnson’s name nor the name of any other congressional candidate appears in the summary.

2. ISSUE DEVELOPMENT

Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person and no person shall knowingly permit his name to be used to effect such a contribution.

This Office notes that while the referral from the Department of Justice contained statements on AEA’s involvement in P&A’s violations of Section 441f, the available evidence does not substantiate these statements. Information provided by AEA and P&A adequately explains the nature of the $10,000 payment made by AEA to P&A on February 14, 1990. This Office notes that it is possible that the working capital of P&A used to make the $10,000 March 29, 1985 bonuses may have included part or all of the funds paid by the AEA for P&A services. However, there is no evidence in hand that the AEA directly provided funds to P&A.
with the intention or knowledge that these funds would be used to make the March 29, 1985 bonuses.

Thus, the available evidence does not indicate that there was a violation of 2 U.S.C. § 441f by the AEA. Accordingly, the Office of the General Counsel recommends that the Commission find no probable cause to believe that the Alabama Education Association violated 2 U.S.C. § 441f.

III. GENERAL COUNSEL’S RECOMMENDATION

1. Find no probable cause to believe that the Alabama Education Association violated 2 U.S.C. § 441f.

10/25/91

Lawrence H. Noble
General Counsel
BETORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Alabama Education Association MUR 2797

GENERAL COUNSEL'S REPORT

The Office of the General Counsel is prepared to close the investigation in this matter as to the Alabama Education Association, based on the assessment of the information presently available.

Date

10-22-91

Lawrence M. Noble
General Counsel
Robert H. Chanin, Esquire  
Office of General Counsel  
National Education Association  
1201 16th Street, N.W.  
Washington D.C. 20036

RE: MUR 2797  
Alabama Education Association

Dear Mr. Chanin:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission found reason to believe that your client, the Alabama Education Association, violated 2 U.S.C. § 441f, and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be
demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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

Should you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

[Signature]

Lawrence M. Noble
General Counsel

Enclosure
Brief
Lawrence M. Noble
General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2797
Alabama Education Association

Dear Mr. Noble:

We have your October 28, 1991 letter in which you indicate that your office "is prepared to recommend that the [Federal Election] Commission find no probable cause to believe that a violation" of the Federal Election Campaign Act was committed by our client, the Alabama Education Association, in the above-referenced matter. After reviewing the brief that your office intends to submit to the Commission, we see no need for an additional filing by the Alabama Education Association.

We appreciate your cooperation in this matter.

Sincerely,

Robert H. Chanin
Counsel for Alabama Education Association
MEMORANDUM

TO: The Commission
FROM: Lawrence M. Noble
General Counsel

SUBJECT: MUR 2797
Alabama Education Association

Attached for the Commission's review is a supplemental brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter regarding the previously-found violation of 2 U.S.C. § 441b. A copy of this supplemental brief and a letter notifying the respondent of the General Counsel's intent to recommend to the Commission findings of no probable cause to believe as to the apparent violation of 2 U.S.C. §§ 441b and 441f were mailed on November 15, 1991. A brief and letter addressing the previously-found violation of 2 U.S.C. § 441f were mailed on October 28, 1991. Following receipt of the respondent's reply to the most recent notice, this Office will make a further report to the Commission.

Attachments
1. Brief
2. Letter to respondent
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Alabama Education Association MUR 2797

GENERAL COUNSEL'S SUPPLEMENTAL BRIEF

I. STATEMENT OF THE CASE

On August 24, 1988, the Office of the General Counsel received a referral from the Department of Justice arising from a 1986 criminal investigation of contributions made to the Roy Johnson for Congress Committee (the "Committee") and bonuses received from Perkins and Associates, Inc. ("P&A") by the makers of those contributions. P&A, incorporated under the laws of Alabama, is an advertising agency involved in political campaign work in both Alabama and Georgia. The Justice Department had determined that on March 29, 1985, Joseph W. Perkins, Jr., president and owner of P&A, had $10,000 in cash withdrawn from a corporate checking account. That sum was then allegedly distributed by Harry Ferguson, Jr., the business manager of P&A, to employees of P&A. According to the Committee's 1985 Mid-Year Report, those same ten employees each made a $1,000 contribution to the 1986 Alabama Congressional campaign of Roy Johnson on March 29, 1985.

The Justice Department referral [indicated that]

Harry Ferguson, Business Manager, called into his office at Perkins and Associates and told him that the office needed to
return some money back to Roy Johnson. Ferguson stated that Perkins and Associates had been given $10,000.00 for Johnson's campaign and that Mr. Johnson did not want the money to stay with Perkins and Associates, that he wanted it back in his campaign fund. Ferguson also told them that the money could not be returned as a lump sum payment to the Johnson campaign, that it needed to be done in smaller amounts. Ferguson also stated that Ferguson told him that the Alabama Education Association ... was the contributor of the $10,000 to the Johnson for Congress campaign.

Based on the Justice Department referral, the Commission found reason to believe that the Alabama Education Association ("AEA") had violated 2 U.S.C. § 441b. Questions were mailed to the AEA, P&A and Harry Ferguson, addressing the issue of AEA's involvement in P&A's bonus program. Responses were received from all three parties.

The AEA is a labor organization within the definition of 2 U.S.C. § 441b(b)(1) and a nonprofit corporation organized under the laws of Alabama. In its response, the AEA has stated that it has had business relations with P&A during the past eight years. According to the AEA, the services provided by P&A dealt with "state political projects" and consisted of "advice on state legislative matters, state political advertisements, polling relating to state educational and political issues, and other political advice." 1

AEA has denied involvement in P&A's violations of 2 U.S.C. § 441f. It has argued that any payments it made to P&A were

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1. Commission records do not list a political action committee maintained by the AEA. Reports filed by the Johnson committee do not indicate that it received a contribution from either the AEA or NEA-PAC, the political action committee maintained by the National Education Association.
pursuant to legitimate business transactions. Mr. Ferguson, in his responses to Commission questions, has denied any contact with the AEA and has stated that the funds for the bonuses came from "working capital of Perkins and Associates, Inc."

Mr. Ferguson also states that "[t]he money [for the bonuses] did not come from the Alabama Education Association."

Both AEA and P&A have produced documentation of the payments made by AEA during 1985, one of which was a $10,000 payment to P&A made near the time P&A bonuses were made. According to a January 29, 1985 invoice, copies of which were provided both by AEA and P&A, this payment was "[f]or professional services rendered including consulting fees." Bank records provided by AEA indicate that payment was made to P&A by means of two $5,000 checks dated February 14, 1985. Part of the work product for which these payments were apparently made has been provided by P&A. The submission by P&A includes the first three pages of a document dated April 1985 marked "confidential" which is entitled "Statewide Survey of Voter Opinions." These three pages summarize the results of the telephone survey.
conducted on March 1, 1985 and discuss the methodology used in making the survey.

According to the summary, the survey concerned the public perception of the AEA, public opinion on state issues and the level of support enjoyed by various candidates for state wide offices such as governor and attorney general. The only Federal election mentioned in the summary as included in the survey was the 1986 Senate Race. Neither Roy Johnson's name nor the name of any other congressional candidate appears in the summary.

II. ANALYSIS

Pursuant to 2 U.S.C. § 441b(a), it is illegal for any corporation or labor organization to make a contribution or expenditure in connection with any Federal election.

This Office notes that while the referral from the Department of Justice contained statements on AEA's involvement in P&A's violations of Section 441f, the available evidence does not substantiate these statements. Information provided by AEA and P&A adequately explains the nature of the $10,000 payment made by AEA to P&A on February 14, 1990. This Office notes that it is possible that the working capital of P&A used to make the $10,000 March 29, 1985 bonuses may have included part or all of the funds paid by the AEA for P&A services. However, there is no evidence in hand that the AEA directly provided funds to P&A with the intention or knowledge that these funds would be used to make the March 29, 1985 bonuses.

Thus, the available evidence does not indicate that there was a violation of 2 U.S.C. § 441b by the AEA. Accordingly, the
Office of the General Counsel recommends that the Commission find no probable cause to believe that the Alabama Education Association violated 2 U.S.C. § 441b.

III. GENERAL COUNSEL'S RECOMMENDATION

1. Find no probable cause to believe that the Alabama Education Association violated 2 U.S.C. § 441b.

Date 11/15/91

Lawrence H. Noble
General Counsel
Robert H. Chanin, Esquire  
Office of General Counsel  
National Education Association  
1201 16th Street, N.W.  
Washington D.C. 20036

RE: MUR 2797  
Alabama Education Association

Dear Mr. Chanin:

On October 28, 1991, this Office mailed to you the General Counsel’s Brief in the above-captioned matter. At that time, we informed you that this Office was prepared to recommend to the Federal Election Commission that it find no probable cause to believe that your client, the Alabama Education Association, violated 2 U.S.C. § 441f. That General Counsel’s Brief, however, did not address the fact that the Commission had also found that there was reason to believe the Alabama Education Association had violated 2 U.S.C. § 441b.

In addition to being prepared to recommend that the Commission find no probable cause to believe a violation of 2 U.S.C. § 441f has occurred, this Office is also prepared to recommend that the Commission find no probable cause to believe that a violation of 2 U.S.C. § 441b has occurred.

The Commission may or may not approve the General Counsel’s recommendations. Submitted for your review is a supplemental brief which states the position of the General Counsel on the legal and factual issues regarding a Section 441b violation. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the briefs of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel’s Brief, the General Counsel’s Supplemental Brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe violations have occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be
demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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

Should you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

[Signature]

Lawrence M. Noble
General Counsel

Enclosure
Supplemental Brief
November 27, 1991

Lawrence M. Noble  
General Counsel  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 2797  
Alabama Education Association

Dear Mr. Noble:

We have your November 15, 1991 letter regarding the above MUR in which you indicate that, in addition to recommending that the Federal Election Commission find no probable cause to believe that our client, the Alabama Education Association ("ABA"), violated 2 U.S.C. § 441f, your office also will "recommend that the Commission find no probable cause to believe that" the ABA violated 2 U.S.C. § 441b. After reviewing the supplemental brief that your office intends to submit to the Commission, we see no need for an additional filing by the ABA.

We appreciate your cooperation in this matter.

Sincerely,

Robert H. Chanin  
Counsel for Alabama Education Association

RHC/jp
In the Matter of 
Alabama Education Association ) NUR 2797

I. BACKGROUND

On August 24, 1988, the Office of the General Counsel received a referral from the Department of Justice arising from a 1986 criminal investigation of $10,000 in contributions made to the Roy Johnson for Congress Committee (the "Committee") and of bonuses received from Perkins & Associates, Inc. ("P&A") by the makers of those contributions. The Alabama Education Association (the "AEA") was cited in one FBI interview as the source of the $10,000.

Based on the Justice Department referral, the Commission, inter alia, found reason to believe that the Alabama Education Association had violated 2 U.S.C. §§ 441b and 441f by making corporate contributions and by making contributions in the names of others. Questions were mailed to the AEA, P&A and Harry Ferguson, the business manager of P&A, addressing the issue of AEA's involvement in P&A's bonus program. Responses were received from all three parties.

On October 28, 1991, this Office informed the AEA of our intention to recommend to the Commission that it find no probable cause to believe that the AEA violated 2 U.S.C. § 441f. On November 15, 1991, this Office informed the AEA of our intention to further recommend that the Commission find no reason to believe that the AEA violated 2 U.S.C. § 441b. On
November 7 and December 2, 1991, this Office received letters from counsel for the AEA stating that, after reviewing our briefs, they saw no need for additional filings. Attachment 1.

II. **ANALYSIS** (The General Counsel’s Brief and the General Counsel’s Supplemental Brief are incorporated herein by reference.)

Pursuant to 2 U.S.C. § 441b(a), it is illegal for any corporation or labor organization to make a contribution or expenditure in connection with any Federal election. Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person and no person shall knowingly permit his name to be used to effect such a contribution.

The AEA is a labor organization within the definition of 2 U.S.C. § 441b(b)(1) and a nonprofit corporation organized under the laws of Alabama. In its response to the Commission’s reason to believe findings, the AEA stated that it has had business relations with P&A during the past eight years. According to the AEA, the services provided by P&A dealt with "state political projects" and consisted of "advice on state legislative matters, state political advertisements, polling relating to state educational and political issues, and other political advice."\(^1\)

The AEA has also denied involvement in P&A’s violations of 2 U.S.C. § 441f, arguing that that any payments it made to P&A

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1. Commission records do not list a political action committee maintained by the AEA. Reports filed by the Johnson committee do not indicate that it received a contribution from either the AEA or NEA-PAC, the political action committee maintained by the National Education Association.
were pursuant to legitimate business transactions. Information
provided by AEA and P&A adequately explains the nature of the
$10,000 payment made by AEA to P&A on February 14, 1990. This
Office notes that it is possible that the working capital of P&A
used to make the bonuses may have included part or all of the
funds paid by the AEA for P&A services. However, there is no
evidence in hand that the AEA directly provided funds to P&A
with the intention or knowledge that these funds would be used
to make the bonuses.

Thus, the available evidence does not indicate that there
were violations of 2 U.S.C. §§ 441b and 441f by the AEA.
Accordingly, the Office of the General Counsel recommends that
the Commission find no probable cause to believe that the
Alabama Education Association violated 2 U.S.C. §§ 441b and
441f, and that it approve the appropriate letter and close the
file as it pertains to this respondent.

III. RECOMMENDATIONS

1. Find no probable cause to believe that the Alabama
Education Association violated 2 U.S.C. §§ 441b and 441f.

2. Approve the appropriate letter.

3. Close the file as it pertains to the Alabama Education
Association.

Date: 12/9/4

Lawrence A. Noble
General Counsel

Attachment
Letters from Respondent

Staff Assigned: Tony Buckley
Mr. Michael Marinelli,
Federal Election Commission,
Office of General Counsel,
999 E St. N.W.,
Washington, DC 20463

Dear Mr. Marinelli:

Ref: HUDSON, W. LEE
Your File: File # MOR.2797
Case No: 58197
Listing Expires: 27 FEB 1991
Locate Fee: $195.00

We acknowledge with thanks your REGULAR locate request named herein. Our guaranteed "No Result - No Fee" search has now commenced and we again confirm that your only obligation is to allow us our exclusive three-month assignment period to handle this case on your behalf. Early cancellations are subject to a handling charge equal to one half of our normal fee.

Upon a successful locate occurring you will be advised, by telephone of the subject’s new residential address and/or place of employment. Our invoice for services rendered will also contain written verification of the information provided by telephone. Unless otherwise arranged, invoices are due and payable upon receipt. Overdue interest is charged at the rate of 1.5% per month from date of invoice.

If additional information comes to your attention that you feel could help us in our search, please call our customer service department toll free 1-800-426-9850 or FAX the new information to (305) 941-2399.

You may expect to hear from us further on this matter in the near future.

Yours truly,

PEOPLE LOCATOR, INC.
Tony Buckley
Federal Election Commission
999 E Street, NW
Washington, DC 20463

RE: MUR2797

Dear Mr. Buckley:

This is a follow-up to our telephone conversation of a few days ago in which you asked for additional information about Perkins & Associates, Inc. I am advised that Perkins & Associates, Inc. ceased doing business in any capacity on January 31, 1990. At that time, all of the corporate assets, including its accounts receivable, had been assigned to AmSouth Bank of Tuscaloosa.

The President and Chief Executive Officer of Perkins & Associates, Inc., was Joseph W. Perkins, Jr. After closing his business in 1990, Mr. Perkins went back to graduate school at the University of Alabama to work on his Ph.D. Mr. Perkins does not maintain an office, but does do freelance consulting work in his individual capacity out of his house.

Perkins & Associates, Inc. has not been dissolved and, in a technical sense, is still a legal entity. It was not dissolved because of the cost of dissolution. Perkins & Associates, Inc. was advised by another lawyer not to dissolve and not to file for bankruptcy. It is my understanding that the other lawyer felt there was no need to take those actions since everything owned by the corporation was, in fact, owned by AmSouth Bank. The corporation has no bank account, no assets, no employees and, for all practical purposes, no longer exists. I do not know where any of the corporate records are. The corporation has no office. Joseph Perkins has moved since the operations of the company were shut down.

I do not know what I could find, if anything, in writing that supports what I have told you, however, I am enclosing an affidavit signed by Joseph W. Perkins, Jr. in which he supports the contents of this letter.

Sincerely,

Jack Drake

JD/st

enclosure
STATE OF ALABAMA
TUSCALOOSA COUNTY

AFFIDAVIT OF JOSEPH W. PERKINS, JR.

I am Joseph W. Perkins, Jr. I founded Perkins & Associates, Inc. approximately ten (10) years ago. That corporation engaged in the business of providing advertising and consulting services to various businesses in Alabama. The business became unprofitable and I was forced to close it January 31, 1990. At the time the business ceased to operate, all of the business' assets and all of the business' accounts receivable had been assigned to and/or were secured by liens filed by AmSouth Bank of Tuscaloosa.

The corporation has no office, it has no employees, it conducts no business, and for all practical purposes, it does not exist. I was advised by counsel not to dissolve the corporation and not to file bankruptcy proceedings for the corporation because all of the assets of the corporation, in fact, were owned by AmSouth Bank.

After I closed the Perkins & Associates, Inc. business, I entered graduate school at the University of Alabama to complete work on my Ph.d. I have been supporting myself and my family by working on a free lance basis out of my home. The corporate records of Perkins & Associates, Inc. are scattered about here and there. I actually do not know the location of most of the records. Even if I could locate the records, they do not address the questions addressed in this Affidavit. When a company ceases to do business, there aren't necessarily records to reflect the fact that it no longer operates. However, I can categorically say that the
corporation has no money and no assets. I can also say that the corporation does not conduct business and will not conduct business in the future. At the time Perkins & Associates ceased doing business, the corporation owed approximately $200,000.00.

Joseph W. Perkins, Jr.

Subscribed and sworn to before me on this the 9th day of December, 1991.

Notary Public, State At Large
My Commission Expires: 11/93
In the Matter of
Joseph W. Perkins, Fred DeLoach, W. Lee Hudson, Harry Ferguson,
Perkins & Associates, Inc.

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On August 24, 1988, the Office of the General Counsel received a referral from the Department of Justice arising from a 1986 criminal investigation of contributions made to the Roy Johnson for Congress Committee and bonuses received from Perkins & Associates, Inc. by the makers of those contributions. Perkins & Associates, Inc. ("P&A"), incorporated under the laws of Alabama, was an advertising agency involved in political campaign work in both Alabama and Georgia. The Roy Johnson for Congress Committee (the "Committee") was the principal campaign committee of Roy Johnson to fill the vacant seat in Alabama's 7th Congressional District.

The Justice Department investigation had determined that on March 29, 1985, Joseph W. Perkins, Jr., president and owner of P&A, had $10,000 in cash withdrawn from a corporate checking account. That sum was then allegedly distributed by Harry Ferguson, Jr., the business manager of P&A, to employees of P&A. On March 29, 1985, as reported in the Roy Johnson for Congress Committee's 1985 Mid-Year Report, those same ten employees each
made a $1,000 contribution to the 1986 Alabama Congressional campaign of Roy Johnson.

The Justice Department referral

[indicated that]

Harry Ferguson, Business Manager, called into his office at Perkins and Associates and told him that the office needed to return some money back to Roy Johnson. Ferguson stated that Perkins and Associates had been given $10,000.00 for Johnson's campaign and that Mr. Johnson did not want the money to stay with Perkins and Associates, that he wanted it back in his campaign fund. Ferguson also told them that the money could not be returned as a lump sum payment to the Johnson campaign, that it needed to be done in smaller amounts. Also stated that Ferguson told him that the Alabama Education Association was the contributor of the $10,000 to the Johnson for Congress campaign.

Based on the Justice Department referral, the Commission found reason to believe that Perkins and Associates, Inc., Joseph W. Perkins and the Alabama Education Association had each violated 2 U.S.C. §§ 441b and 441f by making corporate contributions and by making contributions in the names of others; and that the following employees who had allowed their names to be used to make these contributions had each violated 2 U.S.C. § 441f: Harry Ferguson, Cynthia Perkins, Ivy Hunter, W. Lee Hudson, Fred DeLoach, Laurie Enslen, Sheri Bushery Arnold, Joyce Miller, Grover Gene Hill, Daniel Mark Perkins, Loretta T. Perkins,
and Joseph W. Perkins. In addition, the Commission instituted its own investigation by issuing questions to these respondents.

The Commission's investigation revealed the following: P&A gave nine of its employees a $1,000 cash bonus on March 29, 1985. The employees to whom P&A gave such bonuses are Harry Ferguson, Jr., Cynthia Perkins, Ivy Hunter, W. Lee Hudson, Fred DeLoach, Laurie Enslen, Sheri Arnold Brown, Joyce Miller Albright and Joseph W. Perkins, Jr. All the employees of the company named above who have responded to the Commission's findings admit to receiving a March 29, 1985, $1,000 cash bonus. These bonuses were distributed by Harry Ferguson, Jr., the firm's business manager.

P&A states that it was common for it to give its employees bonuses for motivational reasons. However, the employee responses indicate that the sizes of the March 29, 1985 bonuses were large by comparison to the usual bonuses received by P&A employees. Sheri Arnold Brown states in her response that, prior to the March 29, 1985 bonus, she received Christmas bonuses which varied in size from $100 in the first year she worked, to $1,500. This $1,500 is the largest previous bonus listed in any of the responses. Mrs. Hunter and Mr. Ferguson state they remember receiving previous bonuses of between $100 to $200. The newer employees at the time, Joyce Miller Albright and Laurie Enslen, state they do not remember receiving a previous bonus. Although Cynthia Perkins states she remembers receiving previous bonuses,
she does not remember the actual amounts.\textsuperscript{1}

The responses of P&A employees admit to the making of $1,000 contributions to the Roy Johnson campaign. Most do not give the exact date of the contributions; however, Harry Ferguson, Jr., and Laurie Ensen have provided copies of the two $1,000 checks dated March 29, 1985 that were used to make their contributions.\textsuperscript{2} In its response, P&A denies that there was any connection between the contributions and the bonuses. It states:

\begin{quote}
Persons who received the bonus were not asked to contribute to the Roy Johnson campaign. Each person involved knew that Joseph W. Perkins was actively involved in raising money for the Johnson campaign. Each recipient knew that Perkins & Associates Inc. would do all the advertising and polling work for the Johnson campaign. Each recipient made the contribution on his or her own. Each recipient was free to keep the money.
\end{quote}

In his response, Joseph Perkins likewise denies that there was a connection.

Cynthia Perkins and Joyce Miller Albright also assert that they were not solicited to make the contribution. Fred Hunter states that his wife, Ivy Hunter, asked him to make the $1,000 contribution. Harry Ferguson denies he was actually asked to make

\begin{itemize}
\item \textsuperscript{1} The sizes of the March 29, 1985 bonuses seem large in comparison to the yearly salaries these nine employees were earning at the time. Yearly salaries of the respondent employees ranged from the $20,000 paid to to the $8,000 paid to
\item \textsuperscript{2} Ivy Hunter, Fred Hunter and Cynthia Perkins simply state that they made their contributions to the Johnson campaign in March of 1985. The remaining employees either fail to give a date or state they cannot remember the exact date. Nothing presented in the replies contests the March 29, 1985 date found in the Roy Johnson for Congress Committee reports.
\end{itemize}
a contribution, but states, "Without being asked, I understood that I should contribute to the campaign and did so."

The remaining responses, however, including one from a respondent sharing P&A counsel, contradict the P&A assertion that no one was solicited. Ivy Hunter states in her response that "Harry Ferguson asked me to make the contribution." Laurie Enslen states that she was "[s]olicited by Harry Ferguson. He told me that other employees were donating their $1,000 bonus to the Ray Johnson Campaign and asked if I'd like to do the same." The response submitted by Sheri Arnold Brown goes into some detail on the solicitation:

Mr. Harry H. Ferguson, Business Manager at Perkins & Associates, who was my immediate superior and the person that I reported to, told me to make the contribution to the Johnson campaign. At the time, I questioned the legality of the contribution because of the nature in which I was being asked to make it, but was told in no uncertain terms by Mr. Ferguson that in no way was this transaction illegal. He simply said to "just do it and not worry about it." Hindsight at this point would indicate that I should have made some independent inquiry as to the legality of what I was being asked to do, but I completely trusted my superior, Mr. Ferguson, as well as Mr. Perkins.

Information in the Department of Justice referral provided by corroborates the responses given by Ivy Hunter, Laurie Enslen and Sheri Arnold Brown. Both stated that they were asked by Mr. Ferguson at the time they received their March 29, 1985 bonuses to make a contribution to the Roy Johnson Campaign.
At present, this matter has been resolved with regard to all respondents except Joseph W. Perkins, Fred DeLoach, W. Lee Hudson, Harry Ferguson and Perkins & Associates. 3

In the course of this matter, this Office has been unable to locate two of the respondents, W. Lee Hudson and Fred DeLoach. Most recently, we retained a tracing service to locate them, but a four month search turned up no information. Because further efforts to locate these individuals would appear to be useless, and consistent with the proper order of the Commission’s priorities and resources, see Heckler v. Cheney, 470 U.S. 821 (1985), this Office recommends that the Commission take no further action against W. Lee Hudson and Fred DeLoach and close the file with respect to them.

This Office has recently been in touch with counsel for Joseph W. Perkins, Harry Ferguson and P&A, and he has requested conciliation on behalf on Messrs. Perkins and Ferguson. Attachment 1. While the Commission has denied such requests on behalf of these two respondents previously, this Office believes that, based on the evidence detailed above, an adequate understanding of the violations that occurred in this matter exists, and that it is proper to conciliate with these two

3. The Commission has accepted signed conciliation agreements from Cynthia Perkins, Ivy Hunter, Laurie Enslen, Sheri Bushery Arnold, and Joyce Miller; taken no further action against Loretta Perkins and Daniel Mark Perkins; and found no probable cause to believe with respect to Grover Gene Hill and the Alabama Education Association.
respondents at this time. Accordingly, this Office recommends that the Commission enter into conciliation with Joseph W. Perkins and Harry Ferguson prior to findings of probable cause to believe, and that it approve the attached conciliation agreements and appropriate letters.

Regarding P&A, Counsel has submitted a signed and sworn affidavit from Joseph Perkins relating to the status of that corporation. Mr. Perkins states that P&A became unprofitable and he was forced to close it on January 31, 1990. He further states that at the time P&A ceased to operate, all of its assets and accounts receivable were assigned to or secured by liens filed by AmSouth Bank of Tuscaloosa. While Mr. Perkins acknowledges that P&A did not file for bankruptcy or otherwise dissolve, he claims that P&A has no office or employees and conducts no business, and that for all practical purposes it does not exist.

Given the statements by Mr. Perkins, it does not appear that further effort with regard to P&A is necessary. Additionally, the violations by P&A are substantially addressed in the conciliation agreement for its president, Joseph Perkins. Accordingly, this Office recommends that the Commission take no further actions against Perkins & Associates, Inc., and that it close the file with respect to it.
II. **RECOMMENDATIONS**

1. Take no further action against W. Lee Hudson, Fred DeLoach, and Perkins and Associates, Inc.

2. Close the file as it pertains to W. Lee Hudson, Fred DeLoach, and Perkins and Associates, Inc.

3. Enter into conciliation with Joseph W. Perkins and Harry Ferguson prior to findings of probable cause to believe.

4. Approve the attached conciliation agreements and the appropriate letters.

Lawrence M. Noble  
General Counsel

(Date) 12/19/91  

**Attachments**  
1. Request for Conciliation  
2. Affidavit from Joseph Perkins  
3. Conciliation Agreements (2)

Staff assigned: Tony Buckley

BY: Lois G. Lerner  
Associate General Counsel
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of ) MUR 2797
Alabama Education Association )

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on December 19, 1991, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 2797:

1. Find no probable cause to believe that the Alabama Education Association violated 2 U.S.C. §§ 441b and 441f.

2. Approve the appropriate letter as recommended in the General Counsel’s report dated December 9, 1991.

3. Close the file as it pertains to the Alabama Education Association.

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

Attest:

12-24-91 Date

Marjorie W. Emmons Secretary of the Commission
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Joseph W. Perkins, Fred DeLoach, MUR 2797
W. Lee Hudson, Harry Ferguson,
Perkins & Associates, Inc.

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election
Commission, do hereby certify that on December 26, 1991, the
Commission decided by a vote of 5-0 to take the following
actions in MUR 2797:

1. Take no further action against W. Lee
   Hudson, Fred DeLoach, and Perkins and
   Associates, Inc.

2. Close the file as it pertains to W. Lee
   Hudson, Fred DeLoach, and Perkins and
   Associates, Inc.

3. Enter into conciliation with Joseph W.
   Perkins and Harry Ferguson prior to findings
   of probable cause to believe.

(continued)
4. Approve the conciliation agreements and the appropriate letters, as recommended in the General Counsel's Report dated December 19, 1991.

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

Attest:

12-26-91

Date

Margorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Fri., Dec. 20, 1991 10:10 a.m.
Circulated to the Commission: Fri., Dec. 20, 1991 2:00 p.m.
Deadline for vote: Tues Dec. 24, 1991 4:00 p.m.

bjf
January 3, 1992

Jack Drake, Esq.
Drake and Pierce
P.O. Box 86
Tuscaloosa, Alabama 35402

RE: MUR 2797
Perkins & Associates, Inc.;
Joseph W. Perkins, Jr.; Harry Ferguson

Dear Mr. Drake:

On November 11, 1988, your clients, Joseph W. Perkins, Jr. and Perkins & Associates, Inc., were notified that the Federal Election Commission had found reason to believe that they had each violated 2 U.S.C. §§ 441b(a) and 441f. Also on that date, your client, Harry Ferguson, was notified that the Commission had found reason to believe that he had violated 2 U.S.C. § 441f. On October 17, 1991, you submitted a request to enter into pre-probable cause conciliation on behalf of Messrs. Perkins and Ferguson. On December 9, 1991, you submitted information regarding the current status of Perkins & Associates, Inc.

After considering the circumstances of the matter, the Commission determined on December 26, 1991, to take no further action against Perkins & Associates, Inc., and closed the file as it pertains to it. The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

At your request, also on December 26, 1991, the Commission determined to enter into negotiations directed towards reaching conciliation agreements in settlement of this matter prior to findings of probable cause to believe with regard to Messrs. Perkins and Ferguson.

Enclosed are conciliation agreements that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return them, along with the civil penalties, 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, please contact me at (202) 219-3690.

Sincerely,

Tony Buckley
Attorney

Enclosures
Conciliation Agreements
January 3, 1992

Robert H. Chanin, Esquire
Office of General Counsel
National Education Association
1201 16th Street, N.W.
Washington D.C. 20036

RE: MUR 2797
Alabama Education Association

Dear Mr. Chanin:

This is to advise you that on December 19, 1991, the Federal Election Commission found that there is no probable cause to believe your client, the Alabama Education Association, violated 2 U.S.C. §§ 441b and 441f. Accordingly, the file in this matter has been closed as it pertains to your client.

The file will be made part of the public record within 30 days after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

Lawrence M. Noble
General Counsel
March 13, 1992

Tony Buckley
Federal Election Commission
Washington, D.C. 20463

RE: MUR 2797
Joseph W. Perkins, Jr. and Harry Ferguson

Dear Mr. Buckley:

Enclosed are the two Conciliation Agreements signed by Harry Ferguson and Joseph W. Perkins, Jr. Also enclosed are their respective checks made payable to the FEC in the amount of $5,000.00 each. This should conclude this matter. Should you have any questions, please give me a call.

Sincerely,

Jack Drake

JD/dc
enclosures
Federal Election Comm. 
$15,000.

1137

92040901486
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Joseph W. Perkins
Harry Ferguson

MUR 2797

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached are conciliation agreements which have been signed by Joseph W. Perkins and Harry Ferguson, respectively.

Attachment 1.

The attached agreements contain no changes from those approved by the Commission on December 26, 1991. Checks for the civil penalties have been received. Acceptance of the attached agreements will result in this matter being resolved with regard to all outstanding respondents.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreements with Joseph W. Perkins and Harry Ferguson.

2. Approve the appropriate letters.

3. Close the file.

Lawrence M. Noble
General Counsel

Date: 3-24-92

BY:

Lois G. Lerner
Associate General Counsel

Attachments

1. Conciliation Agreements (2)

2. Photocopies of civil penalty checks (2)

Staff Assigned: Tony Buckley
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Joseph W. Perkins; Harry Ferguson.

MUR 2797

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 30, 1992, the Commission decided by a vote of 6-0 to take the following actions in MUR 2797:

1. Accept the conciliation agreements with Joseph W. Perkins and Harry Ferguson, as recommended in the General Counsel's Report dated March 24, 1992.

2. Approve the appropriate letters, as recommended in the General Counsel's Report dated March 24, 1992.

3. Close the file.

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

Attest:

[Signature]
Marjorie W. Emmons
Secretary of the Commission

Date: 3-31-92

Received in the Secretariat: Wed., Mar., 25, 1992 5:13 p.m.
Circulated to the Commission: Thurs., Mar., 26, 1992 4:00 p.m.
Deadline for vote: Tues., Mar., 31, 1992 4:00 p.m.

bjr
April 7, 1992

Craig C. Donsanto, Director
Election Crimes Branch
Criminal Division
U.S. Department of Justice
P.O. Box 27321
Central Station
Washington, D.C. 20038

Dear Mr. Donsanto:


On November 30, 1988, the Commission found that there was reason to believe the Alabama Education Association, Perkins & Associates, Inc., and Joseph W. Perkins violated 2 U.S.C. §§ 441b(a) and 441f, and that Fred DeLoach, W. Lee Hudson, Harry Ferguson, Cynthia Perkins, Ivy Hunter, Laurie Enslen, Sheri Bushery Arnold, Joyce Miller, Loretta Perkins, Daniel Mark Perkins, Grover Gene Hill and Fred Hunter violated 2 U.S.C. § 441f. The Commission has now entered into conciliation agreements in the matter with Joseph W. Perkins, Harry Ferguson, Cynthia Perkins, Ivy Hunter, Laurie Enslen, Sheri Bushery Arnold, Joyce Miller, Loretta Perkins, Daniel Mark Perkins, Grover Gene Hill, and Fred Hunter. Copies of these agreements are enclosed for your information. The Commission also has taken no further action with regard to Fred DeLoach, W. Lee Hudson, and Perkins and Associates, Inc.; and found no probable cause to believe with regard to Grover Gene Hill and the Alabama Education Association.
We appreciate your cooperation in helping the Commission meet its enforcement responsibilities under the Federal Election Campaign Act of 1971, as amended.

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
Conciliation Agreements
April 7, 1992

Jack Drake, Esq.
Drake and Pierce
P.O. Box 86
Tuscaloosa, Alabama 35402

RE: MUR 2797
Perkins & Associates, Inc.;
Joseph W. Perkins, Jr.; Harry
Ferguson; Cynthia Perkins;
Fred Hunter; Ivy Hunter; Joyce
Miller; Grover Gene Hill;
Daniel Mark Perkins; Loretta T.
Perkins

Dear Mr. Drake:

On March 30, 1992, the Federal Election Commission accepted
the signed conciliation agreement and civil penalty submitted on
behalf of your client, Joseph W. Perkins, in settlement of
violations of 2 U.S.C. §§ 441b and 441f, provisions of the Federal
Election Campaign Act of 1971, as amended, and the signed
conciliation agreement and civil penalty submitted on behalf of
your client, Harry Ferguson, in settlement of a violation of
2 U.S.C. § 441f. As the acceptance of these agreements resolves
this matter with regard to all outstanding respondents, the file
has been closed in this matter.

This matter will become a part of the public record within 30
days. If you wish to submit any factual or legal materials to
appear on the public record, please do so within ten days. Such
materials should be sent to the Office of the General Counsel.
Please be advised that information derived in connection with any
conciliation attempt will not become public without the written
consent of the respondent and the Commission. See 2 U.S.C.
§ 437g(a)(4)(B). The enclosed conciliation agreements, however,
will become a part of the public record.
Enclosed you will find copies of the fully executed conciliation agreements for your files. If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Tony Buckley
Attorney

Enclosures
Conciliation Agreements (2)
April 7, 1992

Frederick T. Enslen, Esquire 
Argo, Enslen, Holloway & Sabel, P.C. 
300 South Hull Street 
P.O. Drawer 1550 
Montgomery, Alabama 36102-1550 

RE: MUR 2797 
Laurie Enslen 

Dear Mr. Enslen:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact me at (202) 219-3690.

Sincerely,

Tony Buckley 
Attorney
April 7, 1992

Robert H. Chanin, Esquire
Office of General Counsel
National Education Association
1201 16th Street, N.W.
Washington D.C. 20036

RE: MUR 2797
Alabama Education Association

Dear Mr. Chanin:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact me at (202) 219-3690.

Sincerely,

Tony Buckley
Attorney
Pat Moran, Esquire  
Mitchell, Williams, Selig & Tucker  
1000 Savers Federal Building  
Capital Avenue at Spring Street  
Little Rock, Arkansas 72201

RE: MUR 2797  
Sheri Arnold Brown

Dear Mr. Moran:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact me at (202) 219-3690.

Sincerely,

Tony Buckley  
Attorney
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Harry Ferguson

CONCILIATION AGREEMENT

This matter was initiated by a referral from the Department of Justice. The Federal Election Commission ("Commission") found reason to believe that Harry Ferguson ("Respondent") violated 2 U.S.C. § 441f.

NOW, THEREFORE, the Commission and the 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 Respondent 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. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

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

1. Harry Ferguson is a person within the meaning of 2 U.S.C. § 431(11).

2. Perkins & Associates, Inc., incorporated under the laws of Alabama, is an advertising agency involved in political campaign work in both Alabama and Georgia.
3. The Roy Johnson for Congress Committee was the principal campaign committee for Roy Johnson for the Republican nomination to fill the seat in Alabama's 7th Congressional District during the 1965 primary election. Mr. Johnson withdrew from the race prior to the primary election.

4. On March 29, 1965, various employees of Perkins & Associates, including Respondent, accepted $1,000 in corporate funds given in the form of a $1,000 bonus.

5. On the same date, Respondent made a $1,000 contribution to the Roy Johnson for Congress Committee by means of a personal check.

6. Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person and no person shall knowingly permit his name to be used to effect such a contribution.

V. Respondent knowingly permitted his name to be used to effect a $1,000 contribution to the Roy Johnson for Congress Committee, in violation of 2 U.S.C. § 441f.

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of Five Thousand dollars ($5,000), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a
civil action for relief in the United States District Court for the District of Columbia.

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

IX. Respondent 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.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

[Signature]
Lawrence M. Noble
General Counsel

Date 4-7-92

FOR THE RESPONDENT:

[Signature]
(Name)
(Position)

Date 3/12/92
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Joseph W. Perkins

MNR 2797

CONCILIATION AGREEMENT

This matter was initiated by a referral from the Department of Justice. The Federal Election Commission ("Commission") found reason to believe that Joseph W. Perkins ("Respondent") violated 2 U.S.C. §§ 441b and 441f.

NOW, THEREFORE, the Commission and the 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 Respondent 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. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

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


2. Perkins & Associates, Inc., incorporated under the laws of Alabama, is an advertising agency involved in political campaign work in both Alabama and Georgia. Respondent
is an officer of Perkins & Associates, Inc. within the meaning of 2 U.S.C. § 441b(a).

3. The Roy Johnson for Congress Committee was the principal campaign committee for Roy Johnson for the Republican nomination to fill the seat in Alabama's 7th Congressional District during the 1985 primary election. Mr. Johnson withdrew from the race prior to the primary election.

4. On March 29, 1985, Respondent, as president of Perkins & Associates, Inc., authorized that corporation to pay bonuses in the amount of $1,000 to various of its employees from corporate funds. Respondent, as an employee of Perkins & Associates, Inc., accepted one of these bonuses.

5. On the same date, Respondent and all other Perkins & Associates, Inc. employees receiving such bonuses, made $1,000 contributions to the Roy Johnson for Congress Committee by means of personal checks.

6. Pursuant to 2 U.S.C. § 441b(a), it is illegal for any officer of any corporation to consent to any contribution by that corporation in connection with a Federal election.

7. Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person and no person shall knowingly permit his name to be used to effect such a contribution. Section 441f also applies to those who actively assist in the making of contributions in the name of another.

V. 1. Respondent knowingly permitted his name to be used to effect a $1,000 contribution to the Roy Johnson for Congress Committee, in violation of 2 U.S.C. § 441f.


VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of Five Thousand dollars ($5,000), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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

IX. Respondent 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.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and
no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

FOR THE RESPONDENT:

[Signature]

(Date)

[Name]

(Position)

(Date) 4-7-92
Federal Election Commission  
Washington, DC  20463  

RE: MUR 2797  
Perkins & Associates, Inc.  
Joseph W. Perkins, Jr.  
Harry Ferguson  

To Whom It May Concern:  

This statement is being prepared to be placed in the file of Joseph W. Perkins, Jr., Perkins & Associates, Inc., and Harry Ferguson. This statement is to be read by any person who requests access to the files of the above stated persons and corporation. The allegations against Joseph W. Perkins, Jr., Harry Ferguson, and Perkins & Associates, Inc. by the Federal Election Commission are allegations which have been consistently denied from the first time those allegations were made. Perkins & Associates routinely gave its employees bonuses as an incentive for those employees to work hard and, also, as a reward to employees for results achieved.  

At the relevant time periods, employees of Perkins & Associates and others did, in fact, make contributions to the congressional campaign of Roy Johnson. Perkins & Associates, Joseph W. Perkins, Jr., and Harry Ferguson have consistently denied that any money from Perkins & Associates was given to these individuals for the purpose of making contributions to the Johnson campaign. It is correct that bonuses were paid to employees of Perkins & Associates shortly before these same employees gave contributions to the Johnson campaign.  

Harry Ferguson and Joseph W. Perkins, Jr. have entered into a conciliation agreement with the Federal Election Commission in order to avoid the of cost contesting this proceeding. Both Perkins and Ferguson deny any wrongdoing and deny that they violated any statute of the United States. Both Perkins and Ferguson agreed to pay relatively modest civil fines in order to avoid continued legal cost and other costs associated with this proceeding. Both Ferguson and Perkins wish to point out to anyone who might read this file that this proceeding is and was
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civil in nature. No criminal proceedings have ever been instituted based upon the facts made the basis of this civil proceeding. Anyone desiring further comments regarding this proceeding should contact Jack Drake at area code (205) 759-1234 or Joseph W. Perkins, Jr. at area code (205) 339-7976.

Sincerely,

[Signature]

Jack Drake

JD/st
THIS IS THE END OF MUR # 2797

DATE FILMED 5-21-92  CAMERA NO. 1
CAMERAMAN E.E.S.