



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4609

DATE FILMED 5-18-87 CAMERA NO. 4

CAMERAMAN Jm N

97043805012

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: SEP 25 1996

ANALYST: Lily Marco

I. COMMITTEE: McDonald for Senate Committee
(C00304337)
Philip C. Benefield, Treasurer
215 Timberlake Drive
Union Grove, AL 35175

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

III. BACKGROUND:

Failure to File Forty-Eight Hour Notifications

The McDonald for Senate Committee ("the Committee") has failed to file 48-Hour Notifications ("48-Hour Notices") for candidate loans totalling \$92,000 received prior to the 1996 Primary Election and \$380,000 received prior to the 1996 Runoff Election. In addition, the Committee failed to file 48-Hour Notices for contributions totalling \$47,500 received prior to the Runoff Election.

The candidate was involved in the 1996 Primary Election held on June 4, 1996 and in the 1996 Runoff Election held June 25, 1996. Prior Notice was sent to the Committee on April 29, 1996 (Attachment 2). The Notice includes a section titled "48 Hour Notices on Contributions". This section reads: "Notices are required if the committee receives contributions (including in-kind gifts or advances of goods or services; loans from the candidate or other non-bank sources; and guarantees or endorsements of loans to the candidate or committee) of \$1,000 or more, during the period:

Primary: 05/16 - 06/01

Runoff: 06/06 - 06/22

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

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Schedules A and C of the 1996 12 Day Pre-Runoff Report indicate that the Committee failed to file 48-Hour Notices for loans made from the candidate's personal funds during the aforementioned period prior to the Primary Election (Attachment 3).

<u>Contributor Name</u>	<u>Date</u>	<u>Amount</u>
Sid McDonald (from personal funds)	05/20/96	\$27,000
Sid McDonald (from personal funds)	05/22/96	\$15,000
Sid McDonald (from personal funds)	05/29/96	\$50,000

Schedules A and C of the 1996 July Quarterly Report indicate that the Committee failed to file 48-Hour Notices for loans made from the candidate's personal funds during the aforementioned period prior to the Runoff Election. In addition, the Committee failed to file 48-Hour Notices for contributions totalling \$47,500 received during this period (Attachment 4). The following are the loans and contributions for which 48-Hour Notices were not filed:

<u>Contributor Name</u>	<u>Date</u>	<u>Amount</u>
Sid McDonald (from personal funds)	06/10/96	\$50,000
Sid McDonald (from personal funds)	06/13/96	\$150,000
Sid McDonald (from personal funds)	06/18/96 ¹	\$150,000
Sid McDonald (from personal funds)	06/20/96	\$30,000
Foster McDonald	06/09/96	\$1,000
Virginia McDonald	06/09/96	\$1,000
Michael Bryan	06/10/96	\$1,000

1. Schedule A of the July Quarterly Report discloses a receipt date of 6/19/96; however, Schedule C of the amended July Quarterly Report, accompanied by a promissory note, discloses that the loan was incurred on 6/18/96.

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MCDONALD FOR SENATE COMMITTEE
REPORTS ANALYSIS OGC REFERRAL
PAGE 3

<u>Contributor Name</u>	<u>Date</u>	<u>Amount</u>
John Gant Jr.	06/10/96	\$1,000
Bill Harbert	06/10/96	\$1,000
Kelly Hawk	06/10/96	\$1,000
Scotty Hawk	06/10/96	\$1,000
Robert Hembree Jr.	06/10/96	\$1,000
Wesley McDonald	06/10/96	\$1,000
CC. Torbert Jr.	06/10/96	\$1,000
Winter Wilson	06/10/96	\$1,000
RB. Geddie Jr.	06/12/96	\$1,000
Walter Matthews	06/12/96	\$1,000
Diana Slaughter	06/12/96	\$1,000
William Slaughter	06/12/96	\$1,000
Joseph Fine	06/14/96	\$1,000
Steve Martin	06/14/96	\$1,000
William Samford Jr.	06/14/96	\$1,000
Vincent Stuedeman	06/14/96	\$1,000
Lee Styslinger Jr.	06/14/96	\$1,000
Claude Dorning	06/15/96	\$1,000
Jimmy Bobo	06/17/96	\$1,000
RC. Corr Jr.	06/17/96	\$1,000
Martha Ferguson	06/17/96	\$1,000
Michael Ferguson	06/17/96	\$1,000
Randall Ferguson	06/17/96	\$1,000
James Williams	06/17/96	\$1,000
Jonathan Williams	06/17/96	\$1,000
Marguerite Williams	06/17/96	\$1,000

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MCDONALD FOR SENATE COMMITTEE
REPORTS ANALYSIS OGC REFERRAL
PAGE 4

<u>Contributor Name</u>	<u>Date</u>	<u>Amount</u>
Jim Burke Jr.	06/19/96	\$1,000
Joseph Chorba Jr.	06/19/96	\$1,000
Ross Cohen	06/19/96	\$1,000
Wyatt Haskell	06/19/96	\$1,000
Alston Ray	06/19/96	\$1,000
William J. Rushton III	06/19/96	\$1,000
Eugene Smith	06/19/96	\$1,000
Eugene Smith	06/19/96	\$1,000
Stephen Thornton	06/19/96	\$1,000
Jane Lanier	06/20/96	\$1,000
Cam B. Lanier III	06/20/96	\$1,000
Matthew McDonald	06/20/96	\$1,000
Bryan Corr	06/21/96	\$1,000
Wayne Gillis	06/21/96	\$1,000
Ross Siragusa Jr.	06/21/96	\$1,000
AMSOUTH-PAC	06/19/96	\$2,500
Maynard, Cooper, Frierson & Gale (M.C.F.&G.), PC Federal PAC	06/19/96	\$1,000

On July 9, 1996, a Request for Additional Information ("RFAI") was sent to the Committee (Attachment 5). The RFAI notes, on an informational basis, that the Committee may have failed to file one or more of the required 48-Hour Notices for "last minute" contributions of \$1,000 or more for the 48-Hour Notice period prior to the Primary Election. The notice requests that the Committee review their procedures for checking contributions received during the aforementioned time period. In addition, the notice states that, although the Commission may take legal steps, any response would be taken into consideration.

On July 29, 1996 the Commission received a letter from the Committee, which states that the failure to file the required 48-Hour Notices for the loans incurred during the

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filing period was caused by a "lack of depth" in their bookkeeping. The Committee also states that they were unaware that they had neglected to file any of the required Notices (Attachment 6).

On August 30, 1996, an Informational Notice was sent to the Committee (Attachment 7). The Informational Notice states that the Committee may have failed to file one or more of the required 48-Hour Notices for "last minute" contributions of \$1,000 or more for the 48-Hour Notice period prior to the Runoff Election. The notice requests that the Committee review their procedures for checking contributions received during the aforementioned time period. In addition, the notice states that, although the Commission may take legal steps, any response would be taken into consideration.

To date, the Commission has not received any additional response that addresses the Committee's failure to file 48-Hour Notices prior to the Runoff Election. Note that the Committee's July 29, 1996 response only states that its accounting assistant was out of the office "just prior to the June 25, run-off election" (Attachment 6).

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

MCDONALD, SIDNEY L	SENATE	REPUBLICAN PARTY			ALABAMA	1996 ELECTION	ID# 56AL00161		
1. STATEMENT OF CANDIDATE						18JUL95		3	95SEN/005/3555
1995 STATEMENT OF CANDIDATE									
2. PRINCIPAL CAMPAIGN COMMITTEE									
MCDONALD FOR SENATE COMMITTEE						ID #C00304337	SENATE		
1995 STATEMENT OF ORGANIZATION						14JUL95		2	95SEN/005/3471
YEAR-END			1,015,655		546,414	14JUL95 -31DEC95		97	96SEN/001/3803
YEAR-END - AMENDMENT			-		-	14JUL95 -31DEC95		3	96SEN/010/2428
REQUEST FOR ADDITIONAL INFORMATION						14JUL95 -31DEC95		4	96FEC/038/4210
REQUEST FOR ADDITIONAL INFORMATION 2ND						14JUL95 -31DEC95		5	96FEC/048/5231
1996 48 HOUR CONTRIBUTION NOTICE						3JUN96		3	96SEN/012/0539
APRIL QUARTERLY			114,012		420,795	1JAN96 -31MAR96		52	96SEN/007/1895
PRE-PRIMARY			499,894		578,709	1APR96 -15MAY96		41	96SEN/011/2305
PRE-PRIMARY - AMENDMENT			499,894		578,709	1APR96 -15MAY96		8	96SEN/012/1325
PRE-PRIMARY - AMENDMENT			-		-	1APR96 -15MAY96		5	96SEN/017/0392
REQUEST FOR ADDITIONAL INFORMATION						1APR96 -15MAY96		2	96FEC/060/4171
PRE-RUN-OFF			158,472		174,536	16MAY96 - 5JUN96		41	96SEN/012/1333
PRE-RUN-OFF - AMENDMENT			-		-	16MAY96 - 5JUN96		12	96SEN/017/0397
REQUEST FOR ADDITIONAL INFORMATION						16MAY96 - 5JUN96		3	96FEC/060/4168
JULY QUARTERLY			492,845		512,548	6JUN96 -30JUN96		45	96SEN/013/3934
JULY QUARTERLY - AMENDMENT			-		-	6JUN96 -30JUN96		12	96SEN/017/0380
1'ST LETTER INFORMATIONAL NOTICE						6JUN96 -30JUN96		3	96FEC/076/4981
TOTAL			2,250,878		0 2,233,002	0		338	TOTAL PAGES
3. AUTHORIZED COMMITTEES									
4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN									

All reports listed have been reviewed.

Ending cash on hand as of 6/30/96: \$ 47,877.78

Debts & obligations owed to the Committee: \$ 0.00

Debts & obligations owed by the Committee: \$940,000.00

PRIMARY ELECTION REPORT NOTICE

FEDERAL ELECTION COMMISSION

ALABAMA
Congressional Committees

April 29, 1996

FOR COMMITTEES INVOLVED ONLY IN THE PRIMARY (06/04/96)

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
Pre-Primary	04/01/96 - 05/15/96	05/20/96	05/23/96
	----48 Hour Notices----		
July Quarterly	05/16/96 - 06/30/96	07/15/96	07/15/96

WHO MUST FILE

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

WHERE TO FILE

Due to recent legislative changes, U.S. House candidates should file with the Federal Election Commission, rather than with the Clerk of the House of Representatives. Senate candidates should continue to file with the Secretary of the Senate. Committees should consult the back of Forms 3 and 6 for both addresses.

48 HOUR NOTICES ON CONTRIBUTIONS

Notices are required if the committee receives contributions (including in-kind gifts or advances of goods or services; loans from the candidate or other non-bank sources; and guarantees or endorsements of loans to the candidate or committee) of \$1,000 or more, during the period of May 16 through June 1.

The notices must reach the appropriate federal and state filing offices within 48 hours of the committee's receipt of the contribution(s). U.S. House candidates faxing 48-hour notices should transmit them to the FEC at 202/219-0174. Senate candidates should transmit them to the Secretary of the Senate at 202/224-1851. Note that 48-hour notices are the only FEC documents that may be faxed.

*These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered and, if applicable, before the individual became a candidate.

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

SEE OPPOSITE SIDE FOR RUNOFF INFORMATION

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ALABAMA
RUNOFFFOR COMMITTEES INVOLVED IN BOTH THE PRIMARY (05/04/96) AND RUNOFF
(06/25/96)

REPORT	REPORTING PERIOD*	REG./CENT. MAILING DATE**	FILING DATE
Pre-Primary	04/01/96 - 05/15/96	05/20/96	05/23/96
	----48 Hour Notices----		
Pre-Runoff	05/16/96 - 06/05/96	06/10/96	06/13/96
	----48 Hour Notices----		
July Quarterly	06/06/96 - 06/30/96	07/15/96	07/15/96

48 HOUR NOTICES ON CONTRIBUTIONS

Notices are required if the committee receives contributions (including in-kind gifts or advances of goods or services; loans from the candidate or other non-bank sources; and guarantees or endorsements of loans to the candidate or committee) of \$1,000 or more, during the period:

Primary: 05/16 - 06/01

Runoff: 06/06 - 06/22

The notices must reach the appropriate federal and state filing offices within 48 hours of the committee's receipt of the contribution(s). U.S. House candidates faxing 48-hour notices should transmit them to the FEC at 202/219-0174. Senate candidates should transmit them to the Secretary of the Senate at 202/224-1851. Note that 48-hour notices are the only FEC documents that may be faxed.

LABEL

Committees should affix the peel-off label from the envelope to Line 1 of the report. Corrections should be made on the label.

COMPLIANCE

Treasurers of political committees are responsible for filing all reports on time. Failure to do so is subject to enforcement action. Committees filing illegible reports or using non-FEC forms (except for FEC approved computer generated forms) will be required to refile.

*These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered and, if applicable, before the individual became a candidate.

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

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

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SCHEDULE A
 Loans Made or Guaranteed by the Candidate

A:
 FOI

Attachment #3
 Page 1 of 2

NAME OF COMMITTEE (in Full)
 McDonald for Senate Committee C00304337

Any information copied from such Reports and Statements may not be sold
 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.

Full Name Mailing Address	Name of Employer Occupation	Date MM/DD/YY	Amount
Mr. Sid McDonald 215 Timberlake Drive Union Grove, AL 35175-	BMTC CEO	05/20/96	\$27000.00
Receipt for [X]Primary	Aggregate YTD >		\$477000.00
Mr. Sid McDonald 215 Timberlake Drive Union Grove, AL 35175-	BMTC CEO	05/22/96	\$15000.00
Receipt for [X]Primary	Aggregate YTD >		\$492000.00
Mr. Sid McDonald 215 Timberlake Drive Union Grove, AL 35175-	BMTC CEO	05/29/96	\$50000.00
Receipt for [X]Primary	Aggregate YTD >		\$542000.00
Mr. Sid McDonald 215 Timberlake Drive Union Grove, AL 35175-	BMTC CEO	06/03/96	\$16000.00
Receipt for [X]Primary	Aggregate YTD >		\$560000.00
SUBTOTAL of Receipts This Page.....>			\$110000.00
TOTAL This Period.....>			\$110000.00

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NAME OF COMMITTEE (in full)
McDonald for Senate Committee C00304537

NAME OF LOAN SOURCE (OR RECIPIENT)	ORIGINAL AMOUNT OF LOAN	CUMULATIVE PAYMENT TO DATE	BALANCE OUTSTANDING
Mr. Sid McDonald 215 Timberlake Drive	\$ 560000.00	\$ 0.00	\$ 560000.00

Type of Election
[X] Primary

Union Grove, AL 35175-

DATE INCURRED	DATE DUE	INTEREST RATE (Apr)	SECURED
04/05/96	04/05/96	0.00	[] YES [X] NO

LIST ALL ENDORSERS OR GUARANTORS (if any)

NONE

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SUBTOTALS THIS PERIOD THIS PAGE.....	\$ 560000.00
TOTALS THIS PERIOD (last page).....	\$ 560000.00

CONTRIBUTOR RECEIPTS **Issued Under the Authority of the Candidate**

PAGE 1 OF 6
 FOR LINE NUMBER 13(a)

NAME OF CONTRIBUTOR (in Full)
McDonald for Senate Campaign 000304537

The information printed here must be true and statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of the individual contributor to solicit contributions from such contributor.

Full Name Mailing Address	Name of Employer Occupation	Date MM/DD/YY	Amount
Mr. Sid McDonald 215 Timberlake Drive Union Grove, AL 35178- Receipt for [X]RunOff	BNTC CEO	06/10/96	\$50000.00
Aggregate YTD >			\$510000.00
Mr. Sid McDonald 215 Timberlake Drive Union Grove, AL 35178- Receipt for [X]RunOff	BNTC CEO	06/13/96	\$150000.00
Aggregate YTD >			\$760000.00
Mr. Sid McDonald 215 Timberlake Drive Union Grove, AL 35178- Receipt for [X]RunOff	BNTC CEO	06/19/96	\$150000.00
Aggregate YTD >			\$910000.00
Mr. Sid McDonald 215 Timberlake Drive Union Grove, AL 35178- Receipt for [X]RunOff	BNTC CEO	06/20/96	\$30000.00
Aggregate YTD >			\$940000.00
SUBTOTAL of Receipts This Page.....>			\$380000.00
TOTAL This Period.....>			\$380000.00

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(NAME OF COMMITTEE (in full))
McDonald for Senate Committee C00304337

NAME OF LOAN SOURCE (OR RECIPIENT)	ORIGINAL AMOUNT OF LOAN	CUMULATIVE PAYMENT TO DATE	BALANCE OUTSTANDING
Mr. Sid McDonald 215 Timberlake Drive	\$ 50,000.00	\$ 0.00	\$10,000.00

Union Grove, AL 35175-

() Primary (X) Runoff

DATE INCURRED	DATE DUE	INTEREST RATE (apr)	SECURED
6/10/96	6/10/96	0.00	() YES (X) NO

LIST ALL ENDORSERS OR GUARANTORS (if any) Source: Personal funds of Candidate

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SUBTOTALS THIS PERIOD THIS PAGE	\$ 50,000.00
TOTALS THIS PERIOD (last page)	\$

NAME OF COMMITTEE (in full)
McDonald for Senate Committee C00304337

NAME OF LOAN SOURCE (OR RECIPIENT)	ORIGINAL AMOUNT OF LOAN	CUMULATIVE PAYMENT TO DATE	BALANCE OUTSTANDING
Mr. Sid McDonald 215 Timberlake Drive	\$150,000.00	\$ 0.00	\$760,000.00

Type of Election
[] Primary (X) Runoff

Union Grove, AL 35175-

DATE INCURRED	DATE DUE	INTEREST RATE(%apr)	SECURED
6/13/96	6/13/96	0.00	[] YES [X] NO

LIST ALL ENDORSERS OR GUARANTORS (if any) Source: Personal funds of Candidate

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SUBTOTALS THIS PERIOD THIS PAGE	\$150,000.00
TOTALS THIS PERIOD (last page)	15

NAME OF COMMITTEE (in full)
McDonald for Senate Committee C00304337

NAME OF LOAN SOURCE (OR RECIPIENT)

Mr. Sid McDonald
213 Timberlake Drive

ORIGINAL AMOUNT
OF LOAN

\$ 150,000.00

CUMULATIVE

PAYMENT TO DATE

\$

0.00

BALANCE

OUTSTANDING

\$910,000.00

Type of Election

[] Primary (X) Runoff

Union Grove, AL 35175-

DATE INCURRED

DATE DUE

INTEREST RATE(%apr)

SECURED

TERMS >

6/18/96

6/18/96

0.00

[] YES

[X] NO

LIST ALL ENDORSERS OR GUARANTORS (if any)

Source: Personal funds of Candidate

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SUBTOTALS THIS PERIOD THIS PAGE

\$ 150,000.00

TOTALS THIS PERIOD (last page)

\$

NAME OF COMMITTEE (in full)
McDonald for Senate Committee C00304337

NAME OF LOAN SOURCE (OR RECIPIENT)	ORIGINAL AMOUNT OF LOAN	CUMULATIVE PAYMENT TO DATE	BALANCE OUTSTANDING
Mr. Sid McDonald 215 Timberlake Drive	\$ 30,000.00	\$ 0.00	\$940,000.00

Type of Election
[] Primary (X) Runoff

DATE INCURRED	DATE DUE	INTEREST RATE (apr)	SECURED
6/20/96	6/20/96	0.00	[] YES [X] NO

LIST ALL ENDORSERS OR GUARANTORS (if any) Source: Personal funds of Candidate

SUBTOTALS THIS PERIOD THIS PAGE	\$ 30,000.00
TOTALS THIS PERIOD (last page)	\$ 350,000.00

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PROMISSORY NOTE

\$150,000.00

[June 18, 1996] D.H.
Marshall County, Alabama

THE UNDERSIGNED, its successors or assigns, for value received, promises to pay to the order of SIDNEY L. McDONALD ("McDonald"), an individual, his heirs or assigns, the sum of One Hundred Fifty Thousand and No/100 Dollars (\$150,000.00), without interest thereon, payable upon demand, at the office of McDonald located at 113 South Main Street, Arab, Alabama 35016, or at such other place or places as the holder hereof may from time to time designate.

Demand, protest and notice of protest, and all requirements necessary to hold the undersigned liable are hereby waived by the undersigned. This note contains the full and complete expression of the agreement and covenants relating to the subject matter hereof and shall be construed in accordance with the laws of the State of Alabama.

THIS PROMISSORY NOTE shall be deemed effective for all purposes as of the date first written above.

MCDONALD FOR SENATE CAMPAIGN,
a political committee

By: Sidney L. McDonald
Sidney L. McDonald
Candidate

Witness:

Myrae L. Bullock
Rodney H. Hyatt

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SCHEDULE A **ITEMIZED RECEIPTS**
Contributions from Individuals/Persons

PAGE 8 OF 19
 FOR LINE NUMBER 11(a)(1)

NAME OF COMMITTEE (in Full)
 McDonald for Senate Committee C00304337

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

Full Name Mailing Address	Name of Employer Occupation	Date MM/DD/YY	Amount
Jimmy Bebo P.O. Box 39 Arab, AL 35016- Receipt for (X)RunOff	Bebo Engineering, Inc President	06/17/96	\$1000.00
Aggregate YTD >			\$1000.00
David Bridges 4009 Morrow Street Guntersville, AL 35976- Receipt for (X)RunOff	Chandler Mobile Homes Executive	06/23/96	\$300.00
Aggregate YTD >			\$300.00
Harry B. Brock, III 101 Channell Drive Muntaville, AL 35801- Receipt for (X)RunOff	Self-Employed Investment Broker	06/27/96	\$1000.00
Aggregate YTD >			\$1000.00
Michael Bryan 2 Office Park - 615 Cullman Rd Arab, AL 35016- Receipt for (X)RunOff	Self-Employed Attorney	06/10/96	\$1000.00
Aggregate YTD >			\$1000.00
Gaines Burden Rt. 2, Box 161-B Somerville, AL 35670- Receipt for (X)RunOff	Retired	06/17/96	\$200.00
Aggregate YTD >			\$200.00
Jim Burke, Jr 1301 5th Avenue W Birmingham, AL 35209- Receipt for (X)RunOff	Self-Employed Car Dealer	06/19/96	\$1000.00
Aggregate YTD >			\$2000.00
W.J. Cabaniss, Jr 3012 Forest Glen Birmingham, AL 35213- Receipt for (X)RunOff	Precision Grinding President	06/14/96	\$500.00
Aggregate YTD >			\$500.00
Louis Cardinal, III 2739 S. Colonial Dr Montgomery, AL 36111- Receipt for (X)RunOff	Thornton Farrish Investment Broker	06/14/96	\$300.00
Aggregate YTD >			\$300.00
D.H. Chaney 261 Highland Union Grove, AL 35171- Receipt for (X)RunOff	Self-Employed Retail Business	06/20/96	\$200.00
Aggregate YTD >			\$200.00
SUBTOTAL of Receipts This Page.....>			\$1500.00
TOTAL This Period.....>			

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SCHEDULE B
Contributions from Individuals/Persons

PAGE 3 of 19
 RUN LINE NUMBER 110111

NAME OF COMMITTEE (in Full)
 McDonald for Senate Committee 590304337

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

Full Name Mailing Address	Name of Employer Occupation	Date MM/DD/YY	Amount
Stephen Chazen 209 Annandale Crescent Birmingham, AL 35223- Receipt for [X]RunOff	Self-Employed Sales	06/20/96	\$333.00
Aggregate YTD >			\$333.00
Raymond Childers 162 Highland Union Grove, AL 35175- Receipt for [X]RunOff	Retired	06/10/96	\$500.00
Aggregate YTD >			\$500.00
R.C. Chisenhall P.O. Box 647 Fort Payne, AL 35967- Receipt for [X]RunOff	Self-Employed Sock Manufacturing	06/27/96	\$500.00
Aggregate YTD >			\$500.00
Joseph Chorbe, Jr P.O. Drawer 378 Guntersville, AL 35976- Receipt for [X]RunOff	Self-Employed Construction	06/19/96	\$1000.00
Aggregate YTD >			\$1150.00
Reid Christopher 2412 Mountain Vista Drive Birmingham, AL 35243- Receipt for [X]RunOff	Self-Employed Physician	06/14/96	\$200.00
Aggregate YTD >			\$200.00
Alan Clark 1133 Leheridge Dr. Birmingham, AL 35244- Receipt for [X]RunOff	First National Life Insurance Agent	06/14/96	\$300.00
Aggregate YTD >			\$300.00
Lawrence Clark 803 Essex Rd Birmingham, AL 35222- Receipt for [X]RunOff	Self-Employed Attorney	06/10/96	\$500.00
Aggregate YTD >			\$500.00
Lonnie Clark 5754 Mallard Lake Drive Birmingham, AL 35244- Receipt for [X]RunOff	Retired	06/19/96	\$500.00
Aggregate YTD >			\$500.00
Charles Clayton 3116 Overhill Road Birmingham, AL 35223- Receipt for [X]RunOff	Retired	06/11/96	\$500.00
Aggregate YTD >			\$750.00
SUBTOTAL of Receipts This Page			\$4313.00
TOTAL This Period			

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SCHEDULE A WITNESSES RECEIPTS
Contributions from Individuals/Persons

PAGE 6 of 19
FOR LINE NUMBER 13(a)(1)

NAME OF COMMITTEE (in Full)
McDonald for Senate Committee C00304337

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

Full Name Mailing Address	Name of Employer Occupation	Date MM/DD/YY	Amount
Charles Clayton, Jr 2950 Canterbury Road Birmingham, AL 35223- Receipt for (X)RunOff	United Investors Life Insurance Agent	06/15/96	\$250.00
	Aggregate YTD >		\$250.00
Ross Cohen 3576 Spring Valley Road Birmingham, AL 35223-1426 Receipt for (X)RunOff	Retired	06/19/96	\$1000.00
	Aggregate YTD >		\$1000.00
Jane Comer 3152 Pine Ridge Road Birmingham, AL 35213- Receipt for (X)RunOff	Homemaker	06/10/96	\$500.00
	Aggregate YTD >		\$500.00
Donald Comer, III 3152 Ridge Ridge Road Birmingham, AL 35213- Receipt for (X)RunOff	Self-Employed Business Executive	06/10/96	\$500.00
	Aggregate YTD >		\$500.00
Robert Copeland 1101 Vernon Road La Grange, GA 30240- Receipt for (X)RunOff	Self-Employed Physician	06/19/96	\$200.00
	Aggregate YTD >		\$200.00
Bryan Corr P.O. Box 325 Oneonta, AL 35121- Receipt for (X)RunOff	Oneonta Telephone Company Executive	06/21/96	\$1000.00
	Aggregate YTD >		\$1000.00
R.C. Corr, Jr P.O. Box 350 Oneonta, AL 35121- Receipt for (X)RunOff	Oneonta Telephone Company Executive	06/17/96	\$1000.00
	Aggregate YTD >		\$1000.00
Darrell Cottle P.O. Box 630 Arab, AL 35016- Receipt for (X)RunOff	Self-Employed Manufacturing	06/19/96	\$250.00
	Aggregate YTD >		\$250.00
Phillip Crain P.O. Box 701 Gadsden, AL 35902- Receipt for (X)RunOff	Federal Roofing Co. President	06/21/96	\$50.00
	Aggregate YTD >		\$400.00
SUBTOTAL of Receipts This Page			\$4750.00
TOTAL This Period			

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SCHEDULE A Contributions from Individuals/Persons

ISSUED RECEIPTS

PAGE 9 OF 19
FOR LINE NUMBER 11(a)(1)

NAME OF COMMITTEE (in Full)

McDonald for Senate Committee C06304327

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

Full Name Mailing Address	Name of Employer Occupation	Date MM/DD/YY	Amount
Claude Dornier 518 Adams Street Huntsville, AL 35801- Receipt for [X]RunOff	Self-Employed Travel Agent	06/15/96	\$1000.00
Aggregate YTD >			\$1000.00
Deason Dunagan 303 Williams Ave, Ste 1421 Huntsville, AL 35891- Receipt for [X]RunOff	Self-Employed Physician	06/12/96	\$250.00
Aggregate YTD >			\$250.00
Brant Durbin 196 Fire Tower Road Somerville, AL 35670- Receipt for [X]RunOff	Self-Employed Photographer	06/10/96	\$730.00
Aggregate YTD >			\$730.00
D.W. Ellard, Jr 3005 Smyer Road Birmingham, AL 35216- Receipt for [X]RunOff	Retired	06/24/96	\$1000.00
Aggregate YTD >			\$1000.00
Jeff Enfinger 8624 South Memorial Pkwy Huntsville, AL 35802- Receipt for [X]RunOff	Self-Employed Developer	06/14/96	\$500.00
Aggregate YTD >			\$500.00
Martha Ferguson 2518 Union Grove Road Union Grove, AL 35175- Receipt for [X]RunOff	Homemaker	06/17/96	\$1000.00
Aggregate YTD >			\$1000.00
Michael Ferguson 6056 Friendship Road Union Grove, AL 35175- Receipt for [X]RunOff	Ferguson - Williams V.P.	06/17/96	\$1000.00
Aggregate YTD >			\$2000.00
Randall Ferguson 2518 Union Grove Rd Union Grove, AL 35175- Receipt for [X]RunOff	Ferguson - Williams President	06/17/96	\$1000.00
Aggregate YTD >			\$1000.00
Joseph Fine P.O. Box 138 Montgomery, AL 36101- Receipt for [X]RunOff	Fine, Geddies & Assoc., Inc Chairman	06/14/96	\$1000.00
Aggregate YTD >			\$1000.00
SUBTOTAL of Receipts This Page.....>			\$7250.00
TOTAL This Period.....>			

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SCHEDULE A Contributions from Individuals/Persons

PAGE 8 OF 19
FORM LINE NUMBER 11(a) 17

NAME OF COMMITTEE (in Full)
McDonald for Senate Committee C00304337

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

Full Name Mailing Address	Name of Employer Occupation	Date MM/DD/YY	Amount
Schuyler Gent 3018 Weatherston Circle Birmingham, AL 35223- Receipt for [X]RunOff	Homemaker	06/24/96	\$1000.00
Aggregate YTD >			\$1000.00
John Gent, Jr. 3018 Weatherston Circle Birmingham, AL 35223- Receipt for [X]RunOff	Self-Employed Attorney	06/10/96	\$1000.00
Aggregate YTD >			\$1000.00
R.B. Coddie, Jr. 6315 Kathmoor Drive Montgomery, AL 36117- Receipt for [X]RunOff	Self-Employed Publications	06/12/96	\$1000.00
Aggregate YTD >			\$1000.00
Carl Cessler 2229 Briarcliff Rd Huntsville, AL 35801- Receipt for [X]RunOff	Self-Employed Physician	06/27/96	\$1000.00
Aggregate YTD >			\$1000.00
Wayne Gillis 3620 8th Avenue South Birmingham, AL 35223- Receipt for [X]RunOff	Self-Employed Advertising	06/21/96	\$1000.00
Aggregate YTD >			\$1000.00
C.C. Glover 1205 Broadway Ave SW Cullman, AL 35055- Receipt for [X]RunOff	Self-Employed Farmer	06/17/96	\$300.00
Aggregate YTD >			\$300.00
Gregory Gum 1915 Governor's Dr Huntsville, AL 35801- Receipt for [X]RunOff	Self-Employed Physician	06/10/96	\$200.00
Aggregate YTD >			\$200.00
Hubert D. Kagan 504 Glen Oaks Jasper, AL 35501- Receipt for [X]RunOff	Drummond Co Executive	06/19/96	\$250.00
Aggregate YTD >			\$750.00
W. L. Halsey, Jr. P.O. Box 22 Huntsville, AL 35804- Receipt for [X]RunOff	Halsey Distribution President	06/14/96	\$500.00
Aggregate YTD >			\$500.00
SUBTOTAL of Receipts This Page			\$4050.00
TOTAL This Period			

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SCHEDULE A
Itemized Receipts
Contributions From Individuals/Persons

PAGE 1 OF 19
FOR LINE NUMBER 12(a)(1)

NAME OF COMMITTEE (in full)
McDonald for Senate Committee C00364337

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

Full Name Mailing Address	Name of Employer Occupation	Date MM/DD/YY	Amount
Mike Mann 1790 Mann Rd Blountsville, AL 35831- Receipt for [X]RunOff	Man Cabinet Shop Owner	06/19/96	\$250.00
Aggregate YTD >			\$250.00
Walter Nancy, Sr. P.O. Drawer 1367 Hamilton, AL 35570- Receipt for [X]RunOff	Self-Employed Insurance Agent	08/21/94	\$250.00
Aggregate YTD >			\$500.00
Joe Monachumacher 1931 Hickory Hill Dr Arab, AL 35016- Receipt for [X]RunOff	Turner Beverages, Inc. Sales	06/10/96	\$100.00
Aggregate YTD >			\$400.00
Bill Harbert P.O. Box 531390 Birmingham, AL 35293- Receipt for [X]RunOff	Self-Employed Construction	06/16/96	\$1000.00
Aggregate YTD >			\$1000.00
Robert Margraves 1170 North Main Street Arab, AL 35016- Receipt for [X]RunOff	Self-Employed Physician	06/10/96	\$245.00
Aggregate YTD >			\$690.00
John Harrell 1400 Park Place Tower Birmingham, AL 35203- Receipt for [X]RunOff	Self-Employed Attorney	06/24/96	\$500.00
Aggregate YTD >			\$1500.00
Robert Harris P.O. Box 2688 Decatur, AL 35602- Receipt for [X]RunOff	Self-Employed Attorney	06/24/96	\$750.00
Aggregate YTD >			\$1000.00
Robert Harris P.O. Box 2689 Decatur, AL 35602- Receipt for [X]General	Self-Employed Attorney	06/24/96	\$250.00
Aggregate YTD >			\$1250.00
James Harruff 8460 Ryan Road Montgomery, AL 36117- Receipt for [X]RunOff	Self-Employed Insurance Agent	06/21/96	\$50.00
Aggregate YTD >			\$300.00
SUBTOTAL of Receipts This Page.....>			\$3395.00
TOTAL This Period.....>			

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SCHEDULE A
Contributions from Individuals/Persons

PAGE 8 OF 14
FOR LINE NUMBER 11(a)(1)

NAME OF COMMITTEE (Is Full)
McDonald for Senate Committee C00094337

Any information copied from such Receipts and Statements may not be used 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.

Full Name Mailing Address	Name of Employer Occupation	Date MM/DD/YY	Amount
John Thomas Hartley 417 McClung Ave Huntsville, AL 35801-1 Receipt for [X]RunOff	Self-Employed Physician	06/23/96	\$500.00
Aggregate YTD >			\$500.00
Gyatt Bashell 2964 Cherokee Rd Birmingham, AL 35223- Receipt for [X]RunOff	Muskell, Slaughter, Young Attorney	06/19/96	\$1000.00
Aggregate YTD >			\$1000.00
Kelly Hawk 331 Highlands Union Grove, AL 35178- Receipt for [X]RunOff	Homemaker	06/10/96	\$1009.00
Aggregate YTD >			\$1000.00
Scotty Hawk 331 Highlands Union Grove, AL 35178- Receipt for [X]RunOff	DELTACOM Executive	06/10/96	\$1009.00
Aggregate YTD >			\$1000.00
Frank Laws 105 Rand Ave Huntsville, AL 35801- Receipt for [X]General	Self-Employed Physician	06/21/96	\$750.00
Aggregate YTD >			\$1000.00
Nancy Laws 105 Rand Ave Huntsville, AL 35801- Receipt for [X]RunOff	Homemaker	06/21/96	\$250.00
Aggregate YTD >			\$250.00
Robert Hambree, Jr 2222 Eagle Mountain Road Guntersville, AL 35976- Receipt for [X]RunOff	Hambree Buick, Inc President	06/10/96	\$1000.00
Aggregate YTD >			\$1000.00
Roy Holladay, II 25 River Oaks Way Cropwell, AL 35054- Receipt for [X]RunOff	Retired	06/21/96	\$300.00
Aggregate YTD >			\$300.00
Harry Hopkins 1800 Woodcrest Road Birmingham, AL 35209- Receipt for [X]RunOff	Retired	06/10/96	\$500.00
Aggregate YTD >			\$500.00
SUBTOTAL of Receipts This Page.....			\$6309.00
TOTAL This Period.....			

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SCHEDULE A **ITEMIZED RECEIPTS**
Contributions from Individuals/Persons

PAGE 14 OF 17
FCS LINE NUMBER 11(8)(1)

NAME OF COMMITTEE (in Full):
McDonald for Senate Committee C00304337

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

Full Name Mailing Address	Name of Employer Occupation	Date MM/DD/YY	Amount
Ted Kennedy P.O. Box 2332 Birmingham, AL 35201- Receipt for [X]RunOff	SEN Executive	06/15/96	\$500.00
Aggregate YTD >			\$500.00
J.R. Kinsey 1075 Heritage Drive Guntersville, AL 35876- Receipt for [X]RunOff	Retired	06/10/96	\$200.00
Aggregate YTD >			\$200.00
Shelbie King 317 Franklin Street Huntsville, AL 35801- Receipt for [X]RunOff	Homemaker	06/27/96	\$1000.00
Aggregate YTD >			\$1000.00
Shelbie King 317 Franklin Street Huntsville, AL 35801- Receipt for [X]Primary	Homemaker	06/27/96	\$1000.00
Aggregate YTD >			\$2000.00
J.A. Knapp, Jr 3809 Williamsburg Circle Birmingham, AL 35243- Receipt for [X]RunOff	Retired	06/10/96	\$200.00
Aggregate YTD >			\$300.00
Charles Langford 4005 Wildwood Guntersville, AL 35876- Receipt for [X]RunOff	Self-Employed Contractor	06/10/96	\$300.00
Aggregate YTD >			\$500.00
Jane Lanier P.O. Box 510 West Point, GA 31833- Receipt for [X]RunOff	Homemaker	06/20/96	\$1000.00
Aggregate YTD >			\$1000.00
Cam B. Lanier, III P.O. Box 510 West Point, GA 31833- Receipt for [X]RunOff	ITC President	06/20/96	\$1000.00
Aggregate YTD >			\$1000.00
Davis Lee 188 Ridgewood Circle Union Grove, AL 35175- Receipt for [X]RunOff	Keystone Foods, Inc V.P.	06/10/96	\$500.00
Aggregate YTD >			\$750.00
SUBTOTAL of Receipts This Page			\$5750.00
TOTAL This Period			

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SCHEDULE A **Contributions from Individuals/Persons**

PAGE 11 OF 19
 FOR LINE NUMBER 11(a)(1)

NAME OF COMMITTEE (in full)
 McDonald for Senate Election 000300007

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

Full Name Mailing Address	Name of Employer Occupation	Date MM/DD/YY	Amount
Timothy Lee 2001 E. Shirley Lane Apt 201 Montgomery, AL 36117- Receipt for [X]RunOff	DELTA COM Sales	06/12/96	\$250.00
Aggregate YTD >			\$250.00
Randy Line 1806 Gunterville Rd Arab, AL 35016- Receipt for [X]RunOff	Floral Design, Inc President	06/10/96	\$500.00
Aggregate YTD >			\$500.00
James Lowder 3332 Stratford Montgomery, AL 36111- Receipt for [X]RunOff	Colonial Real Estate CEO	06/24/96	\$1000.00
Aggregate YTD >			\$1000.00
Andy Mann 619 North Parkway Arab, AL 35016- Receipt for [X]RunOff	Mann Chiropractic Clinic Owner	06/12/96	\$300.00
Aggregate YTD >			\$300.00
Steve Martin 2700 HWY 203 E Suite 2310 Birmingham, AL 35225-3909 Receipt for [X]RunOff	Martin Stuedeman & Assoc, Attorney	06/16/96	\$1000.00
Aggregate YTD >			\$1000.00
Walter Matthews P.O. Box 895 Florence, AL 35631- Receipt for [X]RunOff	Self-Employed Distribution	06/12/96	\$1000.00
Aggregate YTD >			\$1000.00
Linda Maynor 300 Barry Hollow Rd Gurley, AL 35748- Receipt for [X]RunOff	Homemaker	06/14/96	\$500.00
Aggregate YTD >			\$500.00
Robert McCullough, Jr P.O. Box 2098 Opelika, AL 36861-2098 Receipt for [X]RunOff	Self-Employed Distribution	06/21/96	\$250.00
Aggregate YTD >			\$250.00
Trister McDonald 26 Savannah Circle Union Grove, AL 35178- Receipt for [X]RunOff	DELTA COM President	06/09/96	\$1000.00
Aggregate YTD >			\$1000.00
SUBTOTAL of Receipts This Page.....>			\$5800.00
TOTAL This Period.....>			

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SECTION A
Contributions from Individuals/Persons

PAGE 16 OF 19
FOR LINE NUMBER 51 (a) (1)

NAME OF CONTRIBUTOR (in Full)
McDonald for Senate Committee C00204997

Any information copied from such reports and documents 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.

Full Name Mailing Address	Name of Employer Occupation	Date MM/DD/YY	Amount
Matthew McDonald 1266 Selma Street Mobile, AL 36604- Receipt for [X]RunOff	Self-Employed Attorney	04/29/96	\$1000.00
Aggregate YTD >			\$1000.00
Virginia McDonald 20 Savannah Circle Union Grove, AL 35175- Receipt for [X]RunOff	Homemaker	05/09/96	\$1000.00
Aggregate YTD >			\$1000.00
Wesley McDonald 4024 Monteville Road Birmingham, AL 35213- Receipt for [X]RunOff	BMC Administration Assistant	06/10/96	\$1000.00
Aggregate YTD >			\$1000.00
Loy McGruder 26 Twin Oaks Drive Blountville, AL 35031- Receipt for [X]RunOff	Retired	06/21/96	\$200.00
Aggregate YTD >			\$200.00
Courtney McKay P.O. Box 349 Arab, AL 35016- Receipt for [X]RunOff	W.W. Granger Sales	06/12/96	\$200.00
Aggregate YTD >			\$200.00
Dowling Miller 720 9th Street NE Arab, AL 35016- Receipt for [X]RunOff	Retired	06/18/96	\$200.00
Aggregate YTD >			\$350.00
Stanley Minkow 44 St. James Square Huntsville, AL 35801- Receipt for [X]RunOff	Alexander's Jewelry President	06/14/96	\$250.00
Aggregate YTD >			\$300.00
Barry Morris 102 Briarwood Drive Florence, AL 35630- Receipt for [X]RunOff	University of North Alabama Professor	06/18/96	\$250.00
Aggregate YTD >			\$250.00
Barry Mullins 2600 6th Street Tuscaloosa, AL 35401- Receipt for [X]RunOff	Self-Employed Attorney	06/24/96	\$250.00
Aggregate YTD >			\$250.00
SUBTOTAL of Receipts This Page.....>			\$4350.00
TOTAL This Period.....>			

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SCHEDULE A **ITEMIZED RECEIPTS**
Contributions from Individuals/Persons

PAGE 14 OF 19
 FOR LINE NUMBER 11(0)(1)

NAME OF COMMITTEE (In Full)

McDonald for Senate Committee C00304337

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

Full Name Mailing Address	Name of Employer Occupation	Date MM/DD/YY	Amount
Jack Powers 1500 Wyeth Drive Guntersville, AL 35976- Receipt for [X]RunOff	Mark Powers Associates Sales	06/10/96	\$300.00
Aggregate YTD >			\$300.00
Box Rankin P.O. Drawer F Decatur, AL 35602- Receipt for [X]RunOff	Self-Employed Insurance Agent	06/10/96	\$250.00
Aggregate YTD >			\$250.00
T.E. Rast 1901 Hillock Dr Birmingham, AL 35213- Receipt for [X]RunOff	Johnson-Rast & Kays Real Estate Agent	06/14/96	\$750.00
Aggregate YTD >			\$750.00
Will Rathliff 3946 Forest Glen Dr Birmingham, AL 35213- Receipt for [X]RunOff	Self-Employed Attorney	06/21/96	\$500.00
Aggregate YTD >			\$500.00
Aiston Ray 4349 Kennesaw Drive Birmingham, AL 35213- Receipt for [X]RunOff	Retired	06/19/96	\$1000.00
Aggregate YTD >			\$1000.00
Merritt Robbins P.O. Drawer 430 New Hope, AL 35760- Receipt for [X]RunOff	Retired	06/21/96	\$200.00
Aggregate YTD >			\$200.00
Thomas Ross 8155 Warrenton Road Guntersville, AL 35976- Receipt for [X]RunOff	Self-Employed Construction	06/13/96	\$500.00
Aggregate YTD >			\$500.00
William J. Dughton, III P.O. Box 2606 Birmingham, AL 35202- Receipt for [X]RunOff	Retired	06/19/96	\$1000.00
Aggregate YTD >			\$1000.00
William Sanford, Jr 723 E Fairview Ave Montgomery, AL 36105- Receipt for [X]RunOff	Sanford & Dehnola Attorney	06/14/96	\$1000.00
Aggregate YTD >			\$1000.00
SUBTOTAL of Receipts This Page.....>			\$5500.00
TOTAL This Period.....>			

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**SCHEDULE A
Contributions from Individuals/Persons**

PAGE 18 OF 19
FOR LINE NUMBER 1110(1)

NAME OF CONTRIBUTOR: **McDonald for Senate Committee 020304327**

Any information copied from such Reports as it is obtained may not be sold or used by any person for the purpose of obtaining contributions or for campaign purposes, other than using the name and address of any political committee to collect contributions from such person.

Full Name Mailing Address	Name of Employer Occupation	Date MM/DD/YY	Amount
Elizabeth Simpson 35 Country Club Blvd. Birmingham, AL 35215- Receipt for [X]RunOff	Homemaker	06/10/96	\$950.00
Aggregate YTD >			\$1950.00
Henry Simpson 1700 First Alabama Bank Birmingham, AL 35203- Receipt for [X]RunOff	Self-Employed Attorney	06/10/96	\$969.00
Aggregate YTD >			\$1969.00
James Simpson 1700 1st Alabama Bank Bldg Birmingham, AL 35203- Receipt for [X]RunOff	Self-Employed Attorney	06/10/96	\$200.00
Aggregate YTD >			\$200.00
Wes Simpson, Jr Rt. 8, Box 133 Fort Payne, AL 35967- Receipt for [X]RunOff	Game Time, Inc. President	06/21/96	\$1000.00
Aggregate YTD >			\$2000.00
Donald Slappay P.O. Box 646 Boaz, AL 35957- Receipt for [X]RunOff	Self-Employed Physician	06/10/96	\$150.00
Aggregate YTD >			\$400.00
Donald Slappay P.O. Box 646 Boaz, AL 35957- Receipt for [X]RunOff	Self-Employed Physician	06/17/96	\$100.00
Aggregate YTD >			\$500.00
Diana Slaughter 3942 Cherokee Road Birmingham, AL 35223- Receipt for [X]RunOff	Handwritten: Slaughter-Hansen Sales	06/12/96	\$1000.00
Aggregate YTD >			\$1000.00
William Slaughter 800 Ansouth - Senat Tower Birmingham, AL 35203- Receipt for [X]RunOff	Handwritten: Slaughter-Hansen Sales Agency	06/12/96	\$1000.00
Aggregate YTD >			\$1000.00
Eugene Smith 2132 Hickory Ridge Circle Birmingham, AL 35243- Receipt for [X]RunOff	Retired	06/19/96	\$1000.00
Aggregate YTD >			\$1000.00
SUBTOTAL of Receipts This Page			\$6390.00
TOTAL This Period			

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SCHEDULE A
ITEMIZED RECEIPTS
Contributions from Individuals/Persons

PAGE 19 OF 21
 FOR LINE NUMBER 11(411)

NAME OF COMMITTEE (in Full)
 McDonald for Senate Committee C08306337

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

Full Name Mailing Address	Name of Employer Occupation	Date MM/DD/YY	Amount
Eugene Smith 2122 Hickory Ridge Circle Birmingham, AL 35243- Receipt for [X]Primary	Retired	06/13/96	\$1000.00
Aggregate YTD >		\$2000.00	
Maury Smith 2426 Midfield Drive Montgomery, AL 36111- Receipt for [X]RunOff	Salon & Bingham Attorney	06/17/96	\$500.00
Aggregate YTD >		\$500.00	
Mitch Smith 905 5th Ave SW Cullman, AL 35055- Receipt for [X]RunOff	Mitch Smith Chevrolet Owner	06/17/96	\$500.00
Aggregate YTD >		\$500.00	
G.L. South Rt. 7, Box 72 Decatur, AL 35603- Receipt for [X]RunOff	Self-Employed Physician	06/17/96	\$500.00
Aggregate YTD >		\$500.00	
Joe Steele P.O. Box 14399 Huntsville, AL 35815- Receipt for [X]RunOff	Joe Steel Real Estate Real Estate Agent	06/14/96	\$500.00
Aggregate YTD >		\$500.00	
Willena Steele 110 Lily Flag Road Huntsville, AL 35802- Receipt for [X]RunOff	Self-Employed Real Estate Agent	06/14/96	\$500.00
Aggregate YTD >		\$500.00	
Todd Strange 2044 Vaughn Court Montgomery, AL 36106- Receipt for [X]RunOff	Self-Employed Sales	06/19/96	\$100.00
Aggregate YTD >		\$350.00	
M.W. Stuart, III 1708 Croom Drive Montgomery, AL 36106- Receipt for [X]RunOff	Retired	06/21/96	\$200.00
Aggregate YTD >		\$200.00	
Vincent Stuedeman P.O. Box 35903 Birmingham, AL 35249- Receipt for [X]RunOff	Self-Employed C.P.A.	06/11/96	\$1000.00
Aggregate YTD >		\$1000.00	
SUBTOTAL of Receipts This Page			\$4800.00
TOTAL This Period			

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SCHEDULE A **STANDARD RECEIPTS**
Contributions from Individuals/Persons

PAGE 17 OF 17
FOR LINE NUMBER 11(a)(1)

NAME OF COMMITTEE (in Full)

McDonald for Senate Committee C00100357

Any information copied 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.

Full Name Mailing Address	Name of Employer Occupation	Date MM/DD/YY	Amount
Charles E. Sturgeon 2420 Apollo Circle Birmingham, AL 35226- Receipt for [X]RunOff	Self-Employed Consultant	06/13/96	\$500.00
Aggregate YTD >			\$500.00
Lee Stylinger, Jr 3240 Briarcliff Rd Birmingham, AL 35223- Receipt for [X]RunOff	ALTECH Executive	06/14/96	\$1000.00
Aggregate YTD >			\$1000.00
Bud Sutter P.O. Box 3614 Montgomery, AL 36103- Receipt for [X]RunOff	Business Council of Alaba Executive	06/21/96	\$250.00
Aggregate YTD >			\$750.00
Harold Sylvest 3306 Thomas Ave Montgomery, AL 36111- Receipt for [X]RunOff	Sylvest Farms Inc President	06/21/96	\$250.00
Aggregate YTD >			\$500.00
J.J. Thonley P.O. Box 26265 Birmingham, AL 35260- Receipt for [X]RunOff	Retired	06/24/96	\$250.00
Aggregate YTD >			\$250.00
Stephen Thornton 4019 Lucerne Dr. SE Huntsville, AL 35803- Receipt for [X]RunOff	C Cyber Corp. President	06/19/96	\$1000.00
Aggregate YTD >			\$1000.00
Jimmy Thorton 102 Scenic Drive Huntsville, AL 35801- Receipt for [X]RunOff	Self-Employed Sales	06/24/96	\$100.00
Aggregate YTD >			\$200.00
C.C. Torbert, Jr 611 Terracewood Opelika, AL 36801- Receipt for [X]RunOff	Maynard, Cooper, & Assoc. Attorney	06/10/96	\$1000.00
Aggregate YTD >			\$1000.00
Ester Turner 695 Co. Rd 1413 Cullman, AL 35058- Receipt for [X]RunOff	Self-Employed Pharmacist	06/17/96	\$100.00
Aggregate YTD >			\$200.00
SUBTOTAL of Receipts This Page.....>			\$4450.00
TOTAL This Period.....>			

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SCHEDULE A
Contributions from Individuals/Persons

PAGE 19 OF 19
FCA LINE NUMBER 11A11

NAME OF COMMITTEE (in full)
McDonald for Senate Committee C00304337

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

Full Name Mailing Address	Name of Employer Occupation	Date MM/DD/YY	Amount
John Anton Wilke 328 Rocky Ridge Road Union Grove, AL 35175- Receipt for [X]RunOff	Chrysler Engineer	06/10/96	\$100.00
Aggregate YTD >			\$350.00
Mark Wilkerson P.O. Box 830 Montgomery, AL 36101- Receipt for [X]RunOff	Retired	06/11/96	\$500.00
Aggregate YTD >			\$500.00
James Williams 440 Parches Cove Rd Union Grove, AL 35175- Receipt for [X]RunOff	Ferguson - Williams President	06/17/96	\$1000.00
Aggregate YTD >			\$1000.00
Jonathan Williams 60 Mobb Mill Road Union Grove, AL 35175- Receipt for [X]RunOff	Self-Employed Poultry Producer	06/17/96	\$1000.00
Aggregate YTD >			\$1000.00
Marguerite Williams 440 Parches Cove Road Union Grove, AL 35175- Receipt for [X]RunOff	Homemaker	06/17/96	\$1000.00
Aggregate YTD >			\$1000.00
Winter Wilson 106 Ridgewood Cir Union Grove, AL 35175- Receipt for [X]RunOff	Self-Employed Physician	06/10/96	\$1000.00
Aggregate YTD >			\$1000.00
Carolyn Wright 10101 Conrad Drive Huntsville, AL 35803- Receipt for [X]RunOff	Cherokee Ridge Country Cl Coordinator	06/10/96	\$75.00
Aggregate YTD >			\$275.00
SUBTOTAL of Receipts This Page.....>			\$4675.00
TOTAL This Period.....>			\$92150.00

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SCHEDULE A
Contributions from other Political Committees

PAGE 1 OF 1
 FOR LINE NUMBER 11(c)

NAME OF COMMITTEE (in Full)
 McDonald for Senate Committee C00304337

Any information copied from such Reports and 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.

Full Name Mailing Address	Name of Employer Occupation	Date MM/DD/YY	Amount
AmSouth - PAC P.O. Box 11007 Birmingham, AL 35288 Receipt for [X]RunOff		06/19/96	\$2500.00
Aggregate YTD >			\$2500.00
BellSouth - PAC 600 North 19th Street 12th floor Birmingham, AL 35203- Receipt for [X]RunOff		06/24/96	\$2500.00
Aggregate YTD >			\$3000.00
OPAC (A Multicandidate Committee) P.O. Box 10246 Birmingham, AL 35202-0246 Receipt for [X]RunOff		06/20/96	\$500.00
Aggregate YTD >			\$500.00
Food Marketing Institute - PAC 800 Connecticut Ave, Suite 300 Washington, DC 20006-2701 Receipt for [X]RunOff		06/24/96	\$1000.00
Aggregate YTD >			\$1000.00
H.C.F. & G. Federal PAC 1901 6th Ave W 2400 AmSouth/Harbert Plaza Birmingham, AL 35203- Receipt for [X]RunOff		06/19/96	\$1000.00
Aggregate YTD >			1,000.00 50.00
Preservation Partners - PAC 300 Water Street Montgomery, AL 36104- Receipt for [X]RunOff		06/24/96	\$1000.00
Aggregate YTD >			\$2000.00
SCI Systems, Inc - PAC 2101 Clinton Ave W Huntsville, AL 35895-3007 Receipt for [X]RunOff		06/24/96	\$5000.00
Aggregate YTD >			\$5000.00
SUBTOTAL of Receipts This Page.....>			\$13500.00
TOTAL This Period.....>			\$13500.00

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

Philip C. Benefield, Treasurer
McDonald for Senate Committee
215 Timberlake Drive
Union Grove, AL 35175

JL 9 1996

Identification Number: C00304337

Reference: 12 Day Pre-Runoff Report (5/16/96-6/5/96)

Dear Mr. Benefield:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-When a committee reports receiving a loan from the candidate, it is necessary to clarify whether or not the candidate used personal funds or borrowed the money from a lending institution or some other source. If the candidate borrowed funds from a lending institution, or other source, please provide the name of the lending institution and the complete terms of the loan. Additionally, for loans from a lending institution, you must file an FEC FORM C-1 (copy attached) and a copy of the loan agreement. If the loan(s) was from personal funds, please acknowledge that fact in an amendment to this report. It is important to note that "personal funds" is strictly defined by Commission Regulations. See 11 CFR §110.10. (11 CFR §§100.7(a)(1) and 104.3(d))

-When several loans are owed to the same person or bank, you must report each loan separately, including the original date, the amount, the outstanding balance and all other terms. These loans should not be combined into a single figure. Please amend your report to correct this problem.

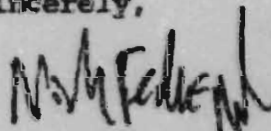
H.
-Schedule A of your report indicates that your committee may have failed to file one or more of the required 48 hour notices regarding "last minute" contributions received by your committee after the close of books for the 12 Day Pre-Primary Report. A principal campaign committee must notify the Commission,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

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

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Secretary of the Senate, 232 Hart Senate Office Building, Washington, DC 20510 within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 219-3580.

Sincerely,



Nick Federspiel
Reports Analyst
Reports Analysis Division

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Jul 29 9

Linda F. Watson, CPA

MEMBERS:

- American Institute of Certified Public Accountants
- Alabama Society of Certified Public Accountants

July 24, 1996

Mr. Nick Federspiel
Reports Analyst
Secretary of the Senate
Office of Public Records
232 Hart Senate Office Building
Washington, DC 20510-7116

In reference to: McDonald for Senate Committee
FED ID No: C00304337
Amended Reports Per July 9, 1996, correspondence

Dear Mr. Federspiel:

Enclosed herewith is a copy of an amended FEC Reports as of May 15, 1996, June 5, 1996, and June 30, 1996. This letter is to explain why it is necessary to amend the reports. By copy of this letter, I am submitting same to the Secretary of State of Alabama.

Your letters indicate that I failed to separately report each loan on Schedule C made by the candidate even though they are itemized on Schedule A, Line 13(a). Specifically, each of the above mentioned amended reports merely add a Schedule C for each advance. Each Schedule C indicates that the individual loan was made from the personal funds of the candidate. None of the loans required any guarantees or were generated by any institution. A copy of each note is attached to the individual Schedule C. Although your correspondence of July 9, 1996, addressed the first two periods, it is obvious that the June 30 report also failed to individually list each loan on a separate Schedule C.

Your letter discussing the June 5, 1996, report indicates that our committee may have failed to file one or more of the required 48 hour notices. First, our accounting assistant thought that she did comply. However, she was out of the office just prior to the June 25, run-off election. All I can say is that we thought we had. The only reason I can give is our bookkeeping lacked sufficient depth. As a result, certain items may not have been properly attended if one of us was not available.

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SECRETARY OF THE SENATE
PUBLIC RECORDS
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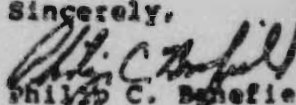
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Mr. Nick Federspiel
July 24, 1996
Page two

The enclosed amended report only includes those schedules which have changed. All other schedules have been omitted as they do not change in any manner.

If you have any questions about this letter or amended reports, please contact me.

Sincerely,


Philip C. Benefield
Treasurer

McDonald for Senate Committee

cc: Mr. Sid McDonald
Secretary of State of Alabama

Enclosures

PCB/lr

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-3

AUG 30 1996

Philip C. Benefield, Treasurer
McDonald for Senate Committee
215 Timberlake Drive
Union Grove, AL 35175

Identification Number: C00304337

Reference: July Quarterly Report (6/6/96-6/30/96)

Dear Mr. Benefield:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

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S.
H.

-Schedule A of your report indicates that your committee may have failed to file one or more of the required 48 hour notices regarding "last minute" contributions received by your committee after the close of books for the 12 Day Pre-Runoff report. A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. Although the Commission may take legal action, any response you wish to provide concerning this matter will be considered. (11 CFR §104.5(f))

-Your calculations for Schedule C are incorrect (Original Amount of Loan - Cumulative Payment to Date = Balance Outstanding). Additionally, each outstanding loan should be itemized separately until repaid. Please amend your report to correct these discrepancies.

Any amendment or clarification should be filed with the Secretary of the Senate, 232 Hart Senate Office Building, Washington, DC 20510. If you need assistance, please feel free to

contact me on our toll-free number (800) 424-9530. My local number is (202) 219-3580.

Sincerely,

Lily Marco

Lily Marco
Reports Analyst
Reports Analysis Division

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

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

DEC 5 11 17 AM '96

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

RAD REFERRAL: 96L-10

DATE ACTIVATED: 10/28/96

STAFF MEMBERS: Mark Allen
Eric Brown

SOURCE: INTERNALLY GENERATED
RESPONDENTS: McDonald for Senate Committee and
Philip C. Benefield, as treasurer
RELEVANT STATUTES: 2 U.S.C. § 434(a)(6)(A)
2 U.S.C. § 431(8)(A)

I. GENERATION OF MATTER

The Office of the General Counsel received a referral from the Reports Analysis Division ("RAD") on September 26, 1996. The basis for the referral is the failure of the McDonald for Senate Committee and Philip C. Benefield, as treasurer, ("Committee" or "Respondents") to file fifty-three (53) forty-eight hour notifications ("48 Hour Notices") for contributions received before the Primary and Primary Runoff elections totaling \$519,500: Before the Primary election, three (3) candidate loans totaling \$92,000; before the Primary Runoff election, four (4) candidate loans totaling \$380,000 and forty-six (46) contributions from individuals and political committees totaling \$47,500. As a candidate for the U. S. Senate from Alabama, Sid McDonald received 21.1% of the vote in the 1996 Primary election and lost the 1996 Primary Runoff election with 41% of the vote.¹

II. FACTUAL AND LEGAL ANALYSIS

Based on the Factual and Legal Analysis, see Attachment 1, this Office recommends the Commission find reason to believe the Respondents violated 2 U.S.C. § 434(a)(6)(A).

¹ As no candidate in the Primary Election received a majority of the votes cast, a Primary Runoff was required. Ala. Code § 17-16-36 (1996).

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III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

IV. RECOMMENDATIONS

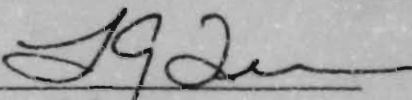
1. Open a MUR.
2. Find reason to believe that the McDonald for Senate Committee and Philip C. Benefield, as treasurer, violated 2 U.S.C. § 434(a)(6)(A), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the attached Factual and Legal Analysis, proposed conciliation agreement, and the appropriate letter.

Lawrence M. Noble
General Counsel

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Date

12/4/96

BY:


Lois G. Lerner
Associate General Counsel

Attachments:

1. Factual and Legal Analysis
2. Proposed Conciliation Agreement




FEDERAL ELECTION COMMISSION

Washington, DC 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/BONNIE ROSS 
COMMISSION SECRETARY

DATE: DECEMBER 10, 1996

SUBJECT: Rad Referral #96L-10 - First General Counsel's Rpt dtd 12/4/96.

The above-captioned document was circulated to the Commission
on Thursday, December 05, 1996.

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

Commissioner Aikens	—
Commissioner Elliott	—
Commissioner McDonald	<u>XXX</u>
Commissioner McGarry	—
Commissioner Thomas	—

This matter will be placed on the meeting agenda for

Tuesday, January 07, 1997.

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

970438053

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
McDonald for Senate Committee)
and Philip C. Benefield, as)
treasurer)

RAD Referral 96L-10 MUR 4609

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on January 7, 1997, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions with respect to RAD Referral 96L-10:

1. Open a MUR.
2. Find reason to believe that the McDonald for Senate Committee and Philip C. Benefield, as treasurer, violated 2 U.S.C. § 434(a)(5)(A), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the Factual and Legal Analysis, proposed conciliation agreement, and the appropriate letter as recommended in the General Counsel's December 4, 1996 report.

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

Attest:

1-8-97
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 13, 1997

Philip C. Benefield, Treasurer
McDonald for Senate Committee
215 Timberlake Drive
Union Grove, AL 35175

RE: MUR 4609
McDonald for Senate Committee and
Philip C. Benefield, as treasurer

Dear Mr. Benefield:

On January 7, 1996, the Federal Election Commission found that there is reason to believe that the McDonald for Senate Committee ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(6)(A), 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.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

In order to expedite the resolution of this matter, the Commission has also decided to offer to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. Enclosed is a conciliation agreement that the Commission has approved.

If you are interested in expediting the resolution of this matter by pursuing preprobable cause conciliation and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

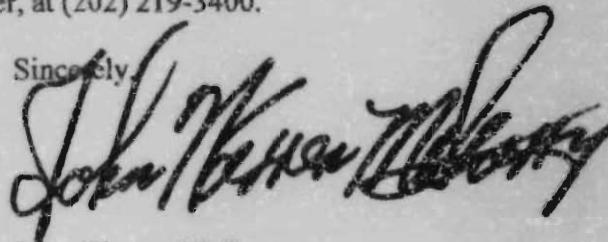
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Brown, the staff member assigned to this matter, at (202) 219-3400.

Sincerely,



John Warren McGarry
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation Counsel Form
Conciliation Agreement

cc: Sidney L. McDonald

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FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

MUR 4609

RESPONDENTS: McDonald for Senate Committee and
Philip C. Benefield, as treasurer

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

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

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

The Primary Election in the state of Alabama was held on June 4, 1996. Pursuant to the Act, the Respondents were required to notify the Commission, in writing, of all contributions of \$1,000 or

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more received from May 16, 1996 to June 1, 1996, within 48 hours of their receipt. A review of the Committee's 1996 12 Day Pre-Runoff Report identified three (3) contributions received between May 16, 1996 and June 1, 1996, of \$1,000 or more (in the form of loan guarantees) totaling \$92,000. The contributions were reported on Schedules A and C, with the candidate, Sid McDonald, listed as the sole guarantor of \$92,000 in loans to the Committee. The Committee did not submit 48 Hour Notices for these contributions.

The Primary Runoff Election in the state of Alabama was held on June 25, 1996. Pursuant to the Act, the Respondents were required to notify the Commission, in writing, of all contributions of \$1,000 or more received from June 6, 1996 to June 22, 1996, within 48 hours of their receipt. A review of the Committee's 1996 July Quarterly Report identified fifty (50) contributions received between June 6, 1996 and June 22, 1996, of \$1,000 or more totaling \$427,500. This amount is comprised of four (4) loan guarantees totaling \$380,000, forty-four (44) individual contributions totaling \$44,000, and two (2) political committee contributions totaling \$3,500. The loan guarantees were reported on Schedules A and C of the 1996 July Quarterly Report, with the candidate, Sid McDonald, listed as the sole guarantor of \$380,000 in loans to the Committee. The Committee did not submit 48 Hour Notices for any of these contributions.

Therefore, there is reason to believe that the McDonald for Senate Committee and Philip C. Benefield violated 2 U.S.C. § 434(a)(6)(A) by failing to report campaign contributions of \$1,000 or more, received after the 20th day, but more than 48 hours before the primary and primary runoff elections, within 48 hours of receipt of the contributions.

BENEFIELD & HAMNER

CERTIFIED PUBLIC ACCOUNTANT
2100 Data Park, Suite 205
Birmingham, Alabama 35244
(205) 987-0187

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

MEMBERS

American Institute of
Certified Public Accountants
Alabama Society of
Certified Public Accountants

Philip C. Benefield, CPA
Michael A. Hamner, CPA

Lillie P. Walton, CPA

JAN 30 2 40 PM '97

January 27, 1997

Mr. Eric Brown
Federal Election Commission
999 E Street NW
Washington, DC 20463

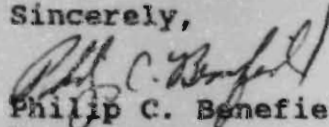
In reference to: McDonald for Senate Committee and Philip C.
Benefield, as treasurer
MUR 4609

Dear Mr. Brown:

This letter is pursuant to our telephone conversation this morning in which our committee hereby requests an extension of time for responding to the Conciliation Agreement in your letter of January 13, 1997. As we discussed, Mr. McDonald is presently traveling abroad and will not return until February 24, 1997. I respectfully request that time for responding be granted our committee until the close of business of February 26, 1997.

We appreciate the courtesies which you have extended to us so far. I am personally anxious to conclude this matter with you in any way which will maintain a degree of confidentiality.

Sincerely,


Philip C. Benefield
Treasurer
McDonald for Senate Committee

cc: Ms. Margaret Rutledge, Executive Assistant to Mr. McDonald

PCB/lis

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 30, 1997

Philip C. Benefield, Treasurer
McDonald for Senate Committee
2100 Data Park, Suite 205
Birmingham, AL 35244

RE MUR 4609
McDonald for Senate Committee and
Philip C. Benefield, as treasurer

Dear Mr. Benefield:

This is in response to your letter by facsimile dated January 27, 1997 requesting an extension until February 26, 1997 to respond to the notification in the above-captioned matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on February 26, 1997.

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

Sincerely,

Eric S. Brown
Paralegal Specialist

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BENEFIELD & HAMNER

CERTIFIED PUBLIC ACCOUNTANT
2100 Data Park, Suite 205
Birmingham, Alabama 35244
(205) 987-0187

Philip C. Benefield, CPA
Michael A. Hamner, CPA

Lillie P. Walton, CPA

MEMBERS:

- American Institute of
Certified Public Accountants
- Alabama Society of
Certified Public Accountants

February 17, 1997

Mr. Eric Brown
Federal Election Commission
999 E Street NW
Washington, DC 20463

In reference to: McDonald for Senate Committee and Philip C.
Benefield as treasurer
MUR 4609

Dear Mr. Brown:

Although Mr. McDonald remains abroad, last week he and I were in communication concerning the Conciliation Agreement proposed in the Federal Election Commission correspondence dated January 13, 1997. It is the desire of both of us to settle this matter using the conciliation process.

The extenuating circumstances which I, as treasurer, am bringing to your attention are as follows:

1. I was unaware that the Candidate's personal funds were a reportable contribution under the forty eight hour reporting requirement. Although the amounts were reported as loans, such amounts were clearly reported as being from the candidate's personal funds on the various Schedules C to the FEC reports which were timely filed.

2. I was under the false impression that the forty eight hour reports were being timely filed by the campaign's accounting person. However, the person who was charged with handling the accounting responsibilities was a part time individual who had another full time job. She now acknowledges that she only filed one such report on May 31, 1996. Neither she nor I were aware of the significant penalties associated with failure to

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Mr. Eric Brown
Federal Election Commission
February 17, 1997
Page two

comply with the forty eight hour reporting requirements. Otherwise, I am sure that our priorities would been different. Other than the two of us, no other person or business was involved in campaign accounting or FEC compliance matters. Therefore, the campaign had a lack of depth in accounting personnel.

3. I was a volunteer myself. I am certified public accountant with a two person public accounting firm. My office, which is in Birmingham, is about 80 miles from the campaign's former accounting office in Arab. I received no compensation for my services as treasurer. Please note on the campaign's final FEC report that an in kind contribution of \$1,000 was reflected as the value of my services.

4. When the part time accountant and I received training on the data processing system which the campaign used, we were instructed to use the date of the contributor's check as the contribution date for FEC filing purposes. Attached to this letter is a schedule which reflects the contributions of \$1,000 or more received from June 4, the date following the primary election and the pre-runoff report date, through June 30, 1996. The "check date" is the one which was used on the FEC reports. Please note that I have marked seventeen (17) items on the schedule which appear to be apparent violations from the face of our FEC reports. However, those checks were in fact received following the election. Thus, they were received after the required forty eight hour reporting requirement period had lapsed. In other words, the Commission in its letter of January 13, 1996, believes from our committee's own filings that there are 17 more violations than actually occurred. The "deposit" date indicated on the enclosed schedule is the date when the checks were actually received by the part time accountant and deposited into the bank. No checks were deposited into the bank until they were first entered into the "computer" system. The part time accountant indicates the delay between the check date and the date deposited lies with the mail or other logistical problems. In addition, I understand that the checks marked June 24, the date of the run-off, actually were not processed until June 25. Thus, the number of non-reported transactions are actually 17 less than what appear to be violations from what is reflected on the FEC reports.

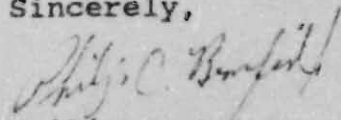
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Mr. Eric Brown
Federal Election Commission
February 17, 1997
Page three

I regret that this has become an issue with the Federal Election Commission. It was never either Mr. McDonald or my intention to fail to disclose any required transaction in the campaign to the Commission or the citizens of Alabama. Although the failures to file were not intentional, it is apparent that we did not follow the rules outlined by the Commission's letter of January 13, 1997.

Again, Mr. McDonald and I appreciate the courtesies which you and the Commission have extended to us in this matter. Mr. McDonald and I are anxious to resolve this matter with you and the Commission. I look forward to hearing your reply.

Sincerely,



Philip C. Benefield
Treasurer
McDonald for Senate Committee

cc: Mr. Sidney L. McDonald

Express Mail No.: EH 910114157 US

97043805063

Contributions Received (\$1000 and over) - 6/4/96 - 6/30/96

AMOUNT	NAME	CHECK DATE	DEPOSIT DATE	REPORT
1,000	William Samford, Jr	4-Jun	16-Jun	30-Jun
1,000	Bill Harbert	6-Jun	10-Jun	30-Jun
1,000	John Gant	7-Jun	10-Jun	30-Jun
1,000	CC Tolbert	7-Jun	10-Jun	30-Jun
1,000	Vincent Stuedeman	7-Jun	14-Jun	30-Jun
1,000	Foster McDonald	7-Jun	10-Jun	30-Jun
1,000	Virginia McDonald	7-Jun	10-Jun	30-Jun
1,000	Wes McDonald	7-Jun	10-Jun	30-Jun
1,000	Diana Slaughter	8-Jun	12-Jun	30-Jun
1,000	Kelly Hawk	8-Jun	10-Jun	30-Jun
1,000	Winter Wilson	9-Jun	10-Jun	30-Jun
1,000	Robert Hembree	9-Jun	10-Jun	30-Jun
1,000	Scotty Hawk	9-Jun	10-Jun	30-Jun
1,000	Michael Bryan	9-Jun	10-Jun	30-Jun
50,000	Sid McDonald	10-Jun	10-Jun	30-Jun
1,000	William Slaughter	10-Jun	12-Jun	30-Jun
1,000	Steve Martin	10-Jun	12-Jun	30-Jun
1,000	R.B. Geddie, Jr	10-Jun	12-Jun	30-Jun
1,000	Lee Styslinger	11-Jun	16-Jun	30-Jun
1,000	Claude Dorning	11-Jun	13-Jun	30-Jun
1,000	Joseph Fine	11-Jun	13-Jun	30-Jun
2,500	AmSouth PAC	11-Jun	18-Jun	30-Jun
1,000	Walter Matthews	22-May	12-Jun	30-Jun
1,000	MCF&G PAC	12-Jun	18-Jun	30-Jun
1,000	R.C. Corr, Jr	13-Jun	17-Jun	30-Jun
150,000	Sid McDonald	13-Jun	13-Jun	30-Jun
1,000	Schuyler Gant	13-Jun	✓24-Jun	30-Jun
1,000	Stephen Thornton	13-Jun	18-Jun	30-Jun
1,000	Jody Chorba	13-Jun	18-Jun	30-Jun
1,000	Ross Siragusa, Jr	14-Jun	✓24-Jun	30-Jun
1,000	Jean Wessel	14-Jun	20-Jun	30-Jun
1,000	Martha Ferguson	14-Jun	17-Jun	30-Jun
1,000	Randell Ferguson	14-Jun	17-Jun	30-Jun
1,000	James C. Williams	14-Jun	17-Jun	30-Jun
1,000	Marguerite Williams	14-Jun	17-Jun	30-Jun
1,000	Michael Ferguson	15-Jun	17-Jun	30-Jun
1,000	Jonathan Williams	15-Jun	17-Jun	30-Jun
1,000	Jim Bobo	15-Jun	17-Jun	30-Jun
1,000	Robert Harris	15-Jun	✓24-Jun	30-Jun
1,000	William Rushton	15-Jun	18-Jun	30-Jun
1,000	Matthew McDonald	17-Jun	20-Jun	30-Jun
1,000	Preservation Partners PAC	17-Jun	✓24-Jun	30-Jun
1,000	Eugene Smith	17-Jun	18-Jun	30-Jun
1,000	Alston Ray	17-Jun	18-Jun	30-Jun
1,000	Ross Cohen	17-Jun	18-Jun	30-Jun
1,000	Wyatt Haskell	17-Jun	18-Jun	30-Jun
1,000	Frank Haws	17-Jun	✓24-Jun	30-Jun

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Contributions Received (\$1000 and over) - 6/4/96 - 6/30/96

1,000	James Lowder	18-Jun	✓ 24-Jun	30-Jun
150,000	Sid McDonald	18-Jun	18-Jun	30-Jun
1,000	Jim Burke	18-Jun	18-Jun	30-Jun
1,000	Wayne Gillis	19-Jun	20-Jun	30-Jun
1,000	Cam Lanier	19-Jun	✓ 9-Jul	30-Jun
30,000	Sid McDonald	20-Jun	20-Jun	30-Jun
1,000	David Wheeler	20-Jun	✓ 24-Jun	30-Jun
1,000	William Hutchins	20-Jun	✓ 24-Jun	30-Jun
1,000	Carl Gessler	20-Jun	✓ 2-Jul	30-Jun
1,000	Jane Lanier	20-Jun	✓ 9-Jul	30-Jun
2,500	Bell South - PAC	20-Jun	✓ 24-Jun	30-Jun
1,000	Food Marketing - PAC	20-Jun	20-Jun	30-Jun
1,000	Bryan Corr	20-Jun	✓ 24-Jun	30-Jun
1,000	Harry Brock, III	20-Jun	✓ 2-Jul	30-Jun
1,000	D.W. Ellard	24-Jun	✓ 2-Jul	30-Jun
1,000	Shelbie King	24-Jun	✓ 2-Jul	30-Jun
5,000	SCI - PAC	24-Jun	✓ 2-Jul	30-Jun

17 ✓ - ITEMS RECEIVED AFTER 48 HR REPORTING REQUIREMENT.

97043805065

BENEFIELD & HAMNER

CERTIFIED PUBLIC ACCOUNTANTS
2100 Data Park, Suite 205
Birmingham, Alabama 35244
(205) 987-0187

FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Philip C. Benefield, CPA
Michael A. Hamner, CPA

MAR 13 1 04 PM '97

MEMBERS:

- American Institute of Certified Public Accountants
- Alabama Society of Certified Public Accountants

Lillie P. Shultz, CPA

March 12, 1997

Mr. Eric Brown
Federal Election Commission
999 E Street NW
Washington, DC 20463

In reference to: McDonald for Senate Committee and Philip C.
Benefield as treasurer
MUR 4609

Dear Mr. Brown:

This letter is to follow up on the telephone conversation we had several weeks ago concerning the Conciliation Agreement proposed in the Federal Election Commission correspondence dated January 13, 1997. Again, it is the desire of both Mr. McDonald and me to settle this matter using the conciliation process.

You specifically asked that I provide you with additional historic information concerning the candidate. The 1996 Republican primary for the U. S. Senate from Alabama election in which Mr. McDonald was a candidate was his first as a candidate for federal office. Prior to the 1996 Republican primary for the U. S. Senate election, Mr. McDonald's most recent candidacy was for Governor of Alabama in 1978. In 1978 the campaign reporting requirements in Alabama were basically voluntary. There were reporting requirements, but the law requiring same had no penalties for non-compliance. To the best of my knowledge, the matter which we are discussing was Mr. McDonald's only failure to comply with the Federal campaign reporting requirements.

When Mr. McDonald signed the FEC Form 2, he indicated that his home address was the official address of the campaign committee. The committee's address on the FEC Form 1 again indicated that Mr. McDonald's home was the committee's address of record. However, the form clearly indicated that my office address was the address for the committee's treasurer. When the FEC provided the committee with its literature and reminder notices, the correspondence went to Mr. McDonald's home, not my office. I mistakenly believed that by having my address on the FEC Form 1, such notices would have been sent to me. However, I did not suggest to Mr. McDonald that he use my address as the formal address of the committee with the FEC. I felt that this suggestion would have been presumptuous on my part. Had I to do it over again, this would have been one

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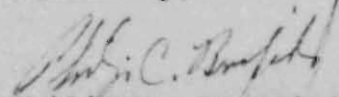
Mr. Eric Brown
Federal Election Commission
March 12, 1997
Page two

change I would make. If the notices about the penalties associated with the failure to comply with the 48 hour rule had come to my office, I believe that I would have been sufficiently motivated to have insured compliance with those rules. In my opinion, because of the lack of depth with the campaign's accounting staff and that the notices were going to Mr. McDonald's home, the sense of urgency to specifically comply in this area was not present.

Another extenuating circumstance in realizing that additional compliance with the 48 hour rule was required was the overlapping reporting periods involving the runoff election. In essence, the 48 hour period ended and then immediately resumed. Again, I believe that these same problems (i. e. limited size of accounting personnel and having Mr. McDonald's home address being where communication with the FEC was sent) contributed to the miscommunication of the necessity to file the required 48 hour reports.

Again, Mr. McDonald and I appreciate the courtesies which you and the Commission have extended to us so far in this matter. We are anxious to resolve this matter with you and the Commission.

Sincerely,



Philip C. Benefield
Treasurer
McDonald for Senate Committee

cc: Mr. Sidney L. McDonald

Express Mail No.: IEI 038196749 US

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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

March 12, 1997

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FEDERAL ELECTION
COMMISSION MAIL ROOM

MAR 17 2 06 PM '97

MAR 14 11 14 AM '97

Mr. Eric Brown
Federal Election Commission
999E Street NE
Washington D.C. 20463

Re: McDonald For Senate Committee
Philip C. Benefield, Treasurer

MUR - 4609

Dear Sirs:

This letter is in pursuant Philip C. Benefield, Treasurer, McDonald for Senate Committee. My name is Margaret E. Rutledge, from August 1995 through June 1996, I assisted with the accounting for the McDonald for Senate Committee. I voluntarily make the following statements concerning the accounting procedures for the McDonald for Senate Committee and the questions that FEC have raised.

The Campaign Accounting constituted a very small part of my day to day activities. The campaign used a Post Office Box in Birmingham for the majority of incoming mail. The mail was picked up by campaign volunteers in Birmingham, forwarded to the "Campaign Fund Raiser" then to me. This process could take up to a couple of weeks. All contributions were directed to me for input into the "Campaign Computer Program" and for making deposits in the Campaign Account at SouthTrust Bank in Arab.

The process for me receiving the contributions were from many different areas which include:

- 1) Fundraisers - The Fundraisers were organized and conducted by Campaign Volunteers rather a staff members. The checks were received by the Birmingham office (Campaign Headquarters or the Fundraiser's Office) through the mail or collection at each events. The checks would be held until all money was collected from the different events then it would be forwarded to me. Then I sorted, copied, entered, and deposited those checks accordingly.
- 2) Mail - The majority of the campaign mail was received through the Post Office Box in Birmingham. The local fund raisers were mailed to Mr. McDonald's personal Post Office Box or the local chairperson address. Then, the contributions were routed through the local chairperson and then to me to be sorted copied, entered, and deposited accordingly.
- 3) County Chairpersons/Friends - The contributions were either mailed to Mr. McDonald's personal Post Office Box or delivered by volunteers in the area. All of these contributions would eventually be given to me to be sorted, copied, entered, and deposited accordingly.

In response to the question of "reporting within 48 hours of the election." I only worked on the campaign on a part-time basis, Monday - Friday hours only. I was not responsible for collecting the contributions, only the accounting of those contributions.

I hereby affirm that the above statements are true and accurate.

Sincerely,

Margaret E. Rutledge

Margaret E. Rutledge

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RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION

APR 1 10 23 AM '97

In the Matter of

)

McDonald for Senate Committee and
Philip C. Benefield, as treasurer

)

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)

MUR 4609

SENSITIVE

GENERAL COUNSEL'S REPORT

I. Background

The McDonald for Senate Committee and Philip C. Benefield, as treasurer, ("the Committee") failed to file three (3) 48 Hour Notices for contributions totaling \$92,000 received before the 1996 primary election and fifty (50) 48 Hour Notices for contributions totaling \$427,500 received before the 1996 primary runoff election. On January 7, 1997, the Commission voted to find reason to believe that the McDonald for Senate Committee and Philip C. Benefield, as treasurer, violated 2 U.S.C. § 434(a)(6)(A) and approved a conciliation agreement

This Office

recommends that the Commission approve this agreement and close the file in this matter.

II. Analysis

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III. Recommendations

1. Accept the conciliation agreement with the McDonald for Senate Committee and Philip C. Benefield, as treasurer.

2. Close the file.
3. Approve the appropriate letter.

Lawrence M. Noble
General Counsel

3/31/97
Date


BY: Lois G. Lerner
Associate General Counsel

Attachment

1. Conciliation Agreement

Staff assigned:

Eric Brown
Mark Allen

97043805071

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
McDonald for Senate Committee and) MUR 4609
Philip C. Benefield, as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 3, 1997, the Commission decided by a vote of 5-0 to take the following actions in MUR 4609:

1. Accept the conciliation agreement with the McDonald for Senate Committee and Philip C. Benefield, as treasurer, as recommended in the General Counsel's Report dated March 31, 1997.
2. Close the file.
3. Approve the appropriate letter, as recommended in the General Counsel's Report dated March 31, 1997.

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

Attest:

4-4-97
Date

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

Received in the Secretariat: Tues., Apr. 01, 1997 10:23 a.m.
Circulated to the Commission: Tues., Apr. 01, 1997 4:00 p.m.
Deadline for vote: Fri., Apr. 04, 1997 4:00 p.m.

bjr

97043805072



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 14, 1997

Philip C. Benefield, Treasurer
McDonald for Senate Committee
2100 Data Park, Suite 205
Birmingham, AL 35244

RE MUR 4609
McDonald for Senate Committee and
Philip C. Benefield, as treasurer

Dear Benefield:

On April 3, 1997, the Federal Election Commission accepted the signed conciliation agreement submitted on your behalf in settlement of a violation of 2 U.S.C. § 434(a)(6)(A), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

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

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

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date.

Sincerely,

Eric S. Brown
Paralegal Specialist

Enclosure
Conciliation Agreement

Celebrating the Commission's 20th Anniversary
YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

97043805073

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

McDonald for Senate Committee and
Philip C. Benefield, as treasurer

)
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MUR 4609

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COMMISSION
OFFICE OF GENERAL
COUNSEL

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the McDonald for Senate Committee and Philip C. Benefield, as treasurer, ("Respondents"), violated 2 U.S.C. § 434(a)(6)(A).

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

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

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

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

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

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1. The McDonald for Senate Committee is a political committee within the meaning of 2 U.S.C. § 431(4), and is the authorized principal campaign committee for Sid McDonald's 1996 U.S. Senate campaign in the State of Alabama.

2. Philip C. Benefield is the treasurer of the McDonald for Senate Committee.

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

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

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5. Among the contributions that the Respondents received between May 16, 1996 and June 1, 1996, were three (3) contributions of \$1,000 or more (in the form of loan guarantees) totaling \$92,000.

6. The contributions were reported on Schedules A and C of the 1996 12 Day Pre-Runoff Report, with the candidate, Sid McDonald, listed as the sole guarantor of \$92,000 in loans to the Committee.

7. The Respondents did not submit 48 Hour Notices for these contributions.

8. Among the contributions that the Respondents received between June 6, 1996 and June 22, 1996, were fifty (50) contributions of \$1,000 or more totaling \$427,500, four (4) of which were in the form of loan guarantees totaling \$380,000. The four (4) contributions received between June 6, 1996, and June 22, 1996, in the form of loan guarantees were reported on Schedules A and C of the 1996 July Quarterly Report, with the candidate, Sid McDonald, listed as the sole guarantor.

9. The Respondents did not submit 48 Hour Notices for any of the contributions referenced in Paragraph 8.

10. Respondents contend that the failure to file 48 Hour Notices for contributions referenced in Paragraphs 5 and 8 was not knowing and willful.

11. Sid McDonald's 1996 U.S. Senate campaign in the State of Alabama was his first Federal candidacy. Respondents contend that the fact that there were two consecutive 48 Hour Notice reporting periods, one for the Primary and one for the Primary Runoff, combined with Respondent's limited accounting personnel and internal administrative procedures, resulted in the failure to file the 48 Hour Notices at issue.

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

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

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Fifty Thousand Dollars (\$50,000), 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. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either

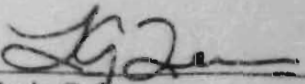
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written or oral, made by either party or by agents of either party, that is not contained in
this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

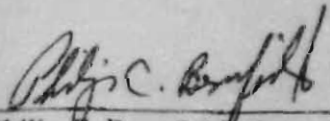
BY:


Lois G. Lerner
Associate General Counsel

Date

4/13/97

FOR THE RESPONDENTS:


Philip C. Benefield, Treasurer
McDonald for Senate Committee

Date

3/26/97

97043805078



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4609

DATE FILMED 5-16-97 CAMERA NO. 4

CAMERAMAN JMU

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Date: 5/19/97

✓ Microfilm

 Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED MUR 4609

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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COMMISSION MAIL ROOM

MAY 12 11 35 AM '97

April 14, 1997

Philip C. Benefield, Treasurer
McDonald for Senate Committee
2100 Data Park, Suite 205
Birmingham, AL 35244

CLOSED

RE MUR 4609
McDonald for Senate Committee and
Philip C. Benefield, as treasurer

RECEIVED
FEDERAL ELECTION
COMMISSION
ACCOUNTING OFFICE
MAY 12 3 20 PM '97

Dear Benefield:

On April 3, 1997, the Federal Election Commission accepted the signed conciliation agreement submitted on your behalf in settlement of a violation of 2 U.S.C. § 434(a)(6)(A), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

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

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

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date.

Sincerely,

Eric S. Brown
Paralegal Specialist

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
MAY 13 12 10 PM '97

Enclosure
Conciliation Agreement

Celebrating the Commission's 20th Anniversary
YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED



SID McDONALD
215 Timberlake Drive 205-498-5311
Union Grove, AL 35175

FIRST ALABAMA BANK
ARAB, ALABAMA
61-569-620

4778

5/8/1997

PAY TO THE
ORDER OF

Federal Election Commission

\$ **50,000.00

Fifty Thousand and 00/100*****

DOLLARS

MEMO

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Security features included. Details on back.

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