



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4623

DATE FILMED 6-19-57 CAMERA NO. 1

CAMERAMAN Jm W

97043821289

## REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: DEC 19 1996

ANALYST: Peter Kell Jr.

I. COMMITTEE: Robert Burch for Congress Committee  
(C00309245)  
Marilyn Pizzini, Treasurer  
123 West High Avenue  
New Philadelphia, OH 44663

II. RELEVANT STATUTE: 2 U.S.C. §434(a)(2)(A)(i)  
11 CFR §104.5(a)(1)(i)(A)

III. BACKGROUND:

Failure to File the 1996 Twelve Day Pre-General Report by Election Day

The Robert Burch for Congress Committee ("the Committee") failed to file by Election Day, November 5, 1996, the 1996 Twelve Day Pre-General Report of Receipts and Disbursements covering the period from October 1, 1996 to October 16, 1996. The Committee was notified on September 30, 1996 that the report was due on October 24, 1996 (Attachment 2). A Mailgram was sent on October 25, 1996, for failure to file the 1996 Twelve Day Pre-General Report (Attachment 3). The Mailgram informed the Committee that failure to file the report within four (4) business days might result in publication, audit or legal enforcement action. The name of the Committee was published for failure to file the Twelve Day Pre-General Report on November 1, 1996 (Attachment 4).

On December 2, 1996, the Reports Analysis Division ("RAD") Analyst called the Committee to inquire about the 1996 Twelve Day Pre-General Report. The analyst informed Marilyn Pizzini, Treasurer of the Committee, that the Committee has not filed the Twelve Day Pre-General Report. Ms. Pizzini stated she was unaware of the Committee's failure to file the Twelve Day Pre-General Report. She said she will inform the candidate (Robert Burch) of the Committee's non-filer status (Attachment 5).

The 1996 Twelve Day Pre-General Report was received by the Commission on December 10, 1996 (Attachment 6).

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FEDERAL ELECTION COMMISSION  
1995-1996  
CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

DATE 13DEC96

PAGE 2

CANDIDATE/COMMITTEE/DOCUMENT	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF	MICROFILM
	OFFICE SOUGHT/	PARTY	PRIMARY	GENERAL		PAGES	
							LOCATION TYPE OF FILER
BURCH, ROBERT L	HOUSE 18 DEMOCRATIC PARTY				ONTO	1996 ELECTION	ID# H60H18108
1. STATEMENT OF CANDIDATE							
1995 STATEMENT OF CANDIDATE					5DEC95	1	95HSE/585/0040
2. PRINCIPAL CAMPAIGN COMMITTEE							
ROBERT BURCH FOR CONGRESS COMMITTEE							ID# H000309245 HOUSE
1995 STATEMENT OF ORGANIZATION					5DEC95	1	95HSE/585/0038
YEAR-END			72,402	1,658	1JUL95 - 12JAN96	44	96HSE/588/1735
YEAR-END - AMENDMENT			72,402	1,658	1JUL95 - 12JAN96	6	96HSE/588/0461
YEAR-END - AMENDMENT			70,467	666	1JUL95 - 31DEC95	44	96HSE/597/3094
REQUEST FOR ADDITIONAL INFORMATION					1JUL95 - 12JAN96	3	96FEC/032/2680
REQUEST FOR ADDITIONAL INFORMATION 2ND					1JUL95 - 12JAN96	4	96FEC/036/0782
1996 48 HOUR CONTRIBUTION NOTICE					18MAR96	2	96HSE/596/2430
PRE-PRIMARY - AMENDMENT			31,830	4,333	1JAN96 - 28FEB96	25	96HSE/597/3069
PRE-PRIMARY - AMENDMENT			31,830	4,333	1JAN96 - 28FEB96	22	96HSE/605/0959
PRE-PRIMARY			-	-	13JAN96 - 1MAR96	22	96HSE/595/1559
REQUEST FOR ADDITIONAL INFORMATION					13JAN96 - 1MAR96	3	96FEC/037/0050
REQUEST FOR ADDITIONAL INFORMATION 2ND					13JAN96 - 1MAR96	4	96FEC/044/0740
APRIL QUARTERLY			21,610	1,042	29FEB96 - 31MAR96	12	96HSE/602/2434
REQUEST FOR ADDITIONAL INFORMATION					29FEB96 - 31MAR96	2	96FEC/054/4393
REQUEST FOR ADDITIONAL INFORMATION 2ND					29FEB96 - 31MAR96	3	96FEC/059/3030
JULY QUARTERLY				44,044	33,594 1APR96 - 30JUN96	31	96HSE/614/1551
1'ST LETTER INFORMATIONAL NOTICE					1APR96 - 30JUN96	5	96FEC/076/5096
OCTOBER QUARTERLY				50,100	44,939 1JUL96 - 30SEP96	44	96FEC/093/0014
REQUEST FOR ADDITIONAL INFORMATION					1JUL96 - 30SEP96	3	96FEC/129/0154
PRE-GENERAL				18,220	62,062 1OCT96 - 16OCT96	15	96FEC/154/3725
NOTICE OF FAILURE TO FILE					1OCT96 - 16OCT96	2	96FEC/123/3987
TOTAL			123,907	120,364	6,041 140,595	297	TOTAL PAGES
3. AUTHORIZED COMMITTEES							
4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN							

All Reports Have Been Reviewed Except the 12 Day Pre-General.

Ending Cash-On-Hand as of 10/16/96: \$86,382

Outstanding Debts and Obligations Owed to the Committee: \$0

Outstanding Debts and Obligations Owed by the Committee: \$25,000

# GENERAL ELECTION REPORT NOTICE

Attachment #2  
Page 1 of 1

## FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES

September 30, 1996

### 1996 GENERAL ELECTION CANDIDATE COMMITTEES

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
Pre-General	10/01/96 - 10/16/96	10/21/96	10/24/96
-----48 Hour Notices-----			
Post-General	10/17/96 - 11/25/96	12/05/96	12/05/96

#### WHO MUST FILE

All 1996 general election principal campaign committees of congressional candidates (including unopposed candidates) who seek election in the November 5, 1996, General Election must file the Pre- and Post-General Election Reports. If the campaign has an authorized committee(s), in addition to the principal campaign committee, the principal campaign committee must also file a consolidated report on Form 32 and attach the report(s) of the authorized committee(s).

#### 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 October 17 through November 2.

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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RQ-7

(This is a copy of the text of a mailgram sent to the committee listed below on October 25, 1996.)

Marilyn Pizzini, Treasurer  
Robert Burch For Congress Committee  
123 West High Avenue  
New Philadelphia, OH 44663

Identification Number: C00309245

Reference: 12 Day Pre-General Report (10/1/96-10/16/96)

It has come to the attention of the Federal Election Commission that you may have failed to file the 12 Day Pre-General Report of receipts and expenditures as required by the Federal Election Campaign Act, as amended. You were previously notified of the due date for this report. You will be allowed four (4) business days from the date of this notice to file the 12 Day Pre-General Report. The report should be filed with the Federal Election Commission, 999 E Street NW, Washington, DC 20463 for House candidates, or the Secretary of the Senate, 232 Hart Senate Office Building, Washington, DC 20510, for Senate candidates. A copy of the report should also be filed with the appropriate Secretary of State or equivalent state officer.

If you have filed the report timely by certified or registered mail, please notify us immediately, in writing, of the certified or registered number and the date that the report was sent. The failure to file this report may result in publication, audit or legal enforcement action.

If you have any questions regarding this matter, please contact the Reports Analysis Division on our toll free number (800) 424-9530 or on our local number (202) 219-3580.

Sincerely,

John D. Gibson  
Assistant Staff Director  
Reports Analysis Division

97043821293



# FEDERAL ELECTION COMMISSION

Press Office  
999 E Street, N.W., Washington, D.C. 20463  
Phone: 202-219-4155 Toll Free 800-424-9530



FOR IMMEDIATE RELEASE:  
NOVEMBER 1, 1996

CONTACT: KELLY HUFF  
RON HARRIS  
SHARON SNYDER  
IAN STIRTON

## CAMPAIGNS CITED FOR FAILURE TO FILE COMPLETE PRE-GENERAL REPORTS

WASHINGTON -- The Federal Election Commission today cited 34 campaign committees for failure to file the required Pre-General financial disclosure report.

As of 5 p.m., October 31, 1996, disclosure reports from the following committees had not been filed:

AL/01...WOMACK FOR CONGRESS...ROBERT D. STILL, TREAS...DON WOMACK...DEM  
\*AL/04...ROBERT T. (BOB) WILSON JR. FOR CONGRESS...CHARLES RANDALL WATTS, TREAS...  
ROBERT T. WILSON, JR....DEM  
CA/05...BOB DINSMORE FOR CONGRESS...BRIAN M. PROBST, TREAS...ROBERT SUNDERLAND  
DINSMORE...REP  
CA/15...DICK LANE FOR CONGRESS COMMITTEE...DICK LANE, TREAS...DICK LANE...DEM  
\*CA/15...FRIENDS OF VALLI SHARPE-GEISLER...BARBARA SHARPE, TREAS...VALLI  
SHARPE-GEISLER...REFORM  
CA/27...ELIZABETH MICHAEL FOR CONGRESS...JOAN HUGHES, TREAS...ELIZABETH  
MICHAEL...LIBERAL  
CA/43...KIMBROUGH FOR CONGRESS COMMITTEE...PAMELA SEED KIMBROUGH, TREAS...GUY  
CAMPBELL KIMBROUGH...DEM  
DE/00...DENNIS WILLIAMS FOR CONGRESS...MATTHEW T. LAPINSKI, TREAS...DENNIS EDWARD  
WILLIAMS...DEM  
FL/12...MIKE CANADY FOR CONGRESS COMMITTEE...ROBERT H. GRIZZARD, TREAS...MICHEL L.  
CANADY...DEM  
FL/21...LINCOLN DIAZ-BALART FOR CONGRESS COMMITTEE...AYUBAN TOMAS, CPA,  
TREAS...LINCOLN DIAZ-BALART...REP  
FL/23...CAMPAIGN TO ELECT ROBERT PAUL BROWN US HOUSE...PATRICIA M. BROWN, TREAS  
...ROBERT PAUL BROWN...REP  
ID/02...SEIDL FOR CONGRESS CAMPAIGN...MARSHA WOODS, TREAS...JOHN D. STEIDL...DEM  
IL/03...NALEPA '96...CAROL BRIAN, TREAS...JAMES T. "JIM" NALEPA...REP  
IL/07...CITIZENS FOR RANDY BOROV...JENNILYN J. WALTON, TREAS...RANDY BOROV...REP  
IL/08...HULL FOR CONGRESS...JOYCE K. NORDHAUS, TREAS...ELIZABETH ANNE HULL...DEM  
IN/05...DOUG CLARK FOR CONGRESS...DOUGLAS L. CLARK, TREAS...DOUGLAS L. CLARK...DEM  
MD/08...COMMITTEE TO ELECT BARBARA ROBSON FOR U S CONGRESS...BOB COHN, TREAS...  
BARBARA ROBSON...OTHER  
\*MN/04...VOLUNTEERS FOR VENTO...JOHN J. COSTELLO, TREAS...BRUCE F. VENTO...DFL  
MO/01...CLAY CAMPAIGN COMMITTEE...PEARLIE I. EVANS, TREAS...WILLIAM L. CLAY, SR.  
...DEM  
MO/01...O'SULLIVAN FOR CONGRESS COMMITTEE...STEVEN G. REYNOLDS, CPA, TREAS...DAN  
O'SULLIVAN...REP

-more-

NJ/05...BILL AUER FOR CONGRESS...ALFRED J. MURPHY, JR., TREAS...BILL AUER...DEM  
 \*\*NJ/11...EVANGEL/CONGRESS '96...CHRIS EVANGEL, TREAS...CHRIS EVANGEL...DEM  
 NM/01...JACK UHRICH FOR CONGRESS...AREAN TESSLER, TREAS...JOHN A. UHRICH...GREEN  
 \*NY/19...PEOPLE FOR DIOGUARDI...SUSAN FITZPATRICK, TREAS...JOSEPH J.  
 DIOGUARDI...CONSERVATIVE  
 JEL [OH/18...ROBERT BURCH FOR CONGRESS COMMITTEE...MARILYN PIZZINI, TREAS...ROBERT L.  
 BURCH...DEM  
 \*\*\*OR/05...FRIENDS OF JIM BUNN...JIM HALL, TREAS...JAMES LEE BUNN...REP  
 PA/12...CHOBY '96...WILLIAM (BILL) CHOBY, TREAS...WILLIAM CHOBY...REP  
 \*PA/14...RAVOTTI FOR CONGRESS COMMITTEE...THOMAS R. OXENREITER, TREAS...  
 WILLIAM A. RAVOTTI...REP  
 PR/00...COMITE AMIGOS DE CELESTE BENITEZ...SAMUEL T. CESPEDES, JR., TREAS...  
 CELESTE BENITEZ...OTH  
 TN/09...COMMITTEE FOR TRUTH AND JUSTICE...JOHNNY E. KELLY, TREAS...JOHNNY E.  
 KELLY...IND  
 \*\*\*TX/09...FRIENDS OF STEVE STOCKMAN...JOHN HART, TREAS...STEVE STOCKMAN...REP  
 TX/15...FRIENDS OF TOM HAUGHEY...JIM CARPENTER, TREAS...THOMAS BRACE HAUGHEY...REP  
 TX/23...COMMITTEE TO ELECT CHARLES P. JONES...LOURDES B. RODRIGUEZ, TREAS...  
 CHARLES P. JONES...DEM  
 VA/09...ROBERTS FOR CONGRESS CAMPAIGN...ELIZABETH L. ROBERTS, TREAS...THOMAS INGHAM  
 "TOM" ROBERTS...OTHER

Reports were due October 24, 1996, and should have included financial activity for the period October 1, 1996, through October 16, 1996. If sent by certified or registered mail, the reports should have been postmarked by midnight October 21, 1996.

Committees were notified of their filing requirements on September 30, 1996. Those committees which did not file on the due date were notified on October 25, 1996, that reports had not been received and that their names would be published if they did not respond within four business days.

The Commission publishes only the names of those committees which have been designated by candidates as their principal campaign committees. Other political committees supporting Senate and House candidates (those which are not authorized units of a candidate's campaign) file either quarterly or monthly reports. Those committees are not published by the FEC.

Further Commission action against non-filers and late filers is decided on a case-by-case basis. Federal law gives the FEC broad authority to initiate enforcement actions, including the imposition of civil penalties (\$5,000 for "any violation" and \$10,000 for any "knowing and willful" violation.)

The next regularly scheduled disclosure report for congressional committees will be the 30 Day Post-General report due December 5, 1996. It will cover activity from October 17 through November 25.

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- \* Pre-General report has been filed, but it was received after the publication cutoff date.
- \*\* A Pre-General report was filed, but the report only disclosed financial activity through October 7, 1996.
- \*\*\* Summary and Detailed Summary Pages were submitted disclosing financial activity without supporting schedules

97043821295

TELECON

DATE: December 2, 1996

NAME OF COMMITTEE: Robert Burch for Congress Committee

SUBJECT: Failure to File the Twelve Day Pre-General Report

FEC REP: Lily Marco

COMMITTEE REP: Marilyn Pizzini

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On December 2, 1996, I contacted Ms. Marilyn Pizzini to remind her that the Robert Burch for Congress Committee has not yet filed it's Twelve Day Pre-General Report. Ms. Pizzini stated that she was unaware of the Committee's failure to file the Twelve Day Pre-General Report. She said that she intended to contact the candidate (Mr. Robert Burch) to inform him of the Committee's non-filer status. I urged her to relate to him the necessity for prompt filing of the above mentioned report. Ms. Pizzini promised that she would do so.

97043821296



**REPORT OF RECEIPTS AND DISBURSEMENTS**For An Authorized Committee  
(Summary Page)Attachment # 6  
FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20543

Dec 10 10 16 AM '96

1. NAME OF COMMITTEE (in full) <b>ROBERT BURCH FOR CONGRESS COMMITTEE</b>		2. FEC IDENTIFICATION NUMBER <b>C00309246</b>
ADDRESS (number and street) <input type="checkbox"/> Check if different than previously reported <b>123 WEST HIGH AVENUE</b>		3. IS THIS REPORT AN AMENDMENT? <b>NO</b>
CITY, STATE and ZIP CODE <b>NEW PHILADELPHIA OH 44663</b>	STATE/DISTRICT <b>OHIO 18TH</b>	

**4. TYPE OF REPORT**

- a. ☐ April 15 Quarterly Report  
☐ July 15 Quarterly Report  
☐ October 15 Quarterly Report  
☐ January 15 Year End Report  
☐ July 31 Mid Year Report (Non-election Year Only)
- ☒ Twelfth day report preceding the \_\_\_\_\_ election on \_\_\_\_\_ in the State of Ohio  
☐ Thirtieth day report following the \_\_\_\_\_ on \_\_\_\_\_ in the State of Ohio  
☐ Termination Report

This Report Contains

activity for ☐ Primary Election ☒ General Election ☐ Special Election

<b>SUMMARY</b>		This Period Column A	Calendar YTD Column B
5	Covering Period October 1, 1996, 1996 through October 16, 1996		
6	Net Contributions (other than loans)		
2	(a) Total Contributions (other than loans) (from Line 11(e))	\$18,220.00	\$163,804.14
8	(b) Total Contribution Refunds (from Line 20(d))	\$0.00	\$0.00
3	(c) Net Contributions (other than loans) (subtract Line 6(b) from 6(a))	\$18,220.00	\$163,804.14
7	Net Operating Expenditures		
1	(a) Total Operating Expenditures (from Line 17)	\$62,062.50	\$146,772.70
2	(b) Total Offsets to Operating Expenditures (from Line 14)	\$0.00	\$0.00
4	(c) Net Operating Expenditures (subtract Line 7(b) from 7(a))	\$62,062.50	\$146,772.70
8	Cash on Hand at Close of Report Period (subtract Line 7 from Line 6(d))	\$86,382.74	
9	Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	\$0.00	
10	Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	\$25,000.00	

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

Type or Print Name of Treasurer <b>STEVEN P. MARKS, ASSISTANT TREASURER</b>	Date <b>12/9/96</b>
Signature of Treasurer <i>[Signature]</i>	

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

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**FEC FORM 3**

(Revised 4/87)

**FEDERAL ELECTION COMMISSION**

999 E Street, N.W.  
Washington, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

MAR 7 11 12 AM '97

**FIRST GENERAL COUNSEL'S REPORT**

**SENSITIVE**

RAD REFERRAL: 96NF-08  
DATE ACTIVATED: 1/22/97

STAFF MEMBERS: XAVIER MCDONNELL  
ERIK MORRISON

SOURCE: INTERNALLY GENERATED

RESPONDENTS: Robert Burch For Congress Committee and Marilyn Pizzini, as treasurer

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

**I. GENERATION OF MATTER**

The Office of the General Counsel received a referral from the Reports Analysis Division ("RAD") on 12/23/96. The basis for the referral is the failure of Robert Burch for Congress Committee ("the Committee") and Marilyn Pizzini, as treasurer ("Respondents") to timely file the 1996 Twelve Day Pre-General Report.

**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)(2)(A)(i).

**III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY**

This Office also recommends that the Commission offer to enter into conciliation with the Respondents prior to a finding of probable cause to believe. Attached for the Commission's approval is a proposed conciliation agreement (Attachment 2).

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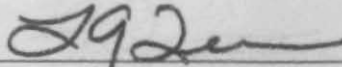
#### IV. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe Robert Burch for Congress Committee and Marilyn Pizzini, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i), and enter into conciliation prior to a finding of probable cause to believe.

3. Approve the attached Factual and Legal Analysis and conciliation agreement, and the appropriate letter.

Lawrence M. Noble  
General Counsel

3/7/91  
Date

BY:   
Lois G. Lerner  
Associate General Counsel

Attachments:

1. Factual and Legal Analysis
2. Proposed agreement

97043821300



BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Robert Burch For Congress Committee  
and Marilyn Pizzini, as treasurer.

)  
) RAD Referral  
) #96NF-08  
)

MUR 4623

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 13, 1997, the Commission decided by a vote of 5-0 to take the following actions in RAD Referral #96NF-08:

1. Open a MUR.
2. Find reason to believe Robert Burch for Congress Committee and Marilyn Pizzini, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the Factual and Legal Analysis and conciliation agreement, and the appropriate letter, as recommended in the General Counsel's Report dated March 7, 1997.

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

Attest:

3-14-97  
Date

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

Received in the Secretariat: Fri., Mar. 07, 1997 11:12 a.m.  
Circulated to the Commission: Mon., Mar. 10, 1997 11:00 a.m.  
Deadline for vote: Thurs., Mar. 13, 1997 4:00 p.m.

bjr

97043821301



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 17, 1997

Marilyn Pizzini, Treasurer  
Robert Burch for Congress Committee  
123 West High Avenue,  
New Philadelphia, OH 44663

RE: MUR 4623

Dear Ms. Pizzini:

On March 13, 1997, the Federal Election Commission found that there is reason to believe Robert Burch for Congress Committee ("Committee") and you, as treasurer, violated 2 U.S.C. § 434 (a)(2)(A)(i), 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.

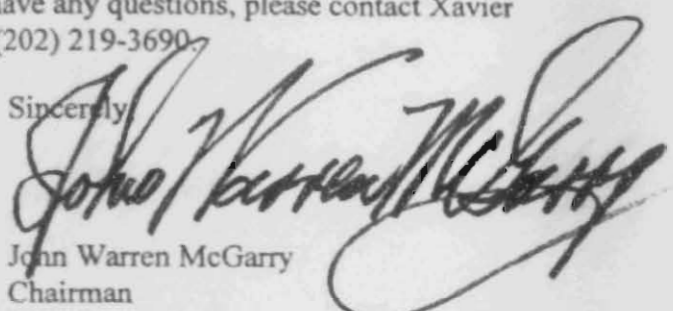
97043821302

Marilyn Pizzini, Treasurer  
Robert Burch for Congress Committee  
Page 2

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 Xavier McDonnell, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

  
John Warren McGarry  
Chairman

Enclosures

Factual and Legal Analysis  
Procedures  
Designation of Counsel Form  
Conciliation Agreement

cc: Candidate

97043821303

**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

RESPONDENTS: The Robert Burch for Congress Committee  
and Marilyn Pizzini, as treasurer

MUR: 4623

**I. GENERATION OF MATTER**

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).

**II. ANALYSIS**

The Federal Election Campaign Act of 1971, as amended ("the Act") requires that in a year in which a regularly scheduled general election is held, the principal campaign committee of a candidate for the House of Representatives must file a Twelve Day Pre-General Report no later than the 12th day before any election in which such candidate is seeking election. 2 U.S.C. § 434(a)(2)(A)(i).

Pursuant to the Act, the Respondents were required to file their Twelve Day Pre-General Report by October 24, 1996. The Commission received the Respondents' report on December 10, 1996, 47 days after the required date. Therefore, there is reason to believe that the Robert Burch for Congress Committee and Marilyn Pizzini, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i).

97043821304



MAY 5 10 33 AM '97

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Robert Burch For Congress Committee  
and Marilyn Pizzini, as treasurer

)  
)  
) MUR 4623  
)

**SENSITIVE**

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On March 14, 1997, the Commission found reason to believe that Robert Burch for Congress Committee and Marilyn Pizzini, as treasurer ("Respondents") violated 2 U.S.C. § 434(a)(2)(A)(i). By same date, the Commission entered into pre-probable cause conciliation and approved a conciliation agreement with the Respondents.

This Office recommends that the Commission accept the attached agreement. A check for the civil penalty has not yet been received.

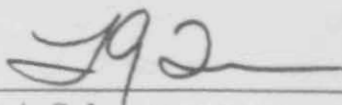
II. RECOMMENDATIONS

1. Accept the attached agreement with Robert Burch for Congress Committee and Marilyn Pizzini, as treasurer.
2. Approve the appropriate letter.
3. Close the file.

Lawrence M. Noble  
General Counsel

5/2/97  
Date

BY:

  
Lois G. Lerner  
Associate General Counsel

97043821305

Attachment

Conciliation Agreement

Staff Assigned: Xavier K. McDonnell

97043821306

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Robert Burch For Congress Committee ) MUR 4623  
and Marilyn Pizzini, as treasurer. )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 8, 1997, the Commission decided by a vote of 5-0 to take the following actions in MUR 4623:

1. Accept the agreement with Robert Burch for Congress Committee and Marilyn Pizzini, as treasurer, as recommended in the General Counsel's Report dated May 2, 1997.
2. Approve the appropriate letter, as recommended in the General Counsel's Report dated May 2, 1997.
3. Close the file.

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

Attest:

5-8-97  
Date

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

Received in the Secretariat: Mon., May 05, 1997 10:33 a.m.  
Circulated to the Commission: Mon., May 05, 1997 11:00 a.m.  
Deadline for vote: Thurs., May 08, 1997 4:00 p.m.

bjr

97043821307



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Mr. Robert Burch  
Space & Space Co., L.P.A.  
123 West High Avenue  
P.O. Box 1028  
New Philadelphia, OH 44663

May 14, 1997

RE: MUR 4623  
Robert Burch for Congress Committee and  
Marilyn Pizzini, as treasurer

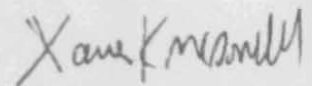
Dear Mr. Burch:

On May 8, 1997, the Federal Election Commission accepted the signed conciliation agreement submitted on behalf of Robert Burch for Congress Committee and Marilyn Pizzini, as treasurer in settlement of a violation of 2 U.S.C. § 434(a)(2)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter. Please be advised that the civil penalty in this agreement has not been received and is due within 30 days.

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. If you have any questions, please contact me at (202) 219-3690.

Sincerely,

  
Xavier McDonnell, Esq.

Enclosure  
Conciliation Agreement

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## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Robert Burch for Congress Committee  
and Marilyn Pizzini, as treasurer

MUR 4623

APR 30 3 09 PM '97

RECEIVED  
FEDERAL ELECTION  
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 Robert Burch for Congress Committee and Marilyn Pizzini, as treasurer ("Respondents") violated 2 U.S.C. § 434(a)(2)(A)(i).

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:

1. Robert Burch for Congress Committee is a principal campaign committee within the meaning of 2 U.S.C. § 431(5).

2. Marilyn Pizzini is the treasurer of Robert Burch for Congress Committee.

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3. The Federal Election Campaign Act of 1971, as amended ("the Act") requires that in a year in which a regularly scheduled general election is held, the principal campaign committee of a candidate for the House of Representatives must file a Twelve Day Pre-General Report no later than the 12th day before any election in which such candidate is seeking election. 2 U.S.C. § 434(a)(2)(A)(i).

4. Pursuant to the Act, the Respondents were required to file a Twelve Day Pre-General Report by October 24, 1996.

5. The Commission received the Respondents' report on December 10, 1996, 47 days after the required date. The report disclosed \$18,220 in contributions and \$62,062 in disbursements during the applicable reporting period.

V. Respondents failed to timely file the Twelve Day Pre-General Report, in violation of 2 U.S.C. § 434(a)(2)(A)(i).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of one thousand four hundred dollars (\$1,400), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

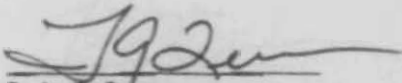
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IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

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

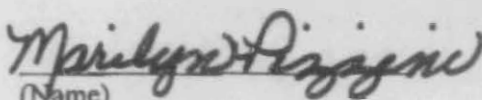
FOR THE COMMISSION:

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel

5/13/97  
Date

FOR THE RESPONDENTS:

  
(Name)  
(Position) Treasurer

April 28, 1997  
Date

97043821311



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4623

DATE FILMED 6-19-97 CAMERA NO. 1

CAMERAMAN JmH

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Date: 5/4/98

☒            Microfilm

☐            Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED NUR 4623

9004300320

# Robert Burch for Congress

August 5, 1997

Mr. Xavier McDonnell  
Office of the General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Re: Robert Burch for Congress  
Committee  
MER 4623

Dear Mr. McDonnell:

As you requested, enclosed is the civil penalty that has been assessed in settlement of the above matter.

Thank you for your assistance and consideration in this regard.

Sincerely,

*Marilyn Pizzini*  
Marilyn Pizzini  
Treasurer

1100 West High Avenue, New Martinsburg, West Virginia 26032

(304) 766-0100

Publicly Accessible Congressional Committee - Maryland State Treasurer

98043304330

ROBERT BURCH FOR CONGRESS 11-08  
COMMITTEE  
123 W. HIGH AVE.  
NEW PHILADELPHIA, OH 44663

SB-7001/2412  
01001747210

1038

DATE 8/12/97

PAY TO THE  
ORDER OF

Federal Election Commission

\$1400.00

One thousand four hundred and 00/100

DOLLARS



First Federal  
SAVINGS BANK OF DOVER

MEMO

(MUR 4633)

Robert Burch

241220416 01601747210 1038



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 20 11 20 AM '97

August 19, 1997

**TWO WAY MEMORANDUM**

TO: OGC Docket

FROM: Leslie D. Brown  
Disbursing Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from **Robert Burch for Congress**, check number **1038**, dated **August 12, 1997**, for the amount of **\$1400.00**. A copy of the check and any correspondence is being forwarded. Please indicate below which account the funds should be deposited and give the MUR/Case number and name associated with the deposit.

=====

TO: Rosa E. Swinton *RES*      Leslie D. Brown  
Accounting Technician      Disbursing Technician

FROM: OGC Docket

SUBJECT: Disposition of Funds Received

In reference to the above check in the amount of \$1400.00, the MUR/Case number is 4623 and in the name of Robert Burch for Congress. Place this deposit in the account indicated below:

☐ Budget Clearing Account (OGC), 95F3875.16

☒ Civil Penalties Account, 95-1099.160

☐ Other: \_\_\_\_\_

Frankie Hampton  
Signature

August 22, 1997  
Date