



FEDERAL ELECTION COMMISSION

1125 K STREET NW
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 1921

Date Filmed 7/16/85 Camera No. --- 2

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FEDERAL ELECTION COMMISSION

Routing Slips

Conculation Information

12 Day Re-Brief Rpt

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

- | | |
|--|---|
| <input type="checkbox"/> (1) Classified Information | <input type="checkbox"/> (6) Personal privacy |
| <input checked="" type="checkbox"/> (2) Internal rules and practices | <input type="checkbox"/> (7) Investigatory files |
| <input checked="" type="checkbox"/> (3) Exempted by other statute | <input type="checkbox"/> (8) Banking Information |
| <input type="checkbox"/> (4) Trade secrets and commercial or financial information | <input type="checkbox"/> (9) Well Information (geographic or geophysical) |
| <input type="checkbox"/> (5) Internal Documents | |

Signed J. Sheppard
date 7/11/85

35040532021



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 12, 1985

Thomas A. Farr, Esquire
Maupin, Taylor and Ellis, P.A.
Post Office Box 19764
Raleigh, North Carolina 27619

RE: MUR 1921
North Carolina Republican
Executive Committee
J. Michael Wilson, Treasurer

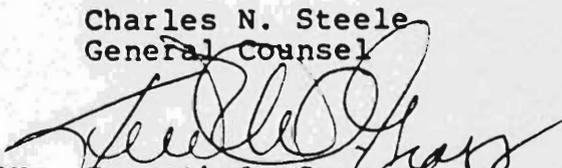
Dear Mr. Farr:

On June 5, 1985, the Commission accepted the conciliation agreement signed by your client and a civil penalty in settlement of a violation of 2 U.S.C. §§ 434(a)(4)(A)(i) and (iii), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

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

Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

35040532022

85 MAY 23 9:28

In the Matter of ^{MAY 23} P 3: 01)
North Carolina Republican)
Executive Committee) MUR 1921
J. Michael Wilson, Treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the North Carolina Republican Executive Committee and J. Michael Wilson, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(4)(A)(i) and (iii) by filing reports late.

NOW, THEREFORE, the Commission and 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 into 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. Respondent, the North Carolina Republican Executive Committee, is a political committee registered with the Commission.

05040532023

2. Respondent, J. Michael Wilson, is treasurer of the North Carolina Republican Executive Committee.

3. Respondents filed the 1984 October Quarterly Report, due October 15, 1984, on November 1, 1984, 17 days late.

4. Pursuant to 2 U.S.C. § 434(a)(4)(A)(i), an unauthorized committee is required to file, in an election year, quarterly reports which shall be filed no later than the 15th day after the last day of each calendar quarter.

5. Respondents filed the 1984 30 Day Post-General Election Report, due December 6, 1984, on January 24, 1985, 49 days late.

6. Pursuant to 2 U.S.C. § 434(a)(4)(A)(iii), an unauthorized committee is required to file, in an election year, a post-general election report which shall be filed no later than the 30th day after the general election.

V. Respondents violated 2 U.S.C. § 434(a)(4)(A)(i) and (iii) by filing the 1984 October Quarterly and 30 Day Post-General Election reports late.

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of Four Hundred Fifty Dollars (\$450), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue

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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.

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

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

XI. 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 valid.

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY: *Kenneth A. Gross*
Kenneth A. Gross
Associate General Counsel

June 10, 1985
Date

FOR THE RESPONDENTS:

J. Michael Wilson
J. Michael Wilson
Treasurer

5/19/85
Date

85040502025



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Thomas A. Farr, Esquire
Maupin, Taylor and Ellis, P.A.
Post Office Box 19764
Raleigh, North Carolina 27619

RE: MUR 1921
North Carolina Republican
Executive Committee
J. Michael Wilson, Treasurer

Dear Mr. Farr:

On , 1985, the Commission accepted the conciliation agreement signed by your client and a civil penalty in settlement of a violation of 2 U.S.C. §§ 434(a)(4)(A)(i) and (iii), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

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

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

KA
6/10/85

65040532026



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Thomas A. Farr, Esquire
Maupin, Taylor and Ellis, P.A.
Post Office Box 19764
Raleigh, North Carolina 27619

RE: MUR 1921
North Carolina Republican
Executive Committee
J. Michael Wilson, Treasurer

Dear Mr. Farr:

On _____, 1985, the Commission accepted the conciliation agreement signed by your client and a civil penalty in settlement of a violation of 2 U.S.C. §§ 434(a)(4)(A)(i) and (iii), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

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

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

85040532027

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1921
North Carolina Republican)
Executive Committee)
J. Michael Wilson, treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 5, 1985, the Commission decided by a vote of 6-0 to take the following actions in MUR 1921:

1. Accept the conciliation agreement attached to the General Counsel's Report signed May 31, 1985.
2. Close the file.
3. Send the letter attached to the General Counsel's Report signed May 31, 1985.

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

Attest:

6/6/85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:
Circulated on 48 hour tally basis:

5-31-85, 12:14
6- 3-85, 11:00

95040532023

MEMORANDUM

TO: CHERYL THOMAS
FROM: JOAN HARRIS

Sent 5/23/85

666 7462

TO: JOAN HARRIS
FROM: CHERYL THOMAS

CHECK NO. 695 (a copy of which is attached) RELATING

TO MUR 1921 AND NAME No Carolina Republican Executive Cmte + Michael Wilson, Pres.

WAS RECEIVED ON May 23, 1985. PLEASE INDICATE THE ACCOUNT INTO WHICH IT SHOULD BE DEPOSITED:

- BUDGET CLEARING ACCOUNT (#95F3875.16)
- / CIVIL PENALTIES ACCOUNT (#95-1099.160)
- / OTHER _____

SIGNATURE C. Thomas DATE 5/23/85

532027

NORTH CAROLINA REPUBLICAN PARTY
FEDERAL ACCOUNT
P. O. BOX 12905, PH. 828-6423
RALEIGH, NC 27605

695

66-112
531

May 20 1985

PAY TO THE ORDER OF Treasurer of the United States \$ 450.00

Four Hundred Fifty and 00/100 DOLLARS

BB&T

BRANCH BANKING AND TRUST COMPANY
RALEIGH NORTH CAROLINA 27611

FOR FEC Fine J. Michael Wilson

⑈00000695⑈ ⑆053101121⑆ 1301103162⑈

6007513
RECEIVED AT THE FEC

RECEIVED
OFFICE
GENERAL COUNSEL
MAUPIN, TAYLOR & ELLIS, P. A.
ATTORNEYS AT LAW
RALEIGH, NORTH CAROLINA

85 MAY 20 P12: 52

ARMISTEAD J. MAUPIN
WILLIAM W. TAYLOR, JR.
THOMAS F. ELLIS
CHARLES B. NEELY, JR.
THOMAS W. H. ALEXANDER
ROBERT A. VALOIS
JOHN T. WILLIAMSON
FRANK P. WARD, JR.
ALBERT R. BELL, JR.
RICHARD M. LEWIS
DAVID V. BROOKS
NANCY S. RENDLEMAN
R. STEPHEN CAMP
MARGIE T. CASE
M. KEITH KAPP
MARK S. THOMAS
HOLMES P. HARDEN
JAMES A. ROBERTS, III
STEVEN D. SIMPSON
THOMAS A. FARR
STEVEN M. RUDISILL

MAY 20 P 3: 27

May 17, 1985

MAILING ADDRESS
POST OFFICE DRAWER 19764
RALEIGH
NORTH CAROLINA 27619

TELEPHONE
(919) 781-6800

OFFICES
MERRILL LYNCH NCNB BUILDING
3201 GLENWOOD AVENUE

TELECOPIER NUMBER
(919) 782-8788

Mr. Charles N. Steele
General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1921
Our File No. 6998.002

Dear Mr. Steele:

Enclosed is the executed copy of the designation of counsel statement by J. Michael Wilson, Treasurer of the North Carolina Republican Party. As I indicated to Ms. Judy Thedford in our telephone conversation of 8 May 1985, the North Carolina Republican Party is interested in resolving this matter as quickly as possible.

We appreciate your cooperation and assistance.

Very truly yours,

MAUPIN, TAYLOR & ELLIS, P.A.

Thomas A. Farr
Thomas A. Farr

L/TH/A3
Enclosure

35040532030

STATEMENT OF DESIGNATION OF COUNSEL

MUR 1921

NAME OF COUNSEL: Maupin, Taylor & Ellis

ADDRESS: Ahn - Thomas A Farr
P.O. Drawer 19764
Raleigh, NC 27619

TELEPHONE: 919 - 781 - 6800

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

5/16/85
Date

J. Michael Wilson
Signature

RESPONDENT'S NAME: J. MICHAEL WILSON

ADDRESS: NORTH CAROLINA REPUBLICAN EXECUTIVE COMMITTEE
1410 HILLS BOROUGH STREET
RALEIGH, N.C. 27605

HOME PHONE: _____

BUSINESS PHONE: 919 - 828 - 6423

35040532031

MAUPIN, TAYLOR & ELLIS, P.A.

ATTORNEYS AT LAW

POST OFFICE BOX 12104
RALEIGH, NORTH CAROLINA 27602

Mr. Charles N. Steele
General Counsel
Federal Election Commission
Washington, D.C. 20463

MAUPIN, TAYLOR & ELLIS, P.A.

MAUPIN, TAYLOR & ELLIS, P. A.
ATTORNEYS AT LAW
RALEIGH, NORTH CAROLINA

RECEIVED AT THE FEC
G.C.C.# 7450
85 MAY 15 9:33

ARMISTEAD J. MAUPIN
WILLIAM W. TAYLOR, JR.
THOMAS F. ELLIS
CHARLES B. NEELY, JR.
THOMAS W. H. ALEXANDER
ROBERT A. VALOIS
JOHN T. WILLIAMSON
FRANK P. WARD, JR.
ALBERT R. BELL, JR.
RICHARD M. LEWIS
DAVID V. BROOKS
NANCY S. RENDLEMAN
R. STEPHEN CAMP
MARGIE T. CASE
M. KEITH KAPP
MARK S. THOMAS
HOLMES P. HARDEN
JAMES A. ROBERTS, III
STEVEN D. SIMPSON
THOMAS A. FARR
STEVEN M. RUDISILL

May 9, 1985

MAILING ADDRESS
POST OFFICE DRAWER 19764
RALEIGH
NORTH CAROLINA 27619
TELEPHONE
(919) 781-6808
OFFICES
MERRILL LYNDEN BARRON BUILDING
3201 GLENWOOD AVENUE
TELECOPIER NUMBER
(919) 782-8788

Ms. Judy Thedford
Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1921

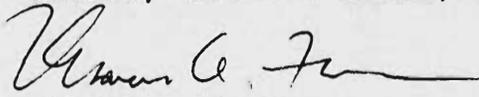
Dear Ms. Thedford:

This is to confirm our telephone conversation of 8 May 1985 in which I informed you that this firm has been retained by the North Carolina Republican Party to represent it in MUR 1921. We would appreciate it if any further correspondence or notices from the Commission on this matter be forwarded to our attention.

Thank you for your cooperation.

Very truly yours,

MAUPIN, TAYLOR & ELLIS, P.A.


Thomas A. Farr

L/WED/A16

35040532033

MAUPIN, TAYLOR & ELLIS, P. A.

ATTORNEYS AT LAW

POST OFFICE DRAWER 8714

RALEIGH, NORTH CAROLINA 27609

Ms. Judy Theiford
Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

MAY 15 8 9:30



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

May 10, 1985

Thomas A. Farr, Esquire
Maupin, Taylor & Ellis, P.A.
P.O. Drawer 19764
Raleigh, North Carolina 27619

RE: MUR 1921
(North Carolina Republican
Executive Committee
J. Michael Wilson, Treasurer)

Dear Mr. Farr:

Pursuant to your telephone conversation with Judy Thedford on May 8, 1985, we have enclosed a Designation of Counsel Statement to be completed by your client and returned to the Commission. Upon the Commission's receipt of the completed form, all notifications and communications from the Commission concerning your client will be directed to you.

If you have any questions, please contact Judy Thedford at (202)523-4000.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

Enclosure

850405320335



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Thomas A. Farr, Esquire
Maupin, Taylor & Ellis, P.A.
P.O. Drawer 19764
Raleigh, North Carolina 27619

RE: MUR 1921
(North Carolina Republican
Executive Committee
J. Michael Wilson, Treasurer)

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Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure

35040532036



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Thomas A. Farr, Esquire
Maupin, Taylor & Ellis, P.A.
P.O. Drawer 19764
Raleigh, North Carolina 27619

RE: MUR 1921
(North Carolina Republican
Executive Committee
J. Michael Wilson, Treasurer)

Dear Mr. Farr:

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Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure

35040532037



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel
DATE: April 29, 1985
SUBJECT: MUR 1921 - Memorandum to the Commission

The attached is submitted as an Agenda document
for the Commission Meeting of _____
Open Session _____
Closed Session _____

CIRCULATIONS

48 Hour Tally Vote []
Sensitive []
Non-Sensitive []
24 Hour No Objection []
Sensitive []
Non-Sensitive []
Information [x]
Sensitive [x]
Non-Sensitive []
Other []

DISTRIBUTION

Compliance [x]
Audit Matters []
Litigation []
Closed MUR Letters []
Status Sheets []
Advisory Opinions []
Other (see distribution below) []

35040502033



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

4-30-85

J. Michael Wilson, Treasurer
North Carolina Republican
Executive Committee
1410 Hillsborough Street
Raleigh, North Carolina 27605

RE: MUR 1921

Dear Mr. Wilson:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on March 6, 1985, found reason to believe that the North Carolina Republican Executive Committee and you, as treasurer, had violated 2 U.S.C. § 434(a)(4)(i) and (iii), and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

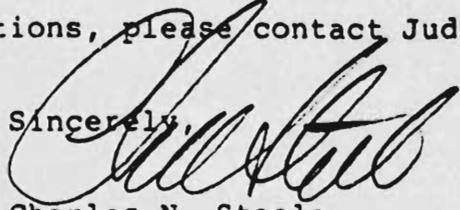
If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days.

35040532037

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

Should you have any questions, please contact Judy Thedford, at (202) 523-4000.

Sincerely,


Charles N. Steele
General Counsel

Enclosure
Brief

35040532010



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

APR 29 9 5: 05
April 29, 1985

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel *CS*

SUBJECT: MUR# 1921

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying the respondent of the General Counsel's intent to recommend to the Commission a finding of probable cause to believe was mailed on April 30, 1985. Following receipt of the Respondent's reply to this notice, this Office will make a further report to the Commission.

Attachments

1. Brief
2. Letter to Respondent

33040502041

35040562042

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
North Carolina Republican) MUR 1921
Executive Committee)
J. Michael Wilson, Treasurer)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

The North Carolina Republican Executive Committee ("NCREC") failed to file three Reports of Receipts and Disbursements in a timely manner for the 1983-84 election cycle. The reports were filed between seventeen and sixty calendar days late.

On November 5, 1984, a Chronic Late Filing Notice was sent to NCREC for failing to file the 1984 July and October Quarterly Reports in a timely manner. This notice advised NCREC that any additional late filing of reports may result in legal enforcement action. Subsequent to the sending of the warning notice, NCREC failed to timely file the 30 Day Post-General Report. In response to a Non-Filer notice dated December 28th, 1984, NCREC responded in a letter dated January 8, 1985, that NCREC did not have to file the report as it did not contribute to Federal candidates during the referenced reporting period. An analyst in the Reports Analysis Division contacted the treasurer by phone on January 11, 1985, to inform the treasurer that the 30 Day Post-General Report was a mandatory filing. The aforementioned report was received on January 24, 1985.

Below is a chart showing the reports filed late, the due dates, the dates the reports were filed, and the number of days late.

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REPORT	DUE DATE	DATE FILED	DAYS LATE
1984 July Quarterly	7/15/84	9/13/84	60
1984 October Quarterly	10/15/84	11/1/84	17
1984 30 Day Post-General	12/6/84	1/24/85	49

FACTUAL AND LEGAL ANALYSIS

Section 434(a)(4)(A)(i) and (iii) require an unauthorized committee to file, in an election year, quarterly reports due no later than the 15th day after the last day of each calendar quarter and a post-general election report due no later than 30 days after the general election.

NCREC has filed three reports late during the 83-84 election cycle. One of the reports, the 1984 July Quarterly, was previously referred to this office and the matter settled through a conciliation agreement. Therefore, we will only address the late filing of NCREC's 1984 October Quarterly and 30 Day Post-General Election reports in this matter.

As required by the Act, NCREC's October Quarterly was due October 15, 1984, and its 30 Day Post-General Election report was due December 6, 1984. Instead, NCREC filed the October Quarterly on November 1, 1984, 17 days late and the post-general election report on January 24, 1985, 49 days late.

On March 6, 1985, the Commission found reason to believe NCREC and Michael Wilson, as treasurer, violated the Act. The respondents were notified of the Commission's action by a letter

35040532044

dated March 13, 1985. As of this writing, no written response has been submitted by the respondents.

III. GENERAL COUNSEL'S RECOMMENDATION

The Office of General Counsel recommends that the Commission find probable cause to believe the North Carolina Republican Executive Committee and J. Michael Wilson, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) and (iii).

DATE

Charles N. Steele
General Counsel

85040532045



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

J. Michael Wilson, Treasurer
North Carolina Republican
Executive Committee
1410 Hillsborough Street
Raleigh, North Carolina 27605

RE: MUR 1921

Dear Mr. Wilson:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on March 6, 1985, found reason to believe that the North Carolina Republican Executive Committee and you, as treasurer, had violated 2 U.S.C. § 434(a)(4)(i) and (iii), and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days.

35040532046

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

Should you have any questions, please contact Judy Thedford, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

85040532047

09C #1



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

MEMORANDUM TO: THE COMMISSION

FROM: MARJORIE W. EMMONS/JODY C. RANSOM *JCR*

DATE: APRIL 30, 1985

SUBJECT: MUR 1921 - General Counsel's Brief
Memorandum to the Commission
dated April 29, 1985

The attached documents are circulated for your information.

35040532043

ATTACHMENTS:

1) Memo; 2) Brief; 3) Letter



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 29, 1985

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel *CNS*

SUBJECT: MUR# 1921

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying the respondent of the General Counsel's intent to recommend to the Commission a finding of probable cause to believe was mailed on April 30, 1985. Following receipt of the Respondent's reply to this notice, this Office will make a further report to the Commission.

Attachments

1. Brief
2. Letter to Respondent

35040532047

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
North Carolina Republican) MUR 1921
Executive Committee)
J. Michael Wilson, Treasurer)

GENERAL COUNSEL'S BRIEF

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Below is a chart showing the reports filed late, the due dates, the dates the reports were filed, and the number of days late.

85040502057

dated March 13, 1985. As of this writing, no written response has been submitted by the respondents.

III. GENERAL COUNSEL'S RECOMMENDATION

The Office of General Counsel recommends that the Commission find probable cause to believe the North Carolina Republican Executive Committee and J. Michael Wilson, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) and (iii).

DATE

Charles N. Steele
General Counsel

35040532051

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

Should you have any questions, please contact Judy Thedford, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

85040532052



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

J. Michael Wilson, Treasurer
North Carolina Republican
Executive Committee
1410 Hillsborough Street
Raleigh, North Carolina 27605

RE: MUR 1921

Dear Mr. Wilson:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on March 6, 1985, found reason to believe that the North Carolina Republican Executive Committee and you, as treasurer, had violated 2 U.S.C. § 434(a)(4)(i) and (iii), and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days.

85040532055



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

ED
THE FEC
SECRETARY

18 MAR 18 P 1: 57

SENSITIVE

March 18, 1985

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel *KAG*

SUBJECT: RAD Referral 85NF-45

On March 6, 1985 the Commission approved the recommendation that RAD Referral 85NF-45 should become a MUR. Therefore, all documents which had previously been contained in RAD Referral 85NF-45 should now become MUR 1921.

Attachment
Copy of Certification

85040532051

BEFORE THE FEDERAL ELECTION COMMISSION

Nov 1921
Thedford

In the Matter of)	
)	RAD 85NF-45
North Carolina Republican)	
Executive Committee)	
J. Michael Wilson, treasurer)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 6, 1985, the Commission decided by a vote of 6-0 to take the following actions in RAD Referral 85NF-45:

1. Open a MUR.
2. Find reason to believe that the North Carolina Republican Executive Committee and J. Michael Wilson, as treasurer, violated 2 U.S.C. § 434(a) (4) (A) (i) and (iii).
3. Approve and send the letter and factual and legal analysis attached to the First General Counsel's Report signed March 4, 1985.

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

Attest:

3-7-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:	3-4-85, 11:48
Circulated on 48 hour tally basis:	3-4-85, 4:00

85040532055

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) RAD 85NF-45
North Carolina Republican)
Executive Committee)
J. Michael Wilson, treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 6, 1985, the Commission decided by a vote of 6-0 to take the following actions in RAD Referral 85NF-45:

1. Open a MUR.
2. Find reason to believe that the North Carolina Republican Executive Committee and J. Michael Wilson, as treasurer, violated 2 U.S.C. § 434 (a) (4) (A) (i) and (iii).
3. Approve and send the letter and factual and legal analysis attached to the First General Counsel's Report signed March 4, 1985.

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

Attest:

3-7-85
Date

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

Received in Office of Commission Secretary: 3-4-85, 11:48
Circulated on 48 hour tally basis: 3-4-85, 4:00

35040532056



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 13, 1985

J. Michael Wilson, Treasurer
North Carolina Republican Executive Committee
1410 Hillsborough Street
Raleigh, North Carolina 27605

RE: MUR 1921

Dear Mr. Wilson:

On March 6, 1985, the Federal Election Commission determined that there is reason to believe that the North Carolina Republican Executive Committee and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) and (iii), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter.

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

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

35040532057

J. Michael Wilson, Treasurer
Page 2

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Judy Thedford, the staff member assigned to this matter, at (202) 523-4000.

Sincerely,



John Warren McGarry
Chairman

Enclosures

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

85040532053

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. 1921

RESPONDENT North Carolina Republican Executive
Committee, J. Michael Wilson, Treasurer

SUMMARY OF ALLEGATIONS

The North Carolina Republican Executive Committee ("NCREC") failed to file three Reports of Receipts and Disbursements in a timely manner for the 1983-84 election cycle. The reports were filed between seventeen and sixty calendar days late.

On November 5, 1984, a Chronic Late Filing Notice was sent to NCREC for failing to file the 1984 July and October Quarterly Reports in a timely manner.*/ The notice advised NCREC that any additional late filing of reports may result in legal enforcement action. Subsequent to the sending of the warning notice, NCREC failed to timely file the 30 Day Post-General Report. In response to a Non-Filer notice dated December 28, 1984, NCREC responded in a letter dated January 8, 1985, that NCREC did not have to file the report as it did not contribute to Federal candidates during the referenced reporting period. An analyst in the Reports Analysis Division contacted the treasurer by phone on January 11, 1985, to inform the treasurer that the 30 Day Post-General Report was a mandatory filing. The aforementioned report was received on January 24, 1985.

*/ NCREC was referred to your office for failure to file the 1984 July Quarterly Report (see MUR 1832).

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Below is a chart showing the reports filed late, the due dates, the dates the reports were filed, and the number of days late.

REPORT	DUE DATE	DATE FILED	DAYS LATE
1984 July Quarterly	7/15/84	9/13/84	60
1984 October Quarterly	10/15/84	11/1/84	17
1984 30 Day Post-General	12/6/84	1/24/85	49

FACTUAL AND LEGAL ANALYSIS

Section 434(a)(4)(A)(i) and (iii) requires an unauthorized committee to file in an election year quarterly reports due no later than the 15th day after the last day of each calendar quarter and a post-general election report due no later than 30 days after the general election.

NCREC has filed three reports late during the 83-84 election cycle. One of the reports, the 1984 July Quarterly, was previously referred to this office and the matter settled through a conciliation agreement. Therefore, this report were address the late filing of NCREC's 1984 October Quarterly and 30 Day Post-General Election reports only.

As required by the Act, NCREC's October Quarterly was due October 15, 1984 and its 30 Day Post-General Election report was due December 6, 1984. Instead, NCREC filed the October Quarterly on November 1, 1984, 17 days late and the post-general election report on January 24, 1985, 49 days late.

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Accordingly, the Office of General Counsel recommends opening a MUR and finding reason to believe NCREC violated 2 U.S.C. § 434(a)(4)(A)(i) and (iii) by filing its 1984 October Quarterly and 30 Day Post-General Election reports late.

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DESCRIPTION OF PRELIMINARY PROCEDURES
FOR PROCESSING POSSIBLE VIOLATIONS DISCOVERED BY THE
FEDERAL ELECTION COMMISSION

Possible violations discovered during the normal course of the Commission's supervisory responsibilities shall be referred to the Enforcement Division of the Office of General Counsel where they are assigned a MUR (Matter Under Review) number, and assigned to a staff member.

Following review of the information which generated the MUR, a recommendation on how to proceed on the matter, which shall include preliminary legal and factual analysis, and any information compiled from materials available to the Commission shall be submitted to the Commission. This initial report shall recommend either: (a) that the Commission find reason to believe that a possible violation of the Federal Election Campaign Act (FECA) may have occurred or is about to occur and that the Commission conduct an investigation of the matter; or (b) that the Commission find no reason to believe that a possible violation of the FECA has occurred and that the Commission close the file on the matter.

Thereafter, if the Commission decides by an affirmative vote of four (4) Commissioners that there is reason to believe that a violation of the Federal Election Campaign Act (FECA) has been committed or is about to be committed, the Office of the General Counsel shall open an investigation into the matter. Upon notification of the Commission's finding(s), within 15 days a respondent(s) may submit any factual or legal materials relevant to the allegations. During the investigation, the Commission shall have the power to subpoena documents, to subpoena individuals to appear for depositions, and to order answers to interrogatories. The respondent(s) may be contacted more than once by the Commission in its investigation.

If, during this period of investigation, the respondent(s) indicate a desire to enter into conciliation, the Office of General Counsel staff may begin the conciliation process prior to a finding of probable cause to believe a violation has been committed. Conciliation is an informal method of conference and persuasion to endeavor to correct or prevent a violation of the Federal Election Campaign Act (FECA). Most often, the result of conciliation is an agreement signed by the Commission and the respondent(s). The Conciliation Agreement must be adopted by four votes of the Commission before it becomes final. After signature by the Commission and the respondent(s), the Commission shall make public the Conciliation Agreement.

[If the investigation warrants], and no conciliation agreement is entered into prior to a probable cause to believe finding, the General Counsel must notify the respondent(s) of his intent to proceed to a vote on probable cause to believe that a violation of the Federal Election Campaign Act (FECA) has been committed or is about to be committed. Included with the notification to the respondent(s) shall be a brief setting forth the position of the General Counsel on the legal and factual issues of the case. Within 15 days of receipt of such brief, the respondent(s) may submit a brief posing the position of respondent(s) and replying to the brief of the General Counsel. Both briefs will then be filed with the Commission Secretary and will be considered by the Commission. Thereafter, if the Commission determines by an affirmative vote of four (4) Commissioners, that there is probable cause to believe that a violation of the FECA has been committed or is about to be committed conciliation must be undertaken for a period of at least 30 days but not more than 90 days. If the Commission is unable to correct or prevent any violation of the FECA through conciliation the Office of General Counsel may recommend that the Commission file a civil suit against the respondent(s) to enforce the Federal Election Campaign Act (FECA). Thereafter, the Commission may, upon an affirmative vote of four (4) Commissioners, institute civil action for relief in the District Court of the United States.

See 2 U.S.C. § 437g, 11 C.F.R. Part 111.

November 1980

STATEMENT OF DESIGNATION OF COUNSEL

MUR _____

NAME OF COUNSEL: _____

ADDRESS: _____

TELEPHONE: _____

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

Date

Signature

RESPONDENT'S NAME: _____

ADDRESS: _____

HOME PHONE: _____

BUSINESS PHONE: _____

85040532061



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *CS*
DATE: March 4, 1985
SUBJECT: RAD 85NF-45: First General Counsel's Report

The attached is submitted as an Agenda document
for the Commission Meeting of _____
Open Session _____
Closed Session _____

CIRCULATIONS		DISTRIBUTION	
48 Hour Tally Vote	<input checked="" type="checkbox"/>	Compliance	<input checked="" type="checkbox"/>
Sensitive	<input checked="" type="checkbox"/>	Audit Matters	<input type="checkbox"/>
Non-Sensitive	<input type="checkbox"/>	Litigation	<input type="checkbox"/>
24 Hour No Objection	<input type="checkbox"/>	Closed MUR Letters	<input type="checkbox"/>
Sensitive	<input type="checkbox"/>	Status Sheets	<input type="checkbox"/>
Non-Sensitive	<input type="checkbox"/>	Advisory Opinions	<input type="checkbox"/>
Information	<input type="checkbox"/>	Other (see distribution below)	<input type="checkbox"/>
Sensitive	<input type="checkbox"/>		
Non-Sensitive	<input type="checkbox"/>		
Other	<input type="checkbox"/>		

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FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL 3/4/85 11:45 85NF-45
BY OGC TO THE COMMISSION STAFF MEMBER(S)
Judy Thedford

SENSITIVE

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

RESPONDENTS NAMES: North Carolina Republican Executive
Committee, J. Michael Wilson, Treasurer

RELEVANT STATUTES: 2 U.S.C. § 434(a)(4)(A)(ii) and (iii)

INTERNAL REPORTS CHECKED: NCREC by RAD

FEDERAL AGENCIES CHECKED: None

GENERATION OF MATTER

This matter was referred to the Office of General Counsel by the Reports Analysis Division on February 6, 1985.

SUMMARY OF ALLEGATIONS

The North Carolina Republican Executive Committee ("NCREC") failed to file three Reports of Receipts and Disbursements in a timely manner for the 1983-84 election cycle. The reports were filed between seventeen and sixty calendar days late.

On November 5, 1984, a Chronic Late Filing Notice was sent to NCREC for failing to file the 1984 July and October Quarterly Reports in a timely manner.*/ The notice advised NCREC that any

*/ NCREC was referred to this office for failure to file the 1984 July Quarterly Report (see MUR 1832).

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additional late filing of reports may result in legal enforcement action. Subsequent to the sending of the warning notice, NCREC failed to timely file the 30 Day Post-General Report. In response to a Non-Filer notice dated December 28, 1984, NCREC responded in a letter dated January 8, 1985, that NCREC did not have to file the report as it did not contribute to Federal candidates during the referenced reporting period. An analyst in the Reports Analysis Division contacted the treasurer by phone on January 11, 1985, to inform the treasurer that the 30 Day Post-General Report was a mandatory filing. The aforementioned report was received on January 24, 1985.

Below is a chart showing the reports filed late, the due dates, the dates the reports were filed, and the number of days late.

REPORT	DUE DATE	DATE FILED	DAYS LATE
1984 July Quarterly	7/15/84	9/13/84	60
1984 October Quarterly	10/15/84	11/1/84	17
1984 30 Day Post-General	12/6/84	1/24/85	49

FACTUAL AND LEGAL ANALYSIS

Section 434(a)(4)(A)(i) and (iii) requires an unauthorized committee to file in an election year quarterly reports due no later than the 15th day after the last day of each calendar quarter and a post-general election report due no later than 30 days after the general election.

35040532067

NCREC has filed three reports late during the 83-84 election cycle. One of the reports, the 1984 July Quarterly, was previously referred to this office and the matter settled through a conciliation agreement. Therefore, this report were address the late filing of NCREC's 1984 October Quarterly and 30 Day Post-General Election reports only.

As required by the Act, NCREC's October Quarterly was due October 15, 1984 and its 30 Day Post-General Election report was due December 6, 1984. Instead, NCREC filed the October Quarterly on November 1, 1984, 17 days late and the pbst-general election report on January 24, 1985, 49 days late.

Accordingly, the Office of General Counsel recommends opening a MUR and finding reason to believe NCREC violated 2 U.S.C. § 434(a)(4)(A)(i) and (iii) by filing its 1984 October Quarterly and 30 Day Post-General Election reports late.

RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that the North Carolina Republican Executive Committee and J. Michael Wilson, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) and (iii).
3. Approve and send the attached letter and factual and legal analysis.

Charles N. Steele
General Counsel

March 4, 1985
Date

Kenneth A. Gross
By: Kenneth A. Gross
Associate General Counsel

Attachments
Referral
Letter
Factual and Legal Analysis

35040532068

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 6 February 1985

ANALYST: Pamela Brown

I. COMMITTEE: North Carolina Republican Executive Committee (C00038505)
J. Michael Wilson, Treasurer
(October 1, 1984-Present)
Barbara Caldwell, Treasurer
(Prior to January 1, 1983-
September 30, 1984)
1410 Hillsborough Street
Raleigh, NC 27605

II. RELEVANT STATUTE: 2 U.S.C. §434(a)(4)(A)(i) and (iii)
11 CFR 104.5(c)(1)(i)(A) and (iii)(A)

III. BACKGROUND:

Failure to Timely File Reports

The North Carolina Republican Executive Committee ("NCREC") failed to file three (3) Reports of Receipts and Disbursements in a timely manner for the 1983-84 election cycle (see chart on page 3). The reports were filed between seventeen (17) and sixty (60) calendar days late.

On November 5, 1984, a Chronic Late Filing Notice was sent to NCREC for failing to file the 1984 July and October Quarterly Reports in a timely manner (Attachment 8).^{1/} The notice advised NCREC that any additional late filing of reports may result in legal enforcement action. Subsequent to the sending of the warning notice, NCREC failed to timely file the 30 Day Post-General Report. In response to a Non-Filer notice dated December 28, 1984, NCREC responded in a letter dated January 8, 1985 that NCREC did not have to file the report as it did not contribute to Federal candidates

^{1/} NCREC was referred to your office for Failure to File the 1984 July Quarterly Report (see MUR 1832).

35040532067

(1)

NORTH CAROLINA REPUBLICAN
EXECUTIVE COMMITTEE
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

during the referenced reporting period (Attachment 10). An analyst in the Reports Analysis Division contacted the treasurer by phone on January 11, 1985 to inform the treasurer that the 30 Day Post-General Report was a mandatory filing (Attachment 11). The aforementioned report was received on January 24, 1985 (Attachment 12).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

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3 5 0 4 0 5 3 2 0 7 1

LATE FILING HISTORY

REPORT TYPE	PRIOR NOTICE	DATE DUE	NON-FILER NOTICE	DATE FILED
1984 July Quarterly (4/1/84-6/30/84)	6/21/84 (Attachment 2)	7/15/84	8/8/84 (Attachment 3)	9/13/84 (Attachment 4)
1984 October Quarterly (7/1/84-9/30/84)	9/21/84 (Attachment 5)	10/15/84	N/A	11/1/84 (Attachment 6)
1984 30 Day Post-General (10/1/84-11/26/84)	10/1/84 (Attachment 7)	12/6/84	12/28/84 (Attachment 9)	1/24/85 (Attachment 12)

W

PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF COVER COVERAGE DATES	NO OF PAGES	HC20FILM LOCATION
NORTH CAROLINA REPUBLICAN EXECUTIVE COMMITTEE				PARTY QUALIFIED		IN 400038505
1983	STATEMENT OF ORGANIZATION - AMENDMENT			14JAN83	3	83DEC/261/2419
	DEBT SETTLEMENT STATEMENT AMENDMENT			10FEB83	6	83DEC/266/2407
	APRIL QUARTERLY	41,372	38,254	1JAN83 - 31MAR83	24	83DEC/269/5217
	APRIL QUARTERLY - AMENDMENT			1JAN83 - 31MAR83	2	84DEC/306/4120
	APRIL QUARTERLY - AMENDMENT			1JAN83 - 31MAR83	2	84DEC/312/3362
	REQUEST FOR ADDITIONAL INFORMATION			1JAN83 - 31MAR83	2	84DEC/299/4456
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JAN83 - 31MAR83	1	84DEC/308/2754
	JULY QUARTERLY	54,958	54,964	1APR83 - 30JUN83	23	83DEC/276/2458
	JULY QUARTERLY - AMENDMENT			1APR83 - 30JUN83	1	84DEC/306/481
	1ST LETTER INFORMATIONAL NOTICE			1APR83 - 30JUN83	2	84DEC/299/443
	OCTOBER QUARTERLY	157,571	79,787	1JUL83 - 30SEP83	29	83DEC/285/3402
	OCTOBER QUARTERLY - AMENDMENT			1JUL83 - 30SEP83	1	84DEC/306/4818
	OCTOBER QUARTERLY - AMENDMENT			1JUL83 - 30SEP83	1	84DEC/312/3641
	REQUEST FOR ADDITIONAL INFORMATION			1JUL83 - 30SEP83	2	84DEC/299/4453
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL83 - 30SEP83	1	84DEC/308/5087
	YEAR-END	28,925	95,670	1OCT83 - 31DEC83	42	84DEC/291/3468
	YEAR-END - AMENDMENT			1OCT83 - 31DEC83	1	84DEC/306/4821
	YEAR-END - AMENDMENT			1OCT83 - 31DEC83	1	84DEC/312/3640
	YEAR-END - AMENDMENT			1OCT83 - 31DEC83	3	84DEC/314/3345
	YEAR-END - AMENDMENT			1OCT83 - 31DEC83	37	84DEC/314/3663
	REQUEST FOR ADDITIONAL INFORMATION			1OCT83 - 31DEC83	1	84DEC/299/4451
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1OCT83 - 31DEC83	1	84DEC/308/5088
1984	MISCELLANEOUS REPORT			2APR84 FROM REC	5	84DEC/306/4812
	STATEMENT OF ORGANIZATION - AMENDMENT			1OCT84	2	84DEC/336/0272
	MISCELLANEOUS NOTICE FROM REC			5NOV84	1	84DEC/348/3368
	APRIL QUARTERLY	40,911	49,955	1JAN84 - 31MAR84	35	84DEC/311/1078
	APRIL QUARTERLY - AMENDMENT			1JAN84 - 31MAR84	1	84DEC/314/4029
	REQUEST FOR ADDITIONAL INFORMATION			1JAN84 - 31MAR84	3	84DEC/308/5071
	JULY QUARTERLY	257,916	116,792	1APR84 - 30JUN84	107	84DEC/328/1031
	JULY QUARTERLY - AMENDMENT	258,378	116,648	1APR84 - 30JUN84	20	84DEC/347/4869
	NOTICE OF FAILURE TO FILE			1APR84 - 30JUN84	1	84DEC/325/06
	REQUEST FOR ADDITIONAL INFORMATION			1APR84 - 30JUN84	6	84DEC/329/4715
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1APR84 - 30JUN84	7	84DEC/341/4395
	OCTOBER QUARTERLY	170,193	210,527	1JUL84 - 30SEP84	40	84DEC/347/5303
	OCTOBER QUARTERLY - AMENDMENT			1JUL84 - 30SEP84	9	85DEC/359/3621
	OCTOBER QUARTERLY - AMENDMENT	170,194	210,527	1JUL84 - 30SEP84	15	85DEC/359/3630
	REQUEST FOR ADDITIONAL INFORMATION			1JUL84 - 30SEP84	5	84DEC/306/2940
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL84 - 30SEP84	6	85DEC/358/1132
	POST-GENERAL	230,371	242,110	1OCT84 - 26NOV84	78	85DEC/361/2094
	NOTICE OF FAILURE TO FILE			1OCT84 - 26NOV84	1	85DEC/358/1191
1985	MISCELLANEOUS REPORT			11JAN85 TO REC	2	85DEC/359/1443
	TOTAL	1,032,689	0 897,833	0	530	TOTAL PAGES

ATTACHMENT #1

All reports have been reviewed.
 Cash-on-Hand as of 11-26-84 \$155,680.48
 Debts owed by committee 0



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 21, 1984

JULY REPORTING NOTICE FOR UNAUTHORIZED COMMITTEES

WHO MUST FILE

ALL unauthorized political committees, except those that file monthly, must file a quarterly report by July 15, 1984. (See below.)

WHAT MUST BE REPORTED

All financial activity must be disclosed from the last report filed through June 30, 1984. Political committees which have not previously filed a financial disclosure report should report all financial activity from the date of registration,* through June 30, 1984.

WHEN TO FILE

Reports sent by registered or certified mail must be postmarked no later than midnight July 15, 1984. Reports hand delivered or mailed first class must be received no later than close of business July 15, 1984.

WHERE AND HOW TO FILE

Committees should consult the instructions on the enclosed FEC Form 3X for details.

MONTHLY FILERS

Committees that file on a monthly schedule must file their next report by July 20, 1984, and disclose all financial activity of their committee from June 1 through June 30, 1984. Monthly reports are due by the twentieth of each month and should cover all financial activity of the previous month.

COMPLIANCE

Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is a serious violation. Committees are subject to enforcement action for late filing. Illegible reports which can not be clearly reproduced and reports submitted on non-FEC forms will not be accepted. Committees filing such documents will be required to refile.

*The first report filed by a committee shall include all amounts received or disbursed prior to becoming a political committee, even if such amounts were not received during the current reporting period. See 11 CFR 104.3(a) and (b).

5

A R E M I N D E R F O R Q U A R T E R L F I L E R S

All committees that have made contributions or expenditures (including independent expenditures) in connection with a primary election which have not previously been reported must file a pre-election report.

35040532071

ATTACHMENT #3



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

EQ-7

ALB 8 1984

Barbara Caldwell, Treasurer
North Carolina Republican
Executive Committee
Barrett Drive P.O. Box 17265
Raleigh, NC 27619

Identification Number: C00038505

Reference: July Quarterly Report (4/1/84-6/30/84)

Dear Ms. Caldwell:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced Report of Receipts and Disbursements as required by the Federal Election Campaign Act. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 1325 K Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR 108.2, 108.3, 108.4).

The failure to file this report may result in an audit or legal enforcement action.

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

Sincerely,

A handwritten signature in cursive script that reads "John D. Gibson".

John D. Gibson
Assistant Staff Director
Reports Analysis Division

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RECEIVED AT THE FBI

SEP 12 1984



**THE
REPUBLICAN
PARTY**

North Carolina's Conservative Voice

CHAIRMAN
David T. Fisherty

VICE CHAIRMAN
Audrey McBane

SECRETARY
Kerol Osebel

TREASURER
Barbara H. Caldwell

FINANCE CHAIRMAN
Ed Shufelt

919-828-8423
919-828-1838
1-800-882-8849

September 10, 1984

Federal Election Commission
1325 K Street, NW
Washington, D.C. 20463

REGISTERED MAIL
RECEIPT REQUESTED

Dear Sirs:

Enclosed, please find the July 15 Quarterly Report for the North Carolina Republican Party.

Several reasons led to the tardiness of this report. We had a bookkeeping personnel change, our computer was down prohibiting the completion of this report and our staff was summoned to the Republican National Convention for two weeks. We have made our best effort to not only submit this report at this time, but in addition, to be prepared to submit all upcoming reports by the due date.

Please note the following:

- 1) One contribution received was found to be in excess of the legal limit of \$5000. A refund was made upon locating the error and a copy of the check from Mr. Edwin A. Shufelt, PO Box 5634, High Point, NC 27264; for the amount in excess: \$84.00 is enclosed for your reference.
- 2) Contributions made to State candidates are found on Line Number 27 since they do not fall within Line 21 "Contributions to Federal Candidates".
- 3) Three conduit checks are listed as Disbursements on Line 27. These include disbursements to: The North Carolina Federation of Young Republicans, the Helms for Sente Committee, and the Martin for Governor Committee. Three fundraisers were held during our State Convention, June 21-23. The North Carolina Republican Party collected monies for

MK

8

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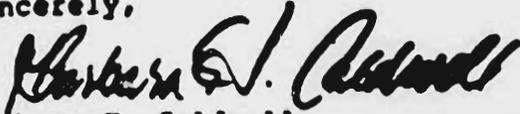
Page Two

tickets for these events then wrote conduit checks to those committees for their proceeds. Attached to this report is an itemized listing of those who purchased tickets from the North Carolina Republican Party.

Should you have any questions, please do not hesitate to call upon me.

I appreciate the Commission's understanding and patience concerning the tardiness of this report.

Sincerely,



Barbara H. Caldwell
Treasurer

BHC/en

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ugh Street
2308
2700

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 21, 1984

OCTOBER REPORTING NOTICE FOR UNAUTHORIZED COMMITTEES

WHO MUST FILE

ALL unauthorized political committees, except those that file monthly, must file a quarterly report by October 15, 1984. (See Monthly Filers below.)

WHAT MUST BE REPORTED

All financial activity must be disclosed from the last report filed through September 30, 1984. Political committees which have not previously filed a financial disclosure report should report all financial activity from the date of registration,* through September 30, 1984.

WHEN TO FILE

Reports sent by registered or certified mail must be postmarked no later than October 15, 1984. Reports hand delivered or mailed first class must be received no later than close of business October 15, 1984.

WHERE AND HOW TO FILE

Committees should consult the instructions on the enclosed FEC Form 3X for details.

MONTHLY FILERS

Committees that file on a monthly schedule must file their next report by October 20, 1984, and disclose all financial activity of their committee from September 1 through September 30, 1984. Monthly reports are due by the twentieth of each month and should cover all financial activity of the previous month.

COMPLIANCE

Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is a serious violation. Committees are subject to enforcement action for late filing. Illegible reports which can not be clearly reproduced and reports submitted on non-FEC forms will not be accepted. Committees filing such documents will be required to refile.

*The first report filed by a committee shall include all amounts received or disbursed prior to becoming a political committee, even if such amounts were not received during the current reporting period. See 11 CFR 104.3(a) and (b).

-over-

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A R E M I N D E R

All committees that have made contributions or expenditures (including independent expenditures) in connection with an election, which have not previously been disclosed, must file a pre-election report for that election. (Although some committees may not be required to file pre-election reports, all committees, are required to file a post-general election report.)

FOR INFORMATION CALL: Office of Public Communications
800/424-9530 or 202/523-4068

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CHAIRMAN
David T. Fisher
VICE CHAIRMAN
Mary Jane Hollyday
SECRETARY
Karel Goshal
TREASURER
Jim McIntyre
FINANCE CHAIRMAN
I Beverly Lake, Jr



THE
REPUBLICAN
PARTY

North Carolina's Conservative Voice

919-781-8306
919-781-8308
950-883-8848

October 31, 1984

Mr. John D. Gibson
Assistant Staff Director
Reports Analysis Division
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Gibson:

Enclosed is the Third Quarter Report. I recognize that it is late, but I placed priority on finalizing the Second Quarter Report which you should have already received. I have implemented several accounting procedures to allow us to better compile and report data. You can be assured that our reports going forward shall be submitted on time.

MK

As was the case with the Second Quarter Report, there were certain receipts that should have been deposited into the State Account rather than the Federal Account. Attached is a copy of the check transferring these funds accordingly.

I have reviewed our disbursements and we have made none in support of Federal candidates during the period October 1, 1984 and October 17, 1984.

Yours truly,

J. Michael Wilson
J. Michael Wilson
Treasurer

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 1, 1984

**GENERAL ELECTION FILING NOTICE
FOR UNAUTHORIZED COMMITTEES**

WHO MUST FILE THE PRE-GENERAL ELECTION REPORT

All committees that file monthly reports must file the pre-general election report due October 25, 1984.

In addition all quarterly filing committees that have made contributions or expenditures (including independent expenditures) in connection with the general election must file a pre-election report, if such activity has not previously been reported. See below for post-general filing information.

WHAT MUST BE REPORTED

The report must disclose all financial activity of the committee from the later of, the last report filed or the date of registration* through October 17, 1984. (Monthly filers must disclose all financial activity from the later of October 1 or the date of registration* through October 17, 1984.)

WHEN TO FILE

Pre-general election reports sent registered or certified mail must be postmarked no later than October 22, 1984. Reports hand delivered or mailed first class must be received no later than close of business October 25, 1984.

* * * * *

WHO MUST FILE THE POST-GENERAL ELECTION REPORT

All committees must file the post-general election report due December 6, 1984, regardless of election activity.

WHAT MUST BE REPORTED

The post-general election report must cover all financial activity of the committee from either the date of the last report filed or the date of registration, whichever is later* through November 26, 1984.

WHEN TO FILE

Post-general election reports sent by registered or certified mail must be postmarked no later than December 6, 1984. Reports hand delivered or mailed first class must be received no later than close of business December 6, 1984.

*The first report filed by a committee shall include all amounts received or disbursed prior to becoming a political committee, even if such amounts were not received during the current reporting period. See 11 CFR 104.3(a) and (b).

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WHERE AND HOW TO FILE

Committees should consult the instructions on the enclosed FEC form 3X, for details.

QUARTERLY FILERS

Name of Report	Period Covered	Reg./Cert. Mailing Date	Filing Date
3rd Q-Report	07/01* - 09/30	10/15/84	10/15/84
Pre-General	10/01 - 10/17	10/22/84	10/25/84
Post-General**	10/18 - 11/26	12/06/84	12/06/84
Year-end	11/27 - 12/31	01/31/85	01/31/85

*Or from date of registration, or the close of books of the last report filed, whichever is later.

**Reports filed by committees that did not file the pre-General report should cover all financial activity from the last report filed through November 26, 1984.

* * *

MONTHLY FILERS

Name of Report	Period Covered	Reg./Cert. Mailing Date	Filing Date
Oct. Monthly	09/01 - 09/30	10/20/84	10/20/84
Pre-General	10/01 - 10/17	10/22/84	10/25/84
Post-General	10/18 - 11/26	12/06/84	12/06/84
Year-end	11/27 - 12/31	01/31/85	01/31/85

COMPLIANCE

Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is a serious violation. Committees are subject to enforcement action for late filing. Illegible reports which can not be clearly reproduced and reports submitted on non-FEC forms will not be accepted. Committees filing such documents will be required to refile.

FOR INFORMATION CALL: Office Of Public Communications
800/424-9530 or 202/523-4068

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FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20461

NOV 5 1984

MS-L

J. Michael Wilson, Treasurer
North Carolina Republican
Executive Committee
1410 Hillsborough Street
Raleigh, NC 27605

Identification Number: C00038505

Reference: 1983-1984 Election Cycle Reports

Dear Mr. Wilson:

This letter is prompted by the Commission's review of the reports required to be filed by your committee. The following is a list of reports your committee apparently has failed to file in a timely manner.

<u>Report Type</u>	<u>Due Date</u>	<u>Date Filed</u>
July Quarterly (4/1/84-6/30/84)	7/15/84	9/13/84
October Quarterly (7/1/84-9/30/84)	10/15/84	11/1/84

Timely filing is a specific requirement of the Federal Election Campaign Act and is essential to fulfilling the public disclosure concept embodied in that law. The Commission views failure to timely file reports as a serious violation of the Act. This communication is to advise you that, notwithstanding any matters which may be pending with the Commission, any additional failure to timely file a required report by your committee may result in the Commission initiating legal enforcement or audit action.

If you need assistance or have any questions regarding this matter, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 573-4048.

Sincerely,

Michael B. Filler
Chief
Party/Non-Party Branch

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

EQ-7

December 28, 1984

J. Michael Wilson, Treasurer
North Carolina Republican
Executive Committee
1410 Hillsborough St.
P.O. Box 12903
Raleigh, NC 27605

Identification Number: C00038505

Reference: 30 Day Post-General Report (10/1/84-11/26/84)

Dear Mr. Wilson:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced Report of Receipts and Disbursements as required by the Federal Election Campaign Act. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 1325 K Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR 108.2, 108.3, 108.4).

The failure to file this report may result in an audit or legal enforcement action.

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

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

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85 JAN 11 AM 10:06

CHAIRMAN
David T. Fisherly

VICE CHAIRMAN
Audrey McBurne

SECRETARY
Karel Guebel

TREASURER
Barbara H Caldwell

FINANCE CHAIRMAN
Ed Shufelt

919-828-8423
919-828-1838
1-800-882-8848



**THE
REPUBLICAN
PARTY**

North Carolina's Conservative Voice

January 8, 1985

Mr. John D. Gibson, Assistant Staff Director
Reports Analysis Division
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Gibson:

In reference to your letter, identification number: C000109447 in reference to the 30 Day Post-General Report (10/1/84 - 11/26/84), the North Carolina Republican Executive Committee was not required to file this report because we did not contribute to federal candidates during this period.

Thank you for your assistance in this matter.

Sincerely,

J. Michael Wilson
J. Michael Wilson
Treasurer

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**THE
REPUBLICAN
PARTY**

North Carolina's Conservative Voice
Post Office Box 12805 • Raleigh, North Carolina 27605

Attachment #10 (Continued)



Mr. John D. Gibson, Assistant Staff Director
Reports Analysis Division
Federal Election Commission
Washington, D.C. 20463

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MEMORANDUM TO THE FILES:

COMMITTEE: North Carolina Republican Executive Committee
CONTACT: Mike Wilson, Treasurer
DATE: 1/11/85
ANALYST: Brown
SUBJECT: Non-Filing of the 30 Day Post General Report

I called Mr. Wilson in response to his letter explaining that the NCREC did not support Federal ~~candidates~~ during the 30 Day Post-General reporting period. I told him that unlike the Pre-General Report, the Post-General Report was a mandatory filing and to submit it as soon as possible. He said that he would do so.

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85 JAN 24 9:05

CHAIRMAN
David T. Flaherty

VICE CHAIRMAN
Audrey McBane

SECRETARY
Karol Goebel

TREASURER
Barbara H. Caldwell

FINANCE CHAIRMAN
Ed Shufelt

919-828-6423
919-828-1839
1-800-662-8849



**THE
REPUBLICAN
PARTY**

North Carolina's Conservative Voice

January 22, 1985

Ms. Pamela Brown
Senior Reports Analyst
Reports Analysis Division
Federal Election Commission
Washington, DC 20463

FEC Identification Number: 00038505

Reference: Thirtieth day Report following the General Election

Dear Pamela:

Enclosed, please find the Thirtieth day Report following the General Election. As I discussed with you during our phone conversation, I was unaware that this was a mandatory report.] MK

Please note that I have included a copy of a check transferring funds from our federal account to our state account. We received \$101.26 from the Alleghany Republican Party and deposited it into our federal account. This is prior to our learning that these contributions are prohibitive. When I prepared this report, I transferred this contribution.

You will be receiving our January 31 Year End Report before the deadline.

Sincerely,

J. Michael Wilson

J. Michael Wilson
Treasurer

Enc.

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35040532091

Attachment #12 (page 2 of 3)
REPORT OF RECEIPTS AND DISBURSEMENTS
 For a Political Committee Other Than an Authorized Committee

85 JAN 24 9:05

(Summary Page)

ALIGN AREA

ALIGN AREA

1. Name of Committee (In Full)

NORTH CAROLINA REPUBLICAN EXECUTIVE COMMITTEE

Address (Number and Street)

**1410 HILL'S DOROUGH STREET
 P. O. BOX 12905**

City, State and ZIP Code

RALEIGH, N.C. 27605

Check here if address is different than previously reported.

2. FEC Identification Number

00038505

3. This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

- (a) April 15 Quarterly Report October 15 Quarterly Report
- July 15 Quarterly Report January 31 Year End Report
- July 31 Mid Year Report (Non-Election Year Only)
- Monthly Report for _____
- Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____
- Thirtieth day report following the General Election on 12/06/84 in the State of NORTH CAROLINA
- Termination Report

(b) Is this Report an Amendment?

YES NO

SUMMARY

5. Covering Period 10-01-84 through 11-26-84

6. (a) Cash on hand January 1, 1984

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 18)

(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)

7. Total Disbursements (from Line 28)

8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))

9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)

10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)

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

For further information contact:

Federal Election Commission
 Toll Free 800-424-9630
 Local 202-623-4088

J. MICHAEL WILSON

Type or Print Name of Treasurer

J. Michael Wilson

SIGNATURE OF TREASURER

1/21/85
 Date

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

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

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FEC FORM 3X (3/80)

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**DETAILED SUMMARY PAGE
of Receipts and Disbursements
(Page 2, FEC FORM 3X)**

Attachment #12: (page 3 of 3)

Name of Committee (in Full)

NORTH CAROLINA REPUBLICAN EXECUTIVE COMMITTEE

Report Covering the Period:

From: **10/1/84** To: **11/26/84**

I. RECEIPTS

11. CONTRIBUTIONS (other than loans) FROM:

	COLUMN A Total This Period	COLUMN B Calendar Year-To-Date	
(a) Individuals/Persons Other Than Political Committees..... (Memo Entry Unitemized \$ <u>19,809.55</u>)	45,236.55	203,716.49	11(a)
(b) Political Party Committees.....	1000.00	12,140.60	11(b)
(c) Other Political Committees.....	101.26	15,929.98	11(c)
(d) TOTAL CONTRIBUTIONS (other than loans) (add 11(a), 11(b) and 11(c)).....	46,337.81	231,787.07	11(d)
12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES.....	210,075.00	210,075.00	12
13. ALL LOANS RECEIVED.....	0	0	13
14. LOAN REPAYMENTS RECEIVED.....	17,747.50	17,747.50	14
15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.).....	3,321.47	57,484.69	15
16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES.....	0	0	16
17. OTHER RECEIPTS (Dividends, Interest, etc.).....	2,889.66	232,766.92	17
18. TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17).....	280,371.44	749,855.18	18

II. DISBURSEMENTS

19. OPERATING EXPENDITURES.....	185,418.35	456,215.30	19
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES.....	1440.60	1440.60	20
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES.....	0	42,000.00	21
22. INDEPENDENT EXPENDITURES (use Schedule E).....	0	0	22
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES..... (2 U.S.C. § 441 e(d)) (Use Schedule F)	0	0	23
24. LOAN REPAYMENTS MADE.....	0	15,000.00	24
25. LOANS MADE.....	17,747.50	17,747.50	25
26. REFUNDS OF CONTRIBUTIONS TO			
(a) Individuals/Persons Other Than Political Committees.....	0	277.00	26(a)
(b) Political Party Committees.....	0	0	26(b)
(c) Other Political Committees.....	0	109.39	26(c)
(d) TOTAL CONTRIBUTION REFUNDS (Add 26(a), 26(b) and 26(c)).....	0	386.39	26(d)
27. OTHER DISBURSEMENTS.....	38,504.31	86,452.55	27
28. TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27).....	242,110.76	619,242.34	28

III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES

29. TOTAL CONTRIBUTIONS (other than loans) from Line 11(d).....	46,337.81	231,787.07	29
30. TOTAL CONTRIBUTION REFUNDS from Line 26(d).....	0	386.39	30
31. NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29).....	46,337.81	231,394.68	31
32. TOTAL OPERATING EXPENDITURES from Line 19.....	185,418.35	456,215.30	32
33. OFFSETS TO OPERATING EXPENDITURES from Line 15.....	3,321.47	57,484.69	33
34. NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32).....	182,096.88	398,730.61	34

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

J. Michael Wilson, Treasurer
North Carolina Republican Executive Committee
1410 Hillsborough Street
Raleigh, North Carolina 27605

RE: MUR

Dear Mr. Wilson:

On March , 1985, the Federal Election Commission determined that there is reason to believe that the North Carolina Republican Executive Committee and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) and (iii), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter.

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

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

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J. Michael Wilson, Treasurer
Page 2

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Judy Thedford, the staff member assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
Chairman

Enclosures

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

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FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. _____

RESPONDENT North Carolina Republican Executive
Committee, J. Michael Wilson, Treasurer

SUMMARY OF ALLEGATIONS

The North Carolina Republican Executive Committee ("NCREC") failed to file three Reports of Receipts and Disbursements in a timely manner for the 1983-84 election cycle. The reports were filed between seventeen and sixty calendar days late.

On November 5, 1984, a Chronic Late Filing Notice was sent to NCREC for failing to file the 1984 July and October Quarterly Reports in a timely manner.*/ The notice advised NCREC that any additional late filing of reports may result in legal enforcement action. Subsequent to the sending of the warning notice, NCREC failed to timely file the 30 Day Post-General Report. In response to a Non-Filer notice dated December 28, 1984, NCREC responded in a letter dated January 8, 1985, that NCREC did not have to file the report as it did not contribute to Federal candidates during the referenced reporting period. An analyst in the Reports Analysis Division contacted the treasurer by phone on January 11, 1985, to inform the treasurer that the 30 Day Post-General Report was a mandatory filing. The aforementioned report was received on January 24, 1985.

*/ NCREC was referred to this office for failure to file the 1984 July Quarterly Report (see MUR 1832).

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Below is a chart showing the reports filed late, the due dates, the dates the reports were filed, and the number of days late.

REPORT	DUE DATE	DATE FILED	DAYS LATE
1984 July Quarterly	7/15/84	9/13/84	60
1984 October Quarterly	10/15/84	11/1/84	17
1984 30 Day Post-General	12/6/84	1/24/85	49

FACTUAL AND LEGAL ANALYSIS

Section 434(a)(4)(A)(i) and (iii) requires an unauthorized committee to file in an election year quarterly reports due no later than the 15th day after the last day of each calendar quarter and a post-general election report due no later than 30 days after the general election.

NCREC has filed three reports late during the 83-84 election cycle. One of the reports, the 1984 July Quarterly, was previously referred to this office and the matter settled through a conciliation agreement. Therefore, this report were address the late filing of NCREC's 1984 October Quarterly and 30 Day Post-General Election reports only.

As required by the Act, NCREC's October Quarterly was due October 15, 1984 and its 30 Day Post-General Election report was due December 6, 1984. Instead, NCREC filed the October Quarterly on November 1, 1984, 17 days late and the post-general election report on January 24, 1985, 49 days late.

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(29)

Accordingly, the Office of General Counsel recommends opening a MUR and finding reason to believe NCREC violated 2 U.S.C. § 434(a)(4)(A)(i) and (iii) by filing its 1984 October Quarterly and 30 Day Post-General Election reports late.

35040532098



FEDERAL ELECTION COMMISSION

1125 K STREET NW
WASHINGTON, DC 20543

THIS IS THE BEGINNING OF MUR # 1921

Date Filmed 7/16/85 Camera No. --- 2

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