



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2442  
DATE FILMED 4/15/88 CAMERA NO. 2  
CAMERAMAN GRC

89040694318

Attachment 1

1



FEDERAL ELECTION COMMISSION

WASHINGTON DC 20463

February 10, 1987

MEMORANDUM

TO: CHARLES N. STEELE  
GENERAL COUNSEL

THROUGH: JOHN C. SURINA  
STAFF DIRECTOR

FROM: JOHN D. GIBSON  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION

SUBJECT: NON-FILER REFERRALS OF MONTHLY UNAUTHORIZED COMMITTEES

Attached is a listing of thirty-four (34) monthly filers which failed to file a report covering the pre-election period by Election Day, November 4, 1986. In accordance with of the 1985-1986 RAD Review and Referral Procedures, further examination is required by your office.

On September 29, 1986, prior notification was sent to all unauthorized committees which specifically informed monthly filers of the requirement to file a 12 Day Pre-General Report by October 23, 1986 (Attachment 35). Each committee which failed to submit either a 12 Day Pre-General Report or a November Monthly Report was sent a Non-Filer Notice on November 14, 1986 (Attachment 36). The following six (6) committees were not sent Non-Filer Notices because a report covering the pre-election period was indexed by November 14, 1986:

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The attached printout lists the name, address and treasurer for each committee being referred. Any telephone conversations are referenced under Contacts with Filers. The Summary Pages of the late-filed reports and/or letters of explanation are included under Reports Filed/Response(s).

In addition, a "C" index has been included for each committee. Please note that the aggregate receipt and disbursement figures may be inflated in some cases because a) reports were submitted covering portions of the same period (e.g., a 12 Day Pre-General Report covering October 1, 1986 through October 15, 1986 and a November Monthly Report covering October 1, 1986 through October 31, 1986), or b) 1987 February Monthly Reports have been filed.

If you have any questions, please contact Lisa Stolaruk at 376-2480.

Attachments

8 8 0 4 0 6 9 4 3 2 0

C00160473

National Tax Limitation Committee PAC

87NF-31

03040694321

8 3 0 4 0 6 9 4 3 2 2

**NATIONAL TAX LIMITATION COMMITTEE POLITICAL ACTION COMMITTEE**

(Attachments 24a - 24d)

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
NATIONAL TAX LIMITATION COMMITTEE PAC CONNECTED ORGANIZATION: TAX LIMITATION COMMITTEE; NAT'L				NON-PARTY QUALIFIED		ID #C00160473
1985	MISCELLANEOUS REPORT			31JAN85 TO FEC	1	85FEC/364/2394
	STATEMENT OF ORGANIZATION - AMENDMENT			18JUL85	2	85FEC/380/4898
	MID-YEAR REPORT	51	6,028	1JAN85 -30JUN85	7	85FEC/380/4849
	YEAR-END	0	30	1JUL85 -31DEC85	8	86FEC/396/4869
1986	MISCELLANEOUS REPORT			16JUN86 TO FEC	2	86FEC/416/5149
	MISCELLANEOUS REPORT			17JUN86 FROM FEC	1	86FEC/417/0705
	24 HOUR CONTRIBUTION NOTICE			31OCT86	3	86SEN/042/2228
	FEBRUARY MONTHLY	0	0	1JAN86 -31JAN86	7	86FEC/403/2679
	FEBRUARY MONTHLY - AMENDMENT	0	0	1JAN86 -31JAN86	7	86FEC/405/0041
	MARCH MONTHLY	0	0	1FEB86 -28FEB86	7	86FEC/405/0048
	APRIL MONTHLY	0	0	1MAR86 -31MAR86	8	86FEC/410/4177
	MAY MONTHLY	0	0	1APR86 -30APR86	7	86FEC/414/5005
	JUNE MONTHLY	0	0	1MAY86 -31MAY86	5	86FEC/417/5128
	JULY MONTHLY	0	0	1JUN86 -30JUN86	4	86FEC/424/2363
	JULY MONTHLY - AMENDMENT	2,911	0	1JUN86 -30JUN86	4	86FEC/428/0637
	AUGUST MONTHLY	93,954	5,015	1JUL86 -31JUL86	6	86FEC/428/0630
	SEPTEMBER MONTHLY	70,513	100,379	1AUG86 -31AUG86	10	86FEC/431/1653
	SEPTEMBER MONTHLY - AMENDMENT	70,513	100,379	1AUG86 -31AUG86	3	86FEC/440/1017
	OCTOBER MONTHLY	23,366	26,448	1SEP86 -30SEP86	8	86FEC/440/1009
	PRE-GENERAL	35,450	5,500	1OCT86 -15OCT86	6	86FEC/450/3530
	NOTICE OF FAILURE TO FILE			1OCT86 -15OCT86	1	86FEC/444/1490
	POST-GENERAL	40,390	80,899	16OCT86 -24NOV86	9	86FEC/450/3547
	<b>TOTAL</b>	<b>266,635</b>	<b>0</b>		<b>0</b>	<b>116 TOTAL PAGES</b>

Ending cash-on-hand as of 11/24/86: \$48,972  
 Debts owed by the committee as of 11/24/86: \$70.412  
 All reports have been reviewed.

TELECON

ANALYST : Ivonne Cotto  
CONVERSATION WITH: James C. Gross, Treasurer  
COMMITTEE : National Tax Limitation Committee  
DATE : 11/28/86  
SUBJECT(S) : Non/Late Filing of Reports

The analyst attempted to contact Mr. Gross in reference to the non-filing of the 12 Day Pre-General Report. The analyst left a message on the answering machine reminding Mr. Gross that the report was late and had to be filed.

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**REPORT OF RECEIPTS AND DISBURSEMENTS**  
For a Political Committee Other Than an Authorized Committee

ATTACHMENT 24c  
RECEIVED AT THE FEC

Summary Page

86 DEC 9 11 18  
ACTION AREA

<p><b>1 NAME OF COMMITTEE (In Full)</b> National Tax Limitation Committee Political Action Committee</p> <hr/> <p><b>Address (Number and Street)</b> 85 Serrayate Plaza, Suite 309</p> <hr/> <p><b>City, State and ZIP Code</b> Roseville, CA 95678</p> <hr/> <p><input type="checkbox"/> Check here if address is different than previously reported</p> <p><b>2 FEC Identification Number</b> C00160473</p> <hr/> <p><input type="checkbox"/> This committee qualified as a multi-candidate committee during the Reporting Period on _____</p>	<p><b>4. TYPE OF REPORT (Check appropriate boxes)</b></p> <p>(a) <input type="checkbox"/> April 15 Quart: _____ <input type="checkbox"/> October 15 Quarterly Report</p> <p><input type="checkbox"/> July 15 Quarterly Report <input type="checkbox"/> January 31 Year End Report</p> <p><input type="checkbox"/> July 31 Mid Year Report (Non-Election Year Only)</p> <p><input type="checkbox"/> Monthly Report for _____</p> <p><input checked="" type="checkbox"/> Tenth day report preceding <u>General</u> Election on <u>11/4/86</u> in the State of <u>California</u></p> <p><input type="checkbox"/> Through day report following the General Election on _____ in the State of _____</p> <p><input type="checkbox"/> Termination Report</p> <p><b>(b) Is this Report an Amendment?</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>
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C. G. Gross 11/26/86

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
<b>5</b> Covering Period <u>10/1/86</u> through <u>10/15/86</u>		
<b>6 (a)</b> Cash on hand January 1, 19 <u>86</u>		\$ 628.81
<b>(b)</b> Cash on Hand at Beginning of Reporting Period	\$ 59,530.61	
<b>(c)</b> Total Receipts (from Line 1b)	\$ 35,450.50	\$ 226,196.73
<b>(d)</b> Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$ 94,981.11	\$ 226,825.54
<b>7</b> Total Disbursements (from Line 2b)	\$ 5,500.00	\$ 137,344.43
<b>8</b> Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ 89,481.11	\$ 89,481.11
<b>9</b> Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	\$ 1,380.52	
<b>10</b> Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	\$ 70,342.85	

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

Jane G. Gross  
Secretary/Treasurer

[Signature]  
SIGNATURE OF TREASURER

11/26/86  
Date

For further information contact:  
Federal Election Commission  
Tel. Free 800 424 9520  
Voice 202 523 4888

TELECON

ANALYST : Ivonne Cotto  
CONVERSATION WITH: Steve Churchwell, Committee Representative  
COMMITTEE : National Tax Limitation Committee  
DATE : 12/9/86  
SUBJECT(S) : Late/Non Filing of Reports

Mr. Churchwell contacted the analyst in reference to the 12 Day Pre-General Report. Mr. Churchwell stated that he had sent the report, however he had been advised by a representative of the Federal Election Commission that a report was not required. The analyst stated that the 12 Day Pre-General Report was received at the Commission on December 8, 1986.

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**SENSITIVE**

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

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL  
BY OGC TO THE COMMISSION \_\_\_\_\_

RAD REFERRALS 87NF-08 to 41  
STAFF MEMBER  
Deborah Curry

SOURCE OF MUR: INTERNALLY GENERATED

RESPONDENTS' NAMES:

88040594327

83040594328

National Tax Limitation Committee PAC  
and James C. Gross, as treasurer

RELEVANT STATUTES: 2 U.S.C. § 434(a)(4)(B) and  
11 C.F.R. 104.5(c)(3)(ii)

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

This matter was generated by the Reports Analysis Division ("RAD") after a review of the disclosure reports of the above-named committees. The RAD referral reveals that the above mentioned committees and their treasurers, may have violated 2 U.S.C. § 434(a)(4)(B) by failing to file the 1986 Pre-General Election Report in a timely manner.

II. FACTUAL AND LEGAL ANALYSIS

Attached is a listing of thirty-four (34) monthly filers which failed to file a report covering the pre-election period by Election Day, November 4, 1986. (Attachment 1) On September 29, 1986, prior notification was sent to all unauthorized committees which specifically informed monthly filers of the requirement to file a 12 Day Pre-General Report by October 23, 1986. (Attachment 1, page 137) Each committee which failed to submit either a 12 Day Pre-General Report or a November Monthly Report was sent a Non-Filer Notice on November 14, 1986. (Attachment 1, page 139) The following six (6) committees were not sent Non-Filer Notices because a report covering the pre-election period was indexed by November 14, 1986:

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The attached printout lists the name, address and treasurer for each committee being referred. (Attachment 1, pages 5-10) Any telephone conversations are referenced under Contacts with Filers. The Summary Pages of the late-filed reports and/or letters of explanation are included under Reports Filed/Response(s).

In addition, a "C" index has been included for each committee. (Attachment 1) Please note that the aggregate receipt and disbursement figures may be inflated in some cases because (a) reports were submitted covering portions of the same period (e.g., a 12 Day Pre-General report covering October 1, 1986 through October 15, 1986 and a November Monthly Report covering October 1, 1986 through October 31, 1986), or (b) 1987 February Monthly Reports have been filed.

2 U.S.C. § 434(a)(4)(B) requires that monthly filers file a Pre-General Election Report, covering financial activity from October 1 through October 15, by October 23, 1986. The above

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referenced committees failed to file the 1986 Pre-General Election Report by the required deadline. Therefore, though the Commission is in receipt of report(s) disclosing financial activity covering the pre-general election period, such report(s) were not filed in a timely manner.

With regard to thirty-two non-filers listed below, the Office of General Counsel recommends that the Commission open MURs and find reason to believe these committees and their treasurers violated 2 U.S.C. § 434(a)(4)(B). With regard to Association of Independent Colleges and Schools Political Action Committee (\$253 receipts/0 exp's) and Trammell Crow Partners Political Committee (0 receipts/0 exp's), the Office of General Counsel recommends that the Commission decline to open a MUR because of the low amount of financial activity during the pre-election reporting period.

III. RECOMMENDATIONS

1. Open MURs with respect to those committees listed in Recommendation 2.
2. Find reason to believe the following committees and their treasurers violated 2 U.S.C. § 434(a)(4)(B):

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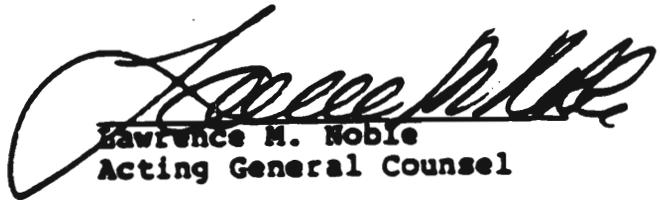
National Tax Limitation Committee PAC  
and James C. Gross, as treasurer

33040694333

3. Approve the attached sample letter and sample Factual and Legal Analysis to be sent to each committee listed in Recommendation 2.
- 4.

Date

5/18/87

  
Lawrence M. Noble  
Acting General Counsel

**Attachments**

1. Referral Materials
2. Sample Letter (1)
3. Sample Factual and Legal Analysis (1)





CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 21, 1987, the Commission decided by a vote of 6-0 to take the following actions in RAD Ref. 87NF-08 to 41:

1. Open MURs with respect to those committees listed in Recommendation 2.
2. Find reason to believe the following committees and their treasurers violated 2 U.S.C. § 434(a)(4)(B):

88040694336

(continued)

Federal Election Commission  
Certification for RAD Ref. 87NF-08 to 41  
May 21, 1987

Page 4

33040694337

National Tax Limitation Committee PAC  
and James C. Gross, as treasurer

(continued)

3. Approve the sample letter and sample Factual and Legal Analysis to be sent to each committee listed in Recommendation 2, as recommended in the First General Counsel's Report signed May 18, 1987.
- 4.

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

Attest:

5-22-87

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary of the Commission

Received in the Office of Commission Secretary: Tues., 5-19-87, 9:22  
Circulated on 48 hour tally basis: Tues., 5-19-87, 4:00  
Deadline for vote: Thurs., 5-21-87, 4:00

83040694338



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 8, 1987

James C. Gross, Treasurer  
National Tax Limitation Committee PAC  
#5 Sierragate Plaza, Suite 309  
Roseville, CA 95678

RE: MUR 2442  
National Tax Limitation  
Committee PAC and James C.  
Gross, as treasurer

Dear Mr. Gross:

On May 21, 1987, the Federal Election Commission determined there is reason to believe National Tax Limitation Committee PAC and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you 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 fifteen days of your receipt of this letter.

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or

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*John*

recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to 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 a statement authorizing such counsel to receive any notifications and other communications from the Commission.

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 Anthony Marshall, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Scott E. Thomas  
Chairman

Enclosures

Factual and Legal Analysis  
Procedures  
Designation of Counsel Statement

83040694340

*DM*

FEDERAL ELECTION COMMISSION  
FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: National Tax Limitation Committee MUR 2442  
PAC and James C. Gross,  
as treasurer

The RAD referral reveals that the above-mentioned committee and treasurer, may have violated 2 U.S.C. § 434(a)(4)(B) by failing to file the 1986 Pre-General Election Report in a timely manner.

On September 29, 1986, prior notification was sent to all unauthorized committees which specifically informed monthly filers of the requirement to file a 12 Day Pre-General Election Report by October 23, 1986. The above-mentioned Committee failed to file a report covering the pre-election period by Election Day, November 4, 1986. Each Committee which failed to submit either a 12 Day Pre-General Election Report or a November Monthly Report was sent a Non-filer Notice on November 14, 1986, unless the Commission had received the reports by that date.

2 U.S.C. § 434(a)(4)(B) required that monthly filers file a Pre-General Election Report, covering financial activity from October 1 through October 15, by October 23, 1986. The above-referenced committee failed to file the 1986 Pre-General Election Report by the required deadline. Though the Committee may have filed a report which disclosed financial activity covering the pre-general election period, such report was not filed in a

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timely manner. Therefore, the Office of General Counsel recommends the Commission open a MUR in this matter and find reason to believe the above-mentioned Respondents have violated 2 U.S.C. § 434(a)(4)(B).

83040694342

**HAND DELIVERED**

LAW OFFICES OF  
**NIELSEN, HODGSON, PARRINELLO & MUELLER**

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

SAN FRANCISCO  
650 CALIFORNIA STREET, SUITE 2850  
SAN FRANCISCO, CALIFORNIA 94108  
TELEPHONE (415) 989-8800

1030 FIFTEENTH STREET, SUITE 250  
SACRAMENTO, CALIFORNIA 95814  
TELEPHONE (916) 446-6752

FILE NUMBER

June 24, 1987

5318.06

37 JUN 29 A10:57

VIA FEDERAL EXPRESS

Mr. Anthony Marshall, Esq.  
Office of the General Counsel  
Federal Election Commission  
999 "E" Street, N.W.  
Washington, D.C. 20463

Re: MUR # 2422: National Tax Limitation Committee  
Political Action Committee

Dear Ms. Garr:

The Federal Election Commission's letter dated June 8, 1987, addressed to James C. Gross, Treasurer of the National Tax Limitation Committee Political Action Committee (PAC), has been forwarded to me for response. This office serves as legal counsel to the PAC.

In the Factual and Legal Analysis by the FEC, you indicated that the PAC failed to file the 1986 Pre-General Election Report in a timely manner. You further indicated that on September 29, 1986 a notification was sent to all unauthorized committees informing them of the special pre-election filing. You further indicated that the committee failed to file the report covering the pre-election prior to election day and that the commission sent a nonfiler notice on November 14, 1986.

The PAC does not dispute any of those facts. However, the PAC wishes to draw your attention to the fact that on December 4, 1986, the pre-election campaign statement was sent by Federal Express to Washington, D.C. with a cover letter addressed to Ms. Pat Klein. A copy of that letter and the campaign statement are enclosed.

The reason for the late filing was that Pat Klein of the FEC stated to Chacha Brown of our office, that no report was due unless there was a contribution made to a federal candidate. Later it was discovered that the law requires a report regardless of whether a contribution was made.

Since the subject report is on file with your office, and is a matter of public record, we are uncertain as to why the

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Anthony Marshall, Esq.  
June 25, 1987  
Page 2

Commission wishes to pursue this matter. We have been advised by Mr. Kirk A. Pessner, a Political Reports Specialist in our San Francisco office, that the Commission advised in a similar matter that the committee seek conciliation. We therefore wish to enter into conciliation with the Federal Election Commission on the above referenced matter.

As treasurer for the PAC, I will act as representative for the committee in this matter. If you have any questions, please contact me.

Very truly yours,



JAMES C. GROSS

JCG:ss  
Enclosures  
cc: Lew Uhler

33040594324

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
National Tax Limitation Committee PAC ) MUR 2442  
and James C. Gross, as treasurer )  
 )

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On May 21, 1987, the Commission found reason to believe that National Tax Limitation Committee PAC and James C. Gross, as treasurer, violated 2 U.S.C. § 434(a) by failing to file its 1986 12 Day Pre-General Report in a timely manner. By letter dated June 24, 1987, respondents requested to settle this matter prior to a finding of probable cause to believe (Attachment 1).

II. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

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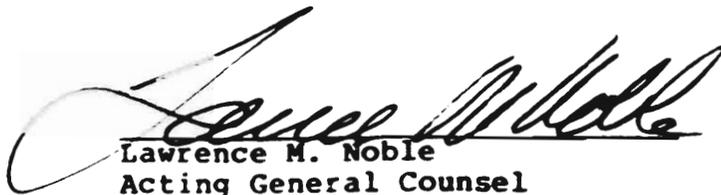
MUR 2442  
11/1

**III. RECOMMENDATIONS**

1. Enter into conciliation with National Tax Limitation PAC and James C. Gross, as treasurer, prior to a finding of probable cause to believe.
2. Approve the attached proposed conciliation agreement and letter.

Date

7/9/57

  
Lawrence M. Noble  
Acting General Counsel

**Attachments**

1. Request for conciliation
2. Proposed agreement and letter

23040694340

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
National Tax Limitation Committee PAC ) MUR 2442  
and James C. Gross, as treasurer )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 13, 1987, the Commission decided by a vote of 6-0 to take the following actions in MUR 2442:

1. Enter into conciliation with National Tax Limitation PAC and James C. Gross, as treasurer, prior to a finding of probable cause to believe.
2. Approve the proposed conciliation agreement and letter, as recommended in the General Counsel's Report signed July 9, 1987.

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

Attest:

7-13-87

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary of the Commission

Received in the Office of Commission Secretary:	Thurs.,	7-9-87,	11:12
Circulated on 48 hour tally basis:	Thurs.,	7-9-87,	4:00
Deadline for vote:	Mon.,	7-13-87,	4:00

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 15, 1987

James C. Gross, Treasurer  
National Tax Limitation Committee  
PAC  
#5 Sierragate Plaza, Suite 309  
Roseville, CA 95678

RE: MUR 2442  
National Tax Limitation  
Committee PAC and  
James C. Gross, as  
treasurer

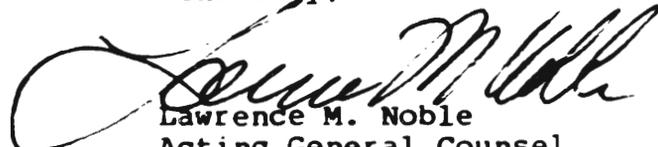
Dear Mr. Gross:

On May 21, 1987, the Federal Election Commission found reason to believe that National Tax Limitation Committee PAC and you as treasurer, violated 2 U.S.C. § 434(a)(4)(B). At your request, on July 13, 1987, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Anthony L. Marshall, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

  
Lawrence M. Noble  
Acting General Counsel

Enclosure  
Conciliation Agreement

03040594348

plm



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 19, 1987

MEMORANDUM

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

ATTENTION: ANTHONY MARSHALL

FROM: OSCELYN A. ANDERSON *OAA*  
COMPLIANCE CLERK  
COMPLIANCE BRANCH, REPORTS ANALYSIS DIVISION

SUBJECT: MUR 2442

Please review the attached Request for Additional Information which is to be sent to the National Tax Limitation Committee Political Action Committee for the Mid-Year Report. If no response or an inadequate response is received, a Second Notice will be sent.

Any comments which you may have must be forwarded to RAD in writing by 12:00 noon on Monday, November 23, 1987.

If comments are not received in writing by the above date and time, the RFAI notice will be sent.

If you have any questions, please contact Oscelyn A. Anderson at 376-2490. Thank you.

COMMENTS:

Attachment

23040694387



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

James C. Gross, Treasurer  
National Tax Limitation Committee  
Political Action Committee  
#5 Sierragate Plaza; Suite 309  
Roseville, CA 95678

Identification Number: C00160473

Reference: Mid-Year Report (1/1/87-6/30/87)

Dear Mr. Gross:

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

-Please clarify all expenditures made for Broadcasting. If a portion or all of these expenditures were made on behalf of specifically identified federal candidates, they should be disclosed on Schedule B or E for Line 21 or 22 and include the amount, name, address and office sought by each candidate. 11 CFR 104.3(b) and 106.1.

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,

Brian J. Hancock  
Reports Analyst  
Reports Analysis Division

83040694350

GCC#4983

LAW OFFICES OF  
**NIELSEN, MERKSAMER, HODGSON, PARRINELLO & MUELLER**

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

**SAN FRANCISCO**  
650 CALIFORNIA STREET, SUITE 2650  
SAN FRANCISCO, CALIFORNIA 94108  
TELEPHONE (415) 989-6800

1030 FIFTEENTH STREET, SUITE 250  
**SACRAMENTO, CALIFORNIA 95814**  
TELEPHONE (916) 446-6752

FILE NUMBER

December 18, 1987

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF CENTRAL COMPLAINTS  
87 DEC 22 AM 10:53

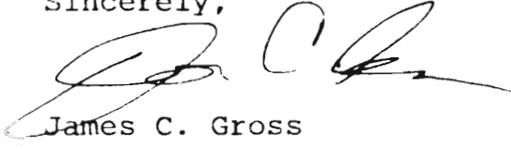
Anthony L. Marshall  
Federal Election Commission  
Washington, D. C. 20463

Dear Mr. Marshall:

Re: MUR 2442 - National Tax Limitation  
Committee Political Action Committee  
and James C. Gross, as treasurer

Enclosed please find the signed agreement and payment  
of the civil penalty in the above-referenced matter.

Sincerely,



James C. Gross

JCG:en

Enclosure

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**HAND DELIVERED**

LAW OFFICES OF  
 NIELSEN, MERKSAMER, HODGSON, PARRINELLO & MUELLER  
 ONE CITY CENTRE  
 770 L STREET SUITE 800  
 SACRAMENTO, CA 95814

EXPLANATION	AMOUNT

11-4  
 1210  
 14769

AMOUNT Seven hundred fifty dollars and no/100ths DOLLARS

CHECK AMOUNT

DATE	TO THE ORDER OF	DESCRIPTION	CHECK NUMBER
11-27	Federal Elections Commission	penalty	14769

\$ 750.00

GENERAL ACCOUNT

SECURITY PACIFIC NATIONAL BANK San Francisco Main Office  
 ONE EMBARCADERO CENTER SAN FRANCISCO, CA 94111

*[Signature]*

⑈014769⑈ ⑆21000044⑆512⑈103661⑈

CCC# 4983

MEMORANDUM

TO: DEBRA A. TRIMIEW

TO: CECILIA LIEBER

FROM: CECILIA LIEBER

FROM: DEBRA A. TRIMIEW

CHECK NO. 14769 [ A COPY OF WHICH IS ATTACHED ] RELATING TO

MUR 2442 AND NAME National Tax Limitation Cmte., PAC  
 (Marshall)

WAS RECEIVED ON 12/22/87. PLEASE INDICATE THE ACCOUNT INTO WHICH IT SHOULD BE DEPOSITED:

- /  BUDGET CLEARING ACCOUNT { 95F3875.16 }
- / / CIVIL PENALTIES ACCOUNT { 95-1099.160 }
- / / OTHER \_\_\_\_\_

SIGNATURE Debra A. Trimiew DATE 12/22/87

RECEIVED  
 FEDERAL ELECTION COMMISSION  
 OFFICE OF GENERAL COUNSEL  
 87 DEC 22 AM 10:52

BEFORE THE FEDERAL ELECTION COMMISSION

88 FEB -3 AM 10:39

SENSITIVE

In the Matter of )  
 )  
National Tax Limitation Committee )  
Political Action Committee and )  
James C. Gross, as treasurer )

MUR 2442

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by James C. Gross, the treasurer for the respondent.

The attached agreement contains no changes from the agreement approved by the Commission on September 22, 1987. A check for the civil penalty has been received.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with National Tax Limitation Committee Political Action Committee and James C. Gross, as treasurer.
2. Close the file.
3. Approve the attached letter.

Lawrence M. Noble  
General Counsel

2/2/88  
Date

By: *Lois Lerner*  
Lois Lerner  
Associate General Counsel

Attachments

1. Conciliation Agreement
2. Letter to Respondent

Staff Person: Anthony Marshall

0 9 0 4 0 6 9 4 3 5 3

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
National Tax Limitation Committee	)	MUR 2442
Political Action Committee and	)	
James C. Gross, as treasurer	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 5, 1988, the Commission decided by a vote of 6-0 to take the following actions in MUR 2442:

1. Accept the conciliation agreement with National Tax Limitation Committee Political Action Committee and James C. Gross, as treasurer, as recommended in the General Counsel's report signed February 2, 1988.
2. Close the file.
3. Approve the letter, as recommended in the General Counsel's report signed February 2, 1988.

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

Attest:

2-5-88  
Date

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

Received in the Office of Commission Secretary:	Wed.,	2-3-88,	10:39
Circulated on 48 hour tally basis:	Wed.,	2-3-88,	4:00
Deadline for vote:	Fri.,	2-5-88,	4:00

33040694354



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

February 10, 1988

James C. Gross, Esquire  
Nielsen, Merksamer, Hodgson, Parrinello  
& Mueller  
1030 Fifteenth Street  
Suite 250  
Sacramento, CA 95814

RE: MUR 2442  
National Tax Limitation  
Committee Political Action  
Committee and James C.  
Gross, as treasurer

Dear Mr. Gross:

On February 5, 1988, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your behalf in settlement of a violation of 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter. This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation 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 Anthony L. Marshall, the attorney assigned to this matter at (202)376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

  
By: Lois G. Lerner  
Associate General Counsel

Enclosure  
Conciliation Agreement

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tlm

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR. 2442  
National Tax Limitation Committee )  
Political Action Committee )  
and James C. Gross, as treasurer )  
 )

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that National Tax Limitation Committee PAC and James C. Gross, as treasurer ("Respondents") violated 2 U.S.C. § 434(a)(4)(B).

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. Respondent, National Tax Limitation Committee PAC, is a political committee within the meaning of 2 U.S.C. § 431(4).

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2. Respondent, James C. Gross, is the treasurer of National Tax Limitation Committee PAC.

3. On September 29, 1986, prior notification was sent to the respondents specifically informing them to file a 12 Day Pre-General Election Report by October 23, 1986.

4. During the time period between October 1, 1986 and October 15, 1986, respondents made disbursements in the amount of Five Thousand Five Hundred Dollars (\$5,500.).

5. Respondents filed a 12 Day Pre-General Election Report December 8, 1986, 46 days after the due date.

V. Respondents failed to file a 12 Day Pre-General Election Report by October 23, 1986, in violation of 2 U.S.C. § 434(a)(4)(B).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Seven Hundred Fifty Dollars (\$750.00), 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 thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

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

FOR THE COMMISSION:

Lawrence M. Noble  
General Counsel

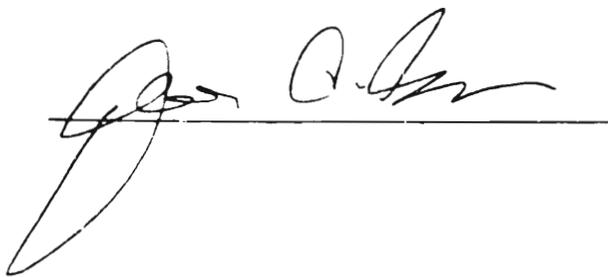
By:

  
Lois G. Lerner  
Associate General Counsel

Date

2/9/88

FOR THE RESPONDENTS:



Date

12/15/87

33040694358



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2442

DATE FILMED 4/15/88 CAMERA NO. 2

CAMERAMAN GPC

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