



FEDERAL ELECTION COMMISSION

1125 K STREET NW
WASHINGTON, D.C. 20543

THIS IS THE END OF MUR # 1726

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

Cameraman AS

85040561794

FEDERAL ELECTION COMMISSION

Routing Slip
12 Day Report

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):

- | | |
|--|---|
| ☐ (1) Classified Information | ☐ (6) Personal privacy |
| ☒ (2) Internal rules and practices | ☐ (7) Investigatory files |
| ☐ (3) Exempted by other statute | ☐ (8) Banking Information |
| ☐ (4) Trade secrets and commercial or financial information | ☐ (9) Well Information (geographic or geophysical) |
| ☒ (5) Internal Documents | |

Signed

date

J. H. [Signature]
4/18/85

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1726
Conservative Fund)
Michael C. Fleming, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of March 5, 1985, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1726:

1. Take no further action.
2. Close the file.
3. Send the letters attached to the General Counsel's report dated February 22, 1985, subject to amendment of the letter to Michael C. Fleming as agreed upon during the meeting.

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

Attest:

3-5-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

85040531796



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 19, 1985

Michael C. Fleming 12014-004
P.O. Box 1000 L.V.C.
Leavenworth, Kansas 66048

Re: MUR 1726

Dear Mr. Fleming:

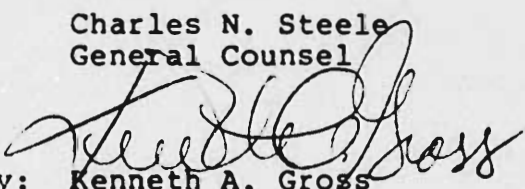
On May 22, 1984 and August 15, 1984, the Commission found reason to believe that the Conservative Fund and you, as treasurer, violated 2 U.S.C. §§ 434(b), 432(h)(1), and 441a(f) and you individually violated 2 U.S.C. § 441a(a)(1)(C). An investigation was initiated and on October 10, 1984, the Commission determined that an audit of the Conservative Fund was necessary to ascertain the violations.

However, after receiving your letter of January 19, 1985, in which you notified the Commission, that the Conservative Fund is defunct, no records exist, and that you are currently incarcerated in Leavenworth, the Commission on March 5, 1985, determined to take no further action in this matter and to close its file. The file in this matter will be made a part of the public record within 30 days.

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
Final General Counsel's Report

85040531797

BEFORE THE FEDERAL ELECTION COMMISSION

MUR 1726

I. BACKGROUND

On October 10, 1984, the Commission authorized an audit of the Conservative Fund pursuant to 2 U.S.C. § 437g(a)(2). On January 23, 1985, the Audit Division forwarded a memo to the Office of General Counsel which attached a response to the audit notification letter from Michael C. Fleming. Due to the information set forth in the letter from Mr. Fleming, the memo states that "it appears at this time that it is not possible to conduct an audit."

The letter submitted by Michael C. Fleming to the Audit Division dated January 19, 1985, states that there are no records to audit, that the Conservative Fund is defunct, that he, Michael Fleming, the treasurer, is currently in Leavenworth serving a three year sentence for "hot checks in MD, DC, VA TX, FL, CA", and that a termination report was filed.

The complainants in this matter, the National Republican Senatorial Committee and the Council for National Defense, alleged numerous reporting and bookkeeping violations and a § 441a violation by Fleming and the Conservative Fund. These violations were discovered through a review of the Conservative Fund's reports. The Office of General Counsel recommended the audit to ascertain the numerous reporting and bookkeeping violations.

85040531793

The last report filed by the Conservative Fund, the 1984 April Quarterly, disclosed receipts of \$18,059.55 and disbursements of \$18,059.55, and a debt of \$12,600.34. A termination report has not been filed as claimed by Mr. Fleming.

As the treasurer is incarcerated and records do not exist to ascertain the Conservative Fund's activity, the Office of General Counsel recommends taking no further action and closing the file.

III RECOMMENDATIONS

- 1) Take no further action.
2. Close the file.
3. Send the attached letters.

Charles N. Steele
General Counsel

January 22, 1985
Date

Kenneth A. Gross
By: Associate General Counsel

Attachments

1. Audit Memo
2. Proposed Letters

85040531797



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 19, 1985

Richard E. Messick
General Counsel
National Republican Senatorial Committee
404 C Street, N.E.
Washington, D.C. 20002

Re: MUR 1726

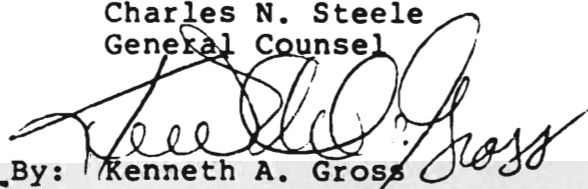
Dear Mr. Messick:

85040511800
The Federal Election Commission has reviewed the allegation of your complaint dated April 30, 1984, and determined that on the basis of the information provided in your complaint and information provided by the respondent that there is reason to believe that violations of the Federal Election Campaign Act of 1971, as amended have been committed. However, the Commission subsequently determined on March 5, 1985, to take no further action in this matter. Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

Enclosure
Final General Counsel's Report

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Conservative Fund) MUR 1726
Michael C. Fleming, Treasurer)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On October 10, 1984, the Commission authorized an audit of the Conservative Fund pursuant to 2 U.S.C. § 437g(a)(2). On January 23, 1985, the Audit Division forwarded a memo to the Office of General Counsel which attached a response to the audit notification letter from Michael C. Fleming. Due to the information set forth in the letter from Mr. Fleming, the memo states that "it appears at this time that it is not possible to conduct an audit."

II. LEGAL AND FACTUAL ANALYSIS

The letter submitted by Michael C. Fleming to the Audit Division dated January 19, 1985, states that there are no records to audit, that the Conservative Fund is defunct, that he, Michael Fleming, the treasurer, is currently in Leavenworth serving a three year sentence for "hot checks in MD, DC, VA TX, FL, CA", and that a termination report was filed.

The complainants in this matter, the National Republican Senatorial Committee and the Council for National Defense, alleged numerous reporting and bookkeeping violations and a § 441a violation by Fleming and the Conservative Fund. These violations were discovered through a review of the Conservative Fund's reports. The Office of General Counsel recommended the audit to ascertain the numerous reporting and bookkeeping violations.

85040531801

The last report filed by the Conservative Fund, the 1984 April Quarterly, disclosed receipts of \$18,059.55 and disbursements of \$18,059.55, and a debt of \$12,600.34. A termination report has not been filed as claimed by Mr. Fleming.

As the treasurer is incarcerated and records do not exist to ascertain the Conservative Fund's activity, the Office of General Counsel recommends taking no further action and closing the file.

III RECOMMENDATIONS

- 1) Take no further action.
2. Close the file.
3. Send the attached letters.

Charles N. Steele
General Counsel

8 5 0 4 0 5 3 1 8 0 0
Date February 22, 1985

By: 
Kenneth A. Gross
Associate General Counsel

Attachments

1. Audit Memo
2. Proposed Letters



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

March 19, 1985

J. Curtis Herge
Sedam & Herge
Suite 1100
8300 Greensboro Drive
McLean, Virginia 22102

Re: MUR 1726

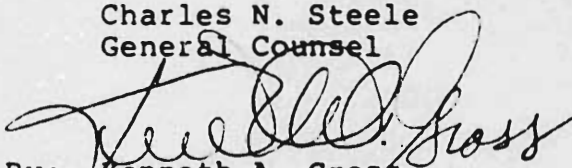
Dear Mr. Herge:

3 5 0 4 0 5 0 1 8 0 0
The Federal Election Commission has reviewed the allegation of your complaint dated June 8, 1984, and determined that on the basis of the information provided in your complaint and information provided by the respondent that there is reason to believe that violations of the Federal Election Campaign Act of 1971, as amended have been committed. However, the Commission subsequently determined on March 5, 1985, to take no further action in this matter. Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

Enclosure
Final General Counsel's Report

SENSITIVE
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Conservative Fund) MUR 1726
Michael C. Fleming, Treasurer)

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I. BACKGROUND

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The letter submitted by Michael C. Fleming to the Audit Division dated January 19, 1985, states that there are no records to audit, that the Conservative Fund is defunct, that he, Michael Fleming, the treasurer, is currently in Leavenworth serving a three year sentence for "hot checks in MD, DC, VA TX, FL, CA", and that a termination report was filed.

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The last report filed by the Conservative Fund, the 1984 April Quarterly, disclosed receipts of \$18,059.55 and disbursements of \$18,059.55, and a debt of \$12,600.34. A termination report has not been filed as claimed by Mr. Fleming.

As the treasurer is incarcerated and records do not exist to ascertain the Conservative Fund's activity, the Office of General Counsel recommends taking no further action and closing the file.

III RECOMMENDATIONS

- 1) Take no further action.
2. Close the file.
3. Send the attached letters.

Charles N. Steele
General Counsel

February 22, 1985
Date

Kenneth A. Gross
By: Associate General Counsel

Attachments

1. Audit Memo
2. Proposed Letters

850405318005



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Michael C. Fleming 12014-004
P.O. Box 1000 L.V.C.
Leavenworth, Kansas 66048

Re: MUR 1726

Dear Mr. Fleming:

On May 22, 1984 and August 15, 1984, the Commission found reason to believe that the Conservative Fund and you, as treasurer, violated 2 U.S.C. §§ 434(b), 432(h)(1), and 441a(f) and you individually violated 2 U.S.C. § 441a(a)(1)(C). An investigation was initiated and on October 10, 1984, the Commission determined that an audit of the Conservative Fund was necessary to ascertain the violations.

However, after receiving your letter of January 19, 1985, the Commission on February 1, 1985, determined to take no further action in this matter and to close its file. The file in this matter will be made a part of the public record within 30 days.

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
Final General Counsle's Report

2/14/85



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Michael C. Fleming 12014-004
P.O. Box 1000 L.V.C.
Leavenworth, Kansas 66048

Re: MUR 1726

Dear Mr. Fleming:

On May 22, 1984 and August 15, 1984, the Commission found reason to believe that the Conservative Fund and you, as treasurer, violated 2 U.S.C. §§ 434(b), 432(h)(1), and 441a(f) and you individually violated 2 U.S.C. § 441a(a)(1)(C). An investigation was initiated and on October 10, 1984, the Commission determined that an audit of the Conservative Fund was necessary to ascertain the violations.

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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
Final General Counsle's Report

85040531807



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Richard E. Messick
General Counsel
National Republican Senatorial Committee
404 C Street, N.E.
Washington, D.C. 20002

Re: MUR 1726

Dear Mr. Messick:

8 5 0 4 0 5 3 1 8 0 0

The Federal Election Commission has reviewed the allegation of your complaint dated April 30, 1984, and determined that on the basis of the information provided in your complaint and information provided by the respondent that there is reason to believe that violations of the Federal Election Campaign Act of 1971, as amended have been committed. However, the Commission subsequently determined on February , 1985, to take no further action in this matter. Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Final General Counsel's Report

3/6/85



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Richard E. Messick
General Counsel
National Republican Senatorial Committee
404 C Street, N.E.
Washington, D.C. 20002

Re: MUR 1726

Dear Mr. Messick:

350405318007
The Federal Election Commission has reviewed the allegation of your complaint dated April 30, 1984, and determined that on the basis of the information provided in your complaint and information provided by the respondent that there is reason to believe that violations of the Federal Election Campaign Act of 1971, as amended have been committed. However, the Commission subsequently determined on February , 1985, to take no further action in this matter. Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

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Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Final General Counsel's Report



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

J. Curtis Herge
Sedam & Herge
Suite 1100
8300 Greensboro Drive
McLean, Virginia 22102

Re: MUR 1726

Dear Mr. Herge:

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The Federal Election Commission has reviewed the allegation of your complaint dated June 8, 1984, and determined that on the basis of the information provided in your complaint and information provided by the respondent that there is reason to believe that violations of the Federal Election Campaign Act of 1971, as amended have been committed. However, the Commission subsequently determined on February , 1985, to take no further action in this matter. Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

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Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Final General Counsel's Report

96
2/6/85



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

J. Curtis Herge
Sedam & Herge
Suite 1100
8300 Greensboro Drive
McLean, Virginia 22102

Re: MUR 1726

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Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Final General Counsel's Report



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL
FROM: MARJORIE W. EMMONS/JODY C. RANSOM *JCR*
DATE: FEBRUARY 26, 1985
SUBJECT: OBJECTION - MUR 1726 General Counsel's
Report signed February 22, 1985

The above-named document was circulated to the
Commission on Monday, February 25, 1985 at 11:00.

Objections have been received from the Commissioners
as indicated by the name(s) checked:

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Harris	_____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Reiche	_____X_____

This matter will be placed on the Executive Session
agenda for Tuesday, March 5, 1985.

85040531812



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cof*
DATE: February 22, 1985
SUBJECT: MUR 1726 - General Counsel's Report

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

CIRCULATIONS

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

Other []

DISTRIBUTION

Compliance [X]
Audit Matters []
Litigation []
Closed MUR Letters []
Status Sheets []
Advisory Opinions []

Other (see distribution below) []

85040531815



SENSITIVE

FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

Date & Time Transmitted: MONDAY, 2/25/85 AT 11:00 A.M.

COMMISSIONER: MCGARRY, AIKENS, McDONALD, ELLIOTT, REICHE, HARRIS

RETURN TO COMMISSION SECRETARY BY WEDNESDAY, 2/27/85 AT 11:00 A.M.

SUBJECT: MUR 1726 General Counsel's Report
signed February 22, 1985.

() I approve the recommendation in the attached report.

() I object to the recommendation.

COMMENTS: _____

Date: _____ Signature: _____

ALL BALLOTS MUST BE SIGNED AND DATED. PLEASE RETURN ONLY THE BALLOT TO THE
COMMISSION SECRETARY. PLEASE RETURN THE BALLOT NO LATER THAN THE DATE AND
TIME SHOWN ABOVE.

From the Office of the Commission Secretary

85040531814

SENSITIVE
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Conservative Fund)

Michael C. Fleming, Treasurer)

MUR 1726

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARY

22 FEB 22 24:08

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On October 10, 1984, the Commission authorized an audit of the Conservative Fund pursuant to 2 U.S.C. § 437g(a)(2). On January 23, 1985, the Audit Division forwarded a memo to the Office of General Counsel which attached a response to the audit notification letter from Michael C. Fleming. Due to the information set forth in the letter from Mr. Fleming, the memo states that "it appears at this time that it is not possible to conduct an audit."

II. LEGAL AND FACTUAL ANALYSIS

The letter submitted by Michael C. Fleming to the Audit Division dated January 19, 1985, states that there are no records to audit, that the Conservative Fund is defunct, that he, Michael Fleming, the treasurer, is currently in Leavenworth serving a three year sentence for "hot checks in MD, DC, VA TX, FL, CA", and that a termination report was filed.

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35040531315

The last report filed by the Conservative Fund, the 1984 April Quarterly, disclosed receipts of \$18,059.55 and disbursements of \$18,059.55, and a debt of \$12,600.34. A termination report has not been filed as claimed by Mr. Fleming.

As the treasurer is incarcerated and records do not exist to ascertain the Conservative Fund's activity, the Office of General Counsel recommends taking no further action and closing the file.

III RECOMMENDATIONS

- 1) Take no further action.
2. Close the file.
3. Send the attached letters.

Charles N. Steele
General Counsel

February 22, 1985
Date

By:

Kenneth A. Gross
Associate General Counsel

Attachments

1. Audit Memo
2. Proposed Letters

35040531816



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AR-85-2
DB
Thedford

January 23, 1985

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

FROM: ROBERT J. COSTA *RJC*
ASSISTANT STAFF DIRECTOR
AUDIT DIVISION

SUBJECT: REFERRAL OF CONSERVATIVE FUND (MUR 1726)

On October 10, 1984, the Commission voted to refer the Conservative Fund to the Audit Division for audit.

Based on the response to the audit notification letter (see attached), it appears at this time that it is not possible to conduct an audit.

We are referring this matter back over to your office. If you have any questions, please contact Tony Smith or Raymond Lisi at 523-4155.

Attachment as stated

1st endorsement

January 23, 1985

Charlie,

The attached response slightly abridged by
yours truly.

(1)

85040531817

1-19-85

Mr. Costa,

Today I received your letter of 1-2-85 notifying me of the FEC intent to audit the Conservative Fund. I would expect that once such a decision is made that it is almost unheard of that the proposed audit does not transpire.

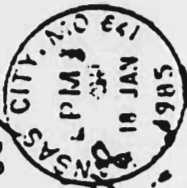
I hereby request that you, and your superiors seriously consider an alternative course of action.

Realizing, of course, that such a change in course must be supported by compelling arguments — how about these three:

- ① No records exist to audit
 - ② CF is defunct (only \$900 of activity in total)
 - ③ I'm currently serving a 3 year sentence in Leavenworth and owe \$60,000 for hot checks in MD, DC, VA, TX, FL, CA for trying to make Conservative Fund and three other projects float. I filed a termination report.
 - ④ (an extra reason) I don't give a ^{expletive, deleted} your audit.
- Sincerely,
[Signature]

35040531819

Mike Fleming 12014-004
P.O. Box 1000 L.V.C.
Leavenworth, KS 66048



PLEASE SAY
TO THE NATIONAL
MARCH OF DIMES



Robert J. Costin
Assistant Staff Director
for the Audit Division
Federal Election Commission
1325 K St. N.W.
Washington, D.C.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Michael C. Fleming 12014-004
P.O. Box 1000 L.V.C.
Leavenworth, Kansas 66048

Re: MUR 1726

Dear Mr. Fleming:

On May 22, 1984 and August 15, 1984, the Commission found reason to believe that the Conservative Fund and you, as treasurer, violated 2 U.S.C. §§ 434(b), 432(h)(1), and 441a(f) and you individually violated 2 U.S.C. § 441a(a)(1)(C). An investigation was initiated and on October 10, 1984, the Commission determined that an audit of the Conservative Fund was necessary to ascertain the violations.

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Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Final General Counsel's Report

(4)



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Richard E. Messick
General Counsel
National Republican Senatorial Committee
404 C Street, N.E.
Washington, D.C. 20002

Re: MUR 1726

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Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Final General Counsel's Report

5



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

J. Curtis Herge
Sedam & Herge
Suite 1100
8300 Greensboro Drive
McLean, Virginia 22102

Re: MUR 1726

Dear Mr. Herge:

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Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Final General Counsel's Report

(6)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AR-85-2
MUR
1726

January 23, 1985

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

FROM: ROBERT J. COSTA *RJC*
ASSISTANT STAFF DIRECTOR
AUDIT DIVISION

SUBJECT: REFERRAL OF CONSERVATIVE FUND (MUR 1726)

On October 10, 1984, the Commission voted to refer the Conservative Fund to the Audit Division for audit.

Based on the response to the audit notification letter (see attached), it appears at this time that it is not possible to conduct an audit.

We are referring this matter back over to your office. If you have any questions, please contact Tony Smith or Raymond Lisi at 523-4155.

Attachment as stated

1st endorsement

January 23, 1985

Charlie,

The attached response slightly abridged by
yours truly.

1-19-85

Mr. Costa,

Today I received your letter of 1-2-85 notifying me of the FEC's intent to audit the Conservative Fund. I would expect that once such a decision is made that it is almost unheard of that the proposed audit does not transpire.

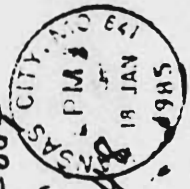
I hereby request that you, and your superiors seriously consider an alternative course of action.

Realizing, of course, that such a change in course must be supported by compelling arguments — how about these three:

- ① No records exist to audit
 - ② CF is defunct (only \$9,000 of activity in total)
 - ③ I'm currently serving a 3 year sentence in Leavenworth and owe \$60,000 for hot checks in MD, DC, VA, TX, FL, CA for trying to make Conservative Fund and three other projects float. I filed a termination report.
 - ④ (an extra reason) I don't give a ^{expletive} ^{deleted} about your audit.
- Sincerely,

85040531825

Mike Fleming 12014-004
P.O. Box 1000 L.V.C.
Leavenworth, KS 66048



Robert J. Costello
Assistant Staff Director
for the Audit Division
Federal Election Commission
1325 K St. N.W.
Washington, D.C.



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 18, 1984

MEMORANDUM TO: Robert J. Costa
Assistant Staff Director
Audit Division

FROM: Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

A handwritten signature in dark ink, appearing to be "K. A. Gross", is written over the typed name of the Associate General Counsel.

SUBJECT: Referral of Conservative Fund
(MUR 1726)

On October 10, 1984, the Commission determined that the Conservative Fund be referred to the Audit Division for audit.

If you have any questions, please feel free to contact Judy Thedford at 523-4000.

85040531826

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Conservative Fund)
Michael C. Fleming, Treasurer)
Michael C. Fleming)

MUR 1726

CERTIFICATION

I, Mary W. Dove, Recording Secretary of the Federal Election Commission Executive Session on October 10, 1984, do hereby certify that the Commission decided by a vote of 6-0 to take the following action in MUR 1726:

Authorize an audit of the Conservative Fund pursuant to 2 U.S.C. § 437g(a)(2).

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

Attest:

10-10-84
Date

Mary W. Dove
Mary W. Dove
Recording Secretary

85040531327



FEDERAL ELECTION COMMISSION

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL
FROM: MARJORIE W. EMMONS/JODY C. RANSOM *JCR*
DATE: SEPTEMBER 28, 1984
SUBJECT: OBJECTION - MUR 1726 General Counsel's
Report signed September 25, 1984

The above-named document was circulated to the
Commission on Thursday, September 27, 1984 at 11:00.

Objections have been received from the Commissioners
as indicated by the name(s) checked:

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Harris	_____ X _____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Reiche	_____

This matter will be placed on the Executive Session
agenda for Wednesday, October 10, 1984.

85040531823



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *CK*
DATE: September 26, 1984
SUBJECT: MUR 1726 - General Counsel's Report

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

Open Session _____

Closed Session _____

CIRCULATIONS

48 Hour Tally Vote [X]
Sensitive [X]
Non-Sensitive []

24 Hour No Objection []
Sensitive []
Non-Sensitive []

Information []
Sensitive []
Non-Sensitive []

Other []

DISTRIBUTION

Compliance [X]

Audit Matters []

Litigation []

Closed MUR Letters []

Status Sheets []

Advisory Opinions []

Other (see distribution below) []

85040531822

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Conservative Fund) MUR 1726
Michael C. Fleming, Treasurer)
Michael C. Fleming)

GENERAL COUNSEL'S REPORT

I. BACKGROUND:

On September 5, 1984, the Commission authorized the Office of General Counsel to institute a civil action pursuant to 2 U.S.C. § 437d(b) seeking enforcement of an order to submit written answers issued to Michael C. Fleming.

On that same day, Mr. Fleming filed the attached letter in response to the order sent to him on July 27, 1984.

II. FACTUAL AND LEGAL ANALYSIS

The interrogatories issued to Mr. Fleming requested information pertaining to an \$11,259.05 loan made by Mr. Fleming to the Conservative Fund ("the Fund"). The loan had been reported on the 1984 April Quarterly Report and was the subject of the complaint filed by Richard Messick, General Counsel of the National Republican Senatorial Committee (MUR 1688) in April 1984.

Subsequently, a complaint filed by Curtis Herge on behalf of the Council for National Defense in June 1984 (MUR 1726) alleged violations of the Act by the same respondents. MUR 1726 included the allegation concerning the excessive loan, the subject of MUR 1688, as well as a variety of other reporting violations revealed on the Fund's 1984 April Quarterly Report.

The Commission merged MUR 1688 into MUR 1726 on August 15, 1984, and proceeded to enforce the order issued concerning the loan.

84 SEP 28 1984
OFFICE OF THE SECRETARY
COMMISSIONER OF THE FEDERAL ELECTION COMMISSION

05040531330

The response from Michael C. Fleming dated September 5, 1984, which is not notarized, states that the \$11,257.05 loan was not presented for collection and therefore was never deposited into the Fund's depository. The response, therefore, concludes that there is no date for receipt of the loan, no lending institution, interest rate, secured or non-secured status, endorsers or guarantors to identify. Additionally, Mr. Fleming's response indicates that he is willing to file a comprehensive report disclosing the Fund's entire activity and to terminate the Fund.

The response by Fleming is an attempt to answer the interrogatories. The information is not sworn to or notarized. However, as this matter, MUR 1726, has been greatly expanded from the investigation initiated in MUR 1688 and numerous reporting violations involved, the Office of General Counsel recommends that the civil action against Fleming not be instituted. Instead, we recommend that an audit of the Conservative Fund be authorized. The audit primarily would ascertain the reporting violations alleged in MUR 1726 and additionally would provide further information with regard to the loan.

III. RECOMMENDATION

- 1) Authorize an audit of the Conservative Fund pursuant to
- 2 U.S.C. § 437g(a)(2).

Charles N. Steele
General Counsel

Date

By

Kenneth A. Gross
Associate General Counsel

Attachments
Fleming Letter

6CC# 4556.
SEP 5 4 8:13
RECEIVED
GENERAL COUNSEL
CONSERVATIVE FUND
POST OFFICE BOX 70068
WASHINGTON, DC 20088

Dear Ms. Thedford,

9-3-84

As your suggested follow up to our telephone conversation, please accept the following notarized statement regarding MUR 1688:

The 1984 April Quarterly Report filed by the Conservative Fund reflected a \$11,259.05 loan from M.C. Fleming which was not finalized. A check was prepared but not presented for collection. The report reflects such a loan incorrectly.

Therefor, there is no date to provide for the exact date of the loan, no lending institution to identify, no interest rate, state, or secured/non-secured status, endorsers or guarantors.

As we agreed, I will be preparing a comprehensive report for the entire period of the existence of the committee, and will request assistance from the personnel in the Reports Analysis Division prior to filing it, so as to assure that it complies with the proper guidelines. I realize that the Commission may or may not choose to suspend further action pending receipt of the comprehensive report terminating the committee's existence.

Thank you very much for your cooperation. I apologize for not responding promptly at earlier points.

Sincerely yours,

Michael C. Fleming
Michael C. Fleming
Treasurer

35040531832

GCC# 4556
RECEIVED
GENERAL COUNSEL
SEP 5 4 08:13
AUG 13

CONSERVATIVE FUND
POST OFFICE BOX 7006
WASHINGTON, DC 20088

Dear Ms. Thedford,

9-3-84

As your suggested follow up to our telephone conversation, please accept the following notarized statement regarding MUR 1688:

The 1984 April Quarterly Report filed by the Conservative Fund reflected a \$11,259.05 loan from M.C. Fleming which was not finalized. A check was prepared but not presented for collection. The report reflects such a loan incorrectly.

Therefor, there is no date to provide for the exact date of the loan, no lending institution to identify, no interest rate, state, or secured/non-secured status, endorsers or guarantors.

As we agreed, I will be preparing a comprehensive report for the entire period of the existence of the committee, and will request assistance from the personnel in the Reports Analysis Division prior to filing it, so as to assure that it complies with the proper guidelines. I realize that the Commission may or may not choose to suspend further action pending receipt of the comprehensive report terminating the committee's existence.

Thank you very much for your cooperation. I apologize for not responding promptly at earlier points.

Sincerely yours,

Michael C. Fleming
Michael C. Fleming
Treasurer

35040531833

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Conservative Fund) MUR 1726
Michael C. Fleming, Treasurer)
Michael C. Fleming)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of September 5, 1984, do hereby certify that the Commission decided by a vote of 5-0 to authorize the Office of General Counsel to institute a civil action pursuant to 2 U.S.C. § 437d(b) seeking enforcement of the order to submit written answers issued to Michael C. Fleming in connection with MUR 1726.

Commissioners Aikens, Elliott, Harris, McGarry, and Reiche voted affirmatively for the decision; Commissioner McDonald was not present at the time of the vote.

Attest:

9-7-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

85040531834



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *CJ*
DATE: August 22, 1984
SUBJECT: MUR 1726 - General Counsel's Report

The attached is submitted as an Agenda document
for the Commission Meeting of September 5, 1984

Open Session _____
Closed Session XX

CIRCULATIONS

48 Hour Tally Vote []
Sensitive []
Non-Sensitive []

24 Hour No Objection []
Sensitive []
Non-Sensitive []

Information []
Sensitive []
Non-Sensitive []

Other [X]

DISTRIBUTION

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

SENSITIVE

CIRCULATE ON BLUE PAPER

ON AGENDA 9-05-84

85040531833

SENSITIVE

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION

84 AUG 22 P12: 43

In The Matter of)
)
Conservative Fund)
Michael C. Fleming, Treasurer) MUR 1726
Michael C. Fleming)

EXECUTIVE SESSION

GENERAL COUNSEL'S REPORT

SEP 5 1984

I. BACKGROUND

On May 22, 1984, the Commission found reason to believe in MUR 1688 that the Conservative Fund ("the Fund") and Michael C. Fleming, as treasurer, violated 2 U.S.C. § 441a(f) and that Michael C. Fleming violated 2 U.S.C. § 441a(a)(1)(C). On August 15, 1984, additional reason to believe findings were made against the respondents in MUR 1726. Further, MUR 1688 was merged into MUR 1726.

Interrogatories had been forwarded to Mr. Fleming on May 31, 1984, in connection with the investigation of MUR 1688. Mr. Fleming failed to submit written responses, therefore, on July 24, 1984, the Commission authorized the sending of an order to him. The order was sent on July 27, 1984 and required the answers to the interrogatories to be submitted within ten days. The responses were due August 13, 1984.

As of this date, Mr. Fleming has failed to submit written answers in response to the order. The Office of the General Counsel recommends that a civil action be authorized against Michael C. Fleming to compel him to respond to the order.

850405318336

II. RECOMMENDATION

Authorize the Office of the General Counsel to institute a civil action pursuant to 2 U.S.C. § 437d(b) seeking enforcement of the order to submit written answers issued to Michael C. Fleming.

8/22/87
Date

Charles W. Steele
Charles N. Steele
General Counsel

85040531837



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *CK*
DATE: August 17, 1984
SUBJECT: MUR 1726 - 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) []

SENSITIVE

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

84 AUG 17 P 4: 32

August 17, 1984

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

A handwritten signature, likely of Kenneth A. Gross, written in dark ink.

SUBJECT: MUR 1726 - First General Counsel's Report

Attached please find a new page two for the First General Counsel's Report on MUR 1726. The new page reflects the correction of a typographical error on the fourth line. The excessive contribution total should read \$9,424.92, not \$9,434.92.

The report was approved by the Commission on August 15, 1984.

83040531832

that this amount (\$3,165.87) should be added to the loan contribution making the total amount of Fleming's contributions \$14,424.92. The excessive portion of the contributions would then equal \$9,424.92. Also, the \$3,165.87 obligation to Fleming should have been reported.

4. The Fund's April Quarterly report discloses a debt to the U.S. Postal Service. This debt is questioned as the postal service operates on a cash basis.

5. On March 14, 1984, the Fund made a \$5 contribution to Citizens for Reagan. This contribution was not reported by the Fund on its April Quarterly Report.

6. On April 13, 1984, the Fund caused a money order to be drawn to the Council for National Defense. The disbursement is required to be drawn from the Fund's checking account.

7. The Fund's April Quarterly Report failed to:

- a) Provide separate supporting schedules for line 11a and line 13;
- b) Reveal dates of contributions and expenditures;
- c) Reveal occupations and employers of contributors;
- d) Report addresses of recipients of disbursements;
- e) Report a payment made on a debt on Schedule D;
- f) Provide totals on supporting Schedules;
- g) Report \$7,551.75 in expenditures; and
- h) Report corresponding figures on the summary page and supporting schedules.

FACTUAL AND LEGAL ANALYSIS

The allegations presented by the Council for National Defense state violations of 2 U.S.C. §§434(b), 432(h)(1), and

85040531340



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 16, 1984

Michael C. Fleming
4201 Massachusetts Ave., N.W.
3064-W
Washington, D.C. 20016

RE: MUR 1726

Dear Mr. Fleming:

The Federal Election Commission notified you on June 26, and July 3, 1984, of a complaint alleging violations of the Federal Election Campaign Act of 1971, as amended ("the Act") by you and the Conservative Fund. Copies of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, the Commission, on August 15, 1984, determined that there is reason to believe that the Conservative Fund and you, as treasurer, violated 2 U.S.C. §434(b) and §432(h)(1), provisions of the Act. The Commission also voted to merge MUR 1688 and MUR 1726. Therefore, any further correspondence involving MUR 1688 and MUR 1726 should be referenced MUR 1726. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please submit any such response within ten days of your receipt of this notification.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause; however, in the absence of any information which demonstrates that no further action should be taken against you and the Conservative Fund, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

Michael C. Fleming
Page 2

This matter will remain confidential in accordance with 2 U.S.C. §§437g(a)(4)(B) and 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you have any questions, please contact Judy Thedford at (202) 523-4000.

Sincerely,


Lee Ann Elliott
Chairman

Enclosure
Procedures

35040531842



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Michael C. Fleming
4201 Massachusetts Ave., N.W.
3064-W
Washington, D.C. 20016

RE: MUR 1726

Dear Mr. Fleming:

The Federal Election Commission notified you on June 26, and July 3, 1984, of a complaint alleging violations of the Federal Election Campaign Act of 1971, as amended ("the Act") by you and the Conservative Fund. Copies of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, the Commission, on July , 1984, determined that there is reason to believe that the Conservative Fund and you, as treasurer, violated 2 U.S.C. §434(b) and §432(h)(1), provisions of the Act. The Commission also voted to merge MUR 1688 and MUR 1726. Therefore, any further correspondence involving MUR 1688 and MUR 1726 should be referenced MUR 1726. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please submit any such response within ten days of your receipt of this notification.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause; however, in the absence of any information which demonstrates that no further action should be taken against you and the Conservative Fund, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

[Handwritten signature]
8/5/84

Michael C. Fleming
Page 2

This matter will remain confidential in accordance with 2 U.S.C. §§437g(a)(4)(B) and 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you have any questions, please contact Judy Thedford at (202) 523-4000.

Sincerely,

Enclosure
Procedures

85040531841

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1726
Conservative Fund)
Michael C. Fleming, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 15, 1984, the Commission decided by a vote of 6-0 to take the following actions in MUR 1726:

1. Find reason to believe the Conservative Fund and Michael C. Fleming, as treasurer, violated 2 U.S.C. § 434(b).
2. Find reason to believe the Conservative Fund and Michael C. Fleming, as treasurer, violated 2 U.S.C. § 432(h)(1).
3. Merge MUR 1688 into MUR 1726.
4. Send the letter attached to the First General Counsel's Report dated August 10, 1984.

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

Attest:

8-15-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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

8-10-84, 3:00
8-13-84, 11:00

85040531845



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cut*
DATE: August 10, 1984
SUBJECT: MUR 1726 - First General Counsel's Report

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

CIRCULATIONS

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

DISTRIBUTION

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

85040531846

SENSITIVE

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

RECEIVED
OFFICE OF THE REC
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'REPORT

84 AUG 10 P 3:00

DATE AND TIME OF
TRANSMITTAL BY OGC
TO THE COMMISSION 8/10/84 - 3:00

MUR 1726
DATE COMPLAINT RECEIVED
BY OGC 6-11-84
DATE OF NOTIFICATION TO
RESPONDENT 6-12-84
STAFF MEMBER: JUDY THEDFORD

COMPLAINAINT'S NAME: Council for National Defense

RESPONDENTS' NAME: Conservative Fund and Michael C. Fleming,
as treasurer, Michael C. Fleming

RELEVANT STATUTE: 2 U.S.C. §434(b), § 432(h), § 441a

INTERNAL REPORTS CHECKED: Conservative Fund

FEDERAL AGENCIES CHECKED: N/A

SUMMARY OF ALLEGATIONS

On June 11, 1984, the Council for a National Defense filed a complaint which alleged violations of the Act by the Conservative Fund ("Fund") and Michael C. Fleming. The complaint alleges that the Fund's reports, the 1983-Year-End and 1984 April Quarterly reports, are deficient in numerous ways and do not reflect the Fund's activity. The allegations are as follows:

1. When the Fund was formed, telephones were installed and used and a computer was purchased. These expenses are not reported by the Fund.
2. The Fund's April report reflects receipt of a contribution, in the form of a loan, from the treasurer, M.C. Fleming, in an amount of \$11,259.05. This contribution exceeds the \$5,000 limit set forth in 2 U.S.C. § 441a(a)(1)(C) by \$6,259.05.
3. The Fund reports a reimbursement to treasurer Fleming in the amount of \$3,165.87 on the April report. The complaint states

0504051347

that this amount (\$3,165.87) should be added to the loan contribution making the total amount of Fleming's contributions \$14,424.92. The excessive portion of the contributions would then equal \$9,434.92. Also, the \$3,165.87 obligation to Fleming should have been reported.

4. The Fund's April Quarterly report discloses a debt to the U.S. Postal Service. This debt is questioned as the postal service operates on a cash basis.

5. On March 14, 1984, the Fund made a \$5 contribution to Citizens for Reagan. This contribution was not reported by the Fund on its April Quarterly Report.

6. On April 13, 1984, the Fund caused a money order to be drawn to the Council for National Defense. The disbursement is required to be drawn from the Fund's checking account.

7. The Fund's April Quarterly Report failed to:

- a) Provide separate supporting schedules for line 11a and line 13;
- b) Reveal dates of contributions and expenditures;
- c) Reveal occupations and employers of contributors;
- d) Report addresses of recipients of disbursements;
- e) Report a payment made on a debt on Schedule D;
- f) Provide totals on supporting Schedules;
- g) Report \$7,551.75 in expenditures; and
- h) Report corresponding figures on the summary page and supporting schedules.

FACTUAL AND LEGAL ANALYSIS

The allegations presented by the Council for National Defense state violations of 2 U.S.C. §§434(b), 432(h)(1), and

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441a(a)(1)(C). 2 U.S.C. §434(b)(1)-(8) prescribe the information required to be disclosed by a political committee on each report. The complainant has noted numerous discrepancies in the Fund's reports which do not meet the reporting requirements of the Act. These deficiencies raise questions of serious bookkeeping problems.

2 U.S.C. §432(h)(1) requires a political committee to make all disbursements from its checking account except petty cash disbursements. The complainant submitted a copy of a money order used by the Fund to make a contribution to the Council for National Defense.

The allegations also make note of the Fund's receipt of an excessive contribution from the treasurer Michael Fleming. Contributions to a political committee by an individual are limited to \$5,000 per year pursuant to 2 U.S.C. §441a(a)(1)(C). The 1984 April Quarterly report filed by the Fund disclose \$14,424.92 in contributions from Fleming.

The Fund's receipt of an excessive contribution from the treasurer is the subject of MUR 1688. In MUR 1688 reason to believe has been found that the Fund and Michael Fleming violated 2 U.S.C. §441a. Interrogatories were forwarded to the Fund and Mr. Fleming, however, no response has been received. Mr. Fleming has been issued an order to answer questions.

As MURs 1688 and 1726 involve the Fund and Mr. Fleming and contain an overlapping violation, it is recommended that these matters be merged.

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However, additional reason to believe findings need be made against the Fund and Michael Fleming, as treasurer. Therefore, it is recommended that the Commission find reason to believe the Fund and its treasurer violated 2 U.S.C. §434(b) for failing to meet the reporting requirements of the Act and §432(h)(1) by making an expenditure by money order. As noted previously, the Commission has already found reason to believe that the Fund violated 2 U.S.C. §441a(f) by accepting an excessive contribution from Mr. Fleming and Mr. Fleming violated 2 U.S.C. § 441a(a)(1)(C) by making an excessive contribution to the Fund.

The Office of General Counsel intends to recommend an audit of the Fund. However, it is recommended that the reason to believe findings be made and the respondents allowed an opportunity to respond before the initiation of an audit.

RECOMMENDATIONS

1. Find reason to believe the Conservative Fund and Michael C. Fleming, as treasurer, violated 2 U.S.C. §434(b).
2. Find reason to believe the Conservative Fund and Michael C. Fleming, as treasurer, violated 2 U.S.C. 432(h)(1).
3. Merge MUR 1688 into MUR 1726.
4. Send the attached letter.

Charles W. Steele

August 10, 1984
Date

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

Attachments:
Letter

35040531850



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Michael C. Fleming
4201 Massachusetts Ave., N.W.
3064-W
Washington, D.C. 20016

RE: MUR 1726

Dear Mr. Fleming:

The Federal Election Commission notified you on June 26, and July 3, 1984, of a complaint alleging violations of the Federal Election Campaign Act of 1971, as amended ("the Act") by you and the Conservative Fund. Copies of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, the Commission, on July , 1984, determined that there is reason to believe that the Conservative Fund and you, as treasurer, violated 2 U.S.C. §434(b) and §432(h)(1), provisions of the Act. The Commission also voted to merge MUR 1688 and MUR 1726. Therefore, any further correspondence involving MUR 1688 and MUR 1726 should be referenced MUR 1726. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please submit any such response within ten days of your receipt of this notification.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause; however, in the absence of any information which demonstrates that no further action should be taken against you and the Conservative Fund, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

(1)

Michael C. Fleming
Page 2

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

85040531852

2



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 12, 1984

J. Curtis Herge
Sedam & Herge
Suite 1100
8300 Greensboro Drive
McLean, Virginia 22102

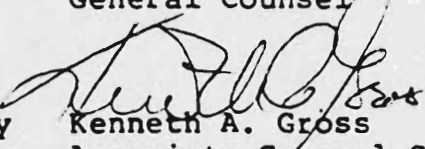
Dear Mr. Herge:

This letter is to acknowledge receipt of your complaint which we received on June 11, 1984, against Michael Fleming and the Conservative Fund, which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondent will be notified of this complaint within five days.

You will be notified as soon as the Commission takes final action on your complaint. Should you have or receive any additional information in this matter, please forward it to this office. We suggest that this information be sworn to in the same manner as your original complaint. For your information, we have attached a brief description of the Commission's procedure for handling complaints. If you have any questions, please contact Barbara A. Johnson at (202) 523-4143.

Sincerely,

Charles N. Steele
General Counsel

By 
Kenneth A. Gross
Associate General Counsel

Enclosure

85040531854

● SENDER: Complete items 1, 2, 3, and 4. Add your address in the "RETURN TO" space on reverse.	
(CONSULT POSTMASTER FOR FEES) 1. The following service is requested (check one): ☐ Show to whom and date delivered ☒ Show to whom, date, and address of delivery... ☐ RESTRICTED DELIVERY (The restricted delivery fee is charged in addition to the return receipt fee.)	
TOTAL \$	
1. ARTICLE ADDRESSED TO: J. Curtis Hergé Suite 1100 8300 Greensboro Drive McLean, VA 22102	
4. TYPE OF SERVICE: ☐ REGISTERED ☐ INSURED ☐ CERTIFIED ☐ COD ☐ EXPRESS MAIL	ARTICLE NUMBER 943963
(Always obtain signature of addressee or agent) I have received the article described above: SIGNATURE: <i>[Signature]</i> ☐ Address ☐ Authorized agent	
5. DATE OF DELIVERY JUN 25 1984 MACLEAN, VA	
6. ADDRESSEE'S ADDRESS (only if required) 7. UNABLE TO DELIVER BECAUSE: 7a. REASON: INITIALS	

PS Form 3811, Dec. 1980

INUR 1726 Theedford



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 12^{1/2}, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Michael C. Fleming
4201 Massachusetts Avenue, N.W.
Washington, D.C. 20016

Re: MUR 1726

Dear Mr. Fleming:

This letter is to notify you that on June 11, 1984 the Federal Election Commission received a complaint which alleges that you, may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1726. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you, in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

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

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.

If you have any questions, please contact Judith Thedford, the staff person assigned to this matter at (202) 523-4000. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

[Signature]
By: Kenneth A. Gross
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

6/12/84

PS Form 3811, Dec. 1980

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☐ Show to whom and date delivered \$
☒ Show to whom, date, and address of delivery.. \$
2. ☐ **RESTRICTED DELIVERY** \$
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$ _____

3. **ARTICLE ADDRESSED TO:** Michael C. Fleming
4201 Massachusetts Ave. NW
Washington, DC 20016

4. **TYPE OF SERVICE:** ☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER
943965

(Always obtain signature of addressee or agent)
I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
[Signature]

5. **DATE OF DELIVERY** _____ **POSTMARK** _____

6. **ADDRESSEE'S ADDRESS** (Only if requested)

7. **UNABLE TO DELIVER BECAUSE:** _____ 7a. **EMPLOYEE'S INITIALS** _____

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

MUR 1726 Thedford

as
ive

and
use
no

er.

the
c.

Sincerely,

General Counsel
 [Signature]
 [Signature] Ross

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

6/12/84

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☐ Show to whom and date delivered
☒ Show to whom, date, and address of delivery ..
2. ☐ **RESTRICTED DELIVERY**
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

3. **ARTICLE ADDRESSED TO:** Michael C. Fleming, Jr.
Conservative Fund
P.O. Box 70068
Wash DC 20008

4. **TYPE OF SERVICE:**
☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER
94 3966

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
Mc Fleming

5. **DATE OF DELIVERY**
JUL 1 1984

6. **ADDRESSEE'S ADDRESS (Only if requested)**
JUL 1 1984

7. **UNABLE TO DELIVER BECAUSE:**
7a. **EMPLOYER'S DETAILS:**
[Signature]

mur 1726 Theodor

SEDAM & HERGE

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

SUITE 1100

8300 GREENSBORO DRIVE

MCLEAN, VIRGINIA 22102

(703) 821-1000

GLENN J. SEDAM, JR.

J. CURTIS HERGE

ROBERT R. SPARKS, JR.

A. MARK CHRISTOPHER

CHRISTOPHER S. MOFFITT

PHILIP H. BANE

DONNA L. MILLER

OF COUNSEL

THOMAS J. FADOUL, JR.

June 8, 1984

MUR 1726

Ca# 3556
RECEIVED AT THE FEC

84 JUN 11 9:01

TELEX: 710-831-0896

CABLE: SEDAMHERG

SEDAM, HERGE & REED
SUITE 1000

1880 EYE STREET, N.W.
WASHINGTON, D.C. 20005

GOB: 898-0800

RESIDENT PARTNER CHARLES D. REED

General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Sir:

This letter constitutes a complaint under 2 U.S.C. 437g(a)(1), which is filed on behalf of our client, Council for National Defense, 2100 Gallows Road, Vienna, Virginia 22180, as complainant, against Conservative Fund, Post Office Box 70068, Washington, D.C. 20088, and Michael C. Fleming, Post Office Box 70068, Washington, D.C. 20088, as respondents, in the belief that respondents have violated numerous provisions of the Federal Election Campaign Act of 1971, as amended.

For its complaint, complainant asserts the following:

(1) Conservative Fund filed its Statement of Organization with the Federal Election Commission on or about November 15, 1983 and filed its January 31 Year End Report (November 8, 1983 - December 31, 1983) on or about January 31, 1984. In that Report, Conservative Fund reported the receipt of \$305.00 in unitemized contributions and one expenditure of \$305.00 for postage and printing. No debts and obligations were reported and the Report revealed no cash on hand at the close of the reporting period.

Upon information and belief, Michael C. Fleming made statements in the fall of 1983 that he (Fleming) was starting his own PAC, that he had bought a computer and had installed a WATTS line to solicit money. Upon

35040531853

General Counsel
Federal Election Commission
June 8, 1984
Page Two

information and belief, Michael C. Fleming did utilize the telephones on an intensive basis prior to December 31, 1983 for the purpose of soliciting contributions to Conservative Fund. On the assumption that the foregoing information is correct, Conservative Fund failed to report the expenses paid and/or debts and obligations incurred and/or the contributions in-kind received relating to the purchase of the computer, the installation of a WATTS line and the utilization of the telephones.

(2) Conservative Fund filed its April 15 Quarterly Report with the Federal Election Commission on or about April 15, 1984. In that Report, Conservative Fund revealed the receipt of a loan from M.C. Fleming of \$11,259.05. On Schedule C, the address of M.C. Fleming is listed as 4201 Massachusetts Avenue, N.W., #3064-W, Washington, D.C. On Schedule A, the address of M.C. Fleming is listed as P.O. Box 70068, Washington, D.C. 20088. Upon information and belief, M.C. Fleming is Michael C. Fleming. The reported loan of \$11,259.05 is a contribution in excess of the limit imposed by the Federal Election Campaign Act of 1971, as amended.

(3) On Schedule B of the April 15 Quarterly Report, Conservative Fund reveals a payment of \$3,165.87 to Michael Fleming in reimbursement for postage and printing. That payment suggests that Fleming in fact advanced a total of \$14,424.92 to Conservative Fund in 1984, e.g., the reported loan of \$11,259.05 plus the advances for which he was reimbursed of \$3,165.87. That payment also suggests the possibility that that obligation to Michael Fleming was incurred prior to December 31, 1983 and was not reported as a debt and obligation on the January 31 Year End Report.

850405318529

General Counsel
Federal Election Commission
June 8, 1984
Page Three

(4) On Schedule D of the April 15 Quarterly Report, Conservative Fund reveals a debt and obligation to the United States Postal Service of \$8,420.00 for postage stamps. In view of the fact that the United States Postal Service operates on the basis of cash on delivery, this debt appears questionable.

(5) On March 14, 1984, Conservative Fund drew a check payable to Citizens for Reagan in the amount of \$5.00. The notation on the check was "Political Contribution." That disbursement was not reported on a Schedule B supporting Line 21 of the April 15 Quarterly Report of Conservative Fund.

(6) On April 13, 1984, Conservative Fund caused an American Express Money Order to be drawn to the order of Council for National Defense in the amount of \$5.00. All disbursements should be made from the checking account of Conservative Fund.

(7) The April 15 Quarterly Report of Conservative Fund is also delinquent in the following respects:

(a) The Schedule A attached to the Report combines receipts supporting both Line 11a and Line 13.

(b) The Report fails to reveal the dates upon which funds were received and expended.

(c) The Report fails to reveal the occupation and employer of any contributor other than Michael C. Fleming and D.L. Fleming, who may be related to Michael C. Fleming.

85040551860

General Counsel
Federal Election Commission
June 8, 1984
Page Four

(d) The Report fails to reveal the addresses of the recipients of the disbursements made by Conservative Fund as reported on Schedule B.

(e) The Report reveals a payment of \$352.93 to C.T. Cornwell and Associates on Schedule B. No payment during the reporting period to C.T. Cornwell and Associates is reported, however, on Schedule D.

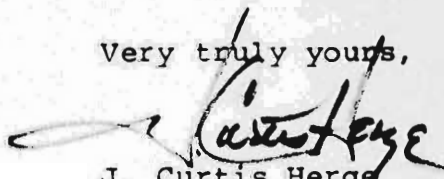
(f) No totals are reported on Schedule A, Schedule B, Schedule C or Schedule D.

(g) The total of the disbursements reported on Schedule B was \$10,507.80, but Line 18 reflects operating expenditures of \$18,059.55, leaving \$7,551.75 of expenditures unreported. It is noted that the total receipts are reported on Line 18 as being \$18,059.55 and that the total operating expenditures are reported on Line 19 as being \$18,059.55: a rare coincidence.

(h) The aggregate of the loans reported on Schedule C and of the debts and obligations reported on Schedule D is \$23,058.46. However, only \$12,600.37 is reported on Line 10.

The foregoing facts suggest that Michael Fleming and Conservative Fund have violated numerous provisions of the Federal Election Campaign Act of 1971, as amended, and suggest specifically that the Federal Election Commission should immediately conduct a thorough audit of the financial records of Conservative Fund.

Very truly yours,



J. Curtis Herges
Counsel to Council for
National Defense

35040531861

General Counsel
Federal Election Commission
June 8, 1984
Page Five

STATE OF VIRGINIA)
COUNTY OF FAIRFAX) to-wit:

Before me, a notary public, came J. CURTIS HERGE,
counsel to Council for National Defense, who, being duly sworn by
me, stated that the facts described in the foregoing complaint
are true.

Sworn to in my presence this 8th day of June, 1984.

Lisa K. Elmore
Notary Public

My Commission Expires: 9/11/87

85040301962

163

(202) 364-8194

4201 MASSACHUSETTS AVE., N.W., NO. 3077 W
WASHINGTON, D.C. 20016

**PAY TO THE
ORDER OF**

Citizens for Reagan

DOLLARS

NS&T BANK_{NA}
WASHINGTON, D.C. 20005

FOR

Political Contribution

Michael C. Fleming

№ 000 163 № 4:0540005221: 123 2007383 №

American Express® Money Order

82-40/1021

89-009719989 4

MAXIMUM DOLLAR VALUE
TWO HUNDRED DOLLARS (\$200)

PAY THE SUM OF.

DATE 4/93

1984

MAXIMUM DOLLAR VALUE
TWO HUNDRED DOLLARS (\$200)

TO THE
ORDER OF

THE
Council For National Defense
Executive Fund 4201 Mass Ave NW Wash. DC

SENDER'S NAME AND ADDRESS

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

Payable at IntraWest Bank of Grand Junction
Grand Junction, Colorado

1: 1021004001:56 "0097199892"

SEDAM & HERGE

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

SUITE 1100

8300 GREENSBORO DRIVE

MCLEAN, VIRGINIA 22102

04 JUN 11 09:01

General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Ca# 3556
RECEIVED THE FEC

24 JUN 84 19:01

SEDAM & HERGE
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
SUITE 1100
8300 GREENSBORO DRIVE
MCLEAN, VIRGINIA 22102

(703) 821-1000

GLENN J. SEDAM, JR.
J. CURTIS HERGE
ROBERT R. SPARKS, JR.
A. MARK CHRISTOPHER
CHRISTOPHER S. MOFFITT
PHILIP H. BANE
DONNA L. MILLER

OF COUNSEL
THOMAS J. FADOUL, JR.

June 8, 1984

MUR 1726

TELEX: 710-831-0896
CABLE: SEDAMHERG
SEDAM, HERGE & REED
SUITE 1000
1820 EYE STREET, N.W.
WASHINGTON, D.C. 20006
908-998-0800
RESIDENT PARTNER CHARLES D. REED

General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Sir:

This letter constitutes a complaint under 2 U.S.C. 437g(a)(1), which is filed on behalf of our client, Council for National Defense, 2100 Gallows Road, Vienna, Virginia 22180, as complainant, against Conservative Fund, Post Office Box 70068, Washington, D.C. 20088, and Michael C. Fleming, Post Office Box 70068, Washington, D.C. 20088, as respondents, in the belief that respondents have violated numerous provisions of the Federal Election Campaign Act of 1971, as amended.

For its complaint, complainant asserts the following:

(1) Conservative Fund filed its Statement of Organization with the Federal Election Commission on or about November 15, 1983 and filed its January 31 Year End Report (November 8, 1983 - December 31, 1983) on or about January 31, 1984. In that Report, Conservative Fund reported the receipt of \$305.00 in unitemized contributions and one expenditure of \$305.00 for postage and printing. No debts and obligations were reported and the Report revealed no cash on hand at the close of the reporting period.

Upon information and belief, Michael C. Fleming made statements in the fall of 1983 that he (Fleming) was starting his own PAC, that he had bought a computer and had installed a WATTS line to solicit money. Upon

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111111
AID: 31

General Counsel
Federal Election Commission
June 8, 1984
Page Two

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(2) Conservative Fund filed its April 15 Quarterly Report with the Federal Election Commission on or about April 15, 1984. In that Report, Conservative Fund revealed the receipt of a loan from M.C. Fleming of \$11,259.05. On Schedule C, the address of M.C. Fleming is listed as 4201 Massachusetts Avenue, N.W., #3064-W, Washington, D.C. On Schedule A, the address of M.C. Fleming is listed as P.O. Box 70068, Washington, D.C. 20088. Upon information and belief, M.C. Fleming is Michael C. Fleming. The reported loan of \$11,259.05 is a contribution in excess of the limit imposed by the Federal Election Campaign Act of 1971, as amended.

(3) On Schedule B of the April 15 Quarterly Report, Conservative Fund reveals a payment of \$3,165.87 to Michael Fleming in reimbursement for postage and printing. That payment suggests that Fleming in fact advanced a total of \$14,424.92 to Conservative Fund in 1984, e.g., the reported loan of \$11,259.05 plus the advances for which he was reimbursed of \$3,165.87. That payment also suggests the possibility that that obligation to Michael Fleming was incurred prior to December 31, 1983 and was not reported as a debt and obligation on the January 31 Year End Report.

General Counsel
Federal Election Commission
June 8, 1984
Page Three

(4) On Schedule D of the April 15 Quarterly Report, Conservative Fund reveals a debt and obligation to the United States Postal Service of \$8,420.00 for postage stamps. In view of the fact that the United States Postal Service operates on the basis of cash on delivery, this debt appears questionable.

(5) On March 14, 1984, Conservative Fund drew a check payable to Citizens for Reagan in the amount of \$5.00. The notation on the check was "Political Contribution." That disbursement was not reported on a Schedule B supporting Line 21 of the April 15 Quarterly Report of Conservative Fund.

(6) On April 13, 1984, Conservative Fund caused an American Express Money Order to be drawn to the order of Council for National Defense in the amount of \$5.00. All disbursements should be made from the checking account of Conservative Fund.

(7) The April 15 Quarterly Report of Conservative Fund is also delinquent in the following respects:

(a) The Schedule A attached to the Report combines receipts supporting both Line 11a and Line 13.

(b) The Report fails to reveal the dates upon which funds were received and expended.

(c) The Report fails to reveal the occupation and employer of any contributor other than Michael C. Fleming and D.L. Fleming, who may be related to Michael C. Fleming.

85040531867

General Counsel
Federal Election Commission
June 8, 1984
Page Four

(d) The Report fails to reveal the addresses of the recipients of the disbursements made by Conservative Fund as reported on Schedule B.

(e) The Report reveals a payment of \$352.93 to C.T. Cornwell and Associates on Schedule B. No payment during the reporting period to C.T. Cornwell and Associates is reported, however, on Schedule D.

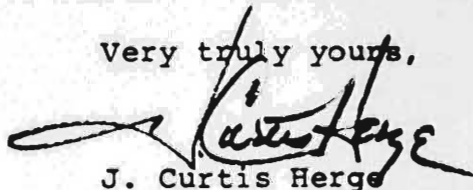
(f) No totals are reported on Schedule A, Schedule B, Schedule C or Schedule D.

(g) The total of the disbursements reported on Schedule B was \$10,507.80, but Line 18 reflects operating expenditures of \$18,059.55, leaving \$7,551.75 of expenditures unreported. It is noted that the total receipts are reported on Line 18 as being \$18,059.55 and that the total operating expenditures are reported on Line 19 as being \$18,059.55: a rare coincidence.

(h) The aggregate of the loans reported on Schedule C and of the debts and obligations reported on Schedule D is \$23,058.46. However, only \$12,600.37 is reported on Line 10.

The foregoing facts suggest that Michael Fleming and Conservative Fund have violated numerous provisions of the Federal Election Campaign Act of 1971, as amended, and suggest specifically that the Federal Election Commission should immediately conduct a thorough audit of the financial records of Conservative Fund.

Very truly yours,



J. Curtis Herge
Counsel to Council for
National Defense

35040531858

General Counsel
Federal Election Commission
June 8, 1984
Page Five

STATE OF VIRGINIA)
COUNTY OF FAIRFAX) to-wit:

Before me, a notary public, came J. CURTIS HERGE,
counsel to Council for National Defense, who, being duly sworn by
me, stated that the facts described in the foregoing complaint
are true.

Sworn to in my presence this 8th day of June, 1984.

Lisa K. Elmore
Notary Public

My Commission Expires: 9/11/87

35040531852

163

(202) 364-8194

4201 MASSACHUSETTS AVE., N.W., NO. 3077 W

WASHINGTON, D.C. 20016

**PAY TO THE
ORDER OF**

Citizens for Reagan

Five

DOLLARS

NS&T BANK

WASHINGTON, D.C. 20004

FOR

Political Contribution

Michael C. Fleming

000 163 0540005221: 123 2007383

American Express® Money Order

82-40/102

8-8-8-8-8-8-8-8-56-009719989 4

MAXIMUM DOLLAR VALUE
TWO HUNDRED DOLLARS (\$200)

PAY THE SUM OF

DATE 4/73

(84)

4-45-10694
THE

THE

TO THE
ORDER OF

Council For National Defense

Conservative Fund 4201 Mass Ave NW Wash DC

SENDER'S NAME AND ADDRESS

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

Payable at Intrawest Bank of Grand Junction
Grand Junction, Colorado

1:1021004001:56 009719989211

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Conservative Fund
Michael Fleming

MUR 1688

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 24, 1984, the Commission decided by a vote of 6-0 to take the following actions in MUR 1688:

1. Authorize the order to submit written answers to questions to the Conservative Fund and Michael Fleming, as treasurer.
2. Approve the letter attached to the General Counsel's Report signed July 12, 1984.

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

Attest:

7-24-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:
Circulated on tally vote basis:

7-13-84, 10:14
7-13-84, 2:00

85040531871



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 27, 1984

Michael Fleming, Treasurer
Conservative Fund
4201 Massachusetts Avenue, N.W.
3064-W
Washington, D.C. 20016

Re: MUR 1688

Dear Mr. Fleming:

On May 31, 1984, you were notified that the Commission found reason to believe the Conservative Fund and you, as treasurer, violated 2 U.S.C. § 441a(f) and you, individually, violated 2 U.S.C. § 441a(a)(1)(C), provisions of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

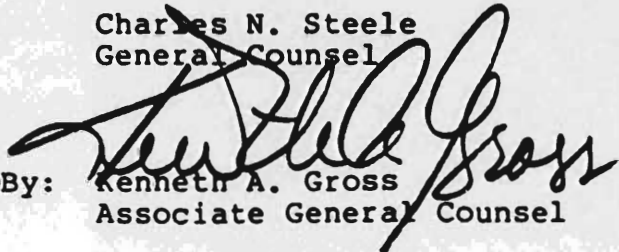
Consequently, the Federal Election Commission has issued the attached order which requires you to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended.

You may consult with an attorney or have an attorney assist you in the preparation of your responses to this order. It is required that you submit the information under oath and that you do so within ten days of your receipt of this order.

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

Sincerely,

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Enclosure
Order

85040531872

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Conservative Fund) MUR 1688
Michael Fleming)

ORDER TO SUBMIT WRITTEN ANSWERS

TO: Michael Fleming, Treasurer
Conservative Fund
4201 Massachusetts Avenue, N.W.
3064-W
Washington, D.C. 20016

Pursuant to 2 U.S.C. § 437d(a)(1), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order.

Such answers must be submitted under oath and must be forwarded to the Commission within ten days of your receipt of this Order.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set her hand at Washington, D.C., this *26th* day of *July*, 1984.

Lee Ann Elliott
Lee Ann Elliott
Chairman

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

Attachment
Interrogatories - 1 page

8 5 3 4 0 5 1 8 7 5

Interrogatories

- 1) The 1984 April Quarterly Report filed by the Conservative Fund disclosed a \$11,259.05 loan from M.C. Fleming made sometime during the first quarter of 1984.
 - a) Please provide the exact date or dates (i.e. month & day) the loan(s) were incurred.
 - b) Were the loan(s) from personal funds of Mr. Fleming or from a lending institution?
 - c) If the loan(s) were from a lending institution, please identify: i) the institution, ii) interest rate and iii) state if the loan(s) were secured or non-secured.
 - c) Were there any other endorsers or guarantors of the loan(s)? If so, please identify by providing the name(s) and address(es) of the individual(s).
- 2) Your May 8 response to the complaint indicated that the \$11,259.05 loan had been repaid. Please provide a copy of the refund check (front and back).
- 3) The 1984 April Quarterly report filed by the Conservative Fund discloses no cash on hand at the end of the reporting period. Please identify the source of the funds used to repay the \$11,259.05 loan to Mr. Fleming.

85040531874



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE *MWE*
GENERAL COUNSEL

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

DATE: JULY 26, 1984

SUBJECT: MUR 1688 -- Order to Submit Written
Answers

The attached order which was Commission approved
on July 24, 1984 by a vote of 6-0, has been signed and
sealed this date.

Attachment



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Michael Fleming, Treasurer
Conservative Fund
4201 Massachusetts Avenue, N.W.
3064-W
Washington, D.C. 20016

Re: MUR 1688

Dear Mr. Fleming:

On May 31, 1984, you were notified that the Commission found reason to believe the Conservative Fund and you, as treasurer, violated 2 U.S.C. § 441a(f) and you, individually, violated 2 U.S.C. § 441a(a)(1)(C), provisions of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

Consequently, the Federal Election Commission has issued the attached order which requires you to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended.

You may consult with an attorney or have an attorney assist you in the preparation of your responses to this order. It is required that you submit the information under oath and that you do so within ten days of your receipt of this order.

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

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Order

OK 7/25/84

35040531876



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *gah*
DATE: July 13, 1984
SUBJECT: MUR 1688 - GC Rpt.

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

CIRCULATIONS

48 Hour Tally Vote [x]
Sensitive [x]
Non-Sensitive []

24 Hour No Objection []
Sensitive []
Non-Sensitive []

Information []
Sensitive []
Non-Sensitive []

Other []

DISTRIBUTION

Compliance [x]
Audit Matters []

Litigation []
Closed MUR Letters []

Status Sheets []
Advisory Opinions []

Other (see distribution below) []

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

In the Matter of
Conservative Fund
Michael Fleming

)
)
)
)

84 JUL 13 AIO: 14

MUR 1688

GENERAL COUNSEL'S REPORT

SENSITIVE

BACKGROUND:

On March 22, 1984, the Commission found reason to believe Michael Fleming violated 2 U.S.C. § 441a(a)(1)(C) and the Conservative Fund and Michael Fleming, as treasurer, violated 2 U.S.C. § 441a(f). A letter, dated May 31, 1984, notified Mr. Fleming and the Conservative Fund of the Commission's reason to believe finding. The letter also enclosed interrogatories. The interrogatories were to be answered within ten days of receipt of the letter. (See Attachment I).

On June 12, 1984, Mr. Fleming phoned the Commission requesting a copy of the interrogatories previously sent to him. Mr. Fleming was sent a copy of the interrogatories on June 13, 1984, and was given an additional five days to respond. (See Attachment II). Mr. Fleming phoned the Commission again on June 26, 1984, stating that he had just received the June 13 letter and would submit the answers within five days.

As of this writing, Mr. Fleming has failed to submit answers to the interrogatories sent to him on May 31, 1984 and again on June 13, 1984. His responses were due Monday, July 2, 1984. Accordingly, we are recommending that the Commission authorize an order to answer questions to the Conservative Fund.

830405-1879

RECOMMENDATION:

1. Authorize the attached order to submit written answers to questions to the Conservative Fund and Michael Fleming, as treasurer.
2. Approve the attached letter.

Charles N. Steele
General Counsel

July 12, 1984
Date

By:

Kenneth A. Gross
Associate General Counsel

Attachments

- I. May 31 letter
- II. June 13 letter
- III. Cover Letter
- IV. Order / Interrogatories

05040531872



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 31, 1984

Michael Fleming
4201 Massachusetts Avenue, N.W.
3064-W
Washington, D.C. 20016

RE: MUR 1688

Dear Mr. Fleming:

The Federal Election Commission notified the Conservative Fund and you, as treasurer and individually, on May 5, 1984, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on May 22, 1984, determined that there is reason to believe that you have violated 2 U.S.C. § 441a(a)(1)(C) and the Conservative Fund and you, as treasurer, violated 2 U.S.C. § 441a(f), provisions of the Act. Specifically, it appears that the \$11,295.05 loan made by you to the Conservative Fund was in violation of 2 U.S.C. § 441a(a)(1)(C) and the Conservative Fund's acceptance of the loan was in violation of 2 U.S.C. § 441a(f). The Commission noted that your response indicated the loan has been repaid, however, the violation occurred at the time the loan was made and accepted.

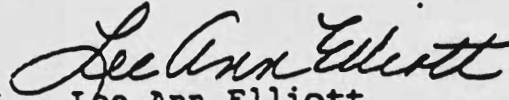
Your response to the Commission's initial notification of this complaint did not provide complete information regarding the matter in question. Please submit answers to the enclosed questions within ten days of your receipt of this letter.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause if you so desire. In the absence of any information which demonstrates that no further action should be taken against you, and the Conservative Fund, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2, of the enclosed procedures.

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

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

Sincerely,



Lee Ann Elliott
Chairman

Enclosures
Procedures
Interrogatories

85040531881

2

- 1) The 1984 April Quarterly Report filed by the Conservative Fund disclosed a \$11,259.05 loan from M.C. Fleming made sometime during the first quarter of 1984.

a) Please provide the exact date or dates (i.e. month & day) the loan(s) were incurred.

b) Were the loan(s) from personal funds of Mr. Fleming or from a lending institution?

c) If the loan(s) were from a lending institution, please identify: i) the institution, ii) interest rate and iii) state if the loan(s) were secured or non-secured.

c) Were there any other endorsers or guarantors of the loan(s)? If so, please identify by providing the name(s) and address(es) of the individual(s).

- 2) Your May 8 response to the complaint indicated that the \$11,259.05 loan had been repaid. Please provide a copy of the refund check (front and back).

- 3) The 1984 April Quarterly report filed by the Conservative Fund discloses no cash on hand at the end of the reporting period. Please identify the source of the funds used to repay the \$11,259.05 loan to Mr. Fleming.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 13, 1984

Michael Fleming
4201 Massachusetts Avenue, NW
Washington, DC 20016

RE: MUR 1688

Dear Mr. Fleming:

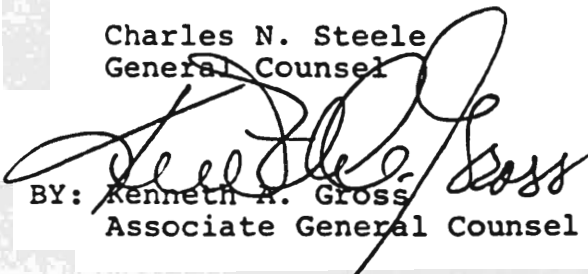
Pursuant to your telephone conversation of June 12, 1984, with Judy Thedford, we are enclosing a copy of the May 31, 1984 letter previously sent to you. In the phone conversation, you indicated that you had misplaced the questions enclosed with the May 31 letter.

Please note that the May 31 letter requested that your answers be submitted to the Commission within ten days. As agreed upon in the recent telephone conversation, your answers should now be submitted within five days of your receipt of this letter.

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

Enclosures

4



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Michael Fleming, Treasurer
Conservative Fund
4201 Massachusetts Avenue, N.W.
3064-W
Washington, D.C. 20016

Re: MUR 1688

Dear Mr. Fleming:

On May 31, 1984, you were notified that the Commission found reason to believe the Conservative Fund and you, as treasurer, violated 2 U.S.C. § 441a(f) and you, individually, violated 2 U.S.C. § 441a(a)(1)(C), provisions of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

Consequently, the Federal Election Commission has issued the attached order which requires you to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended.

You may consult with an attorney or have an attorney assist you in the preparation of your responses to this order. It is required that you submit the information under oath and that you do so within ten days of your receipt of this order.

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

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Order

5

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1688
Conservative Fund)
Michael Fleming)

ORDER TO SUBMIT WRITTEN ANSWERS

TO: Michael Fleming, Treasurer
Conservative Fund
4201 Massachusetts Avenue, N.W.
3064-W
Washington, D.C. 20016

Pursuant to 2 U.S.C. § 437d(a)(1), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order.

Such answers must be submitted under oath and must be forwarded to the Commission within ten days of your receipt of this Order.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set her hand at Washington, D.C., this day of , 1984.

Lee Ann Elliott
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachment
Interrogatories - 1 page

3504051835

6

Interrogatories

- 1) The 1984 April Quarterly Report filed by the Conservative Fund disclosed a \$11,259.05 loan from M.C. Fleming made sometime during the first quarter of 1984.
- a) Please provide the exact date or dates (i.e. month & day) the loan(s) were incurred.
- b) Were the loan(s) from personal funds of Mr. Fleming or from a lending institution?
- c) If the loan(s) were from a lending institution, please identify: i) the institution, ii) interest rate and iii) state if the loan(s) were secured or non-secured.
- c) Were there any other endorsers or guarantors of the loan(s)? If so, please identify by providing the name(s) and address(es) of the individual(s).
- 2) Your May 8 response to the complaint indicated that the \$11,259.05 loan had been repaid. Please provide a copy of the refund check (front and back).
- 3) The 1984 April Quarterly report filed by the Conservative Fund discloses no cash on hand at the end of the reporting period. Please identify the source of the funds used to repay the \$11,259.05 loan to Mr. Fleming.

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7



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 13, 1984

Michael Fleming
4201 Massachusetts Avenue, NW
Washington, DC 20016

RE: MUR 1688

Dear Mr. Fleming:

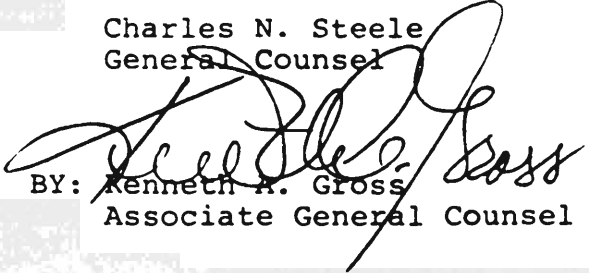
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Please note that the May 31 letter requested that your answers be submitted to the Commission within ten days. As agreed upon in the recent telephone conversation, your answers should now be submitted within five days of your receipt of this letter.

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

Sincerely,

Charles N. Steele
General Counsel

BY: 
Associate General Counsel

Enclosures



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 31, 1984

Michael Fleming
4201 Massachusetts Avenue, N.W.
3064-W
Washington, D.C. 20016

RE: MUR 1688

Dear Mr. Fleming:

The Federal Election Commission notified the Conservative Fund and you, as treasurer and individually, on May 5, 1984, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on May 22, 1984, determined that there is reason to believe that you have violated 2 U.S.C. § 441a(a)(1)(C) and the Conservative Fund and you, as treasurer, violated 2 U.S.C. § 441a(f), provisions of the Act. Specifically, it appears that the \$11,295.05 loan made by you to the Conservative Fund was in violation of 2 U.S.C. § 441a(a)(1)(C) and the Conservative Fund's acceptance of the loan was in violation of 2 U.S.C. § 441a(f). The Commission noted that your response indicated the loan has been repaid, however, the violation occurred at the time the loan was made and accepted.

Your response to the Commission's initial notification of this complaint did not provide complete information regarding the matter in question. Please submit answers to the enclosed questions within ten days of your receipt of this letter.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause if you so desire. In the absence of any information which demonstrates that no further action should be taken against you, and the Conservative Fund, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2, of the enclosed procedures.

Michael Fleming
Page 2

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

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

Sincerely,

Lee Ann Elliott
Lee Ann Elliott
Chairman

Enclosures
Procedures
Interrogatories

85040511337

Interrogatories

- 1) The 1984 April Quarterly Report filed by the Conservative Fund disclosed a \$11,259.05 loan from M.C. Fleming made sometime during the first quarter of 1984.
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 - c) Were there any other endorsers or guarantors of the loan(s)? If so, please identify by providing the name(s) and address(es) of the individual(s).
- 2) Your May 8 response to the complaint indicated that the \$11,259.05 loan had been repaid. Please provide a copy of the refund check (front and back).
- 3) The 1984 April Quarterly report filed by the Conservative Fund discloses no cash on hand at the end of the reporting period. Please identify the source of the funds used to repay the \$11,259.05 loan to Mr. Fleming.

35040531870



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 31, 1984

Michael Fleming
4201 Massachusetts Avenue, N.W.
3064-W
Washington, D.C. 20016

RE: MUR 1688

Dear Mr. Fleming:

The Federal Election Commission notified the Conservative Fund and you, as treasurer and individually, on May 5, 1984, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on May 22, 1984, determined that there is reason to believe that you have violated 2 U.S.C. § 441a(a)(1)(C) and the Conservative Fund and you, as treasurer, violated 2 U.S.C. § 441a(f), provisions of the Act. Specifically, it appears that the \$11,295.05 loan made by you to the Conservative Fund was in violation of 2 U.S.C. § 441a(a)(1)(C) and the Conservative Fund's acceptance of the loan was in violation of 2 U.S.C. § 441a(f). The Commission noted that your response indicated the loan has been repaid, however, the violation occurred at the time the loan was made and accepted.

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The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause if you so desire. In the absence of any information which demonstrates that no further action should be taken against you, and the Conservative Fund, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2, of the enclosed procedures.

35040531891

Michael Fleming
Page 2

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

Sincerely,


Lee Ann Elliott
Chairman

Enclosures
Procedures
Interrogatories

3 3 7 4 0 5 6 1 8 9 2

Interrogatories

- 1) The 1984 April Quarterly Report filed by the Conservative Fund disclosed a \$11,259.05 loan from M.C. Fleming made sometime during the first quarter of 1984.
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- 3) The 1984 April Quarterly report filed by the Conservative Fund discloses no cash on hand at the end of the reporting period. Please identify the source of the funds used to repay the \$11,259.05 loan to Mr. Fleming.

85040531893



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Michael Fleming
4201 Massachusetts Avenue, N.W.
3064-W
Washington, D.C. 20016

RE: MUR 1688

Dear Mr. Fleming:

The Federal Election Commission notified the Conservative Fund and you, as treasurer and individually, on May 5, 1984, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

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The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause if you so desire. In the absence of any information which demonstrates that no further action should be taken against you, and the Conservative Fund, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2, of the enclosed procedures.

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Michael Fleming
Page 2

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

Sincerely,

Enclosures
Procedures
Interrogatories

85040531895

OK 5/21/84

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1688
Conservative Fund,)
Michael Fleming, Treasurer)
Michael Fleming)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 22, 1984, the Commission decided by a vote of 5-0 to take the following actions in MUR 1688:

1. Find reason to believe that Michael Fleming violated 2 U.S.C. § 441a(a)(1)(C).
2. Find reason to believe the Conservative Fund and Michael Fleming, as treasurer, violated 2 U.S.C. § 441a(f).
3. Send the letter and interrogatories to the respondent as attached to the First General Counsel's Report dated May 18, 1984.

Commissioners Aikens, Elliott, Harris, McDonald and Reiche voted affirmatively in this matter; Commissioner McGarry did not cast a vote.

Attest:

5-22-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:

5-18-84, 10:10

Circulated on 48 hour tally basis:

5-18-84, 2:00



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cx*
DATE: May 18, 1984
SUBJECT: MUR 1688 - First General Counsel's Report

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

CIRCULATIONS

48 Hour Tally Vote [X]
Sensitive [X]
Non-Sensitive []

24 Hour No Objection []
Sensitive []
Non-Sensitive []

Information []
Sensitive []
Non-Sensitive []

Other []

DISTRIBUTION

Compliance [X]
Audit Matters []

Litigation []
Closed MUR Letters []

Status Sheets []
Advisory Opinions []

Other (see distribution below) []

05040531877

SENSITIVE

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

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT

84 MAY 18 AIO: 10

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 5/18/84-10:10

MUR: 1688
DATE COMPLAINT RECEIVED
BY OGC 5/1/84
DATE OF NOTIFICATION TO
RESPONDENT May 4, 1984
STAFF MEMBER Thedford

COMPLAINANT'S NAME: National Republican Senatorial Committee
Richard Messick, General Counsel

RESPONDENT'S NAME: Conservative Fund, Michael Fleming as
treasurer
Michael Fleming

RELEVANT STATUTE: 2 U.S.C. §§ 441a(a)(1)(C) and 441a(f)

INTERNAL REPORTS CHECKED: N/A

FEDERAL AGENCIES CHECKED: N/A

SUMMARY OF ALLEGATIONS

Richard Messick, General Counsel of the National Republican Senatorial Committee, filed a complaint alleging that the Conservative Fund and its treasurer Michael Fleming violated the Act by receiving and making an excessive contribution. Copies of the Conservative Fund's 1984 April Quarterly Report were attached to the complaint. The report discloses a contribution in the form of a loan from Michael Fleming in the amount of \$11,259.05.

A copy of the complaint was forwarded to Mr. Fleming on May 4, 1984. A response was submitted on May 8, 1984.

FACTUAL AND LEGAL ANALYSIS

2 U.S.C. § 441a(a)(1)(C) limits the contributions that a person may make to a political committee to \$5,000 a year. 2 U.S.C. § 441a(f) prohibits a political committee from knowingly

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accepting a contribution in violation of the limits set forth in Section 441a. A contribution is defined at 2 U.S.C.

§ 431(8)(A)(i) to include a loan unless made by a bank. See 2 U.S.C. § 431(8)(A)(vii).

In his May 8 response to the complaint, Mr. Fleming indicates that the entry on the April Quarterly Report was an unpaid loan. The response further states that the Committee has now repaid the loan and will report the repayment on the next report.

As the Act states, an outstanding loan constitutes a contribution. A loan such as this one made by an individual is included in the definition of a contribution. See 2 U.S.C. § 431(8)(A)(vii). The amount of the excessive contribution is \$6,259.05. The loan of \$11,259.05 by Michael Fleming to the Conservative Fund is therefore a violation of 2 U.S.C. § 441a(a)(1)(C) by Fleming and 2 U.S.C. § 441a(f) by the Conservative Fund. While the response from Mr. Fleming indicates that the loan has been fully repaid, the violation occurred at the time the loan was made by Michael Fleming and accepted by the Conservative Fund.

It is recommended that a reason to believe finding be made and questions forwarded to the respondents.

RECOMMENDATION

1. Find reason to believe that Michael Fleming violated 2 U.S.C. § 441a(a)(1)(C).

2. Find reason to believe the Conservative Fund and Michael Fleming, as treasurer, violated 2 U.S.C. § 441a(f).

3. Send the attached letter and interrogatories to the respondent.

Charles N. Steele
General Counsel

May 17, 1984
Date

BY:

Kenneth A. Gross
Associate General Counsel

Attachments

5/8 Response
Proposed Letter
Interrogatories

85040531900

CONSERVATIVE FUND

POST OFFICE BOX 70068

WASHINGTON, DC 20088

GCC# 3084

(22) 364-8/94

TRUCK 101? 5-8-84
Hedford

P2:15

Mr. Dross,

The entry for a contribution of \$11,259.05 on the Quarterly Report for the first quarter of 1984 was what I have been led to believe is the required entry, as a contribution, of my unpaid loan. I believe the reasoning is that such loan is only proven to not be a contribution when it is repaid.

This loan of \$11,259.05 has been repaid. No contribution in that amount should now be displayed in our records,

①

85040531901

and any appropriate adjusting entries
will be made in our next report.

Please be so kind as to suggest
what mechanism would most properly
show that the loan has been retired.

Also, please advise me that no
further action will be forthcoming.

Thank you.

Respectfully yours,

Michael C. Fleming

P.S. I should acknowledge what seems to
be at the heart of Mr. Messick's
complaint in that we will not
accept contributions in excess of
the JEC limits.

McF

(2)

85040531902



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Michael Fleming
4201 Massachusetts Avenue, N.W.
3064-W
Washington, D.C. 20016

RE: MUR 1688

Dear Mr. Fleming:

The Federal Election Commission notified the Conservative Fund and you, as treasurer and individually, on May 5, 1984, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on , 1984, determined that there is reason to believe that you have violated 2 U.S.C. § 441a(a)(1)(C) and the Conservative Fund and you, as treasurer, violated 2 U.S.C. § 441a(f), provisions of the Act. Specifically, it appears that the \$11,295.05 loan made by you to the Conservative Fund was in violation of 2 U.S.C. § 441a(a)(1)(C) and the Conservative Fund's acceptance of the loan was in violation of 2 U.S.C. § 441a(f). The Commission noted that your response indicated the loan has been repaid, however, the violation occurred at the time the loan was made and accepted.

Your response to the Commission's initial notification of this complaint did not provide complete information regarding the matter in question. Please submit answers to the enclosed questions within ten days of your receipt of this letter.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause if you so desire. In the absence of any information which demonstrates that no further action should be taken against you, and the Conservative Fund, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2, of the enclosed procedures.

5

Michael Fleming
Page

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

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

Sincerely,

Enclosures
Procedures
Interrogatories

85040531904

43

Interrogatories

- 1) The 1984 April Quarterly Report filed by the Conservative Fund disclosed a \$11,259.05 loan from M.C. Fleming made sometime during the first quarter of 1984.

a) Please provide the exact date or dates (i.e. month & day) the loan(s) were incurred.

b) Were the loan(s) from personal funds of Mr. Fleming or from a lending institution?

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- 3) The 1984 April Quarterly report filed by the Conservative Fund discloses no cash on hand at the end of the reporting period. Please identify the source of the funds used to repay the \$11,259.05 loan to Mr. Fleming.

3574051903

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CONSERVATIVE FUND

POST OFFICE BOX 70068

WASHINGTON, DC 20088

GCC# 3084

(202) 364-8194

MEX 1688 5-8-84
Thedford

P2:15

Mr. Dross,

The entry for a contribution of \$11,259.05 on the Quarterly Report for the first quarter of 1984 was what I have been led to believe is the required entry, as a contribution, of any unpaid loan. I believe the reasoning is that such loan is only proven to not be a contribution when it is repaid.

This loan of \$11,259.05 has been repaid. No contribution in that amount should now be displayed in our records.

and any appropriate adjusting entries
will be made in our next report.

Please be so kind as to suggest
what mechanism would most properly
show that the loan has been retired.

Also, please advise me that no
further action will be forthcoming.

Thank you.

Respectfully yours,

Michael C. Fleming

P.S. I should acknowledge what seems to
be at the heart of Mr. Messick's
complaint in that we will not
accept contributions in excess of
the JEC limits.

McF

85040531907

CONSERVATIVE FUND

POST OFFICE BOX 70068

WASHINGTON, DC 20088

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Robert A. Galt

Arthur C. Galt

Richard E. Galt



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 4, 1984

Richard E. Messick
General Counsel
National Republican
Senatorial Committee
404 C Street, N.E.
Washington, D.C. 20002

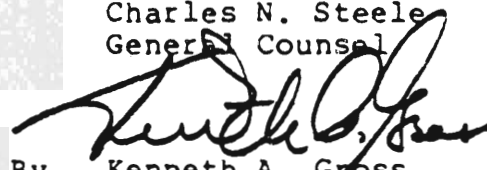
Dear Mr. Messick:

This letter is to acknowledge receipt of the complaint of your client, the National Republican Senatorial Committee, which we received on April 30, 1984, against Michael C. Fleming and the Conservative Fund, which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondent will be notified of this complaint within five days.

You will be notified as soon as the Commission takes final action on your complaint. Should you have or receive any additional information in this matter, please forward it to this office. We suggest that this information be sworn to in the same manner as your original complaint. For your information, we have attached a brief description of the Commission's procedure for handling complaints. If you have any questions, please contact Barbara A. Johnson at (202) 523-4143.

Sincerely,

Charles N. Steele
General Counsel


By Kenneth A. Gross
Associate General Counsel

Enclosure



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 4, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Michael C. Fleming, Treasurer
Conservative Fund
P.O. Box 70068
Washington, D.C. 20008

Re: MUR 1688

Dear Mr. Fleming:

This letter is to notify you that on April 30, 1984 the Federal Election Commission received a complaint which alleges that the committee and you, individually and as treasurer, may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1688. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against the committee and you, individually and as treasurer, in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

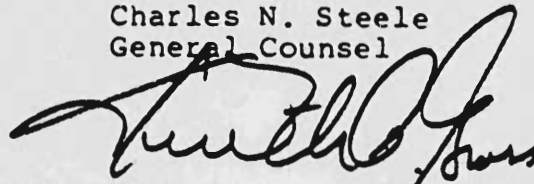
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

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.

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

Sincerely,

Charles N. Steele
General Counsel



By Kenneth A. Gross
Associate General Counsel

85040531911

PS Form 3811, July 1982

MUR 1688 Thedford

• **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☐ Show to whom and date delivered

☐ Show to whom, date, and address of delivery

2. ☐ RESTRICTED DELIVERY.....
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$.....

3. ARTICLE ADDRESSED TO:
Michael C Fleming, Jr.
Conservative Fund
P.O. Box 70068
Wash DC 20008

4. TYPE OF SERVICE:

☐ REGISTERED ☐ INSURED

☒ CERTIFIED ☐ COD

☐ EXPRESS MAIL

ARTICLE NUMBER
943486

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

Michael C Fleming

5. DATE OF DELIVERY

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

• GPO: 1982-379-503

5/4/84

ment

N.W.

PS Form 3811, July 1982

MUR 1688 Thedford

• **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☐ Show to whom and date delivered

☒ Show to whom, date, and address of delivery

2. ☐ RESTRICTED DELIVERY.....
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$.....

3. ARTICLE ADDRESSED TO:
Michael C Fleming
4201 Massachusetts Ave. NW
3064-W
Wash DC 20016

4. TYPE OF SERVICE:

☐ REGISTERED ☐ INSURED

☒ CERTIFIED ☐ COD

☐ EXPRESS MAIL

ARTICLE NUMBER
943486

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

Michael C Fleming

5. DATE OF DELIVERY

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

• GPO: 1982-379-503

5/4/84

SENATOR RICHARD G. LUGAR
CHAIRMAN

MITCHELL E. DANIELS, JR.
EXECUTIVE DIRECTOR

National Republican Senatorial Committee

OFFICE OF THE
COMMISSIONER OF THE
SECRETARY

April 30, 1984

84 APR 30 P 4: 00

MUR 1688

30 P 4: 17

The Honorable Lee Ann Elliott
Chairman
Federal Election Commission
1325 K Street, NW
Washington, D.C.

Dear Madam Chairman:

Enclosed with this letter is a copy of the April 15, 1984 Quarterly Report of a nonconnected political committee called "The Conservative Fund." This report shows a contribution, in the form of a loan, from an M.C. Fleming of \$11,259.05. This exceeds the contribution limit set out in 2 U.S.C. Section 441a by \$6,259.05.

Based on this report, I hereby request the Commission to undertake an investigation of M.C. Fleming and the Conservative Fund to determine whether either Fleming or the Fund has violated the contribution limits found in the Federal Election Campaign Act.

Thank you for your attention to this request.

Sincerely,

Richard E. Messick
Richard E. Messick
General Counsel

I, Richard E. Messick, swear that the above is true and correct under penalty of perjury.

Richard E. Messick
Richard E. Messick

Sworn to and subscribed before me this 30TH day of April, 1984.

Dir C. Boone
Notary Public

NOTARY PUBLIC
DISTRICT OF COLUMBIA

My Commission expires: APRIL 30, 1987

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

RECEIVED AT THE FEC

(Summary Page)

ALIGN AREA

84 APR 15 P 4 11 67

1 Name of Committee (In Full)

4 TYPE OF REPORT (Check appropriate boxes)

Conservative Fund

Address (Number and Street)

Post Office Box 7069

City, State and ZIP Code

Washington D.C. 20003

2 FEC Identification Number

000172072

3 ☐ This committee qualified as a multicandidate committee for this Reporting Period on _____ (Date)

- ☒ April 15 Quarterly Report ☐ October 15 Quarterly Report
☐ July 15 Quarterly Report ☐ January 31 Year End Report
☐ July 31 Mid Year Report (Election Year Only)
☐ Monthly Report for _____
☐ Twenty day report preceding _____ (Type of Election)
☐ Thirty day report following the General Election on _____ the State of _____
☐ Termination Report
☐ Is this Report an Amendment? ☐ YES ☐ NO

SUMMARY

5 Covering Period 1-1-84 through 3-31-84

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)

COLUMN A This Period	COLUMN B Calendar Year to Date
\$ -0-	\$ -0-
\$ -0-	\$ -0-
\$ 18,059.55	\$ 18,059.55
\$ 18,059.55	\$ 18,059.55
\$ 18,059.55	\$ 18,059.55
\$ -0-	\$ -0-
\$ -0-	\$ -0-
\$ 12,600.37	\$ -0-

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

Michael C. Fleming

Type or Print Name of Treasurer

SIGNATURE OF TREASURER

4-15-84
Date

For further information contact:

Write: Emily J. Smith
Tel: Free Box 4, 494
Local 222-1144

85040531913

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

Name of Committee (in Full)

Conservative Fund

Period Covered by Report

From 1-1-84

To 3-31-84

**COLUMN A
Total This Period**

**COLUMN B
Calendar Year To Date**

I. RECEIPTS

11. CONTRIBUTIONS (other than loans) FROM

(a) Individuals/Persons Other Than Political Committees

(Memo Entry Unitarized \$ **4,105.50**)

(b) Political Party Committees

(c) Other Political Committees

(d) **TOTAL CONTRIBUTIONS** (other than loans) (Add 11(a), 11(b) and 11(c))

12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES

13. ALL LOANS RECEIVED

14. LOAN REPAYMENTS RECEIVED

15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)

**16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES
AND OTHER POLITICAL COMMITTEES**

17. OTHER RECEIPTS (Dividends, Interest, etc.)

18. TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)

II. DISBURSEMENTS

19. OPERATING EXPENDITURES

20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES

**21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND
OTHER POLITICAL COMMITTEES**

22. INDEPENDENT EXPENDITURES (Use Schedule E)

**23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES
(2 U.S.C. § 441a(d)) (Use Schedule F)**

24. LOAN REPAYMENTS MADE

25. LOANS MADE

26. REFUNDS OF CONTRIBUTIONS TO

(a) Individuals/Persons Other Than Political Committees

(b) Political Party Committees

(c) Other Political Committees

(d) **TOTAL CONTRIBUTION REFUNDS** (Add 26(a), 26(b) and 26(c))

27. OTHER DISBURSEMENTS

28. TOTAL DISBURSEMENTS (Add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)

III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES

29. TOTAL CONTRIBUTIONS (other than loans) from Line 11(d)

30. TOTAL CONTRIBUTION REFUNDS from Line 26(d)

31. NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29)

32. TOTAL OPERATING EXPENDITURES from Line 19

33. OFFSETS TO OPERATING EXPENDITURES from Line 15

34. NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)

8504051914

SCHEDULE A

ITEMIZED RECEIPTS

Page 1 of 1 for
LINE NUMBER 1
(Use separate schedules for each
category of the Detailed
Summary Page)

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes other than using the name and address of any political committee to solicit contributions from such committee			
Name of Committee (in Full) Conservative Fund			
A. Full Name, Mailing Address and ZIP Code Mr. Roger F. Ash 1500 Highland Oaks Drive Arcadia, California 91006		Name of Employer requested	Date (month, day, year) First Quarter 1984
Receipt For ☐ Primary ☐ General ☐ Other (specify)		Occupation requested	Amount of Each Receipt This Period 200
		Aggregate Year-to-Date - \$ 200	
B. Full Name, Mailing Address and ZIP Code Mrs. Fielding T. Childress 3 Hortense Place St. Louis, Missouri 63108		Name of Employer requested	Date (month, day, year) First Quarter 1984
Receipt For ☐ Primary ☐ General ☐ Other (specify)		Occupation requested	Amount of Each Receipt This Period 200
		Aggregate Year-to-Date - \$ 200	
C. Full Name, Mailing Address and ZIP Code M. C. Fleming P. O. Box 70068 Washington, D.C. 20068		Name of Employer CONSERVATIVE FUND	Date (month, day, year) First Quarter 1984
Receipt For ☐ Primary ☐ General ☐ Other (specify)		Occupation Fundraiser	Amount of Each Receipt This Period 11,259.05
		Aggregate Year-to-Date - \$ 11,259.05	
D. Full Name, Mailing Address and ZIP Code Mrs. H. B. Newton 2616 Landstrom Road Rockford, Illinois 61107		Name of Employer requested	Date (month, day, year) First Quarter 1984
Receipt For ☐ Primary ☐ General ☐ Other (specify)		Occupation requested	Amount of Each Receipt This Period 200
		Aggregate Year-to-Date - \$ 200	
E. Full Name, Mailing Address and ZIP Code Mr. Earl Roland P.O. Box 2787 Springfield, Illinois 62706		Name of Employer requested	Date (month, day, year) First Quarter 1984
Receipt For ☐ Primary ☐ General ☐ Other (specify)		Occupation requested	Amount of Each Receipt This Period 200
		Aggregate Year-to-Date - \$ 200	
F. Full Name, Mailing Address and ZIP Code Mr. and Mrs. A. L. Sanders The Holmstad, Apt. 2124 F Batavia, Illinois 60510		Name of Employer requested	Date (month, day, year) First Quarter 1984
Receipt For ☐ Primary ☐ General ☐ Other (specify)		Occupation requested	Amount of Each Receipt This Period 200
		Aggregate Year-to-Date - \$ 200	
G. Full Name, Mailing Address and ZIP Code Mr. and Mrs. Murray Smitheran 4011 Cranbrook Drive Indianapolis, Indiana 46220		Name of Employer requested	Date (month, day, year) First Quarter 1984
Receipt For ☐ Primary ☐ General ☐ Other (specify)		Occupation requested	Amount of Each Receipt This Period 200
		Aggregate Year-to-Date - \$ 200	
SUBTOTAL - Receipts This Page (optional)			
TOTAL This Period (last page this line number only)			

05040531913

SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 1 of 1 for
LINE NUMBER
Use separate schedules for each
category of the (Detailed
Summary Page)

Any information disclosed from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.			
Name of Committee (in Full) Conservative Fund			
A Full Name, Mailing Address and ZIP Code Michael Fleming	Purpose of Disbursement reimbursements for postage and printing Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) First Quarter 1984	Amount of Each Disbursement This Period 3,165.87
B Full Name, Mailing Address and ZIP Code Michael Fleming	Purpose of Disbursement commissions and salary Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) First Quarter 1984	Amount of Each Disbursement This Period 3,253.00
C Full Name, Mailing Address and ZIP Code Alexander Norsworthy	Purpose of Disbursement commissions and salary Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) First Quarter 1984	Amount of Each Disbursement This Period 4,251.00
D Full Name, Mailing Address and ZIP Code Kimberly Judd	Purpose of Disbursement salary Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) First Quarter 1984	Amount of Each Disbursement This Period 753.75
E Full Name, Mailing Address and ZIP Code Mercedeh Mobini	Purpose of Disbursement salary Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) First Quarter 1984	Amount of Each Disbursement This Period 453.05
F Full Name, Mailing Address and ZIP Code O. T. Cornwell and Associates	Purpose of Disbursement printing Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) First Quarter 1984	Amount of Each Disbursement This Period 352.93
G Full Name, Mailing Address and ZIP Code Speed-Dee-Que	Purpose of Disbursement printing Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) First Quarter 1984	Amount of Each Disbursement This Period 208.39
H Full Name, Mailing Address and ZIP Code United States Postal Service	Purpose of Disbursement postage stamps Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) First Quarter 1984	Amount of Each Disbursement This Period 280.00
I Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL			
TOTAL			

85040531916

SCHEDULE A

ITEMIZED RECEIPTS

Page 1 of 1 for
LINE NUMBER
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page.)

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

Name of Committee or Fund
Conservative Fund

A Full Name, Mailing Address and ZIP Code Mrs. Sarah Stockman 1041 Matador Drive, Southeast Albuquerque, New Mexico 87123	Name of Employer requested	Date (month day, year) First Quarter 1984	Amount of Each Receipt This Period 300
Receipt for ☐ Primary ☐ General ☐ Other (specify):	Occupation requested	Aggregate Year-to-Date: \$300	
B Full Name, Mailing Address and ZIP Code Mr. Richard L. Thorndike Ocean Reef Club, 15 Herky Road Key Largo, Florida 33077	Name of Employer requested	Date (month day, year) First Quarter 1984	Amount of Each Receipt This Period 200
Receipt for ☐ Primary ☐ General ☐ Other (specify):	Occupation requested	Aggregate Year-to-Date: \$200	
C Full Name, Mailing Address and ZIP Code D. L. Fleming 2514 Yorktown Houston, Texas 77057	Name of Employer Brian Scott Realty	Date (month day, year) First Quarter 1984	Amount of Each Receipt This Period 495
Receipt for ☐ Primary ☐ General ☐ Other (specify):	Occupation Realtor	Aggregate Year-to-Date: \$295	
D Full Name, Mailing Address and ZIP Code J. E. Wilder #7109-A 400 Massachusetts Ave. N.W. Washington, DC 20016	Name of Employer requested	Date (month day, year) First Quarter 1984	Amount of Each Receipt This Period 200
Receipt for ☐ Primary ☐ General ☐ Other (specify):	Occupation requested	Aggregate Year-to-Date: \$200	
E Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month day, year)	Amount of Each Receipt This Period
Receipt for ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date: \$	
F Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month day, year)	Amount of Each Receipt This Period
Receipt for ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date: \$	
G Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month day, year)	Amount of Each Receipt This Period
Receipt for ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date: \$	

Subtotal for Receipts This Page: \$

TOTAL for this page: \$

8 5 0 4 0 5 3 1 9 1 7

ITEMIZED DISBURSEMENTS

LINE NUMBER
(Use with the schedule to find the
address of the program
Summary Page

Name of Contributor (in Full)

Conservative Fund

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
C & P Telephone Company	telephone service	First Quarter 1984	322.18
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Answering, Inc.	answering services	First Quarter 1984	210.38
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Accent on Limousines	limousine service	First Quarter 1984	257.25
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL			
TOTAL			

SCHEDULE C
(Revised 3/80)

LOANS

Page ____ of ____ to
LINE NUMBER ____
Use separate schedules
for each numbered line

Name of Committee (in Full) Conservative Fund				
A Full Name, Mailing Address and ZIP Code of Loan Source D. L. Fleming 2504 Yorktown Houston, Texas 77056		Original Amount of Loan 495	Cumulative Payment To Date -0-	Balance Outstanding at Close of This Period 495
Election: ☐ Primary ☐ General ☐ Other (specify):				
Terms: Date Incurred: Date Due: Interest Rate: % Paid: ☐ Secured				
List All Endorsers or Guarantors (if any) to Item A				
1 Full Name, Mailing Address and ZIP Code		Name of Employer Occupation Amount Guaranteed Outstanding \$		
2 Full Name, Mailing Address and ZIP Code		Name of Employer Occupation Amount Guaranteed Outstanding \$		
3 Full Name, Mailing Address and ZIP Code		Name of Employer Occupation Amount Guaranteed Outstanding \$		
B Full Name, Mailing Address and ZIP Code of Loan Source M. C. Fleming 4201 Massachusetts Avenue, N.W. #3064-W Washington, D.C. 20016		Original Amount of Loan 11,259.05	Cumulative Payment To Date -0-	Balance Outstanding at Close of This Period 11,259.05
Election: ☐ Primary ☐ General ☐ Other (specify):				
Terms: Date Incurred: Date Due: Interest Rate: % Paid: ☐ Secured				
List All Endorsers or Guarantors (if any) to Item B				
1 Full Name, Mailing Address and ZIP Code		Name of Employer Occupation Amount Guaranteed Outstanding \$		
2 Full Name, Mailing Address and ZIP Code		Name of Employer Occupation Amount Guaranteed Outstanding \$		
3 Full Name, Mailing Address and ZIP Code		Name of Employer Occupation Amount Guaranteed Outstanding \$		

1. Print or type full name, full page address.

2. Print or type full name, full page address.

3. Carry outstanding balance only to LINE 3, Schedule D, for this use. If on Schedule D, carry forward to appropriate line of Schedule D.

SCHEDULE C
(Revised 3/80)

LOANS

Page ____ of ____ for
LINE NUMBER ____
(Use separate schedules
for each numbered line)

Name of Committee (in Full) Conservative Fund			
A. Full Name, Mailing Address and ZIP Code of Loan Source D. L. Wilder #7079-W 4201 Massachusetts Ave. N.W. Washington, DC 20016	Original Amount of Loan 200	Cumulative Payment To Date -0-	Balance Outstanding at Close of This Period 200
Election ☐ Primary ☐ General ☐ Other (specify) _____			
Terms Date Incurred _____ Date Due _____ Interest Rate _____ % ☐ Secured			
Let All Endorsers or Guarantors (if any) to Item A			
1. Full Name, Mailing Address and ZIP Code 2. Full Name, Mailing Address and ZIP Code 3. Full Name, Mailing Address and ZIP Code 	Name of Employer Occupation Amount Guaranteed Outstanding \$ Name of Employer Occupation Amount Guaranteed Outstanding \$ Name of Employer Occupation Amount Guaranteed Outstanding \$		
B. Full Name, Mailing Address and ZIP Code of Loan Source Election ☐ Primary ☐ General ☐ Other (specify) _____			
Terms Date Incurred _____ Date Due _____ Interest Rate _____ % ☐ Secured			
Let All Endorsers or Guarantors (if any) to Item B			
1. Full Name, Mailing Address and ZIP Code 2. Full Name, Mailing Address and ZIP Code 3. Full Name, Mailing Address and ZIP Code 	Name of Employer Occupation Amount Guaranteed Outstanding \$ Name of Employer Occupation Amount Guaranteed Outstanding \$ Name of Employer Occupation Amount Guaranteed Outstanding \$		
SUBTOTALS This Period This Page (optional) _____			
TOTALS This Period (last page in this line only) _____			
Carry outstanding balances only to LINE 3, Schedule D, for the line. If no Schedule D, carry forward to appropriate line of Summary.			

35040531920
 2101170C

SCHEDULE D
(Revised 3-80)

DEBTS AND OBLIGATIONS
Excluding Loans

Page 1 of 1 for
LINE NUMBER 1
(Use separate schedules
for each numbered line)

Name of Committee (in Full)	Outstanding Balance Beginning This Period	Amount Incurred This Period	Payment This Period	Outstanding Balance at Close of This Period
Conservative Fund				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
United States Postal Service	-0-	8,420.00	-0-	8,420.00
Nature of Debt (Purpose)				
postage stamps				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
C. T. Cornwell and Associates	-0-	853.88	-0-	853.88
Nature of Debt (Purpose)				
printing				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Minuteman Press	-0-	880.01	-0-	880.01
Nature of Debt (Purpose)				
printing				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Sears	-0-	525.46	-0-	525.46
Nature of Debt (Purpose)				
typewriter & carpet				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Jacobs-Gardner Office Supply	-0-	203.01	-0-	203.01
Nature of Debt (Purpose)				
office supplies				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Mercedesen Mobini	-0-	200.00	-0-	200.00
Nature of Debt (Purpose)				
salary				

85040531921

SCHEDULE D
(Revised 3/80)

DEBTS AND OBLIGATIONS
Excluding Loans

Page ____ of ____ for
LINE NUMBER ____
(Use separate schedules
for each numbered line.)

Name of Contributor (in full)	Outstanding Balance Beginning This Period	Amount Received This Period	Payment This Period	Outstanding Balance at Close of This Period
Conservative Fund				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Telemarketing of Washington	-0-	602.19	-0-	602.19
Nature of Debt (Purpose)				
long distance phone charges				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Washington Post	-0-	222.00	-0-	222.00
Nature of Debt (Purpose)				
help wanted classified ad				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Accent on Limousines	-0-	89.91	-0-	89.91
Nature of Debt (Purpose)				
limousine service				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose)				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose)				
answering service				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose)				

85040531922

011:30,1702

SENATOR RICHARD G. LUGAR
CHAIRMAN

MITCHELL E. DANIELS JR.
EXECUTIVE DIRECTOR

National Republican Senatorial Committee

April 30, 1984

MUR 1688

The Honorable Lee Ann Elliott
Chairman
Federal Election Commission
1325 K Street, NW
Washington, D.C.

Dear Madam Chairman:

Enclosed with this letter is a copy of the April 15, 1984 Quarterly Report of a nonconnected political committee called "The Conservative Fund." This report shows a contribution, in the form of a loan, from an M.C. Fleming of \$11,259.05. This exceeds the contribution limit set out in 2 U.S.C. Section 441a by \$6,259.05.

Based on this report, I hereby request the Commission to undertake an investigation of M.C. Fleming and the Conservative Fund to determine whether either Fleming or the Fund has violated the contribution limits found in the Federal Election Campaign Act.

Thank you for your attention to this request.

Sincerely,

Richard E. Messick
Richard E. Messick
General Counsel

I, Richard E. Messick, swear that the above is true and correct under penalty of perjury.

Richard E. Messick
Richard E. Messick

Sworn to and subscribed before me this 30TH day of April, 1984.

David C. Boone
Notary Public

NOTARY PUBLIC
DISTRICT OF COLUMBIA

My Commission expires: APRIL 30, 1987

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

RECEIVED AT THE FEC

(Summary Page)

ALIGN AREA

84 APR 15 P 1:07

1 Name of Committee (in full)

4 TYPE OF REPORT (check appropriate box(es))

Conservative Fund

Address (Number and Street)

Post Office Box 7069

City, State and ZIP Code

Washington D.C. 20007

☐ Check here if address is different than principal office

☒ April 15 Quarterly Report ☐ October 15 Quarterly Report

☐ July 15 Quarterly Report ☐ January 31 Year End Report

☐ July 31 Mid Year Report (Election Year Only)

☐ Monthly Report for

☐ Twelve day report (Election Year Only)

election year _____ in the State of _____

☐ Thirtieth day report following the General Election

on _____ the State of _____

2 FEC Identification Number

000172072

3 ☐ This committee qualified as a multi-candidate committee during this Reporting Period on _____ (date)

Is this Report an Amendment?

☐ YES ☐ NO

SUMMARY

5 Covering Period 1-1-84 through 3-31-84

6(a) Cash on hand January 1, 19 84

(b) Cash on hand at Beginning of Reporting Period

(c) Total Receipts (from Line 12)

(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.

Michael C. Fleming

Typed Name of Treasurer

SIGNATURE OF TREASURER

4-15-84

Date

For further information contact:

Federal Election Commission

Two Five Box, 424 9400

Washington, D.C. 20543

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

Name of Committee (in Full)		Report Covering the Period	
Conservative Fund		From 1-1-84	To 3-31-84
		COLUMN A Total This Period	COLUMN B Calendar Year To-Date
I. RECEIPTS			
11. CONTRIBUTIONS (other than loans) FROM			
(a) Individuals/Persons Other Than Political Committees (Memo Entry Unitemized \$ <u>4,105.50</u>)		6,105.50	6105.50
(b) Political Party Committees		-0-	-0-
(c) Other Political Committees		-0-	-0-
(d) TOTAL CONTRIBUTIONS (other than loans) (add 11(a), 11(b) and 11(c))		6,105.50	6,105.50
12 TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES		-0-	-0-
13 ALL LOANS RECEIVED		11,954.00	11,954.00
14 LOAN REPAYMENTS RECEIVED		-0-	-0-
15 OFFSETS TO OPERATING EXPENDITURES (Refunds, Relates, etc)		-0-	-0-
16 REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES		-0-	-0-
17 OTHER RECEIPTS (Dividends, Interest, etc)		-0-	-0-
18 TOTAL RECEIPTS (add lines 11, 12, 13, 14, 15, 16 and 17)		18,059.50	18,059.50
II. DISBURSEMENTS			
19 OPERATING EXPENDITURES		18,059.50	18,059.50
20 TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES		-0-	-0-
21 CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES		-0-	-0-
22 INDEPENDENT EXPENDITURES (see Schedule E)		-0-	-0-
23 COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. § 441 add'l (see Schedule F))		-0-	-0-
24 LOAN REPAYMENTS MADE		-0-	-0-
25 LOANS MADE		-0-	-0-
26 REFUNDS OF CONTRIBUTIONS TO			
(a) Individuals/Persons Other Than Political Committees		-0-	-0-
(b) Political Party Committees		-0-	-0-
(c) Other Political Committees		-0-	-0-
(d) TOTAL CONTRIBUTION REFUNDS (add 26(a), 26(b) and 26(c))		-0-	-0-
27 OTHER DISBURSEMENTS		-0-	-0-
28 TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)		18,059.50	18,059.50
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES			
29 TOTAL CONTRIBUTIONS (other than loans) from Line 11(d)		6,105.50	6105.50
30 TOTAL CONTRIBUTION REFUNDS from Line 26(d)		-0-	-0-
31 NET CONTRIBUTIONS (other than loans) (subtract Line 30 from Line 29)		6,105.50	6105.50
32 TOTAL OPERATING EXPENDITURES from Line 19		18,059.50	18,059.50
33 OFFSETS TO OPERATING EXPENDITURES from Line 15		-0-	-0-
34 NET OPERATING EXPENDITURES (subtract Line 33 from Line 32)		18,059.50	18,059.50

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SCHEDULE A

ITEMIZED RECEIPTS

Page of for
 LINE NUMBER
 (Use separate schedules for each
 category of the Detailed
 Summary Page.)

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes other than using the name and address of any political committee to solicit contributions from such committee.			
Name of Committee (in Full)			
Conservative Fund			
A. Full Name, Mailing Address and ZIP Code Mr. Roger F. Abr. 1500 Highland Oaks Drive Arcadia, California 91006	Name of Employer requested	Date (month, day, year) First Quarter 1984	Amount of Each Receipt This Period 200
Receipt For ☐ Primary ☐ General ☐ Other (specify):	Occupation requested		
Aggregate Year-to-Date - \$ 200			
B. Full Name, Mailing Address and ZIP Code Mrs. Fielding T. Childress 3 Hortense Place St. Louis, Missouri 63108	Name of Employer requested	Date (month, day, year) First Quarter 1984	Amount of Each Receipt This Period 200
Receipt For ☐ Primary ☐ General ☐ Other (specify):	Occupation requested		
Aggregate Year-to-Date - \$ 200			
C. Full Name, Mailing Address and ZIP Code M. C. Fleming P. O. Box 70066 Washington, DC 20066	Name of Employer CONSERVATIVE FUND	Date (month, day, year) First Quarter 1984	Amount of Each Receipt This Period 11,259.05
Receipt For ☐ Primary ☐ General ☐ Other (specify):	Occupation Fundraiser		
Aggregate Year-to-Date - \$ 11,259.05			
D. Full Name, Mailing Address and ZIP Code Mrs. H. B. Newton 2616 Landstrom Road Rockford, Illinois 61107	Name of Employer requested	Date (month, day, year) First Quarter 1984	Amount of Each Receipt This Period 200
Receipt For ☐ Primary ☐ General ☐ Other (specify):	Occupation requested		
Aggregate Year-to-Date - \$ 200			
E. Full Name, Mailing Address and ZIP Code Mr. Earl Roland P.O. Box 2787 Springfield, Illinois 62706	Name of Employer requested	Date (month, day, year) First Quarter 1984	Amount of Each Receipt This Period 200
Receipt For ☐ Primary ☐ General ☐ Other (specify):	Occupation requested		
Aggregate Year-to-Date - \$ 200			
F. Full Name, Mailing Address and ZIP Code Mr. and Mrs. A. L. Sanders The Holmstad, Apt. 2124 F Batavia, Illinois 60510	Name of Employer requested	Date (month, day, year) First Quarter 1984	Amount of Each Receipt This Period 200
Receipt For ☐ Primary ☐ General ☐ Other (specify):	Occupation requested		
Aggregate Year-to-Date - \$ 200			
G. Full Name, Mailing Address and ZIP Code Mr. and Mrs. Murray Smitheran 4111 Cranbrook Drive Indianapolis, Indiana 46250	Name of Employer requested	Date (month, day, year) First Quarter 1984	Amount of Each Receipt This Period 200
Receipt For ☐ Primary ☐ General ☐ Other (specify):	Occupation requested		
Aggregate Year-to-Date - \$ 200			
SUBTOTAL of Receipts This Page (include)			
TOTAL for Period (add this line number only)			

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SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 1 of 1
LINE NUMBER 1
Use separate schedules for each category of the Detailed Summary Table

Any information obtained from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such contributor.			
Name of Committee (in Full)			
Conservative Fund			
A Full Name, Mailing Address and ZIP Code Michael Fleming	Purpose of Disbursement reimbursements for postage and printing Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) First Quarter 1984	Amount of Each Disbursement This Period 3,165.87
B Full Name, Mailing Address and ZIP Code Michael Fleming	Purpose of Disbursement commissions and salary Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) First Quarter 1984	Amount of Each Disbursement This Period 3,253.00
C Full Name, Mailing Address and ZIP Code Alexander Norsworthy	Purpose of Disbursement commissions and salary Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) First Quarter 1984	Amount of Each Disbursement This Period 4,251.00
D Full Name, Mailing Address and ZIP Code Kimberly Judd	Purpose of Disbursement salary Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) First Quarter 1984	Amount of Each Disbursement This Period 753.75
E Full Name, Mailing Address and ZIP Code Mercedeh Mobini	Purpose of Disbursement salary Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) First Quarter 1984	Amount of Each Disbursement This Period 453.05
F Full Name, Mailing Address and ZIP Code D. T. Cornwell and Associates	Purpose of Disbursement printing Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) First Quarter 1984	Amount of Each Disbursement This Period 352.93
G Full Name, Mailing Address and ZIP Code Speed-Dee-Que	Purpose of Disbursement printing Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) First Quarter 1984	Amount of Each Disbursement This Period 208.39
H Full Name, Mailing Address and ZIP Code United States Postal Service	Purpose of Disbursement postage stamps Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) First Quarter 1984	Amount of Each Disbursement This Period 280.00
I Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL			
TOTAL			

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SCHEDULE A

ITEMIZED RECEIPTS

Page of for
 LINE NUMBER
 Use separate schedules for each
 category of the Detailed
 Summary Page.

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions for the commercial purposes other than using the name and address of any political committee to solicit contributions from such committee.			
Name of Committee or Fund			
Conservative Fund			
A Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Mrs. Sarah Stockman 1041 Matador Drive, Southeast Albuquerque, New Mexico 87123	requested	First Quarter 1984	300
Receipt for ☐ Primary ☐ General	Occupation requested		
☐ Other (specify):	Appropriate Year-to-Date: \$500		
B Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Mr. Richard E. Thorndike Ocean Reef Club, 15 BIRKY ROAD Key Largo, Florida 33077	requested	First Quarter 1984	200
Receipt for ☐ Primary ☐ General	Occupation requested		
☐ Other (specify):	Appropriate Year-to-Date: \$200		
C Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
T. L. Fleming 2512 Yorktown Houston, Texas 77057	Brian Scott Realty	First Quarter 1984	495
Receipt for ☐ Primary ☐ General	Occupation Realtor		
☐ Other (specify):	Appropriate Year-to-Date: \$295		
D Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
L. L. Wilder #7079-W 2001 Massachusetts Ave. N.W. Washington, DC 20016	requested	First Quarter 1984	200
Receipt for ☐ Primary ☐ General	Occupation requested		
☐ Other (specify):	Appropriate Year-to-Date: \$200		
E Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt for ☐ Primary ☐ General	Occupation		
☐ Other (specify):	Appropriate Year-to-Date: \$		
F Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt for ☐ Primary ☐ General	Occupation		
☐ Other (specify):	Appropriate Year-to-Date: \$		
G Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt for ☐ Primary ☐ General	Occupation		
☐ Other (specify):	Appropriate Year-to-Date: \$		

SCHEDULE A

ITEMIZED RECEIPTS

Page 1 of 1 for
LINE NUMBER 1
This schedule schedules for each
category of the Detailed
Summary Page.

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

Name of Committee or Fund
Conservative Fund

A Full Name Mailing Address and ZIP Code Mrs. Sarah Stockman 1041 Matador Drive, Southeast Albuquerque, New Mexico 87123	Name of Employer requested	Date (month day year) First Quarter 1984	Amount of Each Receipt This Period 300
Receipt for ☐ Primary ☐ General ☐ Other (specify)	Occupation requested	Aggregate Year-to-Date - \$500	
B Full Name Mailing Address and ZIP Code Mr. Richard A. Thorndike Ocean Reef Club, 15 Jerky Road Key Largo, Florida 33037	Name of Employer requested	Date (month day year) First Quarter 1984	Amount of Each Receipt This Period 200
Receipt for ☐ Primary ☐ General ☐ Other (specify)	Occupation requested	Aggregate Year-to-Date - \$200	
C Full Name Mailing Address and ZIP Code D. L. Fleming 2514 Yorktown Houston, Texas 77058	Name of Employer Brian Scott Realty	Date (month day year) First Quarter 1984	Amount of Each Receipt This Period 405
Receipt for ☐ Primary ☐ General ☐ Other (specify)	Occupation Realtor	Aggregate Year-to-Date - \$200	
D Full Name Mailing Address and ZIP Code D. L. Wilder 480 Massachusetts Ave. N.W. Washington, DC 20016	Name of Employer requested	Date (month day year) First Quarter 1984	Amount of Each Receipt This Period 200
Receipt for ☐ Primary ☐ General ☐ Other (specify)	Occupation requested	Aggregate Year-to-Date - \$500	
E Full Name Mailing Address and ZIP Code	Name of Employer	Date (month day year)	Amount of Each Receipt This Period
Receipt for ☐ Primary ☐ General ☐ Other (specify)	Occupation	Aggregate Year-to-Date - \$	
F Full Name Mailing Address and ZIP Code	Name of Employer	Date (month day year)	Amount of Each Receipt This Period
Receipt for ☐ Primary ☐ General ☐ Other (specify)	Occupation	Aggregate Year-to-Date - \$	
G Full Name Mailing Address and ZIP Code	Name of Employer	Date (month day year)	Amount of Each Receipt This Period
Receipt for ☐ Primary ☐ General ☐ Other (specify)	Occupation	Aggregate Year-to-Date - \$	

Supplemental Information Page

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SCHEDULE B

ITEMIZED DISBURSEMENTS

LINE NUMBER
 (Indicate schedule for each
 item of the disbursement
 Summary Page)

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

Name of Committee (in Full)

Conservative Fund

A Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date Month day year	Amount of Each Disbursement This Period
C & P Telephone Company	telephone service	First Quarter 1984	322.18
B Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date Month day year	Amount of Each Disbursement This Period
Answering, Inc.	answering services	First Quarter 1984	210.38
C Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date Month day year	Amount of Each Disbursement This Period
Accent on Limousines	limousine service	First Quarter 1984	257.25
D Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date Month day year	Amount of Each Disbursement This Period
E Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date Month day year	Amount of Each Disbursement This Period
F Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date Month day year	Amount of Each Disbursement This Period
G Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date Month day year	Amount of Each Disbursement This Period
H Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date Month day year	Amount of Each Disbursement This Period
I Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date Month day year	Amount of Each Disbursement This Period
TOTAL			
TOTAL			

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SCHEDULE C
(Revised 3/80)

LOANS

Page 1 of 1 to
LINE NUMBER 1
Use separate schedules
for each numbered line

Name of Committee (in full) Conservative Fund			
A Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payments To Date	Balance Outstanding at Close of This Period
D. L. Fleming 2504 Yorktown Houston, Texas 77056	495	-0-	495
Election: ☐ Primary ☐ General ☐ Other (specify) _____			
Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % Repay _____ ☐ Secured			
List A: Endorsers or Guarantors (if any) to item A			
1 Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding		
2 Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding		
3 Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding		
B Full Name, Mailing Address and ZIP Code of Loan Source N. O. Fleming 4201 Massachusetts Avenue, N.W. #3064-A Washington, D.C. 20016			
	Original Amount of Loan	Cumulative Payments To Date	Balance Outstanding at Close of This Period
	11,259.05	-0-	11,259.05
Election: ☐ Primary ☐ General ☐ Other (specify) _____			
Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % Repay _____ ☐ Secured			
List A: Endorsers or Guarantors (if any) to item B			
1 Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding		
2 Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding		
3 Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding		

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SCHEDULE C
(Revised 3/80)

LOANS

Page ____ of ____ for
LINE NUMBER ____
Use separate schedules
for each numbered line

Name of Committee (in Full) Conservative Fund				
*A. Full Name, Mailing Address and ZIP Code of Loan Source D. L. Wilder #7079-W 4201 Massachusetts Ave. N.W. Washington, DC 20016	Original Amount of Loan 200	Cumulative Payments To Date -0-	Balance Outstanding at Close of This Period 200	
Election: ☐ Primary ☐ General ☐ Other (specify) _____				
Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % (app.) ☐ Secured				
List All Endorsers or Guarantors (if any) to Item A				
1. Full Name, Mailing Address and ZIP Code	Name of Employer			
	Occupation			
	Amount Guaranteed Outstanding \$			
2. Full Name, Mailing Address and ZIP Code	Name of Employer			
	Occupation			
	Amount Guaranteed Outstanding \$			
3. Full Name, Mailing Address and ZIP Code	Name of Employer			
	Occupation			
	Amount Guaranteed Outstanding \$			
B. Full Name, Mailing Address and ZIP Code of Loan Source				
		Original Amount of Loan	Cumulative Payments To Date	Balance Outstanding at Close of This Period
Election: ☐ Primary ☐ General ☐ Other (specify) _____				
Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % (app.) ☐ Secured				
List All Endorsers or Guarantors (if any) to Item B				
1. Full Name, Mailing Address and ZIP Code	Name of Employer			
	Occupation			
	Amount Guaranteed Outstanding \$			
2. Full Name, Mailing Address and ZIP Code	Name of Employer			
	Occupation			
	Amount Guaranteed Outstanding \$			
3. Full Name, Mailing Address and ZIP Code	Name of Employer			
	Occupation			
	Amount Guaranteed Outstanding \$			
SUBTOTALS This Period This Page (actions)				
TOTALS This Period (all page in this line only)				
Carry outstanding balance only to LINE 3, Schedule D for the line. If no Schedule D, carry forward to appropriate line of Summary				

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SCHEDULE D
(Revised 3-80)

DEBTS AND OBLIGATIONS
Excluding Loans

Page ____ of ____
LINE NUMBER ____
(Use separate schedules
for each numbered line)

Name of Creditor (in Full)	Outstanding Balance Beginning This Period	Amount Paid This Period	Payment This Period	Outstanding Balance at Close of This Period
Conservative Fund				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor:				
United States Postal Service	-0-	8,420.00	-0-	8,420.00
Nature of Debt (Purpose):				
postage stamps				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor:				
C. T. Cornwell and Associates	-0-	657.88	-0-	657.88
Nature of Debt (Purpose):				
printing				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor:				
Maintenat. Press	-0-	680.01	-0-	680.01
Nature of Debt (Purpose):				
printing				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor:				
Sears	-0-	525.46	-0-	525.46
Nature of Debt (Purpose):				
typewriter & carpet				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor:				
Jacobs-Gardner Office Supply	-0-	203.01	-0-	203.01
Nature of Debt (Purpose):				
office supplies				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor:				
Mercedeth Nobina	-0-	200.00	-0-	200.00
Nature of Debt (Purpose):				
collar				

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SCHEDULE D
(Revised 3-80)

DEBTS AND OBLIGATIONS
Excluding Loans

Page ____ of ____ for
LINE NUMBER ____
(Use separate schedule
for each numbered line)

Name of Contributor (in Full)	Outstanding Balance Beginning This Period	Amount Received This Period	Payment This Period	Outstanding Balance at Close of This Period
Conservative Fund				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Telemarketing of Washington	-0-	602.19	-0-	602.19
Nature of Debt (Purpose)				
Long distance phone charges				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Washington Post	-0-	222.00	-0-	222.00
Nature of Debt (Purpose)				
Self wanted classified ad				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Accent on Limousines	-0-	89.91	-0-	89.91
Nature of Debt (Purpose)				
limousine service				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose)				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose)				
answering service				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose)				
G. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose)				

85040531934
0111001702



FEDERAL ELECTION COMMISSION

1125 K STREET NW
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1726

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

Cameraman AS

85040531935



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: Kent Cooper
FROM: Docket
SUBJECT: Additional material to be microfilmed

We have received the attached additional material to be added to the closed MUR file:

MUR 1726 & 1688

85040552887

Date Recieved: _____

Date Returned: _____

Chief of Processing: _____



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 13, 1985

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA *JCS*
STAFF DIRECTOR *AC*

FROM: ROBERT J. COSTA
ASSISTANT STAFF DIRECTOR
AUDIT DIVISION

SUBJECT: STATUS OF MUR'S 1726 AND 1688

Attached please find correspondence received in the Audit Division on March 12, 1985 concerning the status of the audit of The Conservative Fund and MUR's 1726 and 1688 from Mr. Mike Fleming.

If you have any questions, please contact me at 523-4155.

Attachment as stated

85040552883

SENSITIVE

Mr. Costa,

What is the present status
of MUR 1726 ? MUR 1688?
Audit of Conservative Fund?

Cordially,

Mike Fleming

85040552889

Mike Fleming 12014-004
P.O. Box 1000 L.M.C.
Leavenworth, KS 66048

05 MAR 12 P12

FREEDOM TO SPEAK OUT
USA 2c



Robert Costa
Asst. Staff Director
Audit Division
Federal Election Commission
1325 K St. N.W.
Washington DC 20016



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 13, 1985

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

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85040552891

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