



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2379

DATE FILMED 10/5/88 CAMERA NO. 2

CAMERAMAN RLC

88040722662

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 19 December 1986

ANALYST: Brian J. Hancock

I. COMMITTEE: National Committee for Peace in
Central America (C00172379)
William C. Oldaker, Treasurer
1140 19th Street, NW, Suite 900
Washington, DC 20036

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

III. BACKGROUND:

Chronic Late Filing and Failure to File the 1986 October
Quarterly Report by Election Day

The National Committee for Peace in Central America
("the Committee") failed to file three (3) Reports of
Receipts and Disbursements in a timely manner for the 1985-
1986 election cycle (see Chart and Attachments). The
reports were filed between thirteen (13) and thirty-five
(35) calendar days late. In addition, the Committee failed
to file the 1986 October Quarterly Report by Election Day,
November 4, 1986.

On September 16, 1986, a Chronic Late Filing Notice was
sent to the Committee for failing to file the 1986 April
Quarterly and July Quarterly Reports in a timely manner
(Attachment 7). The Notice advised the Committee that any
additional late filing of reports could result in legal
enforcement action.

Subsequent to the sending of the Chronic Late Filing
Notice, the Committee filed the 1986 October Quarterly
Report on November 19, 1986. In a cover letter accompanying
the October Quarterly Report, Mr. William Oldaker, treasurer
for the Committee, explained that the late filing was a
result of a temporary absence of the person who normally
prepares the report (Attachment 10).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

88040722663

8 8 0 4 0 7 2 2 6 6 4

LATE FILING HISTORY

REPORT TYPE	PRIOR NOTICE	DATE DUE	NON-FILER NOTICE	DATE FILED
1986 April Quarterly (1/1/86-3/31/86)	3/21/86 (Attachment 2)	4/15/86	5/7/86 (Attachment 3)	5/7/86 (Attachment 4)
1986 July Quarterly (4/1/86-6/30/86)	6/20/86 (Attachment 5)	7/15/86	N/A	7/28/86 (Attachment 6)
1986 October Quarterly (7/1/86-9/30/86)	9/19/86 (Attachment 8)	10/15/86	11/4/86 (Attachment 9)	11/19/86 (Attachment 10)

NATIONAL COMMITTEE FOR PEACE IN CENTRAL AMERICA
REPORTS ANALYSIS OGC REFERRAL
PAGE 2



1985

8 8 0 4 0 7 2 2 6 6 5
FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (85-86)

DATE 8DEC86
PAGE 1

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
NATIONAL COMMITTEE FOR PEACE IN CENTRAL AMERICA				NON-PARTY QUALIFIED	ID #C00172379	
1985	MID-YEAR REPORT	72,498	77,293	1JAN85 -30JUN85	10	85FEC/383/0686
	MID-YEAR REPORT - AMENDMENT	-	-	1JAN85 -30JUN85	2	86FEC/402/0954
	REQUEST FOR ADDITIONAL INFORMATION			1JAN85 -30JUN85	1	86FEC/397/3376
	YEAR-END	114,863	109,274	1JUL85 -31DEC85	8	86FEC/400/3856
1986	MISCELLANEOUS NOTICE FROM FEC			16SEP86	1	86FEC/430/3593
	APRIL QUARTERLY	291	58	1JAN86 -31MAR86	4	86FEC/413/3197
	NOTICE OF FAILURE TO FILE			1JAN86 -31MAR86	1	86FEC/413/308
	JULY QUARTERLY	46	31	1APR86 -30JUN86	4	86FEC/426/0421
	JULY QUARTERLY - AMENDMENT	-	-	1APR86 -30JUN86	2	86FEC/430/1398
	REQUEST FOR ADDITIONAL INFORMATION			1APR86 -30JUN86	1	86FEC/429/4285
	OCTOBER QUARTERLY	35	167	1JUL86 -30SEP86	5	86FEC/444/2638
	NOTICE OF FAILURE TO FILE			30SEP86	1	86FEC/443/3949
	PRE-GENERAL	0	0	1OCT86 -20OCT86	3	86FEC/444/2644
	TOTAL	187,733	0 186,823	0	43	TOTAL PAGES

All reports have been reviewed.

Cash on hand as of 11/19/86: \$6,614.55

Debts owed to the Committee as of 11/19/86: \$897.50

Debts owed by the Committee as of 11/19/86: \$0

QUARTERLY

ATTACHMENT 2

(Page 1 of 2)

REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

March 21, 1986

WHO MUST FILE

ALL Party Committees, Non-connected Committees and Separate Segregated Funds, except those filing monthly (see below), must file a quarterly report by April 15, 1986.

WHAT MUST BE REPORTED

The report must disclose all financial activity that occurred from the close of books for last report filed through March 31, 1986. Political committees that have not previously filed a financial disclosure report should report all financial activity through March 31, 1986.* For more detailed instructions, consult your campaign guide.

WHEN TO FILE

Reports sent by registered or certified mail must be postmarked no later than midnight April 15, 1986. Reports hand delivered or mailed first class must be received no later than close of business April 15, 1986.

WHERE AND HOW TO FILE

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

MONTHLY FILERS

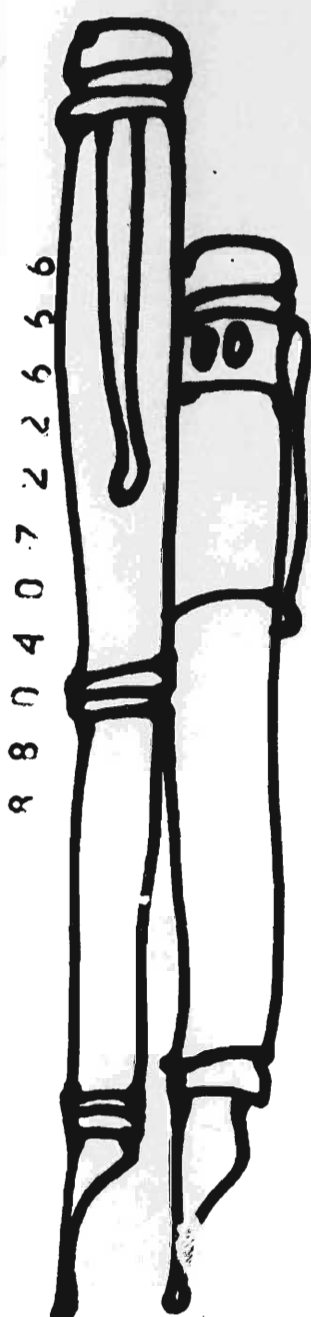
Committees that file on a monthly schedule must file their next report by April 20, 1986, and disclose all financial activity of their committee from March 1 through March 31, 1986. (See the schedule of monthly reports on the reverse side.)

COMPLIANCE

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

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

-over-



REMINDERS**QUARTERLY FILERS**

Committees that make contributions or expenditures (including independent expenditures) in connection with an election, must file a pre-election report if this activity has not been previously disclosed. See the January 1986 issue of the Federal Election Commission Record for primary election filing requirements.

MONTHLY FILERS

Committees that file monthly must follow the schedule below. Pre-general election reports sent by registered or certified mail must be postmarked no later than midnight October 20, 1986. All other reports sent by registered or certified mail must be postmarked no later than midnight on the filing date in order to be timely. Reports hand delivered or mailed first class must be received by close of business on the filing date.

REPORT	PERIOD COVERED			FILING DATE
February	01/01	-	01/31	02/20/86
March	02/01	-	02/28	03/20/86
April	03/01	-	03/31	04/20/86
May	04/01	-	04/30	05/20/86
June	05/01	-	05/31	06/20/86
July	06/01	-	06/30	07/20/86
August	07/01	-	07/31	08/20/86
September	08/01	-	08/31	09/20/86
October	09/01	-	09/30	10/20/86
Pre-election	10/01	-	10/15	10/23/86
Post-election	10/16	-	11/24	12/04/86
Year-End	11/25	-	12/31	01/31/87

INDEPENDENT EXPENDITURES

Any independent expenditure aggregating \$1,000 or more and made between 2 and 20 days before an election must be reported within 24 hours after the expenditure is made. See 11 CFR 104.4(c) (2) and (3) for information concerning where to file.

FOR INFORMATION CALL: Information Services Division
800/424-9530 or 202/376-3120

88040722667



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

F-7

May 7, 1986

William C. Oldaker, Treasurer
National Committee for Peace in
Central America
1140 19th Street, N.W., Suite 900
Washington, D.C. 20036

Identification Number: C00172379

Reference: April Quarterly Report (1/1/86-3/31/86)

Dear Mr. Oldaker:

It has come to the attention of the Federal Election Commission ("the Commission") that you may be in violation of 2 U.S.C. §434(a) for failing to file the above referenced Report of Receipts and Disbursements. You were notified previously of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 999 E Street, N.W., Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or the relevant portions should also be filed with the Secretary of State or equivalent state officer. See 2 U.S.C. §439.

Although the Commission may initiate an audit or legal enforcement action concerning this matter, your prompt response and a letter of explanation will be taken into consideration.

If you have any questions, please contact Brian Hancock on our toll-free number (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,

A handwritten signature in cursive script, reading "John D. Gibson".

John D. Gibson
Assistant Staff Director
Reports Analysis Division

88040720668

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

RECEIVED THE FEC
HAND DELIVERED
36 MAY 7 4:14

(Summary Page)

1. Name of Committee (in Full) NATIONAL COMMITTEE FOR PEACE IN CENTRAL AMERICA Address (Number and Street) 1140 19th Street, N.W., Suite 900 City, State and ZIP Code Washington, D.C. 20036 ☐ Check here if address is different than previously reported. 2. FEC Identification Number C00172379 3. ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____	4. TYPE OF REPORT (Check appropriate boxes) (a) ☒ April 15 Quarterly Report ☐ October 15 Quarterly Report ☐ July 15 Quarterly Report ☐ January 31 Year End Report ☐ July 31 Mid Year Report (Non-Election Year Only) ☐ Monthly Report for _____ ☐ Twelfth day report preceding _____ (Name of Election) election on _____ in the State of _____ ☐ Thirtieth day report following the General Election on _____ in the State of _____ ☐ Termination Report (b) Is this Report an Amendment? ☐ YES ☒ NO
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SUMMARY		COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. Covering Period <u>1/1/86</u> through <u>3/31/86</u>			
8. (a) Cash on hand January 1, 19 <u>86</u>			\$ 6,499.50
(b) Cash on Hand at Beginning of Reporting Period		\$ 6,499.50	
(c) Total Receipts (from Line 10)		\$ 291.00	\$ 291.00
(d) Subtotal (add Lines 8(b) and 8(c) for Column A and Lines 8(a) and 8(c) for Column B)		\$ 6,790.50	\$ 6,790.50
7. Total Disbursements (from Line 28)		\$ 58.15	\$ 58.15
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 8(d))		\$ 6,732.35	\$ 6,732.35
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)		\$ 897.50	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)		\$ -0-	

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

William C. Oldaker
Type or Print Name of Treasurer

William C. Oldaker
SIGNATURE OF TREASURER

4/15/86
Date

For further information contact:

Federal Election Commission
800 E Street, N.W.
Washington, D.C. 20543
Tel. (202) 453-6800
Local (202) 453-6800

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

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

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FEC FORM 3X (3/80)

3 8 8 0 4 10-732129636-9

QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PAGE

June 20, 1986

WHO MUST FILE

All Party Committees, Nonconnected Committees and Separate Segregated Funds, except those that file monthly (see below), must file a quarterly report by July 15, 1986.

WHAT MUST BE REPORTED

The report must disclose all financial activity that occurred from the close of books for the last report filed through June 30, 1986. Political committees that have not previously filed a financial disclosure report should report all financial activity through June 30, 1986.* For more detailed instructions, consult your campaign guide.

WHEN TO FILE

Reports sent by registered or certified mail must be postmarked no later than midnight July 15, 1986. Reports hand delivered or mailed first class must be received no later than close of business July 15, 1986.

WHERE AND HOW TO FILE

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

MONTHLY FILERS

Committees that file on a monthly schedule must file their next report by July 20, 1986, and disclose all financial activity of their committee from June 1 through June 30, 1986. (See the schedule of monthly reports on the reverse side.)

COMPLIANCE

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

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

-over-

REMINDERS**QUARTERLY FILERS**

Committees that make contributions or expenditures (including independent expenditures) in connection with an election, must file a pre-election report, if this activity has not been previously disclosed. See the January 1986 issue of the Federal Election Commission Record for primary election filing requirements.

MONTHLY FILERS

Committees that file monthly reports must follow the schedule below. Pre-general election reports sent by registered or certified mail must be postmarked no later than mid-night October 20, 1986. All other reports sent by registered or certified mail must be postmarked no later than midnight on the filing date in order to be timely. Reports hand delivered or mailed first class must be received by close of business on the filing date.

REPORT	PERIOD COVERED	FILING DATE
February	01/01 - 01/31	02/20/86
March	02/01 - 02/28	03/20/86
April	03/01 - 03/31	04/20/86
May	04/01 - 04/30	05/20/86
June	05/01 - 05/31	06/20/86
July	06/01 - 06/30	07/20/86
August	07/01 - 07/31	08/20/86
September	08/01 - 08/31	09/20/86
October	09/01 - 09/30	10/20/86
Pre-election	10/01 - 10/15	10/23/86
Post-election	10/16 - 11/24	12/04/86
Year-End	11/25 - 12/31	01/31/87

INDEPENDENT EXPENDITURES

Any independent expenditure aggregating \$1,000 or more and made between 2 and 20 days before an election must be reported within 24 hours after the expenditure is made. See 11 CFR 104.4(c)(2) and (3) for information concerning where to file.

FOR INFORMATION CALL: Information Services Division
800/424-9530 or 202/376-3120

V. THE FEC
DELIVERED
128 P1:10

based

October 18 Quarterly Report

January 31 Year End Report

ation Year Only

Place of Business

In the State of

General Election

ate of

COLUMN B
Calendar Year-to-Date

\$ 6,499.50

\$ 337.00

\$ 6,836.50

\$ 89.40

\$ 6,747.10

Information contact

U.S. Election Commission

Washington, D.C. 20543

Phone: 202-424-9530

202-376-3120

C 0 4376

to the

FORM 2X (2-80)

88040722671

REPORT OF RECEIPTS AND DISBURSEMENTS

For a Political Committee Other Than an Authorized Committee

HAND DELIVERED
6 JUL 28 P 1:10

(Summary Page)

1. Name of Committee (in Full) NATIONAL COMMITTEE FOR PEACE IN CENTRAL AMERICA	4. TYPE OF REPORT (Check appropriate boxes) ☐ April 15 Quarterly Report ☐ October 15 Quarterly Report ☒ July 15 Quarterly Report ☐ January 31 Year End Report ☐ July 31 Mid Year Report (Non-Election Year Only) ☐ Monthly Report for _____ ☐ Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____ ☐ Thirtieth day report following the General Election on _____ in the State of _____ ☐ Termination Report Did to this Report an Amendment? ☐ YES ☒ NO
Address (Number and Street) 1140 19th Street, N.W. Suite 900	
City, State and ZIP Code Washington, D.C. 20036	
☐ Check here if address is different than previously reported.	
2. FEC Identification Number C00172379	
3. ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____	

SUMMARY

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. Covering Period <u>4/1/86</u> through <u>6/30/86</u>		
6. (a) Cash on hand January 1, 19 <u>86</u>		\$ 6,499.50
(b) Cash on hand at Beginning of Reporting Period	\$ 6,732.35	
(c) Total Receipts (from Line 10)	\$ 46.00	\$ 337.00
(d) Subtotal (add Lines 6(a) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$ 6,778.35	\$ 6,836.50
7. Total Disbursements (from Line 20)	\$ 31.25	\$ 89.40
8. Cash on hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ 6,747.10	\$ 6,747.10
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	\$ 897.50	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	\$ -0-	

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

William C. Oldaker
 Type or Print Name of Treasurer

[Signature]
 SIGNATURE OF TREASURER

For further information contact:

Federal Election Commission
 800 E Street, N.W.
 Washington, D.C. 20543
 Toll Free (800) 424-9549
 Land (202) 596-9229

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

All previous versions of POC FORM 3 and POC FORM 2a are obsolete and should no longer be used.

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FEC FORM 3X (3/80)

8 8 P A 0 7 4 2 2 4 6 7 2



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20543

HS-1

SEP 16 1986

William C. Oldaker, Treasurer
National Committee for Peace in
Central America
1140 19th Street, N.W.
Suite 900
Washington, DC 20036

Identification Number: C00172379

Reference: 1985-1986 Election Cycle Reports

Dear Mr. Oldaker:

It has come to the attention of the Federal Election Commission ("the Commission") that your committee may have violated 2 U.S.C. §434(a), by failing to timely file Reports of Receipts and Disbursements. The following is a list of the reports in question.

<u>Report Type</u>	<u>Due Date</u>	<u>Date Filed</u>
April Quarterly (1/1/86-3/31/86)	4/15/86	5/7/86
July Quarterly (4/1/86-6/30/86)	7/15/86	7/28/86

Timely filing is a specific requirement of the Federal Election Campaign Act ("the Act") and is essential to fulfilling the public disclosure concept embodied in that law. The Commission views the untimely filing of reports as a serious violation of the Act. This communication is to advise you that, notwithstanding any matters which may be pending before the Commission, any additional report which is not submitted in a timely manner by your committee may result in the Commission initiating legal enforcement or audit action.

You may submit a letter of explanation in response to this notification. If, however, you have any questions, please feel free to contact Brian J. Hancock on our toll-free number, (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,

Lisa J. Stolaruk
Chief, Party/Non-Party Branch
Reports Analysis Division

88,040722673

QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PAGE**September 19, 1986****WHO MUST FILE**

ALL Party Committees, Nonconnected Committees and Separate Segregated Funds, except those that file monthly (see below), must file a quarterly report by October 15, 1986.

WHAT MUST BE REPORTED

The report must disclose all financial activity that occurred from the close of books for the last report filed through September 30, 1986. Political committees that have not previously filed a financial disclosure report should report all financial activity through September 30, 1986.* For more detailed instructions, consult your campaign guide.

WHEN TO FILE

Reports sent by registered or certified mail must be postmarked no later than midnight October 15, 1986. Reports hand delivered or mailed first class must be received no later than close of business October 15, 1986.

WHERE AND HOW TO FILE

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

MONTHLY FILERS

Committees that file on a monthly schedule must file their next report by October 20, 1986, and disclose all financial activity from September 1 through September 30, 1986. (See Monthly Filers on the reverse side.)

COMPLIANCE

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

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

REMINDERS**QUARTERLY FILERS**

Committees that make contributions or expenditures (including independent expenditures) in connection with an election, and coordinated party expenditures in connection with a general election, must file a pre-election report if this activity has not been previously disclosed. See the January 1986 issue of the Federal Election Commission Record for primary and general election filing requirements.

MONTHLY FILERS

Committees that are filing monthly must file a pre-general election report due on October 23, a post-general election report due on December 24, and a year-end report due January 31, 1987, instead of monthly reports on November 20, December 20 and January 20, 1987. See the schedule below.

<u>REPORT</u>	<u>PERIOD COVERED</u>	<u>REG./CERT. MAILING DATE</u>	<u>FILING DATE</u>
Pre-general	10/01 - 10/15	10/20/86	10/23/86
Post-general	10/16 - 11/24	12/24/86	12/24/86
Year-end	11/25 - 12/31	01/31/87	01/31/87

*See General
Election Notice*

INDEPENDENT EXPENDITURES

Any independent expenditure aggregating \$1,000 or more and made between 2 and 20 days before an election must be reported within 24 hours after the expenditure is made. See 11 CFR 104.4(c)(2) and (3) for information concerning where to file.

A notice explaining general election filing requirements will be sent to you before the general election.

FOR INFORMATION CALL: Information Services Division
800/424-9530 or 202/376-3120

88040722675



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

EQ-7

November 4, 1986

William C. Oldaker, Treasurer
National Committee for Peace in
Central America
1140 19th Street, N.W., Suite 900
Washington, DC 20036

Identification Number: C00172379

References: October Quarterly Report (through 9/30/86)

Dear Mr. Oldaker:

It has come to the attention of the Federal Election Commission ("the Commission") that your committee may be in violation of 2 U.S.C. §434(a) for failing to file the above referenced Report of Receipts and Disbursements. You were notified previously of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 999 E Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or the relevant portions should also be filed with the Secretary of State or equivalent State officer. See 2 U.S.C. §439.

Although the Commission may initiate an audit or legal enforcement action concerning this matter, your prompt response and a letter of explanation will be taken into consideration.

If you have any questions, please contact Brian J. Hancock on our toll-free number (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,

John D. Gibson
John D. Gibson
Assistant Staff Director
Reports Analysis Division

NATIONAL ELECTION DEMOCRACY & ORDER, P.C.

ATTORNEYS AT LAW
1140 15TH STREET, N.W.
WASHINGTON, D.C. 20005-0001
PHONE 202-638-0000
TELEX 700-000

RECEIVED AT THE FEC
HAND DELIVERED
96 NOV 18 2:28 PM '86

200 PARK AVENUE
NEW YORK, NEW YORK 10022-3007
PHONE 212-685-0000
TELEX 000-0000

FOUR BRANCHES
SAN FRANCISCO, CALIFORNIA 94102-0004
PHONE 415-398-0000

100 NORTH ST. ALBANY STREET
ALEXANDRIA, VIRGINIA 22304
PHONE 703-684-1000

1000 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067-0001
PHONE 213-600-0000

201 MAIN STREET
FORT WORTH, TEXAS 76102-0000
PHONE 817-300-0000

610 EAST PARK AVENUE
TALLAHASSEE, FLORIDA 32301-0000
PHONE 904-601-0000

*P.O. BOX 100, WASHINGTON, D.C.
AND VARIOUS OFF

November 19, 1986

HAND DELIVERED

Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: National Committee for Peace in Central America
ID No.: C00172379

Dear Sir/Madam:

I transmit herewith the October 15 Quarterly Report and Pre-General Election Report for the National Committee for Peace in Central America. The delay in filing was the result of the temporary absence of the person who normally prepares the reports.

Should you have any questions concerning the reports, please do not hesitate to contact me.

Sincerely,

William C. Oldaker
Treasurer

4/17

WCO:kb

Enclosure

0 8 3 3 0 4 4 0 1 2 6 3 6 7 7

REPORT OF EXPENSES AND DISBURSEMENTS

For a Political Committee Other Than an Authorized Committee

(Summary Page)

RECEIVED AT THE FEC
HARD DELIVERED
28 NOV 1986 2:1:28

1. Name of Committee (in Full)

NATIONAL COMMITTEE FOR PEACE IN CENTRAL AMERICA

Address (Number and Street)

1140 19th Street, N.W.
Suite 900

City, State and ZIP Code

Washington, D.C. 20036

☐ Check here if address is different than previously reported.

2. FEC Identification Number

C00172379

3. ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____

4. TYPE OF REPORT (See Instructions)

(a) ☐ April 15 Quarterly Report ☒ October 15 Quarterly Report☐ July 15 Quarterly Report ☐ January 31 Year End Report☐ July 31 Mid Year Report (Non-Election Year Only)☐ Monthly Report for _____☐ Twelfth day report preceding _____

election on _____ in the State of _____

☐ Thirtieth day report following the General Election

on _____ in the State of _____

☐ Termination Report

(b) Is this Report an Amendment?

☐ YES☒ NO

SUMMARY

5. Covering Period 7/1/86 through 9/30/866. (a) Cash on hand January 1, 19 86

(b) Cash on hand at beginning of Reporting Period

(c) Total Receipts (from Line 10)

(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 20)

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

William C. Oldaker
Type or Print Name of Treasurer

SIGNATURE OF TREASURER

W.J.F.

11/19/86

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

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

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FEC FORM 3X (3/80)

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

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

Date and Time of Transmittal by
BY OGC TO THE COMMISSION _____

RAD # 86NF-49
STAFF MEMBER
Beverly Kramer

SOURCE: INTERNALLY GENERATED

RESPONDENTS: National Committee for Peace in
Central America and William C.
Oldaker, Treasurer

RELEVANT STATUTE: 2 U.S.C. § 434(a)(4)(A)(i)
11 C.F.R. § 104.5(c)(1)(i)(A)

INTERNAL REPORTS
CHECKED: Public Records

FEDERAL AGENCIES
CHECKED: None

GENERATION OF MATTER

The Reports Analysis Division referred this matter to the
Office of the General Counsel on December 19, 1986 (Attachment
1).

SUMMARY OF ALLEGATIONS

It is alleged that the National Committee for Peace in
Central America and William C. Oldaker, as treasurer, violated
2 U.S.C. § 434(a)(4)(A)(i) by failing to file their 1986 April,
July and October Quarterly reports in a timely manner.

FACTUAL AND LEGAL ANALYSIS

1. The Law

Section 434(a)(4)(A)(i) of Title 2, United States Code,
requires that political committees which elect to file quarterly
reports must file such reports no later than the 15th day after
the last day of each calendar quarter: except that the report for

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the quarter ending December 31 must be filed no later than January 31 of the following calendar year. See also 11 C.F.R. § 104.5(c)(1)(i)(A).

2. The Facts

The National Committee for Peace in Central America ("the Committee") is a political committee within the meaning of 2 U.S.C. § 431(4) and William C. Oldaker is its treasurer.

The Committee failed to file three quarterly reports in a timely manner during election year 1986. The reports were filed between 13 and 35 calendar days late. Listed below are the reports filed late, the date each was due, and the date each report was filed.

<u>Report</u>	<u>Due Date</u>	<u>Date Filed</u>
1986 April Quarterly	4/15/86	5/7/86
1986 July Quarterly	7/15/86	7/28/86
1986 October Quarterly	10/15/86	11/19/86

Before the due date of each of the above reports, the Commission sent general notices advising the Committee of the filing requirements for these reports. In addition, on September 16, 1986, the Reports Analysis Division notified the Committee that its 1986 April and July Quarterly reports were filed late and expressed the Commission's view that reports not filed in a timely manner were serious violations of the Act. The notice also advised the Committee that any additional late filings of reports may result in legal enforcement action. Subsequent to this warning notice, the Committee failed to timely

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file its 1986 October Quarterly Report. In a cover letter accompanying the report, the Committee acknowledged its report was filed late and attributed the delay to the temporary absence of the person who normally prepares the report.

3. Application of the Law to the Facts

The record in this case reveals that the Committee failed to file three quarterly reports within the time-frame required by 2 U.S.C. § 434(a)(4)(A)(i). Failure to file reports within the time-frame required is a violation of this section. Accordingly, the Office of the General Counsel recommends that the Commission open a matter under review and find reason to believe that the Committee and William C. Oldaker, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i).

RECOMMENDATIONS

1. Open a matter under review.
2. Find reason to believe that the National Committee for Peace in Central America and William C. Oldaker, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i).
3. Approve and send the attached letter and General Counsel's Factual and Legal Analysis.

Charles N. Steele
General Counsel

Date

2/17/87

By:

Lawrence M. Noble
Deputy General Counsel

Attachments

1. RAD Referral
2. Proposed letter and General Counsel's Factual and Legal Analysis

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

National Committee for Peace in
Central America and William C.
Oldaker, Treasurer

)
)
)
)
)
RAD Ref. 86NF-49

(MUR
2349)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal
Election Commission, do hereby certify that on February 19,
1987, the Commission decided by a vote of 6-0 to take
the following actions in RAD Ref. 86NF-49.

1. Open a matter under review.
2. Find reason to believe that the National
Committee for Peace in Central America
and William C. Oldaker, as treasurer,
violated 2 U.S.C. § 434(a)(4)(A)(i).
3. Approve and send the letter and General
Counsel's Factual and Legal Analysis, as
recommended in the First General Counsel's
Report signed February 17, 1987.

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

Attest:

2-20-87

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary:	Tues.,	2-17-87,	11:30
Circulated on 48 hour tally basis:	Tues.,	2-17-87,	4:00
Deadline for vote:	Thurs.,	2-19-87,	4:00

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 25, 1987

William C. Oldaker, Treasurer
National Committee for Peace
in Central America
1140 19th Street, N.W.
Suite 900
Washington, D.C. 20036

RE: MUR 2349
National Committee for Peace
in Central America and
William C. Oldaker, as
treasurer

Dear Mr. Oldaker:

On February 19, 1987, the Federal Election Commission determined that there is reason to believe the National Committee for Peace in Central America and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

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

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

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

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

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

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

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Beverly Kramer, the staff member assigned to this matter, at (202) 376-5690.

Sincerely,



Scott E. Thomas
Chairman

Enclosures

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

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GCC 2798

EPSTEIN BECKER BORSODY & GREEN, P.C.

ATTORNEYS AT LAW

1140 19TH STREET, N.W.

WASHINGTON, D.C. 20036-6601*

(202) 661-0800

TELEX 756-260

**250 PARK AVENUE
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(212) 370-9800
TELEX 9101008171**

**108 NORTH ST. ASAPH STREET
ALEXANDRIA, VIRGINIA 22314*
(703) 684-1204**

**201 MAIN STREET
FORT WORTH, TEXAS 76102-3105
(817) 334-0701**

**FOUR EMBARCADERO
SAN FRANCISCO, CALIFORNIA 94111-5984
(415) 398-5868**

**1675 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067-2801
(213) 556-6861**

**515 EAST PARK AVENUE
TALLAHASSEE, FLORIDA 32301-2624
(904) 661-0896**

*P.C. NEW YORK, WASHINGTON, D.C.
AND VIRGINIA ONLY

February 27, 1987

**Ms. Beverly Kramer
Federal Election Commission
Office of the General Counsel
999 E Street, N.W.
Room 657
Washington, D.C. 20463**

**RE: MUR 2349, National Committee for Peace
in Central America and William C.
Oldaker, as Treasurer**

Dear Ms. Kramer:

As provided at 11 C.F.R. § 111.6, this letter is to demonstrate that no action should be taken by the Federal Election Commission (hereinafter "the Commission") against National Committee for Peace in Central America and William C. Oldaker, as Treasurer (hereinafter jointly referred to as "the Committee") in the above-captioned MUR.

The General Counsel's Analysis correctly states that the Committee's quarterly reports for the first, second and third quarters of 1986 were filed late. However, as stated in the Committee's correspondence accompanying its third quarter report, the late filings resulted from the periodic absence of the person normally charged with preparing the reports. This organizational deficiency has been corrected, and measures have been taken to insure that future filings are timely.

It is important for the Commission to note that the Committee has no history of late filing. And, significantly, since the three tardy reports, the Committee has filed its subsequent reports (pre-election, post-election and year-end) in a timely manner.

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OFFICE OF THE
GENERAL COUNSEL**

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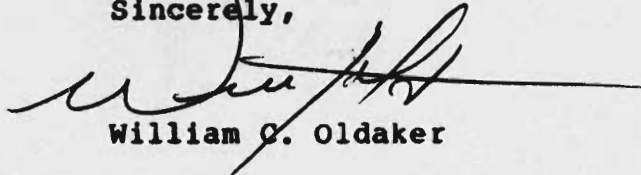
Ms. Beverly Kramer
February 26, 1987
Page Two

Furthermore, the late reports reflected only minimal activity by the Committee. Consequently, although the public admittedly was temporarily denied access to information, the information was minimal.

We believe that the nature of the cause for the late filings taken together with the corrections made in the Committee's organization to prevent future untimeliness (evidenced by its successive filings) and the absence of any history of late filing demonstrates that the Commission should take no further action in connection with the above-captioned MUR.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,



William C. Oldaker

WF/mbe

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6CC 2799

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2349

NAME OF COUNSEL: William C. Oldaker (Estein Becker Borsody & Green, P.C.)

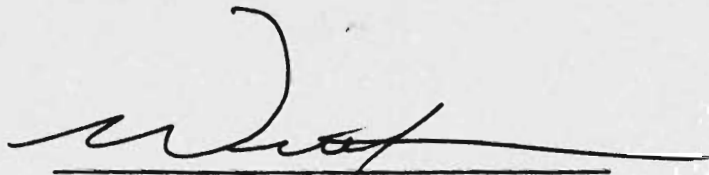
ADDRESS: 1140 19th Street, N.W., Suite 900
Washington, D.C. 20036

TELEPHONE: (202) 861-0900

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OFFICE OF THE
GENERAL COUNSEL
FEB 27 1987 10:18

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

February 27, 1987
Date


Signature
William C. Oldaker, Treasurer

RESPONDENT'S NAME: National Committee for Peace in Central America,
and William C. Oldaker as Treasurer

ADDRESS: 1140 19th Street, N.W., Suite 900
Washington, D.C. 20036

HOME PHONE: _____

BUSINESS PHONE: (202) 861-0900

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RECEIVED
EPSTEIN BECKER BORSODY & GREEN, P.C.
ATTORNEYS AT LAW
1140 15TH STREET, N.W.
WASHINGTON, D.C. 20036-3521
TELEX 758-260
DID# _____

250 PARK AVENUE
NEW YORK, NEW YORK 10177-0077
(212) 370-9800
TELEX 5101008171

108 NORTH ST. ASAPH STREET
ALEXANDRIA, VIRGINIA 22314
(703) 684-1204

201 MAIN STREET
FORT WORTH, TEXAS 76102-3105
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TWO FOREST PLAZA
12201 MERIT DRIVE
DALLAS, TEXAS 75261-2213
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FOUR EMBARCADERO
SAN FRANCISCO, CALIFORNIA 94111-8884
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1875 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067-2801
(213) 558-8851

515 EAST PARK AVENUE
TALLAHASSEE, FLORIDA 32301-2524
(904) 681-0596

SIX LANDMARK SQUARE
STAMFORD, CONNECTICUT 06901-2704
(203) 348-3737

March 11, 1987

P.R.C. NEW YORK, WASHINGTON, D.C.
CONNECTICUT AND VIRGINIA ONLY

HAND DELIVERED

Ms. Beverly Kramer
Federal Election Commission
Office of the General Counsel
999 E Street, N.W.
Room 657
Washington, D.C. 20463

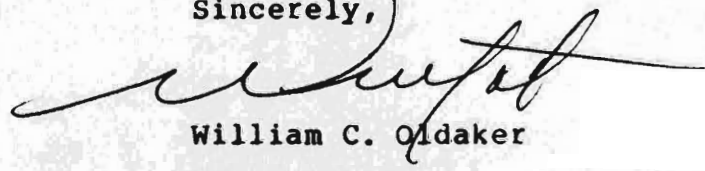
RE: M.U.R. 2349, National Committee for Peace
in Central America and William C. Oldaker,
as Treasurer

Dear Ms. Kramer:

Pursuant to 11 C.F.R. § 111.18(d), we hereby desire to
enter into negotiations directed toward reaching a conciliation
agreement in the above-captioned M.U.R.

Should you have any questions concerning this request,
please do not hesitate to contact me.

Sincerely,



William C. Oldaker

WF/mbe

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 13, 1987

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel

SUBJECT: MUR 2349

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying the respondents of the General Counsel's intent to recommend to the Commission a finding of probable cause to believe was mailed on March 13, 1987. Following receipt of the Respondents' reply to this notice, this Office will make a further report to the Commission.

Attachments

1. Brief
2. Letter to Respondents

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 13, 1987

William C. Oldaker, Esquire
Epstein, Becker, Borsody & Green, P.C.
1140 19th Street, N.W., Suite 900
Washington, D.C. 20036-6601

Re: MUR 2349
National Committee for Peace
in Central America and
William C. Oldaker, as
treasurer

Dear Mr. Oldaker:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on February 19, 1986, found reason to believe that the National Committee for Peace in Central America and you, as treasurer, had violated 2 U.S.C. § 434(a)(4)(A)(i) and instituted an investigation in this matter.

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

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

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

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

Should you have any questions, please contact Beverly Kramer, the staff member assigned to handle this matter, at (202) 376-5690.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

88040722691

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
National Committee for Peace) MUR 2349
in Central America and)
William C. Oldaker, Treasurer)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

This matter was initiated by the Federal Election Commission pursuant to information ascertained in the ordinary course of carrying out its supervisory responsibilities.

The National Committee for Peace in Central America ("the Committee") is a political committee within the meaning of 2 U.S.C. § 431(4) and William C. Oldaker is its treasurer. The Committee failed to file three quarterly reports in a timely manner during election year 1986. The reports were filed between 13 and 35 calendar days late. The Committee filed its 1986 April Quarterly Report, which was due April 15, 1986, on May 7, 1986. The Committee filed its 1986 July Quarterly Report, which was due July 15, 1986, on July 28, 1986. The Committee filed its October Quarterly Report, which was due October 15, 1986, on November 19, 1986.

Before the due date of each of the above reports, the Commission sent general notices advising the Committee of the filing requirements for these reports. In addition, on September 16, 1986, the Reports Analysis Division notified the Committee that its 1986 April and July Quarterly reports were filed late and expressed the Commission's view that reports not filed in a timely manner were serious violations of the Act. The notice

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also advised the Committee that any additional late filings of reports may result in legal enforcement action. Subsequent to this warning, the Committee failed to timely file its 1986 October Quarterly Report. In a cover letter accompanying the report, the Committee acknowledged its report was filed late and attributed the delay to the temporary absence of the person who normally prepares the report.

Based upon consideration of the foregoing facts, the Commission determined on February 19, 1987, that there was reason to believe the Committee and William C. Oldaker, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i). Notification of the Commission's finding was mailed to the Committee on February 25, 1987. On February 27, 1987, the Committee submitted a response to the Commission's finding.

The Committee's response admits that its 1986 April, July and October Quarterly reports were filed late, in violation of 2 U.S.C. § 434(a)(4)(A)(i), but requests that the Commission take no further action upon consideration of the circumstances which surround this matter. The Committee states that its late filings resulted from the periodic absence of the person normally charged with preparing the reports. The Committee claims that this organizational deficiency has been corrected and that measures have been taken to insure that future filings are timely. The Committee notes that it has no history of late filing and that since the three tardy reports it has filed all subsequent reports in a timely manner. Furthermore, the Committee calls the

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Commission's attention to the fact that three late reports reflected only minimal activity of the Committee. The Committee states that although the public admittedly was temporarily denied access to information, the information was minimal.

II. LEGAL ANALYSIS

Section 434(a)(4)(A)(i) of Title 2, United States Code, requires that political committees which elect to file quarterly reports must file such reports no later than the 15th day after the last day of each calendar quarter; except that the report for the quarter ending December 31 must be filed no later than January 31 of the following calendar year. See also 11 C.F.R. § 104.5(c)(1)(i)(A).

The Committee admits that its quarterly reports for the first, second and third quarter of 1986 were filed late, in violation of 2 U.S.C. § 434(a)(4)(A)(i). However, the Committee requests that no further action be taken upon the Commission's consideration of the following: (1) that the Committee has no prior history of late filing; (2) that the Committee has taken steps to insure that future reports are timely filed; (3) that since the three late reports, reports have been timely filed; and (4) that the three late reports reflected only minimal activity of the Committee.

Although the additional factors presented by the Committee act in mitigation of a violation of 2 U.S.C. § 434(a)(4)(A)(i) to a limited extent, they do not, in our view, alter the fact that violations occurred. Accordingly, the Office of the General

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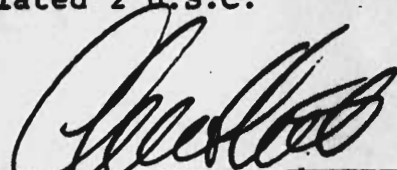
Counsel recommends that the Commission find probable cause to believe that the National Committee for Peace in Central America and William C. Oldaker, as treasurer, violated 2 U.S.C.

§ 434(a)(4)(A)(i).

III. GENERAL COUNSEL'S RECOMMENDATION

1. Find probable cause to believe that the National Committee for Peace in Central America and William C. Oldaker, as treasurer, violated 2 U.S.C.
§ 434(a)(4)(A)(i).

12 March 1987
Date



Charles N. Steele
General Counsel

88040722695

CCC 2990

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
National Committee for Peace) M.U.R. 2349
in Central America and)
William C. Oldaker, Treasurer)

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OFFICE OF THE
GENERAL COUNSEL

RESPONDENT'S BRIEF

INTRODUCTION

Pursuant to 2 U.S.C. § 437g(a)(3), respondent's brief addresses the issues and arguments included in the brief of the General Counsel. Herein, it shall be shown that the Federal Election Commission (hereinafter "FEC" or "the Commission") should postpone any determination of probable cause until the already requested pre-probable cause negotiation toward conciliation can be pursued. Should the Commission elect not to pursue the requested pre-probable cause conciliation, it is respondent's belief that the Commission should find no probable cause in this matter.

I. STATEMENT OF THE FACTS

On February 25, 1987, the Respondent National Committee for Peace in Central America and William C. Oldaker, as Treasurer (hereinafter jointly referred to as "the Committee") was notified by the FEC of its determination that there was reason to believe the Committee had violated 2 U.S.C. § 434(a)(4)(A)(i).^{1/} That provision of the Federal Election

^{1/} See FEC letter and General Counsel's Factual and Legal Analysis of February 25, 1987

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Campaign Act requires political committees to file quarterly reports no later than the fifteenth (15) day after the last day of each calendar quarter: except that the report for the quarter ending December 31 may be filed by January 31, of the following year.2/

The FEC stated that its determination was premised on the Committee's failure to file its first three reports of 1986 in a timely manner.3/ The Committee filed its first quarter report on May 7, 1986, and its the second quarter report on July 28, 1986. Following the July 28 filing, the FEC sent notice to the Committee that subsequent late reports could result in enforcement action. The Committee filed its third quarter report on November 19, 1986. All subsequent filings were timely.

On February 27, 1987, the Committee submitted a letter to demonstrate that no action should be taken by the Commission with respect to the matter.4/ Therein, the Committee acknowledged its late filing of the first three quarterly reports of 1986. In explanation, the Committee stated that the late filings resulted from the periodic absence of the person normally charged with preparing the reports and that measures

2/ 2 U.S.C. § 434(a)(4)(A)(i)(1982); and 11 C.F.R. § 104.5(a)(1)(iii)(1986)

3/ General Counsel's Factual and Legal Analysis, page 3

4/ See letter of February 27, 1987

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had been taken to insure future timely filings. The Committee noted that it had no history of late filing. Moreover, the Committee indicated that its corrective measures were evinced by the subsequent timely filings. As an additional mitigating factor, the Committee pointed out that whereas its assets are relatively small, the information temporarily denied the public was minimal.

On March 11, 1987, the Committee delivered and the FEC received a letter requesting negotiations directed toward reaching a conciliation agreement to the MUR.^{5/} On March 13, 1987, however, the Office of the General Counsel presented the recommendation and brief to which this brief responds.^{6/}

II. ANALYSIS

1. THE COMMISSION SHOULD POSTPONE A DETERMINATION OF PROBABLE CAUSE PENDING CONCILIATION NEGOTIATIONS.

The Committee acknowledged its late filing of the first three quarterly reports for 1986. Consequently, on March 11, 1987, it informed the FEC of its desire to enter into negotiation directed toward reaching a conciliation agreement to the MUR. Apparently, the delivered document did not come to the attention of the Office of General Counsel until it had presented its brief of March 13, 1987.^{7/} Thus, the FEC never

^{5/} See letter of March 11, 1987

^{6/} General Counsel's Brief of March 13, 1987

^{7/} In the course of a telephone conversation with the staff member assigned the matter, it was acknowledged that the letter requesting conciliation negotiations had become crossed in the process and had not been brought to the attention of the Office of General Counsel until it had already presented its brief.

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considered pre-probable cause negotiation, as is allowed under 11 C.F.R. § 111.18(d). Because of the mitigating factors presented by the Committee and adopted by the Office of the General Counsel in its brief, we believe pre-probable cause conciliation negotiation is the appropriate means for settling the MUR, at this time. In order to do so, it is necessary for the Commission to postpone any determination of probable cause.

2. THE COMMISSION SHOULD DETERMINE THAT THERE IS NO PROBABLE CAUSE TO BELIEVE THAT THE COMMITTEE VIOLATED 2 U.S.C. § 434(a)(4)(A)(i).

Although the Committee acknowledges that it did not in fact file its first three quarterly reports in a timely manner, the repeated late filings were not willful. The Committee is not staffed by full-time employees or volunteers as are some political committees. Rather, it is dependent on individuals assisting as time allows. Of course this does not permit neglect of the requirements of the Federal Election Campaign Act. However, in the case at issue, the Committee was not aware of its repeated late filings. It was obviously aware when each of the its three late reports were filed. However, the Committee was not aware that the untimeliness was continuous.

The General Counsel's brief recognizes the numerous mitigating factors in this case: (1) that the Committee has no prior history of late filings; (2) that the Committee has taken

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steps to insure that future reports are timely filed; (3) that since the three reports, reports have been timely filed; and (4) that the three late reports reflected only minimal activity of the Committee.^{8/} However, the General Counsel's brief believes a violation has occurred. We disagree and assert that the Committee did not willfully and knowingly fail to comply with section 434(a)(4)(A)(i) to such extent that the determination of a violation is appropriate.

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The Committee's late filings were inadvertent. Furthermore, even though filed consecutively, when compared within the context of the overall history of filings by the Committee, it becomes evident that the Committee was not trying to circumvent the reporting requirement of section 434(a)(4)(A)(i). Thus, based on the part-time nature of the Committee's operation, its overall timely filing history, and the inadvertence resulting in the late filings at issue, we believe that the Commission should find no probable cause that a violation has occurred.

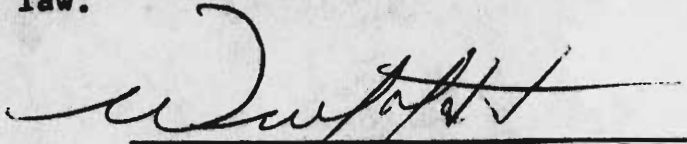
CONCLUSION

For the reasons stated in this brief, we respectfully request that the Commission postpone a determination of probable cause pending conciliation negotiations. However, in

^{8/} General Counsel's Brief, page 3

the event the Commission decides to determine probable cause,
we believe that there is no probable cause to believe that the
Committee violated the law.

March 27, 1987



William C. Oldaker
Counsel
1140 19th Street, N.W.
Suite 900
Washington, D.C. 20036

88040722701

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COMMUNICATIONS SECTION
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MAR 31 1964

MUR 2349

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CONFIDENTIAL

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On February 27, 1987, the Committee submitted a response to the Commission's finding. The Committee admitted that its quarterly reports for the first, second and third quarter of 1986 were filed late but requested that the Commission take no further action upon consideration of the following: (1) that the Committee had no prior history of late filing; (2) that the Committee had taken steps to insure that future reports were timely filed; (3) that since the three late reports, reports have been timely filed; and (4) that the three late reports reflected only minimal activity of the Committee. See Attachment 1.

Upon considering all of the evidence available to the Commission, the Office of the General Counsel prepared a brief on the legal and factual issues of this case. The General Counsel's Brief and a letter notifying the Committee of our intent to recommend to the Commission a finding of probable cause to believe was mailed on March 13, 1987.^{1/} This Office subsequently learned that our brief and cover letter apparently crossed in the mail with an additional response from the Committee, dated March 11, 1987. See Attachment 2. The Committee's response of March 11, 1987 requests, pursuant to 11 C.F.R. § 111.18(d), to enter into conciliation prior to a finding of probable cause to believe.

II. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

The Office of the General Counsel recommends that the Commission enter into pre-probable cause conciliation with the respondents at this time. Accordingly, attached for the Commission's approval is a proposed conciliation agreement for the respondents.

^{1/} The General Counsel's brief was circulated to the Commission on March 13, 1987.

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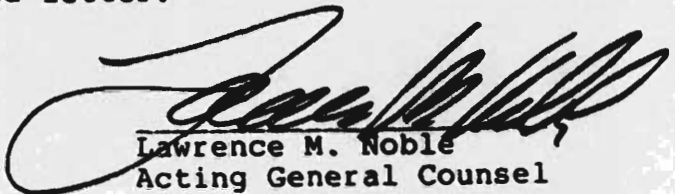
88040722704

III. RECOMMENDATIONS

1. Enter into conciliation with the National Committee for Peace in Central America and William C. Oldaker, as treasurer, prior to a finding of probable cause to believe.
2. Approve the attached proposed conciliation agreement for the National Committee for Peace in Central America and William C. Oldaker, as treasurer.
3. Approve and send the attached letter.

Date

3/30/87


Lawrence M. Noble
Acting General Counsel

Attachments

1. Committee's response of 2-27-87.
2. Committee's response of 3-11-87.
3. Cover letter and proposed conciliation agreement.

88040722705

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
National Committee for Peace) MUR 2349
in Central America and)
William C. Oldaker, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 2, 1987, the Commission decided by a vote of 6-0 to take the following actions in MUR 2349:

1. Enter into conciliation with the National Committee for Peace in Central America and William C. Oldaker, as treasurer, prior to a finding of probable cause to believe.
2. Approve the proposed conciliation agreement for the National Committee for Peace in Central America and William C. Oldaker, as treasurer, as recommended in the General Counsel's Report signed March 30, 1987.
3. Approve and send the letter, as recommended in the General Counsel's Report signed March 30, 1987.

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

Attest:

4-2-87

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary	Tues., 3-31-87,	9:35
Circulated on 48 hour tally basis:	Tues., 3-31-87,	4:00
Deadline for vote:	Thurs., 4-02-87,	4:00



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 6, 1987

William C. Oldaker, Esquire
Epstein, Becker, Borsody & Green, P.C.
1140 19th St., N.W.
Washington, D.C. 20036-6601

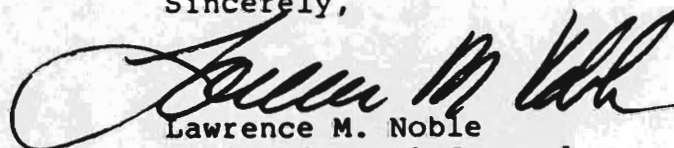
RE: MUR 2349
National Committee for Peace
in Central America and
William C. Oldaker, Treasurer

Dear Mr. Oldaker:

On February 19, 1987, the Commission found reason to believe that the National Committee for Peace in Central America and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i). At your request, the Commission determined on April 2, 1987, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Beverly Kramer, the staff member assigned to this matter, at (202) 376-5690.

Sincerely,


Lawrence M. Noble
Acting General Counsel

Enclosures

88040722707

SENSITIVE

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87 DEC -7 AM 11:24



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 7, 1987

MEMORANDUM

TO: The Commission
FROM: Lawrence M. Noble
General Counsel
SUBJECT: MUR 2349

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying the respondents of the General Counsel's intent to recommend to the Commission a finding of probable cause to believe was mailed on December 4, 1987. Following receipt of the respondents' reply to this notice, this Office will make a further report to the Commission.

Attachments

1. Brief
2. Letter to Respondents

88040722708



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 4, 1987

**William C. Oldaker, Esquire
Manatt, Phelps, Rothenburg & Evans
1200 New Hampshire Avenue, N.W.
Suite 200
Washington, D.C. 20036**

**Re: MUR 2349
National Committee for Peace
in Central America and
William C. Oldaker, as
treasurer**

Dear Mr. Oldaker:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on February 19, 1986, found reason to believe that the National Committee for Peace in Central America and you, as treasurer, had violated 2 U.S.C. § 434(a)(4)(A)(i) and instituted an investigation in this matter.

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

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of General Counsel, if possible). The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

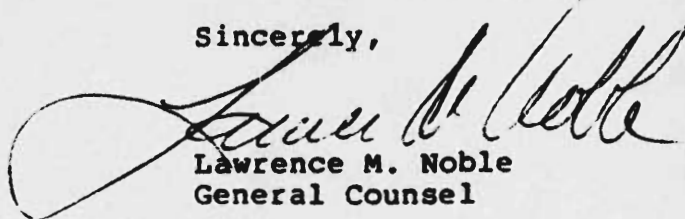
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If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days. All requests for extension of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated.

A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact John Drury, the attorney assigned to handle this matter, at (202) 376-8200.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Brief

88040722710

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
National Committee for Peace) MUR 2349
in Central America and)
William C. Oldaker, as treasurer)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

This matter was initiated by the Federal Election Commission pursuant to information ascertained in the ordinary course of carrying out its supervisory responsibilities.

The U.S. Committee Against Nuclear War ("the Committee") is a political committee within the meaning of 2 U.S.C. § 431(4) and William C. Oldaker is its treasurer. The Committee failed to file three quarterly reports in a timely manner during election year 1986. The reports were filed between 13 and 33 calendar days late. The Committee filed its 1986 April Quarterly Report, which was due April 15, 1986, on May 7, 1986. The Committee filed its 1986 July Quarterly Report, which was due July 15, 1986, on July 28, 1986. The Committee filed its October Quarterly Report, which was due October 15, 1986, on November 17, 1986.

The Commission determined on February 19, 1987 that there was reason to believe the Committee and William C. Oldaker, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i). Notification of the Commission's finding was mailed to the Committee on February 25, 1987.

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II. ANALYSIS

Section 434(a)(4)(A)(i) of the Act requires that political committees which elect to file quarterly reports must file such reports no later than the 15th day after the last day of each calendar quarter; except that the report for the quarter ending December 31 must be filed no later than January 31 of the following calendar year.

The Committee admits that its quarterly reports for the first, second and third quarter of 1986 were filed late, in violation of 2 U.S.C. § 434(a)(4)(A)(i). However, the Committee requests that no further action be taken upon the Commission's consideration of the following: (1) that the Committee has no prior history of late filing; (2) that the Committee has taken steps to insure that future reports are timely filed; (3) that since the three late reports, reports have been timely filed; and (4) that the three late reports reflected only minimal activity of the Committee.

Although the additional factors presented by the Committee may be considered in mitigation of a violation of 2 U.S.C. § 434(a)(4)(A)(i) to a limited extent, they do not, in our view, alter the fact that violations occurred. Accordingly, the Office of the General Counsel recommends that the Commission find probable cause to believe that the National Committee for Peace

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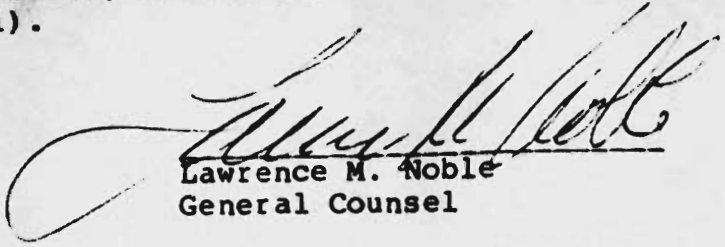
in Central America and William C. Oldaker, as treasurer, violated
2 U.S.C. § 434(a)(4)(A)(i).

III. RECOMMENDATION

1. Find probable cause to believe that the National Committee for Peace in Central America and William C. Oldaker, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i).

Date

12/1/87


Lawrence M. Noble
General Counsel

88040722713

GCC #4977

MANATT, PHELPS, ROTHENBERG & EVANS

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

ATTORNEYS AT LAW

1200 NEW HAMPSHIRE AVENUE, N.W.

SUITE 200

WASHINGTON, D.C. 20036

TELEPHONE (202) 463-4500

07/01/87 0:47

LOS ANGELES

11225 WEST OLYMPIC BOULEVARD

LOS ANGELES, CALIFORNIA 90064

(213) 248-4500

December 18, 1987

Marjorie Emmons, Secretary
Office of the Secretary
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MURs 2323 & 2349
U.S Committee Against
Nuclear War
National Committee for Peace
in Central America

Dear Ms. Emmons:

Enclosed please find respondents' briefs in the above-captioned matters. Should you have any questions, please do not hesitate to call me.

Sincerely,

William C. Oldaker / EFK
William C. Oldaker

✓ cc: John Drury, Esquire

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OFFICE OF GENERAL COUNSEL

87 DEC 21 PM 1:06

88040722714

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
National Committee for Peace)
in Central American and)
William C. Oldaker, as treasurer)

MUR 2349

BRIEF

I. Statement of the Case

The National Committee for Peace in Central America (hereinafter the "National Committee") concurs with the third paragraph of the "statement of the case" set forth in the General Counsel's Brief. However, it appears that the factual recitation contained in the second paragraph refers to the "U.S. Committee Against Nuclear War."

II. Analysis

The National Committee concurs with the General Counsel's recitation of the Federal Election Campaign Act of 1971 (hereinafter the "Act"), as well as the mitigating factors set forth: (1) the National Committee's prior history of timely filing; (2) the corrective action taken to ensure future timely filing; (3) actual timely filing; and (4) minimal committee activity.

Additionally, for over one year, the National Committee has desired to terminate its activities and cease to exist. The National Committee is politically dormant and did not contribute to any candidates in 1986 or 1987. The balance of its bank account as of this writing is under \$70.

Finally, the Office of General Counsel's analysis states that the National "Committee admits that its quarterly reports for the first, second and third quarter of 1986 were filed late, in violation of 2 U.S.C. §434(a)(4)(A)(i)," (emphasis added). Obviously, the National Committee has not admitted through a signed conciliation agreement any violation of the Act, and such a statement is inappropriately contained in the General Counsel's brief.

III. Conclusion

The National Committee respectfully submits that the Federal Election Commission should, from the factors discussed above, draw a different inference than the Office of General Counsel, and in doing so, find no probable cause to believe that respondents violated the Act.

88040722715

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
 National Committee for Peace in)
 Central America and William C.)
 Oldaker, as treasurer)

MUR 2349

SENSITIVE
EXECUTIVE SESSION
APR 12 1988

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On February 19, 1987, the Commission found reason to believe that the National Committee for Peace in Central America and William C. Oldaker, as treasurer, (the "Committee"), violated 2 U.S.C. § 434(a)(4)(A)(i) by failing to file three quarterly reports in a timely manner during 1986. On March 13, 1987, the Office of the General Counsel sent the Committee the General Counsel's Brief, along with a letter stating that this Office was prepared to recommend that the Commission find probable cause to believe a violation has occurred. The Commission received a Committee reply brief on March 27, 1987.

This Office learned, after the mailing of the General Counsel's Brief on March 13, 1987, that the Commission had received a letter on March 11, 1987, requesting pre-probable cause conciliation. Accordingly, a General Counsel's Report, circulated to the Commission on March 31, 1987, recommended that the Commission enter into conciliation negotiations with the Committee. The Commission authorized conciliation negotiations on April 2, 1987. These efforts failed to settle this matter and

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On December 4, 1987, this office sent the Committee a second brief to which the Committee responded with their second reply brief on December 27, 1987. This second reply brief reiterated the same mitigating factors already considered by the Commission. (Attachment 1).

II. LEGAL ANALYSIS

The Office of the General Counsel relies on its briefs circulated to the Commission in this matter on March 16, 1987, and December 9, 1987. Accordingly this Office recommends that the Commission find probable cause to believe that the Committee violated 2 U.S.C. § 434(a)(4)(A)(i). As developed below, this Office also recommends that the Commission approve the attached proposed conciliation agreement.

III. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

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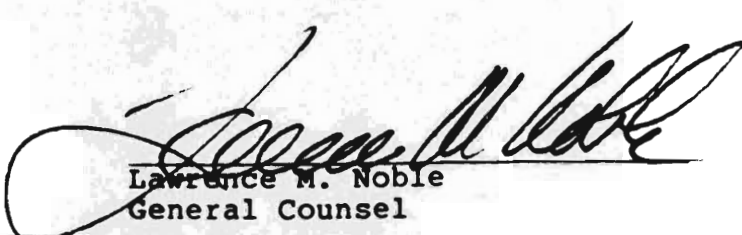
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IV. RECOMMENDATIONS

1. Find probable cause to believe that the National Committee for Peace in Central America and William C. Oldaker, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i).
2. Approve the attached proposed conciliation agreement and letter.

Date

3/29/88


Lawrence M. Noble
General Counsel

Attachments

1. Respondent's second reply brief, received December 21, 1987
2. Proposed conciliation agreement (one)
3. Proposed Letter (one)

Staff: Jim Voegeli

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
National Committee for Peace in) MUR 2349
Central America and William C.)
Oldaker, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of April 12, 1988, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 2349:

1. Find probable cause to believe that the National Committee for Peace in Central America and William C. Oldaker, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i).
2. Approve the conciliation agreement attached to the General Counsel's report dated March 29, 1988, subject to amendment to substitute the words, probable cause to believe, in lieu of the words, reason to believe.
3. Approve the letter attached to the General Counsel's report dated March 29, 1988, subject to correction of the name, Rothenberg.

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

Attest:

4-13-88

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

88040722720



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 20, 1988

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

William C. Oldaker, Esquire
Manatt, Phelps, Rothenberg & Evans
1200 New Hampshire Avenue, N.W., Suite 200
Washington, D.C. 20036

RE: MUR 2349
National Committee for
Peace in Central
America, and William C.
Oldaker, as treasurer

Dear Mr. Oldaker:

On April 12, 1988, the Federal Election Commission found that there is probable cause to believe that the Committee for Peace in Central America, and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended.

The Commission has a duty to attempt to correct such violations for a period of 30 to 90 days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement with a respondent. If we are unable to reach an agreement during that period, the Commission may institute a civil suit in United States District Court and seek payment of a civil penalty.

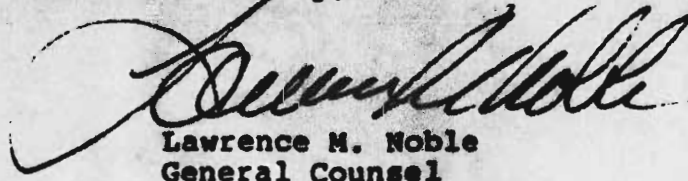
Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission within 10 days. I will then recommend that the Commission approve the agreement. Please make your check for the civil penalty payable to the Federal Election Commission.

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William C. Oldaker, Esquire
Page 2

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

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Conciliation Agreement

88040722722

BEFORE THE FEDERAL ELECTION COMMISSION

COMM 10 11 9:50

In the Matter of)

MUR 2349

National Committee for Peace)

In Central America and William)

C. Oldaker, as treasurer)

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

The attached agreement contains no changes from the agreement approved by the Commission on July 6, 1988. (Attachment 1). A check for the civil penalty has also been submitted. (Attachment 2).

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with the National Committee for Peace in Central America and William C. Oldaker, as treasurer.
2. Close the file as to the National Committee for Peace in Central America and William C. Oldaker, as treasurer.

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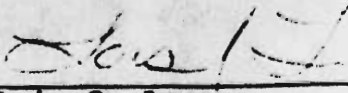
3. Approve the attached letter.

Lawrence M. Noble
General Counsel

Date

8/9/88

BY:


Lois G. Lerner
Associate General Counsel

Attachments

1. Conciliation Agreement
2. Photocopy of civil penalty check
3. Proposed letter

Staff Person: R. Lee Andersen

88040722724

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

National Committee for Peace
In Central America and William
C. Oldaker, as treasurer

MUR 2349

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 12, 1988, the Commission decided by a vote of 6-0 to take the following actions in MUR 2349:

1. Accept the conciliation agreement with the National Committee for Peace in Central America and William C. Oldaker, as treasurer, as recommended in the General Counsel's report signed August 9, 1988.
2. Close the file as to the National Committee for Peace in Central America and William C. Oldaker, as treasurer, as recommended in the General Counsel's report signed August 9, 1988.
3. Approve the letter, as recommended in the General Counsel's report signed August 9, 1988.

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

Attest:

August 15, 1988
Date

Hilda Arnold
for Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary:	Wed.,	8-10-88,	9:40
Circulated on 48 hour tally basis:	Wed.,	8-10-88,	4:00
Deadline for vote:	Fri.,	8-12-88,	4:00

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 17, 1988

William C. Oldaker, Esquire
Manatt, Phelps, Rothenberg & Evans
1200 New Hampshire Avenue, N.W.
Suite 200
Washington, D.C. 20036

RE: MUR 2349
National Committee
for Peace in Central
America and William
C. Oldaker, as
treasurer

Dear Mr. Oldaker:

On August 12, 1988, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your behalf in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to the National Committee for Peace in Central America and you, as treasurer. This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

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

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

88040722726

William C. Oldaker, Esquire
Page 2

questions, please contact R. Lee Andersen, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

88040722727

BEFORE THE FEDERAL ELECTION COMMISSION

National Committee for Peace)
in Central America and)
William C. Oldaker, as treasurer)

MUR 2349

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter the "Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found probable cause to believe that the National Committee for Peace in Central America and William C. Oldaker, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(4)(A)(i).

NOW, THEREFORE, the Commission and the Respondents, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(a)(4)(A)(i), do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding.

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

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

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

1. Respondent, the National Committee for Peace in Central America, is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Respondent, William C. Oldaker, is the treasurer of the National Committee for Peace in Central America.

3. Respondents filed their 1986 April Quarterly Report (due on April 15, 1986) on May 7, 1986, 22 days late.

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4. Respondents filed their 1986 July Quarterly Report (due on July 15, 1986) on July 28, 1986, 13 days late.

5. Respondents filed their 1986 October Quarterly Report (due on October 15, 1986) on November 19, 1986, 35 days late.

V. Respondents failed to file timely 1986 April, July and October Quarterly Reports, i. violation of 2 U.S.C. § 434(a)(4)(A)(i).

VI. Respondents contend that they did not knowingly and willfully violate 2 U.S.C. § 434(a)(4)(A)(i).

VII. Respondents will pay a civil penalty to the Federal Election Commission in the amount of five hundred dollars (\$500), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

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

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

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

By:


Lois G. Lerner
Associate General Counsel

Date

8/16/88

FOR THE RESPONDENTS:


William C. Oldaker, Treasurer

Date

July 25, 1988

83040722730



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2349

DATE FILMED 10/5/88 CAMERA NO. 2

CAMERAMAN MLC

88040722731

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Stallings for Senate)
Michael McCabe, as treasurer)
Hampton Roads Congressional) MUR 2519
Club and Friends of Owen)
Pickett)
Thomas W. Moss, Jr., as)
treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 6, 1988, the Commission decided by a vote of 5-0 to take the following actions in MUR 2519:

1. Enter into conciliation with the Stallings for Senate Committee and Michael McCabe, as treasurer, prior to a finding of probable cause to believe.
2. Approve the proposed conciliation agreement and letter, as recommended in the General Counsel's Report signed June 1, 1988.

Commissioners Aikens, Elliott, Josefiak, McDonald, and Thomas voted affirmatively for the decision; Commissioner McGarry did not cast a vote.

Attest:

6/6/88

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Thurs., 6-2-88, 10:21
Circulated on 48 hour tally basis: Thurs., 6-2-88, 4:00
Deadline for vote: Mon., 6-6-88, 4:00



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 8, 1988

Roger E. Warin, Esquire
Steptoe and Johnson
1330 Connecticut Avenue, N.W.
Washington, D.C. 20036

RE: MUR 2519
Stallings for Senate and
Michael W. McCabe, as
treasurer

Dear Mr. Warin:

On September 15, 1987, the Federal Election Commission found reason to believe that the Stallings for Senate committee and Michael W. McCabe, as treasurer, violated 2 U.S.C. § 438(a)(4). At your request, on June 6, 1988, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

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

If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact

0040720733



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 1, 1988

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Roger E. Warin, Esquire
Steptoe and Johnson
1130 Connecticut Avenue, N.W.
Washington, D.C. 20036

RE: MUR 2519
Stallings for Senate
Michael W. McCabe,
as treasurer

Dear Mr. Warin:

On June 8, 1988, you were notified that, at your request, the Federal Election Commission determined to enter into negotiations directed toward reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. On that same date you were sent a conciliation agreement offered by the Commission in settlement of this matter.

Please note that conciliation negotiations entered into prior to a finding of probable cause to believe are limited to a maximum of 30 days. To date, you have not responded to the proposed agreement. The 30 day period for negotiations will soon expire. Unless we receive a response from you within five days, this Office will consider these negotiations terminated and will proceed to the next stage of the enforcement process.

Should you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

03040721734

RECEIVED
JUL 12 AM 9:57

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Hampton Roads Congressional) MUR 2519
Club and Friends of Owen Pickett)
Thomas W. Moss, Jr., as treasurer)

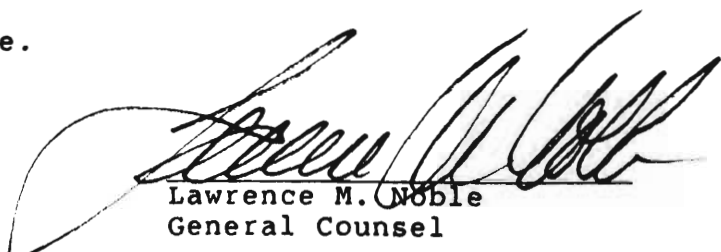
SENSITIVE

GENERAL COUNSEL'S REPORT

The Office of the General Counsel is prepared to close the investigation in this matter as to the Hampton Roads Congressional Club and Friends of Owen Pickett and Thomas W. Moss, Jr., as treasurer, based on the assessment of the information presently available.

Date

7/11/88


Lawrence M. Noble
General Counsel

28040722735

QCE# 9847

RECEIVED
FEDERAL ELECTION COMMISSION

STEPTOE & JOHNSON
ATTORNEYS AT LAW
1330 CONNECTICUT AVENUE
WASHINGTON, D. C. 20036
(202) 429-3000
TELEX: 89-2503

88 JUL 17 PM 12:19

ANITA G. RABY
(202) 429-8061

July 13, 1988

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Francis Hagan
Federal Election Commission
Room 657
999 E. Street, N.W.
Washington, D. C. 20463

Re: MUR 2519
Stallings for Senate
Michael W. McCabe, as treasurer

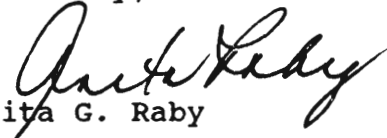
Dear Ms. Hagan:

Enclosed please find the executed conciliation papers, and a check for \$500.00, which we understand closes the matter.

We appreciate your cooperation and apologize for not returning the materials more promptly.

Please feel free to call me if you have any further questions.

Sincerely,


Anita G. Raby

AGR:keg
Enclosure

88 JUL 19 AM 10:03

RECEIVED
FEDERAL ELECTION COMMISSION

0 3 0 4 0 7 2 2 7 3 6

STALLINGS FOR SENATE

1213 LASKIN ROAD, SUITE 107
VIRGINIA BEACH, VA 23451

376

88-30-1205
514

July 17 19 88

PAY TO THE
ORDER OF

Federal Election Commission

\$ 500.00

FIVE HUNDRED ⁰⁰/₁₀₀

DOLLARS

SOVRAN BANK.

Sovran Bank, N.A., Virginia Beach, Virginia

FOR

FEC

⑈000376⑈ • ⑈051400507⑈ 0356 9535⑈

[Signature]

0009847

MEMORANDUM

TO: DEBRA A. TRIMIEW

TO: CECILIA LIEBER

FROM: CECILIA LIEBER

FROM: DEBRA A. TRIMIEW

CHECK NO. 376 { A COPY OF WHICH IS ATTACHED } RELATING TO

MJR 2519 AND NAME Stallings For Senate

(Hagan)
WAS RECEIVED ON 7/19/88. PLEASE INDICATE THE ACCOUNT INTO

WHICH IT SHOULD BE DEPOSITED:

/	☒	BUDGET CLEARING ACCOUNT	{ 95F3875.16 }
/	☐	CIVIL PENALTIES ACCOUNT	{ 95-1099.160 }
/	☐	OTHER	

SIGNATURE

Debra A. Trimiew

DATE

7/19/88

88 JUL 19 AM 10:03

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE CLERK



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION

88 JUL 15 AM 9:25

SENSITIVE

July 14, 1988

MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble *LM*
General Counsel

SUBJECT: MUR 2519

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying the respondent of the General Counsel's intent to recommend to the Commission a finding of no probable cause to believe were mailed on July 14, 1988. Following receipt of the respondent's reply to this notice, this Office will make a further report to the Commission.

Attachments

1. Brief
2. Letter to respondent

Staff person: Frances B. Hagan

88040722738



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 14, 1988

Robert F. Bauer, Esquire
Perkins Coie
1110 Vermont Avenue, N.W.
Washington, D.C. 20005

RE: MUR 2519
Hampton Roads Congressional
Club and Friends of Owen
Pickett
Thomas W. Moss, Jr., as
treasurer

Dear Mr. Bauer:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, and information supplied by the Stallings for Senate committee, on January 5, 1988, the Federal Election Commission found reason to believe that your clients violated 2 U.S.C. § 438(a)(4), and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

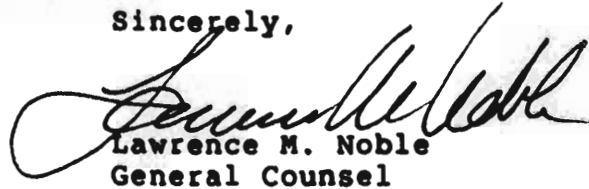
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Robert Bauer
Page 2

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Brief

83040722740

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Hampton Roads Congressional) MUR 2519
Club and Friends of Owen Pickett)
Thomas W. Moss, Jr., as treasurer)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On January 5, 1988, the Commission found reason to believe that the Hampton Roads Congressional Club and Friends of Owen Pickett ("the Pickett Committee") and Thomas W. Moss, Jr., as treasurer, violated 2 U.S.C. § 438(a)(4), the statute which prohibits use of disclosure information for commercial or solicitation purposes. The Pickett Committee is the principal campaign committee for Congressman Owen Pickett (VA).

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Commission learned that the Pickett Committee maintained a list of contributors to the Canada for Congress Committee '86 ("the Canada Committee") as found on FEC disclosure reports. The Canada Committee is the principal campaign committee for State Senator Joe Canada, a 1986 candidate for Congress (2nd Dist. VA). Candidates Pickett and Canada were opponents in the 1986 election campaign for the U.S. House of Representatives.

According to information obtained from the Stallings for [State] Senate committee ("the Stallings Committee"), campaign committee for Moody E. Stallings, Jr., candidate in the 8th Senatorial District of Virginia opposing Joe Canada, the

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Stallings Committee requested and obtained a list of Canada Committee contributors from the Pickett Committee. The Commission questioned the Pickett Committee regarding its use of the Canada Committee contributor list.

In response to interrogatories, the Pickett Committee stated that it used the Canada Committee's list "solely for strategic and other tactically valuable information, in the manner typical of any congressional campaign research. In particular, the [Pickett] Committee used the list to garner a rough impression of Mr. Canada's sources of support, the level of money that his campaign was able to raise for the various periods...." In a sworn affidavit, the treasurer's assistant attested that no information from FEC reports was used for solicitation purposes. The affidavit stated in part:

At no time did the Committee consider the use of the list, much less made any use of the list, for purposes of soliciting contributions from contributors to the Canada Committee.

In addition, the Pickett Committee stated that the Canada Committee's list of contributors was likely secured from the State Board of Elections in Richmond, but that the individuals who obtained the names could not be identified.

II. ANALYSIS

Pursuant to 2 U.S.C. § 438(a)(4), reports filed with the Commission shall be available for public inspection and copying, and information copied from reports cannot be sold or used by any person for soliciting contributions or for commercial purposes. The term "soliciting contributions" includes soliciting any type of contribution or donation, such as political or charitable

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contributions."

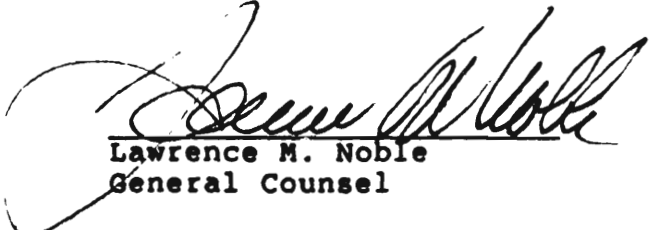
The evidence does not indicate that the Pickett Committee used information filed with the FEC for solicitation purposes, nor that the Pickett Committee colluded with the Stallings committee to use the disclosure materials for such purposes. Therefore, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that the Pickett Committee violated 2 U.S.C. § 438(a)(4) in this matter.

III. GENERAL COUNSEL'S RECOMMENDATIONS

Find no probable cause to believe that the Hampton Roads Congressional Club and Friends of Owen Pickett and Thomas W. Moss, Jr., as treasurer, violated 2 U.S.C. § 438(a)(4).

Date

7/14/88


Lawrence M. Noble
General Counsel

93040722743

88 AUG -4 AM 11:21

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2519
 Stallings for Senate)
 Michael W. McCabe, as treasurer)

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Virginia State Senate candidate Moody E. Stallings. The attached agreement contains no changes from the agreement approved by the Commission on June 6, 1988. A check for the civil penalty of \$500 has been received.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with the Stallings for Senate committee and Michael W. McCabe, as treasurer.
2. Close the file as to this respondent.
3. Approve the attached letter.

Lawrence M. Noble
 General Counsel

Date 8/4/88

BY: 
 Lois G. Lerner
 Associate General Counsel

Attachments

- A. Conciliation Agreement
- B. Photocopy of Civil Penalty Check
- C. Letter to Respondent

Staff Assigned: Frances B. Hagan

98040722744

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Stallings for Senate

Michael W. McCabe, as treasurer

MUR 2519

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 8, 1988, the Commission decided by a vote of 6-0 to take the following actions in MUR 2519:

1. Accept the conciliation agreement with the Stallings for Senate Committee and Michael W. McCabe, as treasurer, as recommended in the General Counsel's report signed August 4, 1988.
2. Close the file as to this respondent.
3. Approve the letter, as recommended in the General Counsel's report signed August 4, 1988.

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

Attest:

8/8/88

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary:	Thurs.,	8-4-88,	11:21
Circulated on 48 hour tally basis:	Thurs.,	8-4-88,	4:00
Deadline for vote:	Mon.,	8-8-88,	4:00



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 17, 1988

Roger E. Warin, Esquire
Steptoe and Johnson
1330 Connecticut Avenue, N.W.
Washington, D.C. 20036

RE: MUR 2519
Stallings for Senate
Michael W. McCabe,
as treasurer

Dear Mr. Warin:

On August 8, 1988, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your client's behalf in settlement of a violation of 2 U.S.C. § 438(a)(4), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to your clients. This matter will become a part of the public record within 30 days after it has been closed with respect to all other respondents involved. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

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

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

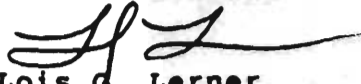
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Roger E. Warin
Page 2

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel


BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

88040722747

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2519
Stallings for Senate)
Michael W. McCabe, as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by Sandra A. Lahouchuc and Peter Lawrence. The Federal Election Commission ("the Commission") found reason to believe that Stallings for Senate and Michael W. McCabe ("Respondents") violated 2 U.S.C. § 438(a)(4).

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

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

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

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

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

1. Respondent, Stallings for Senate, is the campaign committee for Moody E. Stallings, Jr., candidate in the 8th Senatorial District of Virginia.

2. Respondent, Michael W. McCabe, is the treasurer of Stallings for Senate.

3. According to a sworn complaint filed by the assistant campaign treasurer and finance director of the Canada for Congress '86 Committee ("the Canada Committee"), the Canada Committee's 1986 October Quarterly Report contained contributor pseudonyms (See 11 C.F.R. § 104.3(e)) which were used by the Respondents for the purpose of soliciting campaign funds.

4. Solicitations sent to the addresses of pseudonyms consisted of a letter supporting the candidate from the Respondent treasurer. The letter solicited funds and included a return envelope for contributions.

5. 11 C.F.R. § 104.3(e) allows the use of pseudonyms on reports filed with the FEC "to determine whether the names and addresses of its contributors are being used in violation of [the Act and Regulations] to solicit contributions or for commercial purposes. . ."

6. 2 U.S.C. § 438(a)(4) states in part that "any information copied from [disclosure] reports or statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes. . ."

V. Respondents used information on disclosure reports filed with the Commission for the purpose of soliciting contributions in violation of 2 U.S.C. § 438(a)(4).

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VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Five Hundred Dollars (\$500.00), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

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

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

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VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Five Hundred Dollars (\$500.00), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

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

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

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

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

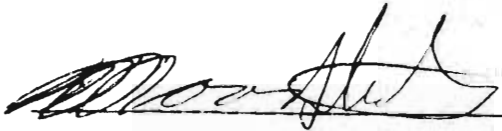
BY:


Lois G. Lerner
Associate General Counsel

Date

8/19/88

FOR THE RESPONDENTS:



Date

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88 SEP -8 AM 11:37

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Hampton Roads Congressional)
 Club and Friends of Owen Pickett)
 Thomas W. Moss, Jr., as treasurer)

MUR 2519

SENSITIVE**EXECUTIVE SESSION
SEP 20 1988**

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On January 5, 1988, the Commission found reason to believe that the Hampton Roads Congressional Club and Friends of Owen Pickett ("the Pickett Committee") and Thomas W. Moss, Jr., as treasurer, violated 2 U.S.C. § 438(a)(4), the statute which prohibits use of disclosure information for commercial or solicitation purposes. The Pickett Committee is the principal campaign committee for Congressman Owen Pickett (VA).

On January 11, 1988, the Pickett Committee was notified of the Commission's finding. On February 5 and 9, 1988, the Pickett Committee responded to the finding. The Pickett Committee's responses and answers to interrogatories, along with information provided by the Stallings for [State] Senate committee (campaign committee for Moody E. Stallings, Jr., candidate, 8th Sen. Dist. Va., also a respondent in this matter--closed August 1988), provided information which indicates that the Pickett Committee did not use materials filed with the FEC for solicitation purposes.

II. ANALYSIS

The Commission is referred to the General Counsel's Brief signed on July 14, 1988, in which this Office recommended no probable cause to believe as to the violation of 2 U.S.C.

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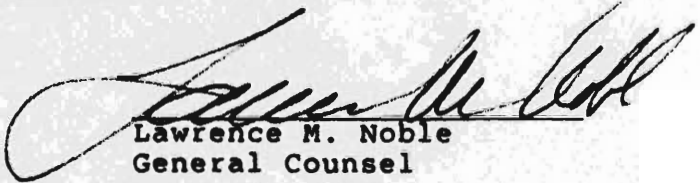
§ 438(a)(4). No reply brief has been received from the respondent.

III. RECOMMENDATIONS

1. Find no probable cause to believe that the Hampton Roads Congressional Club and Friends of Owen Pickett and Thomas W. Moss, Jr., as treasurer, violated 2 U.S.C. § 438(a)(4).
2. Close the file.
3. Approve the attached letters.

Date

9/8/88


Lawrence M. Noble
General Counsel

Attachments

Letters to respondents (2)

Staff Assigned: Frances B. Hagan

83040722754

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Hampton Roads Congressional Club) MUR 2519
and Friends of Owen Pickett)
Thomas W. Moss, Jr., as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the
Federal Election Commission executive session of September 20,
1988, do hereby certify that the Commission decided by a vote
of 6-0 to take the following actions in MUR 2519:

1. Find no probable cause to believe that the
Hampton Roads Congressional Club and Friends
of Owen Pickett and Thomas W. Moss, Jr., as
treasurer, violated 2 U.S.C. § 438(a)(4).
2. Close the file.
3. Approve the letters attached to the General
Counsel's report dated September 8, 1988.

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

Attest:

9-20-88

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

93040722755



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 28, 1988

Robert F. Bauer, Esquire
Perkins Coie
1110 Vermont Avenue, N.W.
Washington, D.C. 20005

RE: MUR 2519
Hampton Roads Congressional
Club and Friends of Owen
Pickett
Thomas W. Moss, Jr., as
treasurer

Dear Mr. Bauer:

This is to advise you that on September 20, 1988, the Federal Election Commission found that there is no probable cause to believe your clients violated 2 U.S.C. § 438(a)(4). Accordingly, the file in this matter has been closed.

This matter will become part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lawrence M. Noble", is written over the typed name and title.

Lawrence M. Noble
General Counsel

8 9 0 4 0 7 2 2 7 5 6



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 28, 1988

Roger E. Warin, Esquire
Steptoe and Johnson
1330 Connecticut Avenue
Washington, D.C. 20036

RE: MUR 2519
Stallings for Senate and
Michael W. McCabe, as treasurer

Dear Mr. Warin:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

A handwritten signature in dark ink, appearing to read "LGL", is written over a horizontal line.

BY: Lois G. Lerner
Associate General Counsel

00040722757



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 28, 1988

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Sandra M. Lahouchuc
Mr. Peter Lawrence
Canada for Congress Committee '86
1062 Laskin Road, Suite 12A
Virginia Beach, Virginia 23456

RE: MUR 2519

Dear Ms. Lahouchuc and Mr. Lawrence:

This is in reference to the complaint you filed with the Federal Election Commission on July 15, 1988, concerning the Stallings for Senate Committee.

The Commission found that there was reason to believe that the Stallings for [State] Senate Committee and Michael McCabe, as treasurer, violated 2 U.S.C. § 438(a)(4) a provision of the Federal Election Campaign Act of 1971, as amended, and conducted an investigation in this matter. On August 8, 1988, a conciliation agreement signed by the respondents was accepted by the Commission. Accordingly, the Commission closed the file as to these respondents on August 8, 1988. A copy of this agreement is enclosed for your information.

In addition, the Commission found reason to believe that the Hampton Roads Congressional Club and Friends of Owen Pickett and Thomas W. Moss, Jr., as treasurer, violated 2 U.S.C. § 438(a)(4), and conducted an investigation. As a result of that investigation, on September 20, 1988, the Commission found no probable cause to believe that the Pickett Committee violated 2 U.S.C. § 438(a)(4). A copy of the General Counsel's brief in the matter is enclosed for your information.

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Sandra Lahouchuc
Peter Lawrence
Page 2

If you have any questions, please contact Frances B. Hagan,
the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosures
Conciliation Agreement
General Counsel's Brief

38040722759



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

THIS IS THE END OF MUR # 2519

89040722760



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2519

DATE FILMED 11-18-88 CAMERA NO. 3

CAMERAMAN pe

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