



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4286/4310

DATE FILMED 8/8/96 CAMERA NO. 2

CAMERAMAN S.E.G

960437422/0

MUR 4236

REPORTS ANALYSIS REFERRAL - APRIL 27, 1995

9604374221

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: April 27, 1995

ANALYST: Jacques P. Andre'

I. COMMITTEE: Fairfax County Democratic Committee -
Federal (C00277541)
Robert J. Schottler, Treasurer
(January 1, 1994 to Present)
Dr. Armand B. Weiss, Treasurer
(October 9, 1992 - January 1994)*
8816 Skokie Lane
Vienna, VA 22182

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

III. BACKGROUND:

Non-Filing and Chronic Late Filing of Reports

The Fairfax County Democratic Committee - Federal ("the Committee") has failed to timely file five (5) Reports of Receipts and Disbursements covering the 1993-1994 election cycle (see attached chart). The Committee has filed the 1994 April, July, and October Quarterly Reports of Receipts and Disbursements between seventy-five (75) and one hundred and fifty-eight (158) calendar days late, and has failed to file the 1994 30 Day Post-General and Year-End Reports.

The Committee was notified on March 22, 1994, that the 1994 April Quarterly Report was due on April 15, 1994 (Attachment 2). A Non-Filer Notice for the 1994 April Quarterly Report was sent to the Committee on May 10, 1994 (Attachment 3). On June 9, 1994, the Reports Analysis Division ("RAD") analyst called and left a message for the treasurer emphasizing the need for the immediate filing of the 1994 April Quarterly Report. The treasurer returned the analyst's call and was informed that the 1994 April Quarterly Report needed to be filed immediately (Attachment 4).

*The Commission was notified in a letter dated May 19, 1994 of the treasurer change.

960437422/2

FAIRFAX COUNTY DEMOCRATIC COMMITTEE
- FEDERAL
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

The Committee was notified on June 21, 1994, that the 1994 July Quarterly Report was due on July 15, 1994 (Attachment 5). In a response received July 14, 1994, the treasurer stated attempts to amend previous reports had hindered the Committee's efforts to file the April Quarterly Report (Attachment 6). A Non-Filer Notice for the 1994 July Quarterly Report was sent to the Committee on August 4, 1994 (Attachment 7).

A Chronic Late Filing Notice was sent to the Committee on August 12, 1994 for failure to file the 1994 April and 1994 July Quarterly Reports in a timely manner (Attachment 8). The Notice advised the Committee that any additional late filing of reports may result in legal enforcement action. Subsequent to the sending of the Chronic Late Filing Notice, the Committee failed to timely file the 1994 October Quarterly Report, and has of this date not filed the 30 Day Post-General and 1994 Year End Reports.

The Committee returned a prior call by the RAD analyst on September 12, 1994 in reference to the failure to file the 1994 April and July Quarterly Reports. The treasurer responded that he was aware of the filing dates and would file the 1994 July Quarterly Report by September 16, 1994 (Attachment 9). The Committee filed the 1994 April Quarterly Report on September 20, 1994 (Attachment 10).

The Committee was notified on September 21, 1994 that the 1994 October Quarterly Report was due on October 15, 1994 (Attachment 11). The Committee filed the 1994 July Quarterly Report on September 28, 1994 (Attachment 12). On October 3, 1994 the Committee was notified that the 30 Day Post-General Report was due on December 8, 1994 (Attachment 13). The RAD analyst left a message on October 24, 1994 for the treasurer informing him that the 1994 October Quarterly Report had not been filed and should be filed immediately. Mrs. Suzy Reen, Chairman of the Board of the Fairfax County Democratic Committee, returned the call and stated she was not aware of the late filing of reports by the Committee and would address the issue with the treasurer (Attachment 14). A Non-Filer Notice for the 1994 October Quarterly Report was sent to the Committee on November 4, 1994 (Attachment 15).

The analyst called the treasurer on November 28, 1994 and left a message urging him to file the 1994 October Quarterly Report. The treasurer returned the call on November 30, 1994 and was informed by the analyst that the Commission had not yet received the 1994 October Quarterly Report. The analyst also reminded the treasurer of the due date for the 1994 30 Day Post-General Report (Attachment 16).

The Committee was notified on December 28, 1994 that the 1994 Year End Report was due on January 31, 1995 (Attachment 17). On January 4, 1995, a Non-Filer Notice was sent to the Committee for failure to file the 1994 30 Day Post-General Report (Attachment 18).

On February 1, 1995 the analyst left a message for the treasurer regarding the non-filing of the 1994 October Quarterly and 1994 30 Day Post-General Reports. The treasurer returned the call on February 6, 1995 and explained that he was missing some reporting information regarding Committee contributors. The analyst urged the treasurer to file what information was presently available, and then file amendments as appropriate. The treasurer affirmed that the 1994 October Quarterly and 30 Day Post-General Reports would be filed on February 10, 1995 (Attachment 19).

A Non-Filer Notice for the 1994 Year End Report was sent to the Committee on February 17, 1995 (Attachment 20).

On March 14, 1995 the RAD analyst left a message that the 1994 Year End Report had not yet been filed, and that all non-filed reports should be filed no later than March 18, 1995. On March 20, 1995 the treasurer returned the analyst's call stating that the missing reports (1994 October Quarterly, 30 Day Post-General, and Year End) would be mailed on this date (Attachment 21).

The Committee filed the 1994 October Quarterly Report on March 17, 1995 (Attachment 22).

As of this date, the 1994 30 Day Post-General and Year End Reports have not been filed.

960437422/4

LATE FILING HISTORY

REPORT TYPE	PRIOR NOTICE	DATE DUE	NON-FILER NOTICE	DATE FILED
1994 April Quarterly (1/1/94-3/31/94)	3/22/94 (Attachment 2)	4/15/94	5/10/94 (Attachment 3)	9/20/94 (Attachment 10)
1994 July Quarterly (4/1/94-6/30/94)	6/21/94 (Attachment 5)	7/15/94	8/4/94 (Attachment 7)	9/28/94 (Attachment 12)
1994 October Quarterly (7/1/94-9/30/94)	9/21/94 (Attachment 11)	10/15/94	11/4/94 (Attachment 15)	3/22/95 (Attachment 22)
1994 30 Day Post-General (10/20/94-11/28/94)	10/3/94 (Attachment 13)	12/8/94	1/4/95 (Attachment 18)	Not Filed
1994 Year-End (11/29/94-12/31/94)	12/28/94 (Attachment 17)	1/31/95	2/17/95 (Attachment 20)	Not Filed

FEDERAL ELECTION COMMISSION
1993-1994
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

AMENDMENT 1

DATE 27APR95

PAGE 1

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES TYPE OF FILER	MICROFILM LOCATION
FAIRFAX COUNTY DEMOCRATIC COMMITTEE - FEDERAL CONNECTED ORGANIZATION: DEN STATE CENTRAL CITE FED				ID #C00277541	PARTY QUALIFIED	
1993	MID-YEAR REPORT	36,408	39,213	1JAN93 -30JUN93	22	93FEC/851/2239
	MID-YEAR REPORT - AMENDMENT	-	-	1JAN93 -30JUN93	2	94FEC/907/0003
	REQUEST FOR ADDITIONAL INFORMATION			1JAN93 -30JUN93	2	94FEC/897/1007
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JAN93 -30JUN93	3	94FEC/899/3217
	YEAR-END	42,016	41,472	1JUL93 -31DEC93	30	94FEC/880/1239
	YEAR-END - AMENDMENT	-	-	1JUL93 -31DEC93	2	94FEC/907/0005
	REQUEST FOR ADDITIONAL INFORMATION			1JUL93 -31DEC93	3	94FEC/897/4195
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL93 -31DEC93	4	94FEC/900/5528
1994	STATEMENT OF ORGANIZATION - AMENDMENT			31MAY94	2	94FEC/901/1642
	MISCELLANEOUS REPORT TO FEC			14JUL94	2	94FEC/907/3786
	MISCELLANEOUS NOTICE FROM FEC			12AUG94	2	94FEC/916/5084
	APRIL QUARTERLY	13,880	8,387	1JAN94 -31MAR94	18	94FEC/923/0003
	NOTICE OF FAILURE TO FILE			1JAN94 -31MAR94	2	94FEC/898/1078
	REQUEST FOR ADDITIONAL INFORMATION			1JAN94 -31MAR94	3	94FEC/941/1941
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JAN94 -31MAR94	4	94FEC/945/0086
	JULY QUARTERLY	9,711	11,112	1APR94 -30JUN94	12	94FEC/924/3210
	NOTICE OF FAILURE TO FILE			1APR94 -30JUN94	2	94FEC/915/3610
	REQUEST FOR ADDITIONAL INFORMATION			1APR94 -30JUN94	2	94FEC/941/1939
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1APR94 -30JUN94	3	94FEC/945/0083
	OCTOBER QUARTERLY	10,050	8,254	1JUL94 -30SEP94	11	95FEC/970/0789
	NOTICE OF FAILURE TO FILE			1JUL94 -30SEP94	2	94FEC/943/0773
	REQUEST FOR ADDITIONAL INFORMATION			1JUL94 -30SEP94	3	95FEC/971/1696
	NOTICE OF FAILURE TO FILE			1OCT94 -28NOV94	2	95FEC/955/0865
	NOTICE OF FAILURE TO FILE			29NOV94 -31DEC94	2	95FEC/966/3798
	TOTAL	111,982	0	108,438	0	140 TOTAL PAGES

ALL REPORTS HAVE BEEN REVIEWED.

ENDING CASH-ON-HAND AS OF 9/30/94: \$7,217.98.

OUTSTANDING DEBTS OWED BY THE COMMITTEE AS OF 9/30/94: \$0.00.

OUTSTANDING DEBTS OWED TO THE COMMITTEE AS OF 9/30/94: \$1,692.36.

96043742276

QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

March 22, 1994

REPORT	REPORTING PERIOD*	REG./CERT.	FILING DATE
		MAILING DATE**	
April Quarterly	01/01/94-03/31/94	04/15/94	04/15/94

WHO MUST FILE

Party committees and PACs (nonconnected committees and separate segregated funds) filing on a quarterly basis must file a Quarterly Report in April.

PRE-ELECTION REPORTING

Committees which make contributions or expenditures (including independent expenditures) in connection with an election, must also file a Pre-Election Report, if the activity was not previously reported. See January 1994 Record.

LAST-MINUTE INDEPENDENT EXPENDITURES

Any PAC that makes independent expenditures in connection with an election may have to file a 24 hour report. This reporting requirement will be triggered if the committee makes independent expenditures aggregating \$1,000 or more after the 20th day, but more than 24 hours, before the election day.

CHANGE IN FILING FREQUENCY

Committees wishing to change their reporting schedule (for example, from quarterly to monthly) must notify the Commission in writing when they file their next report due under their current reporting schedule. Committees may change their filing frequencies no more than once per calendar year.

LABEL

Committees should affix the peel-off label from the envelope to Line 1 of the report. Corrections should be made on the label.

COMPLIANCE

TREASURERS OF POLITICAL COMMITTEES ARE RESPONSIBLE FOR FILING ALL REPORTS ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT ACTION. COMMITTEES FILING ILLEGIBLE REPORTS OR USING NON-FEC FORMS WILL BE REQUIRED TO REFILE.

*The period begins with the close of the last report filed by the committee. If the committee has filed no previous reports, the period begins with the date of the committee's first activity.

**Reports sent by registered or certified mail must be postmarked by the mailing date; otherwise, they must be received by the filing date.

96043742277



FEDERAL ELECTION COMMISSION

WASH DC 20543

HQ-7

May 10, 1994

Dr. Armand B. Weiss, Treasurer
Fairfax County Democratic Committee - Federal
7245 Arlington Boulevard
Falls Church, VA 22042

Identification Number: C00277541

Reference: April Quarterly Report (1/1/94-3/31/94)

Dear Dr. Weiss:

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 previously notified 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 its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR §§108.2, 108.3, 108.4).

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 Robyn Jameson on our toll-free number (800) 424-9530. Our local number is (202) 219-3580.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

MEMORANDUM TO FILES: DATE: June 9, 1994
Telecon XX
Visit

NAME OF THE COMMITTEE: Fairfax County Democratic Committee -
Federal (c00277541)

SUBJECT: Non-Filing of April Quarterly (1/1/94-3/31/94)

FEC REP: Robyn Jameson

COMMITTEE REP: Robert Schottler

Analyst called and left message pertaining to non-filing of the April Quarterly.

6/9/94 Mr. Robert Schottler, treasurer, returned call, and was informed by analyst that the 1994 April Quarterly Report needed to be filed immediately.

960437422/9

QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

June 21, 1994

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
July Quarterly	04/01/94 - 06/30/94	07/15/94	07/15/94

WHO MUST FILE

Party committees and PACs (nonconnected committees and separate segregated funds) filing on a quarterly basis must file a Quarterly Report in July.

PRE-ELECTION REPORTING

Committees which make contributions or expenditures (including independent expenditures) in connection with an election must also file a Pre-Election Report, if the activity was not previously reported. See the January 1994 Record.

LAST-MINUTE INDEPENDENT EXPENDITURES

Any PAC that makes independent expenditures in connection with an election may have to file a 24 hour report. This reporting requirement will be triggered if the committee makes independent expenditures aggregating \$1,000 or more after the 20th day, but more than 24 hours, before the election day.

CHANGE IN FILING FREQUENCY

Committees wishing to change their reporting schedule (for example, from quarterly to monthly) must notify the Commission in writing when they file their next report due under their current reporting schedule. Committees may change their filing frequencies no more than once per calendar year.

LABEL

Committees should affix the peel-off label from the envelope to Line 1 of the report. Corrections should be made on the label.

COMPLIANCE

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*The period begins with the close of the last report filed by the committee. If the committee has filed no previous reports, the period begins with the date of the committee's first activity.

**Reports sent by registered or certified mail must be postmarked by the mailing date; otherwise, they must be received by the filing date.

9604742200



July 11, 1994

Federal Election Commission
Robyn Jimson
999 E Street, NW
Washington, DC 20043

Identification Number C00277841

Reference: April Quarterly Report (1/1/94-3/31/94)

Dear Ms. Jimson,

This is written to provide an update on my efforts to become and remain current in reports required by the FEC. The repercussions in the correction of the 1993 year end report have hindered my efforts to file the April quarterly report. We have, however, ironed out the difficulties in reporting the expenses of the five year capital lease. Thank you for your assistance in this area.

The re-allocation of the revenue and expenses connected with our direct mail efforts are about 80% complete. While these efforts continue I have set a July 31, 1994 "best efforts" internal deadline for filing. At that time I will make full disclosure of my reporting difficulties that may still exist and await the Commission's pleasure. This is a classic example of the importance of doing something right the first time in order to avoid the difficulties of later corrections.

Respectfully,

Robert J. Schottler
Robert J. Schottler



FEDERAL ELECTION COMMISSION

WASHINGTON DC 20541

HQ-7

August 4, 1994

Robert J. Schottler, Treasurer
Fairfax County Democratic Committee-
Federal
8816 Shokie Lane
Vienna, VA 22182

Identification Number: C00277541

Reference: July Quarterly Report (4/1/94-6/30/94)

Dear Mr. Schottler:

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 previously notified 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 its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR §§108.2, 108.3, 108.4).

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 Robyn Jameson on our toll-free number (800) 424-9530. Our local number is (202) 219-3580.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

FEDERAL ELECTION COMMISSION

Robert J. Schettler, Treasurer
Fairfax County Democratic Committee-
Federal

6016 Shelle Lane
Vienna, VA 22182

Identification Number: C90277541

Reference: 1993-1994 Election Cycle Reports

Dear Mr. Schettler:

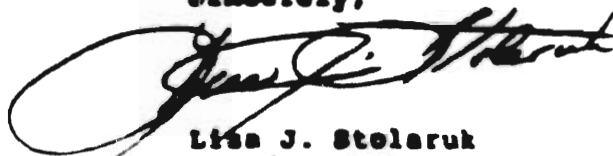
It has come to the attention of the Federal Election Commission ("the Commission") that your committee may have violated 2 U.S.C. §434(a), by failing to timely file Reports of Receipts and Disbursements. The following is a list of the reports in question.

<u>Report Type</u>	<u>Due Date</u>	<u>Date Filed</u>
April Quarterly (1/1/94-3/31/94)	4/15/94	7/14/94
July Quarterly (4/1/94-6/30/94)	7/15/94	not filed

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 failure to timely file reports as a serious violation of the Act. This communication is to advise you that, notwithstanding any matters which may be pending 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 Robyn Jameson on our toll-free number, (800) 424-9530. My local number is (202) 219-3500.

Sincerely,



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

96043742283
94039165084

MEMORANDUM TO FILES: DATE: September 12, 1994
Telecon XX
Visit

NAME OF THE COMMITTEE: Fairfax County Democratic Committee -
Federal (c00277541)

SUBJECT: Late Filing of 1994 April (1/1/94-3/31/94) and July
Quarterly (4/1/94-6/30/94) Reports

FEC REP: Erica D. Holder

COMMITTEE REP: Robert J. Schottler

Mr. Robert J. Schottler returned analyst's phone call. The analyst explained to the treasurer that he needed to file a 1994 July Quarterly Report. He stated he had become incapacitated and was unable to file the report on time. The analyst asked him if he needed a copy of the deadline dates for filing. The treasurer stated he knew the dates and would have the report to the Commission by Friday, September 16, 1994.

96043742284

REPORT OF RECEIPTS AND DISBURSEMENTS

1994 APRIL QUARTERLY REPORT
ATTACHMENT 10
PAGE 1 of 2

For Other Than An Authorized Committee
(Summary Page)

ADMINISTRATIVE
SEP 20 3 03 PM '94

USE PREC MAILING LABEL
ON
TYPE OR PRINT

1. NAME OF COMMITTEE (If not Fairfax County Democratic Committee - Federal)	
ADDRESS (number and street) ☒ Check if different than previously reported	
CITY, STATE and ZIP CODE	
2. FEC IDENTIFICATION NUMBER	
3. ☒ This committee has qualified as a multicandidate committee. (see FEC FORM 1M)	

4. TYPE OF REPORT

- (a) ☒ April 15 Quarterly Report
☐ July 15 Quarterly Report
☐ October 15 Quarterly Report
☐ January 31 Year End Report
☐ July 31 Mid Year Report (Non-election Year Only)
☐ Termination Report
- Monthly Report Due On:
☐ February 20 ☐ June 20 ☐ October 20
☐ March 20 ☐ July 20 ☐ November 20
☐ April 20 ☐ August 20 ☐ December 20
☐ May 20 ☐ September 20 ☐ January 31
- ☐ 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 _____

(b) Is this Report an Amendment? ☐ YES ☒ NO

SUMMARY		COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period	1/1/94 through 3/31/94		
6. (a) Cash on Hand January 1, 1994			\$ 1410.36
(b) Cash on Hand at Beginning of Reporting Period		\$ 1410.36	
(c) Total Receipts (from Line 18)		\$ 13800.75	\$ 13800.75
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)		\$ 15211.11	\$ 15211.11
7. Total Disbursements (from Line 30)		\$ 8387.85	\$ 8387.85
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))		\$ 6823.26	\$ 6823.26
9. Debts and Obligations Owed TO the Committee (Remit all on Schedule C and/or Schedule D)		\$ - 0 -	For further information contact: Federal Election Commission 900 E Street, NW Washington, DC 20463 Toll Free 800-424-6530 Local 202-219-3420
10. Debts and Obligations Owed BY the Committee (Remit all on Schedule C and/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.

Type or Print Name of Treasurer	
Signature of Treasurer	Date

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

Federal Election Commission
ENVELOPE REPLACEMENT PAGE
FOR INCOMING DOCUMENTS

The Commission has added this page to the end of this filing to indicate how it was received.



Hand Delivered

DATE OF RECEIPT

9-20-94



First Class Mail

POSTMARKED



Registered/Certified Mail

POSTMARKED



No Postmark



Postmark Illegible

Received from the House Office of Records
and Registration

DATE OF RECEIPT

Received from the Senate Office of Public
Records

DATE OF RECEIPT



Other (Specify):

POSTMARKED

and/or DATE OF RECEIPT

JMH

PREPARER

9-20-94

DATE PREPARED

QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

September 21, 1994

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
October Quarterly	07 01 94 - 09 30 94	10/15/94	10/15/94

WHO MUST FILE

Party committees and PACs (nonconnected committees and separate segregated funds) filing on a quarterly basis must file a Quarterly Report in October.

PRE-ELECTION REPORTING

Committees which make contributions or expenditures (including independent expenditures) in connection with an election must also file a Pre-Election Report, if the activity was not previously reported. See the January 1994 Record.

LAST-MINUTE INDEPENDENT EXPENDITURES

Any PAC that makes independent expenditures in connection with an election may have to file a 24 hour report. This reporting requirement will be triggered if the committee makes independent expenditures aggregating \$1,000 or more after the 10th day, but more than 24 hours, before the election day.

CHANGE IN FILING FREQUENCY

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LABEL

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PARTIES AND PACS

OCTOBER QUARTERLY

COMPLIANCE

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96043742288

REPORT OF RECEIPTS AND DISBURSEMENTS

For Other Than An Authorized Committee
(Summary Page)

OFFICE OF THE
CLERK OF THE HOUSE OF REPRESENTATIVES

SEP 20 12 28 PM '94

1. NAME OF COMMITTEE OR CANDIDATE
Fairfax County Democratic Committee Federal

2. ADDRESS
8816 Skokie Lane
CITY, STATE AND ZIP CODE
Vienna VA 22182

3. FISCAL YEAR
F-002 22001

4. THE COMMITTEE OR CANDIDATE IS AN AUTHORIZED COMMITTEE (SEE FDS FORM 100)

4. TYPE OF REPORT

☐ April 15 Quarterly Report

☒ July 15 Quarterly Report

☐ October 15 Quarterly Report

☐ January 31 Year End Report

☐ July 31 Mid Year Report (Non-election Year Only)

☐ Termination Report

Monthly Report Due On

☐ February 28 ☐ June 30 ☐ October 31
☐ March 31 ☐ July 31 ☐ November 30
☐ April 30 ☐ August 31 ☐ December 31
☐ May 31 ☐ September 30 ☐ January 31

☐ 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 _____

Is this Report an Amendment? ☐ YES ☐ NO

SUMMARY		COLUMN A This Period	COLUMN B Calendar Year-to-Date
5	Covering Period <u>4/1/94</u> through <u>6/30/94</u>		
6	(a) Cash on Hand January 1, 19 <u>94</u>		\$ <u>1410.36</u>
	(b) Cash on Hand at Beginning of Reporting Period	\$ <u>6823.26</u>	
	(c) Total Receipts (from Line 18)	\$ <u>9711.11</u>	\$ <u>23511.86</u>
	(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$ <u>16534.37</u>	\$ <u>24922.22</u>
7	Total Disbursements (from Line 20)	\$ <u>11112.32</u>	\$ <u>19500.17</u>
8	Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ <u>5422.05</u>	\$ <u>5422.05</u>
9	Debits and Obligations Owed TO the Committee (Items all on Schedule C and/or Schedule D)	\$ <u>- 0 -</u>	
10	Debits and Obligations Owed BY the Committee (Items all on Schedule C and/or Schedule D)	\$ <u>- 0 -</u>	

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

Type or Print Name of Treasurer
Robert J. Schettler

Signature of Treasurer
Robert J. Schettler

Date
9/27/94

For further information contact:
Federal Election Commission
600 E Street, NW
Washington, DC 20543
Toll Free 800-424-9530
Local 202-418-6400

NOTE: Submission of a erroneous or incomplete information may subject the person signing the Report to the penalties of 2 U.S.C. §437g

FEC FORM 3X

(Revised 8/93)

REMARKS

Federal Election Commission
**ENVELOPE REPLACEMENT PAGE
FOR INCOMING DOCUMENTS**

The Commission has added this page to the end of this filing to indicate how it was received.

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Records

DATE OF RECEIPT

☐ Other (Specify)

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DATE OF RECEIPT

MVE

9-28-94

DATE PREPARED

GENERAL ELECTION REPORT NOTICE

ATTACHMENT 13
PAGE 1 of 2

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

October 3, 1994

I. ALL MONTHLY FILERS

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
Pre-General	10/01/94 - 10/19/94	10/24/94	10/27/94
Post-General	10/20/94 - 11/28/94	12/08/94	12/08/94

II. QUARTERLY FILERS THAT MAKE GENERAL ELECTION CONTRIBUTIONS OR EXPENDITURES FROM OCTOBER 1 THROUGH OCTOBER 19

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
Pre-General	10/01/94 - 10/19/94	10/24/94	10/27/94
Post-General	10/20/94 - 11/28/94	12/08/94	12/08/94

III. QUARTERLY FILERS THAT DO NOT MAKE GENERAL ELECTION CONTRIBUTIONS OR EXPENDITURES FROM OCTOBER 1 THROUGH OCTOBER 19***

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
Post-General	10/01/94 - 11/28/94	12/08/94	12/08/94

WHO MUST FILE

Party committees and PACs must follow the above charts in order to determine whether they must file the Pre-General Election Report. All Party committees and PACs, regardless of financial activity, must file the Post-General Election Report.

*The period begins with the close of the last report filed by the committee. If the committee has filed no previous reports, the period begins with the date of the committee's first activity.

**Reports sent by registered or certified mail must be postmarked by the mailing date; otherwise, they must be received by the filing date.

***Committees that made general election contributions or expenditures before October 1 and that did not previously report them must also follow the Chart II reporting requirements.

(over)

PARTIES AND PACS

GENERAL ELECTION

LAST-MINUTE INDEPENDENT EXPENDITURES

Any PAC that makes independent expenditures aggregating \$1,000 or more during the period beginning October 20 and ending November 6 must report them within 24 hours.

LABEL

Committees should affix the peel-off label from the envelope to Line 1 of the report. Corrections should be made on the label.

COMPLIANCE

TREASURERS OF POLITICAL COMMITTEES ARE RESPONSIBLE FOR FILING ALL REPORTS ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT ACTION. COMMITTEES FILING ILLEGIBLE REPORTS OR USING NON-PEC FORMS WILL BE REQUIRED TO REFILE.

FOR INFORMATION, Call: 800/424-9530 or 202/219-3420

96043742292

MEMORANDUM TO FILES: DATE: October 24, 1994
Telecon XX
Visit

NAME OF THE COMMITTEE: Fairfax County Democratic Committee -
Federal (c00277541)

SUBJECT: Non-Filing of 1994 October Quarterly Report
(7/1/94-9/30/94)

FEC REP: Erica D. Holder

COMMITTEE REP: Suzy Reen, Chairman of the Board of Fairfax County
Democratic Committee

Analyst left message with secretary for Mr. Robert Schottler. Mrs. Suzy Reen returned call. The analyst informed her that the 1994 October Quarterly Report had not been filed and was late. She said she was not aware of this situation, nor did she know the preceeding reports filed by Mr. Schottler were late. Mrs. Reen indicated she would discuss this with Mr. Schottler.



FEDERAL ELECTION COMMISSION

WASHINGTON DC 20463

RQ-7

November 4, 1994

Robert J. Schottler, Treasurer
Fairfax County Democratic Committee-Federal
8816 Skokie Lane
Vienna, VA 22182

Identification Number: C00277541

Reference: October Quarterly Report (7/1/94-9/30/94)

Dear Mr. Schottler:

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 previously notified 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 its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR §§108.2, 108.3, 108.4).

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 Erica Holder on our toll-free number (800) 424-9530. Our local number is (202) 219-3580.

Sincerely,

A handwritten signature in dark ink, appearing to read "John D. Gibson".

John D. Gibson
Assistant Staff Director
Reports Analysis Division

96043742294

MEMORANDUM TO FILES: DATE: November 30, 1994
Telecon XX
Visit

NAME OF THE COMMITTEE: Fairfax County Democratic Committee -
Federal (c00277541)

SUBJECT: Non-Filing of 1994 October Quarterly Report
(7/1/94-9/30/94)

FEC REP: Erica D. Holder

COMMITTEE REP: Robert Schottler, Treasurer

Analyst placed a phone call to Committee on November 28, 1994. On November 30, 1994, Mr. Robert Schottler returned call. The analyst informed the treasurer that the Commission had not yet received the October Quarterly, nor the 12 Day Pre-General Report (if the Committee did meet the requirements for the 12 Day). Mr. Schottler said he would work on the reports and have them in as soon as possible. The analyst also notified the treasurer of the next deadline (for the 30 Day Post-General).

96043742295

YEAR-END REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

December 28, 1994

QUARTERLY AND MONTHLY FILERS

REPORT	REPORTING PERIOD*	REG./CERT.	FILING DATE
		MAILING DATE**	
Year-End	11/29/94 - 12/31/94	01/31/95	01/31/95

WHO MUST FILE

All party committees and PACs (nonconnected committees and separate segregated funds) must file a Year-End Report.

LABEL

Committees should affix the peel-off label from the envelope to Line 1 of the report. Corrections should be made on the label.

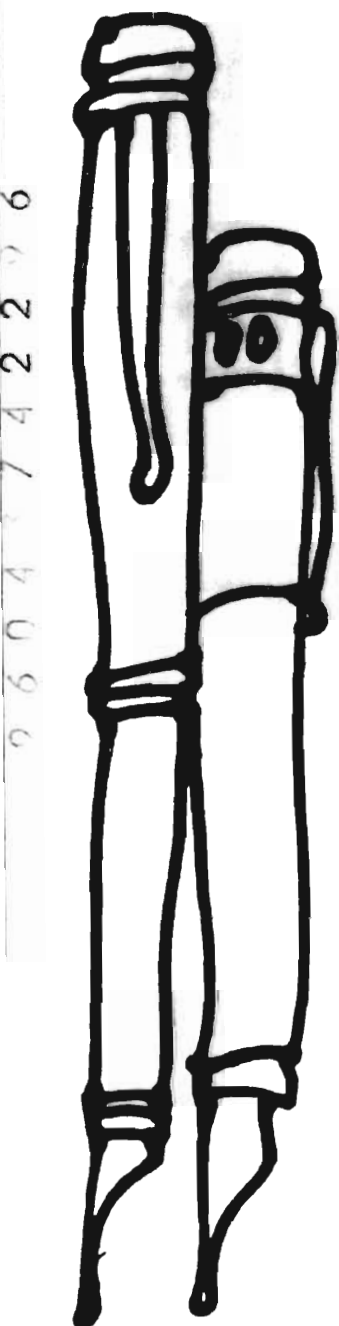
COMPLIANCE.

TREASURERS OF POLITICAL COMMITTEES ARE RESPONSIBLE FOR FILING ALL REPORTS ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT ACTION. COMMITTEES FILING ILLEGIBLE REPORTS OR USING NON-FEC FORMS WILL BE REQUIRED TO REFILE.

*The period begins with the close of the last report filed by the committee. If the committee has filed no previous reports, the period begins with the date of the committee's first activity.

**Reports sent by registered or certified mail must be postmarked by the mailing date; otherwise, they must be received by the filing date.

(over)



**1995 REPORTING SCHEDULE
PACs AND PARTIES***

I. SEMIANNUAL FILERS**

REPORT	PERIOD COVERED	REG./CERT.	FILING DATE
		MAILING DATE***	
Mid-Year	01/01/95 - 06/30/95	07/31/95	07/31/95
Year-End	07/01/95 - 12/31/95	01/31/96	01/31/96

II. MONTHLY FILERS

REPORT	PERIOD COVERED	REG./CERT.	FILING DATE
		MAILING DATE***	
February	01/01/95 - 01/31/95	02/20/95	02/20/95
March	02/01/95 - 02/28/95	03/20/95	03/20/95
April	03/01/95 - 03/31/95	04/20/95	04/20/95
May	04/01/95 - 04/30/95	05/20/95	05/20/95
June	05/01/95 - 05/31/95	06/20/95	06/20/95
July	06/01/95 - 06/30/95	07/20/95	07/20/95
August	07/01/95 - 07/31/95	08/20/95	08/20/95
September	08/01/95 - 08/31/95	09/20/95	09/20/95
October	09/01/95 - 09/30/95	10/20/95	10/20/95
November	10/01/95 - 10/31/95	11/20/95	11/20/95
December	11/01/95 - 11/30/95	12/20/95	12/20/95
Year-End	12/01/95 - 12/31/95	01/31/96	01/31/96

*Committees that wish to change their filing status must notify the Commission in writing.

**Committees that filed quarterly reports in 1994 are only required to file semiannually in 1995.

***Reports sent registered or certified mail must be postmarked by the mailing date; otherwise, they must be received by the filing date.



FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

RQ-7

January 4, 1995

Robert J. Schottler, Treasurer
Fairfax County Democratic
Committee - Federal
8816 Skokie Lane
Vienna, VA 22182

Identification Number: C00277541

Reference: 30 Day Post-General Report (10/1/94-11/28/94)

Dear Mr. Schottler:

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 previously notified 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 its relevant portions should also be filed with the Secretary of State or equivalent state officer. 11 CFR §§108.2, 108.3, 108.4

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 Erica Holder on our toll-free number (800) 424-9530. Our local number is (202) 219-3580.

Sincerely,

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

John D. Gibson
Assistant Staff Director
Reports Analysis Division

96043742298

MEMORANDUM TO FILES: DATE: February 6, 1995
Telecon XX
Visit

NAME OF THE COMMITTEE: Fairfax County Democratic Committee -
Federal (c00277541)

SUBJECT: Late filing of the October Quarterly (7/1/94-9/30/94)
and 30 Day Post-General (10/1/94-11/28/94) Reports

FEC REP: Erica D. Holder

COMMITTEE REP: Robert Schottler, Treasurer

Analyst placed phone call on February 1, 1995. Robert Schottler returned phone call on February 6, 1995. The treasurer stated that he had not filed the above mentioned reports because he did not have all of his contributors' information (occupation, employer, etc..). Analyst stated it would be best for him to file the reports with the information he does have, and when he receives the other information he can file an amendment. The treasurer affirmed the missing reports would be at the Commission on February 10, 1995.

96043742299



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

RQ-7

February 17, 1995

Robert J. Schottler, Treasurer
Fairfax County Democratic Committee
- Federal
8816 Skokie Lane
Vienna, VA 22182

Identification Number: C00277541

Reference: Year End Report (11/29/94-12/31/94)

Dear Mr. Schottler:

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 previously notified 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 its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR §§108.2, 108.3, 108.4).

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 Neil Evans on our toll-free number (800) 424-9530. Our local number is (202) 219-3580.

Sincerely,

A handwritten signature in dark ink, appearing to read "John D. Gibson".

John D. Gibson
Assistant Staff Director
Reports Analysis Division

MEMORANDUM TO FILES: DATE: March 20, 1995
 Telecon XX
 Visit

NAME OF THE COMMITTEE: Fairfax County Democratic Committee -
 Federal (c00277541)

SUBJECT: Non-Filing of 1994 Year-End Report (11/29/94-12/31/94)

FEC REP: Jacques P. Andre'

COMMITTEE REP: Robert Schottler, Treasurer

Analyst left message for treasurer on March 14, 1995, informing the Committee that the 1994 Year-End had not been filed, and that the Committee must file all delinquent reports no later than March 18, 1995. On March 20, 1995, the treasurer returned the analyst's call and stated that all reports would be mailed that afternoon. The analyst instructed the treasurer to put the reports to the analyst's attention on the envelope, and was also recommended to use either overnight or certified mail.

REPORT OF RECEIPTS AND DISBURSEMENTSFor Other Than An Authorized Committee
(Summary Page)4 OCTOBER QUARTERLY REPORT
ATTACHMENT 22

PAGE 1 of 2

MR. MAJOR E
Nov 22 1 40 PM '95

1. NAME OF COMMITTEE (in full)
Fairfax County Democratic Committee - Federal

ADDRESS (number and street) ☐ Check if different than previously reported
8816 Skokie Lane

CITY, STATE and ZIP CODE
Vienna VA 22182

2. FEC IDENTIFICATION NUMBER
C-00272541

3. ☒ This committee has qualified as a multicandidate committee. (see FEC FORM 1M)

4. TYPE OF REPORT

- (a) ☐ April 15 Quarterly Report
- ☐ July 15 Quarterly Report
- ☒ October 15 Quarterly Report
- ☐ January 31 Year End Report
- ☐ July 31 Mid Year Report (Non-election Year Only)
- ☐ Termination Report

Monthly Report Due On:

- ☐ February 20 ☐ June 20 ☐ October 20
- ☐ March 20 ☐ July 20 ☐ November 20
- ☐ April 20 ☐ August 20 ☐ December 20
- ☐ May 20 ☐ September 20 ☐ January 31

- ☐ 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 _____

(b) Is this Report an Amendment? ☐ YES ☐ NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period <u>7/1/94</u> through <u>9/30/94</u>		
6. (a) Cash on Hand January 1, 19 <u>94</u>		\$ <u>1410²⁶</u>
(b) Cash on Hand at Beginning of Reporting Period	\$ <u>5422⁰⁵</u>	
(c) Total Receipts (from Line 18)	\$ <u>10050⁴⁹</u>	\$ <u>33562³⁵</u>
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$ <u>15422⁵⁴</u>	\$ <u>34922²¹</u>
7. Total Disbursements (from Line 30)	\$ <u>8254⁵⁶</u>	\$ <u>22754⁷³</u>
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ <u>7217⁹⁸</u>	\$ <u>7217⁹⁸</u>
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	\$ <u>1672³⁶</u>	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/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.

Type or Print Name of Treasurer

Robert J Schettler

Signature of Treasurer

Robert J Schettler

Date

3/20/95For further information contact:
Federal Election Commission
905 E Street, NW
Washington, DC 20463
Toll Free 800-424-9539
Local 202-219-3420

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

FEC FORM 3X

(revised 1/93)

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Federal Election Commission
ENVELOPE REPLACEMENT PAGE
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☐ Other (Specify): POSTMARKED
and/or DATE OF RECEIPT

SLD
PREPARER

3-22-95
DATE PREPARED

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

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

JUL 14 11 55 AM '95

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

RAD Referral: 95NF-16
Date Activated: June 28, 1995
Staff Member: Andrea Low

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

RESPONDENTS: Fairfax County Democratic Committee--Federal
and Robert J. Schottler, as treasurer

RELEVANT STATUTES: 2 U.S.C. § 434(a)(1)
2 U.S.C. § 434(a)(4)(A)(i)
2 U.S.C. § 434(a)(4)(A)(iii)

INTERNAL REPORTS CHECKED: disclosure reports

FEDERAL AGENCIES CHECKED: none

I. GENERATION OF MATTER

The Office of General Counsel received the referral from the Reports Analysis Division ("RAD") on April 27, 1995. See Attachment 1. The basis for the referral is the failure of of the Fairfax County Democratic Committee -- Federal and Robert J. Schottler, as treasurer, ("Respondents") to timely file five Reports of Receipts and Disbursements covering the 1993-1994 election cycle.

II. FACTUAL AND LEGAL ANALYSIS

Based on the Factual and Legal Analysis, see Attachment 2, this Office recommends the Commission find reason to believe the respondents violated 2 U.S.C. §§ 434(a)(4)(A)(i) and 434(a)(4)(A)(iii).

96043742304

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

This Office also recommends that the Commission offer to enter into conciliation with the respondents prior to a finding of probable cause to believe. Attached for the Commission's approval is a proposed conciliation agreement (Attachment 3).

96043742303

96043742306

96043742307

IV. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe Fairfax County Democratic Committee--Federal and Robert J. Schottler, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i) and 434(a)(4)(A)(iii), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the attached Factual and Legal Analysis and conciliation agreement, and the appropriate letter.

Lawrence M. Noble
General Counsel

Date

7/14/95

BY:


Lois G. Lerner
Associate General Counsel

Attachments

1. Referral Materials
2. Factual and Legal Analysis
3. Proposed agreement

96043742308



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/LISA R. DAVIS *L.R.D.*
COMMISSION SECRETARY

DATE: JULY 18, 1995

SUBJECT: RAD REFERRAL #95NF-16 - FIRST GENERAL COUNSEL'S REPORT
DATED JULY 14, 1995.

The above-captioned document was circulated to the
Commission on FRIDAY, JULY 14, 1995 at 4:00 p.m.

Objection(s) have been received from the
Commissioner(s) as indicated by the name(s) checked below:

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner McDonald	<u>XXX</u>
Commissioner McGarry	_____
Commissioner Potter	_____
Commissioner Thomas	_____

This matter will be placed on the meeting agenda
for TUESDAY, JULY 25, 1995.

Please notify us who will represent your Division before
the Commission on this matter.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Fairfax County Democratic Committee--
Federal and Robert J. Schottler, as
treasurer.

)
)
) RAD Referral #95NF-16
)
)

MUR 4236

CERTIFICATION

I, Delores Hardy, recording secretary for the Federal Election Commission executive session on Tuesday, July 25, 1995, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions with respect to RAD Referral #95NF-16:

1. Open a MUR.
2. Find reason to believe Fairfax County Democratic Committee--Federal and Robert J. Schottler, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i) and 434(a)(4)(A)(iii), and enter into conciliation prior to a finding of probable cause to believe.

(continued)

Federal Election Commission
Certification for
RAD Referral #95NF-16
July 25, 1995

Page 2

3. Approve the Factual and Legal Analysis and conciliation agreement, and the appropriate letter, as recommended in the General Counsel's Report dated July 14, 1995

Commissioners Aikens, Elliott, McDonald, McGarry, and Thomas voted affirmatively for the decision; Commissioner Potter was not present.

Attest:

9604374231
July 26, 1995
Date

Delores Hardy
Delores Hardy
Administrative Assistant



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

July 28, 1995

Robert J. Schottler, Treasurer
Fairfax County Democratic
Committee--Federal
8816 Skokie Lane
Vienna, VA 22182

RE: MUR 4236
Fairfax County Democratic
Committee--Federal and
Robert J. Schottler, as treasurer

Dear Mr. Schottler:

On July 25, 1995, the Federal Election Commission found that there is reason to believe the Fairfax County Democratic Committee--Federal and you, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i) and 434(a)(4)(A)(iii), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's findings, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

In order to expedite the resolution of this matter, the Commission has also decided to offer to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. Enclosed is a conciliation agreement that the Commission has approved.

If you are interested in expediting the resolution of this matter by pursuing preprobable cause conciliation and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

Robert J. Schottler, Treasurer
Page 2

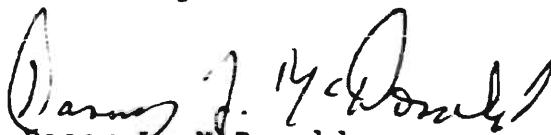
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Andrea Low, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,


Danny E. McDonald
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

96043742313

FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

MUR: 4236

RESPONDENTS: Fairfax County Democratic Committee--Federal
and Robert J. Schottler, as treasurer

This matter was generated based on information ascertained by the Federal Election Commission (the "Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2).

9604374
The Federal Election Campaign Act of 1971, as amended, (the "Act") requires each treasurer of a political committee to file reports of receipts and disbursements. 2 U.S.C. § 434(a)(1). In any calendar year in which a regularly scheduled general election is held, all political committees other than authorized committees of a candidate that choose not to file on a monthly basis shall file quarterly reports which shall be filed no later than the 15th day after the last day of each calendar quarter, except that the report for the quarter ending December 31 of such calendar year shall be filed no later than January 31 of the following calendar year. 2 U.S.C. § 434(a)(4)(A)(i). Furthermore, all political committees must file a post-general election report, which shall be filed no later than the 30th day after the general election and which shall be complete as of the 20th day after such general election. 2 U.S.C. § 434(a)(4)(A)(iii).

The Fairfax County Democratic Committee ("Committee") is a

political committee that is not authorized by any candidate. The Committee's 1994 April Quarterly Report was due on April 15, 1994. 2 U.S.C. § 434(a)(4)(A)(i). The Committee filed the 1994 April Quarterly Report, which disclosed receipts of \$13,800 and disbursements of \$8,387 on September 20, 1994, 158 days late. The Committee's 1994 July Quarterly Report was due July 15, 1994. 2 U.S.C. § 434(a)(4)(A)(i). The Committee filed the 1994 July Quarterly Report, which disclosed receipts of \$9,711 and disbursements of \$11,112 on September 28, 1994, 75 days late. The Committee's 1994 October Quarterly Report was due October 15, 1994. 2 U.S.C. § 434(a)(4)(A)(i). The Committee filed the October Quarterly Report, which disclosed receipts of \$10,050 and disbursements of \$8,254, on March 22, 1995, 158 days late.

The Committee's 1994 30-Day Post-General Report was due on December 8, 1994. 2 U.S.C. § 434(a)(4)(A)(iii). The Committee has not filed this report as of July 5, 1995 and is 209 days late. The Committee's 1994 Year End Report was due on January 31, 1995. 2 U.S.C. § 434(a)(4)(A)(i). The Committee has not filed this report as of July 5, 1995 and is 155 days late.

Based on the foregoing, there is reason to believe the Fairfax County Democratic Committee -- Federal and Robert J. Schottler, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i) and (iii).



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

SEP 13 9 57 AM '95

September 12, 1995

SENSITIVE

Mr. Robert J. Schottler
8816 Skokie Lane
Vienna, VA 22182

RE: MUR 4236
Fairfax County Democratic
Committee -- Federal
and Robert J. Schottler,
as treasurer

Dear Mr. Schottler:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, on July 25, 1995, the Federal Election Commission found reason to believe that the Fairfax County Democratic Committee -- Federal ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) and 2 U.S.C. § 434(a)(4)(A)(iii), and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that violations have 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.

Celebrating the Commission's 20th Anniversary

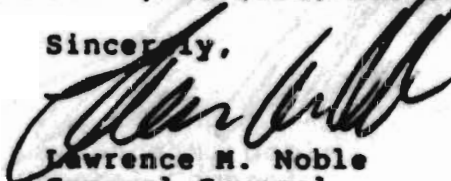
YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

96043742316

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 Andrea Low, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Brief

96043742317

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Fairfax County Democratic) MUR 4236
Committee -- Federal and)
Robert J. Schottler, as treasurer)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

This matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2). The Commission found reason to believe that the Fairfax County Democratic Committee -- Federal ("the Committee") and Robert J. Schottler, as treasurer ("Respondents") violated 2 U.S.C. § 434(a)(4)(A)(i) and 2 U.S.C. § 434(a)(4)(A)(iii).

II. ANALYSIS

The Federal Election Campaign Act of 1971, as amended, (the "Act") requires each treasurer of a political committee to file reports of receipts and disbursements. 2 U.S.C. § 434(a)(1). In any calendar year in which a regularly scheduled general election is held, all political committees other than authorized committees of a candidate that choose not to file on a monthly basis shall file quarterly reports which shall be filed no later than the 15th day after the last day of each calendar quarter, except that the report for the quarter ending December 31 of such calendar year shall be filed no later than January 31 of the following calendar year. 2 U.S.C. § 434(a)(4)(A)(i). Furthermore, all political committees must file a post-general election report, which shall be filed no later than the 30th day after the general election and

96043742318

which shall be complete as of the 20th day after such general election. 2 U.S.C. § 434(a)(4)(A)(iii).

The Fairfax County Democratic Committee ("Committee") is a political committee that is not authorized by any candidate. The Committee's 1994 April Quarterly Report was due on April 15, 1994. 2 U.S.C. § 434(a)(4)(A)(i). The Committee filed the 1994 April Quarterly Report, which disclosed receipts of \$13,800 and disbursements of \$8,387 on September 20, 1994, 158 days late. The Committee's 1994 July Quarterly Report was due July 15, 1994. 2 U.S.C. § 434(a)(4)(A)(i). The Committee filed the 1994 July Quarterly Report, which disclosed receipts of \$9,711 and disbursements of \$11,112 on September 28, 1994, 75 days late. The Committee's 1994 October Quarterly Report was due October 15, 1994. 2 U.S.C. § 434(a)(4)(A)(i). The Committee filed the October Quarterly Report, which disclosed receipts of \$10,050 and disbursements of \$8,254, on March 22, 1995, 158 days late.

The Committee's 1994 30-Day Post-General Report was due on December 8, 1994. 2 U.S.C. § 434(a)(4)(A)(iii). The Committee has not filed this report as of August 29, 1995 and is 264 days late. The Committee's 1994 Year End Report was due on January 31, 1995. 2 U.S.C. § 434(a)(4)(A)(i). The Committee has not filed this report as of August 29, 1995 and is 210 days late.

Based on the foregoing, the General Counsel recommends that the Commission find probable cause to believe that the Fairfax County Democratic Committee -- Federal and Robert J. Schottler, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) and 2 U.S.C. § 434(a)(4)(A)(iii).

96043742319

III. GENERAL COUNSEL'S RECOMMENDATION

Find probable cause to believe that the Fairfax County Democratic Committee -- Federal and Robert J. Schottler, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) and 2 U.S.C. § 434(a)(4)(A)(iii).

9/12/98
Date

Lawrence M. Noble
General Counsel

96043742320

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

OCT 11 11 50 AM '95

In the Matter of)
Fairfax County Democratic) MUR 4236
Committee -- Federal and)
Robert J. Schottler, as treasurer)

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On July 25, 1995, the Commission found reason to believe that the Fairfax County Democratic Committee -- Federal ("Committee") and Robert J. Schottler, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(4)(A)(i) and 2 U.S.C. § 434(a)(4)(A)(iii) by failing to timely file five Reports of Receipts and Disbursements covering the 1993-1994 election cycle. On September 12, 1995, Respondents were provided with the General Counsel's Brief in this matter which is incorporated herein by reference.

Respondents were notified by letter and by telephone that a response was due fifteen days after the receipt of the General Counsel's Brief. To date, no Reply Brief has been filed by Respondents.¹

For the reasons stated in our Brief, this Office recommends that the Commission find probable cause to believe that the Respondents violated 2 U.S.C. § 434(a)(4)(A)(i) and 2 U.S.C. § 434(a)(4)(A)(iii) and approve the attached conciliation

1. Since the finding of reason to believe, Respondents have repeatedly expressed a desire to respond to the Commission's proposals, but have failed to follow through. Telephone calls from staff of this Office have not been returned.

agreement.

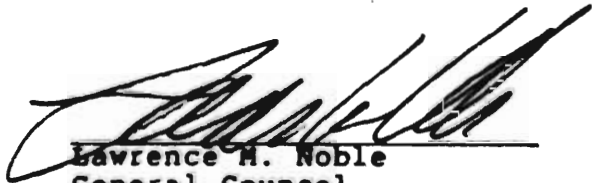
II. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

III. RECOMMENDATIONS

1. Find probable cause to believe that Fairfax County Democratic Committee -- Federal and Robert J. Schottler, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) and 2 U.S.C. § 434(a)(4)(A)(iii).
2. Approve the attached conciliation agreement and appropriate letter.

96043742322
Date

10/11/95


Lawrence M. Noble
General Counsel

Attachment:
Conciliation Agreement

Staff assigned: Andrea Low

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Fairfax County Democratic Committee --) MUR 4236
Federal and Robert J. Schottler, as)
treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 16, 1995, the Commission decided by a vote of 5-0 to take the following actions in MUR 4236:

1. Find probable cause to believe that Fairfax County Democratic Committee -- Federal and Robert J. Schottler, as treasurer violated 2 U.S.C. § 434(a)(4)(A)(i) and 2 U.S.C. § 434(a)(4)(A)(iii).
2. Approve the conciliation agreement and appropriate letter, as recommended in the General Counsel's Report dated October 11, 1995.

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

Attest:

10-16-95

Date

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

Received in the Secretariat: Wed., October 11, 1995 11:50 a.m.
Circulated to the Commission: Wed., October 11, 1995 4:00 p.m.
Deadline for vote: Mon., October 16, 1995 4:00 p.m.

bjr



FEDERAL ELECTION COMMISSION

Washington, DC 20463

October 20, 1995

Robert J. Schottler, Treasurer
Fairfax County Democratic -- Federal
8816 Skokie Lane
Vienna, VA 22182

RE: MUR 4236

Fairfax County Democratic Committee -- Federal and
Robert J. Schottler, as treasurer

Dear Mr. Schottler:

On October 16, 1995, the Federal Election Commission found that there is probable cause to believe that Fairfax County Democratic Committee -- Federal and you, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i) and 434(a)(4)(A)(iii), provisions of the Federal Election Campaign Act of 1971, as amended, by failing to timely file five Reports of Receipts and Disbursements covering the 1993-1994 election cycle.

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 ten days. I will then recommend that the Commission accept the agreement. Please make the check for the civil penalty payable to the Federal Election Commission.

Robert J. Schottler, Treasurer
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 Andrea Low, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

LM Noble (H2)

Lawrence M. Noble
General Counsel

Enclosure
Conciliation Agreement

96043742325

STATEMENT OF DESIGNATION OF COUNSEL

NAME _____

NAME OF COUNSEL: Mr Jay B. MyersonADDRESS: 11718 Bowman Green Dr
Dorton Va 22090TELEPHONE: 435-6391

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.

11-30-95
Date

Mark D. Stickle
Signature
Chair, Fairfax County Democratic Committee

RESPONDENT'S NAME: FAIRFAX COUNTY DEMOCRATIC COMMITTEEADDRESS: 7245 Arlington Blvd Suite 205
Falls Church, Va 22042

HOME PHONE: _____

BUSINESS PHONE: (703) 573-6811RECEIVED
GENERAL COUNSEL
OFFICE OF THE
COMMISSIONER
DEC 1 1 47 PM '95

96043742326

MUR 4310

COMPLAINT - FEBRUARY 21, 1996

96043742327

Fairfax County Republican Committee

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM



JAN 24 12 40 PM '96

4321 Markham Street • Annandale, Virginia 22003 • 703/256-0202

January 17, 1996

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

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
JAN 24 1 58 PM '96

Dear Sir:

The Washington Post and other local newspapers have recently reported that the Fairfax County Democrat Committee failed to file financial disclosure forms with either the State of Virginia Board of Elections or the Fairfax County Board of Elections, as they are legally required to do.

Complaints have been filed with the appropriate legal authorities with a request for prosecution.

As Chairman of the Fairfax County Republican Committee, we are also required under federal law to file financial disclosure forms with the FEC on federal elections, i.e., Presidential, Senate and Congress. The Fairfax County Republican Committee has made such FEC filings.

Could you advise me as to whether the Fairfax (Virginia) County Democrat Committee has filed financial disclosures over the past 2 years with FEC and, if so, how do I request copies. If they have not filed, please consider this as a formal request that their failure to file be investigated and that those responsible for the deliberate failure to file be fully prosecuted under federal statutes.

I await to hear from you.

Sincerely,

D. Patrick Mullins, Chairman
Fairfax County Republican Committee

DPM/cia

96043742328



FEDERAL ELECTION COMMISSION
Washington, DC 20463

January 29, 1996

D. Patrick Mullins, Chairman
Fairfax County Republican Committee
4321 Markham Street
Annadale, VA 22003

Dear Mr. Mullins:

This is to acknowledge receipt on January 24, 1996, of your letter dated January 17, 1996. The Federal Election Campaign Act of 1971, as amended ("the Act") and Commission Regulations require that the contents of a complaint meet certain specific requirements. One of these requirements is that a complaint be sworn to and signed in the presence of a notary public and notarized. Your letter did not contain a notarization on your signature and was not properly sworn to.

In order to file a legally sufficient complaint, you must swear before a notary that the contents of your complaint are true to the best of your knowledge and the notary must represent as part of the jurat that such swearing occurred. The preferred form is "Subscribed and sworn to before me on this ____ day of ____, 19__." A statement by the notary that the complaint was sworn to and subscribed before him/her also will be sufficient. We regret the inconvenience that these requirements may cause you, but we are not statutorily empowered to proceed with the handling of a compliance action unless all the statutory requirements are fulfilled. See 2 U.S.C. § 437g.

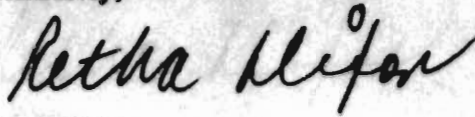
Enclosed is a Commission brochure entitled "Filing a Complaint." I hope this material will be helpful to you should you wish to file a legally sufficient complaint with the Commission.

Please note that this matter will remain confidential for a 15 day period to allow you to correct the defects in your complaint. If the complaint is corrected and refiled within the 15 day period, the respondents will be so informed and provided a copy of the corrected complaint. The respondents will then have an additional 15 days to respond to the complaint on the merits. If the complaint is not corrected, the file will be closed and no additional notification will be provided to the respondents.

96043742329

If you have any questions concerning this matter, please contact me at (202) 219-3410.

Sincerely,

A handwritten signature in cursive script, appearing to read "Retha Dixon".

Retha Dixon
Docket Chief

Enclosure

cc: Fairfax County Democratic Committee-Federal

96043742330

Fairfax County Republican Committee



4321 Markham Street • Annandale, Virginia 22003 • 703/256-0202

February 12, 1996

Retha Dixon
Document Chief
Federal Elections Commission
Office of the General Counsel
Washington, DC 20463

MUR 4310

Feb 21 3 17 PM '96

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Dear Ms. Dixon:

In December, the "Washington Post" and other newspapers in Virginia reported that the Fairfax County Democrat Committee had not made legally required financial disclosure filings with the Virginia Board of Elections for two years - 1994 and 1995.

The chairman of the County Democrat Committee admitted to the newspapers that these filings, required by law, had not been made.

Under Federal Election Laws the Fairfax County Democrat Committee is also required to file financial disclosure forms with FEC.

Based on the fact that the FCDC did not file proper forms in Virginia for two years, I have reason to believe that proper and legally required filings would also not have been made with FEC over that same two year period.

Please consider this as a formal complaint that the FEC determine whether the Fairfax County Democrat Committee has complied with FEC financial disclosure filings for the years 1993, 1994 and 1995.

If these filings have not been made as prescribed by Federal Statutes, then I request that the appropriate Fairfax County Democrat Committee officials be prosecuted for their failure to obey the filing statutes.

Sincerely,

D. Patrick Mullins, Chairman
Fairfax County Republican Committee

Subscribed and sworn to before me on this 20th day of February, 1996.

State of Virginia
County of Fairfax
Margaret M. Lane
Notary

My Commission Expires: 4/30/99



FEDERAL ELECTION COMMISSION
Washington, DC 20463

February 28, 1996

D. Patrick Mullins, Chairman
Fairfax County Republican Committee
4321 Markham Street
Annadale, VA 22003

RE: MUR 4310

Dear Mr. Mullins:

This letter acknowledges receipt on February 21, 1996, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). The respondent(s) will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 4310. Please refer to this number in all future communications. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosure
Procedures



FEDERAL ELECTION COMMISSION

Washington, DC 20463

February 28, 1996

Mark Heinitz, Treasurer
Fairfax County Democratic Committee - Federal
7245 Arlington Boulevard
Falls Church, VA 22042

RE: MUR 4310

Dear Mr. Heinitz:

The Federal Election Commission received a complaint which indicates that the Fairfax County Democratic Committee - Federal and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4310. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Fairfax County Democratic Committee - Federal and you, as treasurer, in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Alva E. Smith at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

96043742334

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Mar 15 8 09 AM '96
(703) 435-6391

Jay B. Myerson
ATTORNEY AT LAW
11718 Bowman Green Drive
Reston, Virginia 22090

(703) 435-4040(FAX)

March 14, 1996

BY FACSIMILE--(202) 219-3923

Mary L. Taksar, Esquire
Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 4310
Fairfax County Democratic Committee--Federal

Dear Ms. Taksar:

This letter is submitted in response to the Federal Election Commission's letter, dated February 28, 1996.

The instant complaint fails to state a sufficient basis for proceeding, relying solely on published reports concerning the failure to file state (rather than federal) reports.

In the event the Commission determines that the Complaint meets a minimal threshold, then the instant complaint should be merged into MUR 4236 which addresses the issues the Complainant failed to adequately allege.

Very truly yours,

Jay B. Myerson

JBM:fh

cc: Mr. Mark Heinitz
Mr. Mark Sickles

96043742335

96NF-01

REPORTS ANALYSIS REFERRAL - FEBRUARY 22, 1996

96043742336

REPORTS ANALYSIS REFERRAL**TO****OFFICE OF GENERAL COUNSEL****DATE:** February 22, 1996**ANALYST:** J.P. ANDRE'**I. COMMITTEE:**

Fairfax County Democratic Committee -
Federal (C00277541)
Mark Heinitz, Treasurer
(1/30/96 to Present)
Robert J. Schottler, Treasurer
(1/94 to 1/29/96)
7245 Arlington Boulevard
Falls Church, VA 22042

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

III. BACKGROUND:**Failure to Timely File the 1995 Mid-Year Report**

The Fairfax County Democratic Committee - Federal ("the Committee") has failed to timely file the 1995 Mid-Year Report of Receipts and Disbursements covering the period from January 1, 1995 to June 30, 1995. The Committee was notified on July 7, 1995 that the report was due on July 31, 1995 (Attachment 2). A Non-Filer Notice was sent to the Committee on August 17, 1995 (Attachment 3).

On September 12, 1995, the Reports Analysis Division ("RAD") analyst attempted to call the Committee and was unable to leave a message for the treasurer (Attachment 4).

The report was subsequently filed on February 1, 1996 (Attachment 5).

On February 14, 1996, Mr. Jay Myerson, legal counsel to the Committee, called the analyst to ask the current status of the Committee. The analyst informed Mr. Myerson that all reports had been filed, although the 1995 Mid-Year was very late (Attachment 6).

96043742337

FEDERAL ELECTION COMMISSION
1993-1996
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

DATE 22FEB96

PAGE 1

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES TYPE OF FILER	MICROFILM LOCATION
FAIRFAX COUNTY DEMOCRATIC COMMITTEE - FEDERAL CONNECTED ORGANIZATION: DEM STATE CENTRAL CMTTEE FED						
	1995 MID-YEAR REPORT	15,771	20,809	1JAN95 -30JUN95	9	96FEC/022/4510
	NOTICE OF FAILURE TO FILE			1JAN95 -30JUN95	2	95FEC/994/2857
	YEAR-END	12,603	10,813	1JUL95 -31DEC95	6	96FEC/022/4519
	1996 STATEMENT OF ORGANIZATION - AMENDMENT			1FEB96	3	96FEC/022/4507
	TOTAL	28,374	0	31,622	0	20 TOTAL PAGES

All Reports Have Been Reviewed.

Ending Cash-on-Hand as of 12/31/95: \$5690

Outstanding Debts Owed By the Committee as of 12/31/95: \$0

Outstanding Debts Owed to the Committee as of 12/31/95: \$0

96043742338

SEMI-ANNUAL REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

July 7, 1995

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
Mid-Year	01/01/95 - 06/30/95	07/31/95	07/31/95

WHO MUST FILE

Party committees and PACs (nonconnected committees and separate segregated funds) which normally file on a quarterly basis must file a Mid-Year Report in July.

INDEPENDENT EXPENDITURES

Any PAC that makes independent expenditures in connection with a special election may have to file a 24 hour report. This reporting requirement will be triggered if the committee makes independent expenditures aggregating \$1,000 or more after the 20th day, but more than 24 hours, before the election.

CHANGE IN FILING FREQUENCY

Committees wishing to change their reporting schedule (for example, from semiannual to monthly) must notify the Commission in writing when filing a report due under their current reporting schedule. Committees may change their filing frequencies no more than once per calendar year.

LABEL

Committees should affix the peel-off label from the envelope to Line 1 of the report. Corrections should be made on the label.

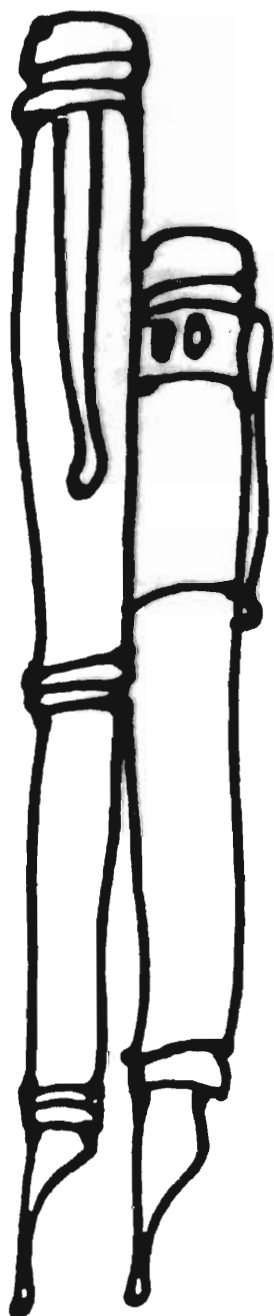
COMPLIANCE

Treasurers of political committees are responsible for filing all reports on time. Failure to do so is subject to enforcement action. Committees filing illegible reports or using non-FEC forms (except for FEC approved computer generated forms) will be required to refile.

*These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered.

**Reports sent by registered or certified mail must be postmarked by the mailing date; otherwise, they must be received by the filing date.

FOR INFORMATION, CALL: 800/424-9530 or 202/219-3420



60474239



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

RQ-7

August 17, 1995

Robert J. Schottler, Treasurer
 Fairfax County Democratic
 Committee-Federal
 8816 Skokie Lane
 Vienna, VA 22182

Identification Number: C00277541

Reference: 1995 Mid-Year Report (1/1/95-6/30/95)

Dear Mr. Schottler:

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 previously notified 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 its relevant portions should also be filed with the Secretary of State or equivalent state officer. 11 CFR §§108.2, 108.3, 108.4

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 J.P. Andre' on our toll-free number (800) 424-9530. Our local number is (202) 219-3580.

Sincerely,

John D. Gibson
 Assistant Staff Director
 Reports Analysis Division

95039842350

TELECON:

Analyst: Jacques P. Andre'

**Committee: Fairfax County Democratic Committee - Federal
C00277541**

Date: September 12, 1995

Analyst attempted to contact committee regarding the failure to file the 1995 Mid-Year. The analyst was unable to make contact with the committee.

9 6 0 4 3 7 4 2 3 4 1

FEB 1 2 46 PM '96

USE FEC MAILING LABEL
OR
TYPE OR PRINT

1. NAME OF COMMITTEE
Fairfax County Democratic Committee

ADDRESS (number and street) ☐ Check if different than previously reported
7245 Arlington Blvd

CITY, STATE and ZIP CODE
Falls Church, VA 22042

2. FEC IDENTIFICATION NUMBER
C00277541

3. ☐ This committee has qualified as a multicandidate committee. (see FEC FORM 1M)

4. TYPE OF REPORT

- (a) ☐ April 15 Quarterly Report
- ☐ July 15 Quarterly Report
- ☐ October 15 Quarterly Report
- ☐ January 31 Year End Report
- ☒ July 31 Mid Year Report (Non-election Year Only)
- ☐ Termination Report

Monthly Report Due On:

- | | | |
|--------------------------------------|---------------------------------------|--------------------------------------|
| ☐ February 20 | ☐ June 20 | ☐ October 20 |
| ☐ March 20 | ☐ July 20 | ☐ November 20 |
| ☐ April 20 | ☐ August 20 | ☐ December 20 |
| ☐ May 20 | ☐ September 20 | ☐ January 31 |

- ☐ 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 _____

(b) Is this Report an Amendment? ☐ YES ☒ NO

SUMMARY		COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period	<u>1/1/95</u> through <u>6/30/95</u>		
6. (a) Cash on Hand January 1, 19 <u>95</u>			\$ 8938
(b) Cash on Hand at Beginning of Reporting Period		\$ 8938	
(c) Total Receipts (from Line 19)		\$ 15,771	\$ 15,771
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)		\$ 24,709	\$ 24,709
7. Total Disbursements (from Line 30)		\$ 20,809	\$ 20,809
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))		\$ 3,900	\$ 3,900
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)		\$	For further information contact: Federal Election Commission 999 E Street, NW Washington, DC 20463 Toll Free 800-424-9530 Local 202-219-3420
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/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.

Type or Print Name of Treasurer
MARK HEINITZ, TREASURER

Signature of Treasurer
Mark Heinitz

Date
1/30/96

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

9: 6. 0, 4, 3, 7, 4, 2, 3, 5, 4, 20

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Federal Election Commission
**ENVELOPE REPLACEMENT PAGE
FOR INCOMING DOCUMENTS**

The Commission has added this page to the end of this filing to indicate how it was received.

☒ Hand Delivered

DATE OF RECEIPT

2/1/96

☐ First Class Mail

POSTMARKED

☐ Registered/Certified Mail

POSTMARKED

☐ No Postmark

☐ Postmark Illegible

☐ Received from the House Office of Records
and Registration

DATE OF RECEIPT

☐ Received from the Senate Office of Public
Records

DATE OF RECEIPT

☐ Other (Specify):

POSTMARKED

and/or DATE OF RECEIPT

MM
PREPARER

2/1/96
DATE PREPARED

96030224518

TELECOM:

Analyst: Jacques P. Andre'

Committee: Fairfax County Democratic Committee - Federal
C00277541

Date: February 14, 1996

Contact: Mr. Jay Myerson

Mr. Jay Myerson, legal counsel for the committee, called the analyst to inquire as to the current status of the committee. The analyst informed Mr. Myerson that both the 1995 Mid-Year and Year-End reports had been filed, although the Mid-Year was very late. The analyst also told Mr. Myerson that the committee had no outstanding letters regarding reporting problems for 1995.

96043742344

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION FR 10 11 29 Jul '96

SENSITIVE

In the Matter of)

Fairfax County Democratic Committee--Federal and)
Mark Heinitz, as treasurer)

MURs 4236, 4310, and
RAD Referral # 96NF-01

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On October 16, 1995, the Commission found probable cause to believe that the Fairfax County Democratic Committee -- Federal ("Committee") and Robert J. Schottler, as treasurer, ("Respondents") violated 2 U.S.C. §§ 434(a)(4)(A)(i) and 434(a)(4)(A)(iii) by failing to file timely five disclosure reports during the 1994 election year.

II. STATUS OF CONCILIATION NEGOTIATIONS

d

This Office believes that a resolution of this matter addressing the initial reporting violations, the latest reporting violation at issue in RAD Referral #96NF-01, as well as the complaint on the same issues would be appropriate.

The late filing of the 1995 Mid-Year Report which is the subject of RAD Referral #96NF-01 was not included in the General Counsel's Brief or the Commission's probable cause findings. The Act requires that in a year in which no regularly scheduled general election is held, committees not authorized by a candidate file a Mid-Year Report covering activity from January 1 through June 30 and that the Mid-Year report be filed no later than July 31. 2 U.S.C. § 434(a)(4)(A)(iv). As the Referral indicates, Respondents failed to file the 1995 Mid-Year Report reflecting \$15,771 in receipts and \$20,809 in disbursements until February 1, 1996, 185 days late. Accordingly, this Office recommends that the Commission find reason to believe that Fairfax County Democratic Committee -- Federal and Mark Heinitz, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv).¹ In addition, in order to expedite the 1996 RAD Referral and consolidate these issues, this Office recommends that the Commission merge RAD Referral #96NF-01 into MUR 4236, and hereafter refer to this matter as MUR 4236. As part of a consolidated resolution, this Office recommends the Commission enter into pre-probable cause conciliation with respect to this new violation.

¹ As noted earlier, the Committee replaced Mr. Schottler as treasurer on February 1, 1996, i.e., after the Commission's probable cause finding late last year. The Committee's current treasurer is Mr. Heinitz. The new reason to believe finding regarding the 1995 Mid-Year Report thus is made with respect to Mr. Heinitz. However, no findings of probable cause have been made with respect to Mr. Heinitz as treasurer. Under the Commission's treasurer policy, to include Mr. Heinitz in any civil suit with respect to the probable cause findings, this Office would be required to rebrief the matter and put new probable cause recommendations before the Commission. If the matter is susceptible to a conciliated resolution however, there is no barrier to including the new treasurer in the conciliation agreement. To avoid further delay in the matter, this Office has done so, with the recognition that should the Commission be required to bring suit with respect to this matter, it could do so only against the committee itself.

9 6 0 4 3 7 4 2 3 4 6

9 6 0 4 3 7 4 2 3 4 7

As noted, the complaint in MUR 4310, filed February 21, 1996, involves the same issues as in this matter, i.e., the Committee's failure to timely file reports. On March 15, 1996, counsel faxed a reply to MUR 4310 stating that the complaint failed to state a sufficient basis for

proceeding, but in the event the Commission decides to pursue this complaint, requesting that the complaint be merged into MUR 4236. Attachment 2. To address the new complaint (rather than allow it to close in the ordinary course in CED), this Office recommends the Commission pursue MUR 4310, merge it with MUR 4236 and so notify the Respondents.

IV. DISCUSSION OF COUNTERPROPOSAL

9 6 0 4 3 7 4 2 3 4 8

9 6 0 4 3 7 4 2 3 4 9

9 6 0 4 3 7 4 2 3 5 0

V. **RECOMMENDATIONS**

Merge RAD Referral #96NF-01 into MUR 4236, and hereafter refer to this matter as MUR 4236.

Find reason to believe the Fairfax County Democratic Committee -- Federal and Mark Heinitz, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv) and enter into conciliation prior to a finding of probable cause to believe as to this violation.

Merge MUR 4310 into MUR 4236, and hereafter refer to this matter as MUR 4236.

Approve the attached proposed Conciliation Agreement with Fairfax County Democratic Committee -- Federal and Mark Heinitz, as treasurer.

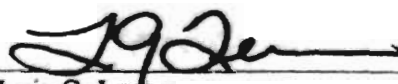
Approve the appropriate letters.

Lawrence M. Noble
General Counsel

Date

4/8/96

By:


Lois G. Leiner
Associate General Counsel

Attachments:

Washington Post article dated November 30, 1995.

Proposed Conciliation Agreement.
Counsel's Response dated 3/14/96.

Staff Assigned: Jonathan Bernstein
Deborah Rice

96043742351

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Fairfax County Democratic Committee --
Federal and Mark Heinitz, as
treasurer.

)
)
) MURs 4236, 4310, and
) RAD Referral
) #96NF-01

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 15, 1996, the Commission decided by a vote of 5-0 to take the following actions in MURs 4236, 4310, and RAD Referral #96NF-01:

Merge RAD Referral #96NF-01 into MUR 4236, and hereafter refer to this matter as MUR 4236.

Find reason to believe the Fairfax County Democratic Committee -- Federal and Mark Heinitz, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv) and enter into conciliation prior to a finding of probable cause to believe as to this violation.

Merge MUR 4310 into MUR 4236, and hereafter refer to this matter as MUR 4236.

(continued)

96043742352

Federal Election Commission
Certification for MURs 4236, 4310,
and RAD Referral #96NF-01
April 15, 1996

Page 2

Approve the proposed Conciliation Agreement
with Fairfax County Democratic Committee --
Federal and Mark Heinitz, as treasurer, as
recommended in the General Counsel's Report
dated April 8, 1996.

Approve the appropriate letters, as
recommended in the General Counsel's Report
dated April 8, 1996.

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

Attest:

4/15/96
Date

Marjorie W. Emons
Marjorie W. Emons
Secretary of the Commission

Received in the Secretariat: Wed., April 10, 1996 11:29 a.m.
Circulated to the Commission: Wed., April 10, 1996 4:00 p.m.
Deadline for vote: Mon., April 15, 1996 4:00 p.m.

mwd

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 18, 1996

**Jay B. Myerson, Esq.
Attorney At Law
11718 Bowman Green Drive
Reston, Virginia 22090**

**RE: MUR 4236
Fairfax County Democratic Committee--Federal
and Mark Heinitz, as treasurer**

Dear Mr. Myerson:

On April 15, 1996, the Federal Election Commission

MUR 4310 and merged it with MUR 4236. In an attempt to resolve these issues expeditiously,
the Commission approved the attached Conciliation Agreement. **considered**

If you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the initial payment of the civil penalty, to the Commission. Please make your check payable to the Federal Election Commission.

Celebrating the Commission's 20th Anniversary

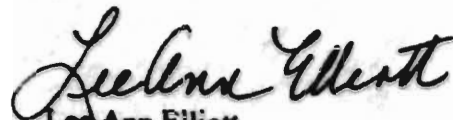
**YESTERDAY TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED**

96043742354

Jay B. Myerson, Esq.
Page 2

If you have any questions, please contact Holly J. Baker, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

A handwritten signature in cursive script, reading "Lee Ann Elliott".

Lee Ann Elliott
Chairman

Enclosure
Conciliation Agreement

9 6 0 4 3 7 4 2 3 5 5

RECEIVED
FEDERAL ELECTION COMMISSION
JUN 20 1 00 PM '03

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

) MUR 4236

Fairfax County Democratic Committee --)

Federal, and Mark Heinitz, as treasurer)

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Mark Sickles, Chairman of the Fairfax County Democratic Committee -- Federal.

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II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with Fairfax County Democratic Committee -- Federal, and Mark Heinitz, as treasurer.
2. Close the file.
3. Approve the appropriate letters.

Lawrence M. Noble
General Counsel

Date

6/19/96

BY:


Lois G. Lerner
Associate General Counsel

Attachments

1. Conciliation Agreement
2. Photocopy of civil penalty check

Attorney Assigned: Holly J. Baker

96043742357

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Fairfax County Democratic Committee--)
Federal, and Mark Heinitz, as treasurer.)

MUR 4236

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 25, 1996, the Commission decided by a vote of 5-0 to take the following actions in MUR 4236:

1. Accept the conciliation agreement with the Fairfax County Democratic Committee -- Federal, and Mark Heinitz, as treasurer, as recommended in the General Counsel's Report dated June 19, 1996.
2. Close the file.
3. Approve the appropriate letters, as recommended in the General Counsel's Report dated June 19, 1996.

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

Attest:

6-25-96
Date

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

Received in the Secretariat: Thurs., June 20, 1996 1:32 p.m.
Circulated to the Commission: Thurs., June 20, 1996 4:00 p.m.
Deadline for vote: Tues., June 25, 1996 4:00 p.m.

lrd

96043742358



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA FACSIMILE
(703) 435-4043

July 1, 1996

Jay B. Myerson, Esq.
11718 Bowman Green Dr.
Reston, VA 22090

RE: MUR 4236
Fairfax County Democratic Committee --
Federal and Mark Heinitz, as treasurer

Dear Mr. Myerson:

It has come to my attention that in retyping the conciliation agreement in the above captioned matter to accommodate the language changes you requested, I made a typographical error in the date appearing at IV.10. Instead of November 29, 1995, the date appears as November 29, 1994 in the agreement that your clients signed.

Enclosed is a corrected copy of page 3 of the conciliation agreement. If you agree to this change, please fax me your agreement in writing at (202) 219-3923. We will then be able to proceed to closing this matter.

If you have any questions, please call me at (202) 219-3400.

Sincerely,

Holly J. Baker
Attorney

96043742359

Jay B. Myerson
ATTORNEY AT LAW
11718 Bowman Green Drive
Reston, Virginia 22090

(703) 435-6391

(703) 435-4043[FAX]

July 2, 1996

BY FACSIMILE--(202) 219-3923

Holly J. Baker, Esquire
Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Jul 3 8 34 AM '96

Re: MUR 4236
Fairfax County Democratic Committee--Federal
and Robert J. Schottler, as treasurer

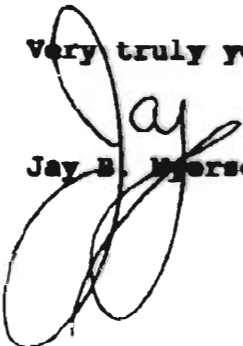
Dear Ms. Baker:

This letter is in response to your letter, dated July 1, 1996, in which you noted a typographical error and requested my approval of insertion of a corrected page.

This letter confirms my approval of insertion of the corrected page.

With this approval, I trust that this matter will now be swiftly closed.

Very truly yours,


Jay B. Myerson

JBM:fh
cc: Mark Sickles

96043742360

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
FEDERAL ELECTION
COMMISSION
CLERK TRIAT

JUL 5 10 41 AM '96

SENSITIVE

MUR 4236

In the Matter of)
)
Fairfax County Democratic Committee --)
Federal, and Mark Heinitz, as treasurer)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

In the General Counsel's Report dated June 19, 1996, this Office circulated a Conciliation Agreement that had been signed by the Respondents and recommended that the Commission accept that Agreement and close the file. The Commission approved the General Counsel's recommendations on a vote of 5-0 on June 25, 1996. Commissioner Thomas noted on his vote sheet that there was an error in one of the dates appearing at IV.10 of the Agreement. Whereas the date appears as "November 29, 1994, 351 days late," it should read "November 29, 1995, 351 days late."

This Office forwarded a correction to the Respondents and sought their agreement in substituting the corrected page for the one where the error occurred. Attachment 1. Counsel for Respondents agreed to that change by fax received on July 3, 1996. Attachment 2.

This Office recommends that the Commission re-open the file, approve the attached Conciliation Agreement, and close the file.

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II. RECOMMENDATIONS

1. Re-open the file.
2. Approve the attached Conciliation Agreement.
3. Approve the appropriate letters.
4. Close the file.

Lawrence M. Noble
General Counsel

Date July 3, 1996

BY:

Lois G. Lerner by AAS
Lois G. Lerner
Associate General Counsel

Attachments

1. Letter to Respondents
2. Respondents' agreement
3. Conciliation Agreement

Staff Assigned: Holly J. Baker

96043742362

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Fairfax County Democratic Committee--)
Federal, and Mark Heinitz, as)
treasurer.)

MUR 4236

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 10, 1996, the Commission decided by a vote of 5-0 to take the following actions in MUR 4236:

1. Re-open the file.
2. Approve the Conciliation Agreement, as recommended in the General Counsel's Report dated July 3, 1996.
3. Approve the appropriate letters, as recommended in the General Counsel's Report dated July 3, 1996.
4. Close the file.

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

Attest:

7-10-96
Date

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

Received in the Secretariat: Fri., July 05, 1996 10:41 a.m.
Circulated to the Commission: Fri., July 05, 1996 12:00 p.m.
Deadline for vote: Wed., July 10, 1996 4:00 p.m.

bjr

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 11, 1996

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

D. Patrick Mullins, Chairman
Fairfax County Republican Committee
4321 Markham St.
Annandale, VA 22003

RE: MUR 4236
Fairfax County Democratic Committee --
Federal and Mark Heinitz, as treasurer

Dear Mr. Mullins:

This is in reference to the complaint you filed with the Federal Election Commission on February 21, 1996, concerning the filing of the disclosure reports of the Fairfax County Democratic Committee -- Federal.

Your complaint was designated MUR 4310. On April 15, 1996, the Commission merged MUR 4310 with MUR 4236, a MUR that dealt with the same issues alleged in your complaint. Prior to your filing a complaint, the Commission had already found on October 16, 1995 that there was probable cause to believe that the Fairfax County Democratic Committee -- Federal and its treasurer violated 2 U.S.C. §§ 434(a)(4)(A)(i) and 434(a)(4)(A)(iii), provisions of the Federal Election Campaign Act of 1971, as amended. On July 10, 1996, a conciliation agreement signed by the respondents was accepted by the Commission, thereby concluding the matter. Accordingly, the Commission closed the file in this matter on July 10, 1996. A copy of this agreement is enclosed for your information.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,


Holly J. Baker
Attorney

Enclosure
Conciliation Agreement

96043742364



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 11, 1996

Jay B. Myerson, Esq.
11718 Bowman Green Dr.
Reston, VA 22090

RE: MUR 4236
Fairfax County Democratic Committee --
Federal and Mark Heinitz, as treasurer

Dear Mr. Myerson:

On July 10, 1996, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your clients' behalf in settlement of violations of 2 U.S.C. §§ 434(a)(4)(A)(i), 434(a)(4)(A)(iii), and 434(a)(4)(A)(iv), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

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

96043742365

Jay B. Myerson, Esq.
Page 2

Enclosed you will find a copy of the fully executed conciliation agreement for your files.
If you have any questions, please contact me at (202) 219-3400.

Sincerely,



Holly J. Baker
Attorney

Enclosure
Conciliation Agreement

96043742366

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Fairfax County Democratic) MUR 4236
Committee--Federal and)
Mark Heinitz, as treasurer)

CONCILIATION AGREEMENT

9 6 0 4 3 7 4 2 3 6 7
This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Thereafter, the Commission received a signed, sworn, and notarized complaint by D. Patrick Mullins and the Fairfax County Republican Committee, which has been merged into this matter. The Commission found probable cause to believe that the Fairfax County Democratic Committee -- Federal and its treasurer ("Respondents") violated 2 U.S.C. §§ 434(a)(4)(A)(i) and 434(a)(4)(A)(iii), and found reason to believe that Respondents violated 2 U.S.C. § 434(a)(4)(A)(iv).

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation, 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. The Fairfax County Democratic Committee-- Federal ("Committee") is a political committee within the meaning of 2 U.S.C. § 431(4). The Committee is not authorized by any candidate.

2. Mark Heinitz is the treasurer of the Fairfax County Democratic Committee -- Federal.

3. Robert J. Schottler was the treasurer of the Committee through November 30, 1995.

4. The Federal Election Campaign Act of 1971, as amended (the "Act") requires that in a calendar year in which there is a regularly scheduled general election, political committees not authorized by a candidate which choose to file quarterly reports, shall file a disclosure report no later than 15 days after the close 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.

2 U.S.C. § 434(a)(4)(A)(i).

5. The Act additionally requires political committees not authorized by a candidate to file a post-general election report covering the period through the 20th day after such election, no later than the 30th day after the general election. 2 U.S.C. § 434(a)(4)(A)(iii).

6. The Act also requires that in a calendar year in which there is no regularly scheduled general election, political committees other than committees authorized by a candidate shall file a mid-year report covering the period beginning January 1 and ending June 30, which shall be filed no later than July 31. 2 U.S.C. § 434(a)(4)(A)(iv).

96043742368

7. The Committee's 1994 April Quarterly Report was due on April 15, 1994. The Committee filed the 1994 April Quarterly Report, which disclosed receipts of \$13,800 and disbursements of \$8,387, on September 20, 1994, 158 days late.

8. The Committee's 1994 July Quarterly Report was due on July 15, 1994. The Committee filed the 1994 July Quarterly Report, which disclosed receipts of \$9,711 and disbursements of \$11,112, on September 28, 1994, 75 days late.

9. The Committee's 1994 October Quarterly Report was due on October 15, 1994. The Committee filed the 1994 October Quarterly Report, which disclosed receipts of \$10,050 and disbursements of \$8,254, on March 22, 1995, 158 days late.

10. The Committee's 1994 30-Day Post-General Report was due on December 8, 1994. The Committee filed the 1994 30-Day Post -General Report, which disclosed receipts of \$11,398 and disbursements of \$1,281 on November 29, 1995, 351 days late.

11. The Committee's 1994 Year End Report was due on January 31, 1995. The Committee filed the 1994 Year End Report, which disclosed receipts of \$5,267 and disbursements of \$13,663 on November 29, 1995, 299 days late.

12. The Committee's 1995 Mid Year Report was due on July 31, 1995. The Committee filed the 1995 Mid Year Report which disclosed receipts of \$15,771 and disbursements of \$20,809 on February 1, 1996, 181 days late.

13. Prior to November 30, 1995, Mr. Schottler did not inform any officer of the Committee that he had failed to timely file reports with the Commission

14. Respondents contend that the violations set forth herein were not knowing and willful.

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V. Respondents did not file timely reports, in violation of 2 U.S.C. §§ 434(a)(4)(A)(i) , 434(a)(4)(A) (iii), and 434(a)(4)(A)(iv).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Seven Thousand Dollars (\$7,000), due with the signed conciliation agreement 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 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

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

96043742370

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

6/28/96

FOR THE RESPONDENTS:


Name
Position Chairman

Date

6-12-96

9604374231

5758

FAIRFAX COUNTY DEMOCRATIC COMMITTEE

PAY
TO THE
ORDER OF

FEDERAL ELECTION COMMISSION

6/17 1996

99-11113
500

\$7,000.00

SEVEN THOUSAND

DOLLARS



FIRST VIRGINIA BANK
SERVING NORTHERN VIRGINIA
FALLS CHURCH, VIRGINIA 22042

FOR

Paul Rife

96043742312



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4336/4310

DATE FILMED 8/8/96 CAMERA NO. 2

CAMERAMAN S.E.G.

96043742373