



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4715

DATE FILMED 10-10-58 CAMERA NO. 2

CAMERAMAN Jm H

98043901039

REPORTS ANALYSIS REFERRAL  
TO  
OFFICE OF GENERAL COUNSEL

DATE: May 23, 1997

ANALYST: Robert M. Yap

- I. COMMITTEE: People for Mike Curran for Congress  
(C00314682)  
Scott Watkins, Treasurer  
3695 South 6th Street Road  
Springfield, IL 62703
- II. RELEVANT STATUTE: 2 U.S.C. §434(a)(2)(A)(ii)  
11 CFR §104.5(a)(1)(ii)(A)
- III. BACKGROUND:

Failure to File a Required Report of Receipts and Disbursements

The People for Mike Curran for Congress committee ("the Committee") has failed to file the 1996 30 Day Post-General Report of Receipts and Disbursements covering the period from October 17, 1996 to November 25, 1996. Prior Notice was sent on September 30, 1996 informing the Committee that the report was due on December 5, 1996 (Attachment 2). A Reminder Notice was sent on November 8, 1996, informing the Committee a second time that the report was due on December 5, 1996 (Attachment 3). A Non-Filer Notice was sent via mailgram on December 23, 1996 for failure to file the 30 Day Post-General Report (Attachment 4). The mailgram informed the Committee that failure to file the report might result in audit or legal enforcement action.

On January 30, 1997, after leaving several voice mail messages, the Reports Analysis Division ("RAD") analyst spoke with Mike Curran, the candidate, about the filing status of the 30 Day Post-General Report. Mr. Curran assured the analyst that the treasurer would file the report as soon as possible (Attachment 5).

On March 10, 1997, after leaving another voice mail message, the analyst spoke with Mr. Curran a second time about the filing status of the 30 Day Post-

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General Report. Mr. Curran stated that he would contact his treasurer and instruct him to file the report immediately (Attachment 6).

On March 25, 1997, the analyst informed Mr. Curran that the 30 Day Post-General Report still has not been filed. Mr. Curran told the analyst that he spoke with the treasurer, Scott Watkins, and instructed him to file the report. Mr. Curran also provided the analyst with additional phone numbers for Scott Watkins (Attachment 7).

On March 26, 1997, the analyst left a message for Scott Watkins concerning the filing status of the 1996 30 Day Post-General Report. On April 4, 1997 and April 7, 1997, the analyst attempted to contact Scott Watkins. Both attempts, however, were unsuccessful (Attachment 8).

The 1996 30 Day Post-General Report has not been filed as of this date.

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CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
			PRIMARY	GENERAL	PRIMARY	GENERAL			
CURRAN, MICHAEL D	HOUSE 18	DEMOCRATIC PARTY			ILLINOIS		1996 ELECTION	ID# H61L18070	
1. STATEMENT OF CANDIDATE									
1996 STATEMENT OF CANDIDATE							4MAR96	2	96HSE/594/3629
2. PRINCIPAL CAMPAIGN COMMITTEE									
PEOPLE FOR MIKE CURRAN FOR CONGRESS							ID #C00314682	HOUSE	
1996 48 HOUR CONTRIBUTION NOTICE							4MAR96	2	96HSE/594/3675
STATEMENT OF ORGANIZATION							5MAR96	2	96HSE/594/5032
48 HOUR CONTRIBUTION NOTICE							11MAR96	2	96HSE/595/2752
48 HOUR CONTRIBUTION NOTICE							12MAR96	2	96HSE/595/2882
48 HOUR CONTRIBUTION NOTICE							24OCT96	2	96FEC/112/3801
48 HOUR CONTRIBUTION NOTICE							26OCT96	2	96FEC/120/1101
48 HOUR CONTRIBUTION NOTICE							30OCT96	2	96FEC/122/3222
PRE-PRIMARY			6,600		6,466		1JAN96 -28FEB96	7	96HSE/595/3371
REQUEST FOR ADDITIONAL INFORMATION							1JAN96 -28FEB96	3	96FEC/042/3523
REQUEST FOR ADDITIONAL INFORMATION 2ND							1JAN96 -28FEB96	4	96FEC/049/4060
APRIL QUARTERLY				35,550		20,603	1JAN96 -30MAR96	10	96HSE/603/0792
REQUEST FOR ADDITIONAL INFORMATION							1JAN96 -30MAR96	3	96FEC/052/4606
REQUEST FOR ADDITIONAL INFORMATION 2ND							1JAN96 -30MAR96	4	96FEC/055/3394
JULY QUARTERLY				21,482		28,357	1APR96 -30JUN96	12	96HSE/616/2333
OCTOBER QUARTERLY				53,227		51,546	1JUL96 -30SEP96	13	96FEC/107/3423
NOTICE OF FAILURE TO FILE							1JUL96 -30SEP96	2	96FEC/121/3660
PRE-GENERAL				4,957		6,391	1OCT96 -16OCT96	8	96FEC/119/1679
1ST LETTER INFORMATIONAL NOTICE							1OCT96 -16OCT96	2	96FEC/161/4555
NOTICE OF FAILURE TO FILE							17OCT96 -25NOV96	1	96FEC/163/4560
NOTICE OF FAILURE TO FILE							31DEC96	2	97FEC/187/4163
TOTAL			6,600	115,216	6,466	106,897		85	TOTAL PAGES
3. AUTHORIZED COMMITTEES									
4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN									

All reports have been reviewed.

Cash on Hand as of 10/16/96: \$8,317.44

Debts and Obligations owed to the Committee as of 10/16/96: \$0

Debts and Obligations owed by the Committee as of 10/16/96: \$8,500.00



# GENERAL ELECTION REPORT NOTICE

## FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES

September 30, 1996

### 1996 GENERAL ELECTION CANDIDATE COMMITTEES

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
Pre-General	10/01/96 - 10/16/96	10/21/96	10/24/96
-----48 Hour Notices-----			
Post-General	10/17/96 - 11/25/96	12/05/96	12/05/96

#### WHO MUST FILE

All 1996 general election principal campaign committees of congressional candidates (including unopposed candidates) who seek election in the November 5, 1996, General Election must file the Pre- and Post-General Election Reports. If the campaign has an authorized committee(s), in addition to the principal campaign committee, the principal campaign committee must also file a consolidated report on Form 32 and attach the report(s) of the authorized committee(s).

#### 48 HOUR NOTICES ON CONTRIBUTIONS

Notices are required if the committee receives contributions (including in-kind gifts or advances of goods or services; loans from the candidate or other non-bank sources; and guarantees or endorsements of loans to the candidate or committee) of \$1,000 or more, during the period October 17 through November 2.

The notices must reach the appropriate federal and state filing offices within 48 hours of the committee's receipt of the contribution(s). U.S. House candidates faxing 48-hour notices should transmit them to the FEC at 202/219-0174. Senate candidates should transmit them to the Secretary of the Senate at 202/224-1851. Note that 48-hour notices are the only FEC documents that may be faxed.

#### 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 and, if applicable, before the individual became a candidate.

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

FOR INFORMATION, CALL: 800/424-9536 or 202/219-3420

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**GENERAL ELECTION**

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**REPORT NOTICE**

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FEDERAL ELECTION COMMISSION

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REMINDER

REMINDER

REMINDER

November 8, 1996

All principal campaign committees of congressional candidates (including unopposed candidates) who sought election in the General Election must file a Post-General Election Report. Reports sent by registered or certified mail must be postmarked by the mailing date (December 5, 1996); otherwise, they must be received by the filing date (December 5, 1996). FEC Form 3 is enclosed.

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RQ-7

(This is a copy of the text of a mailgram sent to the committee listed below on December 23, 1996)

Scott B. Watkins, Treasurer  
People For Mike Curran For Congress  
3695 South 6th Street Road  
Springfield, IL 62703

Identification Number: C00314682

Reference: 30 Day Post-General Report (10/17/96-11/25/96)

Dear Mr. Watkins:

It has come to the attention of the Federal Election Commission that you may have failed to file the 30 Day Post-General Report of receipts and expenditures as required by the Federal Election Campaign Act, as amended. You were previously notified of the due date of this report.

It is important that you file this report immediately with the Federal Election Commission, 999 E Street, NW, Washington, DC 20463 for House candidates or the Secretary of the Senate, Office of Public Records, 232 Hart Senate Office Building, Washington, DC 20510, for Senate candidates. A copy of the report should also be filed with the appropriate Secretary of State or equivalent state officer (see 11 CFR §108.2).

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

If you have any questions regarding this matter, please contact us on our toll free number (800-424-9530 or on our local number 202-219-3580.

Sincerely,

John D. Gibson  
Assistant Staff Director  
Reports Analysis Division

98043901045

TELECON

DATE: January 13, 1997 through January 30, 1997

NAME OF COMMITTEE: People for Mike Curran for Congress

SUBJECT: Failure to File the 1996 Thirty Day Post-General Report

FEC REP: Robert M. Yap

COMMITTEE REP: Scott Watkins / Mike Curran

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On January 13, 1997, the analyst left a voice mail message for the treasurer, Scott Watkins, concerning the filing status of the 1996 Thirty Day Post-General Report.

On January 21 and 27, 1997, the analyst left voice mail messages for Mike Curran, the candidate, concerning the filing status of the 1996 Thirty Day Post-General Report.

On January 30, 1997, the candidate, Mike Curran, contacted the analyst in response to the messages left on January 21 and 27, 1997. Mr. Curran stated that he would instruct his treasurer to file the 1996 Thirty Day Post-General Report immediately.

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TELECON

DATE: February 13, 1997 through March 10, 1997  
NAME OF COMMITTEE: People for Mike Curran for Congress  
SUBJECT: Failure to File the 1996 Thirty Day Post-General Report  
FEC REP: Robert M. Yap  
COMMITTEE REP: Scott Watkins / Mike Curran

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On February 13, 1997, the analyst left a voice mail message for the treasurer, Scott Watkins, regarding the filing status of the 1996 Thirty Day Post-General Report.

On March 10, 1997, the analyst contacted Mike Curran, the candidate, to inquire about the 1996 Thirty Day Post-General Report. Mr. Curran stated that he would contact his treasurer again and instruct him to file the report.

98043901047

TELECON

DATE: March 25, 1997

SUBJECT: Failure to File the 1996 Thirty Day  
Post-General Report

NAME OF COMMITTEE: People for Mike Curran for Congress

FEC REP: Robert M. Yap

COMMITTEE REP: Scott Watkins / Mike Curran

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On March 25, 1997, the analyst spoke with Mr. Curran about the filing status of the 1996 Thirty Day Post-General Report. Mr. Curran told the analyst that he spoke with his treasurer and instructed him to file the report. At the request of the analyst, Mr. Curran provided two (2) additional phone numbers for the treasurer, Scott Watkins.

On March 26, 1997, the analyst left a message for the treasurer, Scott Watkins, concerning the filing status of the 1996 Thirty Day Post-General Report.

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TELECON

DATE: April 4, 1997 through April 7, 1997

SUBJECT: Failure to File the 1996 Thirty Day Post-General Report

NAME OF COMMITTEE: People for Mike Curran for Congress

FEC REP: Robert M. Yap

COMMITTEE REP: Scott Watkins / Mike Curran

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On April 4, 1997 and April 7, 1997, the analyst called Scott Watkins to inquire about the filing status of the 1996 Thirty Day Post-General Report. Both attempts, however, were unsuccessful.

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RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

JAN 28 10 17 AM '98

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

**SENSITIVE**

**FIRST GENERAL COUNSEL'S REPORT**

RAD REFERRAL: 97NF-21  
DATE ACTIVATED: 11/14/97

STAFF MEMBER: Tamara K. Kapper

SOURCE: INTERNALLY GENERATED

RESPONDENTS: People for Mike Curran for Congress and Scott Watkins, as treasurer

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

INTERNAL REPORTS CHECKED: Disclosure Reports  
Referral Material

FEDERAL AGENCIES CHECKED: None

**I. GENERATION OF MATTER**

The Office of the General Counsel received a referral from the Reports Analysis Division ("RAD") on May 27, 1997. The basis of the referral is the failure of the People for Mike Curran for Congress and Scott Watkins, as treasurer, ("Curran Committee") to file their 1996 30 Day Post-General Report.<sup>1</sup>

<sup>1</sup> RAD did not include the non-filing of the 1996 Year End Report in its analysis for the basis of this referral. However, this Office is including the non-filing of the 1996 Year End Report in this matter because the following: (1) the Curran Committee was sent a prior notice on December 30, 1996 informing them that the Year End Report was due on January 31, 1997; (2) the Curran Committee was sent a non-filer notice on February 26, 1997 regarding the non-filing of the 1996 Year End Report; and (3) to date, the Curran Committee has not yet filed this report. Attachments 1 and 2.



**II. FACTUAL AND LEGAL ANALYSIS**

Based on the Factual and Legal Analysis, see Attachment 3, this Office recommends the Commission find reason to believe the Curran Committee violated 2 U.S.C. § 434(a)(2)(A)(ii) and (iii).

**III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY**

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#### IV. RECOMMENDATIONS

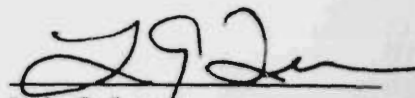
1. Open a MUR.
2. Find reason to believe the People for Mike Curran for Congress and Scott Watkins, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(ii) and (iii), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the attached proposed factual and legal analysis, conciliation agreement and the appropriate letter.

Lawrence M. Noble  
General Counsel

98043901052  
Date

1/27/98

BY:



Lois G. Lerner  
Associate General Counsel

#### Attachments:

1. Prior Notice, dated 12/30/96
2. Non-Filer Notice, dated 2/26/97
3. Proposed Factual and Legal Analysis
4. Proposed Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

People for Mike Curran for Congress  
and Scott Watkins, as treasurer.

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)  
)  
)

RAD Referral  
#97NF-21

MUR 4715

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 3, 1998, the Commission decided by a vote of 5-0 to take the following actions in RAD Referral #97NF-21:

1. Open a MUR.
2. Find reason to believe the People for Mike Curran for Congress and Scott Watkins, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(ii) and (iii), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the proposed Factual and Legal Analysis, conciliation agreement and the appropriate letter, as recommended in the General Counsel's Report dated January 27, 1998.

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

Attest:

2-3-98  
Date

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

Received in the Secretariat: Wed., Jan. 28, 1998 10:17 a.m.  
Circulated to the Commission: Wed., Jan. 28, 1998 11:00 a.m.  
Deadline for vote: Mon., Feb. 02, 1998 4:00 p.m.

lrd

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 9, 1998

Scott Watkins, Treasurer  
People for Mike Curran for Congress  
3695 South 6th Street Road  
Springfield, IL 62703

RE: MUR 4715  
People for Mike Curran for Congress  
and Scott Watkins, as treasurer

Dear Mr. Watkins:

On February 3, 1998, the Federal Election Commission found that there is reason to believe People for Mike Curran for Congress ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(ii) and (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.

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

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Mr. Watkins  
Page 2

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 Tamara Kapper, the staff member assigned to this matter, at the toll free number (800) 424-9530 or the local number (202) 219-3690.

Sincerely,

*Joan D. Aikens*

Joan D. Aikens  
Chairman

Enclosures

Factual and Legal Analysis  
Procedures  
Designation of Counsel Form  
Conciliation Agreement

cc: Mike Curran

98043901055

**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

RESPONDENTS: People for Mike Curran for Congress      MUR: 4715  
and Scott Watkins, 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).

The Federal Election Campaign Act of 1971, as amended, ("the Act") requires treasurers of political committees to file periodic 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, political committees that are the principal campaign committee of a candidate for the U.S. House of Representatives shall file a post-general election report no later than the 30th day after any general election in which the candidate has sought election, and which shall be complete as of the 20th day after such general election. 2 U.S.C. § 434(a)(2)(A)(ii). In addition to the election reports, principal campaign committees shall file quarterly reports no later than the 15th day after the last day of each calendar quarter, and which shall be complete as of the last day of each calendar quarter, except for the report for the quarter ending December 31 shall be filed no later than January 31 of the following calendar year. 2 U.S.C. § 434(a)(2)(A)(iii).

According to its Statement of Organization on file with the Commission, People for Mike Curran for Congress is the principal campaign committee for Michael D. Curran, a

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congressional candidate in the eighteenth congressional district in the state of Illinois.

Scott Watkins is the treasurer of People for Mike Curran for Congress ("Curran Committee").

Pursuant to 2 U.S.C. § 434(a)(2)(A)(ii), the due date for the Curran Committee's 1996 30 Day Post-General Report was December 5, 1996. The Curran Committee was notified on September 30, 1996 and on November 8, 1996, that their 1996 30 Day Post-General Report was due on December 5, 1996. On December 23, 1996 the Curran Committee was sent a non-filer notice instructing them to file the report immediately and that the Commission may initiate audit or legal enforcement action regarding the late report. To date, the Curran Committee has not filed their 1996 30 Day Post-General Report.

Pursuant to 2 U.S.C. § 434(a)(2)(A)(iii), the due date for the Curran Committee's 1996 Year End Report was January 31, 1997. The Curran Committee was notified on December 30, 1996, that their 1996 Year End Report was due on January 31, 1997. On February 26, 1997, the Curran Committee was sent a non-filer notice instructing them to file the report immediately, and that the Commission may initiate audit or legal enforcement action. To date, the Curran Committee has not filed their 1996 Year End Report.

Based on the foregoing, there is reason to believe that People for Mike Curran for Congress and Scott Watkins, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(ii) and (iii).

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 10, 1998

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Scott Watkins, Treasurer  
People for Mike Curran for Congress  
P.O. Box 35  
Springfield, IL 62705-0035

RE: MUR 4715  
People for Mike Curran for Congress  
and Scott Watkins, as treasurer

Dear Mr. Watkins:

On February 9, 1998, you were notified that the Federal Election Commission determined to enter into negotiations directed toward reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. On that same date you were sent a conciliation agreement offered by the Commission in settlement of this matter.

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

Should you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in dark ink, appearing to read "Tamara Kapper", is written over the typed name.

Tamara Kapper  
Paralegal Specialist

98043901058



People for Mike Curran for Congress  
P.O. Box 35  
Springfield, Illinois 62705

FEDERAL ELECTION  
COMMISSION

Mar 2 12 5 1998

Kapper

Identification Number: C00314682  
March 19, 1998

Ms Tamara Kapper  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Dear Ms Kapper:

I am now in receipt of the FEC's request for information as to why the "People for Mike Curran for Congress" committee has not filed the post election report or end of year report for December, 1996.

As you know, the 1996 campaign for Congress was a losing campaign. Like most losing campaign's there was great disarray after the November 1996 loss. I now believe I have the information necessary to complete any overdue reports. I will be filing all missing reports in the next 30 days.

I have notified Mr. Robert Yap of our current address, per your instructions.

The 1996 Mike Curran for Congress campaign was the first Federal Election I was involved in. As you may have read in our "FEC Statement of Organization" filed February 27, 1996, I was listed as "Acting Treasurer". I agreed to be temporary or acting treasurer because of my lack of experience and lack of time to be permanent treasurer. We never found a permanent treasurer so I ended up continuing as Acting Treasurer for the entire campaign. My lack of experience and time contributed to the oversight of after election reporting.

The campaign filed and made public all contributions received and money spent, as required, during the campaign. There was no money received or spent after the election in November, 1996. I followed the intent of the law which I understand is to disclose where campaign money comes from and where campaign money is spent. I now realize that we owe the FEC several more reports, which will all have the same information, since there was no money received or spent after the election.

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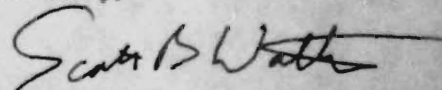
Due to my lack of experience and the fact I have been consumed in a personal legale battle (custody of two children) starting in October 1996 and continuing through present, the biggest error of my actions seems to be that I did not file a change of address with the FEC. This caused me not to receive any requests for additional filing after November 1996. When I was informed of your telephone call to Mike Curran last week, I called you and was informed of my responsibilities to continue to report until the FEC says we can close the committee. At the same time you informed me as to my responsibility of filing a change of public address. As I said above, I have sent notice of change of address and will file all reports that Mr. Yap says are due or overdue within 30 days of this letter.

As far as any fines or penalties are concerned, I am requesting that no fines or penalties be levee against the Committee or myself. My reasons for this request are first, it was an oversight of filing the change of address that was at the root of our problems, and I don't think this oversight should cause someone financial problems for years to come. Second, the Committee has no money and I have no personal funds. Third, I will file all requested information in a timely manner, now and in the future. Forth, even though I did not get the post election and end of year reports filed in the correct time frame, I did report contributions and expenditures which is the main reason for disclosure laws. Finely, I had listed my permanent mailing address in parts 7 and 8 of the FEC Statement of Organization, and would have responded if contacted at that address (now the public address), or if Mike Curran or I had received a telephone call from anyone regarding these matters, as we are doing now after your call. I realize it is not the responsibility of the FEC to call or lookup alternative addresses, but this certainly would have solved the communication problem.

Once again I would like to apologize to you and the Commission for my oversights. I would like to state for the record that when the campaign was blasted in the press in July 1996 for not filing papers with the United States House of Representatives, Office of the Clerk because of an oversight and/or communication problem between the FEC and the Clerk's Office. We did not try to assign blame or ask for restitution for the damage the news items caused our campaign. I am asking the Commission to show the same compassion for my oversights.

Thank you for the opportunity to explain.

Sincerely,



Scott B. Watkins

enclosures  
cc Mike Curran

9804390106C

**CAPITOL  
CAMPAIGN  
CONSULTANTS****FAX**

**TO:** Mike  
**FROM:** Tom Fahy  
**DATE:** 22 July 1996  
**SUBJECT:** Update *TF*

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Mr. Richard Hooper, Director of Data Services at the Federal Election Commission confirmed in conversation that the "People for Mike Curran for Congress" campaign committee properly and timely submitted all forms to that office. Mr. Hooper said the FEC is not required to assist with our request for an explanation as to the bureaucratic snafu at the House Records Office. He further added that the FEC Data Services Office complied with all regulations and requirements for informing the House Records Office. I was informed that he was not allowed to put his name on this fax by regulations.

Mr. Bob Templeton of the House Office of Records and Registration at the Legislative Resource Center stated that it is the procedure of the FEC to submit a microfilm and hard copy index of all campaign reports to the Office of Records and Registration at the Legislative Resource Center. He did admit that there has been a great deal of confusion with reports coming from the FEC. He clearly stated that this is not an official statement from his office. Any official statement of consideration would have to come from the House Standards of Official Conduct Committee.

Congress changed the filing requirement and has made the FEC the first point of contact for candidates to federal office. Formerly, candidates for federal office filed directly with the House Records Office. That office reports to the Office of the Clerk, US House of Representatives (a Republican party political appointee). Ethical compliance is administered by the Standards of Official Conduct Committee.

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RECEIVED  
FEDERAL RESERVE  
COMMISSION  
MAIL ROOM

NO 5 27 96

Form for Mike Curran, U.S. Representative, IL 11th District, Democrat, U.S. Representative IL 11th District.

- ☐ Is this candidate a U.S. Representative, Senator, Delegate, or Resident Commissioner?
- ☐ Is this candidate an elected official, and if so, what office? (Check the appropriate box(es).)
- ☐ Is this candidate a U.S. Representative, Senator, Delegate, or Resident Commissioner?
- ☐ Is this candidate a U.S. Representative, Senator, Delegate, or Resident Commissioner?
- ☐ Is this candidate a U.S. Representative, Senator, Delegate, or Resident Commissioner?
- ☐ Is this candidate a U.S. Representative, Senator, Delegate, or Resident Commissioner?

None

Scott B. Watkins, PO Box 35, Springfield, IL 62705, Acting Treasurer

Scott B. Watkins, PO Box 35, Springfield, IL 62705, Treasurer

Illini Bank, 110 South Chatham Road, Springfield, IL 62704

Signature of Treasurer: Scott B. Watkins, DATE: 2/27/96

NOTE: Submission of false, incomplete, or incomplete information may subject the person signing this statement to the penalties of 18 U.S.C. 1001.

PEC FORM 1 (rev. 11/95)

930043901062





# FEDERAL ELECTION COMMISSION

DATA SYSTEMS DEVELOPMENT DIVISION

FAX (202)501-7519 PHONE (202)219-3730

## FAX TRANSMITTAL

DATE: July 20, 1996

TO: Mr. Tom Fanning FAHY

FAX #: (202) 387-0026

FROM:

PAGE COUNT (INCLUDING COVER SHEET) 3

COMMENTS

TOM ENCLOSED ARE COPIES of  
the STATEMENT of Org. file by  
Mr. Curran's PCC with the FEC.

ON a daily basis, microfiche  
and an INDEX of documents filed  
with the FEC are forwarded to  
RECORDS & REG. of the US House.

BT

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**CAPITOL  
CAMPAIGN  
CONSULTANTS****FAX**

TO: Mike  
FROM: Tom Fahy  
DATE: 22 July 1996  
SUBJECT: FEC

---

FEC programmer Stanley Moore, told me that he assumes responsibility for the oversight of not reporting the proper info to Ms. Janet Glosson, Legislative Resource Center at the Office of the Clerk, in the US House of Representatives.

Mr. <sup>Moore</sup> ~~Moore~~ is referring the matter to his supervisor: Richard Hooper, Director of Data Services. FEC Legal Services will render a statement for you.

Capitol Campaign Consultants  
2900 Connecticut Avenue, N. W. Washington, DC 20008-1411  
Tel: 202-387-6954 Fax: 202-387-0026

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 5, 1998

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Mr. Scott Watkins, Treasurer  
People for Mike Curran for Congress  
P.O. Box 35  
Springfield, IL 62705-0035

RE: MUR 4715  
People for Mike Curran for Congress  
and Scott Watkins, as treasurer

Dear Mr. Watkins:

On March 19, 1998, you submitted a written response to the Commission's reason to believe findings against the People for Mike Curran for Congress and you, as treasurer, ("Curran Committee"). In that response you stated that you would file all the overdue reports within thirty (30) days of your letter. According to Commission records, the late reports that have not been filed by the Curran Committee are as follows: 1996 30 Day Post-General Report; 1996 Year End Report; 1997 Mid-Year Report; 1997 Year End Report and the 1998 April Quarterly Report. In light of the fact that the 30 day time period for negotiations has expired, unless we receive the outstanding reports mentioned above from you within five days, this Office will consider these negotiations terminated and will proceed to the next stage of the enforcement process.

If you have any questions, please contact me at (202) 694-1650.

Sincerely,

Tamara Kapper  
Paralegal Specialist

OCT 8 10 17 AM '90

BEFORE THE FEDERAL ELECTION COMMISSION

In The Matter of )  
 ) MUR 4715  
People for Mike Curran for Congress )  
and Scott Watkins, as treasurer )

**SENSITIVE**

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On February 3, 1998, the Commission found reason to believe that People for Mike Curran and Scott Watkins, as treasurer ("Curran Committee") violated 2 U.S.C. § 434(a)(4)(A), (ii) and (iii) by failing to file two (2) disclosure reports during the 1995-1996 election cycle. Specifically, the Curran Committee failed to file their 1996 30 Day Post-General and Year End Reports.

In response to the Commission's findings, Mr. Watkins submitted a letter dated March 19, 1998, on behalf of the Curran Committee which acknowledged that the Committee had failed to file the reports at issue. Attachment 1. However, according to Mr. Watkins, neither he, the candidate or the Curran Committee has the financial resources to pay the proposed civil penalty, and he requests that the Commission forego a civil penalty in this matter. *Id.* After further discussions with staff from this Office, on May 15, 1998, Mr. Watkins submitted a supplemental response that contains additional detailed financial information which supports his claim of insufficient funds. Attachment 2. Later, after numerous discussions with staff, on June 10, 1998 the Curran Committee filed its outstanding reports from the 1995-1996 election cycle, the 1996 30 Day Post-General and 1996 Year End Report, which are the subject of this matter.

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## II. DISCUSSION

Mr. Watkins requests that the Commission forego any civil penalty in this matter because neither the Curran Committee, Mike Curran the candidate, nor Mr. Watkins has the financial resources to pay the proposed penalty. In support of his assertion, on May 26, 1998, Mr. Watkins submitted his personal state and Federal tax returns for 1997 and Mr. Curran's 1997 state and Federal tax returns. Attachment 3. In addition, on June 10, 1998, the Curran Committee filed its 1996 30 Day Post-General<sup>1</sup> and Year Reports which disclose that as of December 31, 1996, the Curran Committee had cash-on-hand totaling \$235 and outstanding debts totaling \$29,700, of which \$23,200 is owed to the candidate.

In his letter of March 19, 1998, Mr. Watkins offers two reasons for his failure to file the reports in a timely manner. First, Mr. Watkins contends that his involvement in a personal legal matter (unrelated to this matter) distracted him and contributed to his failure to file the reports in a timely manner. Att. 1, pps. 1-2. Second, according to Mr. Watkins his lack of experience as a treasurer caused him to fail to file a change of address with the Commission and, thus, he did not receive notices that reports were due. He states: "The biggest error of my actions seems to be that I did not file a change of address with the FEC. This caused me not to receive any requests for additional filing after November 1996." *Id.* p 2. Mr. Watkins goes on to assert that he would have responded to the Commission "if Mike Curran or I had received a telephone call from anyone regarding these matters...." *Id.*

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This Office does not find the Curran Committee's explanations for filing their 1996 30 Day Post-General and Year End Reports more than a year late particularly persuasive. First, this Office believes that Mr. Watkins' inattentiveness to the filing requirements of the Act led to his failure to file the reports in a timely manner. Second, Mr. Watkins contends that his "biggest" error was that he forgot to notify the Commission of a change in committee address which caused him not to receive written correspondence from the Commission. In fact, although failing to file a change of address with the Commission within 10 days of the date of the change is a violation of 2 U.S.C. § 433(c), Mr. Watkins' failure to file the disclosure reports in a timely manner is his most egregious error.

Third, Mr. Watkins claims that he would have responded to the Commission's inquiries if someone from the Commission had called him or the candidate. According to the Reports Analysis Division ("RAD"), in addition to the letters that were sent to the Curran Committee, the RAD analyst left Mr. Watkins seven (7) separate voice mail messages over the course of three (3) months regarding the late reports. The telephone calls were unanswered. In addition, during that same time period the RAD analyst spoke directly with the candidate twice regarding these late reports and Mr. Watkins' unresponsiveness to the Commission's repeated telephone calls and letters. Further, staff from this Office has experienced the same unresponsiveness on the parts of both Mr. Watkins and Mr. Curran in the course of attempting to settle this matter. Thus,

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<sup>1</sup> It appears that the Curran Committee mistakenly labeled its 1996 30 Day Post-General Report a 12 Day Pre-Primary Report; however, the coverage dates on the report cover the 30 Day Post-General reporting period.

Mr. Watkins' assertion that he would have filed the reports if the Commission had called him to remind him that they were due is somewhat disingenuous. The Curran Committee failed to file the reports in a timely manner because the reporting requirements of the Federal Election Campaign Act of 1971, as amended, ("the Act") were not taken seriously.

In light of the above, this Office would prefer to obtain a civil penalty from the Curran Committee to underline the seriousness of its inattentiveness to the filing requirements of the Act and its lack of cooperation in resolving its reporting problems; however, it appears that the Curran Committee lacks the resources to pay a civil penalty. The Curran Committee's most recent report, the 1997 Mid-Year Report, still disclosed cash-on-hand totaling only \$235 and outstanding debts totaling \$29,700. In addition, given the personal financial situations of Mr. Curran and Mr. Watkins as reflected in their tax returns, it also appears that they are unable to pay the proposed penalty or any other amount which this Office would be willing to recommend that the Commission accept in resolution of this matter.

Given this financial situation, this Office recommends that the Commission take no further action in this matter. The Curran Committee is essentially defunct. Thus, it appears that the Curran Committee's potential for raising the funds to pay the proposed civil penalty is remote. Second, none of the parties involved appear able to pay a civil penalty that this Office would find appropriate for the violations in this matter. Lastly, Mr. Curran has indicated to staff that he has no plans to run for Federal office in the future, and thus, appears to be out of the Federal political process. Therefore, in light of the Commission's priorities and limited resources, this Office recommends that the

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Commission exercise its prosecutorial discretion by taking no further action against People for Mike Curran and Scott Watkins, as treasurer, and close the file. *See Heckler v. Chaney*, 470 U.S. 821 (1985).

III. RECOMMENDATIONS

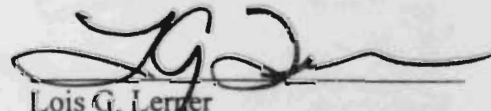
1. Take no further action against People for Mike Curran and Scott Watkins, as treasurer.
2. Approve the appropriate letter.
3. Close the file.

Lawrence M. Noble  
General Counsel

Date

10/7/98

BY:



Lois G. Lerner  
Associate General Counsel

Attachments:

1. Response dated 3/19/98
2. Supplemental Response dated 5/15/98
3. Copies of Tax Returns for 1997 for Mr. Curran and Mr. Watkins submitted 5/26/98

Staff Member: Tamara K. Kapper

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FEDERAL ELECTION COMMISSION  
Washington, DC 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

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

DATE: OCTOBER 14, 1998

SUBJECT: MUR 4715 - General Counsel's Report dated October 7, 1998.

The above-captioned document was circulated to the Commission  
on Thursday, October 8, 1998.

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

Commissioner Elliott	—
Commissioner Mason	—
Commissioner McDonald	—
Commissioner Sandstrom	<b>XXX</b>
Commissioner Thomas	—
Commissioner Wold	—

This matter will be placed on the meeting agenda for  
Tuesday, October 20, 1998.

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

98043901071

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 4715  
People for Mike Curran for )  
Congress and Scott Watkins, )  
as treasurer )

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for  
the Federal Election Commission executive session on  
October 20, 1998, do hereby certify that the Commission  
decided by a vote of 6-0 to take the following actions  
in MUR 4715:

1. Take no further action against People  
for Mike Curran and Scott Watkins, as  
treasurer.
2. Approve the appropriate letter as  
recommended in the General Counsel's  
October 7, 1998 report.
3. Close the file.

Commissioners Elliott, Mason, McDonald, Sandstrom,  
Thomas, and Wold voted affirmatively for the decision.

Attest:

10-21-98  
Date

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

98043901072



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1998

Mr. Scott Watkins, Treasurer  
People for Mike Curran for Congress  
P.O. Box 35  
Springfield, IL 62705-0035

RE: MUR 4715  
People for Mike Curran for Congress  
and Scott Watkins, as treasurer

Dear Mr. Watkins:

On February 9, 1998, you were notified that the Federal Election Commission found reason to believe that Mike Curran for Congress and you, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(ii) and (iii). On March 19, and May 15, 1998, you submitted responses to the Commission's reason to believe finding. After considering the circumstances of the matter, the Commission determined on October 20, 1998, to take no further action against the Committee and you, as treasurer, and closed the file 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.

The Commission reminds you that failing to file disclosure reports in a timely manner is a violation of 2 U.S.C. § 434(a)(2). You should take steps to ensure that this activity does not occur in the future.

If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in dark ink, reading "Tamara K. Kapper". The signature is fluid and cursive.

Tamara K. Kapper  
Paralegal Specialist



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4715

DATE FILMED 11-10-98 CAMERA NO. 2

CAMERAMAN JMB

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