

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

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

RAD REFERRAL: 98NF-10
DATE ACTIVATED: SEPTEMBER 11, 1998

STAFF MEMBER: Stephanie Watson
April Sands

SOURCE: INTERNALLY GENERATED

RESPONDENTS: AOPA Legislative Action PAC
Roger C. Myers, Jr., Treasurer

RELEVANT STATUTES: 2 U.S.C. § 434(a)(4)(B)
11 CFR § 104.5(c)(3)

INTERNAL REPORTS CHECKED: Disclosure Report

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

The Reports Analysis Division ("RAD") referred the AOPA Legislative Action PAC and its treasurer, Roger C. Myers, Jr., ("Respondents"), to the Office of the General Counsel on September 11, 1998. The basis for the RAD referral is the failure of the Respondents to timely file the 1998 April Monthly Report.

II. FACTUAL AND LEGAL ANALYSIS

Based on the Factual and Legal Analysis, see Attachment 1, this Office recommends the Federal Election Commission ("the Commission") find reason to believe the respondents violated 2 U.S.C. § 434(a)(4)(B).

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

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IV. RECOMMENDATIONS


1. Open a MUR.
2. Find reason to believe that the AOPA Legislative Action PAC and Roger C. Myers, Jr., as treasurer, violated 2 U.S.C. § 434(a)(4)(B).
3. Enter into conciliation prior to a finding of probable cause to believe.
4. Approve the attached Factual and Legal Analysis and conciliation agreement.
5. Approve appropriate letter.

Lawrence M. Noble
General Counsel

Date

10/30/98

BY:


Lois G. Lerner
Associate General Counsel

Attachments:

1. Factual and Legal Analysis
2. Proposed Conciliation Agreement