



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 17, 1998

Tom Sever, Treasurer
Teamsters Local 745 Drive
1007 Jonelle Street
Dallas, TX 75217

RE: MUR 4873

Dear Mr. Sever:

On December 11, 1998, the Federal Election Commission found reason to believe that the Teamsters Local 745 Drive ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act."). However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

The Commission reminds you that failing to timely file a Quarterly Report is a violation of 2 U.S.C. § 434(a)(4)(A)(i). You should take steps to ensure that this activity does not occur in the future.

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.

If you have any questions, please contact Mark Shonkwiler, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott E. Thomas".

Scott E. Thomas
Acting Chairman

Enclosure
Factual and Legal Analysis

99.04.391.0211

FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Teamsters Local 745 Drive
and Tom Sever, as treasurer

MUR: 4873

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, other than authorized committees of a candidate, to file periodic reports of receipts and disbursements. 2 U.S.C. §434(a)(1). Such committees may choose to file reports either on a monthly or a quarterly basis. 2 U.S.C. § 434(a)(4).

In any calendar year in which a regularly scheduled general election is held, committees that choose to file on a quarterly basis shall file quarterly reports no later than the 15th day after the last day of each calendar quarter. 2 U.S.C. § 434(a)(4)(A)(i).

The Teamsters Local 745 Drive and Tom Sever, as treasurer, is a political committee not authorized by any candidate, and has elected to file disclosure reports on a quarterly basis.

Pursuant to 2 U.S.C. § 434(a)(4)(A)(i), the due date for the Teamsters Local 745 Drive's 1998 April Quarterly Report was April 15, 1998. Prior Notices were sent to the Committee on December 29, 1997 and March 20, 1998, informing it that the 1998 April Quarterly Report was due on April 15, 1998. On May 7, 1998, the Commission sent the Committee a non-filer notice instructing them to file the 1998 April Quarterly Report immediately, and that the Commission

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may initiate an audit or legal enforcement action. The Commission received the Committee's 1998 April Quarterly Report on June 11, 1998, 57 days late, disclosing receipts totaling \$7,966 and disbursements totaling \$10,000.

Therefore, there is reason to believe the Teamster Local 745 Drive and Tom Sever, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i).

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