



FEDERAL ELECTION COMMISSION

Washington, DC 20463

CLOSED

March 5, 1999

Bill Green, Treasurer
American Society of Consultant
Pharmacists PAC
1321 Duke Street
Alexandria, VA 22314

RE: MUR 4882

Dear Mr. Green:

On March 3, 1999, the Federal Election Commission found reason to believe that the American Society of Consultant Pharmacists PAC ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), a provisions 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 Stephanie Watson, the paralegal assigned to this matter, at (202) 694-1650.

Sincerely,

Scott E. Thomas
Chairman

Enclosure

Factual and Legal Analysis

04-90-163-40-66

**FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS**

RESPONDENT: American Society of Consultant
Pharmacists PAC and Bill Green,
as Treasurer

MUR: 4882

I. GENERATION OF MATTER

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).

II. FACTUAL AND LEGAL ANALYSIS

A. The Law

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that all political committees other than authorized committees of a candidate file either quarterly or monthly reports. In a calendar year in which a regularly scheduled general election is held, quarterly reports 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 on 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).

Pursuant to Section 434(a)(1), the treasurer of a political committee shall file reports of receipts and disbursements in accordance with the provisions of that subsection.

B. The Facts

The American Society of Consultant Pharmacists PAC ("the Committee") is a political committee that is not an authorized committee of a candidate. The Committee is required to file reports on a quarterly basis.

The respondents were required to file the 1998 April Quarterly Report no later than April 15, 1998. The Committee's 1998 April Quarterly Report which disclosed \$414.82 in receipts and \$5,330.30 in disbursements, was not filed until June 8, 1998, 54 days late.

Prior notices were mailed to the Committee informing it of the due date for filing their report. On May 7, 1998, a non-filer notice was mailed to the Committee stating it failed to file the reports at issue and advising it file the report immediately.

Therefore, there is reason to believe that the American Society of Consultant Pharmacists PAC and Bill Green as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i).