



FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Rad*
DATE: December 30, 1999
SUBJECT: RAD Referral 99NF-14 - First General Counsel's Rpt.

The attached is submitted as an Agenda document for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

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NON-SENSITIVE

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72 Hour TALLY VOTE ☐

24 Hour TALLY VOTE ☐

24 Hour NO OBJECTION ☐

INFORMATION ☐

96 hour Tally Vote ☒

COMPLIANCE

☒

Open/Closed Letters ☐

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STATUS SHEETS ☐

Enforcement ☐

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DEC 29 1999

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1999 DEC 30 A 11: 15

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

RAD REFERRAL: 99NF-14
DATE ACTIVATED: 11/29/99

EXPIRATION OF STATUTE OF
LIMITATIONS: February 1, 2003¹
STAFF MEMBER: Roy Q. Luckett

SOURCE: INTERNALLY GENERATED

RESPONDENTS: National Marine Manufacturers Association Political Action
Committee and Mick Blackistone, as treasurer

INTERNAL REPORTS CHECKED: Disclosure Reports
Referral Materials

RELEVANT STATUTES: 2 U.S.C. §§ 434(a)(4)(A)(i), (ii) and (iv)

FEDERAL AGENCIES CHECKED: NONE

I. GENERATION OF MATTER

The Reports Analysis Division ("RAD") referred the National Marine Manufacturers Association Political Action Committee ("the Committee"), and Mick Blackistone, as treasurer ("the Respondents"), to the Office of General Counsel on July 1, 1999. The basis of the RAD referral is the failure of the Committee to file timely its 1997 Year End, 1998 April Quarterly, and 1998 12 Day Pre-General Reports.

¹ The statute of limitations date for the earliest violative activity in this matter is February 1, 2003 for the Committee's first report which it failed to timely file by its January 31, 1998 due date. In addition to this report, the Committee filed two more reports late. The statute of limitations for the last report filed late in this matter is October 22, 2003.

II. FACTUAL AND LEGAL ANALYSIS

Based on the Factual and Legal Analysis, this Office recommends the Commission find reason to believe the Respondents violated 2 U.S.C. §§ 434(a)(4)(A)(i), (ii) and (iv). See Attachment 1.

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

IV. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe National Marine Manufacturers Association Political Action Committee and Mick Blackistone, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (ii) and (iv) 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

12/29/99
Date

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

Attachments:

1. Factual and Legal Analysis
2. Proposed Conciliation Agreement