



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 13, 2000

Travis County Democratic Party  
Mina Clark, Treasurer  
P.O. Box 684263  
Austin, TX 78763

RE: MUR 5084  
Travis County Democratic Party, and  
Mina Clark, Treasurer

Dear Ms. Clark:

On September 1, 2000, the Federal Election Commission found reason to believe that the Travis County Democratic Party ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv), 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 the Committee's failure to file timely its 1999 Year-End Report of Receipts and Disbursements appears to be a violation of 2 U.S.C. § 434(a)(4)(A)(iv). You and the Committee 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 John Vergelli, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

A handwritten signature in black ink that reads "Darryl R. Wold". The signature is written in a cursive, flowing style.

Darryl R. Wold  
Chairman

Enclosure

Factual and Legal Analysis

**FEDERAL ELECTION COMMISSION**

**FACTUAL AND LEGAL ANALYSIS**

RESPONDENTS: Travis County Democratic Party  
Mina Clark, Treasurer

MUR: 5084

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 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 on either a monthly or a quarterly basis. 2 U.S.C. § 434(a)(4).

In a calendar year in which there is not a regularly scheduled general election, a committee which elects to file on a quarterly basis must file a report covering the period beginning January 1 and ending June 30, which shall be filed no later than July 31; and also must file a report covering the period July 1 and ending December 31, which shall be filed no later than January 31 of the following calendar year. 2 U.S.C. § 434(a)(4)(A)(iv).

B. THE FACTS.

The Travis County Democratic Party, Mina Clark, treasurer (the "committee"), is a political committee that is not an authorized committee of a candidate. The committee files reports on a quarterly basis.

The committee was required to file the 1999 Year End Report no later than January 31, 2000. On December 29, 1999, the Commission sent a notice to the committee that the Year End Report was due on that date. The Commission sent a Non-Filer notice to the committee via mailgram on February 24, 2000. A Reports Analysis Division analyst attempted to contact the committee's treasurer, Mina Clark, by telephone on March 20, 2000. The analyst was told by the committee's Director, Tim Weltin, that the treasurer was unreachable. The analyst informed the Mr. Weltin that failure to file the report could result in legal action by the Commission.

The committee filed the report on March 28, 2000, by which date the report was 57 days late. The report disclosed receipts of \$30,015 and disbursements of \$26,457.

Therefore, there is reason to believe the Travis County Democratic Party, and Mina Clark, Treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv).