



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 9, 2001

Jill Mellinger  
Treasurer  
Dallas County Republican Party  
5612 Yale Boulevard, Suite 200  
Dallas, TX 75205

RE: MUR 5186

Dear Ms. Mellinger:

On March 26, 2001, the Federal Election Commission found that there is reason to believe that Dallas County Republican Party ("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"). The Factual and Legal Analysis, which formed a basis for the Commission's findings, is enclosed for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

In order to expedite the resolution of this matter, the Commission has also decided to offer to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. Enclosed is a conciliation agreement that the Commission has approved.

If you are interested in expediting the resolution of this matter by pursuing preprobable cause conciliation, and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

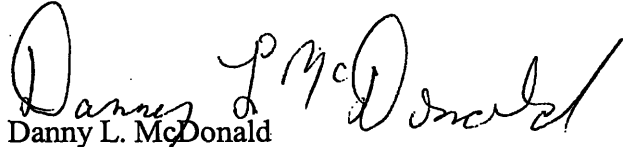
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have enclosed a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Elizabeth F. Williams, the staff member assigned to this matter, at (202) 694-1650.

Sincerely,

  
Danny L. McDonald  
Chairman

Enclosures

Factual and Legal Analysis  
Procedures  
Designation of Counsel Form  
Conciliation Agreement

21-004-405-2719

**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

RESPONDENTS:    Dallas County Republican Party and                    **MUR: 5186**  
                         Jill Mellinger, as treasurer

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).

**I.     THE LAW**

The Federal Election Campaign Act of 1971, as amended ("the Act"), provides that all political committees other than authorized committees of a candidate shall file quarterly reports, in a calendar year in which a regularly scheduled general election is held, which shall be filed no later than the 15<sup>th</sup> 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).

**II.    THE FACTS**

The Dallas County Republican Party ("the Committee") is a political committee that is not an authorized committee of a candidate. Jill Mellinger is the treasurer of the Committee.

The Committee failed to timely file its 2000 April Quarterly Report of Receipts and Disbursements covering the period from February 24, 2000 through March 31, 2000.<sup>1</sup> The Commission notified the Committee of the filing dates for the 2000 April Quarterly Report on

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<sup>1</sup> On March 2, 2000 the Committee filed a 12 Day Pre-Primary Report covering the period from January 1, 2000 through February 23, 2000.

21-04-405-2720

two separate occasions by sending, Prior Notices, dated December 29, 1999 and March 22, 2000. Both Prior Notices informed the Committee that the 2000 April Quarterly Report was due April 15, 2000. A Non-Filer Notice was sent to the Committee via mailgram on May 10, 2000.

The Reports Analysis Division ("RAD") analyst contacted Jill Mellinger, treasurer of the Committee, on June 8, 2000. The RAD analyst informed Ms. Mellinger of the Committee's failure to file its 2000 April Quarterly Report in a timely manner. She informed the RAD analyst of her impression that a report was not due until the middle of July. The RAD analyst informed Ms. Mellinger of the filing requirements for an election year. The treasurer was also informed that failure to file could result in legal action. The Committee was encouraged to file the 2000 April Quarterly Report by June 9, 2000.

On June 13, 2000, the Committee electronically filed a report covering the 2000 April Quarterly reporting period, which disclosed \$2,681.14 in receipts and \$15,875 in disbursements. On June 14, 2000, the Committee electronically filed an Amended 2000 April Quarterly Report which disclosed receipts of \$25,425.16 or an increase of \$22,744.02, and disbursements of \$20,367.80, or an increase of \$4,492.80. Finally, the Committee filed a second Amended 2000 April Quarterly Report, which disclosed receipts of \$25,425, and disbursements of \$28,362, or an increase of \$7,994.20, on September 7, 2000, or 145 days late.

### **III. CONCLUSION**

Therefore, there is reason to believe the Dallas County Republican Party and Jill Mellinger, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i).

21-011-405-2721