



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20543

THIS IS THE END OF MUR # 1928

Date Filmed 7/9/85 Camera No. --- 1

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FEDERAL ELECTION COMMISSION

routing slips - duplicates - RAD referral of
additional issue - envelope - internal
communication

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

- | | |
|--|---|
| <input type="checkbox"/> (1) Classified Information | <input type="checkbox"/> (6) Personal privacy |
| <input checked="" type="checkbox"/> (2) Internal rules and practices | <input type="checkbox"/> (7) Investigatory files |
| <input type="checkbox"/> (3) Exempted by other statute | <input type="checkbox"/> (8) Banking Information |
| <input type="checkbox"/> (4) Trade secrets and commercial or financial information | <input type="checkbox"/> (9) Well Information (geographic or geophysical) |
| <input checked="" type="checkbox"/> (5) Internal Documents | |

Signed

Matthew D. ...

date

6/25

FEC 9-21-77

X [Signature]
7/2/85

85040530202

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

) MUR 1928
)
)
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)

DRIVE: the Democratic - Republican
Independent Voter Education Committee
and Wallace D. Clements, as
treasurer

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 30, 1985, the Commission decided by a vote of 4-0 to take the following actions in MUR 1928:

1. Accept the conciliation agreement attached to the General Counsel's Report signed May 24, 1985.
2. Close the file.
3. Send the letter attached to the General Counsel's Report signed May 24, 1985.

Commissioners Elliott, Harris, McGarry and Reiche voted affirmatively in this matter; Commissioners Aikens and McDonald did not cast a vote.

Attest:

5-31-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:
Circulated on 48 hour tally basis:

5-28-85, 10:32
5-28-85, 4:00

35040530205

85 MAY 20 P 2: 09

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
 DRIVE: the Democratic - Republican) MUR 1928
 Independent Voter Education)
 Committee and Wallace D.)
 Clements, as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that DRIVE: Democratic - Republican Independent Voter Education Committee and Wallace D. Clements, as treasurer, (hereinafter the "Respondents") violated 2 U.S.C. § 434(a)(4)(B).

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. DRIVE is a political committee within the meaning of 2 U.S.C. § 431(4)(B) and is registered with the Commission.
2. Wallace D. Clements is DRIVE's treasurer.

35040530204

3. The Respondents were required to file the 1984 Pre-General Election Report by October 25, 1984. The report was filed on November 14, 1984, twenty days late.

V. Respondents violated 2 U.S.C. § 434(a)(4)(B) by failing to file the 1984 Pre-General Election Report in a timely manner.

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of One Hundred and Seventy-Five Dollars (\$175), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondents agree not to undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431 et seq.

VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

IX. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.


X. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

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XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

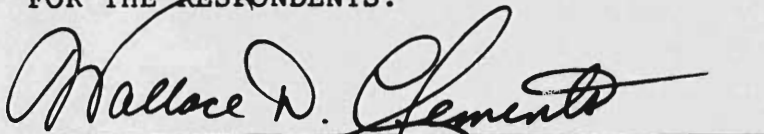
FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY: 
Kenneth A. Gross
Associate General Counsel

June 4, 1985
Date

FOR THE RESPONDENTS:


Wallace D. Clements, Treasurer of
DRIVE: the Democratic - Republican
Independent Voter Education
Committee

5/14/85
Date

35040530206



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 6, 1985

Stanley M. Brand, Esquire
Brand, Lowell and Dole
923 Fifteenth Street, N.W.
Washington, D.C. 20005

RE: MUR 1928
DRIVE: the Democratic-
Republican Independent Voter
Education Committee and
Wallace D. Clements, as
treasurer

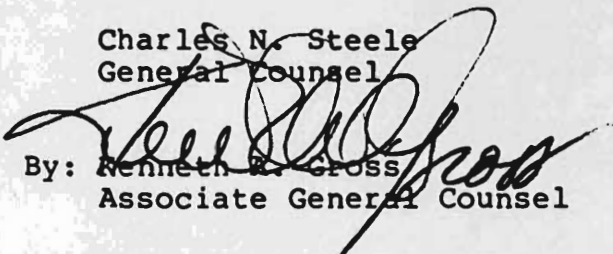
Dear Mr. Brand:

On May 30, 1985, the Commission accepted the conciliation agreement signed by Mr. Wallace Clements, and a civil penalty in settlement of DRIVE's violation of 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

By: 
Associate General Counsel

Enclosure
Conciliation Agreement

35040530207

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

DRIVE: the Democratic - Republican)
Independent Voter Education)
Committee and Wallace D.)
Clements, as treasurer)

MUR 1928

GENERAL COUNSEL'S REPORT

SENSITIVE

BACKGROUND

Attached is a Conciliation Agreement which has been signed
by Wallace D. Clements, DRIVE's treasurer.

A photocopy of a \$175 check in complete
payment of the civil penalty is also attached.

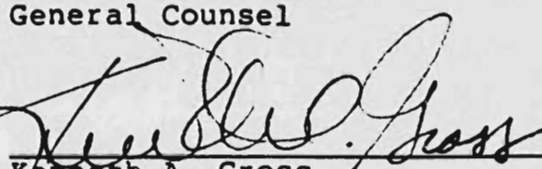
RECOMMENDATIONS

1. The General Counsel's Office recommends that the Commission accept this agreement and close the file.
2. The General Counsel's Office recommends that the Commission send the attached letter.

Charles N. Steele
General Counsel

May 24, 1965
Date

BY:


Kenneth A. Gross
Associate General Counsel

Attachments

Conciliation Agreement signed by Wallace D. Clements
Photocopy of check for the civil penalty
Letter to respondent's counsel

35040530203

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

6667535

MAY 21 9:42

DRIVE POLITICAL FUND
25 LOUISIANA AVENUE, N.W.
WASHINGTON, D.C. 20001

6237

May 14 19 85 15-52
540

PAY TO THE
ORDER OF Federal Election Commission

\$ 175.00

One Hundred Seventy Five Dollars and No Cents DOLLARS

NS&T BANK NA
WASHINGTON, D.C. 20005

Wallace D. Clements EXECUTIVE DIRECTOR

Judith G. Gussner TREASURER

FOR FEC Fine for Late Reporting

⑈006237⑈ ⑆⑈054000522⑈ 02⑈ 5101241⑈

85040530203

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

6007535

MAY 21 9:42

DRIVE POLITICAL FUND

25 LOUISIANA AVENUE, N.W.
WASHINGTON, D.C. 20001

6237

May 14 19 85

15-52
540

PAY TO THE
ORDER OF Federal Election Commission

\$ 175.00

One Hundred Seventy Five Dollars and No Cents ----- DOLLARS

NS&T BANK NA
WASHINGTON, D.C. 20005

Wallace D. Clements EXECUTIVE DIRECTOR
Jackie Cressen TREASURER

FOR FEC Fine for Late Reporting

⑈006237⑈ ⑆054000522⑆ 02⑈5101241⑈

85040530219

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1928
DRIVE: the Democratic -)
Republican Independent)
Voter Education Committee)
and Wallace D. Clements,)
as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 24, 1985, the Commission decided by a vote of 6-0 to take the following actions in MUR 1928:

1. Enter into pre-probable cause to believe conciliation with DRIVE: Democratic - Republican Independent Voter Education Committee and Wallace D. Clements, as treasurer.
2. Approve and send the conciliation agreement submitted with the General Counsel's Report signed April 19, 1985.
3. Approve and send the letter attached to the General Counsel's Report signed April 19, 1985.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

4-24-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:
Circulated on 48 hour tally basis:

4-19-85, 1:10
4-22-85, 11:00

35040530211

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

DRIVE: the Democratic - Republican)
Independent Voter Education)
Committee and Wallace D.)
Clements, as treasurer)

MUR 1928

1985 MAR 28 11:10

GENERAL COUNSEL'S REPORT

SENSITIVE

I. BACKGROUND

On March 13, 1985, the Commission determined that there is reason to believe that DRIVE: the Democratic - Republican Independent Voter Education Committee and Wallace D. Clements, as treasurer, violated 2 U.S.C. § 434(a)(4)(B) by failing to file the 1984 Pre-General Election Report in a timely manner. On March 28, 1985, this Office received a letter from Counsel requesting conciliation prior to a probable cause to believe determination (See Attachment 1).

II. DISCUSSION OF THE PROPOSED CONCILIATION AGREEMENT

Attached for the Commission's approval is a proposed conciliation agreement relating to DRIVE and its treasurer. The

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III. GENERAL COUNSEL'S RECOMMENDATIONS

1. Enter into pre-probable cause to believe conciliation with DRIVE: Democratic - Republican Independent Voter Education Committee and Wallace D. Clements, as treasurer.
2. Approve and send the attached Conciliation Agreement.
3. Approve and send the attached letter.

Charles N. Steele
General Counsel

April 19, 1985
Date

By:

Kenneth A. Gross
Associate General Counsel

Attachments

1. March 28, 1985 letter from counsel
2. Conciliation Agreement
3. Letter to counsel

85040530213

6615.12
● BRAND, LOWELL & DOLE

FIFTH FLOOR

923 FIFTEENTH STREET, N.W.

WASHINGTON, D.C. 20005

(202) 662-9700

STANLEY M. BRAND
ABBE DAVID LOWELL
GREGORY S. DOLE
BARBARA STRAUGHN HARRIS

CABLE ADDRESS

"BLEND"

OF COUNSEL

EURENE DRESSMAN

March 28, 1985

NO: 06

HAND-DELIVERED

Mr. Matt Gerson
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1928 - Democratic-Republican Independent Voter
Education Committee

Dear Mr. Gerson,

35040530214
This responds to the March 19, 1985 letter from the Federal Election Commission concerning its determination that there is reason to believe that the Democratic-Republican Independent Voter Education Committee ("DRIVE") failed to timely file the 12 day Pre-General Election Report due by October 25, 1984. As the General Counsel's Factual and Legal Analysis enclosed with the Commission's letter indicates, DRIVE's 12 day Pre-Election Report was filed twenty (20) days after it was due.

35040530214
Pursuant to 2 U.S.C. § 437(g) of the Federal Election Campaign Act and 11 C.F.R. § 111.18(d) of the regulations thereunder, DRIVE, through its attorney, desires to conciliate this violation and acknowledges that it failed to timely file the subject report.

BRAND, LOWELL & TOLE

Mr. Matt Gerson

March 28, 1985

Page 2

I am also enclosing the completed and executed Statement of Designation of Counsel form, as requested in the Commission's March 19 letter.

Please inform me of any further actions in this matter.

Sincerely,

Stan Brand
Stanley M. Brand

SMB:drb

Enclosures

85040530215



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 29, 1985

Stanley M. Brand, Esquire
Brand, Lowell and Dole
923 Fifteenth Street, N.W.
Washington, D.C. 20005

RE: MUR 1928
DRIVE: Democratic - Republican
Independent Voter Education
Committee and Wallace D.
Clements, as treasurer

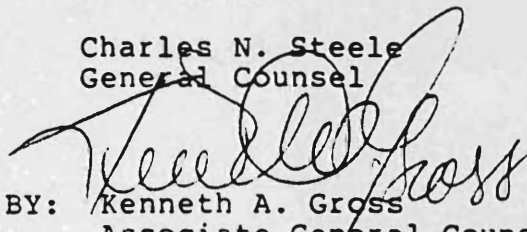
Dear Mr. Brand:

On March 13, 1985, the Commission found reason to believe that your client, the Democratic - Republican Independent Voter Education Committee and Wallace D. Clements, as treasurer, violated 2 U.S.C. § 434(a)(4)(B). At your request, the Commission determined on April 24, 1985, 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 in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, 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. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Matt Gerson, the staff person assigned to this matter, at (202) 523-4143.

Sincerely,

Charles N. Steele
General Counsel

BY: 
Associate General Counsel

Enclosures

85040530216

ACCH 6994

Gerson

BRAND, LOWELL & DOLE

FIFTH FLOOR

923 FIFTEENTH STREET, N.W.

WASHINGTON, D.C. 20005

(202) 662-9700

STANLEY M. BRAND
ABBE DAVID LOWELL
GREGORY S. DOLE
BARBARA STRAUGHN HARRIS

CABLE ADDRESS

"BRAND"

OF COUNSEL

EUGENE BRESSMAN

March 28, 1985

A10:06

HAND-DELIVERED

Mr. Matt Gerson
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1928 - Democratic-Republican Independent Voter
Education Committee

Dear Mr. Gerson,

This responds to the March 19, 1985 letter from the Federal Election Commission concerning its determination that there is reason to believe that the Democratic-Republican Independent Voter Education Committee ("DRIVE") failed to timely file the 12 day Pre-General Election Report due by October 25, 1984. As the General Counsel's Factual and Legal Analysis enclosed with the Commission's letter indicates, DRIVE's 12 day Pre-Election Report was filed twenty (20) days after it was due.

Pursuant to 2 U.S.C. § 437(g) of the Federal Election Campaign Act and 11 C.F.R. § 111.18(d) of the regulations thereunder, DRIVE, through its attorney, desires to conciliate this violation and acknowledges that it failed to timely file the subject report.

First, DRIVE is responding to the Commission's MUR notification as quickly as practicable after receipt of such notification. In addition, DRIVE is in the process of developing an automated reporting and retrieval system for meeting its responsibilities under FECA. Until that system is in place, the compilation and filing of reportable activity continues to be performed manually. Given the magnitude and geographic breadth of that activity, it has proven difficult to comply with the time requirements of the statute under the limitations of a manual system.

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BRAND, LOWELL & SOLE

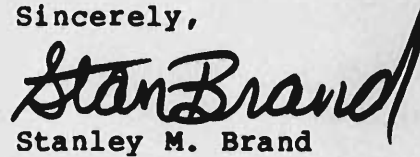
Mr. Matt Gerson
March 28, 1985
Page 2

Finally, as a result of the MUR, DRIVE now more fully understands and appreciates its statutory obligations during the sensitive pre-election period and has authorized me to represent that it will endeavor in the future to fulfill its reporting requirements on a timely basis.

I am also enclosing the completed and executed Statement of Designation of Counsel form, as requested in the Commission's March 19 letter.

Please inform me of any further actions in this matter.

Sincerely,


Stanley M. Brand

SMB:drb

Enclosures

85040530213



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 19, 1985

Wallace D. Clements, Treasurer
Democratic-Republican Independent Voter
Education Committee
25 Louisiana Avenue, N.W.
Washington, D.C. 20001

RE: MUR 1928

Democratic - Republican Independent
Voter Education Committee

Dear Mr. Clements:

On March 13, 1985, the Federal Election Commission determined that there is reason to believe that the Democratic - Republican Independent Voter Education Committee and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form

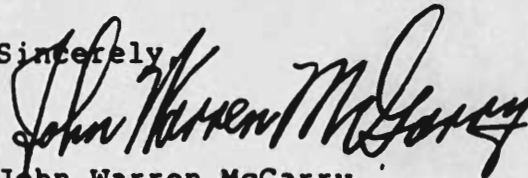
85040530219

stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

The investigation now being conducted will be 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 attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Matt Gerson, the staff member assigned to this matter, at (202) 523-4040.

Sincerely,



John Warren McGarry
Chairman

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

85040530220

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO: _____

RESPONDENTS: Democratic-Republican Independent Voter
Education Committee and Wallace D. Clements,
as treasurer.

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

SUMMARY OF ALLEGATIONS

The Democratic-Republican Independent Voter Education Committee ("DRIVE") and Wallace D. Clements, as treasurer, violated 2 U.S.C. § 434(a)(4)(B) by failing to file the 1984 Pre-General Election Report in a timely manner.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 434(a)(4)(B), the treasurer of a political committee is required to file monthly reports no later than 20 days after the last day of the month. In lieu of filing the monthly report otherwise due in November and December of any year in which a regularly scheduled general election is held, a pre-election report must be filed no later than 12 days before any general election and a post-election report must be filed no later than 30 days after any general election.

Unauthorized political committees, such as DRIVE, were sent notices on October 1, 1984 reminding them that, they were required to file 12 Day Pre-General Election Reports by October 25, 1984. The Commission received DRIVE's 12 Day Pre-General Election report on November 14, 1984, 20 (twenty) days after it was due.

35040530221

Because DRIVE filed its 1984 Pre-General Election Report 20 days after the October 25, 1984 due date, it violated the Act. Accordingly, the General Counsel's office recommends that the Commission find reason to believe that DRIVE and Wallace D. Clements, as treasurer, violated 2 U.S.C. § 434(a)(4)(B).

85040530222

STATEMENT OF DESIGNATION OF COUNSEL

MUR 1928

NAME OF COUNSEL: Stanley M. Brand

ADDRESS: 923 Fifteenth St., N.W. Fifth Floor
Washington, D.C. 20005

TELEPHONE: (202) 662-9700

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

March 27, 1985
Date

Wallace D. Clements
Signature

RESPONDENT'S NAME: Wallace D. Clements

ADDRESS: 25 Louisiana Ave., N.W.
Washington, D.C. 20001

HOME PHONE: (813) 924-2110

BUSINESS PHONE: (202) 624-8744

35040530225

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) RAD Referral 85NF-13
Democratic-Republican Independent)
Voter Education Committee)
Wallace D. Clements, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 13, 1985, the Commission decided by a vote of 6-0 to take the following actions in RAD Referral 85NF-13:

1. Open a MUR.
2. Find reason to believe that DRIVE - the Democratic-Republican Independent Voter Education Committee and Wallace D. Clements, as treasurer, violated 2 U.S.C. § 434 (a) (4) (B).
3. Approve the General Counsel's Factual and Legal Analysis attached to the First General Counsel's Report signed March 6, 1985.
4. Approve and send the letter attached to the First General Counsel's Report signed March 6, 1985.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

3-14-85

Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: 3-11-85, 8:55
Circulated on 48 hour tally basis: 3-11-85, 4:00

35040530224

SENSITIVE

FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARY

25 MAR 11 4:55

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL: RAD 85NF-13
BY OGC TO THE COMMISSION: 3/11/85-8:55 STAFF MEMBER: Matt Gerson

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

RESPONDENTS' NAME: Democratic-Republican Independent Voter
Education Committee and Wallace D. Clements,
as treasurer.

RELEVANT STATUTES: 2 U.S.C. § 434(a)(4)(B)

INTERNAL REPORTS CHECKED: Public Records

FEDERAL AGENCIES CHECKED: None

GENERATION OF MATTER

The Reports Analysis Division ("RAD") referred this matter to the General Counsel's Office on January 15, 1985 pursuant to its Review and Referral Procedures for Unauthorized Committees. The referral alleges that DRIVE - Democratic-Republican Independent Voter Education Committee - The Political Action Committee of the International Brotherhood of Teamsters (hereinafter "DRIVE"), a political committee within the meaning of 2 U.S.C. § 431(4)(B), and Wallace D. Clements, as treasurer, violated 2 U.S.C. § 434(a)(4)(B) by failing to file the 1984 Pre-General Election Report in a timely manner.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 434(a)(4)(B), the treasurer of a political committee is required to file monthly reports no later than 20 days after the last day of the month. In lieu of filing the monthly reports otherwise due in November and December of any year in which a regularly scheduled general election is held, a

35040530225

pre-election report must be filed no later than 12 days before any general election and a post-election report must be filed no later than 30 days after any general election.

According to RAD, unauthorized committees, such as DRIVE, were sent notices on October 1, 1984 reminding them that they were required to file 12 Day Pre-General Election Reports by October 25, 1984. The Commission received DRIVE's 12 Day Pre-General Election report on November 14, 1984, 20 (twenty) days after it was due. The report listed receipts of \$80,589.35 and disbursements of \$70,841.50 for the period from October 1 through October 17, 1984. Cash on hand at the Reporting Period's close was \$883,448.71.

Because DRIVE filed its 1984 Pre-General Election Report 20 days after the October 25, 1984 due date, it violated the Act. Accordingly, the General Counsel's Office recommends that the Commission open a matter under review and find reason to believe that DRIVE and Wallace D. Clements, as treasurer, violated 2 U.S.C. § 434(a)(4)(B).

85040530226

RECOMMENDATIONS

1. Open a Matter Under Review.
2. Find reason to believe that DRIVE - the Democratic-Republican Independent Voter Education Committee and Wallace D. Clements, as treasurer, violated 2 U.S.C. § 434(a)(4)(B).
3. Approve the General Counsel's Factual and Legal Analysis.
4. Approve and send the attached letter.

Charles N. Steele
General Counsel

March 6, 1985
Date

By:

Kenneth A. Gross
Associate General Counsel

Attachment

Letter to DRIVE
General Counsel's Factual and Legal Analysis

85040530227

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO: _____

RESPONDENTS: Democratic-Republican Independent Voter
Education Committee and Wallace D. Clements,
as treasurer.

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

SUMMARY OF ALLEGATIONS

The Democratic-Republican Independent Voter Education Committee ("DRIVE") and Wallace D. Clements, as treasurer, violated 2 U.S.C. § 434(a)(4)(B) by failing to file the 1984 Pre-General Election Report in a timely manner.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 434(a)(4)(B), the treasurer of a political committee is required to file monthly reports no later than 20 days after the last day of the month. In lieu of filing the monthly report otherwise due in November and December of any year in which a regularly scheduled general election is held, a pre-election report must be filed no later than 12 days before any general election and a post-election report must be filed no later than 30 days after any general election.

Unauthorized political committees, such as DRIVE, were sent notices on October 1, 1984 reminding them that they were required to file 12 Day Pre-General Election Reports by October 25, 1984. The Commission received DRIVE's 12 Day Pre-General Election report on November 14, 1984, 20 (twenty) days after it was due.

Because DRIVE filed its 1984 Pre-General Election Report 20 days after the October 25, 1984 due date, it violated the Act. Accordingly, the General Counsel's office recommends that the Commission find reason to believe that DRIVE and Wallace D. Clements, as treasurer, violated 2 U.S.C. § 434(a)(4)(B).

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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SENSITIVE

March 18, 1985

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel *KAG*

SUBJECT: RAD Referral 85NF-13

On March 13, 1985 the Commission approved the recommendation that RAD Referral 85NF-13 should become a MUR. Therefore, all documents which had previously been contained in RAD Referral 85NF-13 should now become MUR 1928.

Attachment
Copy of Certification

85040530230

BEFORE THE FEDERAL ELECTION COMMISSION

M 1928
Gerson

In the Matter of)
Democratic-Republican Independent) RAD Referral 85NF-13
Voter Education Committee)
Wallace D. Clements, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 13, 1985, the Commission decided by a vote of 6-0 to take the following actions in RAD Referral 85NF-13:

1. Open a MUR.
2. Find reason to believe that DRIVE - the Democratic-Republican Independent Voter Education Committee and Wallace D. Clements, as treasurer, violated 2 U.S.C. § 434(a)(4)(B).
3. Approve the General Counsel's Factual and Legal Analysis attached to the First General Counsel's Report signed March 6, 1985.
4. Approve and send the letter attached to the First General Counsel's Report signed March 6, 1985.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

3-14-85

Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: 3-11-85, 8:55
Circulated on 48 hour tally basis: 3-11-85, 4:00

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FEDERAL ELECTION COMMISSION

1325 K STREET NW
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1928

Date Filmed 7/9/85 Camera No. --- 1

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