



FEDERAL ELECTION COMMISSION

1125 K STREET NW
WASHINGTON, D.C. 20543

THIS IS THE END OF MUR # 1959

Date Filmed 12/5/85 Camera No. --- 2

Cameraman AS

85040562834

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1959
Century Club)
Randy L. Dryer, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 31, 1985, the Commission decided by a vote of 6-0 to take the following actions in MUR 1959:

1. Accept the conciliation agreement for the Century Club and Randy L. Dryer, as treasurer, attached to the General Counsel's Report signed October 28, 1985.
2. Close the file.
3. Approve and send the letter attached to the General Counsel's Report signed October 28, 1985.

Commissioners Aikens, Elliott, Harris, Josefiak, McDonald and McGarry voted affirmatively for this decision.

Attest:

10-31-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:	Tues.,	10-29-85,	11:35
Circulated on 48 hour tally basis:	Tues.,	10-29-85,	4:00
Deadline for vote:	Thurs.,	10-31-85,	4:00

85040562835



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 6, 1985

Randy L. Dryer
Parsons, Behl & Latimer
185 South State Street
Suite 700
P.O. Box 11898
Salt Lake City, Utah 84147-0898

RE: MUR 1959
Century Club
Randy L. Dryer, as treasurer

Dear Mr. Dryer:

On October 31, 1985, the Commission accepted the conciliation agreement signed by you and a check for the civil penalty in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(i), (iii) and (iv), provisions 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: 
Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

85040562836

85 OCT 18 AIO: 44

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Century Club)

Randy L. Dryer, as treasurer)

MUR 1959)

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 the Century Club and Randy L. Dryer, as treasurer, ("Respondents") violated 2 U.S.C. §§ 434(a)(4)(A)(i), (iii) and (iv) by failing to file three reports in a timely manner.

NOW, THEREFORE, the Commission and 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 into 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. The Century Club is a political committee within the meaning of 2 U.S.C. § 431(4)(A).

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2. Randy L. Dryer is the treasurer of the Century Club.

3. Pursuant to 2 U.S.C. § 434(a)(4)(A)(iv) the Century Club, was required to file its 1983 Year End Report by January 31, 1984. The Century Club on its own initiative filed its 1983 Year End Report on March 12, 1984 after it discovered that the year end report had not been filed.

4. Pursuant to 2 U.S.C. § 434(a)(4)(A)(i), the Century Club was required to file its 1984 April Quarterly Report by April 15, 1984. The 1984 April quarterly report filed by the Century Club was dated and mailed on April 15, 1984, but the Commission showed no record of having received the report. Upon being notified of the Commission's failure to receive the April report, a copy of the report, showing an April 15, 1984 execution date, was mailed to the Commission by the Century Club and was subsequently received on May 21, 1984.

5. Pursuant to 2 U.S.C. § 434(a)(4)(A)(iii), the Century Club was required to file its 1984 30 Day Post-General Election Report on December 6, 1984. On January 11, 1985 the Century Club filed its 1984 30 Day Post-General Election Report as a combined report with its 1984 Year End Report. Respondents contended that it believed it need not make a 30 day Post-General Election Report since the Century Club had no contributions or expenditures in connection with a federal election during the post-election period.

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V. Respondents violated 2 U.S.C. §§ 434(a)(4)(A)(i), (iii) and (iv) by failing to file their 1983 Year End Report, 1984 April Quarterly Report and 1984 30 Day Post-General Election Report in a timely manner.

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of Three Hundred Twenty-Five dollars (\$325.00) pursuant to 2 U.S.C. § 436g(a)(5)(A).

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

VII. 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 the implement the requirements contained in this agreement and to so notify the Commission.

XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no

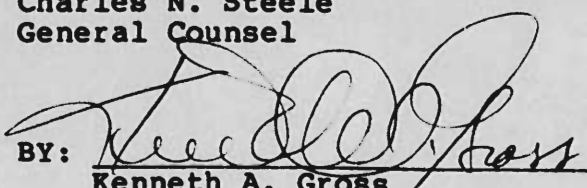
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other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY:


Kenneth A. Gross
Associate General Counsel


Date

FOR THE RESPONDENTS:


Randy L. Dryer
Treasurer


Date

85040562840

GCC 8143

MEMORANDUM

TO: Retha Dixon
FROM: JOAN HARRIS

TO: JOAN HARRIS
FROM: Retha Dixon

CHECK NO. 159 (a copy of which is attached) RELATING TO

TO MUR 1959 AND NAME Century Club

WAS RECEIVED ON July 29, 1985. PLEASE INDICATE THE ACCOUNT

WHICH IT SHOULD BE DEPOSITED:

☒ BUDGET CLEARING ACCOUNT (#95F3875.16)
☐ CIVIL PENALTIES ACCOUNT (#95-1099.160)

SIGNATURE Retha L. Dixon OTHER DATE 7-29-85

RECEIVED
JUL 29 1985
3:06 PM
GENERAL COUNSEL

CENTURY CLUB - FEDERAL
C/O RANDY L. DRYER
P. O. BOX 11898 532-1234
SALT LAKE CITY, UTAH 84147

159

97-7049/3243

JULY 25 1985

Pay to the order of UNITED STATES TREASURER

\$ 325.00

THREE HUNDRED TWENTY FIVE and ⁰⁰/₁₀₀ Dollars

MountainWest Savings
2344 OFFICE
36 South State, Suite 273, Salt Lake City, UT 84111

Randy L. Dryer

⑈000159⑈ ⑈324370490⑈350660014121⑈

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5

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1959
Century Club)
Randy L. Dryer, as treasurer.)
)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 3, 1985, the Commission decided by a vote of 6-0 to take the following actions in MUR 1959:

1. Enter into conciliation with the Century Club and Randy L. Dryer, as treasurer, prior to a finding of probable cause to believe.
2. Approve the proposed conciliation agreement and letter attached to the General Counsel's Report signed June 28, 1985.

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

Attest:

7-5-85

Date

Jody C. Ransom
for Marjorie W. Emmons
Secretary of the Commission

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

7-1-85, 11:06
7-1-85, 4:00

85040562843

RANDY L. DRYER
P.O. BOX 11898
SALT LAKE CITY, UT 84111
(801) 532-1189
RECEIVED
OFFICE OF THE
GENERAL COUNSEL

6CC D286
HAND DELIVERED

85 APR 25 4:28

85 APR 25 8:08

April 24, 1985

Federal Election Commission
c/o Beverly Kramer
Washington, D.C. 20463

OVERNIGHT MAIL

RE: MUR 1959

Dear Ms. Kramer:

This letter is in response to Chairman John McGarry's letter dated April 2, 1985 concerning the Century Club's late filing of three FEC reports. I was out of town on business when Mr. McGarry's letter apparently arrived and only recently returned. You were identified as the staff person assigned to the matter.

At the outset, let me note that as explained below certain exigent circumstances contributed to the tardiness of the filings in each instance. The Century Club is a small organization with no staff and I perform the function of treasurer on a purely gratuitous and voluntary basis. There has certainly never been any attempt to circumvent the requirements of the Federal Election Act. Indeed, in every instance of a tardy filing, the primary purpose of the Act i.e. full disclosure of Committee activities was met. A description of the circumstances surrounding the filing of each of the three late-filed reports is offered below, not so much as justification or excuse, but as explanation for the tardiness.

1. 1983 YEAR END REPORT.

As acknowledged by the general counsel's analysis, I never received a notification of failure to file this report, the notification apparently having been sent to the former chairman of the Century Club. This incorrect mailing occurred in spite of the fact that I had communicated the change of treasurer in writing as early as July of 1981. Since that date I recall at

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Ms. Beverly Kramer
April 24, 1985
Page Two

least two specific instances where I telephonically communicated the same information to the Federal Election Commission's staff. It was not until I began reviewing my records in anticipation of preparing the 1984 April quarterly report that I discovered that I had inadvertantly failed to file the 1983 year-end report. On the same day I learned of the failure to file, I prepared the year-end report and mailed the same to the Federal Election Commission. The report was mailed March 1, 1984, but apparently was not received (or not filed) by the FEC's staff until March 12, 1984. If I had received a failure to file notification, or had realized my inadvertance earlier, I certainly would have responded earlier with a filing.

2. 1984 APRIL QUARTERLY REPORT.

This report was actually dated and mailed on the date due -- i.e. April 15, 1984. Apparently the FEC never received the filing, although to my knowledge and to the best of my secretary's memory, the filing was in fact sent. By letter dated May 8, 1984, John Gibson of the Reports Analysis Division advised me that the April report had not been filed. Unfortunately, the letter was again sent to the former treasurer of the Committee and by the time it ended up being forwarded to me, I did not receive the letter until May 16, 1984. That very day I contacted the FEC and the Utah Lieutenant Governor's Office by telephone and they confirmed having no record of receiving the April filing. That same day I responded to Mr. Gibson's letter and mailed another copy of the April quarterly report to the Federal Election Commission and the Utah Leutenant Governor's office.

3. 1984 30-DAY POST-GENERAL REPORT.

It was my evidently incorrect understanding that like the situation with pre-election reports, a Committee need not make a 30-day post-general election filing if the Committe had made no contributions or expenditures in connection with a Federal Election during the coverage dates of such reports. Since such was the case with the Century Club, I made no pre-general election nor any post-general election filing. This erroneous understanding of the law was brought to my attention upon receipt of the notification of failure to file the 30-day post-general report. Although this notification was finally addressed correctly, I did not receive the notification until after I had already filed my 1984 year-end report disclosing the activities during the 30-day post-general period. Consequently, since the information had been disclosed I believed it unnecessary to file the same information again, albeit on another form.

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Ms. Beverly Kramer
April 24, 1985
Page Three

As correctly noted in the general counsel's analysis, I did receive the letter dated June 22, 1984 notifying me that future late filings may result in an enforcement action. I took that letter very seriously and since that date, I have filed all reports in a timely fashion with the exception of the 30-day post-election report for the reasons explained above.

When viewed together and in their proper context, the entire series of events reveal no intent to knowingly circumvent the filing requirements of the Act. Although I am greatly concerned that the Commission apparently believed it both necessary and appropriate to invoke the full processes of the government in redressing this inadvertant and non-substantive violation of the act, I nevertheless hope the matter can be resolved to the satisfaction of all interests in the early stages of this proceeding. If the intent of the enforcement action is to insure strict compliance with the filing requirements in the future, that purpose has certainly been accomplished.

If you desire additional information or explanation, I would be pleased to respond further.

Very truly yours,


RANDY L. DRYER

RLD/js

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FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

April 2, 1985

Randy L. Dryer, Treasurer
Century Club
P.O. Box 11898
Salt Lake City, Utah 84147

Re: MUR 1959
Century Club
Randy L. Dryer, as treasurer

Dear Mr. Dryer:

On March 26, 1985, the Federal Election Commission determined that there is reason to believe the Century Club and you, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (iii) and (iv), provisions 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.

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 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.

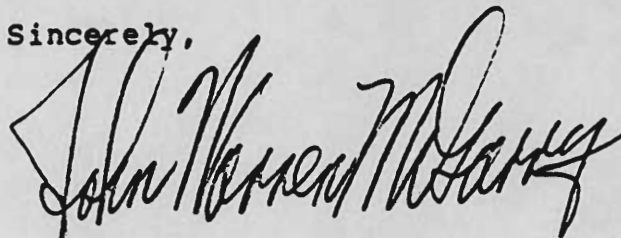
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Letter to Randy L. Dryer
Page 2

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 Beverly Kramer, the staff member assigned to this matter, at (202)523-4143.

Sincerely,



John Warren McGarry
Chairman

Enclosures

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

850405622848

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. 1959
STAFF MEMBER
Beverly Kramer

RESPONDENTS: Century Club (aka One Hundred Club)
Randy L. Dryer, as treasurer

SUMMARY OF ALLEGATIONS

The Reports Analysis Division referred this matter to the General Counsel's Office on February 6, 1985. The referral alleges that The Century Club (aka One Hundred Club) and Randy L. Dryer, as treasurer, failed to file their 1983 Year End Report, 1984 April Quarterly Report and 1984 30 Day Post-General Election Report in a timely manner, in violation of 2 U.S.C. § 434(a)(4)(A)(i), (iii) and (iv).

FACTUAL BASIS AND LEGAL ANALYSIS

1. The Facts

The Century Club is a political committee within the meaning of 2 U.S.C. § 431(4)(A) and Randy L. Dryer, is its treasurer. 1/

The Century Club failed to file three reports in a timely manner during the 1983-84 election cycle. The reports were filed between 36 and 41 calendar days late. Listed below are the reports filed late, the date each was due, and the date each report was filed:

1/ Randy L. Dryer has been the treasurer of record since July 21, 1981.

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<u>Report Type</u>	<u>Date Due</u>	<u>Date Filed</u>
1983 Year End (7/1/83-12/31/83)	01/31/84	03/12/84
1984 April Quarterly (1/1/84-3/31/84)	04/15/84	05/21/84
1984 30 Day Post General (10/1/84-11/26/84)	12/06/84	01/11/85

Before the due date of each of the above reports, the Commission sent general notices advising the Century Club of the filing requirements for these reports. After the due dates of these reports, the Commission sent notices to the Century Club informing them of their failure to file and advising them to file their reports immediately. 2/ In addition, by letter of June 22, 1984, the Reports Analysis Division notified the Century Club that its 1983 Year End and 1984 April Quarterly Reports were filed late and expressed the Commission's view that reports not filed in a timely manner were serious violations of the Act. The letter also advised the Century Club that any additional late filings of reports may result in legal enforcement action.

2/ The Commission's notice concerning the Century Club's failure to file its 1983 Year End Report was returned, apparently because it was addressed to the former treasurer of the Century Club. The Commission's notice regarding the Century Club's failure to file its April Quarterly Report was received by the Century Club even though it too was addressed to the former treasurer. In response to this notice, the current treasurer, Randy Dryer, advised the Commission that certain communications had been inadvertently addressed to the former treasurer, even though the change in treasurers had been reported to the Commission. Our review of the public record confirmed that the Century Club had informed the Commission of the change of treasurer in a letter dated July 21, 1981.

All subsequent notices, including notice of the Century Club's failure to file its 30 Day Post-General Election Report, were sent to and received by Randy L. Dryer.

Subsequent to this warning notice, the Century Club failed to file its 30 Day Post-General Election Report on time. In lieu of this report, the Century Club filed a 1984 Year End Report disclosing the activity which occurred during the coverage dates of the 30 Day Post General Election Report.

2. The Law

During an election year, the treasurer of a political committee is required to file quarterly reports no later than 15 days after the close of the immediately preceding calendar quarter. 2 U.S.C. § 434(a)(4)(A)(i) and 11 C.F.R. § 104.5(c)(1)(i)(A). Pre-election reports must be filed no later than 12 days before any primary or general election. The requirements of a pre-election report may be waived, however, if the political committee has made no contributions or expenditures in connection with a federal election during the coverage dates of such report. ^{3/} 2 U.S.C. § 434(a)(4)(A)(ii) and 11 C.F.R. § 104.5(c)(1)(ii). Post-general election reports must be filed no later than 30 days after any general election. 2 U.S.C. § 434(a)(4)(A)(iii) and 11 C.F.R. § 104.5(c)(1)(iii).

^{3/} The Century Club made no contributions or expenditures in connection with a federal election during the coverage dates of the pre-general election report. Accordingly, the filing requirements of this report were waived.

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During a non-election year, the treasurer of a political committee is required to file semi-annual reports. The first report must cover January 1 through June 30 and must be filed no later than July 31. The second report must cover July 1 through December 31 and must be filed no later than January 31 of the following year. 2 U.S.C. § 434(a)(4)(A)(iv) and 11 C.F.R. § 104.5(c)(2)(i)(B).

3. Application of the law to the facts.

The record in this case reveals that the Century Club failed to file three reports within the time frame required by 2 U.S.C. § 434(a)(4)(A)(i), (iii) and (iv). Failure to file reports within the time frame required is a violation of these sections. Accordingly, the General Counsel's Office recommends that the Commission open a matter under review and find reason to believe that the Century Club and Randy L. Dryer, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (iii) and (iv).

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE FEC
COMPTROLLER SECRETARY

05 APR 1 P4:13

SENSITIVE

April 1, 1985

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

SUBJECT: RAD Referral 85NF-46

On March 26, 1985 the Commission approved the recommendation that RAD Referral 85NF-46 should become a MUR. Therefore, all documents which had previously been contained in RAD Referral 85NF-46 should now become MUR 1959.

Attachment
Copy of Certification

85040562853

BEFORE THE FEDERAL ELECTION COMMISSION

M1959
Kramer

In the Matter of

Century Club (aka One Hundred Club)
Randy L. Dryer, as treasurer

)
) RAD Referral 85NF-46
)
)
)
)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 26, 1985, the Commission decided by a vote of 5-0 to take the following actions in RAD Referral 85NF-46:

1. Open a MUR.
2. Find reason to believe that the Century Club and Randy L. Dryer, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (iii) and (iv).
3. Approve and send the letter and General Counsel's Factual and Legal Analysis attached to the First General Counsel's Report signed March 21, 1985.

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

Attest:

3-26-85

Date

Jody C. Ransom
for Marjorie W. Emmons
Secretary of the Commission

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

3-21-85, 12:55
3-22-85, 2:00

85040562854

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Century Club (aka One Hundred Club)
Randy L. Dryer, as treasurer

)
) RAD Referral 85NF-46
)
)
)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 26, 1985, the Commission decided by a vote of 5-0 to take the following actions in RAD Referral 85NF-46:

1. Open a MUR.
2. Find reason to believe that the Century Club and Randy L. Dryer, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (iii) and (iv).
3. Approve and send the letter and General Counsel's Factual and Legal Analysis attached to the First General Counsel's Report signed March 21, 1985.

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

Attest:

3-26-85

Date

Jody C. Ransom
for Marjorie W. Emmons
Secretary of the Commission

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

3-21-85, 12:55
3-22-85, 2:00

85040562855



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cut*
DATE: March 21, 1985
SUBJECT: RAD 85NF-46: First General Counsel's Report

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

CIRCULATIONS

48 Hour Tally Vote [X]
Sensitive [X]
Non-Sensitive []

24 Hour No Objection []
Sensitive []
Non-Sensitive []

Information []
Sensitive []
Non-Sensitive []

Other []

DISTRIBUTION

Compliance [X]

Audit Matters []

Litigation []

Closed MUR Letters []

Status Sheets []

Advisory Opinions []

Other (see distribution below) []

85040562856

SENSITIVE

FEDERAL ELECTION COMMISSION

1325 K Street, N.W.
Washington, D.C. 20463

RECEIVED

OFFICE OF THE FEC
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT

MAR 21 12:55

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION

3/21/85-1:00

RAD 485NF-46
STAFF MEMBER
Beverly Kramer

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

RESPONDENTS' NAMES: Century Club (aka One Hundred Club)
Randy L. Dryer, as treasurer

RELEVANT STATUTE: 2 U.S.C. § 434(a)(4)(A)(i)
2 U.S.C. § 434(a)(4)(A)(iii)
2 U.S.C. § 434(a)(4)(A)(iv)
11 C.F.R. § 104.5(c)(1)(i)(A)
11 C.F.R. § 104.5(c)(1)(iii)(A)
11 C.F.R. § 104.5(c)(2)(i)(B)

INTERNAL REPORTS CHECKED: Public Record

FEDERAL AGENCIES CHECKED: None

GENERATION OF MATTER

The Reports Analysis Division referred this matter to the General Counsel's Office on February 6, 1985. The referral alleges that The Century Club (aka One Hundred Club) and Randy L. Dryer, as treasurer, failed to file their 1983 Year End Report, 1984 April Quarterly Report and 1984 30 Day Post-General Election Report in a timely manner, in violation of 2 U.S.C. § 434(a)(4)(A)(i), (iii) and (iv). See Attached Referral at 1-17.

FACTUAL BASIS AND LEGAL ANALYSIS

1. The Facts

The Century Club is a political committee within the meaning of 2 U.S.C. § 431(4)(A) and Randy L. Dryer, is its treasurer. 1/

1/ Randy L. Dryer has been the treasurer of record since July 21, 1981.

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The Century Club failed to file three reports in a timely manner during the 1983-84 election cycle. The reports were filed between 36 and 41 calendar days late. Listed below are the reports filed late, the date each was due, and the date each report was filed:

<u>Report Type</u>	<u>Date Due</u>	<u>Date Filed</u>
1983 Year End (7/1/83-12/31/83)	01/31/84	03/12/84
1984 April Quarterly (1/1/84-3/31/84)	04/15/84	05/21/84
1984 30 Day Post General (10/1/84-11/26/84)	12/06/84	01/11/85

Before the due date of each of the above reports, the Commission sent general notices advising the Century Club of the filing requirements for these reports. See Attachments at 5, 8-9, 14-15. After the due dates of these reports, the Commission sent notices to the Century Club informing them of their failure to file and advising them to file their reports immediately. 2/

2/ The Commission's notice concerning the Century Club's failure to file its 1983 Year End Report was returned, apparently because it was addressed to the former treasurer of the Century Club. The Commission's notice regarding the Century Club's failure to file its April Quarterly Report was received by the Century Club even though it too was addressed to the former treasurer. In response to this notice, the current treasurer, Randy Dryer, advised the Commission that certain communications had been inadvertently addressed to the former treasurer, even though the change in treasurers had been reported to the Commission. Our review of the public record confirmed that the Century Club had informed the Commission of the change of treasurer in a letter dated July 21, 1981.

All subsequent notices, including notice of the Century Club's failure to file its 30 Day Post-General Election Report, were sent to and received by Randy L. Dryer.

85040562858

See Attachments at 6, 10 and 16. In addition, by letter of June 22, 1984, the Reports Analysis Division notified the Century Club that its 1983 Year End and 1984 April Quarterly Reports were filed late and expressed the Commission's view that reports not filed in a timely manner were serious violations of the Act. The letter also advised the Century Club that any additional late filings of reports may result in legal enforcement action. See Attachments at 13. Subsequent to this warning notice, the Century Club failed to file its 30 Day Post-General Election Report on time. In lieu of this report, the Century Club filed a 1984 Year End Report disclosing the activity which occurred during the coverage dates of the 30 Day Post General Election Report.

2. The Law

During an election year, the treasurer of a political committee is required to file quarterly reports no later than 15 days after the close of the immediately preceding calendar quarter. 2 U.S.C. § 434(a)(4)(A)(i) and 11 C.F.R. § 104.5(c)(1)(i)(A). Pre-election reports must be filed no later than 12 days before any primary or general election. The requirements of a pre-election report may be waived, however, if the political committee has made no contributions or expenditures in connection with a federal election during the coverage dates of such report. 3/

3/ The Century Club made no contributions or expenditures in connection with a federal election during the coverage dates of the pre-general election report. Accordingly, the filing requirements of this report were waived.

2 U.S.C. § 434(a)(4)(A)(ii) and 11 C.F.R. § 104.5(c)(1)(ii).

Post-general election reports must be filed no later than 30 days after any general election. 2 U.S.C. § 434(a)(4)(A)(iii) and 11 C.F.R. § 104.5(c)(1)(iii).

During a non-election year, the treasurer of a political committee is required to file semi-annual reports. The first report must cover January 1 through June 30 and must be filed no later than July 31. The second report must cover July 1 through December 31 and must be filed no later than January 31 of the following year. 2 U.S.C. § 434(a)(4)(A)(iv) and 11 C.F.R. § 104.5(c)(2)(i)(B).

3. **Application of the law to the facts.**

The record in this case reveals that the Century Club failed to file three reports within the time frame required by 2 U.S.C. § 434(a)(4)(A)(i), (iii) and (iv). Failure to file reports within the time frame required is a violation of these sections. Accordingly, the General Counsel's Office recommends that the Commission open a matter under review and find reason to believe that the Century Club and Randy L. Dryer, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (iii) and (iv).

RECOMMENDATIONS

1. Open a matter under review.
2. Find reason to believe that the Century Club and Randy L. Dryer, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (iii) and (iv).

85040562860

3. Approve and send the attached letter and General Counsel's Factual and Analysis.

Charles N. Steele
General Counsel

March 21, 1985
Date

By:

Kenneth A. Gross
Kenneth A. Gross
Associate General Counsel

Attachments

1. RAD Referral (pages 1-17)
2. Letter to respondents (pages 18-19)
3. General Counsel's Factual and Legal Analysis (pages 20-23)

85040562861



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

6 February 1985

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA 151
STAFF DIRECTOR

FROM: JOHN D. GIBSON 94
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

SUBJECT: REFERRAL OF THE CENTURY CLUB (AKA ONE HUNDRED CLUB)

This is a referral of The Century Club (AKA One Hundred Club) ("the Club"). The Club has failed to file three (3) reports in a timely manner during the 1983-1984 election cycle. According to RAD Review and Referral Procedures for Unauthorized Committees (Standard 4), further examination is required by your office.

If you have any questions on this matter, please contact Brian J. Hancock at 523-4048.

Attachment

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 6 February 1985

ANALYST: Brian J. Hancock

I. COMMITTEE: Century Club, The (AKA One Hundred Club)
(C00035659)
Randy L. Dryer, Treasurer
P.O. Box 11898
Salt Lake City, UT 84147

II. RELEVANT STATUTE: 2 U.S.C. §434(a)(4)(A)(i), (iii) and
(iv)
11 CFR 104.5(c)(1)(i)(A)
11 CFR 104.5(c)(1)(iii)(A)
11 CFR 104.5(c)(2)(i)(B)

III. BACKGROUND:

Failure to Timely File Reports

The Century Club (AKA One Hundred Club) ("the Club") failed to file three (3) Reports of Receipts and Disbursements in a timely manner for the 1983-1984 election cycle (see Chart on page 2). The Reports filed were between 36 and 41 calendar days late.

On June 22, 1984, a Chronic Late Filing Notice was sent to the Club for failing to file the 1983 Year End and the 1984 April Quarterly Reports in a timely manner (Attachment 9). The notice advised the Club that any additional late filing of reports may result in legal enforcement action. Subsequently, the Club failed to timely file the 30 Day Post-General Report. In response to a Non-Filer notice dated December 28, 1984, the Club filed a combined 1984 30 Day Post-General Election Report and 1984 Year End Report on January 11, 1985.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

LATE FILING HISTORY

REPORT TYPE	PRIOR NOTICE	DATE DUE	NON-FILER NOTICE	DATE FILED
1983 Year End (7/1/83-12/31/83)	1/7/84 (Attachment 2)	1/31/84	2/28/84 (Attachment 3) ^{*/}	3/12/84 (Attachment 4)
1984 April Quarterly (1/1/84-3/31/84)	3/22/84 (Attachment 5)	4/15/84	5/8/84 (Attachment 6) ^{**/}	5/21/84 (Attachment 8)
1984 30 Day Post-General (10/1/84-11/26/84)	10/1/84 (Attachment 10)	12/6/84	12/28/84 (Attachment 11)	1/11/85 (Attachment 12)

(3)

^{*/} This Non-Filer Notice was returned. It was not remailed because the 1983 Year End Report was filed before remailing.

^{**/} In response to this Non-Filer Notice, the Club filed a separate letter on May 21, 1984, explaining that the reason for the delay in responding was because this notice had not been addressed to the current treasurer (Attachment 7).

8 5 0 4 0 5 6 2 8 6 5

FEDERAL ELECTION COMMISSION
COMMITTEE (INDEX OF DISCLOSURE DOCUMENTS) - (C) (83-04)

DATE: 5/18/85
PAGE 1

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF VALUE COVERABLE DATE	NO. OF PAGES	MICROFILM LOCATION
CENTURY CLUB, THE (AKA ONE HUNDRED CLUB) CONNECTED ORGANIZATION: UTAH STATE DEMOCRATIC CMTE				NON-PARTY QUALIFIED		IN 11-000334
1983	ANNUAL YEAR REPORT	35,540	17,819	1 JAN 84 - 30 JUN 84	6	84FEC/275/4493
	MID-YEAR REPORT	17,516	17,819	1 JAN 84 - 30 JUN 84	3	84FEC/279/1485
	YEAR-END	13,019	30,945	1 JUL 83 - 31 DEC 83	5	84FEC/279/0897
	NOTICE OF FAILURE TO FILE			1 JUL 83 - 31 DEC 83	1	84FEC/279/2867
1984	ANNUAL YEAR REPORT			21 MAY 84 TO PRE	3	84FEC/314/4684
	STATEMENT OF ORGANIZATION - AMENDMENT			21 MAY 84	1	84FEC/315/3136
	MID-YEAR REPORT			22 JUN 84	1	84FEC/317/5352
	APRIL QUARTERLY	40,100	3,937	1 JAN 84 - 31 MAR 84	4	84FEC/313/0780
	NOTICE OF FAILURE TO FILE			1 JAN 84 - 31 MAR 84	1	84FEC/313/4667
	JULY QUARTERLY	3,101	1,586	1 APR 84 - 30 JUN 84	4	84FEC/321/0592
	JULY QUARTERLY			1 APR 84 - 30 JUN 84	2	84FEC/321/1433
	1984 LETTER INFORMATIONAL NOTICE			1 APR 84 - 30 JUN 84	2	84FEC/327/4242
	OCTOBER QUARTERLY	9,371	57,500	1 JUL 84 - 30 SEP 84	5	84FEC/339/0334
	OCTOBER QUARTERLY			1 JUL 84 - 30 SEP 84	6	84FEC/337/2060
	OCTOBER QUARTERLY	9,371	62,500	1 JUL 84 - 30 SEP 84	4	84FEC/338/2609
	REQUEST FOR ADDITIONAL INFORMATION			1 JUL 84 - 30 SEP 84	3	84FEC/333/3123
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1 JUL 84 - 30 SEP 84	1	84FEC/337/4534
	POST-ANNUAL			1 OCT 84 - 26 NOV 84	1	84FEC/363/4507
	NOTICE OF FAILURE TO FILE			1 OCT 84 - 26 NOV 84	1	84FEC/357/4534
	YEAR-END	3,903	6,070	1 OCT 84 - 31 DEC 84	4	84FEC/339/4534
	TOTAL	109,260	0	122,957	0	31 TOTAL PAGES

All reports have been reviewed.
Ending Cash-on-Hand 12-31-84 = \$22,998.79
Debts owed by the committee = 0
Debts owed to the committee = 0

ATTACHMENT #1



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

January 7, 1984

JANUARY 31 YEAR-END REPORT NOTICE

WHO MUST FILE

ALL POLITICAL COMMITTEES currently registered with the Commission must file a year-end report by January 31, 1984.

WHAT MUST BE REPORTED

All financial activity must be disclosed from the last report filed through December 31, 1983. Registered committees which have not previously filed a financial disclosure report should report all financial activity from the date of registration* through December 31, 1983.

FILING DATE

Reports sent by registered or certified mail must be postmarked no later than midnight January 31, 1984. Reports hand delivered or mailed first class must be received no later than close of business January 31, 1984.

WHERE TO FILE

Committees should consult the instructions on the enclosed form for details.

COMPLIANCE

Political committees are fully liable for failure to file any report required under the Act. Furthermore, failure to file in a timely fashion is a serious violation and an offending committee is subject to enforcement action. Committees must also submit legible reports which can be clearly reproduced. Illegible reports and reports submitted on non-FEC forms will not be accepted and committees filing such documents will be required to refile.

1984 FILING REQUIREMENTS

See the January 1984 issue of the FEC Record for filing requirements during 1984.

*The first report filed by a committee shall include all amounts received or disbursed prior to becoming a political committee, even if such amounts were not received during the current reporting period. See 11 CFR 104.3(a) and (b).

FOR INFORMATION CALL: Office of Public Communications
202/523-4068 or 800/424-9530

85040562866



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20541

FEB 26 1984 RQ-7

Ken C. Gardner & John A. Rokich, Treasurers
The Century Club (AKA One Hundred Club)
P.O. Box 11898
Box 2504
Salt Lake City, UT 84147

Identification Number: C00035659

Reference: 1983 Year End Report (7/1/83-12/31/83)

Dear Mr. Gardner & Mr. Rokich:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced Report of Receipts and Disbursements as required by the Federal Election Campaign Act. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 1325 K Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR 108.2, 108.3, 108.4).

The failure to file this report may result in an audit or legal enforcement action.

If you have any questions regarding this matter, please contact Theresa Harley on our toll-free number (800) 424-9530. Our local number is (202) 523-4048.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

RECEIVED A: THE FEC

Attachment 4

84 MAR 12 P12: 54

(Summary Page)

ALIGN AREA

ALIGN AREA

1. Name of Committee (in Full)

CENTURY CLUB - FEDERAL

Address (Number and Street)

c/o RANDY L. DRYER
P.O. Box 11898

City, State and ZIP Code

SALT LAKE CITY, UTAH 84147

☐ Check here if address is different than previously reported.

2. FEC Identification Number

C00035659

3. ☐ This committee qualified as a multi-candidate committee during this reporting period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) ☐ April 15 Quarterly Report ☐ October 15 Quarterly Report

☐ July 15 Quarterly Report ☒ January 31 Year End Report

☐ July 31 Mid Year Report (Non Election Year Only)

☐ Monthly Report for _____

☐ Twelfth day report preceding _____ (Type of Election)

election on _____ in the State of _____

☐ Thirtieth day report following the General Election

on _____ in the State of _____

☐ Termination Report

(b) Is this Report an Amendment?

☐ YES

☒ NO

SUMMARY

5. Covering Period July 1, 1983 through Dec. 31, 1983

6. (a) Cash on hand January 1, 19 83

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 18)

(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)

7. Total Disbursements (from Line 28)

8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))

9. Debts and Obligations Owed TO The Committee
(Itemize all on Schedule C or Schedule D)

10. Debts and Obligations Owed BY the Committee
(Itemize all on Schedule C or Schedule D)

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete

RANDY L. DRYER

Type or Print Name of Treasurer

Randy L. Dryer
SIGNATURE OF TREASURER

March 1, 1984

Date

NOTE: Submission of false, or erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437e

For further information contact

Federal Election Commission

Toll Free 800-424-9630

Local 202-523-4088

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

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FEC FORM 3X (3/80)

7

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 22, 1984

APRIL REPORTING NOTICE FOR UNAUTHORIZED COMMITTEES

WHO MUST FILE

ALL unauthorized political committees, except those that file monthly, must file a quarterly report by April 15, 1984. (See below)

WHAT MUST BE REPORTED

All financial activity must be disclosed from the last report filed through March 31, 1984. Political committees which have not previously filed a financial disclosure report covering any period in 1984 should report all financial activity from the later of January 1, 1984, or date of registration,* through March 31, 1984.

WHEN TO FILE

Reports sent by registered or certified mail must be postmarked no later than April 15, 1984. Reports hand delivered or mailed first class must be received no later than close of business April 15, 1984.

WHERE AND HOW TO FILE

Committees should consult the instructions on the enclosed FEC Form 3X for details.

MONTHLY FILERS

Committees that file on a monthly schedule must file their next report by April 20, 1984, and disclose all financial activity of their committee from March 1 through March 31, 1984. Monthly reports are due by the twentieth of each month and should cover all financial activity of the previous month.

COMPLIANCE

Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is a serious violation. Committees are subject to enforcement action for late filing. Illegible reports which can not be clearly reproduced and reports submitted on non-FEC forms will not be accepted. Committees filing such documents will be required to refile.

*The first report filed by a committee shall include all amounts received or disbursed in 1984, and prior to becoming a political committee, even if such amounts were not received during the current reporting period. See 11 CFR 104.3(a) and (b) Activity which occurred prior to 1984 should be reported separately.

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A R E M I N D E R

All committees that have made contributions or expenditures (including independent expenditures) in connection with a primary election, which have not previously been reported, must file a pre-election report.

**FOR INFORMATION CALL: Office of Public Communications
800/424-9530 or 202/523-4068**

85040562870



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

HQ-7

May 8, 1984

Ken C. Gardner, Treasurer
The Century Club
(aka One Hundred Club)
P.O. Box 11898 (Box 2504)
Salt Lake City, UT 84147

Identification Number: C00035659

Reference: April Quarterly Report (1/1/84-3/31/84)

Dear Mr. Gardner:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced Report of Receipts and Disbursements as required by the Federal Election Campaign Act. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 1325 K Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR 108.2, 108.3, 108.4).

The failure to file this report may result in an audit or legal enforcement action.

If you have any questions regarding this matter, please contact Theresa Harley on our toll-free number (800) 424-9530. Our local number is (202) 523-4048.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

(10)

85040562871
84033104557

84 MAY 21 AC: 18

LAW OFFICES OF
PARSONS, BEALE & LATIMER
 A PROFESSIONAL CORPORATION

180 SOUTH STATE STREET, SUITE 700
 POST OFFICE BOX 10000
 SALT LAKE CITY, UTAH 84147
 TELEPHONE (801) 522-1234
 TELEFAX (801) 522-0000

101 NINETEENTH STREET, NW
 WASHINGTON, D.C. 20036
 TELEPHONE (202) 638-0000

PERSONAL
 CINCINNATI, OHIO, PARSONS & LATIMER
 1000-1000

OF COUNSEL
 GEORGE E. LATIMER
 GEORGE E. LATIMER

ARTHUR L. TAYLOR
 JAMES B. LEE
 JOHN A. BARKLEY
 GORDON L. ROBERTS
 P. ROBERT ROBERTS
 WILLIAM L. GARDNER
 LAWRENCE E. STEVENS
 DAVID M. ALLRED
 ROBERT J. BARNES
 VAN M. KERR
 ERIC M. GOODMAN
 DAVID S. SELWY
 ROBERT M. WINTERKILLER
 RUTHLENE M. LESTER
 BARBARA A. FELSON
 RANDY L. DRYER
 CHARLES M. THOMPSON
 DAVID R. DINE
 RICHARD J. STEVENSON
 FRANK M. WINTERKILLER
 DAVID M. THOMPSON
 JAMES B. CHRISTENSEN
 JAMES M. ELLENSTEIN
 DAVID R. THOMPSON

G.E. PARSONS
 1000-1000

DAVID A. BEALE
 1000-1000

WILLIAM L. GARDNER
 GORDON L. ROBERTS
 JOHN A. BARKLEY
 ROBERT J. BARNES
 DAVID M. ALLRED
 ROBERT J. BARNES
 VAN M. KERR
 ERIC M. GOODMAN
 DAVID S. SELWY
 ROBERT M. WINTERKILLER
 J. STEVENSON
 T. THOMPSON
 ALICE L. KERRY
 ROBERT J. BARNES
 G. E. LATIMER
 STEVEN M. WINTERKILLER
 LEO A. BARK
 JAMES B. LEE
 GEORGE E. LATIMER
 JOSEPH E. BARKLEY
 SUSAN E. BARKLEY

May 16, 1984

Theresa Harley
 Federal Election Commission
 Reports Analysis Division
 Washington, D.C. 20463

RE: Century Club - Federal; FEC I.D. No. C00035659

Dear Ms. Harley:

This letter is in response to the May 8, 1984 letter from John D. Gibson of your office to Mr. Ken C. Gardner, a copy of which is enclosed herewith. Mr. Gardner is not presently the treasurer of the Century Club, nor has he functioned as treasurer for several years. The FEC was appropriately notified of the change in treasurer several years ago and except for this letter, I have been receiving communications from the FEC on behalf of the Century Club. I mention this only by way of explanation for the delay in responding to Mr. Gibson's letter.

You should be advised that the April 1984 Quarterly Report for the Century Club has been filed this date with the Federal Election Commission and the Utah Lt. Governor's office.

Please feel free to contact me if you have any questions.

Very truly yours,

Randy
 RANDY L. DRYER

RLD/rla

Enclosure

//

85040562872
 34033144693

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

FEC
Attachment 8

84 MAY 21 PM 2:30

(Summary Page)

ALIGN AREA

ALIGN AREA

1. Name of Committee (in Full)
CENTURY CLUB - FEDERAL

Address (Number and Street)
**c/o RANDY L. DRYER,
P.O. Box 11898
Salt Lake City, UT 84147**

City, State and ZIP Code

☐ Check here if address is different than previously reported

2. FEC Identification Number
C00035659

3. ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____

4. TYPE OF REPORT (Check appropriate boxes)

(a) ☒ April 15 Quarterly Report ☐ October 15 Quarterly Report
☐ July 15 Quarterly Report ☐ January 31 Year End Report
☐ July 31 Mid Year Report (Non Election Year Only)
☐ Monthly Report for _____
☐ Twelfth day report preceding _____ of Election
election on _____ in the State of _____
☐ Thirtieth day report following the General Election
on _____ in the State of _____
☐ Termination Report

(b) Is this Report an Amendment?
☐ YES ☒ NO

SUMMARY

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period <u>Jan 1, 1984</u> through <u>March 31, 1984</u>		
6. (a) Cash on hand January 1, 19 <u>84</u>		\$38,465.97
(b) Cash on Hand at Beginning of Reporting Period	\$38,465.97	
(c) Total Receipts (from Line 18)	\$40,188.35	\$40,188.35
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$78,654.32	\$78,654.32
7. Total Disbursements (from Line 28)	\$ 3,937.41	\$ 3,937.41
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$74,716.91	\$74,716.91
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	\$ none	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	\$ none	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

RANDY L. DRYER
Type or Print Name of Treasurer
Randy L. Dryer
SIGNATURE OF TREASURER

April 15, 1984
Date

For further information contact
Federal Election Commission
Toll Free 800 424 9530
Local 202 573 4088

NOTE Submission of false, erroneous, or misleading information may subject the person signing this report to the penalties of 2 U.S.C. 441.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used

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FEC FORM 3X (3-80)

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31033150790



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20413

MS-2
June 22, 1984

Randy L. Dryer, Treasurer
Century Club, The' (aka One
Hundred Club)
P.O. Box 11898
Salt Lake City, UT 84147

Identification Number: C00035659

Reference: 1983-1984 Election Cycle Reports

Dear Mr. Dryer:

This letter is prompted by the Commission's review of the reports filed by your committee. The following is a list of reports your committee has failed to file in a timely manner.

<u>Report Type</u>	<u>Due Date</u>	<u>Date Filed</u>
Year End (7/1/83-12/31/83)	1/31/84	3/12/84
April Quarterly (1/1/84-3/31/84)	4/15/84	5/21/84

Timely filing is a specific requirement of the Federal Election Campaign Act and is essential to fulfilling the public disclosure concept embodied in that law. The Commission views late filing as a serious violation of the Act. This communication is to advise you that any additional late filing of a required report by your committee may result in the Commission initiating legal enforcement action.

If you need assistance or have any questions regarding this matter, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4048.

Sincerely,

Michael B. Filler
Chief
Party/Non-Party Branch

84033175352



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20540

October 1, 1984

**GENERAL ELECTION FILING NOTICE
FOR UNAUTHORIZED COMMITTEES**

WHO MUST FILE THE PRE-GENERAL ELECTION REPORT

All committees that file monthly reports must file the pre-general election report due October 25, 1984.

In addition all quarterly filing committees that have made contributions or expenditures (including independent expenditures) in connection with the general election must file a pre-election report, if such activity has not previously been reported. See below for post-general filing information.

WHAT MUST BE REPORTED

The report must disclose all financial activity of the committee from the later of, the last report filed or the date of registration* through October 17, 1984. (Monthly filers must disclose all financial activity from the later of October 1 or the date of registration* through October 17, 1984.)

WHEN TO FILE

Pre-general election reports sent registered or certified mail must be postmarked no later than October 22, 1984. Reports hand delivered or mailed first class must be received no later than close of business October 25, 1984.

WHO MUST FILE THE POST-GENERAL ELECTION REPORT

All committees must file the post-general election report due December 6, 1984, regardless of election activity.

WHAT MUST BE REPORTED

The post-general election report must cover all financial activity of the committee from either the date of the last report filed or the date of registration, whichever is later* through November 26, 1984.

WHEN TO FILE

Post-general election reports sent by registered or certified mail must be postmarked no later than December 6, 1984. Reports hand delivered or mailed first class must be received no later than close of business December 6, 1984.

*The first report filed by a committee shall include all amounts received or disbursed prior to becoming a political committee, even if such amounts were not received during the current reporting period. See 11 CFR 104.3(a) and (b).

-over-

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85040562875

WHERE AND HOW TO FILE

Committees should consult the instructions on the enclosed FEC form 3X, for details.

QUARTERLY FILERS

Name of Report	Period Covered	Reg./Cert. Mailing Date	Filing Date
3rd Q-Report	07/01* - 09/30	10/15/84	10/15/84
Pre-General	10/01 - 10/17	10/22/84	10/25/84
Post-General**	10/18 - 11/26	12/06/84	12/06/84
Year-end	11/27 - 12/31	01/31/85	01/31/85

*Or from date of registration, or the close of books of the last report filed, whichever is later.

**Reports filed by committees that did not file the pre-General report should cover all financial activity from the last report filed through November 26, 1984.

MONTHLY FILERS

Name of Report	Period Covered	Reg./Cert. Mailing Date	Filing Date
Oct. Monthly	09/01 - 09/30	10/20/84	10/20/84
Pre-General	10/01 - 10/17	10/22/84	10/25/84
Post-General	10/18 - 11/26	12/06/84	12/06/84
Year-end	11/27 - 12/31	01/31/85	01/31/85

COMPLIANCE

Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is a serious violation. Committees are subject to enforcement action for late filing. Illegible reports which can not be clearly reproduced and reports submitted on non-FEC forms will not be accepted. Committees filing such documents will be required to refile.

FOR INFORMATION CALL: Office Of Public Communications
800/424-9530 or 202/523-4068



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

RQ-7

December 28, 1984

Randy L. Dryer, Treasurer
The Century Club (AKA One Hundred
Club)
P.O. Box 11898
Box 2504
Salt Lake City, UT 84147

Identification Number: C00035659

Reference: 30 Day Post-General Report (10/01/84-11/26/84)

Dear Mr. Dryer:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced Report of Receipts and Disbursements as required by the Federal Election Campaign Act. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 1325 K Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR 108.2, 108.3, 108.4).

The failure to file this report may result in an audit or legal enforcement action.

If you have any questions regarding this matter, please contact Brian J. Hancock on our toll-free number (800) 424-9530. Our local number is (202) 523-4048.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

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9403374904

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

Attachment 127EC

(Summary Page)

<p>ALIGN AREA 15 JAN 1985</p> <p>1. Name of Committee (in Full) CENTURY CLUB % RANDY L. DRYER</p> <p>Address (Number and Street) P.O. Box 11898</p> <p>City, State and ZIP Code SALT LAKE CITY, UTAH 84147</p> <p><input type="checkbox"/> Check here if address is different than previously reported.</p> <p>2. PEC Identification Number</p> <p>3. <input type="checkbox"/> This committee qualified as a multiyear-date committee during the Reporting Period on _____</p>	<p>4. TYPE OF REPORT (Check appropriate boxes)</p> <p> <input type="checkbox"/> April 15 Quarterly Report <input type="checkbox"/> October 15 Quarterly Report <input type="checkbox"/> July 15 Quarterly Report <input checked="" type="checkbox"/> January 31 Year End Report <input type="checkbox"/> July 31 Mid Year Report (Non Election Year Only) <input type="checkbox"/> Monthly Report for _____ <input type="checkbox"/> Twelfth day report preceding _____ (Year of Election) election on _____ in the State of _____ </p> <p><input checked="" type="checkbox"/> Twelfth day report following the General Election on <u>Nov. 6, 1984</u> in the State of <u>UTAH</u></p> <p><input type="checkbox"/> Termination Report COMBINED REPORT</p> <p>Did this Report on Amendment? <input type="checkbox"/> YES <input type="checkbox"/> NO </p>
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SUMMARY		COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period <u>Oct. 1, 1984</u> through <u>Dec. 31, 1984</u>			
6. (a) Cash on hand January 1, 1984			38,465.97
(b) Cash on Hand at Beginning of Reporting Period		25,083.61	
(c) Total Receipts (from Line 18)		3,985.18	58,726.79
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)		29,068.79	97,192.76
7. Total Disbursements (from Line 2)		6,070.00	74,193.97
8. Cash on Hand at Close of Report Period (subtract Line 7 from Line 6(d))		22,998.79	22,998.79
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)		NONE	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)		NONE	

I certify that I have examined this Report to the best of my knowledge and belief it is true, correct and complete.

RANDY L. DRYER
 Treasurer
Randy L. Dryer
 Signature of Treasurer

JAN. 7, 1985
 Date

NOTE: Signatures of all officers and members of the committee must be submitted to the clerk of the court within 30 days of the filing of this report.

For further information contact:
 Federal Election Commission
 Toll Free 800 426 6930
 D.C. 20543-0000

All previous versions of PEC FORM 3 and PEC FORM 3a are obsolete and should no longer be used.

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FEC FORM 3X 12 80

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Randy L. Dryer, Treasurer
Century Club
P.O. Box 11898
Salt Lake City, Utah 84147

Re: MUR
Century Club
Randy L. Dryer, as treasurer

Dear Mr. Dryer:

On , 1985, the Federal Election Commission determined that there is reason to believe the Century Club and you, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (iii) and (iv), provisions 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.

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 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.

Letter to Randy L. Dryer
Page 2

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 Beverly Kramer, the staff member assigned to this matter, at (202)523-4143.

Sincerely,

John Warren McGarry
Chairman

Enclosures

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

85040562880

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. _____
STAFF MEMBER
Beverly Kramer

RESPONDENTS: Century Club (aka One Hundred Club)
Randy L. Dryer, as treasurer

SUMMARY OF ALLEGATIONS

The Reports Analysis Division referred this matter to the General Counsel's Office on February 6, 1985. The referral alleges that The Century Club (aka One Hundred Club) and Randy L. Dryer, as treasurer, failed to file their 1983 Year End Report, 1984 April Quarterly Report and 1984 30 Day Post-General Election Report in a timely manner, in violation of 2 U.S.C. § 434(a)(4)(A)(i), (iii) and (iv).

FACTUAL BASIS AND LEGAL ANALYSIS

1. The Facts

The Century Club is a political committee within the meaning of 2 U.S.C. § 431(4)(A) and Randy L. Dryer, is its treasurer. 1/

The Century Club failed to file three reports in a timely manner during the 1983-84 election cycle. The reports were filed between 36 and 41 calendar days late. Listed below are the reports filed late, the date each was due, and the date each report was filed:

1/ Randy L. Dryer has been the treasurer of record since July 21, 1981.

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<u>Report Type</u>	<u>Date Due</u>	<u>Date Filed</u>
1983 Year End (7/1/83-12/31/83)	01/31/84	03/12/84
1984 April Quarterly (1/1/84-3/31/84)	04/15/84	05/21/84
1984 30 Day Post General (10/1/84-11/26/84)	12/06/84	01/11/85

Before the due date of each of the above reports, the Commission sent general notices advising the Century Club of the filing requirements for these reports. After the due dates of these reports, the Commission sent notices to the Century Club informing them of their failure to file and advising them to file their reports immediately. 2/ In addition, by letter of June 22, 1984, the Reports Analysis Division notified the Century Club that its 1983 Year End and 1984 April Quarterly Reports were filed late and expressed the Commission's view that reports not filed in a timely manner were serious violations of the Act. The letter also advised the Century Club that any additional late filings of reports may result in legal enforcement action.

2/ The Commission's notice concerning the Century Club's failure to file its 1983 Year End Report was returned, apparently because it was addressed to the former treasurer of the Century Club. The Commission's notice regarding the Century Club's failure to file its April Quarterly Report was received by the Century Club even though it too was addressed to the former treasurer. In response to this notice, the current treasurer, Randy Dryer, advised the Commission that certain communications had been inadvertently addressed to the former treasurer, even though the change in treasurers had been reported to the Commission. Our review of the public record confirmed that the Century Club had informed the Commission of the change of treasurer in a letter dated July 21, 1981.

All subsequent notices, including notice of the Century Club's failure to file its 30 Day Post-General Election Report, were sent to and received by Randy L. Dryer.

Subsequent to this warning notice, the Century Club failed to file its 30 Day Post-General Election Report on time. In lieu of this report, the Century Club filed a 1984 Year End Report disclosing the activity which occurred during the coverage dates of the 30 Day Post General Election Report.

2. The Law

During an election year, the treasurer of a political committee is required to file quarterly reports no later than 15 days after the close of the immediately preceding calendar quarter. 2 U.S.C. § 434(a)(4)(A)(i) and 11 C.F.R. § 104.5(c)(1)(i)(A). Pre-election reports must be filed no later than 12 days before any primary or general election. The requirements of a pre-election report may be waived, however, if the political committee has made no contributions or expenditures in connection with a federal election during the coverage dates of such report. 3/ 2 U.S.C. § 434(a)(4)(A)(ii) and 11 C.F.R. § 104.5(c)(1)(ii). Post-general election reports must be filed no later than 30 days after any general election. 2 U.S.C. § 434(a)(4)(A)(iii) and 11 C.F.R. § 104.5(c)(1)(iii).

3/ The Century Club made no contributions or expenditures in connection with a federal election during the coverage dates of the pre-general election report. Accordingly, the filing requirements of this report were waived.

During a non-election year, the treasurer of a political committee is required to file semi-annual reports. The first report must cover January 1 through June 30 and must be filed no later than July 31. The second report must cover July 1 through December 31 and must be filed no later than January 31 of the following year. 2 U.S.C. § 434(a)(4)(A)(iv) and 11 C.F.R. § 104.5(c)(2)(i)(B).

3. Application of the law to the facts.

The record in this case reveals that the Century Club failed to file three reports within the time frame required by 2 U.S.C. § 434(a)(4)(A)(i), (iii) and (iv). Failure to file reports within the time frame required is a violation of these sections. Accordingly, the General Counsel's Office recommends that the Commission open a matter under review and find reason to believe that the Century Club and Randy L. Dryer, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (iii) and (iv).

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FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1959

Date Filmed 12/5/85 Camera No. ---2

Cameraman AS



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

9-21-87

THE FOLLOWING MATERIAL IS BEING ADDED TO THE
PUBLIC FILE OF CLOSED MUR 1959

87040654089

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85 MAY 6 48:48

LAW OFFICES OF
PARSONS, BEHLE & LATIMER
A PROFESSIONAL CORPORATION

185 SOUTH STATE STREET, SUITE 700
POST OFFICE BOX 11898
SALT LAKE CITY, UTAH 84147-0898
TELEPHONE (801) 532-1234
TELECOPIER (801) 521-9866

1101 SIXTEENTH STREET, N.W.
WASHINGTON, D.C. 20036-4803
TELEPHONE (202) 659-0862

FORMERLY
DICKSON, ELLIS, PARSONS & McCREA
1882-1959

OF COUNSEL
GEORGE W. LATIMER
CONSTANCE K. LUNDBERG

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JOHN B. WILSON
ROBERT C. HYDE
CRAIG B. TERRY
DAVID A. ANDERSON
KENT O. ROCHE
PATRICIA J. WINMILL
JAN R. BENSON
RANDY M. GRIMSHAW
J. STEPHEN RUSSELL
T. PATRICK CASEY
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PATRICK J. GARNER

C.C. PARSONS
1907-1998
CALVIN A. BEHLE
1947-

April 30, 1985

OVERNIGHT MAIL

Beverly Kramer
Attorney at Law
FEDERAL ELECTION COMMISSION
Office of General Counsel
1325 "K" Street, N.W.
Washington, D.C. 20463

RE: NUR 1959

Dear Ms. Kramer:

In accordance with the provisions of 11 C.F.R. §111.18(d) this is to request that negotiations be commenced towards resolving this matter through conciliation prior to the Commission undertaking to make a finding of probable cause.

As we discussed on the telephone today, I acknowledge that the reports in question were not "filed" in a timely fashion. However, as set forth in my letter of April 24, 1985, there are significant mitigating circumstances which are relevant in fashioning an appropriate sanction.

The tone of the General Counsel's factual analysis infers that the Century Club is a knowing and habitual violator of the Act's filing requirements. Nothing could be further from the truth, as explained in my April letter and as indicated by the Century Club's many, many years of prompt filing of its required reports.

The untimely filings in question were a result of a series of circumstances which will never again repeat themselves, i.e. the Commission staff sending correspondence and notifications to the wrong committee treasurer; my mistaken belief that post-election reports, like pre-election reports, need not be filed where no contributions or expenditures are made, and my not knowing that a report mailed on the due date must be sent by registered mail, rather than regular mail.

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Beverly Kramer
April 30, 1985
Page Two

In each instance of late filing, the report was filed promptly upon learning of the erroneous interpretation of the reporting requirements. Had the FEC notification letters been properly addressed, the reports would have been filed much sooner and the gap between the date due and the date filed would not be nearly as great. In all instances, full and complete disclosure was made and I am not aware of any persons or organizations complaining they were prejudiced or inconvenienced by the delayed filing.


Conciliation Proposal

If the primary purpose of the enforcement proceeding is not to seek retribution, but to insure timely filing in the future, I suggest a conciliation agreement be entered into which will accomplish that desired end. I certainly have no desire to burden the Commission, the General Counsel's office or the taxpayers with additional proceedings if they are not necessary to a satisfactory resolution of this matter. I would suggest a conciliation arrangement whereby the amount of a civil penalty would be agreed upon, but assessment thereof would be stayed during an appropriate period (e.g. 24 months) so long as all reports by the Century Club are filed in a timely fashion. This procedure is commonly used in private civil litigation and seems appropriate under the facts of this case where no knowing violation of the Act is involved. Of course, the Committee would also agree to file its reports on a timely basis in the future.

As I understand from your explanation, I will be hearing from you within the next few weeks as to the Commission's determination of whether to pursue informal conciliation.

Thank you for the professional courtesy which you have extended.

Very truly yours,


RANDY L. DRYER

RLD/js

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LAW OFFICES OF
PARSONS, BEHLE & LATIMER
A PROFESSIONAL CORPORATION

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05 MAY 5 10:40