



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2778
DATE FILMED 2/16/89 CAMERA NO. 3
CAMERAMAN AS

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20541

16 September 1988

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

THROUGH: JOHN C. BURINA
STAFF DIRECTOR

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

SUBJECT: REFERRAL OF CARE ENTERPRISES PAC

This is a referral of Care Enterprises PAC ("the PAC") PAC failed to file four (4) reports in a timely manner just 1987-1988 election cycle. According to the RAD Review Referral Procedures for Unauthorized Committees (Standard 1) further examination is required by your office.

Please note that the PAC was previously referred to your office for failure to file four (4) 1986 reports and for failure to file the 1987 Mid-Year Report (88NF-1, closed 2585). The PAC was also referred to your office for failure to include the name of its connected organization in the PAC (see 88L-9, now MUR 2635).

If you have any questions concerning this matter, please contact Alva E. Smith at 376-2480.

Attachment

9 9 0 4 0 7 3 3 3 2 7

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 16 September 1988

ANALYST: Alva E. Smith

I. COMMITTEE: Care Enterprises PAC (C00181073)
Ernest Nielsen, Treasurer
1450 South 1500 East
Clearfield, UT 84015*/

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

III. BACKGROUND:

Failure to Timely File Reports

Care Enterprises PAC ("the PAC") failed to file four (4) Reports of Receipts and Disbursements in a timely manner during the 1987-1988 election cycle (see Chart). The reports were filed between thirty (30) and two hundred thirty eight (238) calendar days late.

On December 29, 1987, the Reports Analysis Division ("RAD") analyst telephoned Mr. Ernest Nielsen, treasurer, to inform him that the Mid-Year Report had not been received by the Commission. Mr. Nielsen explained that he sent the report the day after he received the Non-Filer Notice. He was not sure what address he mailed the report to, but stated that he would look for a copy of the report and phone the analyst back.

Mr. Nielsen called the RAD analyst on December 30, 1987. He explained that he could not locate the report but he was sure he mailed the report to the California Office.

*/ The PAC's previous address was listed as 23046 Avenida De La Carlota, Suite 700, Orange, CA 92668.

9 0 4 0 7 6 3 2 8

CARE ENTERPRISES PAC
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

The analyst gave Mr. Nielsen the Commission's address, sent him forms, and suggested that he send a new report by the first of the year if he was unable to locate the original report (Attachment 4).

On March 14, 1988, the RAD analyst telephoned Mr. Nielsen to inform him that the 1987 Year End Report had not been received by the Commission. Mr. Nielsen explained that he submitted a request for an extension on January 31, 1988. The analyst explained that there was no record of such request and that, in any event, the analyst would be unable to grant an extension. Mr. Nielsen then explained that he was in the process of completing the 1987 reports and would submit them as soon as possible (Attachment 8).

On June 7, 1988, a Chronic Late Filer Notice was sent to the PAC for failing to file the 1988 April Quarterly Report in a timely manner. The Notice advised the PAC that any additional late filing of reports may result in legal enforcement action (Attachment 13).

Subsequent to the sending of the Chronic Late Filer Notice, the PAC failed to file the 1988 July Quarterly Report. The RAD analyst telephoned Mr. Nielsen's office on August 24, 1988. According to the secretary, Mr. Nielsen was on vacation, but would return August 29, 1988. The RAD analyst left a message stating that the 1988 July Quarterly Report had not been received by the Commission (Attachment 16).

The PAC filed the 1988 July Quarterly Report on August 25, 1988 (Attachment 17).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

9 2 0 4 0 7 3 3 2 9

LATE FILING HISTORY

REPORT TYPE	PRIOR NOTICE	DATE DUE	NON-FILER NOTICE	DATE FILED
1987 Mid-Year (1/1/87-6/30/87)	07/07/87 (Attachment 2)	07/31/87	11/09/87 (Attachment 3)	03/25/88 (Attachment 5)
1987 Year End (- 12/31/87)*	12/18/87 (Attachment 6)	01/31/88	02/19/88 (Attachment 7)	03/25/88 (Attachment 9)
1988 April Quarterly (1/1/88-3/31/88)	03/22/88 (Attachment 10)	04/15/88	05/06/88 (Attachment 11)	05/15/88 (Attachment 12)
1988 July Quarterly (4/1/88-6/30/88)	06/21/88 (Attachment 14)	07/15/88	08/05/88 (Attachment 15)	08/25/88 (Attachment 17)

*/ An Informational Notice was mailed on April 27, 1988 requesting complete coverage dates for the reporting period. As of this writing, Care Enterprises PAC has not responded.

FEDERAL ELECTION COMMISSION
1987-1988
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

DATE 6SEP88

PAGE 4

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
					TYPE OF FILER	

CARE ENTERPRISES P A C
CONNECTED ORGANIZATION: CARE ENTERPRISES INC A DELAWARE CORP

[D 000]61075 NON-PARTY QUALIFIED

	REQUEST FOR ADDITIONAL INFORMATION			0 00	1	88FEC/507/2288
	REQUEST FOR ADDITIONAL INFORMATION 2ND			0 00	2	88FEC/510/4577
1987	MID-YEAR REPORT	6,398	6,650	1JAN87 - 30JUN87	20	88FEC/515/2468
	MID-YEAR REPORT - AMENDMENT	-		1JAN87 - 30JUN87	32	88FEC/526/3889
	NOTICE OF FAILURE TO FILE			1JAN87 - 30JUN87	1	87FEC/493/1474
	1'ST LETTER INFORMATIONAL NOTICE			1JAN87 - 30JUN87	2	88FEC/520/1174
	YEAR-END	8,901	12,525	31DEC87	10	88FEC/515/2995
	NOTICE OF FAILURE TO FILE			31DEC87	1	88FEC/510/2980
	1'ST LETTER INFORMATIONAL NOTICE			31DEC87	3	88FEC/520/1174
1988	STATEMENT OF ORGANIZATION - AMENDMENT			25MAR88	2	88FEC/515/2965
	STATEMENT OF ORGANIZATION - AMENDMENT			16MAY88	3	88FEC/526/3885
	MISCELLANEOUS NOTICE FROM FEC			7JUN88	1	88FEC/526/4381
	STATEMENT OF ORGANIZATION - AMENDMENT			1JUL88	1	88FEC/532/1456
	STATEMENT OF ORGANIZATION - AMENDMENT			25AUG88	1	88FEC/540/3487
	JANUARY QUARTERLY	0	1,000	1JAN88 - 31MAR88	4	88FEC/525/4240
	APRIL QUARTERLY - AMENDMENT	0	1,000	1JAN88 - 31MAR88	7	88FEC/526/3888
	APRIL QUARTERLY - AMENDMENT	0	1,000	1JAN88 - 31MAR88	6	88FEC/526/3889
	APRIL QUARTERLY - AMENDMENT	0	1,000	1JAN88 - 31MAR88	5	88FEC/540/3487
	NOTICE OF FAILURE TO FILE			1JAN88 - 31MAR88	1	88FEC/526/4240
	JULY QUARTERLY	327	6,127	1APR88 - 30JUN88	4	88FEC/540/3487
	NOTICE OF FAILURE TO FILE			1APR88 - 30JUN88	1	88FEC/540/3487
		15,43	26,362			

All reports have been reviewed.

Cash-on-hand as of 6/30/88: \$21,600.

Debts owed to the Committee as of 6/30/88: \$0

Debts owed by the Committee as of 6/30/88: \$0

9304073331

FEDERAL ELECTION COMMISSION
1985-1986
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

DATE 68EP88

PAGE 1

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES	TYPE OF FILER	MICROFILM LOCATION
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CARE PAC

ID NC00181073 NON-PARTY QUALIFIED

CONNECTED ORGANIZATION: CARE PAC ENTERPRISES, A CALIFORNIA CORP

1985 MID-YEAR REPORT	13,601	500	1JAN85 -30JUN85	33	85FEC/378/0737		
1 ST LETTER INFORMATIONAL NOTICE			1JAN85 -30JUN85	1	88FEC/503/2659		
YEAR-END	15,983	500	1JUL85 -31DEC85	37	86FEC/394/3802		
1 ST LETTER INFORMATIONAL NOTICE			1JUL85 -31DEC85	1	88FEC/503/2658		
1986 APRIL QUARTERLY	7,300	1,000	1JAN86 -31MAR86	33	87FEC/468/4158		
NOTICE OF FAILURE TO FILE			1JAN86 -31MAR86	1	87FEC/468/5377		
1 ST LETTER INFORMATIONAL NOTICE			1JAN86 -31MAR86	1	88FEC/503/2657		
JULY QUARTERLY	6,397	4,050	1APR86 -30JUN86	33	87FEC/468/4291		
NOTICE OF FAILURE TO FILE			1APR86 -30JUN86	1	87FEC/468/5378		
1 ST LETTER INFORMATIONAL NOTICE			1APR86 -30JUN86	1	88FEC/503/2656		
OCTOBER QUARTERLY	5,784	10,060	1JUL86 -30SEP86	33	87FEC/468/4257		
NOTICE OF FAILURE TO FILE			1JUL86 -30SEP86	1	87FEC/468/5379		
1 ST LETTER INFORMATIONAL NOTICE			1JUL86 -30SEP86	1	88FEC/503/2655		
POST-GENERAL	3,364	8,625	1OCT86 -30NOV86	33	87FEC/468/4224		
NOTICE OF FAILURE TO FILE			1OCT86 -30NOV86	1	87FEC/468/5380		
1 ST LETTER INFORMATIONAL NOTICE			1DEC86	32	87FEC/468/4159		
YEAR-END	1,550	2,575	25NOV86	1	87FEC/468/5381		
NOTICE OF FAILURE TO FILE							

All reports have been reviewed.

Cash-on-hand as of 12/31/86: \$32,275

Debts owed to the Committee as of 12/31/86: \$0

Debts owed by the Committee as of 12/31/86: \$0

REPORT NOTICE

July 7, 1987

ALL PARTY COMMITTEES AND PACS (NONCONNECTED COMMITTEES AND SEPARATE SEGREGATED FUNDS) must file a report in July.

Semiannual. The Mid-Year Report is due July 31 and must disclose financial activity that occurred from January 1 through June 30, 1987. Committees which have previously filed 1987 reports should only report activity from the closing date of the last report filed.

Monthly. If the committee chooses to file on a monthly basis, the next monthly report is due July 20 and must disclose financial activity from June 1 through June 30, 1987. Monthly reports are due by the 20th of each month and cover all financial activity of the previous month.

A report must disclose all receipts and disbursements (not previously reported) that occurred during the reporting period. A newly registered political committee filing its first report should also include all amounts received and expended before the committee registered. See 11 CFR 104.3. For more detailed information on reporting instructions, consult your Campaign Guide.

Committees should consult the instructions on the enclosed FEC FORM 3X for details. Affix the peel-off label from the envelope to line 1 of the report. Any corrections should be made directly on the label.

Committees that wish to change their reporting schedule (for example, from monthly to semiannual) must notify the Commission by sending a letter with the next report due under their current reporting schedule. Committees may change their filing frequency only once a year.

Political committees are responsible for filing all reports required under the Act in a timely fashion. Committees and treasurers who file late reports, or fail to file reports, are subject to enforcement action. Illegible reports and reports submitted on non-FEC forms will not be accepted; committees filing such documents will be required to refile.

(over)

1987 UPCOMING FILING SCHEDULE PARTIES AND PACS

Retain this report notice for future reference. The next notice will be sent December 18, 1987. Also, see the January 1987 issue of the FEC Record, which lists 1987 reporting dates.

SEMIANNUAL FILERS

Report	Period Covered 1/	Reg./Cert.	Filing
		Mailing Date 2/	Date 2/
Mid-Year	01/01 - 06/30	07/31/87	07/31/87
Year-End	07/01 - 12/31	01/31/88	01/31/88

MONTHLY FILERS

Report	Period Covered 1/	Reg./Cert.	Filing
		Mailing Date 2/	Date 2/
July	06/01 - 06/30	07/20/87	07/20/87
August	07/01 - 07/31	08/20/87	08/20/87
September	08/01 - 08/31	09/20/87	09/20/87
October	09/01 - 09/30	10/20/87	10/20/87
November	10/01 - 10/31	11/20/87	11/20/87
December	11/01 - 11/30	12/20/87	12/20/87
Year-End	12/01 - 12/31	01/31/88	01/31/88

1/ A newly registered committee should refer to "WHAT MUST BE REPORTED," on the reverse side.

2/ Reports sent by certified or registered mail must be postmarked by the mailing date. Reports mailed first class or hand delivered must be received by the filing date.

**FOR INFORMATION, Call: Information Services Division
202/376-3120 or 800/424-9530**

0004073334



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

80-7

NOV 9 1987

Ernest Nielsen, Treasurer
CARE PAC
23C46 Avenida De La Carlota
Suite 700
Orange, CA 92668

Identification Number: C00181873

Reference: Mid-Year Report (1/1/87-6/30/87)

Dear Mr. Nielsen:

It has come to the attention of the Federal Election Commission ("the Commission") that your committee may be in violation of 2 U.S.C. §434(a) for failing to file the above referenced Report of Receipts and Disbursements. You were notified previously of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 999 E 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 the relevant portions should also be filed with the Secretary of State or equivalent State officer. See 2 U.S.C. §439.

Although the Commission may initiate an audit or legal enforcement action concerning this matter, your prompt response and a letter of explanation will be taken into consideration.

If you have any questions, please contact Alva E. Smith on our toll-free number (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,

A handwritten signature in cursive script, reading "John D. Gibson".

John D. Gibson
Assistant Staff Director
Reports Analysis Division

87332463747335

TELECON

ANALYST: Alva Smith

CONVERSATION WITH: Ernest Nielsen, Treasurer

COMMITTEE: CARE PAC (714) 544-4443 EX 1203

DATE: December 29, and December 30, 1987

SUBJECT(S): '87 Mid Year Report

I called Mr. Nielsen on December 29, 1987. I informed him that the Commission has not received the Mid Year Report. He explained that he sent the report the day after he received the non-filer notice. I asked him for the address he used to send the report. He wasn't sure and explained that he's in the process of moving, therefore, all of his records are boxed. He stated that he'll look for a copy of the report and call me back.

Mr. Nielsen called me on December 30, 1987. He informed me that he could not locate the report, but he's pretty sure that he mailed the report to the California office. I explained that the Commission only has one office, which is in D.C. More than likely, I explained, he sent the report to the state office. I suggested that he submit a new report by the first of the year if he can't find the original report. I sent him forms and gave him the Commission address. Mr. Nielsen's new address is 1450 South 1500 East, Clearfield, UT, 84015. I requested that he submit this in writing.

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Corporation

an American Company Home Office: Washington, D.C.

RECEIVED
FEDERAL ELECTION COMMISSION

Attachment 5
(1 of 3)

00 MAR 25 AM 10:06



Mr. Thomas J. Josefak
Chairman
FEDERAL ELECTION COMMISSION
999 E Street N.W.
Washington, DC 20463

Dear Sir:

After a lengthy discussion with Mr. Jim Voegeli, I understand, very well, the seriousness of the letter which I received on March 14, 1988 from you regarding the violation of certain sections of the Federal Election Code.

It was discovered in December, 1987 that I was sending the required Reports for CarePac contributions and disbursements to an incorrect address in California, instead of directly to the Federal Election Commission. Alva Smith was very courteous in extending to me an additional period to send copies of the delinquent reports to her office.

I was amazed to be told in your letter and the accompanying Analysis that the July 31, 1987 report had still not been received in your offices, though I had sent copies during the week of December 19, 1987. Mr. Voegeli was kind enough to give me the street address of the Commission, which I had not used on the mailing in December, nor on the letter to Alva Smith on January 29, 1988 requesting an extension on the filing of the January 31, 1988 report, due to a transfer of my office and all the CarePac files to a new address in a new state.

Added to my distress was the discovery that I had violated one of the sections of the Code because I had failed to notify the commission of the change of my address.

I have been negligent, ignorantly so, and I express my concern and apology.

9 2 8 4 9 3 3 2393675



Corporation

an Arden Company Home Office: 60000000, 60000000

By way of this letter I am notifying the Commission of my new address:

CarePAC 8c00181073
c/o Ernest J. Nielsen, Treasurer
1450 South 1500 East
Clearfield, UT 84015

I am enclosing a copy of the July 31, 1987 report and my filing of the January 31, 1988 report.

With the enclosed information, and the statements in this letter, I have provided to the Commission all that is within my power to alleviate the errors made. They were made innocently, and will not be repeated.

I look forward to your response and express appreciation for your consideration in this matter. I am not the "criminal" that I'm afraid you might think I am. I certainly would not violate the law willfully. And I certainly have never meant to damage or harm anyone. I sincerely hope that my delinquencies and ignorance have not been damaging to any persons.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Ernest J. Nielsen'.

Ernest J. Nielsen
Treasurer
CarePAC

(Summary Page)

ALIGN AREA

ALIGN AREA

1. Name of Committee (In Full)

Care Pac

Address (Number and Street)

23046 Avenida de la Carabota
Suite 700

City, State and ZIP Code

Laguna Hills, CA 92653-1519

☐ Check here if address is different than previously reported.

2. FEC Identification Number

C 00181073

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

4. TYPE OF REPORT

- (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 _____

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 January 1, 1997 through June 30, 1997

6. (a) Cash on hand January 1, 1997

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 1B)

(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 2B)

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.

ERNEST J. NIELSEN

Type or Print Name of Treasurer

Ernest J. Nielsen

SIGNATURE OF TREASURER

7/27/97

Date

For further information consult:

Federal Election Commission

Toll Free 800-424-9630

Local 202-633-4888

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

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

FEC FORM 3X (3/90)

FEDERAL ELECTION COMMISSION

December 18, 1987

ALL PARTY COMMITTEES and PACs (NON-CONNECTED COMMITTEES AND SEPARATE SEGREGATED FUNDS) must file a Year End Report in January.

Semiannual. The Year End Report is due January 31, 1988, and must disclose financial activity that occurred from July 1 through December 31, 1987. Committees which have previously filed 1987 reports should only report activity from the closing date of the last report filed.

Monthly. Committees that choose to file on a monthly basis must file the Year End Report due January 31, 1988. The report must disclose financial activity from December 1 through December 31, 1987. All other monthly reports are due by the 20th of each month and cover all financial activity of the previous month.

A report must disclose all receipts and disbursements that occurred during the reporting period. A newly registered political committee filing its first report should also include all amounts received and expended before the committee registered. See 11 CFR 104.3. For more detailed information on reporting instructions, consult your Campaign Guide.

Committees should consult the instructions on the enclosed FEC Form 3X for details. Affix the peel-off label from the envelope to line 1 of the report. Any corrections in the information should be made directly on the label.

Committees that wish to change their reporting schedule (for example, from semiannual to monthly) must notify the Commission by sending a letter with the next report due under their current reporting schedule. Committees may change their filing frequency only once a year.

Political committees are responsible for filing all reports required under the Act in a timely fashion. Committees and treasurers who file late reports, or fail to file reports, are subject to enforcement action. Illegible reports and reports submitted on non-FEC forms will not be accepted; committees filing such documents will be required to refile.

**FOR INFORMATION, Call: Information Services Division
202/376-3120 or 800/424-9530**

0074973340



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20541

EO-7

FEB 19 1988

**Ernest Nielsen, Treasurer
CARE PAC
23046 Avenida De La Carlota
Suite 700
Laguna Hills, CA 92653**

Identification Number: C00101073

Reference: Year End Report (through 12/31/87)

Dear Mr. Nielsen:

It has come to the attention of the Federal Election Commission ("the Commission") that your committee may be in violation of 2 U.S.C. §434(a) for failing to file the above referenced Report of Receipts and Disbursements. You were notified previously of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 999 E 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 the relevant portions should also be filed with the Secretary of State or equivalent State officer. See 2 U.S.C. §439.

Although the Commission may initiate an audit or legal enforcement action concerning this matter, your prompt response and a letter of explanation will be taken into consideration.

If you have any questions, please contact Alva B. Smith on our toll-free number (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,

A handwritten signature in dark ink, appearing to read "John D. Gibson".

**John D. Gibson
Assistant Staff Director
Reports Analysis Division**

ANALYST: Alva E. Smith

CONVERSATION WITH: Ernest Nielsen (801)773-6553

COMMITTEE: CARE PAC C00181073

DATE: 3/14/88

SUBJECT(S): 1987 Year End non-filer

I informed Mr. Nielsen that as of this day the Commission has not received the 1987 Year End report. Mr. Nielsen explained that he submitted, on January 31, 1988, a request for an extension. I explained that there's no record of such request, additionally, I do not have the authority to grant extensions. Mr. Nielsen also stated that he is in the process of completing the 1987 reports and will submit them as soon as possible.

9 2 0 4 0 7 3 3 3 4 2

(Summary Page)

ALIGN AREA

ALIGN AREA

1 Name of Committee (in Full)

CARE PAC

Address (Number and Street)

1450 SOUTH 1500 EAST
CLEARFIELD, UT 84015

City, State and ZIP Code

☒ Check here if address is different than previously reported.

2 FEC Identification Number

C 00181073

3 ☐ This committee qualified as a multicandidate 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 _____ through _____

6 (a) Cash on hand January 1, 19 _____

(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.

ERNEST J. NIELSEN

Type or Print Name of Treasurer

[Signature]

SIGNATURE OF TREASURER

3/18/88

Date

For further information contact:

Federal Election Commission

Toll Free 800-424-9630

Local 202-423-4088

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

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

FEC FORM 3X (3/80)

QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

March 22, 1988

REPORT	REPORTING PERIOD	REG./CERT.	FILING
		MAILING DATE*	DATE
April Quarterly	01/01/88**-03/31/88	04/15/88	04/15/88

WHO MUST FILE

PARTY COMMITTEES AND PACs (NONCONNECTED COMMITTEES AND SEPARATE SEGREGATED FUNDS) filing on a quarterly basis must file their next report in April.

WHAT MUST BE REPORTED

All financial activity (not previously reported) that occurred during the reporting period..

REPORTING FORMS

Party committees and PACs use Form 3X (enclosed).

WHERE TO FILE

Consult the instructions on the back of the Form 3X Summary Page. Note state filing requirements also.

LABEL

Committees should affix the peel-off label from the envelope to Line 1 of the report. Corrections should be made on the label.

PRE-ELECTION REPORTING

Committees which make contributions or expenditures (including independent expenditures) in connection with a candidate's primary election, must also file a 12-day Pre-Election Report if the activity was not previously reported. See the January Record.

LAST-MINUTE INDEPENDENT EXPENDITURES

Committees which make an independent expenditure of \$1,000 or more, after the 20th day, but more than 24 hours before an election, must report it within 24 hours.

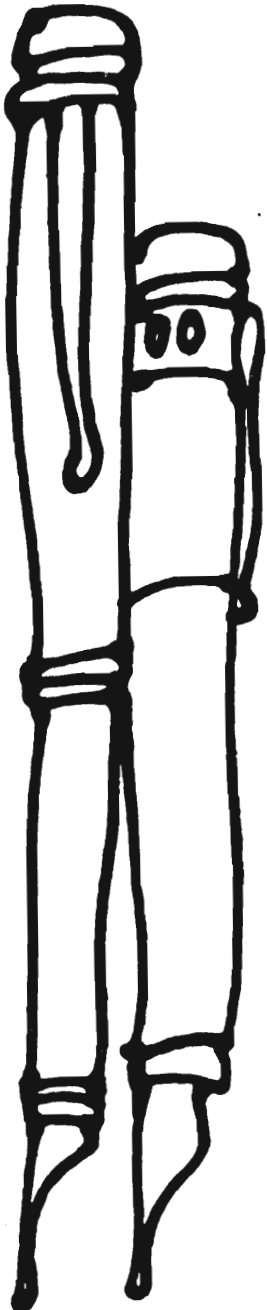
COMPLIANCE

TREASURERS OF POLITICAL COMMITTEES ARE RESPONSIBLE FOR FILING ALL REPORTS ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT ACTION. COMMITTEES FILING ILLEGIBLE REPORTS OR USING NON-FEC FORMS WILL BE REQUIRED TO REFILE.

*Reports sent by registered or certified mail must be postmarked by the mailing date. Otherwise, they must be received by the filing date.

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

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FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20543

EQ-7

May 6, 1988

Ernest Nielsen, Treasurer
 Care PAC
 1450 South 1500 East
 Clearfield, UT 84015

Identification Number: C00181073

Reference: April Quarterly Report (1/1/88-3/31/88)

Dear Mr. Nielsen:

It has come to the attention of the Federal Election Commission ("the Commission") that your committee may be in violation of 2 U.S.C. §434(a) for failing to file the above referenced Report of Receipts and Disbursements. You were notified previously of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 999 E 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 the relevant portions should also be filed with the Secretary of State or equivalent State officer. See 2 U.S.C. §439.

Although the Commission may initiate an audit or legal enforcement action concerning this matter, your prompt response and a letter of explanation will be taken into consideration.

If you have any questions, please contact Alva Smith on our toll-free number (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,

John D. Gibson
 Assistant Staff Director
 Reports Analysis Division

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ERNEST NIELSEN

May 16, 1988

Dear Mr. Gibson:

This is getting rather old! The 1st Quarter report was sent on April 15, 1988, which was the due date. Other correspondence from your offices to mine have shown almost one full month from the date you have it stamped as sent and the date I have received it.

Since this has been an ongoing problem, for which I have now been fined an unreasonable \$5,000, I took a copy of the envelope in which the report was sent to prove at a later date that I was not delinquent.

Let's discover the source of this problem and get it resolved once and for all! A small PAC like ours cannot afford to pay unnecessary fines!

I am copying this note to Jim Voegeli, since he is also aware of my frustration and has been working with the commission on our case.

I look forward to your response.

A handwritten signature in cursive script, appearing to read "Ernest Nielsen".

c. Jim Voegeli

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REPORT OF RECEIPTS AND DISBURSEMENTS

For Other Than An Authorized Committee
(Summary Page)

(2 of 3)
FEC FORM 3X
MAY 23 1988

88 MAY 23 PM 2:09

1. NAME OF COMMITTEE (in full)
CARE ENTERPRISES PAC

ADDRESS (number and street) ☒ Check if different from previously reported
1450 So. 1500 East

CITY, STATE and ZIP CODE
Chandler, UT 84015

2. PAC IDENTIFICATION NUMBER
C00181073

3. ☐ This committee qualified as a noncandidate committee DURING THIS Reporting Period (2000)

4. TYPE OF REPORT

- (a) ☒ April 15 Quarterly Report
- ☐ July 15 Quarterly Report
- ☐ October 15 Quarterly Report
- ☐ January 31 Year End Report
- ☐ July 31 Mid Year Report (Non-election Year Only)

Monthly Report Due On:

- ☐ February 28 ☐ June 30 ☐ October 30
- ☐ March 31 ☐ July 31 ☐ November 30
- ☐ April 30 ☐ August 31 ☐ December 31
- ☐ May 31 ☐ September 30 ☐ January 31

- ☐ 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	COLUMN A This Period	COLUMN B Calendar Year-to-Date
<u>Jan 1, 1988</u> through <u>MAR. 31, 1988</u>		
6. (a) Cash on Hand January 1, 1988		\$38,401.10
(b) Cash on Hand at Beginning of Reporting Period	\$28,401.10	
(c) Total Receipts (from Line 18)	\$ - 0 -	\$ - 0 -
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$28,401.10	\$28,401.10
7. Total Disbursements (from Line 28)	\$1,000.00	\$1,000.00
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$27,401.10	\$27,401.10
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	\$	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	\$	

For further information contact:
Federal Election Commission
900 E Street, NW
Washington, DC 20463
Toll Free 800-434-6530
Local 202-376-3120

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

Type or Print Name of Treasurer
ERNEST J. NIELSEN

Signature of Treasurer

Ernest J. Nielsen

Date

4/15/88

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

FEC FORM 3X
(revised 4/87)

WE WEST
SUNSHINE & PLYM
OUTH 1500 EAST
RD, UTAH 84015
TE 773-6553

(3 of 3)

88035263888

P 660 487 579

John D. Edwards
Federal Election Commission
Washington, DC 20543





FEDERAL ELECTION COMMISSION MS-1

WASHINGTON, DC 20461

Ernest Nielsen, Treasurer
 Care PAC
 1450 South 1500 East
 Clearfield, UT 84015

Identification Number: C00181073

Reference: 1987-1988 Election Cycle Reports

Dear Mr. Nielsen:

It has come to the attention of the Federal Election Commission ("the Commission") that your committee may have violated 2 U.S.C. §436(a), by failing to timely file Reports of Receipts and Disbursements. The following is a list of the reports in question.

<u>Report Type</u>	<u>Due Date</u>	<u>Date Filed</u>
April Quarterly (1/1/88-3/31/88)	4/15/88	5/19/88

Timely filing is a specific requirement of the Federal Election Campaign Act ("the Act") and is essential to fulfilling the public disclosure concept embodied in that law. The Commission views the untimely filing of reports as a serious violation of the Act. This communication is to advise you that, notwithstanding any matters which may be pending before the Commission, any additional report which is not submitted in a timely manner by your committee may result in the Commission initiating legal enforcement or audit action.

You may submit a letter of explanation in response to this notification. If, however, you have any questions, please feel free to contact Alva E. Smith on our toll-free number, (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,

Lisa J. Stolaruk
 Chief, Party/Non-Party Branch
 Reports Analysis Division

REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

June 21, 1988

REPORT	REPORTING PERIOD	REG./CERT. MAILING DATE*	FILING DATE
July Quarterly	04/01/88**-06/30/88	07/15/88	07/15/88

WHO MUST FILE

PARTY COMMITTEES AND PACs (NONCONNECTED COMMITTEES AND SEPARATE SEGREGATED FUNDS) filing on a quarterly basis must file a quarterly report in July.

WHAT MUST BE REPORTED

All financial activity (not previously reported) that occurred during the reporting period.

REPORTING FORMS

Party committees and PACs use Form 3X (enclosed).

WHERE TO FILE

Consult the instructions on the back of the Form 3X Summary Page. Note state filing requirements also.

LABEL

Committees should affix the peel-off label from the envelope to Line 1 of the report. Corrections should be made on the label.

PRE-ELECTION REPORTING

Committees which make contributions or expenditures (including independent expenditures) in connection with a candidate's primary election, must also file a 12-day Pre-Election Report if the activity was not previously reported. See the January Record.

LAST-MINUTE INDEPENDENT EXPENDITURES

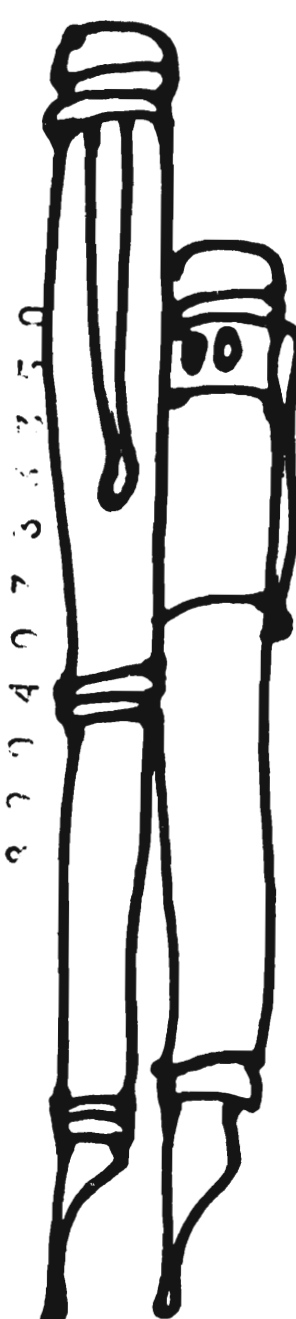
Committees which make an independent expenditure of \$1,000 or more, after the 20th day, but more than 24 hours before an election, must report it within 24 hours.

COMPLIANCE

TREASURERS OF POLITICAL COMMITTEES ARE RESPONSIBLE FOR FILING ALL REPORTS ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT ACTION. COMMITTEES FILING ILLEGIBLE REPORTS OR USING NON-FEC FORMS WILL BE REQUIRED TO REFILE.

*Reports sent by registered or certified mail must be postmarked by the mailing date. Otherwise, they must be received by the filing date.

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



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

August 5, 1988

EQ-7

Ernest Nielsen, Treasurer
Care Enterprises PAC
1450 South 1500 East
Clearfield, UT 84015

Identification Number: C00181073

Reference: July Quarterly Report (4/1/88-6/30/88)

Dear Mr. Nielsen:

It has come to the attention of the Federal Election Commission ("the Commission") that your committee may be in violation of 2 U.S.C. §434(a) for failing to file the above referenced Report of Receipts and Disbursements. You were notified previously of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 999 E 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 the relevant portions should also be filed with the Secretary of State or equivalent State officer. See 2 U.S.C. §439.

Although the Commission may initiate an audit or legal enforcement action concerning this matter, your prompt response and a letter of explanation will be taken into consideration.

If you have any questions, please contact Alva E. Smith on our toll-free number (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,

A handwritten signature in cursive script, reading "John D. Gibson".

John D. Gibson
Assistant Staff Director
Reports Analysis Division

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0 0 0 5 1 0 4 7 1

TELECON

ANALYST: A. Smith

CONVERSATION WITH: Mr. Nielsen's secretary (801)773-6553

COMMITTEE: Care Enterprises PAC/C00181073

DATE: August 24, 1988

SUBJECT(S):'88 July Quarterly non-filer

According to the secretary, Mr. Nielsen will be on vacation until August 29, 1988. I asked that she leave a message stating that the July Quarterly Report has not yet been received at the Commission.

8 2 0 4 0 7 3 3 3 5 2

RECEIVED
FEDERAL ELECTION COMMISSION
REPORTS ANALYSIS DIVISION

AUG 25 PM 1:59

C.001F1073

1. NAME OF COMMITTEE (S)
CARE ENTERPRISES INC.
 1450 So. 1500 E.
 CITY, STATE and ZIP CODE
CLEARFIELD, UT 84015

2. FEE INFORMATION
☐ This committee qualified as a non-federally financed committee during this reporting period.

4. TYPE OF REPORT

☐ April 15 Quarterly Report☒ July 15 Quarterly Report☐ October 15 Quarterly Report☐ January 31 Year End Report☐ July 31 Mid Year Report (Non-election Year Only)☐ Termination Report

Monthly Report Due On:

<input type="checkbox"/> February 28	<input type="checkbox"/> June 30	<input type="checkbox"/> October 30
<input type="checkbox"/> March 31	<input type="checkbox"/> July 31	<input type="checkbox"/> November 30
<input type="checkbox"/> April 30	<input type="checkbox"/> August 31	<input type="checkbox"/> December 31
<input type="checkbox"/> May 31	<input type="checkbox"/> September 30	<input type="checkbox"/> January 31

☐ Twelfth day report preceding _____ (Type of Election)

election on _____ in the State of _____

☐ Twelfth day report following the General Election on _____ in the State of _____(4) Is this Report an Amendment? ☐ YES ☐ NO

SUMMARY		COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period	APR 1, 1988 through JUNE 30, 1988		
6. (a) Cash on Hand January 1, 1988			\$ 28,401.10
(b) Cash on Hand at Beginning of Reporting Period		\$ 27,401.10	
(c) Total Receipts (from Line 10)		\$ 327.54	\$ 322.54
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)		\$ 27,728.64	\$ 28,728.64
7. Total Disbursements (from Line 20)		\$ 6,107.78	\$ 7,127.78
8. Cash on Hand at Close of Reporting Period (Subtotal Line 7 from Line 6(d))		\$ 21,620.86	\$ 21,600.86
9. Debts and Obligations Owed TO the Committee (Reimburse all on Schedule C and/or Schedule D)		\$	
10. Debts and Obligations Owed BY the Committee (Reimburse all on Schedule C and/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.

Type or Print Name of Treasurer

ERNEST J. NIELSEN

Signature of Treasurer

Ernest J. Nielsen

Date

7/15/88

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

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FEC FORM 9X
(Revised 6/87)

88 NOV -1 PM 12:50

FIRST GENERAL COUNSEL'S REPORT

RAD Referral 88NF-46
Staff Member: Reilly

SENSITIVE

SOURCE: INTERNALLY GENERATED

RESPONDENTS: Care Enterprises PAC and Ernest Nielsen, as
treasurer

RELEVANT STATUTE: 2 U.S.C. § 434(a)(4)(i) and (iv)

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF THE MATTER

The Reports Analysis Division ("RAD") referred Care Enterprises PAC ("the Committee") and Ernest Nielsen, as treasurer, to the Office of the General Counsel on September 16, 1988.^{1/} The basis of the attached referral is the Committee's failure to file timely reports during the 1987-1988 election cycle.

II. FACTUAL AND LEGAL ANALYSIS

The Act requires unauthorized political committees to file on either a quarterly or a monthly basis. 2 U.S.C. § 434(a)(4). Committees opting to file quarterly are required to file quarterly reports in a year in which a regularly scheduled general election is held. These reports are due on the 15th day

^{1/} This is the Committee's third referral. RAD previously referred the Committee for failure to file four 1986 reports and for failure to file the 1987 Mid-Year Report. See, MUR 2585. The Commission concluded that matter with the signing of a conciliation agreement containing a \$5,000 civil penalty on June 14, 1988. The Committee was also the subject of RAD 88L-9 (MUR 2635) on the basis of its failure to include the its connected organization in its name. On September 30, 1988, the Commission took no further action in that matter and closed the file.

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The Committee has failed to satisfy the Act's reporting requirements. RAD notified the Committee on July 7, 1987, that its 1987 Mid-Year Report was due on July 31, 1987. The Committee failed to file this report until March 25, 1988.^{2/}

Additionally, RAD notified the Committee on March 22, 1988 that its 1988 April Quarterly Report was due on April 15, 1988. The Committee failed to file this report until May 15, 1988. On June 7, 1988, RAD sent the Committee a chronic late filer notice for failure to timely file this report, and advising that future

late filings may result in legal enforcement action.

Nevertheless, and despite prior notification that its 1988 July Quarterly Report was due in July 15, 1988, the Committee failed to file this report until August 25, 1988. Therefore, this Office recommends that the Commission open a MUR and find reason to believe Care Enterprise PAC violated 2 U.S.C.

§ 434(a)(4)(A)(i).

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

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IV. **RECOMMENDATIONS**

1. Open a MUR.
2. Find reason to believe Care Enterprises PAC and Ernest Nielsen, as treasurer, violated 2 U.S.C. §434(a)(4)(A)(i) and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the attached letter, factual and legal analysis, and proposed conciliation agreement.

Lawrence M. Noble
General Counsel

10-31-88
Date

By:


Lois G. Lerner
Associate General Counsel

Attachments

RAD Referral
Proposed Agreement
Factual and Legal Analysis
Proposed Letter

Staff Person: Patty Reilly

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Care Enterprises PAC and Ernest Nielsen,
as treasurer

(MUR 2778)
RAD Ref. 88NF-46

CERTIFICATION

1, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 3, 1988, the Commission decided by a vote of 6-0 to take the following actions in RAD Ref. 88NF-46:

1. Open a MUR.
2. Find reason to believe Care Enterprises PAC and Ernest Nielsen, as treasurer, violated 2 U.S.C. §434(a)(4)(A)(i) and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the letter, factual and legal analysis, and proposed conciliation agreement, as recommended in the First General Counsel's report signed October 31, 1988.

Commissioners Aikens, Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision.

Attest:

Nov. 4, 1988

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Tues., 11-1-88, 12:50
Circulated on 48 hour tally basis: Tues., 11-1-88, 4:00
Deadline for vote: Thurs., 11-3-88, 4:00



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 14, 1988

Ernest J. Nielsen, Treasurer
Care Enterprises PAC
1450 South 1500 East
Clearfield, Utah 84015

RE: MUR 2778
Care Enterprises PAC and
Ernest J. Nielsen, as treasurer

Dear Nielsen:

On November 3, 1988, the Federal Election Commission found that there is reason to believe Care Enterprises PAC ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Committee and you, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against the Committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

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

Ernest J. Nielsen, Treasurer
Page 2

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


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

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

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Patty Reilly, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,


Thomas J. Josefiak
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

00004073360

BEFORE THE FEDERAL ELECTION COMMISSION

88 DEC 28 PM 4:33

In the Matter of)
Care Enterprises PAC)
and Ernest J. Neilsen, as)
treasurer)

MUR 2778

SENSITIVE**GENERAL COUNSEL'S REPORT****I. BACKGROUND**

On November 3, 1988, the Commission found reason to believe Care Enterprises PAC ("the Committee") and Ernest J. Neilsen, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) by failing to file timely the 1986 April and July Quarterly Reports. Also on that date the Commission approved a proposed conciliation agreement

II. RECOMMENDATIONS

1. Accept the attached proposed agreement of Care Enterprises PAC and Ernest J. Neilsen, as treasurer.
2. Approve the attached letter.


3374073331

3. Close the file in this matter.

Lawrence M. Noble
General Counsel

12-23-88
Date

BY:


Lois G. Lerner
Associate General Counsel

Attachments

1. Conciliation Agreement
2. Check
3. Proposed Letter

Staff Person: Patty Reilly

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Care Enterprises PAC) MUR 2778
and Ernest J. Neilsen, as)
treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 9, 1989, the Commission decided by a vote of 6-0 to take the following actions in MUR 2778:

1. Accept the proposed agreement of Care Enterprises PAC and Ernest J. Neilsen, as treasurer, as recommended in the General Counsel's report signed December 23, 1988.
2. Approve the letter, as recommended in the General Counsel's report signed December 23, 1988.
3. Close the file in this matter.

Commissioners Aikens, Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision.

Attest:

January 9, 1989
Date

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

Received in the Office of Commission Secretary: Wed., 12-28-88, 4:00
Circulated on 48 hour tally basis: Thurs., 12-29-88, 11:00
Deadline for vote: Mon., 01-09-89, 4:00

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

January 13, 1989

Ernest J. Nielsen, Treasurer
Care Enterprises PAC
1450 South 1500 East
Clearfield, Utah 84015

RE: MUR 2778
Care Enterprises PAC and
Ernest J. Nielsen, as
Treasurer

Dear Mr. Nielsen:

On January 9, 1989, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your behalf in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter. This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Patty Reilly, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

88 DEC 15 AM 10:49

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Care Enterprises PAC and)
Ernest J. Nielsen, as treasurer)
)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Care Enterprises PAC and Ernest J. Nielsen, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(4)(A)(i).

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. Respondent, Care Enterprises PAC, is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Respondent, Ernest J. Nielsen, is the treasurer of Care Enterprises PAC.

3. Pursuant to 2 U.S.C. § 434(a)(4)(A)(i), respondents were required to file their 1988 April Quarterly Report no later than April 15, 1988. Respondents failed to file this report until May 15, 1988.

4. Pursuant to 2 U.S.C. § 434(a)(4)(A)(i), respondents were required to file their 1988 July Quarterly Report no later than July 15, 1988. Respondents failed to file this report until August 25, 1988.

V. 1. Respondents failed to timely file their 1988 April and July Quarterly Reports in violation of 2 U.S.C. § 434(a)(4)(A)(i).

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of ~~THREE~~ hundred dollars (\$300) pursuant to 2 U.S.C. § 437g(a)(5)(A).

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.

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

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IX. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

X. 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 enforceable.

FOR THE COMMISSION:

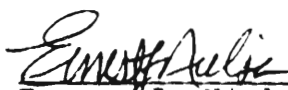
Lawrence M. Noble
General Counsel



Lois G. Lerner
Associate General Counsel

Date 1/13/89

FOR THE RESPONDENTS:



Ernest J. Nielsen
Treasurer
Care Enterprises PAC

Date 12/1/88

9 3 7 4 0 7 3 3 3 5 7



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2778

DATE FILMED 2/16/89 CAMERA NO. 3

CAMERAMAN AS

89040733368