



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 29, 1999

Mary Maloney, Treasurer
Iowa Democratic Party
5661 Fleur Drive
Des Moines, IA 50321

RE: MUR 4906

Dear Ms. Maloney:

On June 22, 1999, the Federal Election Commission found that there is reason to believe that the Iowa Democratic Party ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iii), 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.

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

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

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

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

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

Mary Maloney, Treasurer
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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 Deborah Rice, the staff member assigned to this matter, at (202) 694-1650.

Sincerely,



Scott E. Thomas
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

2025-10-10 10:10:10

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Iowa Democratic Party and MUR: 4906
Mary Maloney, as treasurer

This matter was generated based on information ascertained by the Federal Election Commission ("Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2).

I. THE LAW

The Federal Election Campaign Act of 1971, as amended, provides that all political committees other than authorized committees of a candidate shall file a post-general election report, which shall be filed no later than the 30th day after the general election and which shall be complete as of the 20th day after such general election. 2 U.S.C. § 434(a)(4)(A)(iii).

II. THE FACTS

The Iowa Democratic Party ("the Committee") is a political committee that is not an authorized committee of a candidate. Mary Maloney is the treasurer of the Committee.

The Committee failed to timely file the 1998 30 Day Post-General Report of Receipts and Disbursements covering the period from October 15, 1998 to November 23, 1998. On December 29, 1997, September 30, 1998 and November 5, 1988, the Commission sent notices to the Committee reminding them that the 1998 30 Day Post-General Report was due on December 3, 1998. On December 29, 1998, the Committee was sent a Non-Filer Notice.

On December 3, 1998, the Committee filed a cover letter and a blank Summary page for the 1998 30 Day Post-General reporting period. The cover letter stated that the report was incomplete. On February 26, 1999, Steve Mandernach, Comptroller for the Committee, called the Commission to say that their bookkeeper had recently passed away and in addition, the

Committee was experiencing serious computer problems, thus delaying the filing of the report. On March 22, 1999, the Comptroller of the Committee called to say that he would be sending the 30 Day Post-General Report later that day. The 1998 30 Day Post-General Report was filed on March 24, 1999 along with a cover letter which did not provide any further information regarding the late filing.

The Committee filed the 1998 30 Day Post-General Report on March 24, 1999, 110 days late. The report disclosed \$632,684 in receipts and \$716,406 in disbursements.

Therefore, there is reason to believe Iowa Democratic Party and Mary Maloney, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iii).