



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20461

THIS IS THE END OF TAPE # 1117

Date Filmed 8-5-82 Camera No. --- 2

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 14, 1981

Caroline Fox
Californians for Brown
630 Chateau Place
Los Angeles, California 90005

RE: MUR 1117

Dear Ms. Fox:

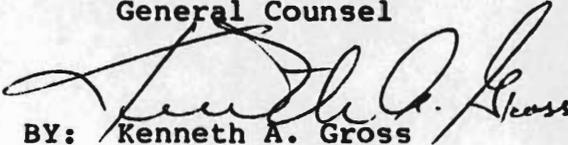
You have previously been advised that your committee's contributions in 1978 to the Orange County Democratic Central Committee and United for Orange County appeared to violate 2 U.S.C. § 433, § 434 and § 441a, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act").

However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file. The file will be made part of the public record within thirty days. If you wish to submit any materials to appear on the public record, please do so within ten days.

If you have any questions, contact Suzanne Callahan, the staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

BY: 
Kenneth A. Gross
Associate General Counsel

62040341939



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Caroline Fox
Californians for Brown
630 Chateau Place
Los Angeles, California 90005

RE: MUR 1117

Dear Ms. Fox:

You have previously been advised that your committee's contributions in 1978 to the Orange County Democratic Central Committee and United for Orange County appeared to violate 2 U.S.C. § 433, § 434 and § 441a, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act").

However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file. The file will be made part of the public record within thirty days. If you wish to submit any materials to appear on the public record, please do so within ten days.

If you have any questions, contact Suzanne Callahan, the staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

SNK
8/13/81

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Caroline Fox
Californians for Brown
630 Chateau Place
Los Angeles, California 90005

RE: MUR 1117

Dear Ms. Fox:

You have previously been advised that your committee's contributions in 1978 to the Orange County Democratic Central Committee and United for Orange County appeared to violate 2 U.S.C. § 433, § 434 and § 441a, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act").

However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file. The file will be made part of the public record within thirty days. If you wish to submit any materials to appear on the public record, please do so within ten days.

If you have any questions, contact Suzanne Callahan, the staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

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13

CERTIFICATION
MURs 1115 - 1123
General Counsel's Report
Dated July 29, 1981

Page 2

7. MUR 1120 - take no further action against
Hannaford Re-Election Committee's violations
of §441a(f) and close the file.
8. MUR 1121 - take no further action against
Re-Elect Paul Ball Committee's violations
of §§433 and 434 and close the file.
9. MUR 1122 - refer the Round Up '78 Committee
to Audit for review pursuant to 2 U.S.C.
§437g.
10. MUR 1123 - take no further action against
Mobile Homes PAC's violations of §433 and
§434 and close the file.

Commissioners Aikens, Harris, McGarry, Thomson, and Tiernan
voted affirmatively. Commissioner Reiche dissented.

Attest:

8-12-81

Date

Lena L. Stafford

Recording Secretary

02040341943



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE *mwc*
FROM: MARJORIE W. EMMONS / JODY CUSTER *jc*
OFFICE OF THE SECRETARY TO THE COMMISSION
DATE: AUGUST 3, 1981
SUBJECT: ADDITIONAL OBJECTION - MURs 1115/1123 General
Counsel's Report dated 7-29-81; Received in
OCS, 7-30-81, 12:57

You were notified previously of an objection by
Commissioner Reiche.

Commissioner Aikens submitted an additional objection
at 4:10, August 3, 1981.

This matter will be discussed in executive session
on Tuesday, August 11, 1981.

62040341944



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE *MWE*
FROM: MARJORIE W. EMMONS/JODY CUSTER *Jc*
DATE: AUGUST 3, 1981
SUBJECT: OBJECTION - MURs 1115/1123 General Counsel's
Report dated 7-29-81; Received in OCS,
7-30-81, 12:57

The above-named document was circulated on a 48
hour vote basis at 4:00, July 30, 1981.

Commissioner Reiche submitted an objection at 3:47
at 3:47, August 3, 1981.

This matter will be placed on the Executive Session
Agenda for Tuesday, August 11, 1981.

62040341945

July 30, 1981

MEMORANDUM TO: Marjorie W. Emmons
FROM: Phyllis A. Kayson
SUBJECT: MURs 1115 - 1123

Please have the attached General Counsel's Report distributed to the Commission on a 48 hour tally basis. Thank you.

Attachment

cc: Calahan

02040341946

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
COMMUNICATIONS SECTION
JUL 30 1981 12:57

In the Matter of)
)
Orange County Democratic)
Central Committee, et. al)

MURS 1115 - 1123

GENERAL COUNSEL'S REPORT

SENSITIVE

Background

These matters were generated as the result of information compiled by the Reports Analysis Division (RAD) during the ordinary course of review of Quarterly Reports. As the result of earlier recommendations made directly to the Commission by RAD, the Commission has previously found reason to believe that United for Orange County, the Orange County Democratic Central Committee, the Committee to Re-Elect Patterson, the Hannaford Re-Election Committee, the Mobile Homes PAC, and the Re-Elect Paul Bell Committee violated the Act.

Additionally, the Assemblyman Cordova Committee, Californians for Brown, and the Round Up '78 Committee were referred to OGC for failure to adequately respond to surface violation notifications from RAD.

The specific allegations are discussed separately, by respondent, below.

Orange County Democratic Central Committee
("OCDCC") - MUR 1115

The Commission has found reason to believe that OCDCC violated (a) 2 U.S.C. § 434 by failing to adequately disclose its opening funds and failure to properly disclose the individuals involved in partnership contributions; (b) 2 U.S.C. § 441a(f) by accepting excessive contributions totalling \$8,330 from Californians for Brown '78;

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and (c) 2 U.S.C. § 441b by accepting contributions from corporations and labor unions.

RAD has also noted that OCDCC has apparently violated:

(a) 2 U.S.C. § 441a by making excessive contributions totalling \$5,000 to the Committee to Re-Elect Patterson to Congress as well as to the Hannaford Re-Election Committee; and (b) 2 U.S.C. § 441a(f) by receiving \$7,876 in excessive contributions from the Re-Elect Paul Bell Committee. (MURS 1115, 1117, 1119, 1121 and 1122 have in common the accounts of the Orange County Democratic State Central Committee).

At the time of the referral, all that was known about OCDCC's financial activity was that OCDCC apparently operated with three accounts - a restricted account containing corporate and union monies, a general account, and the "Chairs Committee" account which was established for purposes of segregating proceeds from fundraisers until all expenses for such events had been paid, at which time any remaining proceeds were placed in the general account. OCDCC's reports to the Commission apparently included the activities of both the general and the restricted accounts. It was not possible to determine the relationships of these accounts to the OCDCC's federal activity. Nor was it ascertained into which account the contributions from Californians for Brown '78, the Re-Elect Paul Bell Committee, and the contributions from an individual contributor, Richard J. O'Neill, were placed.

Therefore, on June 3, 1980, the Commission issued an order to OCDCC to clarify unanswered questions surrounding its financial activities as well as its purported affiliation with the California

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Democratic State Central Committee - Federal Account ("DSCC - Federal Account"). In light of the fact that DSCC - Federal Account denied affiliation with OCDCC, it was also issued an order concerning the affiliation issue.

In response to the order, DSCC - Federal Candidate Fund reiterated its previous position that it is not affiliated with OCDCC. OCDCC stated that the relationship between the two is contained in the California State Election Code. A review of the State Election Code Articles which outline membership in the State Central Committee and in the County Committees, does not indicate control, overlapping membership or any other indicia of affiliation between the two. Therefore, absent affiliation with DCSS - Federal Candidates Fund, OCDCC has violated 2 U.S.C. § 441a by making excessive contributions of \$5,000 to the Committee to Re-Elect Patterson to Congress and the Hannaford Re-Election Committee.

The Commission has also found reason to believe that OCDCC violated 2 U.S.C. § 441a(f) by accepting excessive contributions totalling \$8,330 from Californians for Brown and \$7,876 from the Re-Elect Bell Committee. While both contributors maintained that their contributions were earmarked for Registration and GOTV activities of OCDCC, it appears from the reports that the subject contributions were co-mingled with the federal monies held in the various accounts of OCDCC. In response to the Commission's Order, OCDCC filed amended reports but still failed to establish whether certain contributions and expenditures were made from the general account or the federal account and failed to provide the dollar amount expended in connection with GOTV activities.

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As discussed in detail with respect to United for Orange County (see discussion MUR 1116, which follows), the Commission has held in AO 1978-28 that the expenses of a political party organization for GOTV drives in a federal election year are, at least in part, for the purpose of influencing the election of persons to federal office even though the drive is not conducted expressly or exclusively on behalf of federal candidates.

However, because the dollar amount expended in connection with GOTV activities has not been provided, it is impossible to ascertain what portion of the contributions from Brown and Bell were used in connection with federal elections.

The Commission has also found reason to believe that OCDCC violated § 434 for failure to report opening cash on hand and for failure to provide complete partnership itemizations. The amended reports do not provide any information which would negate the Commission's previous finding.

The Commission has previously found reason to believe that OCDCC has accepted corporate and union contributions which have been used in connection with federal elections. Again, OCDCC has not provided any information which refutes the Commission's finding.

OCDCC registered in September 1978 and according to a computer run of the Commission C index, OCDCC expended \$92,648 in connection with 1978 primary elections, \$32,730 in connection with the 1978 general election and additionally expended \$25,000 in 1980. In light of the fact that OCDCC is an ongoing Committee, has repeatedly failed to provide adequate disclosure information

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to the Commission and because unanswered questions regarding their financial activities remain, especially those questions pertaining to the restricted account, the Office of General Counsel recommends that the Commission refer this committee to the Audit Division for consideration of a 2 U.S.C. § 437g audit within the parameters of the findings previously made in this matter.

It is recommended that the Commission take no further action against DSCC - Federal Candidates Fund for possible violation of 2 U.S.C. § 433 pending an audit of OCDCC.

United for Orange County
MUR 1116

The Commission has found reason to believe that United for Orange County violated (a) § 441a(f) by accepting an excessive contribution totalling \$14,000 from Californians for Brown '78 and (b) § 433 for failure to file a statement of organization.

Conversely, the Commission has found reason to believe that Californians for Brown violated 2 U.S.C. §§ 433, 434, and 441a in connection with making excessive contributions to a political committee while an unregistered committee.

In response to the Commission's findings of reason to believe that this committee may have violated 2 U.S.C. § 433 and § 441a(f), the committee's treasurer informed RAD that United for Orange County filed reports with the Commission by mistake. According to the treasurer, its voter registration activities were conducted exclusively at the state and local levels, particularly in support of Governor Brown's state campaign in 1978.

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On June 3, 1980, the Commission issued an Order to James Kozik, the committee's treasurer, in connection with its get-out-the-vote ("GOTV") activities. The respondent, through counsel, reiterated its previous position that United for Orange is not a political committee as defined by the Act. Jerry Simmons, counsel to the respondent, maintains that the committee was solely organized to conduct voter registration and GOTV activities in a non-partisan manner and its filing of reports with the Commission was an error by their accountant.

United for Orange spent \$30,794 in connection with voter registration and GOTV activities in 1978.

Pursuant to 2 U.S.C. § 433, a political committee is required to register with the Commission within ten days of becoming a political committee under the Act. A political committee is further required by 2 U.S.C. § 434 to file periodic reports of receipts and expenditures with the Commission.

The Commission has recognized in Advisory Opinion 1978-50 that GOTV and voter registration expenditures are considered administrative expenses and may be allocated in the same manner as administrative expenses. Pursuant to 11 C.F.R. § 106.1(e) party committees and other political committees which have established federal campaign committees shall allocate administrative expenses on a reasonable basis between their federal and non-federal accounts in proportion to the amount of funds expended on federal and non-federal elections, or on another reasonable basis. The Commission has further recognized in Advisory Opinions 1978-50, 1978-28, 1978-102, 1978-10, Re: AOR 1976-72, and its

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December 1977 guideline, that various methods may be "reasonable" for the allocation of the GOTV expenses of political committees. Additionally, the Commission has held in AO 1978-28 that the expenses of a political party organization for GOTV drives in a federal election year are, at least in part, for the purpose of influencing the election of persons to federal office even though the drive is not conducted expressly or exclusively on behalf of federal candidates. See also AO 1978-50 and AO 1978-10.

It appears that the method of allocation set forth in Advisory Opinion 1978-102 is the method most appropriate for the allocation of the GOTV expenses of the United for Orange during 1978. The Commission determined in AO 1978-102 that a reasonable basis of allocation for GOTV activity is to determine the ratio of the number of federal candidates seeking election in the areas where get-out-the-vote activity is conducted, to the total number of all candidates, federal, state, and local, seeking office in the areas where get-out-the-vote activity is conducted. Thus, the application of this formula to the GOTV activity conducted by United for Orange and the committees to whom United for Orange made transfers in 1978 for GOTV activity results in the determination that an amount of \$3,240 is the amount attributable to federal activity that year.

This figure is derived from information received from the registrar of voters which indicates that the general election ballots in Orange County included a total of thirty-eight democratic candidates, four of which were federal candidates. Counsel for the respondent states that there were also numerous non-partisan

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city and county races in Orange County in 1978. Thus, total Committee expenditures of \$30,794 divided by the total number of candidates equal \$810 per candidate multiplied by four (the number of democratic federal candidates) equal \$3,240 total federal activity conducted by United for Orange.

In regard to this allocation, it should be noted that if the total number of local candidates were known and the total amount expended on exempted activities were known, the federal allocation would become smaller.

In view of the fact that the federal GOTV activity of United for Orange was only \$3,240 and since United did not engage in any other federal activity during 1978, it is recommended that the Commission take no further action against United for Orange.

It is recommended, however, that the Commission advise United for Orange, through the attached letter, that in the future, it must take care to allocate GOTV activities to federal elections if the activities are conducted in a federal election year or are on behalf of federal candidates.

Californians for Brown
MUR 1117

The Commission has previously advised Californians for Brown '78 that it appeared to have violated 2 U.S.C. §§ 433, 434 and 441a by making excessive contributions totalling \$8,330 to Orange County Democratic Central Committee (1115) and \$14,000 to United for Orange County (1116).

The Brown Committee maintains that the subject contributions to the above committees were expressly intended for voter registration and GOTV activities at the State and local levels.

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The Brown Committee has stated that their contributions were misreported as being received in connection with federal elections.

Even though it is not known at this time whether the Brown Committee's contributions were deposited into non-federal accounts, the respondent contends that the subject contributions were earmarked for State and local activity.

Therefore, the intent of the respondent should be considered a mitigating factor and it is recommended that the Commission take no further action against Californians for Brown and close the file.

Committee to Re-Elect Patterson
MUR 1118

and

Hannaford Re-Election Committee
MUR 1120

As previously stated, the Commission has found reason to believe the Orange County Democratic State Central Committee violated 2 U.S.C. § 441a by making excessive contributions totalling \$5,000 to the Committee to Re-Elect Patterson to Congress as well as the Hannaford Re-Election Committee.

Conversely, both the Patterson and Hannaford Committees were found to have violated 2 U.S.C. § 441a(f) by accepting the subject excessive contributions. In light of the fact that both recipient committees were incorrectly advised by the contributor that it was affiliated with the State Central Committee and able to make the excessive contributions, since the contributions were accepted in connection with the 1978 election, and since the respondent committees are now terminated, it is recommended that

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the Commission take no further action with respect to the § 441a(f) violations and close the files.

Assemblyman Cordova Committee
MUR 1119

The Assemblyman Cordova Committee contributed \$1,365 to the Orange County Democratic Central Committee during 1978.

Since the Committee exceeded \$1,000 in contributions, RAD advised the Committee that it appeared to have violated 2 U.S.C. §§ 433 and 434 for failure to report and register as a political committee with the Commission. No response was ever made by the respondent committee. However, in light of the small amount of the excessive contribution, the fact that it was made in 1978, and because the committee is not likely to again be active in federal elections, it is recommended that the Commission take no further action and close the file.

Re-Elect Paul Bell Committee
MUR 1121

The Re-Elect Paul Bell Committee contributed \$7,876 to the Orange County Democratic Central Committee (OCDCC) in 1978.

Since the Committee exceeded \$1,000 in contributions, RAD advised the Committee that it appeared to have violated 2 U.S.C. § 433 and § 434 for failure to report and register as a political committee with the Commission. On March 20, 1979, the Commission found reason to believe that such violations had been committed.

The Bell Committee then sent a letter to OCDCC requesting a refund of the excessive portion of the contribution. The Bell Committee was advised that OCDCC could not make the requested refund because it was in debt. The Bell Committee then indicated

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to RAD that it would request an advisory opinion to determine whether a repayment plan with OCDCC would be appropriate to bring the Committee into compliance with the Act. According to Commission records, no AOR was ever submitted by the respondent.

In light of the fact that the subject violation occurred in 1978 and because the respondent is not likely to be involved in federal elections in the future, it is recommended that the Commission take no further action and close the files.

Round Up '78 Committee
(AKA Chairs Committee) - MUR 1122

The Round Up '78 Committee was referred to OGC by RAD for making a contribution of \$5,300 to the Orange County Democratic Central Committee.

Since the Committee exceeded \$1,000 in contributions, RAD advised the committee that it appeared to have violated 2 U.S.C. § 433 and § 434 for failure to report and register as a political committee with the Commission. In response, it was discovered that the Chairs Committee was an account established by the chairman of OCDCC to hold fundraising proceeds until such time as all expenses for the fundraiser had been paid. The balance was then transferred to the OCDCC General Account.

An AOR was submitted by OCDCC concerning the Chairs account but an advisory opinion was not issued because this issue was part of a compliance matter and because the subject transactions had already occurred.

Because the Chairs Committee is actually an account of OCDCC which OGC has recommended be referred to Audit, it is recommended that this matter also be reviewed by Audit at that time.

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Mobile Homes PAC
MUR 1123

The Mobile Homes PAC, as an unregistered committee, contributed \$5,000 to United for Orange County (MUR 1116), \$1,000 to Nate Holden Campaign Committee, and \$950 to Roos for Assemblyman Committee.

Since the Committee exceeded \$1,000 in contributions, RAD advised the committee that it appeared to have violated 2 U.S.C. § 433 and § 434 for failure to report and register as a political committee with the Commission. The Commission, on July 13, 1979, found reason to believe that such violations had been committed. The Committee responded by stating that the subject contributions were expressly earmarked for Voter Registration and GOTV at the state and local levels.

In light of the fact that these contributions were not intended for use in connection with federal elections, the recipient Committees erred, and since the violation is not likely to be repeated in the future, it is recommended that no further action be taken and close the file.

Recommendations

It is recommended that the Commission:

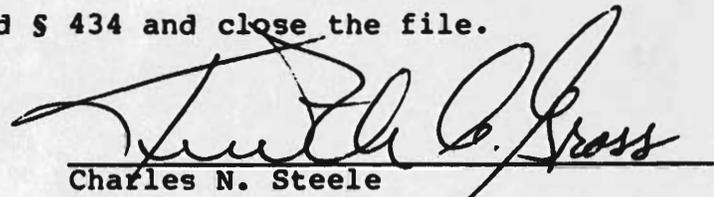
1. MUR 1115 - take no further action against DSCC - Federal Candidates Fund;
2. MUR 1115 - refer OCDCC to audit for review pursuant to 2 U.S.C. § 437g;
3. MUR 1116 - take no further action against United for Orange County's violations of 2 U.S.C. §§ 433 and 441a(f) and close the file;

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- 4. MUR 1117 - take no further action against Californians for Brown's violations of 2 U.S.C. § 433, § 434 and § 441a and close file;
- 5. MUR 1118 - take no further action against the Committee to Re-Elect Patterson's violation of § 441a(f) and close the file;
- 6. MUR 1119 - take no further action against Assemblyman Cordova Committee's violations of § 433 and § 434 and close the file;
- 7. MUR 1120 - take no further action against Hannaford Re-Election Committee's violations of § 441a(f) and close the file;
- 8. MUR 1121 - take no further action against Re-Elect Paul Bell Committee's violations of §§ 433 and 434 and close file;
- 9. MUR 1122 - refer the Round Up '78 Committee to Audit for review pursuant to 2 U.S.C. § 437g; and
- 10. MUR 1123 - take no further action against Mobile Homes PAC's violations of § 433 and § 434 and close the file.

62040341959

Date July 29, 1981


Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Attachments

Notification Letters (19 total pages)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS/JODY CUSTER *jc*
DATE: APRIL 21, 1981
SUBJECT: MURs 1115-1123 - Interim Investigative Report #4
dated 4-16-81; Signed 4-17-81; Received in
OCS 4-17-81, 3:41

The above-named document was circulated to the Commission on a no-objection basis at 11:00, April 20, 1981.

There were no objections received in the Office of the Commission Secretary to the Interim Investigative Report at the time of the deadline.

62040341960

April 17, 1981

MEMORANDUM TO: Marjorie W. Emmons
FROM: Elissa T. Garr
SUBJECT: MURs 1115-1123

Please have the attached Interim Invest Report
distributed to the Commission on PINK PAPER. Thank you.

82040341961

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

81 APR 17 P3: 41

SENSITIVE

MURs 1115-1123

- In the Matter of)
- Democratic State Central Committee)
- of California)
- Orange County Democratic Central)
- Committee (MUR 1115))
- United For Orange County (MUR 1116))
- Californians for Brown '78 (MUR 1117))
- Committee to Re-Elect Patterson to)
- Congress (MUR 1118))
- Assemblyman Cordova Committee)
- (MUR 1119))
- Hannaford Re-Election Committee)
- (MUR 1120))
- Re-Elect Bell Committee (MUR 1121))
- Round-Up '78 (AKA: Chairs Committee))
- (MUR 1122))
- Mobile Home Parks Political Action)
- Committee (MUR 1123))

INTERIM INVESTIGATIVE REPORT #4

Central to alleged violations in these MURs are the finances of the Orange County Democratic Central Committee (OCDCC) and United for Orange County (UOC), and the relationships, if any, between OCDCC, UOC and the Democratic State Central Committee of California (DSCCC). On May 29, 1980, the Commission voted to defer action pending receipt of information solicited in orders to be sent to the respective treasurers of each of these three organizations. On June 2, 1980, the orders were sent. Those addressed to the treasurers of OCDCC and DSCCC apparently were not received. New orders were sent on July 14, 1980. Responses received to the orders raise the possibility that OCDCC and UOC may not be political committees as defined by 2 U.S.C. §431(4)(c).

Therefore, additional information was requested from the Registrar of Voters (Orange County, California) and has recently been received by the Office of General Counsel. A final

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- 2 -
recommendation, based on the ballot information, will be
made to the Commission shortly.

17 April 1981
Date



Charles N. Steele
General Counsel

62040341963



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

MEMORANDUM TO: CHARLES STEELE *MWE*
FROM: MARJORIE W. EMMONS, MARGARET CHANEY
DATE: NOVEMBER 10, 1980
SUBJECT: MURs 1115 - 1123, Interim Investigative Report
#3, dated 11-4-80; Signed 11-5-80; Received
in OCS 11-6-80, 12:27

The above-named document was circulated to the Commission on a 24 hour no-objection basis at 4:00, November 6, 1980.

There were no objections to the Interim Investigative Report.

62040341964

November 6, 1980

MEMORANDUM TO: Marjorie W. Emmons
FROM: Elissa T. Garr
SUBJECT: MURs 1115-1123

Please have the attached Interim Invest Report distributed to the Commission. Thankyou.

82040341965

RECEIVED
80 NOV 6 P12: 27

BEFORE THE FEDERAL ELECTION COMMISSION
November 4, 1980

In the Matter of)
)
Democratic State Central Committee)
of California)
Orange County Democratic Central)
Committee (MUR 1115))
United For Orange County (MUR 1116))
Californians for Brown '78 (MUR 1117))
Committee to Re-Elect Patterson to)
Congress (MUR 1118))
Assemblyman Cordova Committee)
(MUR 1119))
Hannaford Re-Election Committee)
(MUR 1120))
Re-Elect Bell Committee (MUR 1121))
Round-Up '78 (AKA: Chairs Committee))
(MUR 1122))
Mobile Home Parks Political Action)
Committee (MUR 1123))

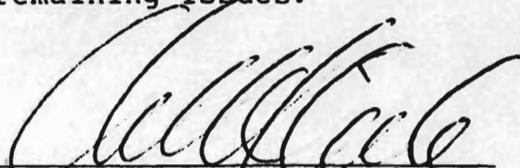
MURs 1115-1123

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INTERIM INVESTIGATIVE REPORT #3

The operations and finances of the Orange County Democratic Central Committee (OCDCC) are central to the possible violations by other respondent's in these MURs. Upon analysis, the lengthy response of OCDCC to an order from the Commission was inadequate to answer many of the outstanding questions about OCDCC's structure. The Office of General Counsel is developing a further proposed order to be sent to OCDCC to clarify remaining issues.

5 November 1980
Date


Charles N. Steele
General Counsel



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE *mwe*
FROM: MARJORIE W. EMMONS / MARGARET CHANEY *m*
DATE: SEPTEMBER 26, 1980
SUBJECT: MURs 1115 - 1123, Interim Investigative Report #2,
dated 9-22-80; Signed 9-24-80; Received in
OCS 9-24-80, 3:35

The above-named document was circulated to the
Commission on a no-objection basis at 11:00, September 25, 1980.

There were no objections to the Interim Investigative
Report at the time of the deadline.

62040341967

September 24, 1980

MEMORANDUM TO: Marjorie W. Emmons
FROM: Elissa T. Garr
SUBJECT: MURs 1115-1123

Please have the attached Interim Invest Report distributed to the Commission. Thank you.

62040341968

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION
September 22, 1980

80 SEP 24 P 3: 36

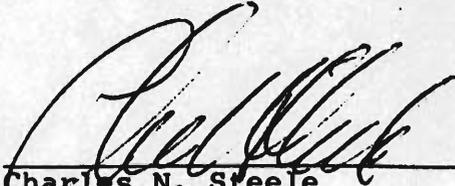
In the Matter of)	
)	
Democratic State Central Committee)	
of California)	
Orange County Democratic Central)	
Committee (MUR 1115))	
United For Orange County (MUR 1116))	MURs 1115-1123
Californians for Brown '78 (MUR 1117))	
Committee to Re-Elect Patterson to)	
Congress (MUR 1118))	
Assemblyman Cordova Committee)	
(MUR 1119))	
Hannaford Re-Election Committee)	
(MUR 1120))	
Re-Elect Bell Committee (MUR 1121))	
Round-Up '78 (AKA: Chairs Committee))	
(MUR 1122))	
Mobile Home Parks Political Action)	
Committee (MUR 1123))	

62040341969

INTERIM INVESTIGATIVE REPORT #2

It was necessary in August to send a third copy of the Commission's order to the Treasurer of the Democratic State Central Committee of California (DSCCC). The Office of General Counsel has finally received responses to the Commission's orders from both DSCCC and the Orange County Democratic Central Committee. These responses are being analyzed.

29 Sept 1980
Date



Charles N. Steele
General Counsel



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE *mwe*
FROM: MARJORIE W. EMMONS/MARGARET CHANEY *gc*
DATE: AUGUST 19, 1980
SUBJECT: MURs 1115 - 1123, Interim Investigative
Report #1, dated 8-14-80; Received
in OCS 8-15-80, 11:11

The above-named document was circulated to the Commission on a 24 hour no-objection basis at 11:00, August 18, 1980.

There were no objections to the Interim Investigative Report at the time of the deadline.

62040341970

August 15, 1980

MEMORANDUM TO: Marjorie W. Emmons

FROM: Elissa T. Garr

SUBJECT: MURs 1115-1123

Please have the attached Interim Invest Report distributed to the Commission. Thank you.

820 10341971

80 AUG 15 11:11

In the Matter of)
)
 Democratic State Central Committee)
 of California)
 Orange County Democratic Central)
 Committee (MUR 1115))
 United For Orange County (MUR 1116))
 Californians for Brown '78 (MUR 1117))
 Committee to Re-Elect Patterson to)
 Congress (MUR 1118))
 Assemblyman Cordova Committee)
 (MUR 1119))
 Hannaford Re-Election Committee)
 (MUR 1120))
 Re-Elect Bell Committee (MUR 1121))
 Round-Up '78 (AKA: Chairs Committee))
 (MUR 1122))
 Mobile Home Parks Political Action)
 Committee (MUR 1123))

MURs 1115-1123

INTERIM INVESTIGATIVE REPORT #1

Central to alleged violations in these MURs are the finances of the Orange County Democratic Central Committee (OCDCC) and United for Orange County (UOC), and the relationships, if any, between OCDCC, UOC and the Democratic State Central Committee of California (DSCCC). On May 29, 1980, the Commission voted to defer action pending receipt of information solicited in orders to be sent to the respective treasurers of each of these three organizations. On June 2, 1980, the orders were sent. Those addressed to the treasurers of OCDCC and DSCCC apparently were not received. New orders were sent on July 14, 1980. The Office of General Counsel has recently received a response from the Treasurer of UOC. When this response has been analyzed and the other responses have been received we will report further to the Commission.

14 August 1980
Date



 Charles N. Steele
 General Counsel

02040341972



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 2, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jacqueline A. Jessie
Treasurer
Orange County Democratic Central Committee
12612 Ohmer Way
Garden City, California 92641

RE: MUR 1115

Dear Ms. Jessie:

On June 11, July 19, and August 3, 1979, your committee was notified that the Commission had found reason to believe that your committee may have violated 2 U.S.C. §§ 441a, 441b and 434. You were given an opportunity to demonstrate that no further action should be taken in this matter.

In addition, on August 14, and October 16, 1979, your committee was informed that additional apparent violations of the Federal Election Campaign Act had been discovered during reviews of the committee's October 10, 10 Day Pre-General and Year End reports for 1978.

The responses received from the committee have not provided complete information or explanations regarding the possible violations of which the committee has been informed. Therefore, the matter has been referred to the Office of General Counsel for investigation.

You will find enclosed a set of written questions and requests for documents plus an Order of the Commission. The Order requires that the requested answers and documents be supplied to the Commission within 10 days of your receipt of the Order.

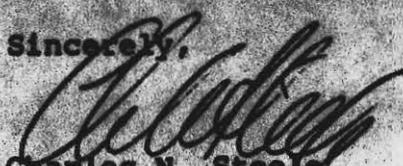
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B)(i) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the investigation to be made public.

02040341973

Letter to: Jacqueline A. Jessie
Page 2
NUR 1115

For your information we are enclosing a brief description of the Commission's procedures for handling possible violations of the Federal Election Campaign Act. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-5071.

Sincerely,



Charles N. Steele
General Counsel

Enclosures

Order to Answer Written Questions and
to Produce Documents
Written Questions and Requests for Production
of Documents Under Order
Procedures

82040341974

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

ORDER TO ANSWER WRITTEN QUESTIONS
AND TO PRODUCE DOCUMENTS

TO: Jacqueline A. Jessie
Treasurer
Orange County Democratic
Central Committee
12612 Ohmer Way
Garden City, California 92641

RE: MUR 1115

Pursuant to 2 U.S.C. § 437d(a)(1), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and to supply certain documents.

The answers must be submitted under oath, and both the answers and the documents must be forwarded to the Commission within ten (10) days of your receipt of this Order.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand on *June 3*, 1980.

Max L. Friedersdorf
Max L. Friedersdorf
Chairman

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

82040341975

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

WRITTEN QUESTIONS AND REQUEST FOR PRODUCTION OF DOCUMENTS UNDER ORDER

TO: Jacqueline A. Jessie
Treasurer,
Orange County Democratic
Central Committee

RE: MUR 1115

In accordance with the attached Order of the Federal Election Commission issued under the authority of 2 U.S.C. § 437d(a)(1) as part of a lawful investigation being conducted under the authority of 2 U.S.C. § 437g(a)(2), please submit written answers to the questions below and provide the documents requested.

You are required to submit your answers within ten (10) days of your receipt of these questions.

Please set forth your answers on a separate sheet and return the answers with an original affidavit attesting to the truth of the answers; the affidavit must be sworn and notarized.

- A. Provide a list of all bank accounts utilized by the Orange County Democratic Central Committee (hereinafter "the Committee") from January 1, 1978, to the present, including the identifying names given by the Committee to any such accounts.
- B. Identify the nature of the sources of all funds placed in each Committee bank account during 1978; i.e., individual contributors, corporations, unions, etc.
- C. Identify all recipients of political contributions made from each Committee bank account during 1978.
- D. Identify the accounts from which expenditures were made by the Committee for voter registration and get-out-the-vote activities during 1978.
- E. Identifying all candidates of the Democratic party in the general election of 1978 for federal, state and local offices in or representing Orange County.
- F. Provide copies of all voter registration/get-out-the-vote printed materials used by OCDCC during the 1978 general election.

02040341976

Jacqueline A. Jessie

Page 2

Written Questions/Request for Production of Documents

- G. State the total amount spent by the Committee on voter registration/get-out-the-vote activities with regard to the general election campaign of 1978.
- H. Provide a description of the relationship between the Committee and the California Democratic Party-State Central Committee (hereinafter "the State Committee"). The description should cover any role the State committee had in the initial organizing of the Committee; the amounts of funds transferred by the State committee to the Committee; the involvement of the State committee in the Committee's activities from January, 1978 to the present, including its decisions concerning the support of candidates; the names of any common officers or employees; and any additional information which would support the Committee's claim of affiliation with the State committee. Supply copies of all correspondence between the Committee and the State committee in these regards.
- I. Provide copies of the Committee's constitution and by-laws or other related documents which explain the Committee's organization and purposes.

62040341977



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 2, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Loretta Collier, Treasurer
California Democratic State Central
Committee Federal Candidates Fund
9454 Wilshire Blvd., Suite 209
Beverly Hills, California 90212

RE: MUR 1115

Dear Ms. Collier:

On September 13, 1979, you were notified that the Commission had found reason to believe that your committee has violated 2 U.S.C. § 433. You were given an opportunity to demonstrate that no further action should be taken in this matter.

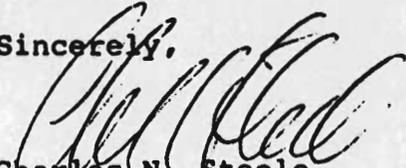
No response has been received by the Commission. Therefore the matter has been referred to the Office of General Counsel for further investigation.

You will find enclosed a set of written questions, plus an Order of the Commission. This Order requires that the requested answers be supplied to the Commission within 10 days of your receipt of the Order.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B)(i) 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 enclosing a brief description of the Commission's procedures for handling possible violations of the Federal Election Campaign Act. Should you have any questions, please call Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-5071.

Sincerely,


Charles N. Steele
General Counsel

Enclosures

Order to Answer Written Questions and to
Produce Documents
Written Questions and Request for Production of
Documents Under Order
Procedures

02040341978

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

ORDER TO ANSWER WRITTEN QUESTIONS
AND TO PRODUCE DOCUMENTS

TO: Loretta Collier, Treasurer
California Democratic State Central
Committee Federal Candidates Fund
9454 Wilshire Blvd., Suite 209
Beverly Hills, California 90212

RE: MUR 1115

Pursuant to 2 U.S.C. § 437d(a)(1), and in furtherance of its investigation in the above captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order.

The answers must be submitted under oath and must be forwarded to the Commission within 10 days of your receipt of this Order.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand on *June 3*, 1980.

Max L. Friedersdorf
Max L. Friedersdorf
Chairman

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

82040341979

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

WRITTEN QUESTIONS AND REQUEST FOR DOCUMENTS UNDER ORDER

TO: Loretta Collier, Treasurer
California Democratic State Central
Committee Federal Candidates Fund

RE: MUR 1115

In accordance with the attached Order of the Federal Election Commission issued under the authority of 2 U.S.C. § 437d(a)(1) as part of a lawful investigation being conducted under the authority of 2 U.S.C. § 437g(a)(2), please submit written answers to the questions below.

You are required to submit your answer within ten (10) days of your receipt of these questions.

Please set forth your answers on a separate sheet and return the answers with an original affidavit attesting to the truth of the answers; the affidavit must be sworn and notarized.

- 8 2 0 4 0 3 4 1 9 8 0
- A. Provide a description of the relationship between the California Democratic State Central Committee (hereinafter "DSCC") and the Orange County Democratic Central Committee (hereinafter "OCDCC"). This description should cover any role which DSCC and the Fund had in the initial organizing of OCDCC, the amounts of funds transferred by DSCC to OCDCC, the involvement of DSCC in OCDCC's activities from January, 1978, to present, including OCDCC's decisions concerning the support of candidates; the names of any common officers or employees; and any additional information which would support or counteract OCDCC's claim of affiliation with DSCC. Supply copies of all correspondence between DSCC and OCDCC in these regards.
 - B. Do the California Democratic State Central Committee and its Federal Candidates Fund affirm affiliation with the Orange County Democratic Central Committee?



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 2, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James Kozik
Treasurer
United for Orange County
23712 Via San Gil
Mission Viejo, California 92675

RE: MUR 1116

Dear Mr. Kozik:

On February 27 and March 30, 1979, your committee was notified that the Commission had found reason to believe that your committee has violated 2 U.S.C. §§ 441a and 433. You were given an opportunity to demonstrate that no further action should be taken in this matter.

The responses received from your committee, including your letter of March 20, 1980, have not provided complete information regarding the activities which may constitute the violations about which the committee has been informed. Therefore the matter has been referred to the Office of General Counsel for further investigation.

The specific matter of concern to the Commission is whether the voter registration and get-out-the-vote activities undertaken by the committee in 1978 benefited candidates for federal office and, if so, how much of the committee's expenditures should be allocated to such federally-related activity. If such an allocation resulted in federally-related expenditures in excess of \$1000, the committee became a political committee for purposes of the Federal Election Campaign Act and thus covered by the registration and reporting requirements and the contribution and expenditure limitations contained therein.

With regard to the above issue, you will find enclosed a set of written questions and requests for documents, plus an Order of the Commission. This Order requires that the requested answers and documents be supplied to the Commission within 10 days of your receipt of the Order.

02040341981

Letter to: James Kosik
Page 2
MUR 1116

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B)(i) 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 are enclosing a brief description of the Commission's procedures for handling possible violations of the Federal Election Campaign Act. Should you have any questions, please call Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-5071.

Sincerely,



Charles N. Steele
General Counsel

Enclosures

Order to Answer Written Questions and
Produce Documents
Written Questions and Requests for
Production of Documents Under Order
Procedures

02040341982

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

ORDER TO ANSWER WRITTEN QUESTIONS
AND TO PRODUCE DOCUMENTS

TO: James Kozik
Treasurer
United for Orange County
23712 Via San Gil
Mission Viejo, Calif. 92675

RE: MUR 1116

Pursuant to 2 U.S.C. § 437d(a)(1), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to the Order and to provide certain documents.

The answers provided must be submitted under oath, and both the answer and documents must be forwarded to the Commission within ten (10) days of your receipt of this Order.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand on *June 3*, 1980.

Max L. Friedersdorf
Max L. Friedersdorf
Chairman

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

62040341983

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

WRITTEN QUESTIONS AND REQUEST FOR PRODUCTION OF DOCUMENTS UNDER ORDER

TO: James Kozik
Treasurer
United for Orange County

RE: MUR 1116

In accordance with the attached Order of the Federal Election Commission issued under the authority of 2 U.S.C. § 437d(a)(1) as part of a lawful investigation being conducted under the authority of 2 U.S.C. § 437g(a)(2), please submit written answers to the questions below.

You are required to submit your answers within ten (10) days of your receipt of these questions.

Please set forth your answers on a separate sheet and return the answers with an original affidavit attesting to the truth of the answers; the affidavit must be sworn and notarized.

- A. Provide copies of the constitution and by-laws of United for Orange County (hereinafter "the Committee") and any other relevant documents explaining the Committee's organization and purposes.
- B. Provide a list of all bank accounts used by United for Orange County during 1978.
- C. Identify the nature of the sources of all funds placed in each Committee bank account during 1978, i.e., contributions from individual, contributions from corporations, etc.
- D. Identify all recipients of political contributions made from each Committee bank account during 1978.
- E. State the total amount spent by the Committee on voter registration and get-out-the-vote activities with regard to the general election of 1978.
- F. Identify the accounts from which expenditures were made by the Committee for voter registration and get-out-the-vote activities during 1978.
- G. Identify all candidates of the Democratic Party in the general elections of 1978 for local, state and federal offices in or representing Orange County.
- H. Provide copies of all voter registration/get-out-the-vote printed materials used by United for Orange County during the general election of 1978

62040341984



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS/MARGARET CHANEY *me*
DATE: JUNE 2, 1980
SUBJECT: ORDERS IN RELATION TO MURS 1115 & 1116

The attached orders, approved by a vote of 6-0 on
May 29, 1980, have been signed and sealed this date.

62040341985

ATTACHMENTS:
Orders (3)
Kozik, Jessie, & Collier

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

MURs 1115-1123

- Democratic State Central Committee of California)
- Orange County Democratic Committee (MUR 1115))
- United for Orange County (MUR 1116))
- Californians for Brown '78 (MUR 1117))
- Committee to Re-Elect Patterson to Congress (MUR 1118))
- Assemblyman Cordova Committee (MUR 1119))
- Hannaford Re-Election Committee (MUR 1120))
- Re-Elect Bell Committee (MUR 1121))
- Round-Up '78 (AKA: Chairs Committee) (MUR 1122))
- Mobile Home Parks Political Action Committee (MUR 1123))

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on May 29, 1980, the Commission decided by a vote of 6-0 to take the following actions regarding MURs 1115-1123:

1. Defer action pending receipt of information solicited in the Orders attached to the First General Counsel's Report dated May 27, 1980.
2. Approve and send the Orders and letters as attached to the above-named report.

Voting for this determination were Commissioners Aikens, Friedersdorf, Harris, McGarry, Reiche, and Tiernan.

Attest:

5/30/80
Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Received in Office of the Commission Secretary: 5-27-80, 10:51
Circulated on 48 hour vote basis: 5-27-80, 4:00

62040341986

May 27, 1980

MEMORANDUM TO: Marjorie W. Emmons

FROM: Elissa T. Garr

SUBJECT: MURs 1115-1123

Please have the attached First GC Report distributed to the Commission on a 48 hour tally basis. Thank you.

62040341987

2. that several corporate and union contributions were made to OCDCC in violation of 2 U.S.C. § 441b;
3. that an individual contributor violated 2 U.S.C. § 441a by making an excessive contribution to OCDCC;
4. that the Assemblyman Cordova Committee violated 2 U.S.C. §§ 433 and 434 by making a contribution to OCDCC without registering with and reporting to the Commission;
5. and that Californians for Brown '78 violated 2 U.S.C. § 441a, 433 and 434 by making excessive contributions to OCDCC and to United for Orange County and by not registering with and reporting to the Commission.

Earlier RTB Findings

As the result of earlier recommendations made directly to the Commission by the Reports Analysis Division, the Commission has already found reason to believe that OCDCC may have violated

1. 2 U.S.C. § 434 by failing adequately to disclose its opening funds and to disclose properly the individuals involved in partnership contributions;
2. 2 U.S.C. § 441a(f) by accepting excessive contributions from Californians for Brown '78; and
3. 2 U.S.C. § 441b by accepting contributions from corporations and labor unions.

Upon the recommendation of the Reports Analysis Division, the Commission has also found reason to believe

1. that the Democratic State Central Committee of California violated 2 U.S.C. § 433 by failing to report its affiliation with OCDCC;
2. that United for Orange violated 2 U.S.C. § 441a(f) by accepting excessive contributions from Californians for Brown '78;
3. that the Mobile Home Parks PAC violated 2 U.S.C. §§ 433 and 434 by failing to register with and report to the Commission after making contributions to United for Orange County and to two candidates for federal and state office;
4. that the Re-Elect Paul Bell Committee violated 2 U.S.C. §§ 433 and 434 by failing to register with and report to the Commission after making contribution to OCDCC;
5. that Round-Up '78 (now the Chairs Committee) violated 2 U.S.C. §§ 433 and 434 by failing to register with and report to the Commission after making contributions to OCDCC; and

0 2 0 4 0 3 4 1 9 8 9

6. that the Hannaford Re-Election Committee and the Committee to Re-Elect Patterson violated 2 U.S.C. § 441a(f) by accepting excessive contributions from OCDCC.

FACTUAL AND LEGAL ANALYSIS

A. MURs 1115, 1117, 1119, 1121 and 1122 have in common the activities and accounts of the Orange County Democratic Central Committee. Although many efforts have been made by the Reports Analysis Division to obtain clear and complete explanations of OCDCC's financial structure and transactions, particularly during 1978, no official, written explanation has been forthcoming. All that is known is that OCDCC has apparently operated with three accounts - a restricted account containing corporate and union monies, a general account, and the "Chairs Committee" account which was established for purposes of segregating proceeds from fundraisers until all expenses for such events had been paid, at which time any remaining proceeds were placed in the general account. OCDCC's reports to the Commission have apparently included the activities of both the general and the restricted accounts. It has not been possible to determine the relationships of these accounts to the OCDCC's federal activity. Nor has it been ascertained into which account the contributions from Californians for Brown '78, the Re-Elect Paul Bell Committee, and the contributions from an individual contributor, Richard J. O'Neill, have been placed.

Californians for Brown '78 insists that its contribution was intended for voter registration/get-out-the-vote activity at the state and local levels. (See Attachment III-b.) However, no information has been supplied in support of an actual division in OCDCC's 1978 activities and accounts between state/local elections and federal elections. In light of the Commission's policy that voter registration/get-out-the-vote activities during a federal election year are to be deemed as having been carried out for purposes of influencing the persons contacted to vote for all candidates of a political party, it can be assumed that a portion of OCDCC's voter registration/get-out-the-vote activities involved federal campaigns. (See AO's 1978-28 and 1978-50).

It is the opinion of the Office of General Counsel that more information is needed from OCDCC before decisions can be made concerning possible violations of the Act by that committee or by Californians for Brown '78, the Assemblyman Cordova Round-Up '78, or by individual, corporate and union contributors. Therefore it is recommended that pursuant to 2 U.S.C. § 437d(a)(1) an order be issued to OCDCC for answers to the questions attached hereto.

B. MURs 1115, 1118 and 1120 involve the acceptance by the Committee to Re-Elect Patterson to Congress and the Hannaford Re-Election Committee of \$5,000 each in contributions from OCDCC in 1978. On February 28, 1979, upon the recommendation

02040341990

of the Reports Analysis Division, the Commission found reason to believe that violations of 2 U.S.C. § 441a on the parts of these two candidate committees had occurred.

In response to the RTB finding, these committees and OCDCC have all asserted that OCDCC is a multi-candidate committee by virtue of affiliation with the California Democratic Party State Central Committee and therefore qualified to make \$5,000 contributions to federal candidates. OCDCC has submitted an amendment to its statement of organization claiming such affiliation. (See Attachment I-f.) However, differing opinions on this issue have been expressed by the former and present treasurers of OCDCC. (See Attachments I-g, h and i.) The State Central Committee has not replied to inquiries as to its agreement or disagreement with OCDCC's claim. Upon the recommendation of the Reports Analysis Division, the Commission on September 13, 1979, found reason to believe that the Democratic State Central Committee's Federal Candidates Fund has violated 2 U.S.C. § 433.

11 C.F.R. § 110.3(b)(2)(ii) states that

"(a)ll contributions made by the political committees established, financed, maintained, or controlled by a State party committee and by subordinate State party committees shall be presumed to be made by one political committee."

In the present instance it is unclear, absent confirmation by the California Democratic State Central Committee, whether that committee established, maintains, finances or controls OCDCC. The reports filed by OCDCC do not itemize transfers from the state committee. Therefore, it is the opinion of the Office of General Counsel that additional information is needed before decisions can be made concerning the disposition of MURs 1118 and 1120. It is recommended that any order issued to OCDCC for further information include questions related to that committee's relationship to the California Democratic Party-State Central Committee. Such questions are included in the proposed inquiry attached hereto. It is also recommended that, pursuant to 2 U.S.C. § 437d(a)(1), an order be issued to the California State Central Committee for answers to questions concerning that committee's relationship with OCDCC.

C. MURs 1116 and 1123 involve the activities of United for Orange County, a political committee allegedly unaffiliated with the Orange County Democratic Central Committee. In response to the Commission's findings of reason to believe that this committee may have violated 2 U.S.C. §§ 433 and 441a(f), the committee's treasurer has informed the Reports Analysis Division that United for Orange County filed reports with the Commission by mistake. According to the treasurer, its voter registration activities were conducted exclusively at the state and local levels, particularly in support of Governor Brown's state campaign in 1978. Later, in a telegram dated May 21, 1979, and a letter dated March 20, 1980, the treasurer repeated this assertion. He has stated that the Committee's reports are being amended; but no such amendments have been received by the Commission. (See Attachments II-b, c and d.)

02040341991

Again, it is the opinion of the Office of General Counsel that additional information is needed concerning the accounts and activities of United for Orange County before decisions can be made concerning possible violations of the Act by this committee, by Mobile Park Homes PAC, by Californians for Brown '78, and by OCDCC. Therefore, the Office of General Counsel recommends that, pursuant to 2 U.S.C. § 437d(a)(1), an order be issued to United for Orange County for answers to the questions attached hereto.

Recommendation

1. Defer action pending receipt of information solicited in the attached Orders.

2. Approve and send the attached Orders and letters.

Attachments

I-IX. Referrals from Reports Analysis Division

X. Letter to Jacqueline A. Jessie

a. Order To Answer Written Questions and To Produce Documents

b. Written Questions and Request To Produce Documents

XI. Letter to James Kozik

a. Order To Answer Written Questions and To Produce Documents

b. Written Questions and Request To Produce Documents

XII. Letter to Loretta Collier

a. Order to Answer Written Questions and To Produce Documents

b. Written Questions and Request to Produce Documents

XIII. Authorization to Issue Orders

02040341992

REPORTS ANALYSIS REFERRAL SHEET ATTACHMENT I-a

DATE 12/27/79 ANALYST Lisa Stolaruk
 TO: Office of General Counsel TEAM CHIEF Bobby Herfel
 THROUGH STAFF DIRECTOR ALC COMPLIANCE REVIEW
 FROM ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS

CANDIDATE/COMMITTEE: Orange County Democratic Central Committee C00100877

TREASURER: Jacqueline Jessie 1115

ADDRESS: 12612 Ohmer Way -
Garden Grove, CA 92641

AFFILIATE(S): Possible D.S.C.C. Federal Candidates Fund (See Attachment 19)

ALLEGATION(S): CITE: ATTACHMENT(S)
Please see attached page for Allegations

DATE INITIATED: 7/10/78
 MANNER IN WHICH REVIEW WAS INITIATED: ATTACHMENT
 Normal review Other:
 Special Project:

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM May 23, 1978 TO June 30, 1979

TOTAL RECEIPTS \$ 83,581 TOTAL EXPENDITURES \$ 140,528

CASH ON HAND \$ 3,196 (as of 6/30/79) DEBTS \$ 5,000 owed by committee (as of 6/30/79)

HISTORY:
 RESULTS OF REVIEW: ATTACHMENT

Request for Additional Information (July 10, 1978) mailed 10/2/78 3
 Request for Additional Information (October 10, 1978) mailed 11/24/78 5
 3SVI/78-39 (July 10, 1978) mailed 12/26/78, returned 1/11/79, remailed 3/27/79 7

COMMUNICATIONS WITH CANDIDATE/COMMITTEE: ATTACHMENT
 Please see continuation of Results of Review

Telecon: Gore with Secretary of State (9/26/78) refer to att. 10 2
 Telecon: Gore with Secretary of State (10/16/78) refer to att. 10 4
 Telecon: Stolaruk with Jessie (3/23/79) 9
 Telecon: Stolaruk with Secretary of State (3/29/79) 11
 Please see continuation of Communications with Committee

REASON(S) FOR REFERRAL: ATTACHMENT
 Inadequate response to July 10, 1978 RFAI (12/1/78) 6
 Inadequate response to October 10, 1978 RFAI (1/1/79) 8
 Response to 3SVI/78-39 (5/22/79) legitimacy undetermined (Refer to att. 24,33) 19
 Please see continuation of Reason(s) for Referrals

OTHER PENDING ACTIONS INITIATED BY RAD: ATTACHMENT
 None

OTHER RELEVANT INFORMATION:
 Request for Additional Information sent to D.S.C.C. Federal Candidate Fund (6/18/79) 24
 Please see continuation of Other Relevant Information
 PREVIOUS UGL/AUDIT REFERRALS FROM RAD:

None

62040341993

RESULTS OF REVIEW, continued
Orange County Democratic Central Committee

<u>Results of Review</u>	<u>Attachment</u>
3SV1/78-76 (July 10 & October 10, 1978) mailed 3/27/79	10
3SV2/78-76 mailed 5/11/79 returned 7/1/79, remailed 7/6/79	22
3SV1/79-15 (October 10, 1978) mailed 5/2/79	15
3SV2/79-15 and 3RQ2/79-46 (July 10 & October 10, 1978) mailed 7/19/79 returned 8/14/79, remailed 8/14/79	26
3SV1/79-27 (10 Day Pre-General & Year End, 1978) mailed 5/23/79 remailed 6/25/79	20
3SV1/79-54 (October 10, 10 Day Pre-General and Year End, 1978) mailed 5/31/79	21
3SV2/79-54 mailed 8/3/79	29
3SV1/79-146 (October 10, 10 Day Pre-General and Year End, 1978) mailed 10/16/79	35
RTB has not been found for 3SV1/79-27 and 3SV1/79-146	

62040341994

Reasons for Referral, continued
Orange County Democratic Central Committee

Reasons for Referral

Attachment

No response to 3SV1/78-76 or 3SV2/78-76

No response to 3SV1/79-15, 3SV2/79-15 or 3RQ2/79-46

No response to 3SV1/79-27

No response to 3SV1/79-54 or 3SV2/79-54

Inadequate response to 3SV1/79-146 (10/30/79)

37

62040341995

COMMUNICATIONS WITH CANDIDATES/COMMITTEES, continued
Orange County Democratic Central Committee

<u>Communications with Candidates/Committees</u>	<u>Attachment</u>
Telecon: Stolaruk with Jessie (4/12/79)	12
Telecon: Stolaruk with Jessie (4/19/79)	13
Telecon: Stolaruk with Adler (5/1/79)	14
Telecon: Stolaruk with Jessie (5/7/79)	16
Telecon: Stolaruk with Jessie (5/14/79)	17
Telecon: Krouse with Gilbert (5/21/79)	18
Memo to Files: Stolaruk (6/11/79)	23
Memo to Files: Greevy (6/25/79)	25
Telecon: Stolaruk with Jessie (7/26/79)	27
Memo to Files: Greevy (7/26/79)	28
Memo to Files: Greevy (8/14/79)	30
Telecon: Stolaruk with Jessie (9/6/79)	32

62040341996

Allegation

Failure to adequately disclose source of initial cash on hand

Cite

2 U.S.C. 434b

Attachments

3, 6

Allegation

Failure to properly attribute non-corporate business contributions

Cite

2 U.S.C. 434

Attachments

5, 8

Allegation

Excessive contributions to Federal candidates

Cite

2 U.S.C. 441a

Attachment

7

Allegation

Receipt of prohibited contributions

Cite

2 U.S.C. 441b

Attachments

10, 20

Allegation

Excessive receipts from unregistered committees

Cite

2 U.S.C. 441a

Attachments

15, 35

Allegation

Excessive contributions received from an individual

Cite

2 U.S.C. 441a

Attachment

21

02040341997

OF ORANGE COUNTY

RECEIVED
ELECTION
COMMISSION

79 MAY 25 PM 12:47

ATTACHMENT I-f

May 22, 1979

Mr. Ron Krause
Federal Elections Commission
Franklin Square Building
1325 "K" Street, Washington D.C. 20463

Re: C00100677

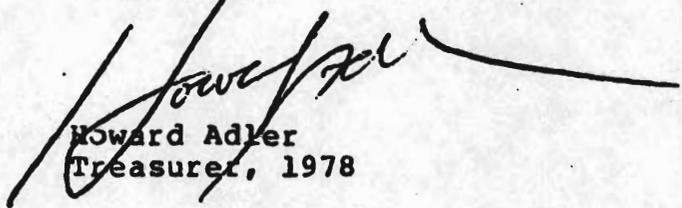
Dear Mr. Krause:

Please be advised that at all times during 1978, the Orange County Democratic Central Committee was affiliated with the California Democratic Party - State Central Committee.

This affiliation proscribes to all of the precepts of the election code of California.

Please consider this letter as an amendment to the Statement of Organization filed by me on behalf of the Democratic Party of Orange County.

Sincerely,



Howard Adler
Treasurer, 1978

HA/sr

cc: Ms. Lisa Stolaruk

62040311998

326 NORTH BROADWAY, SANTA ANA, CALIFORNIA 92701

TELEPHONE: (714) 835-7160

DATE: 9/29/77

TIME: 5:00

COMMITTEE: Orange County Dem. Central Committee

PERSON SPOKEN TO: Jessie Deane

FEC'R: Diana Stolaruk

SUBJECT: Assorted problems

Ms. Jessie called with several questions about SV's that were sent, specifically the M letters. She knew nothing about limitations on the Act & Regs as a whole. She said that she has gotten calls from newspapers about the M letters, and that she was not informed by the FEC of these violations. I explained that the FEC sends the M letters only to the contributing committees. I also explained the \$1,000 threshold as well as the prohibition against corp. & labor contributions. She said that the Committee has a "restricted" account in which they put corporate contributions. She said that this account is not used for Federal activity because it has "dirty" money in it. I asked why the Cmte. is reporting these receipts if in fact the \$1,000 was not received by the Fed. acct. She paused and said that she thinks that the Cmte. is reporting the activity in both accounts, but that she was not totally sure because an accounting firm files out the reports. I requested that she familiarize herself with the Cmte.'s bookkeeping system and find out exactly what the Cmte. has been reporting to the FEC. I explained that the more she knows, and is able to relate to me, the better able I will be to assist.

The committee I said that she call me back once she
is out of the information together.

Mr. Jessie was very easy to talk with, and she was
sincere in her assertions that she wants to comply w/ the
law. I also believe that she was totally ignorant of the
law, and its limitations & prohibitions - she honestly did
not know.

She also asked me about affiliation. She said that
by statute, they are affiliated with the California Dem.
State Central Comtee (non-registered), and they don't
transfer funds, or consult with them about comtee operations -
they are independent of them. I said that it didn't sound
right though they were affiliated by our standard definition. I asked
her, however, about their relationship to United for Orange. She
said that they were totally separate & distinct entities &
they are not involved at all in their operations.

DATE: 5/1/79TIME: 1:10COMMITTEE: Orange County Dem. Central CommitteePERSON SPOKEN TO: Howard Adler (714) 541-5227FIC#R: Diana MolarukSUBJECT: 35.VI/78-39

Mr. Adler called me in response to 35.VI/78-39 which ~~dealt~~ dealt with 2 \$5000 contributions to Patterson & Hannaford. Orange County was notified that, since they had not yet acquired multi-candidate status, they could not contribute in excess of \$1,000 per candidate, per election.

Mr. Adler told me that they are affiliated with the D.S.C.C. Federal Candidates Fund in Beverly Hills, but that he neglected to claim affiliation on the Center's Statement of Organization. He said that he contacted the State Central Cmte. prior to transferring the money to the candidates, and they informed him that they had not contributed any money to the candidates. Adler surmised that by virtue of affiliation the 2 committees had a joint limitation. I told him that Orange County and the State Central Cmte. had to amend their Statements of Organization to claim mutual affiliation. Once we receive this documentation, we can resolve the

DATE: 5/7/79TIME: 3:30COMMITTEE: Orange County Democratic Central CommitteePERSON SPOKEN TO: Jessie Jessie (714) 632-8111FIC'R: Dir. [unclear]SUBJECT: Receipt of SV

I called Ms. Jessie to alert her to the fact that we sent her a letter (no one was at the office to sign for certified mail.) She said she'd check into it.

J.J. asked me if I had spoken w/Howard Adler & whether I had sent him Form 3's. I said yes on both counts. She asked me whether the Lanningford-Patterson matter had been resolved. I ~~told her~~ reiterated the information Adler & I had (see Telecon 5/1). J.J. said that it was very odd that Adler said that Orange County & the State Cent. Comte. were affiliated. She had asked him that question before and he stated that they were NOT affiliated. Then J.J. asked me whether they were affiliated. I said that I couldn't answer that question and advised her to consult with the other members of the Committee.

NOTE: The phone number for the Committee (Orange County), (714) 835-7460, was out of service. Ms. Jessie said that they were moving the phones. The number at the top of the Telecon is Ms. Jessie's work number.

REPORTS ANALYSIS REFERRAL SHEET

DATE 12-23-78 ANALYST Lisa Stolaruk
 TO: Office of General Counsel TEAM CHIEF Bobby Harfel
 THROUGH: STAFF DIRECTOR AL Glass COMPLIANCE REVIEW [Signature]
 FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS [Signature]

CANDIDATE/COMMITTEE: United for Orange CO0104430

TREASURER: James Kosik

ADDRESS: 4341 Birch Street, Suite 207
Newport Beach, CA 92660

AFFILIATE(S): Information not available

ALLEGATION(S): Failure to file Statement of Organization Excessive contribution received from an unregistered committee CITE: 2 U.S.C. 433 2 U.S.C. 441a ATTACHMENT(S): 3 2

DATE INITIATED: _____
 MANNER IN WHICH REVIEW WAS INITIATED:
 Normal review Other: _____
 Special Project: _____ ATTACHMENT

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM July 1, 1978 TO October 23, 1978

TOTAL RECEIPTS \$ 34,490 TOTAL EXPENDITURES \$ 33,021

CASH ON HAND \$ 869 (as of 10/23/78) DEBTS \$ 1,000 owed by the committee (as of 10/23/78)

HISTORY:
 RESULTS OF REVIEW:
 3SV1/78-75 (October 10 Report) 12/26/78 ATTACHMENT 2
 3SV2/73-75 (October 10 Report) 2/27/79 ATTACHMENT 4
 3SV1/78-81 mailed 1/30/79 ATTACHMENT 3
 3SV2/78-81 mailed 3/20/79, returned 4/22/79, re-mailed 4/23/79 ATTACHMENT 5
 COMMUNICATIONS WITH CANDIDATE/COMMITTEE:
 Telecon: Stolaruk with Kosik (4/25/79) ATTACHMENT 7
 Memo to Files: Greevy (4/23/79) ATTACHMENT 6

REASON(S) FOR REFERRAL:
 Inadequate response to 3SV1/78-76 and 3SV2/78-76 (5/21/79) ATTACHMENT 8
 No response to 3SV1/78-81 or 3SV2/78-81

OTHER PENDING ACTIONS INITIATED BY RAD:
 3SV1/78-65 (December 26, 1978) Excessive contribution letter to Californians for Brown '78 ATTACHMENT 9
 RAD is preparing a referral to OGC on Californians for Brown '78

OTHER RELEVANT INFORMATION:
 An additional \$3,000 was received by United for Orange from Californians for Brown on 10/11/78. The additional amount was not included on the surface PREVIOUS OGC/AUDIT REFERRALS FROM RAD: violation. (Attachment #10)
 NONE

02040342003

DATE: 4/25/79

TIME: 2:10

COMMITTEE: United for Orange County

PERSON SPOKEN TO: James Koike, Treasurer (714) 549-8646

FEC'R: Dina Stotarcuk

SUBJECT: SV's

I contacted Mr. Koike today to speak with him about the SV's that were sent and why they were not responded to. Mr. Koike said that the letters were just forwarded to him last night from the Santa Ana address, and that he has contacted Jules Glazer's accounting firm to "clean up" the reports.

Briefly, Mr. Koike said that United for Orange was registered with the Commission erroneously, because the voter registration activity that was conducted was exclusively for state/local activity (particularly for Gov. Brown). He said that he has records to prove it.

I asked that he forward a letter to the FEC in the interim, stating that the center is working toward responding to the SV's. I gave Mr. Koike my phone number & he said that he would give it to Mr. Glazer, since he will be working with the reports. A letter is forthcoming.



Telegram

TLA240 WAB503(1627)(4-068972E141)PD 05/21/79 1627 ATTACHMENT II-C

ICS IPMRNCZ CSP

1979 MAY 22 PM 12:23

7145498646 TDRN NEWPORT BEACH CA 77 05-21 0427P EST

PMS MS LISA STOLARUK CARE FEDERAL ELECTION COMMISSION, RDM RPT

DLY BY MGM, DLR 1325 K NW

WASHINGTON DC 20463

DEAR MS STOLARUK

PLEASE BE ADVISED THAT THE STATEMENTS FILED BY UNITED FOR ORANGE COUNTY WITH THE F.E.C. ARE INCORRECT AND ARE PRESENTLY BEING AMENDED. NUMEROUS ITEMS REPORTED RECEIVED F.E.C. WERE STATE RELATED AND SHOULD NOT HAVE BEEN INCLUDED IN OUR REPORT.

I AM SCHEDULED TO MEET WITH THE ACCOUNTANT FOR U.F.O.C. AND WILL ADVISE YOU OF THE TIME REQUIRED TO AMEND OUR REPORT.

THANK YOU FOR YOUR ASSISTANCE AND UNDERSTANDING IN THIS MATTER.

JIM KOSIK 4341 BIRCH ST SUITE 207 NEWPORT BEACH CA 92660

NNNN

BF-1201 (RS-89)

6204031200



79 MAY 22 PM 12:23

RECEIVED
FEDERAL ELECTION
COMMISSION

FEDERAL ELECTION
COMMISSION

23712 Via San Gil Mission Viejo, California 92675

'80 MAR 25 PM 12:00

March 20, 1980

Mr. Thomas J. Haselhorst
Assistant Staff Director
Reports Analysis Division
Federal Election Commission
1326 K Street, N.W.
Washington, D.C. 20463

Dear Mr. Haselhorst:

Please be advised that United For Orange County has not operated as a state campaign committee since November 1978. United For Orange County was permanently terminated in November 1978.

Also be advised that United For Orange County was a State Committee and in no way conducted any activity that would require filing with the F.E.C. In 1978, our accountant made a mistake and filed with the F.E.C. Since 1978, I have written over 12 letters explaining this, hopefully this letter will be the last.

If you have any questions, by mailing address is:

23712 Via San Gil
Mission Viejo, CA 92675

Thank you for your help in this matter.

Sincerely,

James F. Kosik
James F. Kosik

JFK:lss

02040342000

REPORTS ANALYSIS REFERRAL SHEET

DATE 1/24/79 ANALYST Lisa Stolaruk
 TO: Office of General Counsel TEAM CHIEF Bobby Werfel
 THROUGH STAFF DIRECTOR ALC COMPLIANCE REVIEW [Signature]
 FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS [Signature]

CANDIDATE/COMMITTEE: Californians for Brown '78
 TREASURER: Caroline Fox
 ADDRESS: 630 Chateau Place
 Los Angeles, CA 90005
 AFFILIATE(S): N/A

ALLEGATION(S): CITE: ATTACHMENT(S):
 Failure to register and report as a political committee 2 U.S.C. 435 & 434 1
 Excessive Contributions Made 2 U.S.C. 441a 1
 Note: Contributing Committee not informed of 441a violation in letter

DATE INITIATED: 12/26/78
 MANNER IN WHICH REVIEW WAS INITIATED:
 Normal review Other:
 Special Project: ATTACHMENT

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM N/A TO N/A
 TOTAL RECEIPTS \$ N/A TOTAL EXPENDITURES \$ N/A
 CASH ON HAND \$ N/A DEBTS \$ N/A

HISTORY:
 RESULTS OF REVIEW: ATTACHMENT
 3SV1/78-65 (mailed 12/26/78, no certified card received. Re-mailed to new address 5/23/79) 1

COMMUNICATIONS WITH CANDIDATE/COMMITTEE: ATTACHMENT
 Telecon: Stolaruk with Brown headquarters (3/27/79) 2
 Telecon: Stolaruk with Political Reform Division (10/19/79) 4

REASON(S) FOR REFERRAL: ATTACHMENT
 Inadequate response to 3SV1/78-65 (6/5/79) 3

OTHER PENDING ACTIONS INITIATED BY RAD: ATTACHMENT
 NONE

OTHER RELEVANT INFORMATION:
 Referrals for recipient committees for excessive contributions included in this packet of referrals: Orange County Democratic Central Committee
 PREVIOUS OGC/AUDIT REFERRALS FROM RAD: United for Orange County
 NONE

62040342007

CALIFORNIANS BROWN '78

May 30, 1979

Ms. Linda Stolaruk
Federal Elections Commission
1325 K Street, NW
Washington, DC 20463

RE: 3SVI/78-65

Dear Ms. Stolaruk;

Regarding the letter from Orlando B. Potter dated December 26, 1978, I wish to restate that Californians for Brown '78 is not a political committee under federal law, per Ms. Fox's telephone conversation with Chadwick R. Gore in January, 1979.

Jim Kossack of the United for Orange County and the Orange County Democratic Central Committee indicated to me that the people preparing the reports did not know of the requirements concerning segregating income related to federal vs. local elections. He also indicated that amendments will be filed on both these reports to correct this. He emphasized that none of the money expended by our committee was used in any manner for any federal campaign.

The amounts expended by Californians for Brown '78 were intended for, and used for, expenses regarding registration of voters and a "get out the vote" campaign, and both efforts were directed toward state and local candidates. Therefore, Californians for Brown '78 is not liable for filing reports under the Federal Elections Commission.

If you have any further questions, I would be happy to help you.

Sincerely,



MARK ROBERT LUBOW
Treasurer

*** NOTE: A TELECON CAN NOT BE LOCATED FOR THE CONVERSATION MENTIONED IN THIS RESPONSE.

630 Shatto Place • Los Angeles, California 90005

02040342008

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

REPORTS ANALYSIS REFERRAL SHEET

DATE 5/22/79 ANALYST Nike Filler
 TO: OFFICE OF GENERAL COUNSEL TEAM CHIEF Suzanne Wilson
 THROUGH: STAFF DIRECTOR A.L.C. COMPLIANCE REVIEW
 FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS

CANDIDATE/COMMITTEE: COMMITTEE TO RE-ELECT PATTERSON TO CONGRESS-C00036905
 TREASURER: Scott A. Smith
 ADDRESS: 1200 N. Main St.
 Santa Ana, California 92701

AFFILIATE(S): Patterson For Congress

ALLEGATION(S): Receipt of excessive committee contribution
 CITE: 2 U.S.C. 441a

ATTACHMENT(S)
2

DATE INITIATED:

MANNER IN WHICH REVIEW WAS INITIATED:
 Normal Review Other:
 Special Project:

ATTACHMENT

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM May 23, 1978 TO June 26, 1978

TOTAL RECEIPTS \$ 9,158 TOTAL EXPENDITURES \$ 3,065

CASH ON HAND \$ 24,901 DEBTS \$ -0-

HISTORY:

- RESULTS OF REVIEW: **ATTACHMENT**
- Surface violation letter for receipt of apparent excessive committee contribution on the 30 Day Post Primary Report sent on December 11, 1978. **3**
 - No response received on first notice; therefore RTB notice sent on Feb. 28, 1979. **4**
 - Response received on May 25, 1979 from Orange County Dem Central Cmte claiming affiliation with California Dem Party State Central Cmte. **6**
- COMMUNICATIONS WITH CANDIDATE/COMMITTEE: **ATTACHMENT**
- Ron Krouse with Congressman Patterson's office on May 21, 1979. **5**

REASON(S) FOR REFERRAL: **ATTACHMENT**
 California Democratic State Central Cmte does not disclose affiliation with Orange County DCC; therefore the \$5,000 contribution to the Cmte to Re-Elect Patterson to Congress may be in excess of the limits.

OTHER PENDING ACTIONS INITIATED BY RAD: **ATTACHMENT**

OTHER RELEVANT INFORMATION: **ATTACHMENT**

The RTB notice sent to the Cmte to Re-Elect Patterson to Congress was returned and stamped "refused."

PREVIOUS OGC/AUDIT REFERRALS FROM RAD:

02040342009

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

REPORTS ANALYSIS REFERRAL SHEET

DATE 5/23/79 ANALYST Lisa Stolaruk
 TO: Office of General Counsel TEAM CHIEF Bobby Warfel
 THROUGH: STAFF DIRECTOR BLG/DAK COMPLIANCE REVIEW [Signature]
 FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS [Signature]

CANDIDATE/COMMITTEE: Assemblyman Cordova Committee

TREASURER:

ADDRESS: 610 Newport Center Drive
 Suite 1590
 Newport Beach, CA 92660
 AFFILIATE(S) N/A

1119

ALLEGATION(S): Failure to register and report as a political committee
 CITE: 2 U.S.C. 433 & 434
 ATTACHMENT(S):

DATE INITIATED:
 MANNER IN WHICH REVIEW WAS INITIATED: 5/23/79
 Normal review Other:
 Special Project: ATTACHMENT

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM N/A TO N/A
 TOTAL RECEIPTS \$ N/A TOTAL EXPENDITURES \$ N/A
 CASH ON HAND \$ N/A DEBTS \$ N/A

HISTORY:
 RESULTS OF REVIEW. ATTACHMENT 1
 3SV1/79-26 (first sent 5/23/79, no certified card received; remailed 6/25/79 certified; returned 7/30/79; remailed to new address 7/30/79; certified card received) RTB has not been recommended.

COMMUNICATIONS WITH CANDIDATE/COMMITTEE: ATTACHMENT 2
 Memo to Files: Greevy (6/25/79)
 Memo to Files: Greevy (7/30/79)

REASON(S) FOR REFERRAL: ATTACHMENT
 No response to 3SV1/79-26

OTHER PENDING ACTIONS INITIATED BY RAD: ATTACHMENT
 NONE

OTHER RELEVANT INFORMATION:
 NONE
 PREVIOUS OGC/AUDIT REFERRALS FROM RAD:
 NONE

62040342010

REPORTS ANALYSIS REFERRAL SHEET

DATE 12/27/79 ANALYST Rita Filler
 TO: OFFICE OF GENERAL COUNSEL TEAM CHIEF Suzanne Wilson
 THROUGH: STAFF DIRECTOR COMPLIANCE REVIEW
 FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS

CANDIDATE/COMMITTEE: HANNAFORD RE-ELECTION COMMITTEE
 TREASURER: Alex C. Horowitz
 ADDRESS: P.O. Box 4055
 Long Beach, California 90804
 AFFILIATE(S): Citizens For Hannaford Committee

1120

ALLEGATION(S):
 Receipt of excessive
 committee contribution

2 U.S.C. 441a

ATTACHMENT(S)

2

DATE INITIATED:

MANNER IN WHICH REVIEW WAS INITIATED:

- Normal Review
- Other:
- Special Project:

ATTACHMENT

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM May 23, 1978 TO June 26, 1978

TOTAL RECEIPTS \$ 32,952 TOTAL EXPENDITURES \$ 8,845

CASH ON HAND \$ 109,056 DEBTS \$ -0-

HISTORY:

RESULTS OF REVIEW:

ATTACHMENT

- Surface violation letter for receipt of apparent excessive committee contribution on the 30 Day Post Primary Report sent on December 11, 1978. 3
- No response received on first notice; therefore RTB notice sent on FEB.28,1979. 5
- Response received on March 12, 1979 from Hannaford's committee stating that Orange County assured them that the \$5,000 contribution was allowable. 7

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

ATTACHMENT

- Ron Krouse with Hannaford Re-Election Committee on December 21, 1978. 4
- Ron Krouse with " " " on March 5, 1979. 6

REASON(S) FOR REFERRAL:

ATTACHMENT

California Democratic State Central Cmte does not disclose affiliation with Orange County DCC; therefore the \$5,000 contribution to the Hannaford Re-Election Committee may be in excess of the limits.

OTHER PENDING ACTIONS INITIATED BY RAD:

ATTACHMENT

OTHER RELEVANT INFORMATION:

ATTACHMENT

PREVIOUS OGC/AUDIT REFERRALS FROM RAD:

62040342011

REPORTS ANALYSIS REFERRAL SHEET

DATE 12/28/89 ANALYST Lisa Stolaruk
 TO: Office of General Counsel TEAM CHIEF Bobby Norfol
 THROUGH: STAFF DIRECTOR ADD COMPLIANCE REVIEW [Signature]
 FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS [Signature]

CANDIDATE/COMMITTEE: Re-Elect Paul Bell Committee

TREASURER: Burney Little

ADDRESS: 610 Newport Center Drive, Suite 991
Newport Beach, California 92652

AFFILIATE(S): N/A

ALLEGATION(S): CITE: ATTACHMENT(S):
 Failure to register and report 2 U.S.C. 433 & 434 2
 as a political committee
 Excessive Contribution Made 2 U.S.C. 441a 2
 Note: Contributing Committee not informed of 441a violation in letter

DATE INITIATED: 1/31/79

MANNER IN WHICH REVIEW WAS INITIATED:

Normal review Other:
 Special Project:

ATTACHMENT

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM N/A TO N/A

TOTAL RECEIPTS \$ N/A TOTAL EXPENDITURES \$ N/A

CASH ON HAND \$ N/A DEBTS \$ N/A

HISTORY:

RESULTS OF REVIEW: ATTACHMENT
 3SV1/78-84 (1/31/79) 2
 3SV2/78-84 (3/20/79) 3

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

Telecon: Gore with Political Reform Division (10/19/78) ATTACHMENT 1
 Telecon: Stolaruk with Bell (4/5/79) 4
 Telecon: Stolaruk with Bell (5/7/79) 6
 Telecon: Stolaruk with Bell (5/24/79) 7
 Telecon: Stolaruk with Political Reform Division (10/19/79) 8

REASON(S) FOR REFERRAL:

Inadequate response to 3SV1/78-84 and 3SV2/78-84 (4/18/79) ATTACHMENT 5
 (Refund from Orange County Democratic Central Committee has not taken place).

OTHER PENDING ACTIONS INITIATED BY RAD:

NONE

ATTACHMENT

OTHER RELEVANT INFORMATION:

Referral for recipient committee for excessive contributions is included in this packet of referrals: Orange County Democratic
 PREVIOUS OGC/AUDIT REFERRALS FROM RAD: Central Committee

NONE

02040342012

REPORTS ANALYSIS REFERRAL SHEET

DATE 12/20/79 ANALYST Lisa Stolaruk
 TO: Office of General Counsel TEAM CHIEF Bobby Marfel
 THROUGH: STAFF DIRECTOR BLW ASA COMPLIANCE REVIEW g/h
 FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS g/h

CANDIDATE/COMMITTEE: Round Up '78 (AKA: Chairs Committee)
 TREASURER: Jackie Jessie (see Jessie letter of September 10, 1979, Attachment 6)
 ADDRESS: 822 North Broadway Santa Ana, CA 92701 7122
 AFFILIATE(S): N/A

ALLEGATION(S): Failure to register and report as a political committee
 CITE: 2 U.S.C. 433 & 434
 ATTACHMENT(S): 1

DATE INITIATED: 5/23/79
 MANNER IN WHICH REVIEW WAS INITIATED:
 Normal review Other:
 Special Project: ATTACHMENT

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM N/A TO N/A
 TOTAL RECEIPTS \$ N/A TOTAL EXPENDITURES \$ N/A
 CASH ON HAND \$ N/A DEBTS \$ N/A

HISTORY:
 RESULTS OF REVIEW: ATTACHMENT
 3SV1/79-30 (5/23/79) 3
 3SV2/ 79-30 (8/14/79) 4

COMMUNICATIONS WITH CANDIDATE/COMMITTEE: ATTACHMENT
 Telecon: Stolaruk with Jessie (5/14/79) 2
 Telecon: Stolaruk with Jessie (9/6/79) 5

REASON(S) FOR REFERRAL: ATTACHMENT
 No response to 3SV1/79-30 or 3SV2/79-30

OTHER PENDING ACTIONS INITIATED BY RAD: ATTACHMENT
 NONE

OTHER RELEVANT INFORMATION:
 Letter of Request for an Advisory Opinion on behalf of Orange County Democratic
 Central Committee (9/10/79) Attachment # 6
 PREVIOUS OGC/AUDIT REFERRALS FROM RAD:
 NONE

62040342013

REPORTS ANALYSIS REFERRAL SHEET

DATE 12/22/79 ANALYST Mark Kleiman
 TO: Office of General Counsel TEAM CHIEF Steve Hine
 THROUGH: STAFF DIRECTOR ALW COMPLIANCE REVIEW [Signature]
 FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS [Signature]

CANDIDATE/COMMITTEE: Hobile Ross Parks Political Action Committee
 TREASURER: John Phillips
 ADDRESS: 23861 El Toro Road
El Toro, CA 92630
 AFFILIATE(S): None

1123

ALLEGATION(S): Failure to register. CITE: 2 U.S.C. 433 ATTACHMENT(S) #1, #2, #7
 Failure to file Reports of Receipts and Expenditures. 2 U.S.C. 434
 DATE INITIATED: 4-16-79

MANNER IN WHICH REVIEW WAS INITIATED:
 Normal Review Other: ATTACHMENT
 Special Project:

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM N/A TO _____

TOTAL RECEIPTS \$ _____ TOTAL EXPENDITURES \$ _____

CASH ON HAND \$ _____ DEBTS \$ _____

HISTORY:
 RESULTS OF REVIEW: Failure to register letter sent 4-16-79 ATTACHMENT #1
 Reason To Believe letter sent 7-13-79 #2

COMMUNICATIONS WITH CANDIDATE/COMMITTEE: ATTACHMENT #3
 Telecon: 8-9-79 #4
 Telecon: 8-28-79 #5
 Telecon: 9-4-79 #6
 Telecon: 10-11-79

REASON(S) FOR REFERRAL: No response Reason To Believe SEE ATTACHMENT #2

OTHER PENDING ACTIONS INITIATED BY RAD: None ATTACHMENT

OTHER RELEVANT INFORMATION: Additional transfer out to ATTACHMENT #7
 Ross For Assembly Committee #2
 Cross-reference with referrals for
 United For Orange County and
 Californians For Brown

PREVIOUS OGC/AUDIT REFERRALS FROM RAD:

82040342014



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jacqueline A. Jessie
Treasurer
Orange County Democratic Central Committee
12612 Ohmer Way
Garden City, California 92641

RE: MUR 1115

Dear Ms. Jessie:

On June 11, July 19, and August 3, 1979, your committee was notified that the Commission had found reason to believe that your committee may have violated 2 U.S.C. §§ 441a, 441b and 434. You were given an opportunity to demonstrate that no further action should be taken in this matter.

In addition, on August 14, and October 16, 1979, your committee was informed that additional apparent violations of the Federal Election Campaign Act had been discovered during reviews of the committee's October 10, 10 Day Pre-General and Year End reports for 1978.

The responses received from the committee have not provided complete information or explanations regarding the possible violations of which the committee has been informed. Therefore, the matter has been referred to the Office of General Counsel for investigation.

You will find enclosed a set of written questions and requests for documents plus an Order of the Commission. The Order requires that the requested answers and documents be supplied to the Commission within 10 days of your receipt of the Order.

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

02040342015

Letter to: Jacqueline A. Jessie
Page 2
MUR 1115

For your information we are enclosing a brief description of the Commission's procedures for handling possible violations of the Federal Election Campaign Act. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-5071.

Sincerely,

Charles N. Steele
General Counsel

Enclosures

Order to Answer Written Questions and
to Produce Documents
Written Questions and Requests for Production
of Documents Under Order
Procedures

62040342016

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

ORDER TO ANSWER WRITTEN QUESTIONS
AND TO PRODUCE DOCUMENTS

TO: Jacqueline A. Jessie
Treasurer
Orange County Democratic
Central Committee
12612 Ohmer Way
Garden City, California 92641

RE: MUR 1115

Pursuant to 2 U.S.C. § 437d(a)(1), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and to supply certain documents.

The answers must be submitted under oath, and both the answers and the documents must be forwarded to the Commission within ten (10) days of your receipt of this Order.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand on April , 1980.

Robert O. Tiernan
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

62040342017

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

WRITTEN QUESTIONS AND REQUEST FOR PRODUCTION OF DOCUMENTS UNDER ORDER

TO: Jacqueline A. Jessie
Treasurer,
Orange County Democratic
Central Committee

RE: MUR 1115

In accordance with the attached Order of the Federal Election Commission issued under the authority of 2 U.S.C. § 437d(a)(1) as part of a lawful investigation being conducted under the authority of 2 U.S.C. § 437g(a)(2), please submit written answers to the questions below and provide the documents requested.

You are required to submit your answers within ten (10) days of your receipt of these questions.

Please set forth your answers on a separate sheet and return the answers with an original affidavit attesting to the truth of the answers; the affidavit must be sworn and notarized.

- A. Provide a list of all bank accounts utilized by the Orange County Democratic Central Committee (hereinafter "the Committee") from January 1, 1978, to the present, including the identifying names given by the Committee to any such accounts.
- B. Identify the nature of the sources of all funds placed in each Committee bank account during 1978; i.e., individual contributors, corporations, unions, etc.
- C. Identify all recipients of political contributions made from each Committee bank account during 1978.
- D. Identify the accounts from which expenditures were made by the Committee for voter registration and get-out-the-vote activities during 1978.
- E. Identifying all candidates of the Democratic party in the general election of 1978 for federal, state and local offices in or representing Orange County.
- F. Provide copies of all voter registration/get-out-the-vote printed materials used by OCDCC during the 1978 general election.

02040342018

Jacqueline A. Jessie

Page 2

Written Questions/Request for Production of Documents

- G. State the total amount spent by the Committee on voter registration/get-out-the-vote activities with regard to the general election campaign of 1978.
- H. Provide a description of the relationship between the Committee and the California Democratic Party-State Central Committee (hereinafter "the State Committee"). The description should cover any role the State committee had in the initial organizing of the Committee; the amounts of funds transferred by the State committee to the Committee; the involvement of the State committee in the Committee's activities from January, 1978 to the present, including its decisions concerning the support of candidates; the names of any common officers or employees; and any additional information which would support the Committee's claim of affiliation with the State committee. Supply copies of all correspondence between the Committee and the State committee in these regards.
- I. Provide copies of the Committee's constitution and by-laws or other related documents which explain the Committee's organization and purposes.

82040342019



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James Kozik
Treasurer
United for Orange County
23712 Via San Gil.
Mission Viejo, California 92675

RE: MUR 1116

Dear Mr. Kozik:

On February 27 and March 30, 1979, your committee was notified that the Commission had found reason to believe that your committee has violated 2 U.S.C. §§ 441a and 433. You were given an opportunity to demonstrate that no further action should be taken in this matter.

The responses received from your committee, including your letter of March 20, 1980, have not provided complete information regarding the activities which may constitute the violations about which the committee has been informed. Therefore the matter has been referred to the Office of General Counsel for further investigation.

The specific matter of concern to the Commission is whether the voter registration and get-out-the-vote activities undertaken by the committee in 1978 benefited candidates for federal office and, if so, how much of the committee's expenditures should be allocated to such federally-related activity. If such an allocation resulted in federally-related expenditures in excess of \$1000, the committee became a political committee for purposes of the Federal Election Campaign Act and thus covered by the registration and reporting requirements and the contribution and expenditure limitations contained therein.

With regard to the above issue, you will find enclosed a set of written questions and requests for documents, plus an Order of the Commission. This Order requires that the requested answers and documents be supplied to the Commission within 10 days of your receipt of the Order.

62040342020

Letter to: James Kosik
Page 2
MUR 1116

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B)(i) 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 are enclosing a brief description of the Commission's procedures for handling possible violations of the Federal Election Campaign Act. Should you have any questions, please call Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-5071.

Sincerely,

Charles N. Steele
General Counsel

Enclosures

Order to Answer Written Questions and
Produce Documents
Written Questions and Requests for
Production of Documents Under Order
Procedures

82040342021

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

ORDER TO ANSWER WRITTEN QUESTIONS
AND TO PRODUCE DOCUMENTS

TO: James Kozik
Treasurer
United for Orange County
23712 Via San Gil
Mission Viejo, Calif. 92675

RE: MUR 1116

Pursuant to 2 U.S.C. § 437d(a)(1), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to the Order and to provide certain documents.

The answers provided must be submitted under oath, and both the answer and documents must be forwarded to the Commission within ten (10) days of your receipt of this Order.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand on April , 1980.

Robert O. Tiernan
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

62040342022

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

WRITTEN QUESTIONS AND REQUEST FOR PRODUCTION OF DOCUMENTS UNDER ORDER

TO: James Kozik
Treasurer
United for Orange County

RE: MUR 1116

In accordance with the attached Order of the Federal Election Commission issued under the authority of 2 U.S.C. § 437d(a)(1) as part of a lawful investigation being conducted under the authority of 2 U.S.C. § 437g(a)(2), please submit written answers to the questions below.

You are required to submit your answers within ten (10) days of your receipt of these questions.

Please set forth your answers on a separate sheet and return the answers with an original affidavit attesting to the truth of the answers; the affidavit must be sworn and notarized.

- A. Provide copies of the constitution and by-laws of United for Orange County (hereinafter "the Committee") and any other relevant documents explaining the Committee's organization and purposes.
- B. Provide a list of all bank accounts used by United for Orange County during 1978.
- C. Identify the nature of the sources of all funds placed in each Committee bank account during 1978, i.e., contributions from individual, contributions from corporations, etc.
- D. Identify all recipients of political contributions made from each Committee bank account during 1978.
- E. State the total amount spent by the Committee on voter registration and get-out-the-vote activities with regard to the general election of 1978.
- F. Identify the accounts from which expenditures were made by the Committee for voter registration and get-out-the-vote activities during 1978.
- G. Identify all candidates of the Democratic Party in the general elections of 1978 for local, state and federal offices in or representing Orange County.
- H. Provide copies of all voter registration/get-out-the-vote printed materials used by United for Orange County during the general election of 1978

02040342023



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Loretta Collier, Treasurer
California Democratic State Central
Committee Federal Candidates Fund
9454 Wilshire Blvd., Suite 209
Beverly Hills, California 90212

RE: MUR 1115

Dear Ms. Collier:

On September 13, 1979, you were notified that the Commission had found reason to believe that your committee has violated 2 U.S.C. § 433. You were given an opportunity to demonstrate that no further action should be taken in this matter.

No response has been received by the Commission. Therefore the matter has been referred to the Office of General Counsel for further investigation.

You will find enclosed a set of written questions, plus an Order of the Commission. This Order requires that the requested answers be supplied to the Commission within 10 days of your receipt of the Order.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B)(i) 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 enclosing a brief description of the Commission's procedures for handling possible violations of the Federal Election Campaign Act. Should you have any questions, please call Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-5071.

Sincerely,

Charles N. Steele
General Counsel

Enclosures

Order to Answer Written Questions and to
Produce Documents
Written Questions and Request for Production of
Documents Under Order
Procedures

82040342024

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

ORDER TO ANSWER WRITTEN QUESTIONS
AND TO PRODUCE DOCUMENTS

TO: Loretta Collier, Treasurer
California Democratic State Central
Committee Federal Candidates Fund
9454 Wilshire Blvd., Suite 209
Beverly Hills, California 90212

RE: MUR 1115

Pursuant to 2 U.S.C. § 437d(a)(1), and in furtherance of its investigation in the above captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order.

The answers must be submitted under oath and must be forwarded to the Commission within 10 days of your receipt of this Order.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand on April , 1980.

Robert O. Tiernan
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

82040342025

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

WRITTEN QUESTIONS AND REQUEST FOR DOCUMENTS UNDER ORDER

TO: Loretta Collier, Treasurer
California Democratic State Central
Committee Federal Candidates Fund

RE: MUR 1115

In accordance with the attached Order of the Federal Election Commission issued under the authority of 2 U.S.C. § 437d(a)(1) as part of a lawful investigation being conducted under the authority of 2 U.S.C. § 437g(a)(2), please submit written answers to the questions below.

You are required to submit your answer within ten (10) days of your receipt of these questions.

Please set forth your answers on a separate sheet and return the answers with an original affidavit attesting to the truth of the answers; the affidavit must be sworn and notarized.

- 6
2
0
4
0
3
4
2
0
2
6
- A. Provide a description of the relationship between the California Democratic State Central Committee (hereinafter "DSCC") and the Orange County Democratic Central Committee (hereinafter "OCDCC"). This description should cover any role which DSCC and the Fund had in the initial organizing of OCDCC, the amounts of funds transferred by DSCC to OCDCC, the involvement of DSCC in OCDCC's activities from January, 1978, to present, including OCDCC's decisions concerning the support of candidates; the names of any common officers or employees; and any additional information which would support or counteract OCDCC's claim of affiliation with DSCC. Supply copies of all correspondence between DSCC and OCDCC in these regards.
 - B. Do the California Democratic State Central Committee and its Federal Candidates Fund affirm affiliation with the Orange County Democratic Central Committee?



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUTHORIZATION TO ISSUE ORDERS

The Commission hereby authorizes the issuance of Orders to Answer Written Questions to the following persons in connection with MURs 1115 and 1116:

Jacqueline A. Jessie, Treasurer
Orange County Democratic
Central Committee
12612 Ohmer Way
Garden City, California 92641

James Kozik, Treasurer
United for Orange County
23712 Via San Gil
Mission Viejo, California 92675

Loretta Collier, Treasurer
Democratic State Central Committee
Federal Candidate Fund
9454 Wilshire Blvd., Suite 209
Beverly Hills, California 90212

Robert O. Tiernan
Chairman

Max L. Friedersdorf
Vice Chairman

Joan D. Aikens
Commissoiner

John W. McGarry
Commissioner

Thomas E. Harris
Commissioner

Frank P. Reiche
Commissioner

6 2 0 4 0 3 4 2 0 2 7

REPORTS ANALYSIS REFERRAL SHEET

DATE 1/22/79 ANALYST Lisa Stolaruk
TO: Office of General Counsel TEAM CHIEF Bobby Werfel
THROUGH: STAFF DIRECTOR ALC/ADA COMPLIANCE REVIEW [Signature]
FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS [Signature]

CANDIDATE/COMMITTEE: Californians for Brown '78

TREASURER: Caroline Fox
ADDRESS: 630 Chateau Place
Los Angeles, CA 90005
AFFILIATE(S): N/A

1117

ALLEGATION(S): CITE: ATTACHMENT(S):
Failure to register and report as a political committee 2 U.S.C. 433 & 434 1
Excessive Contributions Made 2 U.S.C, 441a 1
Note: Contributing Committee not informed of 441a violation in letter

DATE INITIATED: 12/26/78

MANNER IN WHICH REVIEW WAS INITIATED: ATTACHMENT
 Normal review Other:
 Special Project:

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed. see Attachment 1.

PERIOD COVERED FROM N/A TO N/A
TOTAL RECEIPTS \$ N/A TOTAL EXPENDITURES \$ N/A
CASH ON HAND \$ N/A DEBTS \$ N/A

HISTORY:

RESULTS OF REVIEW: ATTACHMENT 1
3SV1/78-65 (mailed 12/26/78, no certified card received.
Re-mailed to new address 5/23/79)

COMMUNICATIONS WITH CANDIDATE/COMMITTEE: ATTACHMENT 2
Telecon: Stolaruk with Brown headquarters (3/27/79) 4
Telecon: Stolaruk with Political Reform Division (10/19/79)

REASON(S) FOR REFERRAL: ATTACHMENT 3
Inadequate response to 3SV1/78-65 (6/5/79)

OTHER PENDING ACTIONS INITIATED BY RAD: ATTACHMENT
NONE

OTHER RELEVANT INFORMATION:
Referrals for recipient committees for excessive contributions included in this packet of referrals: Orange County Democratic Central Committee
PREVIOUS OGC/AUDIT REFERRALS FROM RAD: United for Orange County
NONE



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

May 23, 1979

Caroline Fox, Treasurer
Californians for Brown '78
630 Chateau Place
Los Angeles, CA 90005

Dear Ms. Fox:

Please find enclosed a copy of a letter, dated December 26, 1978, sent to Californians for Brown '78. The Commission has no record of your receiving this letter and has recently learned that the address to which the letter was sent may not have been current.

The letter states that our review of the receipts reported by United for Orange County indicates that your organization may have made contributions which total in excess of \$1,000 during the calendar year. As such, your committee would appear to be a "political committee" subject to registration, reporting, and contribution limitation requirements of the Act.

Please read the attached letter and act in accordance with its recommendations. In addition to the receipts noted in that letter, we have noted that United for Orange County and Orange County Democratic Central Committee have reported other receipts from your committee. Enclosed are copies of the reports in which these additional contributions are listed.

Please notify the Commission within thirty (30) days from the date on this letter of your decision on this matter. If you have any questions, please contact Lisa Stolaruk, in our Reports Analysis Division on the toll free number (800)424-9530.

Sincerely,

Orlando B. Potter
Staff Director

Certified Mail
Return Receipt Requested

Enclosures

82040342029

In reply please refer to 3 5172-10



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20543

December 26, 1978

Californians for Brown '78
710 W. Olympic Blvd.
Los Angeles, CA 90015

Dear Treasurer:

This letter is prompted by the Commission's interest in assisting committees who wish to comply with the Federal Election Campaign Act. Our review of the receipts reported by United for Orange County indicates that your organization may have made contributions which total in excess of \$1,000 during the calendar year. Enclosed is a copy(s) of the report(s) in which your contribution(s) is listed.

The act defines "political committee" to mean any organization, or other group of persons which receives contributions or makes expenditures (which includes contributions to Federal candidates and committees supporting Federal candidates), aggregating in excess of \$1,000 during a calendar year. It would appear that your organization may qualify as a "political committee" subject to registration, reporting, and contribution limitation requirements of the Act.

If you agree that your organization is a political committee, please submit a Statement of Organization on FEC Form 1, in accordance with 2 U.S.C. 433. In addition, your committee will be required to file disclosure reports in accordance with 2 U.S.C. 434 on FEC Form 3.

If you agree that your organization has made contributions or expenditures which qualify you as a "political committee", but you do not wish to be considered as a "political committee", you must request refund(s) from the candidate(s) and/or political committee(s) to which you have contributed. As an alternative, political committees to which you made contributions may transfer all or part of the contributions to accounts which are not used to influence Federal elections. Refunds or transfers must be made in such amounts that the total remaining contributions made by you do not exceed \$1,000 during a calendar year.

If you believe that your organization is not a political committee, or that the Commission is otherwise in error, please submit a statement which would clarify this matter for the public record. We have also enclosed relevant informational materials and forms for the registration of and reporting by the political committee. Please examine the enclosed materials.

8 2 0 4 0 3 4 2 0 3 0

1978
 Federal Election Commission
 1375 K Street, N.W.
 Washington, D.C. 20543

Contributions, Transfers, Contributions Received,
 Other Income, Loans, Refunds)
 Supporting Lines 14a, 15a, 15b, 15c, 16a, 17a, and/or 18a
 of FEC FORM 3

Line Number 158
 Also See Schedule for
 each numbered line

Name of Candidate or Committee in Full			
UNITED FOR ORANGE COUNTY			
Full Name, Mailing Address and ZIP Code: CALIFORNIANS FOR BROWN '78 710 W. OLYMPIC BLVD. LOS ANGELES CA. 90015 2781372	Principal Place of Business	Date (month, day, year)	Amount of each Rec. this Period
	Occupation	7/24/78	5000-
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date . . . \$	8/16/78	5000-
Full Name, Mailing Address and ZIP Code: MOBILEHOME PARKS P. A. C. 23861 EL TORO RD. #600 EL TORO, CA. 92630-	Principal Place of Business	Date (month, day, year)	Amount of each Rec. this Period
	Occupation	9/18/78	5000-
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date . . . \$		
Full Name, Mailing Address and ZIP Code: ORANGE COUNTY DEMOCRATIC CENTRAL COMM. #72006 826 N. BROADWAY SANTA ANA, CA. 92701	Principal Place of Business	Date (month, day, year)	Amount of each Rec. this Period
	Occupation	7/4/78	516-
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date . . . \$	7/17/78	3200-
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Rec. this Period
	Occupation	7/19/78	420-
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date . . . \$	7/19/78	1354-
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Rec. this Period
	Occupation		
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date . . . \$		
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Rec. this Period
	Occupation		
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date . . . \$		
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Rec. this Period
	Occupation		
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date . . . \$		
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Rec. this Period
	Occupation		
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date . . . \$		
SUBTOTAL of receipts this page (optional)			\$ 21490-
TOTAL this period (last page this line number only)			\$ 21490-

ITEMIZED RECEIPTS

(Contributions, Transfers, Contribution In-Kind, Other Income, Loans, Refunds)

Supporting Lines 14a, 15a, 15b, 15c, 16a, 17a, and/or 18a of FEC FORM 3

Line Number 22
Use Separate Schedules for each numbered line

Name of Candidate or Committee in Full
ORANGE COUNTY DEMOCRATIC CENTRAL COMMITTEE

1
2
3
4
5
6
7
8
9
10
11
12

Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
RE-ELECT PAUL BELL COMM. DISTRICT 610 NEWPORT CENTRAL DRIVE NEWPORT BEACH, CA 92660	I.D. # 771437	9/22/78 10/4/78 10/12/78	960 - 726 - 2500 -
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 6166 -		
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
CALIFORNIANS FOR BROWN 710 W. OLYMPIC BLVD. LOS ANGELES, CA 90015	I.D. # 781372	10/6/78	1500 -
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 5330 -		
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
COMMITTEE TO RE-ELECT DENNIS MANGERS 17302 BURNLEY LANE HUNTINGTON BEACH CA 92647	I.D. # 742367	10/4/78	40 -
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 230 -		
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
1604 POLITICAL COMMITTEE 3550 WILSHIRE BLVD. LOS ANGELES, CA 90010	I.D. # 746308	10/2/78	950 -
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 950 -		
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
ORANGE COUNTY DISTRICT COUNCIL OF CARPENTERS 3602 W. 5TH ST. SANTA ANA, CA.		10/2/78	1000 -
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 5750 -		
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
COMMITTEE TO ELECT ROBERT S. MUSIC 41600 N. BROADWAY SANTA ANA, CA 92704	# 781523	10/11/78	50 -
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 50 -		
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$		

SUBTOTAL of receipts this page (optional) \$ 7726
TOTAL this period (last page this line number only) \$ 7726

6 2 0 4 0 3 4 2 0 3 6

35V178-65

PS Form 3811, Apr 1977

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one):

- Show to whom and date delivered c
- Show to whom, date, and address of delivery c
- RESTRICTED DELIVERY Show to whom and date delivered c
- RESTRICTED DELIVERY Show to whom, date, and address of delivery \$ (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Calif For Brown

3. ARTICLE DESCRIPTION:
REGISTERED NO. | CERTIFIED NO. | INSURED NO.
(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE Addressee Authorized agent

4. *Kathy Barcell*
DATE OF DELIVERY
MAY 28 1979

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE OF _____

POSTMARK: LOS ANGELES CA MAY 28 1979

INSURER'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

5/23

☆GPO 1977-O-249-595

DATE: 3/27/79TIME: 3:15COMMITTEE: Californians for Brown, '78(213)386-4080PERSON SPOKEN TO: Receptionist at headquartersFEC'R: Lisa StolarukSUBJECT: No response to SV for excessive contributions from an unreg. cmte.

I called the above committee intending to speak with the treasurer, Caroline Fox. Brown's gubernatorial committee (unregistered) has made several transfers to two registered committees (United for Orange and Orange County Democratic Central Committee) totaling several thousand dollars. An M letter was sent to the committee and was returned to the FEC unclaimed. I tried to call Ms. Fox to find out if the letter was ever seen by her, if their address has been changed, and to explain the nature of the violations.

A receptionist answered the phone, and when I asked to speak with Ms. Fox, she said that no one has seen her for "weeks". I asked if there was another phone number at which she could be reached, and she gave me the number of her answering service. I asked her for the current address of Californians for Brown. It is:

630 Chateau Place
Los Angeles, California 90005

82040342037

CALIFORNIANS BROWN '78

(3)

12:11

May 30, 1979

Ms. Linda Stolaruk
Federal Elections Commission
1325 K Street, NW
Washington, DC 20463

RE: 3SVI/78-65

Dear Ms. Stolaruk:

Regarding the letter from Orlando B. Potter dated December 26, 1978, I wish to restate that Californians for Brown '78 is not a political committee under federal law, per Ms. Fox's telephone conversation with Chadwick R. Gore in January, 1979.

Jim Kossack of the United for Orange County and the Orange County Democratic Central Committee indicated to me that the people preparing the reports did not know of the requirements concerning segregating income related to federal vs. local elections. He also indicated that amendments will be filed on both these reports to correct this. He emphasized that none of the money expended by our committee was used in any manner for any federal campaign.

The amounts expended by Californians for Brown '78 were intended for, and used for, expenses regarding registration of voters and a "get out the vote" campaign, and both efforts were directed toward state and local candidates. Therefore, Californians for Brown '78 is not liable for filing reports under the Federal Elections Commission.

If you have any further questions, I would be happy to help you.

Sincerely,



MARK ROBERT LUBOW
Treasurer

*** NOTE: A TELECON CAN NOT BE LOCATED FOR THE CONVERSATION MENTIONED IN THIS RESPONSE.

630 Shatto Place • Los Angeles, California 90005

82040342038

CALIFORNIANS BROWN '78

630 Shatto Place • Los Angeles, California 90005

Ms. Linda Stolaruk
Federal Elections Commission
1325 K Street, NW
Washington, DC 20463

FEDERAL ELECTIONS
COMMISSION

11:21 AM '78 JUN 5 1978

63021304070

TELEX

DATE: 10/19/79

TIME: 3:15

COMMITTEE: Californians for Brown and Re-Elect Paul Bell committee

PERSON SPOKEN TO: Political Reform Division of the California Secretary of State (916) 322-4881

FEC'R: Lisa Stolaruk

SUBJECT: Status

Called the Political Reform Division of the Secretary of State of CA to find out whether or not Californians for Brown and Re-Elect Paul Bell Committee are still active filers in the state. It was confirmed that both committees are indeed active.

82040342040



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1117

Date Filmed 8-5-82 Camera No. --- 2

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