



FEDERAL ELECTION COMMISSION

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

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THE FOLLOWING MATERIAL IS BEING ADDED TO THE
PUBLIC FILE OF CLOSED MUR 1226.



CARTER-MONDALE PRESIDENTIAL
COMMITTEE, INC.
OPERATING ACCOUNT

.9635

Aug 18 19 81

15-720
540

PAY
TO THE ORDER OF

PAY \$250.00

\$ 250.00

Treasurer of the US
c/o the FEC
Office of the General Council
1325 K St., NW
Washington, DC

Handwritten signature: Anne F. Spaniolle

⑆009635⑆ ⑆054000072⑆ ⑆063 06 5⑆

ACC 5321

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DATE	DESCRIPTION	AMOUNT
8/18/81	Settlement of violation - MUR 1226	\$250.00

CARTER-MONDALE PRESIDENTIAL COMMITTEE, INC.
OPERATING ACCOUNT

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66210/101299
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CARTER/MONDALE
RE-ELECTION
COMMITTEE, INC.

4710 Bethesda Ave, Suite A8621
Bethesda, Md 20814

GENERAL COUNSEL



Treasurer of the U.S.
c/o FCC
Office of the General Counsel
1325 K St., NW
Washington, DC



FEDERAL ELECTION COMMISSION

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

81010292349

END OF ADDITIONAL MATERIAL FOR CLOSED MUR 1276.





FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20541

THIS IS THE END OF TUE # 1226

Date Filmed 9-22-81 Camera No. --- 2

Cameraman JRC

9-22-81 1226 2 9 3 8

NUR 1226

FEDERAL ELECTION COMMISSION

Information received during
conclusion attempts / internal
memoranda

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

81040293900

- (1) Classified Information
- (2) Internal rules and practices
- (3) Exempted by other statute
- (4) Trade secrets and commercial or financial information
- (5) Internal Documents
- (6) Personal privacy
- (7) Investigatory files
- (8) Banking Information
- (9) Well Information (geographic or geophysical)

Signed *Stephen M. Lalko*
date 8/6/81



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 5, 1981

Edwin E. Huddleson, III
918 Sixteenth Street, N.W.
Washington, D.C. 20006

RE: MUR 1226

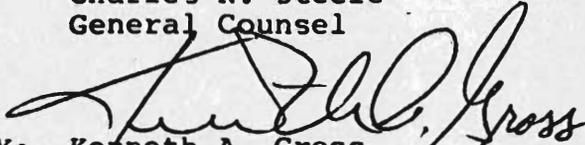
Dear Mr. Huddleson:

On August 3, 1981, the Commission accepted the conciliation agreement signed by Timothy Smith in settlement of a violation of 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. As you have requested, your brief of November 18, 1980, will be made part of the public record. Should you wish any additional information to become part of the public record, please advise us in writing.

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

Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation agreement

81040293901



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Edwin E. Huddleson, III
918 Sixteenth Street, N.W.
Washington, D.C. 20006

RE: MUR 1226

Dear Mr. Huddleson:

On August 3, 1981, the Commission accepted the conciliation agreement signed by Timothy Smith in settlement of a violation of 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. As you have requested, your brief of November 18, 1980, will be made part of the public record. Should you wish any additional information to become part of the public record, please advise us in writing.

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

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation agreement

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am
8/4/81

BI JUL 31 12:17

BEFORE THE FEDERAL ELECTION COMMISSION

February 17, 1981

In the Matter of)	
)	
Carter/Mondale Presidential	)	MUR 1226
Committee Inc.)	

CONCILIATION AGREEMENT

This matter having been initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities, and after probable cause to believe having been found that the Carter/Mondale Presidential Committee Inc ("Respondent") violated 2 U.S.C §441a(f) by accepting an excessive contribution.

NOW, THEREFORE, the Commission and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. §437g(a)(4) (A)(i) do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding.

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

III. Respondent enters voluntarily into this Agreement with the Commission.

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

1. Respondent was the principal campaign committee for the presidential primary election of President Carter.
2. Respondent, on December 28, 1979, accepted a \$5,000 contribution from the Prince George's County Medical PAC ("PGMPAC") which is not registered as a political committee with the Commission. Respondent contends that this

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excessive contribution was accepted by respondent through inadvertence, despite respondent's good faith efforts to comply with the law and to consult the Commission's 438(a)(6)(c) index of registered committees.

3. Respondent refunded the excessive contribution on March 20, 1980.

WHEREFORE, Respondent agrees:

V. While respondent contends that it did not "knowingly" accept an excessive contribution in violation of 2 U.S.C. §441a(f), the Commission believes that a violation occurred.

VI. To avoid the necessity for further protracted proceedings in this matter, Respondent agrees to pay a civil penalty to the Treasurer of the United States in the amount of two hundred fifty dollars (\$250), pursuant to 2 U.S.C. §437g(a)(5)(A).

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

GENERAL CONDITIONS

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

IX. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

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X. It is agreed that respondent shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

July 21, 1981
Date

Charles N. Steele
Charles N. Steele
General Counsel
Federal Election Commission

7/21/81
Date

Timothy A. Smith
Carter/Mondale Presidential
Committee Inc.

By: Timothy G. Smith
ITS: Counsel + Corp. Secy

81040293905

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Carter/Mondale Presidential) MUR 1226
Committee Inc.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 3, 1981, the Commission decided by a vote of 4-0 to take the following actions regarding MUR 1226:

1. Accept the conciliation agreement which has been signed by Timothy G. Smith, treasurer of the Carter/Mondale Committee.
2. Close the file.

Commissioners Aikens, McGarry, Reiche and Thomson voted affirmatively in this matter; Commissioner Tiernan abstained from voting.

Attest:

8/3/81
Date

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

General Counsel's Memorandum dated:	7-30-81
Received in Office of the Commission Secretary:	7-30-81, 12:57
Circulated on 48 hour vote basis:	7-30-81, 4:00

81040293906

July 30, 1961

MEMORANDUM TO: Marjorie W. Hanson
FROM: Phyllis A. Rayson
SUBJECT: MUR 1226

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

Attachment

cc: Callahan

8104029390

SENSITIVE



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

81 JUL 30 P12: 57

July 30, 1981

MEMORANDUM

TO : The Commission

FROM : Charles N. Steele
General Counsel

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

SUBJECT: MUR 1226 Conciliation Agreement

Attached is a conciliation agreement which has been signed by Timothy G. Smith, treasurer of the Carter/Mondale Committee.

The attached agreement contains no changes from the General Counsel's proposed agreement approved by the Commission on June 23, 1981.

The Office of General Counsel recommends the acceptance of this agreement and closing of the file.

Attachments

Conciliation Agreement - 1
Proposed notification letter
(5 total pages)

81040293908

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Nelson for Senate Committee) MUR 1226

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 22, 1981, the Commission accepted by a vote of 6-0 the conciliation agreement, submitted with the General Counsel's May 20, 1981 memorandum, which has been signed by Robert Bauer on behalf of the Nelson for Senate Committee.

Commissioners Aikens, Harris, McGarry, Reiche, Thomson and Tiernan voted affirmatively in this matter.

Attest:

5/22/81
Date

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

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Received in Office of the Commission Secretary: 5-20-81, 12:04
Circulated on 48 hour vote basis: 5-20-81, 4:00

May 20, 1961

MEMORANDUM TO: Marjorie W. Emmons
FROM: Phyllis A. Kayson
SUBJECT: MUR 1226

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

Attachment

pakayson:5-20-61

cc: Callahan

81040293910

SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

81 MAY 20 P12: 04

May 20, 1981

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele *CNS*
General Counsel

SUBJECT: MUR 1226 Conciliation Agreement

Attached is a conciliation agreement which has been signed by Robert Bauer on behalf of the Nelson for Senate Committee.

The attached agreement includes all the provisions which the Commission determined should be included, and a check for the civil penalty imposed by the Commission has been received.

The Office of General Counsel recommends the acceptance of this agreement.

Attachment
Conciliation Agreement - one
photocopy of civil penalty check

61040293911

BEFORE THE FEDERAL ELECTION COMMISSION

GCC #4702

In the Matter of)
Nelson for Senate Committee)

MUR 1226

MAY 18 4:04 PM
GENERAL COUNSEL

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431 et seq., and after reason to believe having been found that the Nelson for Senate Committee violated 2 U.S.C. § 441a(f) by accepting an excessive contribution from the Prince George's County Medical PAC.

Therefore, the Commission and the Respondent, having duly entered into conciliation pursuant to 2 U.S.C. Section 437g(a)(4)(A)(i), do hereby agree as follows:

I. The Federal Election Commission has jurisdiction over the Respondent and the subject matter of this proceeding.

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

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

1. Respondent is the principal campaign committee of Senator Gaylord Nelson.
2. On April 12, 1979, the Prince George's Medical PAC ("the PAC") made a contribution in the amount of \$2,000 to the Nelson for Senate Committee ("the Committee").
3. At the time of that contribution, the PAC was not registered with the Federal Election Commission, and had not, therefore,

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qualified for "multi-candidate committee" status enabling it to make contributions exceeding \$1,000 per federal candidate per election.

4. On September 13, 1979, the Commission notified the Committee that it found reason to believe that it violated 2 U.S.C. § 441a(f).

5. Upon receipt of this Commission notification, and upon confirming the facts represented by the Commission, the Committee refunded the unlawful excess portion of the PAC contribution on September 25, 1979.

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Wherefore, the Federal Election Commission and Respondent, having sought to correct any violations committed by Respondent by informal methods of conference, conciliation, and persuasion, agree as part of this conciliation agreement as follows:

I. By accepting a contribution from the PAC in excess of \$1,000, when that PAC was unregistered and therefore had not qualified as a "multi-candidate committee" authorized to exceed \$1,000 per candidate per election, Respondent violated 2 U.S.C. Section 441a(f).

II. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of two hundred and fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

III. Respondent agrees that it will not undertake any further activity in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

GENERAL CONDITIONS

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

II. It is mutually agreed that this Agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire Agreement.

III. It is agreed that Respondent shall have thirty (30) days from the date of this Agreement to implement and comply with the requirements contained herein, or to so notify the Commission.

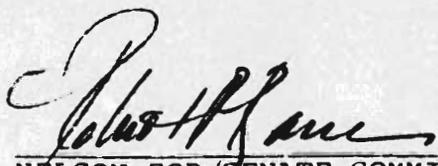
IV. This Agreement is entered into in accordance with 2 U.S.C. § 437g(a)(4).

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Date

CHARLES N. STEELE
General Counsel
Federal Election Commission

5-15-80
Date



NELSON FOR SENATE COMMITTEE

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**PERKINS, COIE, STONE, OLSEN & WILLIAMS
WORKING FUND**

1920 N STREET, N.W., SUITE 403
WASHINGTON, D. C. 20036

No 451

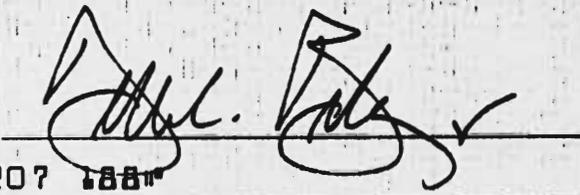
15-4-5
540

FIRST AMERICAN BANK, N.A.
WASHINGTON, D. C. 20005

May 18 1981

PAY Two Hundred and fifty ----- 00/100 DOLLARS \$ 250.00

TO THE ORDER OF
Federal Election Commission



⑆00000451⑆ ⑆054000043⑆ 3 207 88⑆

DETACH AND RETAIN THIS STATEMENT

PERKINS, COIE, STONE, OLSEN & WILLIAMS
WORKING FUND

THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY NO RECEIPT DESIRED

DATE	DESCRIPTION	AMOUNT
5/18/81	Conciliation Agreement/Civil Penalty Nelson for Senate #4011-1	\$250.00





FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 26, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jose T. Solano, M.D.
Prince George's Medical PAC
4700 Auth Place
Camp Springs, MD 20023

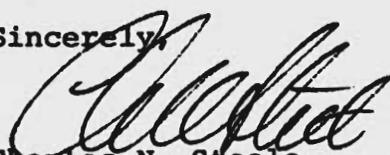
RE: MUR 1226

Dear Dr. Solano:

On February 24, 1981, the Commission accepted the conciliation agreement signed by you and a civil penalty in settlement of violations of 2 U.S.C. § 433, 434, and 441a, provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file as it pertains to you, has been closed in this matter, and it will become a part of the public record within thirty days after the entire file is closed. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

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

Sincerely,


Charles N. Steele
General Counsel

Enclosure

Conciliation Agreement

81040293916

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jose T. Solano, M.D.
Prince George's Medical P&S
4700 Auth Place
Camp Springs, MD 20746

RE: MSB 1226

Dear Dr. Solano:

On . . . 1981, the Commission accepted the conciliation agreement signed by you and a civil penalty in settlement of violations of 2 U.S.C. § 433, 434, and 441a, provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file, as it pertains to you, has been closed in this matter, and it will become a part of the public record within thirty days after the entire file is closed. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

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

Sincerely,

Charles N. Steele
General Counsel

Enclosure

Conciliation Agreement

81040293917

Handwritten: CME 2/25/81

In the Matter of)
)
Prince George's County)
Medical PAC)

MUR 1226

CONCILIATION AGREEMENT

This matter having been initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities, and after probable cause to believe having been found that Prince George's National PAC ("Respondent") violated 2 U.S.C. § 433, § 434 and § 441a.

NOW, THEREFORE, the Commission and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(a)(4)(A) (i) do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding.

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

III. Respondent enters voluntarily into this Agreement with the Commission.

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

1. Respondent is a political committee pursuant to the definition of political committee set forth in 2 U.S.C. § 431(4).

2. Respondent expended \$11,000 in connection with Federal Elections during 1979. Specifically, respondent contributed \$2,000 to the Nelson for Senate Committee, \$5,000 to the

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Carter/Mondale Presidential Committee, Inc., \$2,000 to the Democratic Congressional Dinner Committee, \$1,000 to the Comite Pro Baltisar Corrado, \$100 to the Newt Gingrich Campaign Fund and \$1,000 to the Seith for Senate 1980 Committee.

3. Respondent failed to register with the Commission as a political committee.

4. Respondent failed to file reports of receipts and expenditures with the Commission.

WHEREFORE, Respondent agrees:

V. Respondent's contributions of \$2,000 to the Nelson for Senate Committee and \$5,000 to the Carter/Mondale Presidential Committee Inc., are in violation of 2 U.S.C. § 441a(a)(1)(A).

VI. Respondent's failure to register as a political committee is a violation of 2 U.S.C. § 433.

VII. Respondent's failure to file disclosure reports is a violation of 2 U.S.C. § 434.

VIII. Respondent will pay a civil penalty to the treasurer of the United States in the amount of \$2,500 dollars pursuant to 2 U.S.C. § 437g(a)(5)(A).

IX. Respondent will file reports covering the period from its inception to the present pursuant to 2 U.S.C. § 433 and 434.

X. Respondent agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431 et seq.

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GENERAL CONDITIONS

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

XII. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

XIII. It is agreed that respondent shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

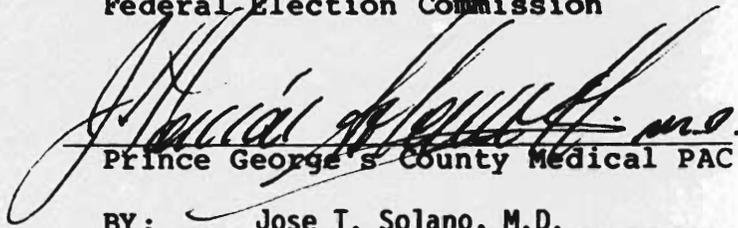
81040293920

26 February 1981
Date

2.6.81
Date



Charles N. Steele
General Counsel
Federal Election Commission



Prince George's County Medical PAC

BY: Jose T. Solano, M.D.

ITS: Treasurer

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Prince George's County)
Medical PAC)

MUR 1226

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 24, 1981, the Commission accepted by a vote of 4-0 the agreement as attached to the General Counsel's February 19, 1981 memorandum.

Commissioners McGarry, Reiche, Thomson, and Tiernan voted affirmatively in this matter.

Attest:

2/24/81

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

81040293921

Received in Office of the Commission Secretary: 2-19-81, 5:31
Circulated on 48 hour vote basis: 2-20-81, 2:00

Callahan

BEFORE THE FEDERAL ELECTION COMMISSION

MUR 1226

IN THE MATTER OF

CARTER/MONDALE PRESIDENTIAL COMMITTEE, INC.

BRIEF FOR THE

CARTER/MONDALE PRESIDENTIAL COMMITTEE, INC.

30 NOV 18 11:11

GENERAL COUNSEL
RD

81040293922

Edwin E. Huddleson, III
918 16th Street, N.W.
Washington, D.C. 20006
(202) 737-6580
Attorney for Carter/Mondale
Presidential Committee, Inc.

OF COUNSEL:

Timothy G. Smith
Carter/Mondale Presidential
Committee, Inc.
2000 L Street, N.W.
Washington, D.C. 20036
(202) 887-4677

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C I T A T I O N S

Cases:

<u>Buckley v. Valeo</u> , 424 U.S. 1 (1976) -----	5
<u>Federal Election Commission v. AFL-CIO</u> , ___ F.2d ___ (C.A.D.C., April 1, 1980), cert. denied, ___ U.S. ___ (November 10, 1980) -----	7
<u>Ginsberg & Sons v. Popkin</u> , 285 U.S. 204 (1932) -----	4
<u>United States v. Byrd</u> , 352 F.2d 570 (2d Cir. 1965) -----	5

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Statutes:

The Federal Election Campaign Act of 1971 (Pub.L. 92-225), as amended (Pub.L.93-443, Pub.L. 94-283, Pub.L. 95-216, Pub.L. 96-187):

2 U.S.C. §437g(a) (7) -----	7
2 U.S.C. §438(a) (6) (C) -----	1,3-6,9,11
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18 U.S.C. §608(b) (1971) -----	4,5
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Miscellaneous:

117 Cong.Rec. 29290-29300 (1971) -----	4
117 Cong.Rec. 30079 (1971) -----	4
120 Cong.Rec. 8783 (1974) -----	6
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H.R.Conf.Rept. 93-1438, 93d Cong., 2d Sess. (1974) ----	5
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Model Penal Code §2.02 (P.O.D. 1962) -----	5
S.Rept. 92-96, 92d Cong., 1st Sess. (1971) -----	5
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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Carter/Mondale Presidential)
Committee, Inc.) MUR 1226

BRIEF FOR THE
CARTER/MONDALE PRESIDENTIAL COMMITTEE, INC.

QUESTIONS PRESENTED

1. Whether the Carter/Mondale Committee "knowingly" accepted an excessive contribution, in violation of 2 U.S.C. §441a(f), where the Committee had no actual knowledge or deliberate ignorance of the facts making an incoming PAC contribution excessive.

2. Whether the Commission, in the sound exercise of its discretion based upon the mitigating circumstances of this case and consistent with the Commission's past rulings, should take no further action in this matter.

STATEMENT

This case arises from the Carter/Mondale Presidential Committee's ["Committee's"] acceptance in December 1979 of a \$5,000 contribution from the Prince Georges Medical PAC ["PGMPAC"]. Though the Committee's written procedures called for a check of the Commission's §438(a)(6)(C) "multicandidate committee" index, an honest mistake was made in this one isolated instance and the Committee did not discover that PGMPAC was an unregistered committee whose maximum permissible contribution under 2 U.S.C. §441a was \$1,000. The Commit-

81040293925

tee had no actual knowledge of the excessive nature of the PGMPAC contribution until a Commission review in April 1980. The Committee then made an immediate refund of the excessive contribution.

The Commission on July 1, 1980 found "reason to believe" that the Committee "knowingly" accepted an excessive contribution, in violation of 2 U.S.C. §441a(f). The case is now before the Commission on the General Counsel's recommendation that the Commission find "probable cause" to believe that a violation occurred. We submit this brief in response.

ARGUMENT

Introduction and summary

I. The threshold issue of statutory construction in this case is whether the Committee "knowingly" accepted an excessive campaign contribution, in violation of 2 U.S.C. §441a(f). Where there is no deliberate or reckless failure to investigate the facts, the common sense interpretation of 2 U.S.C. §441a(f), and the legislative history of the FECA, make it clear that a "knowing" violation does not exist unless the respondent has actual knowledge of all the facts that make a contribution illegal. The Committee had no such actual knowledge about the PGMPAC contribution. Nor did it deliberately or recklessly fail to investigate the Commission's §438(a)(6)(C) index. There is no sound basis for finding a "knowing"

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violation here.

II. Whether or not a technical violation occurred, there are substantial mitigating circumstances which make it appropriate for the Commission to exercise its discretion to take no further action in this matter under review. The mitigating circumstances here go far beyond the fact that "voluntary compliance has been achieved" through the Committee's "refund of the excessive contribution" (GC Br. p.4). Taking all the circumstances into account, the harsh position taken by the General Counsel is inappropriate, under criteria recognized in past Commission MURs.

I. The Committee Did Not "Knowingly" Accept the Excessive PGMPAC Contribution, in Violation of 2 U.S.C. §441a(f)

This is not a case where the Committee intentionally disregarded or was indifferent to the Commission's §438(a)(6)(C) "multi-candidate committee" index. The Committee inadvertently accepted the PGMPAC contribution, making an honest mistake of fact in this one isolated instance, despite the Committee's extensive good faith efforts to comply with the law and to consult the §438(a)(6)(C) index. We submit that in these circumstances the Committee did not "knowingly" accept an excessive contribution, in violation of 2 U.S.C. §441a(f).

1. (a) The core of the General Counsel's argument (GC Br. pp. 3-4) is that "if a respondent has knowledge of the fact that he has accepted a contribution, he has knowingly accepted it pursuant to

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2 U.S.C. §441a(f).” This view would make it irrelevant whether a respondent knew (or should have known) of the facts that made the contribution illegal. Taken literally, it would also make it irrelevant whether or not a §438(a)(6)(C) index existed.

This overreaching, strained interpretation by the General Counsel is erroneous. It would negate the word "knowingly" in 2 U.S.C. §441a(f), since one would always know when he accepted a contribution. Compare Ginsberg & Sons v. Popkin, 285 U.S. 204, 208 (1932) ["effect shall be given to every clause and part of a statute"]. What the General Counsel contends, in effect, is that 2 U.S.C. §441a(f) imposes strict liability. Congress clearly did not intend this result.

(b) The ordinary meaning of the words in 2 U.S.C. §441a(f), and the history of the statute, show that "knowingly" means actual knowledge (without deliberate ignorance) of the facts making a contribution illegal. The critical terms of 2 U.S.C. §441a(f) come directly from a criminal statute, 18 U.S.C. §608(b)(1971), that was enacted as part of the original Federal Election Campaign Act (FECA) of 1971 (Pub.L. 92-225, 86 Stat. 9-10):

18 U.S.C. 608. Limitations on contributions and expenditures.

* * * * *

(b) No candidate or political committee shall knowingly accept any contribution or authorize any expenditure in violation of the provisions of this section.

* * * * *

See generally 117 Cong.Rec. 29290-29300, 30079 (1971) [origin of

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2. To be sure, as the General Counsel observes (GC Br. p.2), the Committee had "constructive knowledge" from the Commission's §438(a)(6)(C) "multicandidate committee" index that PGMPAC was an unregistered committee. Yet "constructive knowledge" is clearly not the same thing as actual knowledge, awareness, or a deliberate or reckless failure to investigate the facts, of the kind necessary to establish a "knowing" violation of 2 U.S.C. §441a(f).^{2/} And there is nothing in the language or legislative history of §438(a)(6)(C) to suggest that, with the public availability of the Commission's

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^{2/} When Congress has prohibited "knowing" conduct in the FECA, it has meant something more than simply being "on notice" of facts that could or should be discovered through diligent inquiry. This is suggested by the legislative deliberations on the 1974 FECA Amendments (Pub.L. 93-443, 88 Stat. 1263), where Senator Bentsen proposed the following amendment to 18 U.S.C. §613 (120 Cong.Rec. 8782):

- (2) (A) No candidate may knowingly solicit or accept a contribution for his campaign --
 - (i) from a foreign national, or
 - (ii) which is made in violation of section 613 of this title

* * * * *

As Senator Bentsen noted (120 Cong.Rec. 8783), the law required that all contributions over \$10 list on their face the donor's mailing address and principal place of business. Yet Senator Bentsen indicated in a colloquy with Senator Cannon that "knowingly" soliciting or accepting contributions from foreign nationals means something more than simply being "on notice" of facts that could or should be discovered from the face of a contribution check. See 120 Cong.Rec. 8784. The Bentsen amendment was passed by the Senate (120 Cong.Rec. 8786, 120 Cong.Rec. 10961) and the House (120 Cong.Rec. 27523). The wording of the amendment was modified, but the word "knowingly" was retained, in the final version of 18 U.S.C. §613 that was enacted in the 1974 FECA Amendments. See 88 Stat. 1267; 120 Cong.Rec. 34195 and compare 80 Stat. 248. The word "knowingly" was later dropped from the current statutory provision, 2 U.S.C. §441e, which bars soliciting or accepting contributions from foreign nationals. See 90 Stat. 493; H.R.Conf.Rept. 94-1057, 94th Cong., 2d Sess. pp.66-67 (1976).

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§438(a)(6)(C) index, Congress intended to change the meaning of 2 U.S.C. §441a(f) or somehow to transform 2 U.S.C. §441a(f) into a strict liability statute.

3. Our interpretation of 2 U.S.C. §441a(f) is consistent with past Commission positions and would not hamper the Commission's legitimate enforcement functions. The Commission recently took the position in court that, where there is no deliberate or reckless failure to investigate, the standard for a "knowing and willful" violation of the FECA (2 U.S.C. §437g(a)(7)) covers

"actions taken with full knowledge of all the facts and a recognition that the action is prohibited by law".

Commission's petition for a writ of certiorari, pp.11,9, in Federal Election Commission v. AFL-CIO, ___ F.2d ___ (C.A.D.C., April 1, 1980), cert. denied, ___ U.S. ___ (November 10, 1980).^{3/} This view was recognized by the Commission as consistent with effective enforcement of the Act. See id. pp.11-12.

We submit that the Commission should adhere to the position that is implicit in the AFL-CIO case: where there is no intentional or reckless failure to investigate, "knowingly" means "taken with full knowledge of all the facts". This view, which we urge, would not hamper the Commission's legitimate enforcement efforts.

3/ The court of appeals in the AFL-CIO case held that a violation of the FECA is "knowing and willful" only if there is evidence of "defiance" or "knowing, conscious, and deliberate flaunting" of the Act. ___ F.2d at _____ (slip opin. p.6).

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II. The Mitigating Circumstances of This Case, in Any Event, Make it Appropriate for the Commission to Exercise its Discretion to Take No Further Action

Whether or not the Commission believes that a violation of 2 U.S.C. §441a(f) occurred, the mitigating circumstances of this case make it appropriate for the Commission to exercise its discretion to take no further action in this matter under review. The harsh position taken by the General Counsel is inappropriate, under criteria recognized in past Commission MURs.

1. The mitigating circumstances here go far beyond the fact that "voluntary compliance has been achieved" through the Committee's "refund of the excessive contribution" (GC Br. p.4). See also MUR 1182. Other mitigating circumstances, of a type recognized as significant in past Commission MURs, include the following: (1) The Committee's initial acceptance of the excessive PGMPAC contribution was a single, isolated incident involving one contribution for \$5,000 out of thousands of PAC contributions totalling over \$244,600. See also MUR 1068; MUR 1134. (2) The Committee initially accepted the excessive PGMPAC contribution through inadvertence, making an honest mistake of fact without actual awareness of the facts making the contribution illegal. The mistake occurred despite the Committee's extensive good faith efforts to comply with the law, which specifically included the Committee's own written procedures for and practice

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that this excessive contribution escaped scrutiny via inadvertence, but the paperwork for the refund had been completed. In view of the steps taken on the Committee's own initiative, and because the excess here was not great, the Commission should take no further action and close the file.

This is a far more equitable characterization of "mitigating circumstances" than the General Counsel offers the Carter/Mondale Committee here, where the PGMPAC contribution was not illegal on its face, though it too "escaped scrutiny via inadvertence".

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The Commission in MUR 1182 found "reason to believe" that Cook County Concerned Citizens violated 2 U.S.C. §441a(f) by accepting a \$6,000 contribution/loan from a PAC, but the Commission took "no further action". Though the illegality was apparent from the face of the loan, the General Counsel agreed with this outcome, noting that the Concerned Citizens had "showed a willingness to cooperate in compliance procedures" and had "acted quickly in rectifying the situation" once the illegality was pointed out by the Commission's staff. These same observations about cooperation and quick voluntary compliance hold true for the Carter/Mondale Committee.

The Commission in MUR 999 found "reason to believe" that the Democratic Party of New Mexico violated 2 U.S.C. §441a(f) by accepting a \$10,000 loan/contribution from an individual, but the Commission sent letters of admonishment and "closed the file". Though the illegality was apparent from the face of the loan, the General Counsel agreed with this outcome.

We note, finally, that the Commission in MUR 1010 took "no further action" against a candidate committee that accepted three separate general election checks (for \$650, \$500 and \$1100 respectively) from an unregistered PAC. There the General Counsel stated:

In view of the fact that the excessive contribution was immediately refunded to the Brownsville Committee after Commission notification and of the relatively small amount that was excessive, it appears that the Commission should not proceed further in this matter. Both Committees, in conversations with Reports Analysts, have stated that they were not aware that the contribution limitation had been exceeded. It appears that letters of admonition to the Committees would be appropriate here.

This is a far cry from the harsh recommendation that the General Counsel makes towards the Carter/Mondale Committee here, where there also was a "relatively small amount that was excessive" and the Carter/Mondale Committee also was "not aware that the contribution limitation had been exceeded".

3. The mitigating circumstances of this case warrant a decision by the Commission to take no further action. The Committee inadvertently accepted the excessive PGMPAC contribution, making an honest mistake of fact in this one isolated instance, despite good faith efforts to comply with the law and to consult the §438(a)(6)(C) index. The Committee immediately refunded the excessive contribution upon its discovery. These mitigating circumstances are slighted by the General Counsel's harsh recommendation, which is inconsistent with past Commission practice.

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CONCLUSION

The Committee did not "knowingly" accept an excessive contribution, in violation of 2 U.S.C. §441a(f), in the circumstances of this case. The mitigating circumstances, in any event, make it appropriate for the Commission to exercise its discretion to take no further action.

Respectfully submitted,

Edwin E. Huddleson, III
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Washington, D.C. 20006
(202) 737-6580

Attorney for the Carter/Mondale
Presidential Committee, Inc.

OF COUNSEL:

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(202) 887-4677

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APPENDIX

Robert S. Strause, Chairman
Tim Kraft, National Campaign Manager
S. Lee Kling, Treasurer
Evan S. Dobbelle, National Finance Chairman

August 8, 1980

The Honorable Max L. Friedersdorf
Chairman, Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1226

Dear Chairman Friedersdorf:

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The Carter/Mondale Presidential Committee, Inc. (Committee) submits this response to your letter of July 14, 1980. Your letter attached a report noting that in December 1979 the Committee accepted a \$5,000 contribution from the Prince Georges Medical PAC ("PGMPAC"), an unregistered committee whose maximum permissible contribution under 2 U.S.C. §441a was \$1,000. Though the Committee was unaware of the excessive nature of this contribution until a Federal Election Commission (Commission) review, which triggered an immediate refund by the Committee of the excessive contribution, your letter advised that the Commission has found reason to believe that the Committee may have violated 2 U.S.C. §441a(f), which bars a political committee from "knowingly" accepting an excessive contribution.

The Committee has reviewed the facts surrounding its handling of the PGMPAC contribution. A review of the information available confirms that the Committee attempted in good faith to comply with the law. It did not knowingly accept an excessive contribution from PGMPAC. This case involves a single isolated instance of a mistake inadvertently made in failing to follow the Committee's own procedures (which the Commission has previously scrutinized) for checking the "multicandidate committee" status of all PAC contributors against the Commission's master index, available to the public under 2 U.S.C. §438(a)(6)(C).

We review these facts below in part I. Part II outlines the procedural safeguards now followed by the Committee to assure that this problem does not re-occur in the future.

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I. PGMPAC contribution in December 1979

This matter under review stems from a \$5,000 PGMPAC contribution check (dated December 4, 1979) that was sent to the Committee in December 1979. The Committee's procedures for handling in-coming contributions were undergoing change at that time. Indeed, the Committee and its computer firm, Computer Data Systems, Inc. (CDSI), have utilized three successive sets of procedures since March 1979 for verifying and depositing contributions coming in to the Committee.

Originally, before December 1979, CDSI was in charge of verifying and depositing all contributions to the Committee. The old system was that CDSI, after picking up and sorting the Committee's mail from the post office, would verify the legality of contributions from political action committees (PACs) by checking PAC contributions against the Commission's §438(a)(6)(C) "multicandidate committee" index. [The Committee's September 1979 memorandum to CDSI, on the use of the Commission index, is attached in tab "A".] Where CDSI discovered a problem with a PAC contribution, the contribution would be sent to Committee Headquarters for refund or other appropriate action; otherwise, CDSI would deposit the contribution for the Committee's account. This set of procedures was subject to Commission scrutiny, and was reviewed without comment, in the "Threshold Audit Report of the Audit Division on the Carter/Mondale Presidential Committee, Inc." made public July 9, 1980.

When the volume of contributions coming in to the Committee rose dramatically in mid-December 1979 (from approximately 50 checks per day to 1,000 checks per day), the CDSI staff was increased from 5 to 30 employees. This entailed the addition of many new trainees at CDSI. At this point the procedures for verifying and depositing PAC contributions were also revised. Starting in mid-December 1979, CDSI would forward all PAC contributions to Committee Headquarters for verifying and checking against the Commission's §438(a)(6)(C) "multicandidate committee" index. The Committee would sort out, identify and take appropriate action on PAC contributions presenting a problem under the Act. The Committee would return acceptable PAC contributions to CDSI with a "Best Effort Requirement" form attached; and acceptable contributions were then deposited by CDSI for the Committee's account. These basic procedures were followed by

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the Committee and CDSI until about March 1980. (The Committee's current procedures are described below in part II.)

It was in December 1979 that the \$5,000 PGMPAC contribution at issue was handled by CDSI. This was a time when massive numbers of contributions were flowing through CDSI every day, when many new CDSI employees working on Committee matters were still being trained by CDSI, and when the operating procedures at CDSI had only recently been changed. The PGMPAC contribution was never sent over by CDSI to Committee Headquarters for verification, and it apparently escaped scrutiny at CDSI. The \$5,000 PGMPAC check was deposited by CDSI for the Committee's account on December 28, 1979.

II. The Committee's current procedures for verifying and depositing PAC contributions

The Committee's current procedures for handling in-coming contributions (in force since March 1980) provide significant new safeguards against the Committee's inadvertent acceptance of excessive PAC contributions in the future. Operating in a more centralized fashion, the Committee now picks up and sorts its own mail and employs Committee Headquarters staff to verify the legality of PAC contributions by checking the Commission's §438(a)(6)(C) "multicandidate committee" index. No PAC contribution is accepted unless and until the Committee Headquarters staff completes an appropriate "Best Efforts Requirement" form for that contribution. The Committee retains all acceptable contribution checks and deposits them directly. Only photo-copies of contributions and their accompanying "Best Effort Requirement" forms (not the contribution checks themselves) are sent over to CDSI by the Committee.

This current system was adopted to save time and money, and it has the added benefit of centralizing the responsibilities for verifying and depositing contributions. The safeguards now followed by the Committee should assure that problems about accepting excessive contributions do not re-occur in the future.

III. Conclusion

Throughout the 1980 Presidential campaign, the Committee has exercised great care to comply with the Act and to utilize the Commission's §438(a)(6)(C) "multicandidate committee" index. The initial acceptance of PGMPAC's excessive contribution was

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an isolated incident involving one contribution for \$5,000 out of thousands of PAC contributions totalling over \$244,600. See also MUR 1068. Moreover, the Committee did not knowingly accept the excessive PAC contribution. See also AO 1978-53 [campaign committee's receipt of tainted funds, in and of itself, does not place committee in violation of the Act if the committee had no knowledge that contribution was improper]; MUR 884 [Commission finds "no reason to believe" that candidate violated the Act by receiving tainted funds, where he had no actual knowledge that contribution was improper]. It was accepted through inadvertence, and despite the Committee's extensive good faith efforts to comply with the law in every respect. See also MUR 1003; 11 C.F.R. §103.3.

When the Commission's review revealed the excessive nature of the PGMPAC contribution, the Committee immediately acted to refund the excess contribution on March 20, 1980 [see tab "B"]. See also MUR 1010. The Committee's current procedures provide ample safeguards to assure that this problem does not re-occur in the future.

Taking all the circumstances into account, there is no warrant for suggesting that the Committee knowingly accepted an excessive contribution. The Commission should take no further action in this matter.

Very truly yours,

Edwin E. Huddleson, III

Edwin E. Huddleson, III
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(202) 737-6580

Attorney for
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Committee, Inc.

OF COUNSEL:

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(202) 887-4677

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MEMORANDUM

TO: CDSI
FROM: Lucia Safran - C/MPC 15
DATE: September 6, 1979
SUBJECT: Multi-Candidate Committee Index

I. How to use the Committee Index

- A. Locate the Committee by the zip code
- B. Check these elements of the Committee:
 - 1. name - should match printed name on the check; also, may be listed by initials:
i.e., American Hotel Motel Political Action Committee (AHMPAC)
 - 2. omit treasurer - changes to often to be relative
 - 3. address - should be the same as printed on check. This may change; use your judgement as to the accuracy.
 - 4. Filing - Committees should be monthly or quarterly - doesn't make any difference.
 - 5. Statute - must be qualified - non-party related

If all of the above critique checks out, then it is safe to deposit the check.

II. Do not deposit a check of any of these elements exist:

- 1. name - if it appears that it may be a different Committee

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2. address - if it is completely different
3. filing - do not deposit if terminated is listed beside the Committee
4. statute - do not deposit if the Committee is not qualified
5. if you cannot find the Committee do not deposit

Send all of the above questionable to me.

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March 20, 1980

Dr. Jose Solano
Prince Georges Medical PAC
1119 19th Street, Suite 307
Washington, D.C. 20005

Dear Dr. Solano:

I want to thank you for your generous contribution to the Carter/Mondale Presidential Committee. Federal campaign laws prevents us, however, from accepting contributions in excess of \$1,000 from an unqualified political action committee. As a result, I am refunding to you a check in the amount of \$5,000 dated March 19th.

Once again, thank you and please forgive us any inconvenience we may have caused you.

Sincerely,

Lucia Sfran

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CARTER-MONDALE PRESIDENTIAL
COMMITTEE, INC.
OPERATING ACCOUNT

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March 19 1980

15-720
540

PAY \$5,000.00

PAY
TO THE ORDER OF

\$ 5,000.00

Prince Georges Medical PAC
1119 19th Street Suite 307
Washington, DC 20005



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The National
BANK OF
WASHINGTON Washington, D.C.

March 20, 1980

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Bill Coppel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Mr. Coppel:

This statement is in response to the Federal Election Commission request to clarify a contribution from the P.G. Med PAC. Please note that this contribution refund will be reported on the April monthly report.

Sincerely,

S. Lee Kling
Treasurer

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BEFORE THE FEDERAL ELECTION COMMISSION

MUR 1226

IN THE MATTER OF

CARTER/MONDALE PRESIDENTIAL COMMITTEE, INC.

BRIEF FOR THE

CARTER/MONDALE PRESIDENTIAL COMMITTEE, INC.

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RECORDED
OFFICE OF THE
GENERAL COUNSEL

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OF COUNSEL:

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Carter/Mondale Presidential)
Committee, Inc.) MUR 1226

BRIEF FOR THE
CARTER/MONDALE PRESIDENTIAL COMMITTEE, INC.

QUESTIONS PRESENTED

1. Whether the Carter/Mondale Committee "knowingly" accepted an excessive contribution, in violation of 2 U.S.C. §441a(f), where the Committee had no actual knowledge or deliberate ignorance of the facts making an incoming PAC contribution excessive.

2. Whether the Commission, in the sound exercise of its discretion based upon the mitigating circumstances of this case and consistent with the Commission's past rulings, should take no further action in this matter.

STATEMENT

This case arises from the Carter/Mondale Presidential Committee's ["Committee's"] acceptance in December 1979 of a \$5,000 contribution from the Prince Georges Medical PAC ["PGMPAC"]. Though the Committee's written procedures called for a check of the Commission's §438(a)(6)(C) "multicandidate committee" index, an honest mistake was made in this one isolated instance and the Committee did not discover that PGMPAC was an unregistered committee whose maximum permissible contribution under 2 U.S.C. §441a was \$1,000. The Commit-

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tee had no actual knowledge of the excessive nature of the PGMPAC contribution until a Commission review in April 1980. The Committee then made an immediate refund of the excessive contribution.

The Commission on July 1, 1980 found "reason to believe" that the Committee "knowingly" accepted an excessive contribution, in violation of 2 U.S.C. §441a(f). The case is now before the Commission on the General Counsel's recommendation that the Commission find "probable cause" to believe that a violation occurred. We submit this brief in response.

ARGUMENT

Introduction and summary

I. The threshold issue of statutory construction in this case is whether the Committee "knowingly" accepted an excessive campaign contribution, in violation of 2 U.S.C. §441a(f). Where there is no deliberate or reckless failure to investigate the facts, the common sense interpretation of 2 U.S.C. §441a(f), and the legislative history of the FECA, make it clear that a "knowing" violation does not exist unless the respondent has actual knowledge of all the facts that make a contribution illegal. The Committee had no such actual knowledge about the PGMPAC contribution. Nor did it deliberately or recklessly fail to investigate the Commission's §438(a)(6)(C) index. There is no sound basis for finding a "knowing"

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violation here.

II. Whether or not a technical violation occurred, there are substantial mitigating circumstances which make it appropriate for the Commission to exercise its discretion to take no further action in this matter under review. The mitigating circumstances here go far beyond the fact that "voluntary compliance has been achieved" through the Committee's "refund of the excessive contribution" (GC Br. p.4). Taking all the circumstances into account, the harsh position taken by the General Counsel is inappropriate, under criteria recognized in past Commission MURs.

I. The Committee Did Not "Knowingly" Accept the Excessive PGMPAC Contribution, in Violation of 2 U.S.C. §441a(f)

This is not a case where the Committee intentionally disregarded or was indifferent to the Commission's §438(a)(6)(C) "multi-candidate committee" index. The Committee inadvertently accepted the PGMPAC contribution, making an honest mistake of fact in this one isolated instance, despite the Committee's extensive good faith efforts to comply with the law and to consult the §438(a)(6)(C) index. We submit that in these circumstances the Committee did not "knowingly" accept an excessive contribution, in violation of 2 U.S.C. §441a(f).

1. (a) The core of the General Counsel's argument (GC Br. pp. 3-4) is that "if a respondent has knowledge of the fact that he has accepted a contribution, he has knowingly accepted it pursuant to

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18 U.S.C. §608(b)(1971)] and compare with S.Rept 92-96, 92d Cong., 1st Sess. pp.53-55 (1971) [showing text of 18 U.S.C. 608 before 1971].

The well-settled, common sense meaning of this language is that, where there is no deliberate or reckless failure to investigate the facts, a "knowing" violation exists only if the respondent has actual knowledge of all the facts that make the contribution illegal. See, e.g., United States v. Byrd, 352 F.2d 570, 572 (2d Cir. 1965) ["a finding that one acts knowingly presupposes that he was apprised of all of the facts which constitute the facts"]. As stated in the Model Penal Code §2.02 (P.O.D. 1962), a person acts "knowingly" with respect to a material element of an offense when "if the element involves the nature of his conduct or the attendant circumstances, he is aware that his conduct is of that nature or that such circumstances exist." The General Counsel is quite wrong to contend otherwise.

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1/ When 18 U.S.C. §608 (1971) was amended in the 1974 FECA Amendments, the language of 18 U.S.C. §608(b)(1971) was retained intact and transferred to the first sentence of 18 U.S.C. §608(h)(1974). See 88 Stat. 1266. The Congressional Reports on the 1974 amendments to 18 U.S.C. §608 repeatedly note the word "knowingly" in the statute. S.Conf.Rept. 93-1237, 93d Cong., 2d Sess. p.52 (1974); H.R.Conf. Rept. 93-1438, 93d Cong., 2d Sess. p.52 (1974). See also Buckley v. Valeo, 424 U.S. 1, 195 (1976). When Congress amended the FECA in 1976, the provisions of 18 U.S.C. §608(h)(1974) were transferred without change into Title 2 to form the current text of 2 U.S.C. §441a(f). See 90 Stat. 490; S.Rept. 94-677, 94th Cong., 2d Sess. pp.9-10 (1974).

2. To be sure, as the General Counsel observes (GC Br. p.2), the Committee had "constructive knowledge" from the Commission's §438(a)(6)(C) "multicandidate committee" index that PGMPAC was an unregistered committee. Yet "constructive knowledge" is clearly not the same thing as actual knowledge, awareness, or a deliberate or reckless failure to investigate the facts, of the kind necessary to establish a "knowing" violation of 2 U.S.C. §441a(f).^{2/} And there is nothing in the language or legislative history of §438(a)(6)(C) to suggest that, with the public availability of the Commission's

2/ When Congress has prohibited "knowing" conduct in the FECA, it has meant something more than simply being "on notice" of facts that could or should be discovered through diligent inquiry. This is suggested by the legislative deliberations on the 1974 FECA Amendments (Pub.L. 93-443, 88 Stat. 1263), where Senator Bentsen proposed the following amendment to 18 U.S.C. §613 (120 Cong.Rec. 8782):

- (2)(A) No candidate may knowingly solicit or accept a contribution for his campaign --
 - (i) from a foreign national, or
 - (ii) which is made in violation of section 613 of this title

* * * * *

As Senator Bentsen noted (120 Cong.Rec. 8783), the law required that all contributions over \$10 list on their face the donor's mailing address and principal place of business. Yet Senator Bentsen indicated in a colloquy with Senator Cannon that "knowingly" soliciting or accepting contributions from foreign nationals means something more than simply being "on notice" of facts that could or should be discovered from the face of a contribution check. See 120 Cong.Rec. 8784. The Bentsen amendment was passed by the Senate (120 Cong.Rec. 8786, 120 Cong.Rec. 10961) and the House (120 Cong.Rec. 27523). The wording of the amendment was modified, but the word "knowingly" was retained, in the final version of 18 U.S.C. §613 that was enacted in the 1974 FECA Amendments. See 88 Stat. 1267; 120 Cong.Rec. 34195 and compare 80 Stat. 248. The word "knowingly" was later dropped from the current statutory provision, 2 U.S.C. §441e, which bars soliciting or accepting contributions from foreign nationals. See 90 Stat. 493; H.R.Conf.Rept. 94-1057, 94th Cong., 2d Sess. pp.66-67 (1976).

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§438(a)(6)(c) index, Congress intended to change the meaning of 2 U.S.C. §441a(f) or somehow to transform 2 U.S.C. §441a(f) into a strict liability statute.

3. Our interpretation of 2 U.S.C. §441a(f) is consistent with past Commission positions and would not hamper the Commission's legitimate enforcement functions. The Commission recently took the position in court that, where there is no deliberate or reckless failure to investigate, the standard for a "knowing and willful" violation of the FECA (2 U.S.C. §437g(a)(7)) covers

"actions taken with full knowledge of all the facts and a recognition that the action is prohibited by law".

Commission's petition for a writ of certiorari, pp.11,9, in Federal Election Commission v. AFL-CIO, ___ F.2d ___ (C.A.D.C., April 1, 1980), cert. denied, ___ U.S. ___ (November 10, 1980).^{3/} This view was recognized by the Commission as consistent with effective enforcement of the Act. See id. pp.11-12.

We submit that the Commission should adhere to the position that is implicit in the AFL-CIO case: where there is no intentional or reckless failure to investigate, "knowingly" means "taken with full knowledge of all the facts". This view, which we urge, would not hamper the Commission's legitimate enforcement efforts.

3/ The court of appeals in the AFL-CIO case held that a violation of the FECA is "knowing and willful" only if there is evidence of "defiance" or "knowing, conscious, and deliberate flaunting" of the Act. ___ F.2d at _____ (slip opin. p.6).

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II. The Mitigating Circumstances of This Case, in Any Event, Make it Appropriate for the Commission to Exercise its Discretion to Take No Further Action

Whether or not the Commission believes that a violation of 2 U.S.C. §441a(f) occurred, the mitigating circumstances of this case make it appropriate for the Commission to exercise its discretion to take no further action in this matter under review. The harsh position taken by the General Counsel is inappropriate, under criteria recognized in past Commission MURs.

1. The mitigating circumstances here go far beyond the fact that "voluntary compliance has been achieved" through the Committee's "refund of the excessive contribution" (GC Br. p.4). See also MUR 1182. Other mitigating circumstances, of a type recognized as significant in past Commission MURs, include the following: (1) The Committee's initial acceptance of the excessive PGMPAC contribution was a single, isolated incident involving one contribution for \$5,000 out of thousands of PAC contributions totalling over \$244,600. See also MUR 1068; MUR 1134. (2) The Committee initially accepted the excessive PGMPAC contribution through inadvertence, making an honest mistake of fact without actual awareness of the facts making the contribution illegal. The mistake occurred despite the Committee's extensive good faith efforts to comply with the law, which specifically included the Committee's own written procedures for and practice

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of checking the Commission's §438(a)(6)(C) "multicandidate committee" index. ^{4/} See also MUR 884; MUR 1003.

2. The statements in the General Counsel's brief (pp.2-3), describing past Commission MURs, are incomplete and misleading. General Counsel stresses (GC Br. p.3) that the Committee should have known from public records (the §438(a)(6)(C) index) that the PGMPAC contribution was excessive. Yet there are several past MURs where, because of mitigating circumstances, the Commission has taken no further action against the recipient of an excessive contribution, even though the recipient should have known of the illegality because the contribution was excessive on its face.

The Commission in MUR 1003 took "no further action" against a candidate committee that accepted an illegal \$2,000 contribution from an individual. Though the illegality was apparent on the face of the \$2,000 contribution check, the General Counsel there stated:

The excessive contribution was clearly made by Mrs. Matthews and accepted by the Committee. Mitigating circumstances do exist though. The Committee treasurer indicated

^{4/} The Committee's written procedures for checking the §438(a)(6)(C) index, in force at the time the PGMPAC contribution was received, are set forth at pp.5a-6a of the Appendix to this Brief. We do not understand the General Counsel to dispute the Committee's detailed description of the facts in our letter to the Commission dated August 8, 1980 (attached in the Appendix). The Committee mistakenly accepted the excessive PGMPAC contribution through inadvertence, at a time when approximately 1,000 contribution checks per day were being received by the Committee, and when changes were being made both in the Committee's procedures and in the personnel used in screening contributions. See Appendix pp.1a-4a, infra.

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that this excessive contribution escaped scrutiny via inadvertence, but the paperwork for the refund had been completed. In view of the steps taken on the Committee's own initiative, and because the excess here was not great, the Commission should take no further action and close the file.

This is a far more equitable characterization of "mitigating circumstances" than the General Counsel offers the Carter/Mondale Committee here, where the PGMPAC contribution was not illegal on its face, though it too "escaped scrutiny via inadvertence".

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The Commission in MUR 1182 found "reason to believe" that Cook County Concerned Citizens violated 2 U.S.C. §441a(f) by accepting a \$6,000 contribution/loan from a PAC, but the Commission took "no further action". Though the illegality was apparent from the face of the loan, the General Counsel agreed with this outcome, noting that the Concerned Citizens had "showed a willingness to cooperate in compliance procedures" and had "acted quickly in rectifying the situation" once the illegality was pointed out by the Commission's staff. These same observations about cooperation and quick voluntary compliance hold true for the Carter/Mondale Committee.

The Commission in MUR 999 found "reason to believe" that the Democratic Party of New Mexico violated 2 U.S.C. §441a(f) by accepting a \$10,000 loan/contribution from an individual, but the Commission sent letters of admonishment and "closed the file". Though the illegality was apparent from the face of the loan, the General Counsel agreed with this outcome.

We note, finally, that the Commission in MUR 1010 took "no further action" against a candidate committee that accepted three separate general election checks (for \$650, \$500 and \$1100 respectively) from an unregistered PAC. There the General Counsel stated:

In view of the fact that the excessive contribution was immediately refunded to the Brownsville Committee after Commission notification and of the relatively small amount that was excessive, it appears that the Commission should not proceed further in this matter. Both Committees, in conversations with Reports Analysts, have stated that they were not aware that the contribution limitation had been exceeded. It appears that letters of admonition to the Committees would be appropriate here.

This is a far cry from the harsh recommendation that the General Counsel makes towards the Carter/Mondale Committee here, where there also was a "relatively small amount that was excessive" and the Carter/Mondale Committee also was "not aware that the contribution limitation had been exceeded".

3. The mitigating circumstances of this case warrant a decision by the Commission to take no further action. The Committee inadvertently accepted the excessive PGMPAC contribution, making an honest mistake of fact in this one isolated instance, despite good faith efforts to comply with the law and to consult the §438(a)(6)(C) index. The Committee immediately refunded the excessive contribution upon its discovery. These mitigating circumstances are slighted by the General Counsel's harsh recommendation, which is inconsistent with past Commission practice.

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CONCLUSION

The Committee did not "knowingly" accept an excessive contribution, in violation of 2 U.S.C. §441a(f), in the circumstances of this case. The mitigating circumstances, in any event, make it appropriate for the Commission to exercise its discretion to take no further action.

Respectfully submitted,

Edwin E. Huddleson, III
918 16th Street, N.W.
Washington, D.C. 20006
(202) 737-6580

Attorney for the Carter/Mondale
Presidential Committee, Inc.

OF COUNSEL:

Timothy G. Smith
Carter/Mondale Re-Election
Committee, Inc.
2000 L Street, N.W.
Washington, D.C. 20036
(202) 887-4677

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APPENDIX

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Robert S. Strauss, Chairman
Tim Kraft, National Campaign Manager
S. Lee Kling, Treasurer
Evan S. Dobbels, National Finance Chairman

August 8, 1980

The Honorable Max L. Friedersdorf
Chairman, Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1226

Dear Chairman Friedersdorf:

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The Carter/Mondale Presidential Committee, Inc. (Committee) submits this response to your letter of July 14, 1980. Your letter attached a report noting that in December 1979 the Committee accepted a \$5,000 contribution from the Prince Georges Medical PAC ("PGMPAC"), an unregistered committee whose maximum permissible contribution under 2 U.S.C. §441a was \$1,000. Though the Committee was unaware of the excessive nature of this contribution until a Federal Election Commission (Commission) review, which triggered an immediate refund by the Committee of the excessive contribution, your letter advised that the Commission has found reason to believe that the Committee may have violated 2 U.S.C. §441a(f), which bars a political committee from "knowingly" accepting an excessive contribution.

The Committee has reviewed the facts surrounding its handling of the PGMPAC contribution. A review of the information available confirms that the Committee attempted in good faith to comply with the law. It did not knowingly accept an excessive contribution from PGMPAC. This case involves a single isolated instance of a mistake inadvertently made in failing to follow the Committee's own procedures (which the Commission has previously scrutinized) for checking the "multicandidate committee" status of all PAC contributors against the Commission's master index, available to the public under 2 U.S.C. §438(a)(6)(C).

We review these facts below in part I. Part II outlines the procedural safeguards now followed by the Committee to assure that this problem does not re-occur in the future.

I. PGMPAC contribution in December 1979

This matter under review stems from a \$5,000 PGMPAC contribution check (dated December 4, 1979) that was sent to the Committee in December 1979. The Committee's procedures for handling in-coming contributions were undergoing change at that time. Indeed, the Committee and its computer firm, Computer Data Systems, Inc. (CDSI), have utilized three successive sets of procedures since March 1979 for verifying and depositing contributions coming in to the Committee.

Originally, before December 1979, CDSI was in charge of verifying and depositing all contributions to the Committee. The old system was that CDSI, after picking up and sorting the Committee's mail from the post office, would verify the legality of contributions from political action committees (PACs) by checking PAC contributions against the Commission's §438(a)(6)(C) "multicandidate committee" index. [The Committee's September 1979 memorandum to CDSI, on the use of the Commission index, is attached in tab "A".] Where CDSI discovered a problem with a PAC contribution, the contribution would be sent to Committee Headquarters for refund or other appropriate action; otherwise, CDSI would deposit the contribution for the Committee's account. This set of procedures was subject to Commission scrutiny, and was reviewed without comment, in the "Threshold Audit Report of the Audit Division on the Carter/Mondale Presidential Committee, Inc." made public July 9, 1980.

When the volume of contributions coming in to the Committee rose dramatically in mid-December 1979 (from approximately 50 checks per day to 1,000 checks per day), the CDSI staff was increased from 5 to 30 employees. This entailed the addition of many new trainees at CDSI. At this point the procedures for verifying and depositing PAC contributions were also revised. Starting in mid-December 1979, CDSI would forward all PAC contributions to Committee Headquarters for verifying and checking against the Commission's §438(a)(6)(C) "multicandidate committee" index. The Committee would sort out, identify and take appropriate action on PAC contributions presenting a problem under the Act. The Committee would return acceptable PAC contributions to CDSI with a "Best Effort Requirement" form attached; and acceptable contributions were then deposited by CDSI for the Committee's account. These basic procedures were followed by

the Committee and CDSI until about March 1980. (The Committee's current procedures are described below in part II.)

It was in December 1979 that the \$5,000 PGMPAC contribution at issue was handled by CDSI. This was a time when massive numbers of contributions were flowing through CDSI every day, when many new CDSI employees working on Committee matters were still being trained by CDSI, and when the operating procedures at CDSI had only recently been changed. The PGMPAC contribution was never sent over by CDSI to Committee Headquarters for verification, and it apparently escaped scrutiny at CDSI. The \$5,000 PGMPAC check was deposited by CDSI for the Committee's account on December 28, 1979.

II. The Committee's current procedures for verifying and depositing PAC contributions

The Committee's current procedures for handling incoming contributions (in force since March 1980) provide significant new safeguards against the Committee's inadvertent acceptance of excessive PAC contributions in the future. Operating in a more centralized fashion, the Committee now picks up and sorts its own mail and employs Committee Headquarters staff to verify the legality of PAC contributions by checking the Commission's §438(a)(6)(C) "multicandidate committee" index. No PAC contribution is accepted unless and until the Committee Headquarters staff completes an appropriate "Best Efforts Requirement" form for that contribution. The Committee retains all acceptable contribution checks and deposits them directly. Only photo-copies of contributions and their accompanying "Best Effort Requirement" forms (not the contribution checks themselves) are sent over to CDSI by the Committee.

This current system was adopted to save time and money, and it has the added benefit of centralizing the responsibilities for verifying and depositing contributions. The safeguards now followed by the Committee should assure that problems about accepting excessive contributions do not re-occur in the future.

III. Conclusion

Throughout the 1980 Presidential campaign, the Committee has exercised great care to comply with the Act and to utilize the Commission's §438(a)(6)(C) "multicandidate committee" index. The initial acceptance of PGMPAC's excessive contribution was

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an isolated incident involving one contribution for \$5,000 out of thousands of PAC contributions totalling over \$244,600. See also MUR 1068. Moreover, the Committee did not knowingly accept the excessive PAC contribution. See also AO 1978-53 [campaign committee's receipt of tainted funds, in and of itself, does not place committee in violation of the Act if the committee had no knowledge that contribution was improper]; MUR 884 [Commission finds "no reason to believe" that candidate violated the Act by receiving tainted funds, where he had no actual knowledge that contribution was improper]. It was accepted through inadvertence, and despite the Committee's extensive good faith efforts to comply with the law in every respect. See also MUR 1003; 11 C.F.R. §103.3.

When the Commission's review revealed the excessive nature of the PGMPAC contribution, the Committee immediately acted to refund the excess contribution on March 20, 1980 [see tab "B"]. See also MUR 1010. The Committee's current procedures provide ample safeguards to assure that this problem does not re-occur in the future.

Taking all the circumstances into account, there is no warrant for suggesting that the Committee knowingly accepted an excessive contribution. The Commission should take no further action in this matter.

Very truly yours,

Edwin E. Huddleson, III

Edwin E. Huddleson, III
918 16th Street, N.W.
Washington, D.C. 20006
(202) 737-6580

Attorney for
Carter/Mondale Presidential
Committee, Inc.

OF COUNSEL:

Timothy G. Smith
Carter/Mondale Presidential
Committee, Inc.
2000 L Street, N.W.
Washington, D.C. 20036
(202) 887-4677

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MEMORANDUM

TO: CDSI
FROM: Lucia Safran - C/MPC *LS*
DATE: September 6, 1979
SUBJECT: Multi-Candidate Committee Index

I. How to use the Committee Index

- A. Locate the Committee by the zip code
- B. Check these elements of the Committee:
1. name - should match printed name on the check; also, may be listed by initials:
i.e., American Hotel Motel Political Action Committee (AHMPAC)
 2. omit treasurer - changes to often to be relative
 3. address - should be the same as printed on check. This may change; use your judgement as to the accuracy.
 4. Filing - Committees should be monthly or quarterly - doesn't make any difference.
 5. Statute - must be qualified - non-party related

If all of the above critique checks out, then it is safe to deposit the check.

II. Do not deposit a check of any of these elements exist:

1. name - if it appears that it may be a different Committee

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2. address - if it is completely different
3. filing - do not deposit if terminated is listed beside the Committee
4. statute - do not deposit if the Committee is not qualified
5. if you cannot find the Committee do not deposit

Send all of the above questionable to me.

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CARTER/MONDALE PRESIDENTIAL COMMITTEE, INC.
P.O. BOX 500, WASHINGTON, D.C. 20044 (202) 347-9000

March 20, 1980

Dr. Jose Solano
Prince Georges Medical PAC
1119 19th Street, Suite 307
Washington, D.C. 20005

Dear Dr. Solano:

I want to thank you for your generous contribution to the Carter/
Mondale Presidential Committee. Federal campaign laws prevents us,
however, from accepting contributions in excess of \$1,000 from an
unqualified political action committee. As a result, I am refunding
to you a check in the amount of \$5,000 dated March 19th.

Once again, thank you and please forgive us any inconvenience we
may have caused you.

Sincerely,

Lucia Saffran

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CARTER-MONDALE PRESIDENTIAL
COMMITTEE, INC.
OPERATING ACCOUNT

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March 19 1980

15-720
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PAY \$5,000.00

\$5,000.00

PAY
TO THE ORDER OF

Prince Georges Medical PAC
1119 19th Street Suite 307
Washington, DC 20005



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Lucia Saffran

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The National
BANK OF
WASHINGTON Washington, D.C.

March 20, 1980

Bill Coppel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Mr. Coppel:

This statement is in response to the Federal Election Commission request to clarify a contribution from the P.G. Med PAC. Please note that this contribution refund will be reported on the April monthly report.

Sincerely,

S. Lee Kling
Treasurer

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VOLPE, BOSKEY AND LYONS
WORLD CENTER BUILDING
WASHINGTON, D. C. 20006

FIRST CLASS MAIL

Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

HAND DELIVERED

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 31, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert F. Bauer
Suite 406
1101 Seventeenth St., N.W.
Washington, D.C. 20036

Re: MUR 1226

Dear Mr. Bauer:

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Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on July 1, 1980, found reason to believe that the Nelson for Senate Committee violated section 441a(f) of the Federal Election Campaign Act of 1971, as amended, and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of General Counsel.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety days to settle this matter through a conciliation agreement. This does not preclude settlement of this matter through informal conciliation prior to a finding of probable cause to believe, if you so desire.

Letter to Robert F. Bauer
Page Two

Should you have any questions, please contact Suzanne Callahan
at 202-523-4057.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

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PS Form 3811, Aug. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

1. The following service is requested (check one). Show to whom and date delivered. _____ Show to whom, date, and address of delivery. _____ <input type="checkbox"/> RESTRICTED DELIVERY Show to whom and date delivered. _____ <input type="checkbox"/> RESTRICTED DELIVERY. Show to whom, date, and address of delivery. _____ (CONSULT POSTMASTER FOR FEES)		2. ARTICLE ADDRESSED TO: Robert F. Bauer Suite 406 1700 St. N.W. Washington, D.C. 20004 REGISTERED NO. 9212hb		INSURED NO.	
I have received the article described above. SIGNATURE <input type="checkbox"/> Addressee <input checked="" type="checkbox"/> Authorized agent Kha Lott		3. DATE OF DELIVERY NOV 10 1990		POSTMARK	
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MAR 1226 Callahan



FEDERAL ELECTION COMMISSION

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

MEMORANDUM TO: THE COMMISSION
FROM: MARJORIE W. EMMONS/MARGARET CHANEY *mc*
DATE: NOVEMBER 3, 1980
SUBJECT: MUR 1226 - General Counsel's Brief,
Nelson for Senate Committee

The attached documents are circulated for your
information.

ATTACHMENTS:
1) Memo: 2) Brief: 3) Letter

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

80 OCT 31 AM: 52

October 31, 1980

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele *CS*
General Counsel

SUBJECT: MUR # 1226

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying the respondent of the General Counsel's intent to recommend to the Commission a finding of probable cause to believe was mailed on October 31, 1980. Following receipt of the Respondent's reply to this notice, this Office will make a further report to the Commission.

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Attachments

1. Brief
2. Letter to Respondent

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Nelson for Senate
Committee

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MUR 1226

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

Commission records indicate that Prince George's Medical PAC ("PGMPAC"), an unregistered committee, contributed \$2,000 to the Nelson for Senate Committee ("Nelson Committee") on April 12, 1979. Since PGMPAC was not registered with the Commission, it could not meet the multicandidate criteria set forth in 2 U.S.C. § 441a(a)(4) at the time the subject contribution was made and therefore exceeded the contribution limitation set forth in the Act.

On July 1, 1980, the Commission found reason to believe that the Nelson Committee violated 2 U.S.C. § 441a(f) by accepting an excessive contribution from PGMPAC and so notified the respondent on July 14, 1980. The Nelson Committee, through counsel, filed a response to the Commission's reason to believe notification on August 11, 1980.

II. LEGAL ANALYSIS

As set forth in 2 U.S.C. § 441a, committees which do not meet the multicandidate criteria set forth in § 441a(a)(4), and are not affiliated with such a committee, are limited to making contributions of \$1,000 per candidate, per election. Since PGMPAC was not registered with the Commission, it was limited to making contributions of \$1,000. Even though the excessive contribution

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was refunded by the Nelson Committee, a violation of § 441a(f) was committed by the Nelson Committee at the time it accepted and retained the excessive contribution.

Here, the only fact needed to show that the \$5,000 multi-candidate limit was inapplicable to PGMPAC's contribution was that PGMPAC was not registered. This fact could readily have been ascertained from public records available at the Commission and the Nelson Committee had at least construction knowledge of this negative fact.

In its response filed with the Commission, Robert Bauer, counsel to the respondent committee, states that he does not dispute the facts of this matter. However, Bauer contends that the Nelson Committee had no legal obligation under the Act at the time it received the excessive contribution, to verify the multicandidate status of PGMPAC.

Counsel further states that he knows of no regulation, advisory opinion, FEC notice or any other public bulletin distributed by the Commission which requires committees to verify the status of all contributions, which on its face appear lawful. It is Bauer's position that "if the Commission chooses to impose such a duty, it should do so through formal rule making in compliance with the requirements of the Administrative Procedures Act." We respectfully disagree. The Commission has the responsibility of construing the provisions of the FECA in the course of a compliance proceeding. It has properly acted in imposing liability in the present case because there is a sufficient

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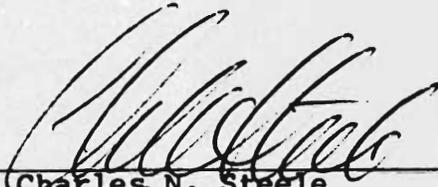
statutory basis for concluding that if a respondent has knowledge of the fact that he has accepted a contribution, he has knowingly accepted it pursuant to 2 U.S.C. § 441a(f).

Counsel contends that since voluntary compliance has been achieved by the Nelson Committee's refund of the excessive contribution, no further action should be taken with respect to this enforcement proceeding. While the Office of General Counsel recognizes the fact that voluntary compliance has been achieved, a violation of § 441a(f) has been committed and the refund of the excessive contribution mitigates rather than negates the violation.

III. RECOMMENDATION

It is recommended that the Commission find probable cause to believe that the Nelson for Senate Committee violated 2 U.S.C. § 441a(f).

30 October 1980
Date



Charles N. Steele
General Counsel

81040293978



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 31, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert F. Bauer
Suite 406
1101 Seventeenth St., N.W.
Washington, D.C. 20036

Re: MUR 1226

Dear Mr. Bauer:

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Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on July 1, 1980, found reason to believe that the Nelson for Senate Committee violated section 441a(f) of the Federal Election Campaign Act of 1971, as amended, and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of General Counsel.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety days to settle this matter through a conciliation agreement. This does not preclude settlement of this matter through informal conciliation prior to a finding of probable cause to believe, if you so desire.

Letter to Robert F. Bauer
Page Two

Should you have any questions, please contact Suzanne Callahan
at 202-523-4057.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

81040293980



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 31, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

J.T. Solano, M.D., Treasurer
Prince Georges Medical PAC
4700 Auth Place
Camp Springs, Maryland 20023

Re: MUR 1226

Dear Dr. Solano:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on July 1, 1980, found reason to believe that your committee violated sections 433, 434, and 441a of the Federal Election Campaign Act of 1971, as amended, and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of General Counsel.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety days to settle this matter through a conciliation agreement. This does not preclude settlement of this matter through informal conciliation prior to a finding of probable cause to believe, if you so desire.

81040293981

Should you have any questions, please contact Suzanne Callahan
at 202-523-4057.

Sincerely,

Charles N. Steele
Charles N. Steele
General Counsel

Enclosure
Brief

81040293982

79 Form 3811, Aug. 1978

1. The following service is requested (check one):
 Show to whom and date delivered
 Show to whom, date, and address of delivery
 RESTRICTED DELIVERY
Show to whom and date delivered
 RESTRICTED DELIVERY
Show to whom, date, and address of delivery
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
J.T. Solano, M.D., Treas.
4700 Armitage Place
Camp Springs, Md. 20743

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
SE 1860

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

5. DATE OF DELIVERY
SE 1860

6. ADDRESS (Check one)
UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

POSTMARK
157
0801
NON

MUB-1226 Callahan



FEDERAL ELECTION COMMISSION

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

MEMORANDUM TO: THE COMMISSION
FROM: MARJORIE W. EMMONS/MARGARET CHANEY *mc*
DATE: NOVEMBER 3, 1980
SUBJECT: MUR 1226 - General Counsel's Brief
Prince George's County Medical PAC

The attached documents are circulated for your information.

ATTACHMENTS:
1) Memo: 2) Brief: 3) Letter

81040293983



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

80 OCT 31 AM: 52

October 31, 1980

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele *CS*
General Counsel

SUBJECT: MUR # 1226

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying the respondent of the General Counsel's intent to recommend to the Commission a finding of probable cause to believe was mailed on October 31, 1980. Following receipt of the Respondent's reply to this notice, this Office will make a further report to the Commission.

Attachments

1. Brief
2. Letter to Respondent

81040293984

its response, PGMPAC indicated that refunds of the excessive contributions had been received and also indicated that it has no affiliation whatever with either the Maryland Medical Association or the American Medical Association or Society.

II. LEGAL ANALYSIS

As set forth in 2 U.S.C. § 433 and § 434, political committees shall register with the Commission with ten days after it receives contributions or makes expenditures exceeding \$1,000 in a calendar year and must file reports of receipts and disbursements according to Commission guidelines. As noted PGMPAC neither registered nor filed reports even though it fit the definition of a political committee.

Additionally, pursuant to 2 U.S.C. § 441a, committees which do not meet the multicandidate criteria set forth in § 441a(a)(4), and are not affiliated with such a committee, are limited to making contributions of \$1,000 per candidate per election. Thus, PGMPAC's contributions exceed the \$1,000 limitation set forth in the Act. Even though the excessive contributions at issue here were refunded, a violation of § 441a was committed at the time the subject transactions occurred.

III. RECOMMENDATIONS

It is recommended that the Commission find probable cause to believe that PGMPAC has violated 2 U.S.C. § 433, § 434, and § 441a.

30 October 1980
Date


Charles N. Steele
General Counsel

81040293986



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 31, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

J.T. Solano, M.D., Treasurer
Prince Georges Medical PAC
4700 Auth Place
Camp Springs, Maryland 20023

Re: MUR 1226

Dear Dr. Solano:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on July 1, 1980, found reason to believe that your committee violated sections 433, 434, and 441a of the Federal Election Campaign Act of 1971, as amended, and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

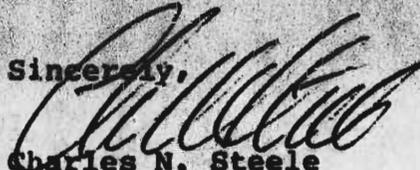
Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of General Counsel.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety days to settle this matter through a conciliation agreement. This does not preclude settlement of this matter through informal conciliation prior to a finding of probable cause to believe, if you so desire.

81040393987

Should you have any questions, please contact Suzanne Calahan
at 202-523-4057.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

81040293988



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 31, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Edwin E. Huddleson, III
Volpe, Boskey and Lyons
World Center Building
918 16th Street, N.W.
Washington, D.C. 20006

Re: MUR 1226

Dear Mr. Huddleson:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on July 1, 1980, found reason to believe that the Carter/Mondale Presidential Committee violated section 441a(f) of the Federal Election Campaign Act of 1971, as amended, and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a Brief (10 copies) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of General Counsel.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety days to settle this matter through a conciliation agreement. This does not preclude settlement of this matter through informal conciliation prior to a finding of probable cause to believe, if you so desire.

81040293989

Should you have any questions, please contact Suzanne Callahan
at 202-523-4057.

Sincerely,

Charles N. Steele
Charles N. Steele
General Counsel

Enclosure
Brief

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PS Form 3811, Nov. 1978

1. The following service is requested (check one).
 Show to whom and date delivered.
 Show to whom, date, and address of delivery.
 RESTRICTED DELIVERY
Show to whom and date delivered.
 RESTRICTED DELIVERY.
Show to whom, date, and address of delivery.
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Edwin E. Huddleson, III
918 16th St., N.W.
Wash., D.C. 20006

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
947125

4. I have received the article described above.
SIGNATURE Address Authorized agent
P. Watson

5. DATE OF DELIVERY: 8/15/80 POSTMARK: AON 08
6. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, REGISTERED, INSURED AND CERTIFIED MAIL

mur-1226 Callahan



FEDERAL ELECTION COMMISSION

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

MEMORANDUM TO: THE COMMISSION
FROM: MARJORIE W. EMMONS/MARGARET CHANEY *MC*
DATE: NOVEMBER 3, 1980
SUBJECT: MUR 1226 - General Counsel's Brief
Carter/Mondale Presidential Committee,
Inc.

The attached documents are circulated for your
information.

ATTACHMENTS:

1) Memo: 2) Brief: 3) Letter

81040293991



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

80 OCT 31 AM: 52

October 31, 1980

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele *CNS*
General Counsel

SUBJECT: MUR # 1226

61040293992

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying the respondent of the General Counsel's intent to recommend to the Commission a finding of probable cause to believe was mailed on October 31, 1980. Following receipt of the Respondent's reply to this notice, this Office will make a further report to the Commission.

Attachments

1. Brief
2. Letter to Respondent

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Carter/Mondale Presidential) MUR 1226
Committee Inc.)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF CASE

Commission records indicate that Prince George's Medical PAC ("PGMPAC"), an unregistered committee, contributed \$5,000 to the Carter/Mondale Presidential Committee ("Carter Committee") on December 28, 1979. Since PGMPAC was not registered with the Commission, it could not meet the multicandidate criteria set forth in 2 U.S.C. § 441a(a)(4) at the time the subject contribution was made and therefore exceeded the contribution limitation set forth in the Act.

On July 1, 1980, the Commission found reason to believe that the Carter Committee violated 2 U.S.C. § 441a(f) by accepting an excessive contribution from PGMPAC and so notified the respondent on July 14, 1980. The Carter Committee, through counsel, filed a response to the Commission's reason to believe notification on August 8, 1980.

II. LEGAL ANALYSIS

As set forth in 2 U.S.C. § 441a, committees which do not meet the multicandidate criteria set forth in § 441a(a)(4), and are not affiliated with such a committee, are limited to making contributions of \$1,000 per candidate, per election. Since PGMPAC was not registered with the Commission, it was limited to making contributions of \$1,000. Even though the excessive contribution

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was refunded by the Carter Committee, a violation of § 441a(f) was committed by the Carter Committee at the time it accepted and retained the excessive contribution.

Here, the only fact needed to show that the \$5,000 multicandidate limit was inapplicable to PGMPAC's contribution was that PGMPAC was not registered. This fact could readily have been ascertained from public records available at the Commission and the Carter Committee had at least construction knowledge of this negative fact.

In its response filed with the Commission, Edwin Huddleson, counsel to the respondent committee, states that the Carter Committee did not knowingly accept an excessive contribution from PGMPAC. According to counsel, the Carter Committee's procedures for processing receipts include the verification of multicandidate committee status with the Commission's list made available to the public pursuant to § 438(a)(6)(c). Huddleson states that the Committee's acceptance of the subject contribution from PGMPAC was an isolated incident caused through inadvertence during a time period in which receipts of the committee were "massive."

Counsel cites AO 1978-53 and MUR 884 as relevant to the instant matter in that a "campaign committee's receipt of tainted funds, in and of itself, does not place a committee in violation of the Act if the committee had no knowledge that the contribution was improper." The advisory opinion referenced by counsel was issued in connection with candidates who received contributions collected by a separate segregated fund under the reverse check

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off method. Even though that method has since been found to be a violation of the FECA, candidates are not required to refund the contributions if they were not aware of the collection method used.

The factual situation addressed in AO 1978-53 can be distinguished from the instant matter. Recipients of contributions from a PAC treasury which contains tainted funds, have no way of ascertaining that fact as opposed to recipients of excessive contributions from an unregistered PAC, a fact which can be readily determined through public records made available by the Commission.

Counsel also cites MURs 1068 and 1003 in which the Commission determined it would take no further action with respect to the respondent's violations, based upon mitigating circumstances. MUR 1063 involved approximately \$250 in corporate contributions in violation of § 441b and MUR 1003 involved an excessive contribution from an individual in violation of § 441a. Here again, both factual situations can be distinguished from the matter now before the Commission in which the General Counsel's recommendation is based on the fact that it is the recipient's responsibility to verify the registration status of political committees prior to the acceptance of contributions exceeding \$1,000.

It is the view of the Office of General Counsel that the Commission has properly acted in imposing liability in the present case because there is a sufficient statutory basis for concluding that if a respondent has knowledge of the fact that

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he has accepted a contribution, he has knowingly accepted it pursuant to 2 U.S.C. § 441a(f).

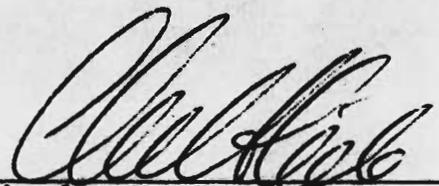
While this office recognizes the fact that voluntary compliance has been achieved, a violation of § 441a(f) has been committed and the refund of the excessive contribution mitigates rather than negates the violation.

III. RECOMMENDATION

It is recommended that the Commission find probable cause to believe that the Carter/Mondale Committee has violated 2 U.S.C. § 441a(f).

810402939996

30 October 1980
Date



Charles N. Steele
General Counsel



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 31, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Edwin E. Huddleson, III
Volpe, Boskey and Lyons
World Center Building
918 16th Street, N.W.
Washington, D.C. 20006

Re: MUR 1226

Dear Mr. Huddleson:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on July 1, 1980, found reason to believe that the Carter/Mondale Presidential Committee violated section 441a(f) of the Federal Election Campaign Act of 1971, as amended, and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a Brief (10 copies) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of General Counsel.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

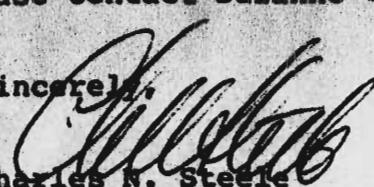
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81040293997

Letter to Edwin E. Huddleson, III
Page Two

Should you have any questions, please contact Suzanne Callahan
at 202-523-4057.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

81040293998

HAND DELIVERED

LAW OFFICE
ROBERT F. BAUER
SUITE 406
1101 SEVENTEENTH STREET, N.W.
WASHINGTON, D.C. 20036

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2294
909603
(202) 296-0555

August 11, 1980

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RECEIVED
OFFICE OF THE
GENERAL COUNSEL

Mr. Charles Steele
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

RE: MUR 1226

Dear Sir:

By letter dated July 14, 1980, the Federal Election Commission notified the Nelson for Senate Committee of its finding of "reason to believe" that the Committee had violated the Act, and specifically §441a(f), by accepting a \$2,000 contribution from the Prince Georges Medical PAC. The Commission had previously advised the Committee in a letter dated September 13, 1979 that the PAC, an unregistered committee, had not qualified for multi-candidate status, and thus was limited to \$1,000 in contributions to any candidate. The Commission has now concluded, however, that it had been the Nelson Committee's legal responsibility to "verify the multi-candidate committee status" of Prince Georges Medical PAC, and that in failing to do so, it had incurred liability under §441a(f).

Summary of Argument

The Nelson Committee does not dispute the fact alleged by the Commission, namely, that the PAC was unregistered and thus not "multi-candidate" at the time of its contribution to the Committee. The Committee does, however, dispute the legal conclusions drawn by the Commission from that fact. The position of the Nelson Committee, which is elaborated below, can be stated briefly as follows:

1. The Committee had no way of knowing that it had an affirmative obligation to check the status of the Prince Georges Medical PAC (or any other PAC) if, as was the case, the PAC contribution did not give rise on its face to a reasonable suspicion of illegality or irregularity. No known Commission regulation, advisory opinion, Federal Election Commission Record notice, or any other form of bulletin or publication distributed to political committees has ever established any such affirmative duty to check the status of a committee whose contribution appeared lawful on its face. If the Commission chooses to impose such a duty, it should do so through formal rule making in compliance with the requirements of the Administrative Procedure Act.

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2. Even if the Commission may establish such an affirmative duty without formal rule making procedures, the Nelson Committee's immediate refund of the excess portion of the Prince Georges Medical PAC contribution constituted "voluntary compliance" within the meaning of §437d(a)(9) of the Act. Contrary to its statutory mandate, the Commission would discourage, rather than encourage, voluntary compliance by finding a violation of the Act and imposing a civil penalty in this instance. Indeed no purpose whatever is served by an enforcement action against this particular Committee in this particular case. This action is not needed to advise the Committee of its alleged "duty to verify", for this was already done through the Commission's earlier letter of September 13, 1979. Nor is this action necessary to correct the original error in receiving the PAC contribution, the correction having already been accomplished through a refund of the unlawful portion of the contribution. Finally, this not a case where, after an election, a committee is found to have made use of unlawfully secured funds. In such cases, the wrong committed is, in a sense, irremediable; the candidate has benefited from the wrong, and with the election over, the full enforcement process may be the sole avenue to vindication of the Act's requirements.

Argument

1. Neither the Act nor Regulations Impose Upon Committees an Affirmative Duty to Verify the Multi-Candidate Source of Contributions Exceeding \$1,000.

The Commission seeks to hold the Nelson Committee to a specific legal responsibility -- the affirmative duty to verify the source of contributions in excess of \$1,000. In the Commission's view, this affirmative duty may be consistent with sound policy. It is not, however, consistent with, or to be found anywhere in, existing law. The staff cannot point to any provision of the statute or regulations which defines this affirmative "duty to verify". Yet it seeks to make this elusive "affirmative duty" the basis for a full enforcement action against the Nelson Committee, which may come to involve, among other things, the imposition of a civil penalty.

Since the report on the Commission's finding does not identify any supporting law for the Commission's conclusions, its rationale for holding the Committee liable in this instance must lie elsewhere -- beyond the statute and regulations. As stated previously, there appears to be a "feeling" that this "duty to verify" is consonant with good policy. Moreover, there is a suggestion in that report that, since lists of registered multi-candidate committees are available at the Commission's Public Records Division, the duty

31040294000

Mr. Charles Steele
August 11, 1980
Page 3

LAW OFFICES
ROBERT F. BAUER

would be simply and easily discharged.^{1/} That a duty may be easily discharged hardly establishes its existence. For example, there is currently no requirement that a Committee report to the Commission, for further investigation, an attempt by any individual or organization to donate unlawful funds, such as corporate funds. This requirement would not only be easily discharged, but would have the salutary effect, consistent with sound policy, of discouraging illegal contributions and identifying "habitual offenders" or patterns of illegal conduct. As the Commission knows, there is no such requirement, and however simple in practice or sound in theory, it cannot be the basis for an enforcement action against any committee. The duty to verify at issue in this matter must also be based on law, not on the Commission's views of administrative ease and sound policy.

Stated simply, the "duty to verify" is a rule within the meaning of the Administrative Procedure Act. The imposition of this duty fully meets the definition of a "rule" under this Act, namely, any

"... agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy describing the organization, procedure or requirements of an agency ..." 5 U.S.C.A. §551 (1977) (originally enacted as Act of June 11, 1946, c.646, 60 Stat. 237).

As a rule, therefore, the duty to verify must be promulgated by the Commission, and submitted to the Congress, only after appropriate notice and comment. There is no reason -- or at least none made known to the Committee -- why these rule making procedures cannot be followed before imposing a "duty to verify". If the Commission is concerned that these rule making procedures would be too time consuming, and that the problem is sufficiently serious to require immediate attention, it could take the interim step of publishing a notice advising committees of its position in favor of such a duty. The Commission has published such notices in the past, See e.g. the 1978 Notice on receipt of corporate contributions, and Committees will invariably heed them.^{2/} This approach would at least ensure that committees would be aware that

1/ The staff does not contend that §438(a) (6) (C), which requires monthly publication of multi-candidate committee lists, is somehow itself the source of the duty to verify. That section makes no mention of any such duty, and neither does the legislative history. The legislative history, in fact, refers to publication of the lists for the benefit of the public, not candidates and committees. See the Senate Report and the Conference Report accompanying passage of P.L. 94-283 (the 1976 amendments), 1976 Congressional and Administrative News, pp. 936-937.

2/ Other agencies, such as the Securities and Exchange Commission, routinely publish policy guidelines, in lieu of immediate rule making action, to guide the actions of those under their jurisdiction.

31040294001

Mr. Charles Steele
August 11, 1980
Page 5

LAW OFFICES
ROBERT F. BAUER

If the Commission's power to "encourage voluntary compliance" is not to be exercised here, it is by no means apparent where it would be appropriate to do so. The violation alleged here is not egregious in nature. The Committee was understandably unaware, in accepting the PAC check, that it was violating the law; it could not have identified its "duty to verify" by referring to the Act or Regulations. The PAC check in question was accepted in good faith. The amount of the contribution was relatively small, and the amount of the unlawful portion even smaller. Immediately upon being notified of the status of the Prince Georges Medical PAC, the unlawful portion was returned. Since the alleged violation was identified by the Commission long before the election, and since the allegedly unlawful amounts have been returned, the committee will not have benefited in any way from the acceptance of these unlawful amounts.

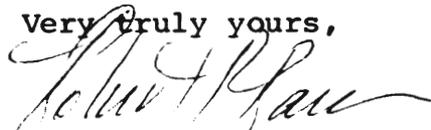
Under these circumstances, no purpose other than "punishment" would be served by pursuing this enforcement proceeding. All conceivable goals of the Commission have already been achieved, such as advising the Committee of its "duty to verify", and correcting, through the refund, the erroneous receipt of the unlawful contribution. This case appears especially suited to a finding that voluntary compliance had been achieved, and that no further commitment of Commission resources to this matter is required.

A different result may have been justified if the alleged violation had been discovered only after the election, the committee having already had full use and advantage of the unlawful sums. In such a situation, an enforcement proceeding might be necessary to effectively correct the violation, and to thereby vindicate the requirements of the Act. Here, however, the election year is still in progress, with several months remaining, and a full refund of the allegedly unlawful contribution has already been made. There would be little point to pursuing this matter further, and much resulting damage to the policy of encouraging "voluntary compliance".

Conclusion

For the foregoing reasons, therefore, the Nelson for Senate Committee respectfully requests that this matter be immediately closed.

Very truly yours,



Robert F. Bauer

RFB:peg

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ROBERT F. BAUER

SUITE 406

1101 SEVENTEENTH STREET, N.W.

WASHINGTON, D.C. 20036

RECEIVED

AUG 11 7 49 AM '80

HAND DELIVERED

Suzanne Callahan
Federal Election Commission
Office of General Counsel
1325 K Street, N.W.
Washington, D.C. 20463

MESSENGER

8104010400

CARTER/MONDALE PRESIDENTIAL COMMITTEE, INC.
1418 K STREET, N.W., WASHINGTON, D.C. 20005
(202) 789-7200

709526000
25624

Robert S. Strauss, Chairman
Tim Kraft, National Campaign Manager
S. Lee Kling, Treasurer
Evan S. Dobbelle, National Finance Chairman

HAND DELIVERED

August 8, 1980

AUG 8 11:46

GENERAL COUNSEL

The Honorable Max L. Friedersdorf
Chairman, Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1226

Dear Chairman Friedersdorf:

31040294005

The Carter/Mondale Presidential Committee, Inc. (Committee) submits this response to your letter of July 14, 1980. Your letter attached a report noting that in December 1979 the Committee accepted a \$5,000 contribution from the Prince Georges Medical PAC ("PGMPAC"), an unregistered committee whose maximum permissible contribution under 2 U.S.C. §441a was \$1,000. Though the Committee was unaware of the excessive nature of this contribution until a Federal Election Commission (Commission) review, which triggered an immediate refund by the Committee of the excessive contribution, your letter advised that the Commission has found reason to believe that the Committee may have violated 2 U.S.C. §441a(f), which bars a political committee from "knowingly" accepting an excessive contribution.

The Committee has reviewed the facts surrounding its handling of the PGMPAC contribution. A review of the information available confirms that the Committee attempted in good faith to comply with the law. It did not knowingly accept an excessive contribution from PGMPAC. This case involves a single isolated instance of a mistake inadvertently made in failing to follow the Committee's own procedures (which the Commission has previously scrutinized) for checking the "multicandidate committee" status of all PAC contributors against the Commission's master index, available to the public under 2 U.S.C. §438(a)(6)(C).

We review these facts below in part I. Part II outlines the procedural safeguards now followed by the Committee to assure that this problem does not re-occur in the future.

I. PGMPAC contribution in December 1979

This matter under review stems from a \$5,000 PGMPAC contribution check (dated December 4, 1979) that was sent to the Committee in December 1979. The Committee's procedures for handling in-coming contributions were undergoing change at that time. Indeed, the Committee and its computer firm, Computer Data Systems, Inc. (CDSI), have utilized three successive sets of procedures since March 1979 for verifying and depositing contributions coming in to the Committee.

Originally, before December 1979, CDSI was in charge of verifying and depositing all contributions to the Committee. The old system was that CDSI, after picking up and sorting the Committee's mail from the post office, would verify the legality of contributions from political action committees (PACs) by checking PAC contributions against the Commission's §438(a)(6)(C) "multicandidate committee" index. [The Committee's September 1979 memorandum to CDSI, on the use of the Commission index, is attached in tab "A".] Where CDSI discovered a problem with a PAC contribution, the contribution would be sent to Committee Headquarters for refund or other appropriate action; otherwise, CDSI would deposit the contribution for the Committee's account. This set of procedures was subject to Commission scrutiny, and was reviewed without comment, in the "Threshold Audit Report of the Audit Division on the Carter/Mondale Presidential Committee, Inc." made public July 9, 1980.

When the volume of contributions coming in to the Committee rose dramatically in mid-December 1979 (from approximately 50 checks per day to 1,000 checks per day), the CDSI staff was increased from 5 to 30 employees. This entailed the addition of many new trainees at CDSI. At this point the procedures for verifying and depositing PAC contributions were also revised. Starting in mid-December 1979, CDSI would forward all PAC contributions to Committee Headquarters for verifying and checking against the Commission's §438(a)(6)(C) "multicandidate committee" index. The Committee would sort out, identify and take appropriate action on PAC contributions presenting a problem under the Act. The Committee would return acceptable PAC contributions to CDSI with a "Best Effort Requirement" form attached; and acceptable contributions were then deposited by CDSI for the Committee's account. These basic procedures were followed by

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the Committee and CDSI until about March 1980. (The Committee's current procedures are described below in part II.)

It was in December 1979 that the \$5,000 PGMPAC contribution at issue was handled by CDSI. This was a time when massive numbers of contributions were flowing through CDSI every day, when many new CDSI employees working on Committee matters were still being trained by CDSI, and when the operating procedures at CDSI had only recently been changed. The PGMPAC contribution was never sent over by CDSI to Committee Headquarters for verification, and it apparently escaped scrutiny at CDSI. The \$5,000 PGMPAC check was deposited by CDSI for the Committee's account on December 28, 1979.

II. The Committee's current procedures for verifying and depositing PAC contributions

The Committee's current procedures for handling in-coming contributions (in force since March 1980) provide significant new safeguards against the Committee's inadvertent acceptance of excessive PAC contributions in the future. Operating in a more centralized fashion, the Committee now picks up and sorts its own mail and employs Committee Headquarters staff to verify the legality of PAC contributions by checking the Commission's §438(a)(6)(C) "multicandidate committee" index. No PAC contribution is accepted unless and until the Committee Headquarters staff completes an appropriate "Best Efforts Requirement" form for that contribution. The Committee retains all acceptable contribution checks and deposits them directly. Only photo-copies of contributions and their accompanying "Best Effort Requirement" forms (not the contribution checks themselves) are sent over to CDSI by the Committee.

This current system was adopted to save time and money, and it has the added benefit of centralizing the responsibilities for verifying and depositing contributions. The safeguards now followed by the Committee should assure that problems about accepting excessive contributions do not re-occur in the future.

III. Conclusion

Throughout the 1980 Presidential campaign, the Committee has exercised great care to comply with the Act and to utilize the Commission's §438(a)(6)(C) "multicandidate committee" index. The initial acceptance of PGMPAC's excessive contribution was

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an isolated incident involving one contribution for \$5,000 out of thousands of PAC contributions totalling over \$244,600. See also MUR 1068. Moreover, the Committee did not knowingly accept the excessive PAC contribution. See also AO 1978-53 [campaign committee's receipt of tainted funds, in and of itself, does not place committee in violation of the Act if the committee had no knowledge that contribution was improper]; MUR 884 [Commission finds "no reason to believe" that candidate violated the Act by receiving tainted funds, where he had no actual knowledge that contribution was improper]. It was accepted through inadvertence, and despite the Committee's extensive good faith efforts to comply with the law in every respect. See also MUR 1003; 11 C.F.R. §103.3.

When the Commission's review revealed the excessive nature of the PGMPAC contribution, the Committee immediately acted to refund the excess contribution on March 20, 1980 [see tab "B"]. See also MUR 1010. The Committee's current procedures provide ample safeguards to assure that this problem does not re-occur in the future.

Taking all the circumstances into account, there is no warrant for suggesting that the Committee knowingly accepted an excessive contribution. The Commission should take no further action in this matter.

Very truly yours,

Edwin E. Huddleson, III

Edwin E. Huddleson, III
918 16th Street, N.W.
Washington, D.C. 20006
(202) 737-6580

Attorney for
Carter/Mondale Presidential
Committee, Inc.

OF COUNSEL:

Timothy G. Smith
Carter/Mondale Presidential
Committee, Inc.
2000 L Street, N.W.
Washington, D.C. 20036
(202) 887-4677

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ced

MEMORANDUM

TO: CDSI
FROM: Lucia Safran - C/MPC *LS*
DATE: September 6, 1979
SUBJECT: Multi-Candidate Committee Index

I. How to use the Committee Index

- A. Locate the Committee by the zip code
- B. Check these elements of the Committee:
1. name - should match printed name on the check; also, may be listed by initials:
i.e., American Hotel Motel Political Action Committee (AHMPAC)
 2. omit treasurer - changes to often to be relative
 3. address - should be the same as printed on check. This may change; use your judgement as to the accuracy.
 4. Filing - Committees should be monthly or quarterly - doesn't make any difference.
 5. Statute - must be qualified - non-party related

If all of the above critique checks out, then it is safe to deposit the check.

II. Do not deposit a check of any of these elements exist:

1. name - if it appears that it may be a different Committee

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2. address - if it is completely different
3. filing - do not deposit if terminated is listed beside the Committee
4. statute - do not deposit if the Committee is not qualified
5. if you cannot find the Committee do not deposit

Send all of the above questionable to me.

81040294010

CARTER/MONDALE PRESIDENTIAL COMMITTEE, INC.
P.O. BOX 500, WASHINGTON, D.C. 20044 (202) 347-9000

March 20, 1980

Dr. Jose Solano
Prince Georges Medical PAC
1119 19th Street, Suite 307
Washington, D.C. 20005

Dear Dr. Solano:

I want to thank you for your generous contribution to the Carter/Mondale Presidential Committee. Federal campaign laws prevents us, however, from accepting contributions in excess of \$1,000 from an unqualified political action committee. As a result, I am refunding to you a check in the amount of \$5,000 dated March 19th.

Once again, thank you and please forgive us any inconvenience we may have caused you.

Sincerely,

Lucia Safran

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CARTER-MONDALE PRESIDENTIAL
COMMITTEE, INC.
OPERATING ACCOUNT

.6563

March 19 1980

15-720
540

PAY ~~\$\$\$~~ 5,000.00

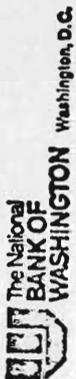
PAY
TO THE ORDER OF

\$ 5,000.00

Prince Georges Medical PAC
1119 19th Street Suite 307
Washington, DC 20005

Lucia Safran

⑈006563⑈ ⑆054000072⑆ 10063 06 5⑈



Washington, D.C.

CARTER/MONDALE PRESIDENTIAL COMMITTEE, INC.
P.O. BOX 500, WASHINGTON, D.C. 20044 (202) 347-9000

March 20, 1980

Bill Coppel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Mr. Coppel:

This statement is in response to the Federal Election Commission request to clarify a contribution from the P.G. Med PAC. Please note that this contribution refund will be reported on the April monthly report.

Sincerely,

S. Lee Kling
Treasurer

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CARTER/MONDALE PRESIDENTIAL COMMITTEE, INC.

133 K STREET, N.W., WASHINGTON, D.C. 20005

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RECEIVED
MAY 1976
HAND DELIVERED

The Honorable Max L. Friedersdorf
Chairman, Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

HAND DELIVERED

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CCC 2235

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LAW OFFICE

ROBERT F. BAUER

SUITE 408

1101 SEVENTEENTH STREET, N.W.
WASHINGTON, D.C. 20036

(202) 294-0555

August 5, 1980

Ms. Suzanne Callahan
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

RE: MUR 1226

Dear Ms. Callahan:

This letter confirms our agreement that the Nelson for Senate Committee will have until August 11, 1980 to respond to the Commission's "reason to believe" finding in the above captioned matter.

Very truly yours,

[Handwritten Signature]
Robert F. Bauer

RFB:peg

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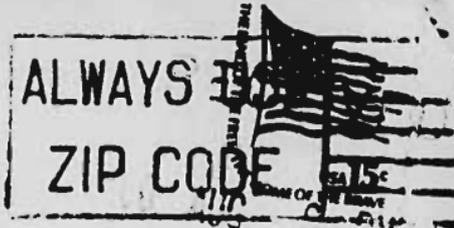
30 AUG 6 P 3: 22

RECEIVED
GENERAL COUNSEL

ROBERT F. BAUER

SUITE 408
1101 SEVENTEENTH STREET, N.W.
WASHINGTON, D.C. 20036

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Ms. Suzanne Callahan
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 31, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Jose T. Solano, M.D.
Prince George's Medical PAC
4700 Auth Place
Camp Springs, MD 20023

Re: MUR 1226

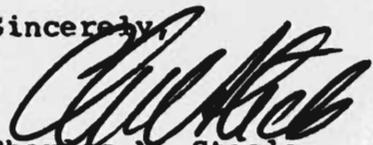
Dear Dr. Solano:

On July 14, 1980, you received notification that the Commission had found reason to believe that the Prince George's County Medical PAC had violated 2 U.S.C. § 433, § 434, and § 441a, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). At that time, you were given the opportunity to submit information relevant to the Commission's analysis of this matter.

As of this date we have received no response from you. The Commission intends to conclude its investigation shortly and therefore requests that you supply certain information within five days of your receipt of this notification. Specifically, please submit a detailed statement as to Prince George's County Medical Association's relationship with the Medical and Chirurgical Faculty of Maryland and also with the American Medical Association. Please include in your response a statement as to whether you have ever applied and/or been accepted for a charter membership by the Medical and Chirurgical Faculty of Maryland.

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

Sincerely,


Charles N. Steele
General Counsel

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PS Form 3811, Apr 1977 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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

2. ARTICLE ADDRESSED TO: *#200*
 Jose T. Solano
 4700 Auth Place
 Camp Springs, MN 20023

3. ARTICLE DESCRIPTION:
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.
 | *945695* | |

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY *8-4-80*

5. ADDRESS: (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: _____

CLERK'S INITIALS _____



CALLAHAN MUR 1226 ☆GPO: 1977-0-248-888
 Callahan MUR 1226

09353 2122
PRINCE GEORGE'S MEDICAL POLITICAL ACTION COMMITTEE

4700 AUTO PLACE, CAMP SPRINGS, MARYLAND 20746

PHONE (301) 423-8486

July 28, 1980

Suzanne Callahan
Federal Elections Commission
Washington, D.C.

J. ANDREW ARMER, M.D.
Chairman

RE: MUR 1226

Dear Ms. Callahan:

J. T. SOLANO, M.D.
Treasurer

In response to your certified letter dated July 14, 1980, I wish to take this opportunity to correct some of the information which you have provided in regard to the Prince George's Medical Political Action Committee's (PGMPAC) contributions in 1979.

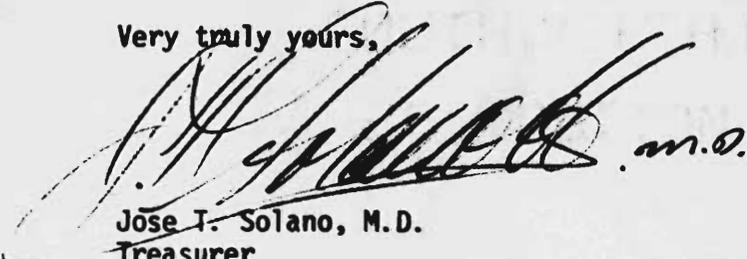
Advisory Board
GEORGE MALOUF
FRANCIS MALONE
DAVID BOSS
ARTHUR SEEVER
ROBERT KLING

I wish to indicate at this time that the Nelson for Senate Committee returned the \$1000.00 contribution to us in September, 1979, as indicated by the enclosed copy of their letter. The Democratic Congressional Dinner Committee also refunded the \$2000 which was contributed to them. This refund was sent back in March, 1980. Lastly, you will note by the enclosed copy of the letter sent by the Carter/Mondale Reelection Committee that the \$5000 originally contributed to them was refunded as well on March 19, 1980.

May I also point out at this time that there is no relationship between the PGMPAC and the American Medical Association or Society, nor is there any connection with the Maryland State Chapter of the aforementioned organizations.

Again, our apologies for any inconveniences which we may have caused. Please feel free to contact me, should you need further clarification.

Very truly yours,


Jose T. Solano, M.D.
Treasurer

80 JUL 31 AID: 13

CARTER/MONDALE PRESIDENTIAL COMMITTEE, INC.
P.O. BOX 500, WASHINGTON, D.C. 20044 (202) 347-9000

March 20, 1980

Dr. Jose Solano
Prince Georges Medical PAC
1119 19th Street, Suite 307
Washington, D.C. 20005

Dear Dr. Solano:

I want to thank you for your generous contribution to the Carter/Mondale Presidential Committee. Federal campaign laws prevents us, however, from accepting contributions in excess of \$1,000 from an unqualified political action committee. As a result, I am refunding to you a check in the amount of \$5,000 dated March 19th.

Once again, thank you and please forgive us any inconvenience we may have caused you.

Sincerely,

Lucia Safran

Lucia Safran
Finance



81040294019

nelson

for senate committee
1836 Keyes Avenue, Madison, Wisconsin 53711

CHAIRMAN
BURT ZIEN
TREASURER
KATE BARBASH

September 25, 1979

Prince Georges Medical PAC
4700 Auth Pl., Suite #200
Camp Springs, MD 20023

Gentlemen:

Enclosed is our check for \$1,000.00. This is a refund on your April 12, 1979 contribution of \$2,000.00. We have been informed by the Federal Election Commission that your contribution exceeded the limits set forth in the Act.

We appreciate your support of Senator Nelson and hope you will consider sending another contribution after the primary election is over.

Thank you.

Sincerely,

Kate Barbash

Kate Barbash, Treasurer

kb;k
encl.
CC: FEC

81040294020

*Deposited
10/16/79
\$1,000.00*



1111-19th Street, N.W.-307
Washington, D.C. 20036

61040294021

Suzanne Callahan
FEDERAL ELECTIONS COMMISSION
Washington, D.C. 20463



*Good
2079*

RECEIVED

'80 JUL 28 PM 2:55

LAW OFFICES
ROBERT F. BAUER
SUITE 406
1101 SEVENTEENTH STREET, N.W.
WASHINGTON, D.C. 20036

(202) 296-0855

July 24, 1980

Ms. Suzanne Callahan
Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

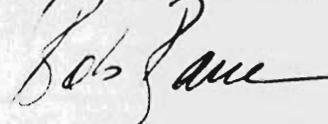
RE: MUR 1226

Dear Ms. Callahan:

As I informed you this morning, I am the attorney authorized to represent the Nelson for Senate Committee in the above captioned matter.

I would also like to confirm through this letter our agreement that the Committee may have an extension of time until August 5, 1980 to answer the Commission's "reason to believe" notification of July 14, 1980.

Very truly yours,



Robert F. Bauer

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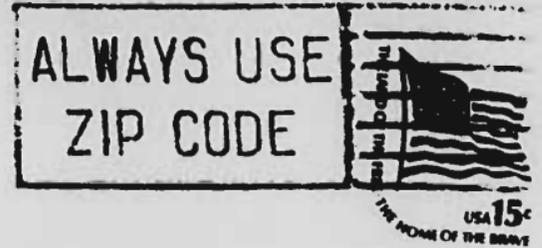
62:fd 8270

ROBERT F. BAUER

SUITE 406

110 SEVENTEENTH STREET, N.W.

WASHINGTON, D.C. 20036



Ms. Suzanne Callahan
Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

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660 2100

VOLPE, BOSKEY AND LYONS

WORLD CENTER BUILDING
818 15TH STREET, N.W.
WASHINGTON, D. C. 20006

(202) 737-6580

JOSEPH VOLPE, JR.
BENNETT BOSKEY
ELLIS LYONS
EDWARD A. GROOBERT
D. BIARD MACGUINEAS
JAMES C. HAIR, JR.
EDWIN E. HUDDLESON, III
EVA F. SHERMAN *

July 29, 1980

*NOT A MEMBER OF D. C. BAR

Ms. Suson Callahan
Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

HAND DELIVERED

Re: MUR 1226

Dear Ms. Callahan:

This will confirm our telephone conversation today. We agreed that the Carter/Mondale Presidential Committee, Inc., will have until August 12, 1980 (two weeks from today) to submit materials to FEC that are relevant to this matter under review.

You may be interested in the attached copy of the FEC's very recent revision of Directive 19, which I referred to in our conversation.

Sincerely yours,

Edwin E. Huddleson, III

Edwin E. Huddleson, III

Attachments

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JUL 30 1980



FEDERAL ELECTION COMMISSION

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

RECEIVED
OFFICE OF THE
COMMISSIONER
FEDERAL ELECTION COMMISSION

80 JUL 10 P 4: 25

AGENDA ITEM

For Meeting of: 7-24-80

Agenda Item No: _____

Exhibit No: _____

MEMORANDUM

TO: COMMISSIONERS
FROM: BILL LOUGHREY ^{B.L.}
SUBJECT: CONTRIBUTIONS FROM UNREGISTERED ORGANIZATIONS
DATE: JULY 10, 1980

At the June 26 meeting, the Commission directed the staff to revise its memorandum entitled "Notices to Recipients of Contributions from Unregistered Organizations." The revised letters are attached as Appendix I and II.

Page 3, Paragraph 3 of Directive 19 (see Appendix IV) should be amended to read as follows:*/

"To ensure compliance with Sections 441b and 441e of Title 2 of the United States Code, any committee receiving funds from an unregistered organization must refund any contributions containing funds from prohibited sources or transfer the contributions to an account not used for federal election activity. These refunds must be disclosed as expenditures. A registered committee accepting contributions from an unregistered organization need not determine whether the unregistered organization accepted only those contributions subject to the 2 U.S.C. 441a limitations."

The original notice which appeared in the Record in March 1979 must also be revised (see Appendix III).

In response to the question raised by Commissioner Aikens, the Information Division recommends that a notice not be included in the registration packets or sent separately to all candidates and committees. Instead, all registered committees will be informed of the requirements for receiving contributions from unregistered organizations through a specifically marked article in the FEC Record. The Record is sent to the Miscellaneous Mailing List, which includes many people who advise

*/ P.L. 96-187 will require other changes in Directive 19 which are not within the scope of this memorandum.

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candidates and committees (e.g. attorneys, accountants). In addition, information on the subject is included in the Campaign Guide for House and Senate candidates which will be sent out in all registration packets. Finally, a reminder concerning these requirements will be included in the 800 Line column of a future issue of the Record.

The comments of the Office of General Counsel (see Appendix V) have been incorporated.

Attachments

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LETTER TO CANDIDATE COMMITTEES



FEDERAL ELECTION COMMISSION

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

Ellen Smith, Treasurer
Smith for Congress
Street Address
City, State, ZIP Code

Identification No.:

Reference: Year-End Report (10/1/79-12/31/79)

Dear Ms. Smith:

This letter is prompted by the Commission's preliminary review of your Year-End Report. The review raised questions as to specific contributions and/or expenditures, and the reporting of certain information required by the Federal Election Campaign Act. An itemization of these areas follows:

Schedule A of your report (pertinent portion attached) discloses a contribution from an unregistered committee which appears to exceed the limits set forth in 2 U.S.C. 441a. The Act precludes an individual or a political committee, other than a multicandidate committee, from making a contribution to a candidate for Federal office in excess of \$1,000 per election. If your committee has received a contribution from an unregistered committee which exceeds the limits, the Commission recommends that you refund to the donor the amount in excess of \$1,000.

The Commission reminds you that your committee may not accept contributions from national banks, corporations, and unions, (2 U.S.C. 441b) or from foreign nationals (2 U.S.C. 441e).

The Commission also advises you that you are responsible for ascertaining that none of the contributions which your committee receives from unregistered committees contain funds from national banks, corporations, unions, or foreign nationals. If your Committee has received a contribution from an unregistered committee which contains funds from a national bank, corporation, union, or foreign national, the Commission recommends that you refund to the donor the full amount of the contribution. Any refund should appear on Line 20 of Schedule B on your next report.

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If you find the contribution in question was disclosed incompletely or incorrectly, please amend your original report with the clarifying information.

Although the Commission may take further legal steps concerning the acceptance of an excessive or prohibited contribution, your prompt refund of the excessive or prohibited amount to the donor will be taken into consideration by the Commission.

An amendment to your original report correcting the above problems should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, D. C. 20505, within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4172.

Sincerely,

Reports Analyst
Reports Analysis Division

Attachment

81040294028

LETTER TO NON-CANDIDATE COMMITTEES



FEDERAL ELECTION COMMISSION

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

John Doe, Treasurer
DOE Political Action Committee
Street Address
City, State, ZIP Code

Identification No.:

Reference: Year-End Report (1/1/79-12/13/79)

Dear Mr. Doe:

This letter is prompted by the Commission's preliminary review of your Year-End Report. The review raised questions as to specific contributions and/or expenditures, and the reporting of certain information required by the Federal Election Campaign Act. An itemization of these areas follows:

Schedule A of your report (pertinent portion attached) discloses a contribution from an unregistered committee which appears to exceed the limits set forth in 2 U.S.C. 441a. The Act precludes an individual or a political committee from making a contribution to a political committee in excess of \$5,000 per calendar year. If your Committee has received a contribution from an unregistered committee which exceeds the limitations, the Commission recommends that you either refund the amount of the contribution in excess of \$5,000 to the donor or transfer the amount of the contribution in excess of \$5,000 to an account not used for federal election activity.

The Commission reminds you that your committee may not accept contributions from national banks, corporations, and unions, (2 U.S.C. 441b) or from foreign nationals (2 U.S.C. 441e).

The Commission also advises you that you are responsible for ascertaining that none of the contributions which your committee receives from unregistered committees contain funds from national banks, corporations, unions, or foreign nationals. If your Committee has received a contribution from an unregistered committee which contains funds from a

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national bank or a foreign national, the Commission recommends that you refund to the donor the full amount of the contribution. If your Committee has received a contribution from an unregistered committee which contains funds from a corporation or union the Commission recommends that you either refund the full amount of the contribution or transfer the full amount to an account not used for federal election activity. Contributions from corporations and unions may be used for state election activity depending on the laws of your state. Refunds should appear on line 26 and transfers to non-federal accounts should appear on line 27, of Schedule B of your next report.

If you find the contribution in question was disclosed incompletely or incorrectly, please amend your original report with the clarifying information.

Although the Commission may take further legal steps concerning the acceptance of an excessive or prohibited contribution, your prompt refund or transfer of the excessive or prohibited amount will be taken into consideration by the Commission.

An amendment to your original report correcting the above problems should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, D. C. 20505, within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4172.

Sincerely,

Reports Analyst
Reports Analysis Division

Attachment

81040294030

CONTRIBUTIONS FROM UNREGISTERED ORGANIZATIONS

The Federal Election Campaign Act and Commission Regulations permit candidates and committees to accept contributions from unregistered organizations (i.e. committees which do not report under the Federal Election Campaign Act). Committees which receive contributions from unregistered organizations are, however, responsible for ascertaining that the contributions received from unregistered committees do not contain any funds from national banks, corporations, unions, or foreign nationals. If a committee receives a contribution from an unregistered committee which contains funds from a national bank, corporation, union or foreign national, the full amount of the contribution must be refunded or transferred to an account not used for federal election activity.

81040294031



FEDERAL ELECTION COMMISSION

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

MEMORANDUM

TO: AUDIT, INFORMATION, AND
REPORTS ANALYSIS DIVISIONS

FROM: ORLANDO B. POTTER *OBP*
STAFF DIRECTOR

SUBJECT: PROCEDURES APPROVED BY THE COMMISSION
CONCERNING TRANSFERS FROM UNREGISTERED
POLITICAL ORGANIZATIONS

The following procedures, approved by the Commission on February 8, 1979, are to be implemented by the Audit and Reports Analysis Division when encountering transfers from unregistered political organizations.

A. Unregistered Political Organizations
Federal Activity \$1,000 or Less

No action will be taken with respect to:

a) Unregistered political organizations which have not transferred an amount exceeding or aggregating in excess of \$1,000 within a calendar year to Federal committees. 1/

b) Any political committee which has received transfers mentioned in a) above.

However, if it appears that a candidate or committee may be attempting to circumvent the provisions of the statute by accepting numerous contributions from unregistered committees the matter should be brought to the attention of the appropriate audit manager or branch chief for treatment on a case by case basis

1/ During audit, only transfers to the committee being audited will be considered.



81040294032



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: William P. Loughrey
Deputy Staff Director

THROUGH: Charles N. Steele *CS*
General Counsel

FROM: Gary L. Johansen *GLJ*
Judy Thedford

SUBJECT: Contributions from Unregistered Organizations

DATE: July 7, 1980

This memorandum is in response to your memorandum of June 30, 1980, in which you asked for comments by July 3, 1980, on your memorandum to the Commission regarding contributions from unregistered organizations. We have three comments.

First, in your memorandum you indicate that no modification is required to Directive 19. It is our view, however, that Directive 19 is ambiguous. It could be interpreted to require committees registered with the FEC to refund contributions from unregistered organizations if the unregistered organization has accepted contributions from persons in excess of the 2 U.S.C. § 441a limitations. The specific language which is troublesome in Directive 19 is contained in paragraph 3 on page 3. That language reads, "To ensure compliance with Sections 441a(a) and 441b of Title 2 of the United States Code, the Committee would be required to refund any contributions which exceeded the prescribed limitations or were from prohibited sources. These funds must be disclosed as expenditures." (Emphasis added). It is not clear from this language if "Committee" means a) the committee registered with the FEC which has accepted a contribution from an unregistered organization or b) the unregistered organization which is required to register with the FEC because it has contributed in excess of \$1,000 to federal candidates.

81040294033

This ambiguity is further compounded by the notice which was published in the March 1979 Record. The notice was published pursuant to Directive 19 (see last paragraph of Directive 19) and requires any registered committee accepting contributions from an unregistered organization to determine that the unregistered organization took steps to guard against contributions exceeding the 2 U.S.C. § 441a limitations from reaching the registered committee. We would recommend that the ambiguity in Directive 19 be eliminated.

Second, it appears that there are typographical errors on page 2 of Appendix II (the letter to non-candidate committees). Page 2 with our corrections is attached to this memorandum.

Third, the notice which you recommend be placed in the Record does not conform to what is said in the letter to non-candidate committees. The Record notice required that any contribution received by a registered committee from an unregistered organization must be refunded if the contribution contains funds from a national bank, a corporation, a union or a foreign national. In the letter the non-candidate committee is informed that such contributions may be transferred to an account not used for federal activity in lieu of being refunded.

81040294034

VOLPE, BOSKEY AND LYONS

75 WORLD CENTER BUILDING
WASHINGTON, D.C. 20006

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**Ms. Suson Callahan
Office of General Counsel (7th floor)
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463**

HAND DELIVERED



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 14, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Jose T. Solano, M.D.
Prince George's Medical PAC
4700 Auth Place
Camp Springs, Maryland 20023

Re: MUR 1226

Dear Dr. Solano:

The Federal Election Commission notified you in letters dated September 13, 1979, and March 5, 1980, that your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act").

Upon further review of the information available to the Commission, the Commission determined, on July 1, 1980, that there is reason to believe that your committee has violated 2 U.S.C. § 433, § 434, and § 441a. A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

In the absence of any information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred, and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) [formerly 437g(a)(3)(B)] unless you notify the Commission in writing that you wish the matter to be made public.

81040294036

Letter to Jose T. Solano, M.D.
Page Two

If you have any questions, please contact Suzanne Callahan,
the staff member assigned to this matter at 523-5071.

Sincerely,

Max L. Friedersdorf

Max L. Friedersdorf
Chairman

Enclosure

8 1 0 4 0 2 9 4 0 3 7

RECEIVED

1. The following service is requested (check one):
 Show to whom and date delivered.
 Show to whom, date, and address of delivery.
 RESTRICTED DELIVERY
 Show to whom and date delivered.
 RESTRICTED DELIVERY
 Show to whom, date, and address of delivery.
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Jose T. Solano, M.D.
Dr. Jose Solano, M.D.
7700 Ashb. Place
Camp Springs, Md. 20743

3. ARTICLE DESCRIPTION:
REGISTERED NO. 945616 CERTIFIED NO. INSURED NO.

4. SIGNATURE: *Max L. Friedersdorf*
DATE OF DELIVERY: 7/16/80
I have received the article described above.
SIGNATURE Addressee Authorized agent

5. ADDRESS (Complete only if required):
MUR-1236 Callahan

6. UNABLE TO DELIVER BECAUSE:

POST OFFICE
JUL 16 1980
U.S. POSTAL SERVICE

PS Form 3811, Aug. 1978 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

FEDERAL ELECTION COMMISSION

NOTIFICATION OF REASON TO BELIEVE FINDING

DATE July 14, 1980

MUR NO. 1226
STAFF MEMBER(S) & TEL. NO.

RESPONDENT Prince Georges Medical
PAC

Suzanne Callahan

523-5071

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

BACKGROUND

On April 11, 1980, the Reports Analysis Division ("RAD"), referred to the Office of General Counsel (1) the Prince Georges Medical PAC ("PGMPAC") in connection with violations of 2 U.S.C. § 433, § 434, and § 441a.

FACTUAL BASIS AND LEGAL ANALYSIS

A normal reports review by RAD revealed that PGMPAC, an unregistered committee, contributed \$2,000 to the Nelson Committee, \$5,000 to the Carter Committee and \$2,000 to the Democratic Congressional Dinner Committee ("DCDC") in 1979.

On September 13, 1979, PGMPAC was sent a letter by RAD advising it to register and report with the Commission or to request a refund from the Nelson Committee. On March 5, 1980, PGMPAC was sent another letter from RAD in connection with its contribution of \$5,000 to the Carter Committee.

On March 17, 1980, PGMPAC responded to RAD's letters by stating that its failure to register was due to a mistake by its chairman. In his letter, the treasurer requested that reporting forms be sent to him; RAD mailed Dr. Solano the appropriate reporting forms, however, PGMPAC never registered or filed with the Commission.

As set forth in 2 U.S.C. § 433 and § 434, political committees shall register with the Commission within ten days after it receives contributions or makes expenditures exceeding \$1,000 in a calendar year and must file reports of receipts and disbursements according to Commission guidelines.

Commission records indicate PGMPAC expended \$9,000 in connection with Federal elections during 1979 but failed to register as a political committee with the Commission; therefore, it has clearly exceeded the \$1,000 registration and reporting thresholds in violation of 2 U.S.C. § 433 and § 434.

81040294038

Additionally, pursuant to 2 U.S.C. § 441a, committees which do not meet the multicandidate criteria set forth in § 441a(a)(2) are limited to making contributions of \$1,000 per candidate per election. Thus, PGMPAC's contributions of \$5,000 and \$2,000 to the Carter and Nelson Committees respectively exceed the \$1,000 limitation contained in § 441a.

Based on the foregoing analysis, the Federal Election Commission has found:

1. Reason to believe PGMPAC violated § 433;
2. Reason to believe PGMPAC violated § 434; and
3. Reason to believe PGMPAC violated § 441a.

81040294039



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Jose T. Solano, M.D.
Prince George's Medical PAC
4700 Auth Place
Camp Springs, Maryland 20023

Re: MUR 1226

Dear Dr. Solano:

The Federal Election Commission notified you in letters dated September 13, 1979, and March 5, 1980, that your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act").

Upon further review of the information available to the Commission, the Commission determined, on June , 1980, that there is reason to believe that your committee has violated 2 U.S.C. § 433, § 434, and § 441a. A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

In the absence of any information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred, and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) [formerly 437g(a)(3)(B)] unless you notify the Commission in writing that you wish the matter to be made public.

81040294040

Letter to Jose T. Solano, M.D.
Page Two

If you have any questions, please contact Suzanne Callahan,
the staff member assigned to this matter at 523-5071.

Sincerely,

me
7/11/80

Max L. Friedersdorf

Enclosure

81040294041



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 14, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Kate Barbash
Nelson for Senate Committee
1836 Keyes Avenue
Madison, WI 53711

Re: MUR 1226

Dear Ms. Barbash:

The Federal Election Commission notified you in a letter dated September 13, 1979, that the Nelson for Senate Committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act").

Upon further review of the information available to the Commission, the Commission determined, on July 1, 1980, that there is reason to believe that the committee has violated 2 U.S.C. § 441a(f). A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

In the absence of any information which demonstrates that no further action should be taken against the committee, the Commission may find probable cause to believe that a violation has occurred, and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) [formerly 437g(a)(3)(B)] unless you notify the Commission in writing that you wish the matter to be made public.

81040294042

Letter to Kate Barbash
Page Two

If you have any questions, please contact Suzanne Callahan,
the staff member assigned to this matter at 523-5071.

Sincerely

Max L. Friedersdorf
Max L. Friedersdorf
Chairman -

Enclosure

81040294043

FEDERAL ELECTION COMMISSION

NOTIFICATION OF REASON TO BELIEVE FINDING

DATE July 14, 1980

MUR NO. 1226
STAFF MEMBER(S) & TEL. NO.

RESPONDENT Nelson for Senate Committee

Callahan - 523-5071

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

BACKGROUND

On April 11, 1980, the Reports Analysis Division ("RAD") referred to the Office of General Counsel, the Nelson for Senate Committee ("Nelson Committee"), in connection with its violation of 2 U.S.C. § 441a(f).

FACTUAL BASIS AND LEGAL ANALYSIS

A normal reports review by RAD revealed that Prince Georges Medical PAC ("PGMPAC"), an unregistered committee, contributed \$2,000 to the Nelson Committee on April 12, 1979.

Pursuant to 2 U.S.C. § 441a, committees which do not meet the multicandidate criteria set forth in § 441a(a)(2) are limited to making contributions of \$1,000 per candidate per election. Thus PGMPAC's contribution of \$2,000 to the Nelson Committee exceeds the \$1,000 limitation contained in § 441a; conversely, the Nelson Committee's acceptance of the excessive contribution constitutes a violation of § 441a(f).

Although the Nelson Committee refunded the excessive portion of the contribution, it is the recipient committee's responsibility to verify the multicandidate committee status of donors prior to the acceptance of contributions exceeding \$1,000. The multicandidate committee status of all registered committees is available to the public through the Public Records Division pursuant to § 438(a)(6)(C).

Thus, the Nelson Committee's failure to verify the status of PGMPAC prior to acceptance of the subject contribution does not mitigate the violation.

Based on the foregoing analysis, the Federal Election Commission has found reason to believe that the Nelson for Senate Committee has violated 2 U.S.C. § 441a(f).



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Kate Barbash
Nelson for Senate Committee
1836 Keyes Avenue
Madison, WI 53711

Re: MUR 1226

Dear Ms. Barbash:

The Federal Election Commission notified you in a letter dated September 13, 1979, that the Nelson for Senate Committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act").

Upon further review of the information available to the Commission, the Commission determined, on June , 1980, that there is reason to believe that the committee has violated 2 U.S.C. § 441a(f). A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

In the absence of any information which demonstrates that no further action should be taken against the committee, the Commission may find probable cause to believe that a violation has occurred, and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) [formerly 437g(a)(3)(B)] unless you notify the Commission in writing that you wish the matter to be made public.

81040294045

Letter to Kate Barbash
Page Two

If you have any questions, please contact Suzanne Callahan,
the staff member assigned to this matter at 523-5071.

Sincerely

Art
7/11/80
May L. Friedersdorf

Enclosure

81040294046

PS Form 3811, Aug. 1978

SENDER: Complete items 1, 2, and 3.
Add your address in the return to mail on reverse.

RECEIVED
JUL 17 1980
ADAMS BROCKTON MA

1. The following service is requested (check one):
 Show to whom and date delivered.
 Show to whom, date, and address of delivery.
 RESTRICTED DELIVERY
 Show to whom and date delivered.
 RESTRICTED DELIVERY
Show to whom, date, and address of delivery. \$
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Kate Barbash
Nobon for Spoke Comm.
1754 Kings Avenue
Malden, MA 02148

3. ARTICLE DESCRIPTION:
111

REGISTERED NO. 445600 CERTIFIED NO. INSURED NO.

4. I have received the article described above.
SIGNATURE Address Authorized agent
Kate Barbash

DATE OF DELIVERY
7-17-80

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE

muP-1226 Callahan

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 14, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. S. Lee Kling
Carter/Mondale Presidential
Committee, Inc.
1413 K Street, N.W.
Washington, D.C. 20005

Re: MUR 1226

Dear Mr. Kling:

The Federal Election Commission notified you in a letter dated February 29, 1980, that the Carter/Mondale Committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act").

Upon further review of the information available to the Commission, the Commission determined on July 1, 1980, that there is reason to believe that the Committee has violated 2 U.S.C. § 441a(f). A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

In the absence of any information which demonstrates that no further action should be taken against the committee, the Commission may find probable cause to believe that a violation has occurred, and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

This matter will remain confidential in accordance with 2 U.S.C. [437g(a)(4)(B) and 437g(a)(12)(A) [formerly 437g(a)(3)(B)] unless you notify the Commission in writing that you wish the matter to be made public.

81040294047

Letter to S. Lee Kling
Page Two

If you have any questions, please contact Suzanne Callahan, the staff member assigned to this matter at 523-5071.

Sincerely

Max L. Friedersdorf
Max L. Friedersdorf
Chairman

Enclosure

81040294048

Form 3811, Aug. 1978

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.
 Show to whom, date, and address of delivery.
 RESTRICTED DELIVERY. Show to whom and date delivered. JUL 18 PM 2:20
 RESTRICTED DELIVERY. Show to whom, date, and address of delivery.
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
*S. Lee Kling
Center for People's Presidential Campaign, Inc.
193 K Street, N.W.
Washington, D.C. 20005*

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
945621

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY: *7/16/80* POSTMARK: *JUL 16 1980*

5. ADDRESS (Complete only if requested):

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

mul-1326 *Callahan*



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

S. Lee Kling
Carter/Mondale Presidential
Committee, Inc.
1413 K Street, N.W.
Washington, D.C. 20005

Re: MUR 1226

Dear Sir or Madame:

81040294049
The Federal Election Commission notified you in a letter dated February 29, 1980, that the Carter/Mondale Committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act").

Upon further review of the information available to the Commission, the Commission determined on June , 1980, that there is reason to believe that the Committee has violated 2 U.S.C. § 441a(f). A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

In the absence of any information which demonstrates that no further action should be taken against the committee, the Commission may find probable cause to believe that a violation has occurred, and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) [formerly 437g(a)(3)(B)] unless you notify the Commission in writing that you wish the matter to be made public.

Letter to S. Lee Kling
Page Two

If you have any questions, please contact Suzanne Callahan, the staff member assigned to this matter at 523-5071.

[Handwritten signature]
7/11/80

Sincerely

Max L. Friedlander

Enclosure

81040294050

FEDERAL ELECTION COMMISSION

NOTIFICATION OF REASON TO BELIEVE FINDING

DATE July 14, 1980

MUR NO. 1226
STAFF MEMBER(S) & TEL. NO.

RESPONDENT Carter/Mondale Presidential
Committee, Inc.

Callahan - 523-4071

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

BACKGROUND

On April 11, 1980, the Reports Analysis Division ("RAD") referred to the Office of General Counsel, the Carter/Mondale Presidential Committee, Inc. ("Carter Committee"), in connection with its violation of 2 U.S.C. § 441a(f).

FACTUAL BASIS AND LEGAL ANALYSIS

A normal reports review by RAD revealed that Prince Georges Medical PAC ("PGMPAC"), an unregistered committee, contributed \$5,000 to the Carter Committee on December 28, 1979.

Pursuant to 2 U.S.C. § 441a, committees which do not meet the multicandidate criteria set forth in § 441a(a)(2) are limited to making contributions of \$1,000 per candidate per election. Thus PGMPAC's contribution of \$5,000 to the Carter Committee exceeds the \$1,000 limitation contained in § 441a; conversely, the Carter Committee's acceptance of the excessive contribution constitutes a violation of § 441a(f).

Although the Carter Committee refunded the excessive contribution, it is the recipient committee's responsibility to verify the multicandidate committee status of donors prior to the acceptance of contributions exceeding \$1,000. The multicandidate committee status of all registered committees is available to the public through the Public Records Division pursuant to § 438(a)(6)(C).

Thus, the Carter Committee's failure to verify the status of PGMPAC prior to acceptance of the subject contribution does not mitigate the violation.

81040294051

Based on the foregoing analysis, the Federal Election Commission has found reason to believe that the Carter/Mondale Presidential Committee, Inc. has violated 2 U.S.C. § 441a(f).

81040294052

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Prince Georges Medical PAC) MUR 1226
Nelson for Senate Committee)
Carter/Mondale Presidential)
Committee)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission's executive session on July 1, 1980, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1226:

1. Find reason to believe that PGMPAC has violated 2 U.S.C. §433.
2. Find reason to believe that PGMPAC has violated 2 U.S.C. §434.
3. Find reason to believe that PGMPAC has violated 2 U.S.C. §441a.
4. Find reason to believe that Nelson for Senate Committee violated 2 U.S.C. §441a(f).
5. Find reason to believe the Carter/Mondale Committee has violated 2 U.S.C. §441a(f).
6. Send the notification letters and reason to believe notifications attached to the General Counsel's June 23, 1980 report in this matter.

Attest:

1/10/80
Date

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

81040294053



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE *mwe*
FROM: MARJORIE W. EMMONS/MARGARET CHANEY *mc*
DATE: JUNE 25, 1980
SUBJECT: OBJECTION -
MUR 1226 - First General Counsel's Report
dated 6-23-80; Received in OCS 6-23-80, 12:27

The above-named document was circulated on a 48
hour vote basis at 4:00, June 23, 1980.

Commissioner Aikens submitted an objection at 3:05,
June 25, 1980.

This matter will be placed on the Executive Session
Agenda for Tuesday, July 1, 1980.

81040294054

June 23, 1969

MEMORANDUM TO: Marjorie W. Emmons
FROM: Jane Colgrove
SUBJECT: MUR 1226

Please have the attached First General Council's Report on MUR 1226 distributed to the Commission on a 48 hour tally basis.

Thank you.

61040294055

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

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

80 JUN 23 PI2: 27

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION JUN 23 1980

MUR# 1226
STAFF MEMBER(S) Callahan

SOURCE OF MUR: INTERNALLY GENERATED

RESPONDENT'S NAME: Prince Georges Medical PAC
Nelson for Senate Committee
Carter/Mondale Presidential Committee

RELEVANT STATUTE: 2 U.S.C. §§ 433, 434, 441a

INTERNAL REPORTS CHECKED: Respondents Reports
Computer Indices

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

On April 11, 1980, the Reports Analysis Division ("RAD"), referred to the Office of General Counsel (1) the Prince Georges Medical PAC ("PGMPAC") in connection with violations of 2 U.S.C. § 433, § 434, and § 441a, and (2) the Nelson for Senate Committee ("Nelson Committee") and the Carter Mondale Presidential Committee, Inc. ("Carter Committee") in connection with violations of 2 U.S.C. § 441a(f).

FACTUAL AND LEGAL ANALYSIS

A normal reports review by RAD revealed that PGMPAC, an unregistered committee, contributed \$2,000 to the Nelson Committee, \$5,000 to the Carter Committee and \$2,000 to the Democratic Congressional Dinner Committee ("DCDC") in 1979.

On September 13, 1979, PGMPAC was sent a letter by RAD advising it to register and report with the Commission or to request a refund from the Nelson Committee. On March 5, 1980, PGMPAC was sent another letter from RAD in connection with its contribution of \$5,000 to the Carter Committee.

On March 17, 1980, PGMPAC responded to RAD's letters by stating that its failure to register was due to a mistake by its chairman.

81040294056

In his letter, the treasurer requested that reporting forms be sent to him; RAD mailed Dr. Solano the appropriate reporting forms, however, PGMPAC never registered or filed with the Commission.

As set forth in 2 U.S.C. § 433 and § 434, political committees shall register with the Commission within ten days after it receives contributions or makes expenditures exceeding \$1,000 in a calendar year and must file reports of receipts and disbursements according to Commission guidelines.

Commission records indicate PGMPAC expended \$9,000 in connection with Federal elections during 1979 but failed to register as a political committee with the Commission; therefore, it has clearly exceeded the \$1,000 registration and reporting thresholds in violation of 2 U.S.C. § 433 and § 434. It is recommended that the Commission find reason to believe such violations have been committed. Additionally, pursuant to 2 U.S.C. § 441a, committees which do not meet the multicandidate criteria set forth in § 441a(a)(2) are limited to making contributions of \$1,000 per candidate per election. Thus, PGMPAC's contributions of \$5,000 and \$2,000 to the Carter and Nelson Committees respectively exceed the \$1,000 limitation contained in § 441a. Conversely, the Carter and Nelson Committee's acceptance of the excessive contributions constitute violations of 2 U.S.C. § 441a(f).

On September 13, 1979, the Nelson Committee was advised by RAD that its receipt of \$2,000 from PGMPAC appeared to exceed the limitations of § 441a; the Nelson Committee refunded \$1,000 (the excessive portion of the contribution) to PGMPAC on September 25, 1979. The Carter Committee was advised of its receipt of an excessive contribution from PGMPAC on February 29, 1980. The Carter Committee refunded the entire \$5,000 contribution on March 20, 1980.

Although the Carter and Nelson committees refunded the excessive contributions, it is the recipient committees' responsibility to verify the multicandidate committee status of donors prior to the acceptance of contributions exceeding \$1,000. The multicandidate committee status of all registered committees is available to the public through the Public Records Division pursuant to § 438(a)(6)(C). Thus, the Carter Committee and Nelson Committee's failure to verify the status of PGMPAC prior to acceptance of the subject contributions does not mitigate the violation. It is therefore recommended that the Commission find reason to believe that the Carter Committee and the Nelson Committee violated 2 U.S.C. § 441a(f).

DCDC has not violated the provisions of § 441a(f) since its receipt from PGMPAC did not exceed the contribution limitation of § 441a(a)(1)(B) which permits contributions of \$20,000 per year to political committees established and maintained by a national party. DCDC was not referred to OGC by RAD as a respondent but rather for informational purposes in connection with PGMPAC's total financial activity as an unregistered committee.

81040394057

RECOMMENDATIONS

It is recommended that the Commission find:

1. Reason to believe PGMPAC has violated § 433;
2. Reason to believe PGMPAC has violated § 434;
3. Reason to believe PGMPAC has violated § 441a;
4. Reason to believe Nelson for Senate Committee violated § 441a(f);
5. Reason to believe the Carter/Mondale Committee has violated § 441a(f); and
6. Send attached notification letters and reason to believe notifications.

Attachments

- RAD Referral (30 pgs.)
- Notification Letters (6 pgs.)
- RTB Notifications (5 pgs.)

81040294058

D-701

April 10, 1980

MEMORANDUM

TO: Charles Steele
THROUGH: Orlando B. Potter *OBP*
FROM: TOM HASELHORST *TH*
SUBJECT: PRINCE GEORGE'S MEDICAL POLITICAL ACTION COMMITTEE
NELSON FOR SENATE COMMITTEE
CARTER/MONDALE PRESIDENTIAL COMMITTEE, INC.

Please note that the attached referrals for the above mentioned committees are concerned with the same transaction and should be reviewed and handled simultaneously.

81040294059

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

D
RAD 501-94

REPORTS ANALYSIS REFERRAL SHEET

DATE April 10, 1980 ANALYST Pamela Brown
TO: Office of General Counsel TEAM CHIEF Steve Hines
THROUGH: STAFF DIRECTOR COMPLIANCE REVIEW _____
FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS DAH

CANDIDATE/COMMITTEE: PRINCE GEORGE'S MEDICAL POLITICAL ACTION COMMITTEE
TREASURER: Jose T. Solano, M.D.
ADDRESS: 4700 Auth Place
Camp Springs, MD 20023
AFFILIATE(S): not known

ALLEGATION(S): Failure to register and report contributions made to registered filers CITE: 2 U.S.C. 433,434 ATTACHMENT(S) 1
Excessive Contribution CITE: 2 U.S.C. 441a ATTACHMENT(S) 1
DATE INITIATED: 9/13/79
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. Not applicable

PERIOD COVERED FROM _____ TO _____
TOTAL RECEIPTS \$ _____ TOTAL EXPENDITURES \$ _____
CASH ON HAND \$ _____ DEBTS \$ _____

HISTORY:
RESULTS OF REVIEW:
Letter sent to committee for contributing in excess of \$1000 to a federal candidate advising the donor to register and report or request a refund: 9/13/79 ATTACHMENT 2
2nd Letter sent showing an additional contribution to another candidate: 3/5/80 ATTACHMENT 3
Partial Response ATTACHMENT 4
COMMUNICATIONS WITH CANDIDATE/COMMITTEE: none ATTACHMENT

REASON(S) FOR REFERRAL: Meets Division threshold for referral ATTACHMENT

OTHER PENDING ACTIONS INITIATED BY RAD: n/a ATTACHMENT

OTHER RELEVANT INFORMATION: See Nelson for Senate companion referral. Nelson for Senate Committee refunded amount in excess of \$1000: 9/25/79 ATTACHMENT
See Carter/Mondale Presidential Committee Inc. - companion referral. Carter/Mondale Presidential Committee Inc. refunded total amount (\$5000): 3/20/80
Prince George's Medical Political Action Committee may be affiliated with Maryland Medical Political Action Committee, a qualified multicandidate committee.
PREVIOUS OGC/AUDIT REFERRALS FROM RAD:

81040294060

ITEMIZED RECEIPTS

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

Line Number 15b

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

Use Separate Schedules each numbered line

Name of Candidate or Committee in Full

Nelson for Senate Committee

Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Rec this Period
Prince Georges Medical Political Action Committee 4700 Auth Pl. Camp Springs, MD 20023		4-12-79	\$2,000.00
Receipt for: 1980 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 2,000.00		
Trailways Political Action Committee 1500 Jackson St. Dallas, Texas 75201	C 00086504	4-23-79	250.00
Receipt for: 1980 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 250.00		
Westinghouse Employees Political Participation Program Westinghouse Bldg., Gateway Center Pittsburgh, Pa. 15222	C 00035220	4-23-79	1,000.00
Receipt for: 1980 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 1,000.00		
Special Political Agricultural Community Education (SPACE) 10140 Linn Station Rd. Louisville, Kentucky 40223	C 00003772	5-8-79	1,000.00
Receipt for: 1980 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 1,000.00		
Laborers' Political League 906 - 16th St., NW Washington DC	C 00007922	5-8-79	1,000.00
Receipt for: 1980 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 1,000.00		
Philip Morris Political Action Committee (PHIL-PAC) 100 Park Ave. New York, NY 10017	C 00089136	5-11-79	500.00
Receipt for: 1980 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 500.00		
NSDA 3i-Partisan Political Action Committee 1101 - 16th St., NW, Suite 700 Washington DC 20036	C 00100107	5-25-79	250.00
Receipt for: 1980 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 250.00		
SUBTOTAL of receipts this page (optional)			\$
TOTAL this period (last page this line number only)			\$

SCHEDULE A-P

8 1 0 4 0 2 9 4 0 6 2

ITEMIZED RECEIPTS
FOR PERIOD
10/01/79 TO 12/31/79

PAGE 8
FOR LINE NO. 10A

FULL NAME AND ADDRESS	PLACE OF BUSINESS	OCCUPATION	CONTRIBUTIONS THIS PERIOD DATE/BATCH NO	AMOUNT
PG MEDICAL PAC 4700 AUTH PLACE SUITE 200 CAMP SPRINGS MD 20922	IBU	POLITICAL ACTION COMMITTEE	122979/014	9,000.00
				AGGREGATE YEAR TO DATE: \$ 9,000.00
PUL RESEARCH INGV EMPLOY 2139 WISCONSIN AVE NW WASHINGTON DC 20007	WASHINGTON DC	POLITICAL ACTION COMMITTEE	110279/002	\$ 1,000.00
				AGGREGATE YEAR TO DATE: \$ 1,000.00
PUPE CTY DEMO WUMENS CLUB 603 W 2ND RUSSELLVILLE AR 72801	IBU	POLITICAL ACTION COMMITTEE	111979/003	\$ 100.00
				AGGREGATE YEAR TO DATE: \$ 100.00
PROGRESS DETROI 1126 CITY-COUNTY BUILDING DETROIT MI 48226	IBU	POLITICAL ACTION COMMITTEE	111479/062	\$ 500.00
				AGGREGATE YEAR TO DATE: \$ 500.00
R TELEPHONE PAC 2000 L STREET NW SUITE 710 WASHINGTON DC 20006	N/A WASHINGTON DC	POLITICAL ACTION COMMITTEE	120479/003	\$ 4,000.00
				AGGREGATE YEAR TO DATE: \$ 4,000.00
REPUBLIC STEEL ORP PAC R REPUBLIC BLDG CLEVELAND OH 44101	REPUBLIC STEEL CORP. CLEVELAND OH 44101	POLITICAL ACTION COMMITTEE	101779/000	\$ 500.00
				AGGREGATE YEAR TO DATE: \$ 500.00
S C R K E M PAC TRUST FIRST NATIONAL BANK TOWER ATLANTA GA 30303	ATLANTA GA	POLITICAL ACTION COMMITTEE	122779/034	\$ 1,000.00
				AGGREGATE YEAR TO DATE: \$ 1,000.00
SAN ANTONIO ED MRS. PAC 120 ADAMS ST SAN ANTONIO TX 78210	IBU SAN ANTONIO TX	POLITICAL ACTION COMMITTEE	120279/006	\$ 50.00
				AGGREGATE YEAR TO DATE: \$ 50.00
SUMNER GOOD GOVT FUND 100 BRADWAY LIBERTY TOWER OK 73129		POLITICAL ACTION COMMITTEE	121379/212	\$ 200.00
				AGGREGATE YEAR TO DATE: \$ 200.00

* The copy of the original notification cannot be located.



FEDERAL ELECTION COMMISSION

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

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 _____ 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.

81040294063

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 _____, in our Reports Analysis Division at (800)424-9530. Our local number is (202)523-_____

Sincerely,

Orlando B. Potter
Staff Director

Certified Mail
Return Receipts Requested

Enclosures

81040294064



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 5, 1980

Treasurer
Prince Georges Medical Political Action Committee
4700 Auth Place
Camp Springs, Maryland 20023

Dear Treasurer:

This letter is to inform you that as of this date, the Commission has not received your response to our letter dated September 13, 1979. Our letter notified you that a review of reports filed with the Commission indicated that your organization may have made contributions which total in excess of \$1,000 during the calendar year. In addition, the year-end report filed by the Carter-Mondale Presidential Committee indicates that your organization may have made a contribution of \$5,000 which may be in excess of the limitations prescribed in 2 U.S.C. 441a (see attached).

The Federal Election Campaign Act (the Act) defines a "political committee" as any organization or other group of persons which receives contributions or makes expenditures (which includes contributions to Federal candidates and committees) 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 a 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.

30731495219
81040294065

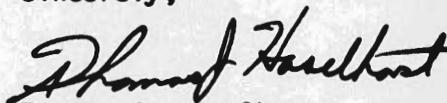
The Act further states that a political committee may not make contributions to any candidate and his authorized political committees with respect to any election for Federal office which, in the aggregate, exceeds \$1,000, unless that committee is a multicandidate committee. A multicandidate committee is a political committee which has been registered under Section 433 for a period of not less than six months, has received contributions from more than 50 persons, and has made contributions to five or more candidates for Federal office, except for state political party organizations, or is a political committee affiliated with a multicandidate committee. In the case of the latter, contribution limitations to candidates are shared by the affiliated committees. Should your organization not meet the qualifications required above for multicandidate committees, you must request a refund from the candidate(s) or political committee(s) for the amount which exceeds the limitations discussed above.

Although the Commission may take further legal steps concerning the excessive contribution, prompt action by you to obtain a refund will be taken into consideration by the Commission. The recipient of the excessive contribution is also being informed of this matter.

If you do not respond within fifteen (15) days from the date of this notice, the Commission may choose to take legal action to ensure compliance with the Act.

If you have any questions related to this matter, please contact Pamela Brown on our toll-free number (800) 424-9530 or our local number 357-0026.

Sincerely,



Thomas J. Haselhorst
Assistant Staff Director
Reports Analysis Division

Attachment

30031495220
81040294066

PRINCE GEORGE'S MEDICAL POLITICAL ACTION COMMITTEE

4700 AUTH PLACE, CAMP SPRINGS, MARYLAND 20613

FEDERAL ELECTION COMMISSION

PHONE (301) 423-5656

'80 MAR 17 PM 2:29

Mr. Thomas J. Haselhorst
Assistant Staff Director
Reports Analysis Division
FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

Re: 2SVI/80-0056

J. ANDREW ARMER, M.D.
Chairman

Dear Mr. Haselhorst:

J. T. SOLANO, M.D.
Treasurer

I am in receipt of your letter dated March 5, 1980 and wish to take this opportunity to express our deepest apologies as well as to try to clarify this matter.

Advisory Board

- GEORGE MALOUF
- FRANCIS MALONE
- DAVID ROSS
- ARTHUR SHAVER
- ROBERT KLING

In reference to the letter sent on September 13, 1979, we promptly requested a refund from the Nelson for Senate Committee and this was sent to us as shown by the enclosed letter. We failed however to notify you of this action mainly because we were under the impression that this information was to be sent to your office by the Nelson for Senate Committee, and that this would automatically take care of the problem.

In reference to the Carter-Mondale \$5000 contribution, a mistake was made by the Chairman of our committee, Dr. Andrew Armer, who failed to register us as a multi-candidate committee.

I deeply regret this misunderstanding and the inconveniences that this may have caused. You can be certain however that it was never our intention to avoid compliance with FEC regulations.

We would at this time like to request that you forward to us the corresponding forms so that we can file them accordingly and correct this situation.

I thank you in advance for your kind consideration to this matter and look forward to your prompt response.

Very truly yours,

[Handwritten signature]
Jose T. Solano, M.D.
Treasurer

JTS/as

90731503
8104009

nelson for senate committee
1836 Kays Avenue, Madison, Wisconsin 53711

CHAIRMAN
BUT ZIEN
TREASURER
KATE BARBASH

September 25, 1979

Prince Georges Medical PAC
4700 Auth Pl., Suite #200
Camp Springs, MD 20023

Gentlemen:

Enclosed is our check for \$1,000.00. This is a refund on your April 12, 1979 contribution of \$2,000.00. We have been informed by the Federal Election Commission that your contribution exceeded the limits set forth in the Act.

We appreciate your support of Senator Nelson and hope you will consider sending another contribution after the primary election is over.

Thank you.

Sincerely,

Kate Barbash

Kate Barbash, Treasurer

kb;k
encl.
CC: FEC

80731503201
81040294068

*Deposited
10-24-79
\$1,000.00*

**PRINCE GEORGE'S
MEDICAL POLITICAL ACTION COMMITTEE**

2900 AULTH PLACE, CAMP SPRINGS, MARYLAND 20723

8 0 0 3 1 5 0 3

Mr. ~~180~~ ~~Mr.~~ Haselhorst
Assistant Staff Director **29**
Reports Analysis Division
FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

FEDERAL ELECTION
COMMISSION

6 9 0 4 9 0 4 0 1 9

REPORTS ANALYSIS REFERRAL SHEET

DATE April 10, 1980 ANALYST William Cooney
 TO: OGC TEAM CHIEF Irene Allen
 THROUGH: STAFF DIRECTOR COMPLIANCE REVIEW OK
 FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS JH

CANDIDATE/COMMITTEE: Carter/Ronalds Presidential Committee, Inc.
 TREASURER: S. Lee Kling
 ADDRESS: 1413 K St. NW
 Washington, DC. 20005
 AFFILIATE(S): N/A

ALLEGATION(S): Receipt of an ex- CITE: 2 USC 441a(a)(1)(A) ATTACHMENT(S) 2
 cessive contribution from
 an unregistered committee

DATE INITIATED: 2/29/80

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 I.

PERIOD COVERED FROM 1/1/79 TO 1/31/80

TOTAL RECEIPTS \$ 11,127,878.98 TOTAL EXPENDITURES \$ 9,400,715.03

CASH ON HAND \$ 1,727,163.95 DEBTS \$ -0-

HISTORY:

RESULTS OF REVIEW: ATTACHMENT
 Request for additional information sent 2/29/80 3

COMMUNICATIONS WITH CANDIDATE/COMMITTEE: ATTACHMENT
 Telecon dated - 3/12/80 4
 Telecon dated - 3/19/80 5

REASON(S) FOR REFERRAL: ATTACHMENT
 Response received - adequate - 3/20/80 6
 Meets Commission threshold for review by General Counsel

OTHER PENDING ACTIONS INITIATED BY RAD: ATTACHMENT
 N/A

OTHER RELEVANT INFORMATION: ATTACHMENT
 See Prince George's Medical Political Action Committee - companion referral

PREVIOUS OGC/AUDIT REFERRALS FROM RAD:
 N/A

81040294070

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DATE 3APR80

1979-1980
FEDERAL ELECTION COMMISSION

CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

PAGE 1

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/ PARTY	RECEIPTS		EXPENDITURES		COVERAGE DATES	9 OF PAGES	MICROFILM LOCATION
		PRIMARY	GENERAL	PRIMARY	GENERAL			
CARTER, JIMMY								
PRESIDENT DEMOCRATIC PARTY								
1. STATEMENT OF CANDIDATE								
1979 STATEMENT OF CANDIDATE	-							
CANDIDATE AUTHORIZATION	- AMENDMENT							
MISCELLANEOUS REPORT								
MISCELLANEOUS REPORT								
MISCELLANEOUS REPORT								
1980 MISCELLANEOUS REPORT								
2. CANDIDATE REPORTS OF RECEIPTS & EXPENDITURES								
3. PRINCIPAL CAMPAIGN COMMITTEE								
CARTER/MONDALE PRESIDENTIAL COMMITTEE INC								
1979 STATEMENT OF ORGANIZATION	- AMENDMENT							
STATEMENT OF ORGANIZATION	- AMENDMENT							
STATEMENT OF ORGANIZATION	- AMENDMENT							
STATEMENT OF ORGANIZATION	- AMENDMENT							
APRIL 10 QUARTERLY		305,064		15,438				
APRIL 10 QUARTERLY	- AMENDMENT	305,064		32,408				
REQUEST FOR ADDITIONAL INFORMATION								
JULY 10 QUARTERLY		1,240,636		565,941				
JULY 10 QUARTERLY	- AMENDMENT	1,241,881		576,089				
JULY 10 QUARTERLY	- AMENDMENT							
REQUEST FOR ADDITIONAL INFORMATION								
REQUEST FOR ADDITIONAL INFORMATION								
OCTOBER 10 QUARTERLY	- AMENDMENT	875,775		927,450				
OCTOBER 10 QUARTERLY	- AMENDMENT							
OCTOBER 10 QUARTERLY	- AMENDMENT	876,522		947,035				
OCTOBER 10 QUARTERLY	- AMENDMENT							
OCTOBER 10 QUARTERLY	- AMENDMENT							
OCTOBER 10 QUARTERLY	- AMENDMENT							
OCTOBER 10 QUARTERLY	- AMENDMENT							
REQUEST FOR ADDITIONAL INFORMATION								
REQUEST FOR ADDITIONAL INFORMATION								
YEAR END		3,328,112		3,285,047				
YEAR END	- AMENDMENT	3,328,112		3,298,487				
YEAR END	- AMENDMENT	3,328,112		3,298,487				
YEAR END	- AMENDMENT							
YEAR END	- AMENDMENT							
REQUEST FOR ADDITIONAL INFORMATION								
1980 STATEMENT OF ORGANIZATION	- AMENDMENT							
FEBRUARY MONTHLY		2,781,799		1,852,495				
FEBRUARY MONTHLY	- AMENDMENT	2,781,799		1,901,136				
MARCH MONTHLY		2,594,498		2,645,357				
TOTAL		11,127,876	0	9,400,712	0		3593	TOTAL PAGES

1980 ELECTION ID# P4000247

14MAR79	3	79FEC/100/2013
10JUL79	2	79FEC/100/2528
6NOV79 TO FEC	3	80FEC/103/2411
6NOV79 TO FEC	2	80FEC/100/3078
12MAR80 FROM FEC	2	80FEC/106/3111
ID# C00108407		
14MAR79	5	79FEC/100/2013
6JUN79	6	79FEC/100/2137
19NOV79	2	79FEC/100/2977
4DEC79	2	79FEC/100/2977
1JAN79 - 31MAR79	80	79FEC/100/2084
1JAN79 - 31MAR79	79	79FEC/100/2137
1JAN79 - 31MAR79	5	79FEC/100/2137
1APR79 - 30JUN79	295	79FEC/100/2233
1APR79 - 30JUN79	59	79FEC/100/2348
1APR79 - 30JUN79	10	79FEC/100/2448
1APR79 - 30JUN79	3	79FEC/100/2448
1JUL79 - 30SEP79	281	79FEC/100/2448
1JUL79 - 30SEP79	6	80FEC/100/3064
1JUL79 - 30SEP79	79	80FEC/100/3078
1JUL79 - 30SEP79	17	80FEC/100/3078
1JUL79 - 30SEP79	21	80FEC/100/4015
1JUL79 - 30SEP79	16	80FEC/100/4045
1JUL79 - 30SEP79	17	80FEC/100/4045
1JUL79 - 30SEP79	84	79FEC/100/2981
1JUL79 - 30SEP79	3	80FEC/100/3078
1OCT79 - 31DEC79	807	80FEC/100/3084
1OCT79 - 31DEC79	567	80FEC/100/4084
1OCT79 - 31DEC79	41	80FEC/100/5078
1OCT79 - 31DEC79	3	80FEC/100/5115
1OCT79 - 31DEC79	7	80FEC/110/0613
1OCT79 - 31DEC79	16	80FEC/110/0613
1OCT79 - 31DEC79	79	80FEC/100/4963
14MAR80	3	80FEC/100/5067
1JAN80 - 31JAN80	302	80FEC/100/4647
1JAN80 - 31JAN80	92	80FEC/100/5118
1FEB80 - 20FEB80	593	80FEC/110/0663

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30031003606

SCHEDULE A-P

ITEMIZED RECEIPTS
FOR PERIOD
10/01/79 TO 12/31/79

PAGE 1
FOR LINE NO. 124

FULL NAME AND ADDRESS	PLACE OF BUSINESS	OCCUPATION	CONTRIBUTIONS THIS PERIOD DATE/DATUM AMOUNT
PG MEDICAL PAC 4700 AUTH PLACE SUITE 200 CAMP SPRINGS MD 20822		POLITICAL ACTION COMMITTEE	122079/034 \$ 5,000.00 AGGREGATE YEAR TO DATE: \$ 5,000.00
PUL RESEARCH INVT EMPLOY 2139 WISCONSIN AVE NW WASHINGTON DC 20007	WASHINGTON DC	POLITICAL ACTION COMMITTEE	110279/000 \$ 1,000.00 AGGREGATE YEAR TO DATE: \$ 1,000.00
PUPE CIV DEMO WOMENS CLUB 603 W 2ND RUSSELLVILLE AR 72801		POLITICAL ACTION COMMITTEE	111079/000 \$ 200.00 AGGREGATE YEAR TO DATE: \$ 200.00
PROGRESS DETROIT 1126 CITY-COUNTY BUILDING DETROIT MI 48226			111679/002 \$ 200.00 AGGREGATE YEAR TO DATE: \$ 200.00
R TELEPHONE PAC 2000 L STREET NW SUITE 710 WASHINGTON DC 20006	N/A WASHINGTON DC	POLITICAL ACTION COMMITTEE	120079/000 \$ 6,000.00 AGGREGATE YEAR TO DATE: \$ 6,000.00
REPUBLIC STEEL ORP PAC R REPUBLIC BLDG CLEVELAND OH 44101	REPUBLIC STEEL CORP CLEVELAND OH 44101	POLITICAL ACTION COMMITTEE	100779/000 \$ 300.00 AGGREGATE YEAR TO DATE: \$ 300.00
S C A R E N PAC TRUST FIRST NATIONAL BANK TOWER ATLANTA GA 30303	ATLANTA GA 30303	POLITICAL ACTION COMMITTEE	122779/034 \$ 1,000.00 AGGREGATE YEAR TO DATE: \$ 1,000.00
SAN ANTONIO ED HRS. PAC 120 ADAMS ST SAN ANTONIO TX 78210	SAN ANTONIO TX 78210		122079/000 \$ 20.00 AGGREGATE YEAR TO DATE: \$ 20.00
SOMER GOOD GOVT FUND 100 BROADWAY LIBERTY TOWER OH 43125		POLITICAL ACTION COMMITTEE	122379/022 \$ 200.00 AGGREGATE YEAR TO DATE: \$ 200.00



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

February 29, 1980

Mr. S. Lee Kling, Treasurer
Carter/Mondale Presidential Committee
P.O. Box 500
Washington, D.C. 20044

Dear Mr. Kling:

This letter is prompted by the Commission's preliminary review of your Year-end Report, as amended. The review raised questions as to specific contributions and/or expenditures, and to the reporting of certain information required by the Federal Election Campaign Act. An itemization of these areas follows:

On Schedule A-P for Line 17a, your Year-end Report, as amended, discloses contributions from individuals which appear to exceed the limits set forth in 2 U.S.C. 441a (pertinent schedules attached). Further, Schedule A-P for Line 18b discloses a contribution from P.G. Mad PAC of \$5,000 which also exceeds the limits set forth in 2 U.S.C. 441a. The Act precludes an individual or a political committee, other than a multi-candidate political committee, from making contributions to a candidate for Federal office in excess of \$1,000 per election. If you have received contributions which exceed the limits, the Commission recommends that you refund to the donors the amounts in excess of \$1,000. The return of the contributions should be reported immediately by letter, and the refund should appear on Line 27a of Schedule B-P on your next report. If you find that the contributions in question were disclosed improperly or incorrectly, please amend your report with the clarifying information.

Although the Commission may take further legal steps concerning the acceptance of an excessive contribution, your prompt refund of the excessive amount(s) to the donor(s) will be taken into consideration.

On Schedule A-P for Line 17a, you disclose the following contributions from political action committees:

AM TEX IN COM GOOD GO	12/26/79	\$1,000
PAS PAC	12/14/79	\$5,000
RIEGLE PEOPLE FOR GOOD GO	12/26/79	\$2,500
SAFEDPAC	12/26/79	\$ 500
UNITED STEELWORKERS AMER	11/05/79	\$ 500
FUND FOR BETTER GOV	12/26/79	\$2,500

Contributions from non-affiliated committees should be itemized on Schedule A-P for Line 18b and the total included in the total for Line 18b of the Detailed Summary Page. Please amend your report accordingly.

810 800 39 40 4936 1

Page 2
Request for Additional Information
Carter/Mondale Presidential Committee

On Schedule A-P for Line 17a, your report discloses the following contributions:

ANONYMOUS ANONYMOUS	12/18/79	\$ 102
AMBASSADOR APAR ANONYMOUS	12/03/79	\$1,000

11 CFR 110.4(c)(3) requires a candidate or committee to promptly dispose of anonymous cash contributions in excess of \$50. The amount over \$50 may be used for any lawful purpose unrelated to any Federal election, campaign or candidate. Please amend your report to clarify the nature of these receipts.

11 CFR 104.2(b)(7)(11) requires that the source of refunds and rebates be disclosed to include the identification (as defined in 11 CFR 100.10), principal place of business and occupation, if any, together with the nature, date and amount of such receipt. Some of this information has been omitted for Lines 21a and 22a of Schedule A-P. Please amend your report to provide the address, principal place of business and occupation, where applicable, for the source of each refund.

11 CFR 104.2(b)(9) requires "the identification of each person to whom expenditures have been made by or on behalf of the committee or candidate within the reporting period which total more than \$100, or in an amount less than \$100 if the total exceeds \$100 within a calendar year, together with the amount, date and particulars of such expenditures"

11 CFR 100.10 defines identification to mean, in the case of an individual, his or her "principal place of residence" and, in the case of any other person, the "mailing address." Please amend your report to provide the address for each person to whom an expenditure has been made.

The Commission has determined that when there is a very definite associative property between a recognizable vendor and the goods and/or services normally provided by the vendor, certain terms used to describe the particulars of the expenditure would be acceptable. In a case where the payee is not a recognizable vendor of the goods and/or services described, the same terms used for particulars are not acceptable. The following expenditures therefore need further clarification. Please amend your report accordingly.

Ann Barr c/o Joe Foy	Meetings	Food	12/19/79	\$3,000
Ben Lanier	Meetings	Food	12/12/79	\$5,353.50
Fred Taylor Co.	Meetings	Reimbursement	12/21/79	\$1,759.11

Please be advised that you must supply the Commission with the requested information within fifteen (15) days from the date of this letter. If you have any questions, please contact William Coppel in our Reports Analysis Division on the toll-free number (800) 424-9530. Our local number is (202) 523-4048.

Sincerely,



Thomas J. Haselhorst
Assistant Staff Director
Reports Analysis Division

Attachments

8104904942

TELECON

ANALYST COPPEL
initiated call? XX

TELECON WITH: Lucy Safran
initiated call? _____

Candidate/Committee: CMPC

DATE: 3/12/80

SUBJECT(S): Year End RFAI

I called Ms. Safran to find out if she had received the RFAI for the YE report. She said she had not. I advised her to look for it since it was approaching the due date.

I also told her that among other things, it appeared from the report that the committee had accepted an excessive contribution from an unregistered committee; P. G. Med PAC. She said that she was not aware of this but would check into it when they received the RFAI.

I told her to call me if she had any questions.

81040294075

TELECON WITH: LUCY SAFRAN
initiated call? _____

Candidate/Committee: Carter/Mondale PC.

DATE: 3/19/80

SUBJECT(S): YE amendment

I called Lucy regarding a matter included in the YE RFAI. Upon a brief review of the response to the YE RFAI, it was determined that the matter regarding an excessive contribution received by the committee from PG Med Pac had not been addressed. When I questioned Ms Safran about this omission, she indicated that she was not aware of the situation nor did she see this matter in the RFAI. I reminded her that I had discussed it with her recently, (see telecon dated 3/12/80), at which time she said that she would research the matter. I told her to check the RFAI again. In re-reading the request, Lucy discovered the section regarding the contribution in question and advised me that she would draw a refund check today and return the \$5000 to the PAC.

I advised her that a copy of the check and a cover letter indicating what had been done to rectify the matter should be brought over as soon as possible.

She agreed.

81040294076

CARTER/MONDALE PRESIDENTIAL COMMITTEE, INC.
P.O. BOX 202, WASHINGTON, D.C. 20044 (202) 457-4000

RECEIVED
FEDERAL ELECTION
COMMISSION
AND DELIVERED
80 MAR 20 AM 11:32

March 20, 1980

Bill Cappel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Mr. Cappel:

This statement is in response to the Federal Election Commission request to clarify a contribution from the P.G. Mad PAC. Please note that this contribution refund will be reported on the April monthly report.

Sincerely,

Lee Kling
B. Lee Kling
TREASURER

81040294077
30031005115

CARTER-MONDALE PRESIDENTIAL COMMITTEE, INC.
10, BOX 22, WASHINGTON, D.C. 20044

March 29, 1978

Dr. Jose Solano
Prince Georges Medical INC
1119 19th Street, Suite 307
Washington, D.C. 20005

Dear Dr. Solano:

I want to thank you for your generous contribution to the Carter/
Mondale Presidential Committee. Federal campaign laws prevents us,
however, from accepting contributions in excess of \$1,000 from an
unqualified political action committee. As a result, I am refunding
to you a check in the amount of \$5,000 dated March 19th.

Once again, thank you and please forgive us any inconvenience we
may have caused you.

Sincerely,

Lucia Safra

Lucia Safra
Finance

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6

CARTER-MONDALE PRESIDENTIAL
COMMITTEE, INC.
OPERATING ACCOUNT

.6563

March 19 1978

15720

PAY \$5,000.00

\$5,000.00

PAY
TO THE ORDER OF

Prince Georges Medical INC
1119 19th Street Suite 307
Washington, DC 20005

Lucia Safra

UNITED STATES FEDERAL RESERVE BANK OF WASHINGTON

REPORTS ANALYSIS REFERRAL SHEET

DATE April 10, 1980 ANALYST Susan Heber
 TO: OGC TEAM CHIEF Peter Kell, Jr.
 THROUGH: STAFF DIRECTOR COMPLIANCE REVIEW CH
 FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS PH

CANDIDATE/COMMITTEE: Nelson for Senate Committee
 TREASURER: Kate Barbash
 ADDRESS: 1836 Keyes Avenue
 Madison, Wisconsin 53711

AFFILIATE(S): None

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

DATE INITIATED: 8/22/79
 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 4/1/79 TO 6/30/79
 TOTAL RECEIPTS \$ 52086 TOTAL EXPENDITURES \$ 3866
 CASH ON HAND \$ 60602 DEBTS \$ -0-

HISTORY:

RESULTS OF REVIEW: ATTACHMENT
 Surface violation notice sent- 9/13/79 on July 10 report 3
 Response received- 9/25/79- Inadequate 5
 Response received- 10/9/79- Adequate 6

COMMUNICATIONS WITH CANDIDATE/COMMITTEE: ATTACHMENT
 Telecon dated- 9/24/79 4

REASON(S) FOR REFERRAL: ATTACHMENT
 Meets division threshold for referral

OTHER PENDING ACTIONS INITIATED BY RAD: ATTACHMENT
 N/A

OTHER RELEVANT INFORMATION: ATTACHMENT
 See Prince George's Medical Political Action Committee - companion referral

PREVIOUS OGC/AUDIT REFERRALS FROM RAD:
 N/A

81040294079

THIS SHOULD BE LINE 2 ON THE PAGE.
.TTY NO FORM

.Q IN880C
COMMITTEE ID: C00027813

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) 1979-1980

DATE 31JAN80
PAGE 1

SENATE

COMMITTEE	DOCUMENT	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
		PRIMARY	GENERAL	PRIMARY	GENERAL			
NELSON FOR SENATE	1979 STATEMENT OF ORGANIZATION- AMENDMENT					8NOV79	3	ID# C00027813 79SEN/007/1109
	✓ APRIL 10 QUARTERLY	6,217		1,890		1JAN79 -31MAR79	8	79SEN/002/2858
	✓ APRIL 10 QUARTERLY - AMENDMENT					1JAN79 -31MAR79	3	79SEN/003/3828
	✓ APRIL 10 QUARTERLY - AMENDMENT	6,717		2,390		1JAN79 -31MAR79	6	79SEN/005/3226
	✓ JULY 10 QUARTERLY	51,657		3,437		1APR79 -30JUN79	15	79SEN/004/0292
	✓ JULY 10 QUARTERLY - AMENDMENT					30JUN79	3	79SEN/005/3283
	✓ JULY 10 QUARTERLY - AMENDMENT	52,086		3,866		1APR79 -30JUN79	6	79SEN/005/3220
	✓ JULY 10 QUARTERLY - AMENDMENT					1APR79 -30JUN79	4	79SEN/005/3829
	OCTOBER 10 QUARTERLY	43,521		13,367		1JUL79 -30SEP79	21	79SEN/005/3705
	YEAR END REPORT	128,543		33,808		1OCT79 -31DEC79	52	80SEN/001/0970
	TOTAL	230,867	0	53,431	0		121	TOTAL PAGES

COMMITTEE ID:

EXIT

.K
Other Jobs same PPN
User [600,25] Job 25 ISC06 off TTY21 at 9:19 AM Thu 31-Jan-80
Connect time 0101 CRU'S 199
Jobs 24 28 still loaded in under your user number

8 1 0 4 0 2 9 4 0 8 0

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

Page 3 of 4 for

Line Number 15b

(Use Separate Schedules for
each numbered line)

Name of Candidate or Committee in Full			
Nelson for Senate Committee			
Full Name, Mailing Address and ZIP Code Prince Georges Medical Political Action Committee 4700 Auth Pl. Camp Springs, MD 20023	Principal Place of Business Action Committee	Date (month, day, year) 4-12-79	Amount of each Receipt this Period \$2,000.00
	Occupation		
Receipt for: 1980 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 2,000.00		
Full Name, Mailing Address and ZIP Code Trailways Political Action Committee 1500 Jackson St. Dallas, Texas 75201	Principal Place of Business C 00086504	Date (month, day, year) 4-23-79	Amount of each Receipt this Period 250.00
	Occupation		
Receipt for: 1980 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 250.00		
Full Name, Mailing Address and ZIP Code Westinghouse Employes Political Participation Program Westinghouse Bldg., Gateway Center Pittsburgh, Pa. 15222	Principal Place of Business C 00035220	Date (month, day, year) 4-23-79	Amount of each Receipt this Period 1,000.00
	Occupation		
Receipt for: 1980 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 1,000.00		
Full Name, Mailing Address and ZIP Code Special Political Agricultural Community Education (SPACE) 40140 Linn Station Rd. Louisville, Kentucky 40223	Principal Place of Business C 00003772	Date (month, day, year) 5-8-79	Amount of each Receipt this Period 1,000.00
	Occupation		
Receipt for: 1980 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 1,000.00		
Full Name, Mailing Address and ZIP Code Laborers' Political League 906 - 16th St., NW Washington DC	Principal Place of Business C 00007922	Date (month, day, year) 5-8-79	Amount of each Receipt this Period 1,000.00
	Occupation		
Receipt for: 1980 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 1,000.00		
Full Name, Mailing Address and ZIP Code Philip Morris Political Action Committee (PHIL-PAC) 100 Park Ave. New York, NY 10017	Principal Place of Business C 00089136	Date (month, day, year) 5-11-79	Amount of each Receipt this Period 500.00
	Occupation		
Receipt for: 1980 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 500.00		
Full Name, Mailing Address and ZIP Code NSDA 3i-Partisan Political Action Committee 1101 - 16th St., NW, Suite 700 Washington DC 20036	Principal Place of Business C 00100107	Date (month, day, year) 5-25-79	Amount of each Receipt this Period 250.00
	Occupation		
Receipt for: 1980 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 250.00		
SUBTOTAL of receipts this page (optional)			\$
TOTAL this period (last page this line number only)			\$

18K

18K

0030040300790200403007

18K

18K

18K

NO RTB

79620053829
16-9-79

compliance card updated

Due

10/13/79



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 13, 1979

Kate Barbash, Treasurer
Nelson For Senate Committee
1836 Keyes Avenue
Madison, WI 53711

Dear Ms. Barbash:

This letter is prompted by the Commission's interest in assisting candidates and committees who wish to comply with the Federal Election Campaign Act, as amended. During review of the July 10 Quarterly Report of Receipts and Expenditures, we noticed an entry indicating that you may have received a contribution which exceeds the limits set forth in the Act. A copy of that portion of your report is attached so that a review of your records can be made.

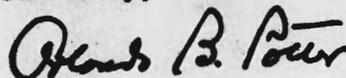
The Act precludes individuals and political committees, other than multicandidate committees, from making political contributions to a candidate for Federal election in excess of \$1,000 per election. The Act defines a multicandidate committee as one which has been registered for a period of not less than six months; has received contributions from more than fifty persons; and has made contributions to five or more candidates for Federal office. The committee listed as the source of the contribution in question does not presently qualify as a multicandidate committee and we have notified them accordingly. We have recommended that the source committee notify you if it is confirmed that the contribution was in excess of the limits.

The Commission recommends that if you find the contribution you received was in excess of the limits set forth in the Act you return the amount in excess of \$1,000 to the donor. This return should be reported immediately by letter and should be reflected as a contribution refund on your next report of receipts and expenditures. If you find that the entry in question is incomplete or incorrect, please submit a statement which would clarify this particular matter for the public record. You may do so by amending your original report by letter.

81040294082

Please notify the Commission within fifteen (15) days from the date of this letter of the determination made on this matter. If you have any questions concerning this matter, please do not hesitate to contact Ron Krouse (800)424-9530, our Reports Analyst assigned to you. Our local telephone number is (202)523-4172.

Sincerely,



Orlando B. Potter
Staff Director

Enclosure
Certified Mail:
Return Receipt Requested

81040294083

TELECON:

FROM: KATE BARBASH, TREASURER (608) 255-6849

TO: RON KROUSE

DATE: 9/24/79

RE: NELSON FOR SENATE WISC

179 File

Mrs. Barbash called re. the S.V. letter on a \$2,000 contribution from the un-registered Prince Georges MEDPAC. She was under the impression that they were a multi-candidate committee, affiliated with the Maryland MEDPAC. I told her that they were unregistered and that \$1000 should be refunded. She will comply.

81040294084

nelson

SEP 25 1979
REGULAR MAIL
for senate committee
1836 Keyes Avenue, Madison, Wisconsin 53711

CHAIRMAN
BURT ZIEN
TREASURER
KATE BARBASH

'79 SEP 27 PM 12:54

September 25, 1979

Re: SV 1/79-32 RK
copy

RECEIVED
FEDERAL ELECTION COMMISSION
OCT - 1 PM 11:06

Prince Georges Medical PAC
4700 Auth Pl., Suite #200
Camp Springs, MD 20023

Gentlemen:

Enclosed is our check for \$1,000.00. This is a refund on your April 12, 1979 contribution of \$2,000.00. We have been informed by the Federal Election Commission that your contribution exceeded the limits set forth in the Act.

We appreciate your support of Senator Nelson and hope you will consider sending another contribution after the primary election is over.

Thank you.

Sincerely,

Kate Barbash, Treasurer

kb;k
encl.
CC: FEC

HAND DELIVERED
OCT 9 11:15

8 7 0 4 6 2 9 4 0 8 5 9

K 51202 WI DEM C 311

Paid for by Nelson for Senate Committee, Kate Barbash, Treasurer, 1836 Keyes Avenue, Madison, Wisconsin 53711. A copy of our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission, Washington, D.C.

4/1/79 - 6/30/79

SCHEDULE B
REVISED
 January, 1978
 Federal Election Commission
 1325 K Street, N.W.
 Washington, D.C. 20463

ITEMIZED EXPENDITURES
 (Operating, Transfers Out, Contributions In-Kind,
 Loans, Loan Repayments and Refunds Made)
 Supporting Lines 20a, 21a, and 22a, 22b, and 22c
 of FEC FORM 3

Page 1 of 1 for
 Line Number 21(a)

(Use Separate Schedules for
 each numbered line)

OCTOBER 10 REPORT

81040294086

79020053723

Name of Candidate or Committee in Full			
Nelson for Senate Committee			
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Prince Georges Medical PAC 4700 Auth Pl., Suite #200	Refund of excess contribution	9-24-79	1,000.00
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		

REPORTS ANALYSIS REFERRAL UPDATE

*ORIGIN: RAD

Callahan

DATE May 2, 1990

ANALYST Pamela Brown *B*

TO: OFFICE OF GENERAL COUNSEL
ATTENTION: ~~THOMAS WHITEHEAD~~

TEAM CHIEF Steve Mims *SM*

THROUGH: STAFF DIRECTOR *Ad.*

COMPLIANCE REVIEW CS/

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS *JH*

MUR No. 1226

DATE OF ORIGINAL REFERRAL 4/10/80

****PURPOSE:**

In addition to the two contributions made to the Nelson for Senate Committee and the Carter/Mondale Presidential Committee, Inc, Prince George's Medical Political Action Committee made an additional \$2000 contribution in 1979 to the Democratic Congressional Dinner Committee (see attached). Since Prince George's Medical Political Action Committee had already been referred to the Office of General Counsel prior to the discovery of this additional contribution, the committee has not received any additional notification regarding the contribution to the Democratic Congressional Dinner Committee.

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8 | OUTCOME: (if applicable)

*Commission unit which initiated original Referral (e.g. AUDIT/RAD/OGC).
**INFORMATION, or RESULTS OF RAD ACTION, as appropriate.

POLITICAL CONTRIBUTIONS - OCTOBER THRU DECEMBER 1979

POLITICAL COMMITTEE

8 1 0 (4) 0 2 9 EACH DEPOSIT 8 DEPOSIT
THIS PERIOD DATEYEAR-TO-DATE
ACCUMULATE

POLITICAL COMMITTEE	8	1	0	(4)	0	2	9	EACH DEPOSIT	8	DEPOSIT	YEAR-TO-DATE
								THIS PERIOD	DATE	ACCUMULATE	
18K C00075421 ALPA PAC 1625 Massachusetts Avenue, N. W. Washington DC 20036								1,000.00	12-14-79	11,000.00	
18K C00134157 American Family PAC Post Office Box 1459 Columbus GA 31902								1,000.00	12-14-79	4,000.00	
18K C00001016 Carpenters Legislative Improvement Committee 101 Constitution Avenue, N. W. Washington DC 20001								5,000.00	11-23-79	10,000.00	
18K C00025205 Colt Industries Voluntary Political Committee 430 Park Avenue New York NY 10022								500.00	11-23-79	1,500.00	
18K C00040511 CONPAC Post Office Box 2545 Pittsburgh PA 15230								200.00	10-09-79	200.00	
18K C00035616 Consolidated Edison PAC Four Irving Place New York NY 10003								1,000.00	11-23-79	1,000.00	
18K C00104114 Fairchild Political Action Committee Post Office Box 113 Cermantown MD 20767								500.00	11-23-79	1,500.00	
18K C00004361 ILGWU Campaign Committee 1710 Broadway New York NY 10019								5,000.00	11-09-79	10,000.00	
18K C00041511 Pan Am Political Action Committee Suite 900 1800 K Street, N. W. Washington DC 20006								500.00	11-16-79	15,500.00	
18K C00070870 Political Action Committee Brotherhood of Railroad Carmen #886 90-24 Sutphin Boulevard Jamaica NY 11435								500.00	11-21-79	500.00	
18K Prince Georges Medical PAC 4700 Auth Place, Suite 200 Camp Springs MD 20023								2,000.00	11-28-79	2,000.00	



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Jose T. Solano, M.D.
Prince George's Medical PAC
4700 Auth Place
Camp Springs, Maryland 20023

Re: MUR 1226

Dear Dr. Solano:

The Federal Election Commission notified you in letters dated September 13, 1979, and March 5, 1980, that your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act").

Upon further review of the information available to the Commission, the Commission determined, on June , 1980, that there is reason to believe that your committee has violated 2 U.S.C. § 433, § 434, and § 441a. A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

In the absence of any information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred, and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) [formerly 437g(a)(3)(B)] unless you notify the Commission in writing that you wish the matter to be made public.

81040294089

Letter to Jose T. Solano, M.D.
Page Two

If you have any questions, please contact Suzanne Callahan,
the staff member assigned to this matter at 523-5071.

Sincerely,

Enclosure

81040294090

FEDERAL ELECTION COMMISSION

NOTIFICATION OF REASON TO BELIEVE FINDING

DATE May 23, 1980

MUR NO. 1226
STAFF MEMBER(S) & TEL. NO.

RESPONDENT Prince Georges Medical
PAC

Suzanne Callahan
523-5071

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

BACKGROUND

On April 11, 1980, the Reports Analysis Division ("RAD"), referred to the Office of General Counsel (1) the Prince Georges Medical PAC ("PGMPAC") in connection with violations of 2 U.S.C. § 433, § 434, and § 441a.

FACTUAL BASIS AND LEGAL ANALYSIS

A normal reports review by RAD revealed that PGMPAC, an unregistered committee, contributed \$2,000 to the Nelson Committee, \$5,000 to the Carter Committee and \$2,000 to the Democratic Congressional Dinner Committee ("DCDC") in 1979.

On September 13, 1979, PGMPAC was sent a letter by RAD advising it to register and report with the Commission or to request a refund from the Nelson Committee. On March 5, 1980, PGMPAC was sent another letter from RAD in connection with its contribution of \$5,000 to the Carter Committee.

On March 17, 1980, PGMPAC responded to RAD's letters by stating that its failure to register was due to a mistake by its chairman. In his letter, the treasurer requested that reporting forms be sent to him; RAD mailed Dr. Solano the appropriate reporting forms, however, PGMPAC never registered or filed with the Commission.

As set forth in 2 U.S.C. § 433 and § 434, political committees shall register with the Commission within ten days after it receives contributions or makes expenditures exceeding \$1,000 in a calendar year and must file reports of receipts and disbursements according to Commission guidelines.

Commission records indicate PGMPAC expended \$9,000 in connection with Federal elections during 1979 but failed to register as a political committee with the Commission; therefore, it has clearly exceeded the \$1,000 registration and reporting thresholds in violation of 2 U.S.C. § 433 and § 434.

81040294091

Additionally, pursuant to 2 U.S.C. § 441a, committees which do not meet the multicandidate criteria set forth in § 441a(a)(2) are limited to making contributions of \$1,000 per candidate per election. Thus, PGMPAC's contributions of \$5,000 and \$2,000 to the Carter and Nelson Committees respectively exceed the \$1,000 limitation contained in § 441a.

Based on the foregoing analysis, the Federal Election Commission has found:

1. Reason to believe PGMPAC violated § 433;
2. Reason to believe PGMPAC violated § 434; and
3. Reason to believe PGMPAC violated § 441a.

81040294092



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Kate Barbash
Nelson for Senate Committee
1836 Keyes Avenue
Madison, WI 53711

Re: MUR 1226

Dear Ms. Barbash:

The Federal Election Commission notified you in a letter dated September 13, 1979, that the Nelson for Senate Committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act").

Upon further review of the information available to the Commission, the Commission determined, on June , 1980, that there is reason to believe that the committee has violated 2 U.S.C. § 441a(f). A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

In the absence of any information which demonstrates that no further action should be taken against the committee, the Commission may find probable cause to believe that a violation has occurred, and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) [formerly 437g(a)(3)(B)] unless you notify the Commission in writing that you wish the matter to be made public.

81040294093

Letter to Kate Barbash
Page Two

If you have any questions, please contact Suzanne Callahan,
the staff member assigned to this matter at 523-5071.

Sincerely

Enclosure

81040294094

FEDERAL ELECTION COMMISSION

NOTIFICATION OF REASON TO BELIEVE FINDING

DATE _____

MUR NO. 1226
STAFF MEMBER(S) & TEL. NO.

RESPONDENT Nelson for Senate Committee

Callahan - 523-5071

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

BACKGROUND

On April 11, 1980, the Reports Analysis Division ("RAD") referred to the Office of General Counsel, the Nelson for Senate Committee ("Nelson Committee"), in connection with its violation of 2 U.S.C. § 441a(f).

FACTUAL BASIS AND LEGAL ANALYSIS

A normal reports review by RAD revealed that Prince Georges Medical PAC ("PGMPAC"), an unregistered committee, contributed \$2,000 to the Nelson Committee on April 12, 1979.

Pursuant to 2 U.S.C. § 441a, committees which do not meet the multicandidate criteria set forth in § 441a(a)(2) are limited to making contributions of \$1,000 per candidate per election. Thus PGMPAC's contribution of \$2,000 to the Nelson Committee exceeds the \$1,000 limitation contained in § 441a; conversely, the Nelson Committee's acceptance of the excessive contribution constitutes a violation of § 441a(f).

Although the Nelson Committee refunded the excessive portion of the contribution, it is the recipient committee's responsibility to verify the multicandidate committee status of donors prior to the acceptance of contributions exceeding \$1,000. The multicandidate committee status of all registered committees is available to the public through the Public Records Division pursuant to § 438(a)(6) (C).

Thus, the Nelson Committee's failure to verify the status of PGMPAC prior to acceptance of the subject contribution does not mitigate the violation.

Based on the foregoing analysis, the Federal Election Commission has found reason to believe that the Nelson for Senate Committee has violated 2 U.S.C. § 441a(f).



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

S. Lee Kling
Carter/Mondale Presidential
Committee, Inc.
1413 K Street, N.W.
Washington, D.C. 20005

Re: MUR 1226

Dear Sir or Madame:

The Federal Election Commission notified you in a letter dated February 29, 1980, that the Carter/Mondale Committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act").

Upon further review of the information available to the Commission, the Commission determined on June , 1980, that there is reason to believe that the Committee has violated 2 U.S.C. § 441a(f). A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

In the absence of any information which demonstrates that no further action should be taken against the committee, the Commission may find probable cause to believe that a violation has occurred, and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) [formerly 437g(a)(3)(B)] unless you notify the Commission in writing that you wish the matter to be made public.

8104029496

Letter to S. Lee Kling
Page Two

If you have any questions, please contact Suzanne Callahan, the staff member assigned to this matter at 523-5071.

Sincerely

Enclosure

81040294097

FEDERAL ELECTION COMMISSION

NOTIFICATION OF REASON TO BELIEVE FINDING

DATE _____

MUR NO. 1226
STAFF MEMBER(S) & TEL. NO.

RESPONDENT Carter/Mondale Presidential
Committee, Inc.

Callahan - 523-4071

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

BACKGROUND

On April 11, 1980, the Reports Analysis Division ("RAD") referred to the Office of General Counsel, the Carter/Mondale Presidential Committee, Inc. ("Carter Committee"), in connection with its violation of 2 U.S.C. § 441a(f).

FACTUAL BASIS AND LEGAL ANALYSIS

A normal reports review by RAD revealed that Prince Georges Medical PAC ("PGMPAC"), an unregistered committee, contributed \$5,000 to the Carter Committee on December 28, 1979.

Pursuant to 2 U.S.C. § 441a, committees which do not meet the multicandidate criteria set forth in § 441a(a)(2) are limited to making contributions of \$1,000 per candidate per election. Thus PGMPAC's contribution of \$5,000 to the Carter Committee exceeds the \$1,000 limitation contained in § 441a; conversely, the Carter Committee's acceptance of the excessive contribution constitutes a violation of § 441a(f).

Although the Carter Committee refunded the excessive contribution, it is the recipient committee's responsibility to verify the multicandidate committee status of donors prior to the acceptance of contributions exceeding \$1,000. The multicandidate committee status of all registered committees is available to the public through the Public Records Division pursuant to § 438(a)(6)(C).

Thus, the Carter Committee's failure to verify the status of PGMPAC prior to acceptance of the subject contribution does not mitigate the violation.

81040294098

Based on the foregoing analysis, the Federal Election Commission has found reason to believe that the Carter/Mondale Presidential Committee, Inc. has violated 2 U.S.C. § 441a(f).

81040294099

REPORTS ANALYSIS REFERRAL UPDATE

***ORIGIN: RAD**

DATE May 2, 1980

ANALYST Pamela Brown *B*

TO: OFFICE OF GENERAL COUNSEL
ATTENTION: THOMAS WHITEHEAD

TEAM CHIEF Steve Sims *SM*

THROUGH: STAFF DIRECTOR *Old*

COMPLIANCE REVIEW CS

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS *JH*

MUR No. 1226

DATE OF ORIGINAL REFERRAL 4/10/80

****PURPOSE:**

81040294100

In addition to the two contributions made to the Nelson for Senate Committee and the Carter/Mondale Presidential Committee, Inc, Prince George's Medical Political Action Committee made an additional \$2000 contribution in 1979 to the Democratic Congressional Dinner Committee (see attached). Since Prince George's Medical Political Action Committee had already been referred to the Office of General Counsel prior to the discovery of this additional contribution, the committee has not received any additional notification regarding the contribution to the Democratic Congressional Dinner Committee.

8 OUTCOME: (if applicable)

*Commission unit which initiated original Referral (e.g. AUDIT/RAD/OGC).
**INFORMATION, or RESULTS OF RAD ACTION, as appropriate.

POLITICAL CONTRIBUTIONS - OCTOBER THRU DECEMBER 1979

POLITICAL COMMITTEE	EACH RECEIPT THIS PERIOD	DEPOSIT DATE	YEAR-TO-DATE AGGREGATE
18K C00035421 ALPA PAC 1625 Massachusetts Avenue, N. W. Washington DC 20036	1,000.00	12-14-79	11,000.00
18K C00034157 American Family PAC Post Office Box 1459 Columbus GA 31902	1,000.00	12-14-79	4,000.00
18K C00001016 Carpenters Legislative Improvement Committee 101 Constitution Avenue, N. W. Washington DC 20001	5,000.00	11-23-79	10,000.00
18K C00025205 Colt Industries Voluntary Political Committee 430 Park Avenue New York NY 10022	500.00	11-23-79	1,500.00
18K C00040824 CONPAC Post Office Box 2545 Pittsburgh PA 15230	200.00	10-09-79	200.00
18K C000255616 Consolidated Edison PAC Four Irving Place New York NY 10003	1,000.00	11-23-79	1,000.00
18K C00104104 Fairchild Political Action Committee Post Office Box 113 Cerrantown MD 20767	500.00	11-23-79	1,500.00
18K C00004861 ILGWU Campaign Committee 1710 Broadway New York NY 10019	5,000.00	11-09-79	10,000.00
18K C00041511 Pan Am Political Action Committee Suite 900 1800 K Street, N. W. Washington DC 20006	500.00	11-16-79	15,500.00
18K C00070870 Political Action Committee Brotherhood of Railroad Carmen #886 90-24 Sutphin Boulevard Jamaica NY 11435	500.00	11-21-79	500.00
18K C00040400 Prince Georges Medical PAC 4700 Auth Place, Suite 200 Camp Springs MD 20023	2,000.00	11-28-79	2,000.00

10176200040408

D-701

April 10, 1980

MEMORANDUM

TO: Charles Steele
THROUGH: Orlando B. Potter *OBP*
FROM: TOM HASELHORST *TH*
SUBJECT: PRINCE GEORGE'S MEDICAL POLITICAL ACTION COMMITTEE
NELSON FOR SENATE COMMITTEE
CARTER/MONDALE PRESIDENTIAL COMMITTEE, INC.

Please note that the attached referrals for the above mentioned committees are concerned with the same transaction and should be reviewed and handled simultaneously.

81040294102

81040294103
REPORTS ANALYSIS REFERRAL SHEET

DATE April 10, 1980 ANALYST Pamela Brown
 TO: Office of General Counsel TEAM CHIEF Steve Mims
 THROUGH: STAFF DIRECTOR COMPLIANCE REVIEW _____
 FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS DAH

CANDIDATE/COMMITTEE: PRINCE GEORGE'S MEDICAL POLITICAL ACTION COMMITTEE
 TREASURER: Jose T. Solano, M.D.
 ADDRESS: 4700 Auth Place
 Camp Springs, MD 20023
 AFFILIATE(S): not known

ALLEGATION(S): Failure to register and report contributions made to registered filers
 Excessive Contribution
 CITE: 2 U.S.C. 433,434
 2 U.S.C. 441a
 ATTACHMENT(S): 1
 1

DATE INITIATED:
9/13/79

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

ATTACHMENT

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1. Not applicable

PERIOD COVERED FROM _____ TO _____

TOTAL RECEIPTS \$ _____ TOTAL EXPENDITURES \$ _____

CASH ON HAND \$ _____ DEBTS \$ _____

HISTORY:

RESULTS OF REVIEW:
 1st letter sent to committee for contributing in excess of \$1000 to a federal candidate advising the donor to register and report or request a refund: 9/13/79 ATTACHMENT 2
 2nd letter sent showing an additional contribution to another candidate: 3/5/80 ATTACHMENT 3
 Partial Response ATTACHMENT 4
 COMMUNICATIONS WITH CANDIDATE/COMMITTEE: none ATTACHMENT

REASON(S) FOR REFERRAL: Meets Division threshold for referral ATTACHMENT

OTHER PENDING ACTIONS INITIATED BY RAD: n/a ATTACHMENT

OTHER RELEVANT INFORMATION: See Nelson for Senate-companion referral. Nelson for Senate Committee refunded amount in excess of \$1000: 9/25/79 ATTACHMENT
 See Carter/Mondale Presidential Committee Inc.-companion referral. Carter/Mondale Presidential Committee Inc. refunded total amount (\$5000): 3/20/80
 Prince George's Medical Political Action Committee may be affiliated with Maryland Medical Political Action Committee, a qualified multicandidate committee.
 PREVIOUS OGC/AUDIT REFERRALS FROM RAD:

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

Page 2 of 2 for
Line Number 15b
Use Separate Schedule
each numbered line

Name of Candidate or Committee in Full

Nelson for Senate Committee

Receipt for: **1980** Primary General Other
 Full Name, Mailing Address and ZIP Code
Prince Georges Medical Political Action Committee
4700 Auth Pl.
Camp Springs, MD 20023

Principal Place of Business
 Occupation

Date (month, day, year)
4-12-79
 Amount of each Re this Period
\$2,000.00

Receipt for: **1980** Primary General Other
 Full Name, Mailing Address and ZIP Code
Trailways Political Action Committee
1500 Jackson St.
Dallas, Texas 75201

Check if Contributor is self-employed
 Aggregate Year-To-Date ... \$ **2,000.00**
 Principal Place of Business
C 00086504
 Occupation

Date (month, day, year)
4-23-79
 Amount of each Re this Period
250.00

Receipt for: **1980** Primary General Other
 Full Name, Mailing Address and ZIP Code
Westinghouse Employes Political Participation Program
Westinghouse Bldg., Gateway Center
Pittsburgh, Pa. 15222

Check if Contributor is self-employed
 Aggregate Year-To-Date ... \$ **250.00**
 Principal Place of Business
C 00035220
 Occupation

Date (month, day, year)
4-23-79
 Amount of each Re this Period
1,000.00

Receipt for: **1980** Primary General Other
 Full Name, Mailing Address and ZIP Code
Special Political Agricultural Community Education (SPACE)
10140 Linn Station Rd.
Louisville, Kentucky 40223

Check if Contributor is self-employed
 Aggregate Year-To-Date ... \$ **1,000.00**
 Principal Place of Business
C 00003772
 Occupation

Date (month, day, year)
5-8-79
 Amount of each Re this Period
1,000.00

Receipt for: **1980** Primary General Other
 Full Name, Mailing Address and ZIP Code
Laborers' Political League
906 - 16th St., NW
Washington DC

Check if Contributor is self-employed
 Aggregate Year-To-Date ... \$ **1,000.00**
 Principal Place of Business
C 00007922
 Occupation

Date (month, day, year)
5-8-79
 Amount of each Re this Period
1,000.00

Receipt for: **1980** Primary General Other
 Full Name, Mailing Address and ZIP Code
Philip Morris Political Action Committee (PHIL-PAC)
100 Park Ave.
New York, NY 10017

Check if Contributor is self-employed
 Aggregate Year-To-Date ... \$ **1,000.00**
 Principal Place of Business
C 00089136
 Occupation

Date (month, day, year)
5-11-79
 Amount of each Re this Period
500.00

Receipt for: **1980** Primary General Other
 Full Name, Mailing Address and ZIP Code
NSDA 3i-Partisan Political Action Committee
1101 - 16th St., NW, Suite 700
Washington DC 20036

Check if Contributor is self-employed
 Aggregate Year-To-Date ... \$ **500.00**
 Principal Place of Business
C 00100107
 Occupation

Date (month, day, year)
5-25-79
 Amount of each Re this Period
250.00

Receipt for: **1980** Primary General Other
 Full Name, Mailing Address and ZIP Code

Check if Contributor is self-employed
 Aggregate Year-To-Date ... \$ **250.00**

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

SCHEDULE A-P

8 1 0 4 0 2 9 4 1 0 5

ITEMIZED RECEIPTS
FOR PERIOD
10/01/79 TO 12/31/79

PAGE 8
FOR LINE NO. 10A

FULL NAME AND ADDRESS	PLACE OF BUSINESS	OCCUPATION	CONTRIBUTIONS THIS PERIOD DATE/BATCH NO AMOUNT
PG MEDICAL PAC 4700 40TH PLACE SUITE 200 CAMP SPRINGS MD 20023	IBU	POLITICAL ACTION COMMITTEE	122879/014 \$ 5,000.00
			AGGREGATE YEAR TO DATE: \$ 5,000.00
PUL RESEARCH INGV EMPLOY 2139 WISCONSIN AVE NW WASHINGTON DC 20007	WASHINGTON DC	POLITICAL ACTION COMMITTEE	110279/009 \$ 1,000.00
			AGGREGATE YEAR TO DATE: \$ 1,000.00
PUPE CIV DEMO WUMENS CLUB 603 W 2ND RUSSELLVILLE AR 72801	IBU	POLITICAL ACTION COMMITTEE	111979/005 \$ 100.00
			AGGREGATE YEAR TO DATE: \$ 100.00
PROGRESS DETROI 1126 CITY-COUNTY BUILDING DETROIT MI 48226	IBU	POLITICAL ACTION COMMITTEE	111679/002 \$ 500.00
			AGGREGATE YEAR TO DATE: \$ 500.00
R TELEPHONE PAC 2000 L STREET NW SUITE 710 WASHINGTON DC 20006	N/A WASHINGTON DC	POLITICAL ACTION COMMITTEE	120479/003 \$ 5,000.00
			AGGREGATE YEAR TO DATE: \$ 5,000.00
REPUBLIC STEEL DRP PAC R REPUBLIC BLDG CLEVELAND OH 44101	REPUBLIC STEEL CORP. CLEVELAND OH 44101	POLITICAL ACTION COMMITTEE	101779/000 \$ 500.00
			AGGREGATE YEAR TO DATE: \$ 500.00
S C R K & H PAC TRUST FIRST NATIONAL BANK TOWER ATLANTA GA 30303	ATLANTA GA 30303	POLITICAL ACTION COMMITTEE	122779/034 \$ 1,000.00
			AGGREGATE YEAR TO DATE: \$ 1,000.00
SAN ANTONIO ED MRS. PAC 120 ADAMS ST SAN ANTONIO TX 78210	SAN ANTONIO TX 78210	POLITICAL ACTION COMMITTEE	120279/006 \$ 20.00
			AGGREGATE YEAR TO DATE: \$ 20.00
SUOMER GUDD GOVT FUND 100 BRADWAY LIBERTY TOWER OK 73129	IBU	POLITICAL ACTION COMMITTEE	121379/212 \$ 200.00
			AGGREGATE YEAR TO DATE: \$ 200.00

* The copy of the original notification cannot be located.



FEDERAL ELECTION COMMISSION

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

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 _____ 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.

81040294106

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 _____ in our Reports Analysis Division at (800)424-9530. Our local number is (202)523-_____

Sincerely,

Orlando B. Potter
Staff Director

Certified Mail
Return Receipts Requested

Enclosures

81040294107



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 5, 1980

Treasurer
Prince Georges Medical Political Action Committee
4700 Auth Place
Camp Springs, Maryland 20023

Dear Treasurer:

This letter is to inform you that as of this date, the Commission has not received your response to our letter dated September 13, 1979. Our letter notified you that a review of reports filed with the Commission indicated that your organization may have made contributions which total in excess of \$1,000 during the calendar year. In addition, the year-end report filed by the Carter-Mondale Presidential Committee indicates that your organization may have made a contribution of \$5,000 which may be in excess of the limitations prescribed in 2 U.S.C. 441a (see attached).

The Federal Election Campaign Act (the Act) defines a "political committee" as any organization or other group of persons which receives contributions or makes expenditures (which includes contributions to Federal candidates and committees) 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 a 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.

30031495219
81040294108

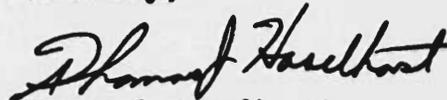
The Act further states that a political committee may not make contributions to any candidate and his authorized political committees with respect to any election for Federal office which, in the aggregate, exceeds \$1,000, unless that committee is a multicandidate committee. A multicandidate committee is a political committee which has been registered under Section 433 for a period of not less than six months, has received contributions from more than 50 persons, and has made contributions to five or more candidates for Federal office, except for state political party organizations, or is a political committee affiliated with a multicandidate committee. In the case of the latter, contribution limitations to candidates are shared by the affiliated committees. Should your organization not meet the qualifications required above for multicandidate committees, you must request a refund from the candidate(s) or political committee(s) for the amount which exceeds the limitations discussed above.

Although the Commission may take further legal steps concerning the excessive contribution, prompt action by you to obtain a refund will be taken into consideration by the Commission. The recipient of the excessive contribution is also being informed of this matter.

If you do not respond within fifteen (15) days from the date of this notice, the Commission may choose to take legal action to ensure compliance with the Act.

If you have any questions related to this matter, please contact Pamela Brown on our toll-free number (800) 424-9530 or our local number 357-0026.

Sincerely,



Thomas J. Haselhorst
Assistant Staff Director
Reports Analysis Division

Attachment

30031495220
81040294109

PRINCE GEORGE'S MEDICAL POLITICAL ACTION COMMITTEE

4700 AUTH PLACE, CAMP SPRINGS, MARYLAND 20823

FEDERAL ELECTION COMMISSION

PHONE (301) 423-5656

'80 MAR 17 PM 2:29

Mr. Thomas J. Haselhorst
Assistant Staff Director
Reports Analysis Division
FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

Re: 2SVI/80-0056

J. ANDREW ARMER, M.D.
Chairman

Dear Mr. Haselhorst:

J. T. SOLANO, M.D.
Treasurer

I am in receipt of your letter dated March 5, 1980 and wish to take this opportunity to express our deepest apologies as well as to try to clarify this matter.

Advisory Board

In reference to the letter sent on September 13, 1979, we promptly requested a refund from the Nelson for Senate Committee and this was sent to us as shown by the enclosed letter. We failed however to notify you of this action mainly because we were under the impression that this information was to be sent to your office by the Nelson for Senate Committee, and that this would automatically take care of the problem.

- GEORGE MALOUF
- FRANCIS MALONE
- DAVID ROBB
- ARTHUR SHAVER
- ROBERT KLING

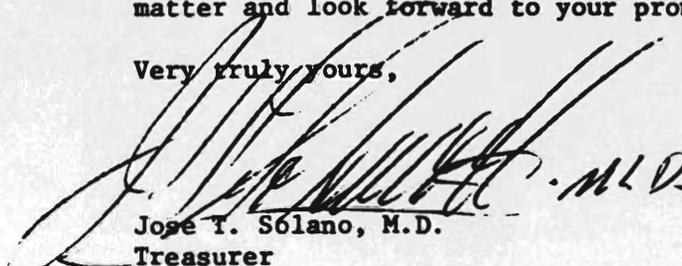
In reference to the Carter-Mondale \$5000 contribution, a mistake was made by the Chairman of our committee, Dr. Andrew Armer, who failed to register us as a multi-candidate committee.

I deeply regret this misunderstanding and the inconveniences that this may have caused. You can be certain however that it was never our intention to avoid compliance with FEC regulations.

We would at this time like to request that you forward to us the corresponding forms so that we can file them accordingly and correct this situation.

I thank you in advance for your kind consideration to this matter and look forward to your prompt response.

Very truly yours,



Jose T. Solano, M.D.
Treasurer

JTS/as

90731502
810402

nelson for senate committee
1836 Keyes Avenue, Madison, Wisconsin 53711

CHAIRMAN
BURT ZIEN
TREASURER
KATE BARBASH

September 25, 1979

Prince Georges Medical PAC
4700 Auth Pl., Suite #200
Camp Springs, MD 20023

Gentlemen:

Enclosed is our check for \$1,000.00. This is a refund on your April 12, 1979 contribution of \$2,000.00. We have been informed by the Federal Election Commission that your contribution exceeded the limits set forth in the Act.

We appreciate your support of Senator Nelson and hope you will consider sending another contribution after the primary election is over.

Thank you.

Sincerely,

Kate Barbash

Kate Barbash, Treasurer

kb;k
encl.
CC: FEC

887845232911

*Deposited
10-26-79
\$1,000.00*

REPORTS ANALYSIS REFERRAL SHEET

DATE April 10, 1980 ANALYST William Copper
TO: OGC TEAM CHIEF Irene Allen
THROUGH: STAFF DIRECTOR COMPLIANCE REVIEW OB
FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS NAH

CANDIDATE/COMMITTEE: Carter/Mondale Presidential Committee, Inc.
TREASURER: S. Lee Kling
ADDRESS: 1413 K St. NW
Washington, DC. 20005
AFFILIATE(S): N/A

ALLEGATION(S): Receipt of an ex- CITE: 2 USC 441a(a)(1)(A) ATTACHMENT(S) 2
cessive contribution from
an unregistered committee

DATE INITIATED: 2/29/80

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 1/1/79 TO 1/31/80

TOTAL RECEIPTS \$ 11,127,878.93 TOTAL EXPENDITURES \$ 9,400,715.03

CASH ON HAND \$ 1,727,163.95 DEBTS \$ -0-

HISTORY:

RESULTS OF REVIEW:

ATTACHMENT

Request for additional information sent 2/29/80 3

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

ATTACHMENT

Telecon dated - 3/12/80 4
Telecon dated - 3/19/80 5

REASON(S) FOR REFERRAL:

ATTACHMENT

Response received - adequate - 3/20/80 6
Meets Commission threshold for review by General Counsel

OTHER PENDING ACTIONS INITIATED BY RAD:

ATTACHMENT

N/A

OTHER RELEVANT INFORMATION:

ATTACHMENT

See Prince George's Medical Political Action Committee - companion referral

PREVIOUS OGC/AUDIT REFERRALS FROM RAD:

N/A

8 1 0 4 0 2 9 4 1 1 4

DATE 3APR80

1979-1980
FEDERAL ELECTION COMMISSION
CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

PAGE 1

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
			PRIMARY	GENERAL	PRIMARY	GENERAL			
CARTER, JIMMY		PRESIDENT DEMOCRATIC PARTY					1980 ELECTION	ID# P40000247	
1. STATEMENT OF CANDIDATE									
1979 STATEMENT OF CANDIDATE - AMENDMENT							14MAR79	3	79FEC/100/2010
CANDIDATE AUTHORIZATION							10JUL79	2	79FEC/100/2530
MISCELLANEOUS REPORT							6NOV79 TO FEC	3	80FEC/103/2412
MISCELLANEOUS REPORT							6NOV79 TO FEC	2	80FEC/100/3079
1980 MISCELLANEOUS REPORT							12MAR80 FROM FEC	2	80FEC/106/3116
2. CANDIDATE REPORTS OF RECEIPTS & EXPENDITURES									
3. PRINCIPAL CAMPAIGN COMMITTEE									
CARTER/MONDALE PRESIDENTIAL COMMITTEE INC							ID# C00108407		
1979 STATEMENT OF ORGANIZATION							16MAR79	5	79FEC/100/2013
STATEMENT OF ORGANIZATION - AMENDMENT							6JUN79	6	79FEC/100/2137
STATEMENT OF ORGANIZATION - AMENDMENT							19NOV79	2	79FEC/100/2973
STATEMENT OF ORGANIZATION - AMENDMENT							4DEC79	2	79FEC/100/2977
✓APRIL 10 QUARTERLY			305,064		15,438		1JAN79 -31MAR79	80	79FEC/100/2054
✓APRIL 10 QUARTERLY - AMENDMENT			305,064		32,408		1JAN79 -31MAR79	79	79FEC/100/2144
REQUEST FOR ADDITIONAL INFORMATION							1JAN79 -31MAR79	5	79FEC/100/2932
✓JULY 10 QUARTERLY			1,240,636		565,941		1APR79 -30JUN79	295	79FEC/100/2233
✓JULY 10 QUARTERLY - AMENDMENT			1,241,881		576,089		1APR79 -30JUN79	59	79FEC/100/2562
✓JULY 10 QUARTERLY - AMENDMENT			-		-		1APR79 -30JUN79	10	79FEC/100/2941
REQUEST FOR ADDITIONAL INFORMATION							1APR79 -30JUN79	13	79FEC/100/2916
REQUEST FOR ADDITIONAL INFORMATION							1APR79 -30JUN79	3	79FEC/100/2912
✓OCTOBER 10 QUARTERLY			875,775		927,458		1JUL79 -30SEP79	281	79FEC/100/2629
✓OCTOBER 10 QUARTERLY - AMENDMENT			-		-		1JUL79 -30SEP79	6	80FEC/100/3067
✓OCTOBER 10 QUARTERLY - AMENDMENT			876,522		947,035		1JUL79 -30SEP79	79	80FEC/100/3891
✓OCTOBER 10 QUARTERLY - AMENDMENT			-		-		1JUL79 -30SEP79	17	80FEC/100/3972
✓OCTOBER 10 QUARTERLY - AMENDMENT			-		-		1JUL79 -30SEP79	21	80FEC/100/4015
✓OCTOBER 10 QUARTERLY - AMENDMENT			-		-		1JUL79 -30SEP79	16	80FEC/100/4045
✓OCTOBER 10 QUARTERLY - AMENDMENT			-		-		1JUL79 -30SEP79	17	80FEC/100/4067
REQUEST FOR ADDITIONAL INFORMATION							1JUL79 -30SEP79	84	79FEC/100/2981
REQUEST FOR ADDITIONAL INFORMATION 2ND							1JUL79 -30SEP79	3	80FEC/100/3079
✓YEAR END			3,328,112		3,285,047		1OCT79 -31DEC79	807	80FEC/100/3084
✓YEAR END - AMENDMENT			3,328,112		3,298,687		1OCT79 -31DEC79	567	80FEC/100/4080
✓YEAR END - AMENDMENT			3,328,112		3,298,687		1OCT79 -31DEC79	41	80FEC/100/5071
✓YEAR END - AMENDMENT			-		-		1OCT79 -31DEC79	3	80FEC/100/5115
✓YEAR END - AMENDMENT			-		-		1OCT79 -31DEC79	7	80FEC/110/0605
✓YEAR END - AMENDMENT			-		-		1OCT79 -31DEC79	16	80FEC/110/0613
REQUEST FOR ADDITIONAL INFORMATION							1OCT79 -31DEC79	79	80FEC/100/4961
1980 STATEMENT OF ORGANIZATION - AMENDMENT							14MAR80	3	80FEC/100/5047
✓FEBRUARY MONTHLY			2,781,799		1,852,495		1JAN80 -31JAN80	302	80FEC/100/4647
✓FEBRUARY MONTHLY - AMENDMENT			2,781,799		1,901,136		1JAN80 -31JAN80	92	80FEC/100/5110
✓MARCH MONTHLY			2,594,498		2,645,357		1FEB80 -20FEB80	593	80FEC/110/0003
TOTAL			11,127,876	0	9,400,712	0		3593	TOTAL PAGES

8 1 0 4 6 2 0
 3 0 0 3 1 0 0 3 6 0 6

SCHEDULE A-P

IDENTIFIED RECEIPTS
 FOR PERIOD
 10/01/79 TO 12/31/79

PAGE 1
 OF 11

FULL NAME AND ADDRESS	PLACE OF BUSINESS	OCCUPATION	CONTRIBUTIONS THIS PERIOD	
			DATE/DAY/MO	AMOUNT
PE MEDICAL PAC 4700 40TH PLACE SUITE 200 CAMP SPRINGS MD 20828		POLITICAL ACTION COMMITTEE	112079/014	5 500.00
			AGGREGATE YEAR TO DATE: 5	500.00
POL RESEARCH ENGVT EMPLOY 2139 WISCONSIN AVE NW WASHINGTON DC 20007	WASHINGTON DC	POLITICAL ACTION COMMITTEE	112079/009	3 1,000.00
			AGGREGATE YEAR TO DATE: 3	1,000.00
POPE CVY DEMO WUMENS CLUB 603 W 2ND RUSSELLVILLE AR 72801		POLITICAL ACTION COMMITTEE	111979/000	5 200.00
			AGGREGATE YEAR TO DATE: 5	200.00
PROGRESS DETROIT 1126 CITY-COUNTY BUILDING DETROIT MI 48226			111979/002	5 200.00
			AGGREGATE YEAR TO DATE: 5	200.00
R TELEPHONE PAC 2000 L STREET NW SUITE 710 WASHINGTON DC 20006	N/A WASHINGTON DC	POLITICAL ACTION COMMITTEE	112079/000	5 1,000.00
			AGGREGATE YEAR TO DATE: 5	1,000.00
REPUBLIC STEEL OAP PAC R REPUBLIC BLDG CLEVELAND OH 44101	REPUBLIC STEEL CORP. CLEVELAND OH 44101	POLITICAL ACTION COMMITTEE	112079/000	5 200.00
			AGGREGATE YEAR TO DATE: 5	200.00
S C R & H FACTRUST FIRST NATIONAL BANK TOWER ATLANTA GA 30303	ATLANTA GA 30303	POLITICAL ACTION COMMITTEE	112279/004	5 1,000.00
			AGGREGATE YEAR TO DATE: 5	1,000.00
SAN ANTONIO BO WRS. PAC 120 AGANS ST SAN ANTONIO TX 78210	SAN ANTONIO TX 78210		112079/001	1 20.00
			AGGREGATE YEAR TO DATE: 1	20.00
SEUMER GOOD GOVT FUND 100 BRADWAY LIBERTY TOWER GA 75125		POLITICAL ACTION COMMITTEE	112279/022	5 200.00
			AGGREGATE YEAR TO DATE: 5	200.00



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20003

February 29, 1980

Mr. S. Lee Kling, Treasurer
Carter/Mondale Presidential Committee
P.O. Box 500
Washington, D.C. 20044

Dear Mr. Kling:

This letter is prompted by the Commission's preliminary review of your Year-end Report, as amended. The review raised questions as to specific contributions and/or expenditures, and to the reporting of certain information required by the Federal Election Campaign Act. An itemization of these areas follows:

On Schedule A-P for Line 17a, your Year-end Report, as amended, discloses contributions from individuals which appear to exceed the limits set forth in 2 U.S.C. 441a (pertinent schedules attached). Further, Schedule A-P for Line 18b discloses a contribution from P.G. Mad PAC of \$5,000 which also exceeds the limits set forth in 2 U.S.C. 441a. The Act precludes an individual or a political committee, other than a multi-candidate political committee, from making contributions to a candidate for Federal office in excess of \$1,000 per election. If you have received contributions which exceed the limits, the Commission recommends that you refund to the donors the amounts in excess of \$1,000. The return of the contributions should be reported immediately by letter, and the refund should appear on Line 27a of Schedule B-P on your next report. If you find that the contributions in question were disclosed improperly or incorrectly, please amend your report with the clarifying information.

Although the Commission may take further legal steps concerning the acceptance of an excessive contribution, your prompt refund of the excessive amount(s) to the donor(s) will be taken into consideration.

On Schedule A-P for Line 17a, you disclose the following contributions from political action committees:

AM TEX IN COM GOOD GO	12/26/79	\$1,000
PAS PAC	12/14/79	\$5,000
RIEGLE PEOPLE FOR GOOD GO	12/26/79	\$2,500
SAFEDPAC	12/26/79	\$ 500
UNITED STEELWORKERS AMER	11/05/79	\$ 500
FUND FOR BETTER GOV	12/26/79	\$2,500

Contributions from non-affiliated committees should be itemized on Schedule A-P for Line 18b and the total included in the total for Line 18b of the Detailed Summary Page. Please amend your report accordingly.

8104093 P 014 b 61

Page 2
Request for Additional Information
Carter/Mondale Presidential Committee

On Schedule A-P for Line 17a, your report discloses the following contributions:

ANONYMOUS ANONYMOUS	12/18/79	\$ 102
AMBASSADOR APAR ANONYMOUS	12/03/79	\$1,000

11 CFR 110.4(c)(3) requires a candidate or committee to promptly dispose of anonymous cash contributions in excess of \$50. The amount over \$50 may be used for any lawful purpose unrelated to any Federal election, campaign or candidate. Please amend your report to clarify the nature of these receipts.

11 CFR 104.2(b)(7)(11) requires that the source of refunds and rebates be disclosed to include the identification (as defined in 11 CFR 100.10), principal place of business and occupation, if any, together with the nature, date and amount of such receipt. Some of this information has been omitted for Lines 21a and 22a of Schedule A-P. Please amend your report to provide the address, principal place of business and occupation, where applicable, for the source of each refund.

11 CFR 104.2(b)(9) requires "the identification of each person to whom expenditures have been made by or on behalf of the committee or candidate within the reporting period which total more than \$100, or in an amount less than \$100 if the total exceeds \$100 within a calendar year, together with the amount, date and particulars of such expenditures"

11 CFR 100.10 defines identification to mean, in the case of an individual, his or her "principal place of residence" and, in the case of any other person, the "mailing address." Please amend your report to provide the address for each person to whom an expenditure has been made.

The Commission has determined that when there is a very definite associative property between a recognizable vendor and the goods and/or services normally provided by the vendor, certain terms used to describe the particulars of the expenditure would be acceptable. In a case where the payee is not a recognizable vendor of the goods and/or services described, the same terms used for particulars are not acceptable. The following expenditures therefore need further clarification. Please amend your report accordingly.

Ann Barr c/o Joe Foy	Meetings Food	12/19/79	\$3,000
Ben Lanier	Meetings Food	12/12/79	\$5,353.50
Fred Taylor Co.	Meetings Reimbursement	12/21/79	\$1,759.11

Please be advised that you must supply the Commission with the requested information within fifteen (15) days from the date of this letter. If you have any questions, please contact William Coppel in our Reports Analysis Division on the toll-free number (800) 424-9530. Our local number is (202) 523-4048.

Sincerely,

Thomas J. Hazelhorst
Thomas J. Hazelhorst
Assistant Staff Director
Reports Analysis Division

Attachments

8 1 0 0400 3 6 14014 9 2

TELECON

ANALYST COPPEL
initiated call? XX

TELECON WITH: Lucy Safran
initiated call? _____

Candidate/Committee: CMPC

DATE: 3/12/80

SUBJECT(S): Year End RFAI

I called Ms. Safran to find out if she had received the RFAI for the YE report. She said she had not. I advised her to look for it since it was approaching the due date.

I also told her that among other things, it appeared from the report that the committee had accepted an excessive contribution from an unregistered committee; P. G. Med PAC. She said that she was not aware of this but would check into it when they received the RFAI.

I told her to call me if she had any questions.

81040294118

TELECON WITH: LUCY SAFRAN
initiated call? _____

Candidate/Committee: Carter/Mondale PC.

DATE: 3/19/80

SUBJECT(S): YE amendment

I called Lucy regarding a matter included in the YE RFAI. Upon a brief review of the response to the YE RFAI, it was determined that the matter regarding an excessive contribution received by the committee from PG Med Pac had not been addressed. When I questioned Ms Safran about this omission, she indicated that she was not aware of the situation nor did she see this matter in the RFAI. I reminded her that I had discussed it with her recently, (see telecon dated 3/12/80), at which time she said that she would research the matter. I told her to check the RFAI again. In re-reading the request, Lucy discovered the section regarding the contribution in question and advised me that she would draw a refund check today and return the \$5000 to the PAC.

I advised her that a copy of the check and a cover letter indicating what had been done to rectify the matter should be brought over as soon as possible.

She agreed.

81040294119

CARTER/MONDALE PRESIDENTIAL COMMITTEE INC.
P.O. BOX 500, WASHINGTON, D.C. 20044 (202) 347-9000

RECEIVED
FEDERAL ELECTION
COMMISSION
HAND DELIVERED
80 MAR 20 AM 11:32

March 20, 1980

Bill Cappel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Mr. Cappel:

This statement is in response to the Federal Election Commission request to clarify a contribution from the P.G. Mad PAC. Please note that this contribution refund will be reported on the April monthly report.

Sincerely,

Lee Kling
E. Lee Kling
Treasurer

81040294120

00031005115

CARTER/MONDALE PRESIDENTIAL COMMITTEE, INC.
P.O. BOX 500, WASHINGTON, D.C. 20004 (202) 347-4000

March 20, 1980

Dr. Jose Solano
Prince Georges Medical INC
1119 19th Street, Suite 307
Washington, D.C. 20005

Dear Dr. Solano:

I want to thank you for your generous contribution to the Carter/Mondale Presidential Committee. Federal campaign laws prevents us, however, from accepting contributions in excess of \$1,000 from an unqualified political action committee. As a result, I am refunding to you a check in the amount of \$5,000 dated March 19th.

Once again, thank you and please forgive us any inconvenience we may have caused you.

Sincerely,

Lucia Safra

Lucia Safra
Finance

00031005116

CARTER-MONDALE PRESIDENTIAL
COMMITTEE, INC.
OPERATING ACCOUNT

.6563

March 19 1980

15720

PAY: 3500000 CTS

\$5,000.00

PAY
TO THE ORDER OF

Prince Georges Medical INC
1119 19th Street Suite 307
Washington, DC 20005

Lucia Safra



REPORTS ANALYSIS REFERRAL SHEET

DATE April 10, 1980 ANALYST Susan Weber JW
TO: OGC TEAM CHIEF Peter Kell, Jr. SK for PR SR
THROUGH: STAFF DIRECTOR COMPLIANCE REVIEW CKJ
FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS NH

CANDIDATE/COMMITTEE: Nelson for Senate Committee
TREASURER: Kate Barbash
ADDRESS: 1836 Keyes Avenue
Madison, Wisconsin 53711
AFFILIATE(S): None

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

DATE INITIATED: 8/22/79

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 4/1/79 TO 6/30/79

TOTAL RECEIPTS \$ 52086 TOTAL EXPENDITURES \$ 3866

CASH ON HAND \$ 60602 DEBTS \$ -0-

HISTORY:

RESULTS OF REVIEW: ATTACHMENT
Surface violation notice sent- 9/13/79 on July 10 report 3
Response received- 9/25/79- Inadequate 5
Response received- 10/9/79- Adequate 6

COMMUNICATIONS WITH CANDIDATE/COMMITTEE: ATTACHMENT
Telecon dated- 9/24/79 4

REASON(S) FOR REFERRAL: ATTACHMENT
Meets division threshold for referral

OTHER PENDING ACTIONS INITIATED BY RAD: ATTACHMENT
N/A

OTHER RELEVANT INFORMATION: ATTACHMENT
See Prince George's Medical Political Action Committee - companion referral

PREVIOUS OGC/AUDIT REFERRALS FROM RAD:
N/A

THIS SHOULD BE LINE 2 ON THE PAGE.
.TTY NO FORM

8 1 0 4 0 2 9 4 1 2 3

.Q INQ80C
COMMITTEE ID: C00027813

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) 1979-1980

DATE 31JAN80
PAGE 1

SENATE

COMMITTEE	DOCUMENT	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
		PRIMARY	GENERAL	PRIMARY	GENERAL			
NELSON FOR SENATE								
	1979 STATEMENT OF ORGANIZATION- AMENDMENT					8NOV79	3	79SEN/007/1109
	✓ APRIL 10 QUARTERLY	6,217		1,890		1JAN79 -31MAR79	8	79SEN/002/2858
	✓ APRIL 10 QUARTERLY - AMENDMENT					1JAN79 -31MAR79	3	79SEN/003/3828
	✓ APRIL 10 QUARTERLY - AMENDMENT	6,717		2,390		1JAN79 -31MAR79	4	79SEN/005/3224
	✓ JULY 10 QUARTERLY	51,657		3,437		1APR79 -30JUN79	15	79SEN/004/0292
	✓ JULY 10 QUARTERLY - AMENDMENT					30JUN79	3	79SEN/005/3283
	✓ JULY 10 QUARTERLY - AMENDMENT	52,086		3,844		1APR79 -30JUN79	4	79SEN/005/3220
	✓ JULY 10 QUARTERLY - AMENDMENT					1APR79 -30JUN79	4	79SEN/005/3829
	OCTOBER 10 QUARTERLY	43,521		13,347		1JUL79 -30SEP79	21	79SEN/005/3705
	YEAR END REPORT	128,543		33,808		1OCT79 -31DEC79	52	80SEN/001/0970
	TOTAL	230,867	0	53,431	0		121	TOTAL PAGES

COMMITTEE ID:

EXIT

.K
Other Jobs same PPN
User [600,25] Job 25 ISC#6 off TTY21 at 9:19 AM Thu 31-Jan-80
Connect time 0:01 CRU'S 199
Jobs 26 28 still logged in under your user number

NO RTB

AK

79 6 20053829
16-9-79

*compliance
card
updated*

Due

10/3/79



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 13, 1979

Kate Barbash, Treasurer
Nelson For Senate Committee
1836 Keyes Avenue
Madison, WI 53711

Dear Ms. Barbash:

This letter is prompted by the Commission's interest in assisting candidates and committees who wish to comply with the Federal Election Campaign Act, as amended. During review of the July 10 Quarterly Report of Receipts and Expenditures, we noticed an entry indicating that you may have received a contribution which exceeds the limits set forth in the Act. A copy of that portion of your report is attached so that a review of your records can be made.

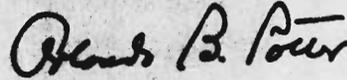
The Act precludes individuals and political committees, other than multicandidate committees, from making political contributions to a candidate for Federal election in excess of \$1,000 per election. The Act defines a multicandidate committee as one which has been registered for a period of not less than six months; has received contributions from more than fifty persons; and has made contributions to five or more candidates for Federal office. The committee listed as the source of the contribution in question does not presently qualify as a multicandidate committee and we have notified them accordingly. We have recommended that the source committee notify you if it is confirmed that the contribution was in excess of the limits.

The Commission recommends that if you find the contribution you received was in excess of the limits set forth in the Act you return the amount in excess of \$1,000 to the donor. This return should be reported immediately by letter and should be reflected as a contribution refund on your next report of receipts and expenditures. If you find that the entry in question is incomplete or incorrect, please submit a statement which would clarify this particular matter for the public record. You may do so by amending your original report by letter.

81040294125

Please notify the Commission within fifteen (15) days from the date of this letter of the determination made on this matter. If you have any questions concerning this matter, please do not hesitate to contact Ron Krouse (800)424-9530, our Reports Analyst assigned to you. Our local telephone number is (202)523-4172.

Sincerely,



Orlando B. Potter
Staff Director

Enclosure
Certified Mail:
Return Receipt Requested

81040294126

TELECON:

FROM: KATE BARBASH, TREASURER (608) 255-6849

TO: RON KROUSE

DATE: 9/24/79

RE: NELSON FOR SENATE WISC

79 File

Mrs. Barbash called re. the S.V. letter on a \$2,000 contribution from the un-registered Prince Georges MEDPAC. She was under the impression that they were a multi-candidate committee, affiliated with the Maryland MEDPAC. I told her that they were unregistered and that \$1000 should be refunded. She will comply.

81040294127

nelson

SEP 25 1979
REGULAR MAIL

for senate committee
1836 Keyes Avenue, Madison, Wisconsin 53711

CHAIRMAN
BURT ZIEM
TREASURER
KATE BARBASH

205 SV/79-32 RK
copy

'79 SEP 27 PM 12:14

September 25, 1979

OFFICE OF SENATOR NELSON
1836 KEYES AVENUE
MADISON, WISCONSIN 53711
OCT - 1 PM 11:06

Prince Georges Medical PAC
4700 Auth Pl., Suite #200
Camp Springs, MD 20023

Gentlemen:

Enclosed is our check for \$1,000.00. This is a refund on your April 12, 1979 contribution of \$2,000.00. We have been informed by the Federal Election Commission that your contribution exceeded the limits set forth in the Act.

We appreciate your support of Senator Nelson and hope you will consider sending another contribution after the primary election is over.

Thank you.

Sincerely,

Kate Barbash
Kate Barbash, Treasurer

kb;k
encl.
CC: FEC

MAILED DELIVERED
OCT 9 11:15

871 014:01209:4'122'87

K 51202 WI DEM C 311

Paid for by Nelson for Senate Committee, Kate Barbash, Treasurer, 1836 Keyes Avenue, Madison, Wisconsin 53711. A copy of our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission, Washington, D.C.

4/1/79 - 6/30/79

SCHEDULE B
REVISED
 January, 1978
 Federal Election Commission
 1325 K Street, N.W.
 Washington, D.C. 20463

ITEMIZED EXPENDITURES
 (Operating, Transfers Out, Contributions In-Kind,
 Loans, Loan Repayments and Refunds Made)
 Supporting Lines 20a, 21a, and 22a, 22b, and 22c
 of FEC FORM 3

Page 1 of 1 for
 Line Number 21(a)

(Use Separate Schedules for
 each numbered line)

OCTOBER 10 Report

040294129

7902053723

Name of Candidate or Committee in Full			
Nelson for Senate Committee			
Full Name, Mailing Address and ZIP Code Prince Georges Medical PAC 4700 Auth Pl., Suite #200	Particulars of Expenditure Refund of excess contribution	Date (month, day, year) 9-24-79	Amount of each ex- penditure this period 1,000.00
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each ex- penditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each ex- penditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each ex- penditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each ex- penditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each ex- penditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each ex- penditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		



FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 1226

Date Filmed 9/22/81 Camera No. --- 2

Cameraman BPC

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41
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FEDERAL ELECTION COMMISSION

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

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END OF ADDITIONAL MATERIAL FOR CLOSED MUR 1226 .



FEDERAL ELECTION COMMISSION

Routing Slips
48 hour ballot sheet

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

- (1) Classified Information
- (2) Internal rules and practices
- (3) Exempted by other statute
- (4) Trade secrets and commercial or financial information
- (5) Internal Documents
- (6) Personal privacy
- (7) Investigatory files
- (8) Banking Information
- (9) Well Information (geographic or geophysical)

Signed *Suzanne Gallich*
date *2/12/82*

8 2 0 1 0 3 1 2 6 1 7



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 11, 1982

James M. Christian, Esquire
1120 Connecticut Avenue, N.W.
Washington, D.C. 20036

RE: MUR 1226

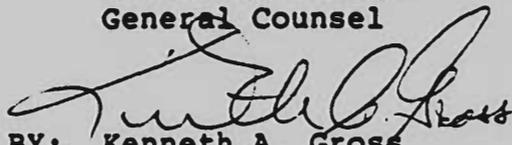
Dear Mr. Christian:

On February 10, 1982, the Commission accepted the conciliation agreement signed by you in settlement of a violation of 2 U.S.C. § 441b, a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

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

Sincerely,

Charles N. Steele
General Counsel



BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

82040312648

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Prince George's County) MUR 1226
Medical PAC)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Reason to believe has been found that Prince George's Medical PAC ("Respondent") violated 2 U.S.C. § 441b by expending corporate funds in connection with federal elections.

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

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

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

III. Respondent enters voluntarily into this Agreement with the Commission.

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

1. Respondent is a political committee.

82040312649

2. Respondent accepted corporate contributions from June 18, 1978 through March 26, 1980.
3. Respondent expended \$11,100 in connection with federal elections during 1979. Contributed funds were drawn from the treasury containing corporate funds.

V. Respondent consented to the corporate contributions, in violation of 2 U.S.C. § 441b.

VI. Respondent agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

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

82040312650

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

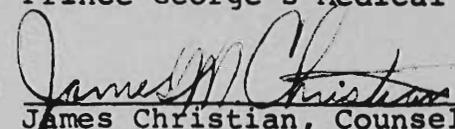
Charles N. Steele
General Counsel

February 11, 1982
Date

BY: 
Kenneth A. Gross
Associate General Counsel

Prince George's Medical PAC

January 27, 1982
Date

BY: 
James Christian, Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

James M. Christian, Esquire
1120 Connecticut Avenue, N.W.
Washington, D.C. 20036

RE: MUR 1226

Dear Mr. Christian:

On February , 1982, the Commission accepted the conciliation agreement signed by you in settlement of a violation of 2 U.S.C. § 441b, a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

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

Sincerely,

Charles N. Steele
General Counsel

CSM
2/11/82

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

James M. Christian, Esquire
1120 Connecticut Avenue, N.W.
Washington, D.C. 20036

RE: MUR 1226

Dear Mr. Christian:

On February , 1982, the Commission accepted the conciliation agreement signed by you in settlement of a violation of 2 U.S.C. § 441b, a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

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

Sincerely,

Charles N. Steele
General Counsel

Some
2/11/82

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

92040312653

February 8, 1982

MEMORANDUM TO: Marjorie W. Emmons
FROM: Phyllis A. Kayson
SUBJECT: MUR 1226

Please have the attached Memo to the Commission distributed to the Commission on a 48 hour tally basis.

Thank you.

Attachment

cc:Callahan

82040312654

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Prince George's County)
Medical PAC)

MUR 1226

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 10, 1982, the Commission decided by a vote of 5-0 to take the following actions in MUR 1226:

1. Accept the conciliation agreement with the Prince George's County Medical PAC as submitted with the General Counsel's Memorandum to the Commission dated February 8, 1982.
2. Close the File.

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

Attest:

2/10/82
Date

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

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

2-8-82, 10:23
2-8-82, 4:00



SENSITIVE

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

82 FEB 8 A10: 23

February 8, 1982

MEMORANDUM

TO : The Commission

FROM : Charles N. Steele
General Counsel

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

SUBJECT: MUR 1226 - Conciliation Agreement

Attached is a conciliation agreement which has been signed by James Christian, counsel for the respondent.

The attached agreement contains no changes from the agreement approved by the Commission on January 12, 1982.

The Office of General Counsel recommends the acceptance of this agreement and the closing of the file.

Attachment
Conciliation Agreement - one
Notification Letter - one

82040312656

102741 GCCH 7079
Callahan

FINLEY, KUMBLE, WAGNER, HEINE, UNDERBERG & CASEY

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

1120 CONNECTICUT AVENUE, N. W.

WASHINGTON, D. C. 20036

(202) 857-4000

TELEX: 892415

CABLE: DANKEY

TELECOPIER (202) 857-4410

PARTNERS IN WASHINGTON, D. C. OFFICE FORMERLY MEMBERS OF:

DANZANSKY, DICKEY, TYDINGS, QUINT & GORDON

RECEIVED
FEB 1 10 51 AM '82

FINLEY, KUMBLE, WAGNER, HEINE, UNDERBERG & MANLEY
12029 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067
(213) 557-0111
TELECOPIER (213) 557-0888

425 PARK AVENUE
NEW YORK, N. Y. 10022
(212) 371-8900
TELECOPIER (212) 371-3469

FINLEY, KUMBLE, WAGNER, HEINE & UNDERBERG
401 BRICKELL AVENUE
MIAMI, FLORIDA 33131
(305) 368-8080
TELECOPIER (305) 371-3688

January 28, 1982

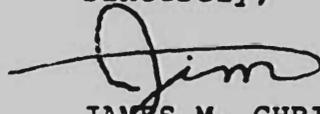
82040312657

Ms. Suzanne Callahan
Office of the General Counsel
Federal Elections Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Suzanne:

Please find enclosed the executed conciliation agreement regarding the Prince George's Medical PAC. Thank you ever so much for your effort and assistance in the completely satisfactory disposition of this matter.

Sincerely,



JAMES M. CHRISTIAN
For the Firm

Enclosure

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Prince George's County	)	MUR 1226
Medical PAC)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Reason to believe has been found that Prince George's Medical PAC ("Respondent") violated 2 U.S.C. § 441b by expending corporate funds in connection with federal elections.

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

- I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).
- II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. Respondent enters voluntarily into this Agreement with the Commission.
- IV. The pertinent facts in this matter are as follows:
 - 1. Respondent is a political committee.

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- 2. Respondent accepted corporate contributions from June 18, 1978 through March 26, 1980.
- 3. Respondent expended \$11,100 in connection with federal elections during 1979. Contributed funds were drawn from the treasury containing corporate funds.

V. Respondent consented to the corporate contributions, in violation of 2 U.S.C. § 441b.

VI. Respondent agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

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

82010512659

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

Charles N. Steele
General Counsel

Date

BY: _____
Kenneth A. Gross
Associate General Counsel

Prince George's Medical PAC

January 27, 1982
Date

BY: James M. Christian
James Christian, Counsel

82090312560



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

James M. Christian, Esquire
1120 Connecticut Avenue, N.W.
Washington, D.C. 20036

RE: MUR 1226

Dear Mr. Christian:

On February , 1982, the Commission accepted the conciliation agreement signed by you in settlement of a violation of 2 U.S.C. § 441b, a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

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

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

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20274) BCC# 7079

FINLEY, KUMBLE, WAGNER, HEINE, UNDERBERG & CASEY

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

1120 CONNECTICUT AVENUE, N. W.

WASHINGTON, D. C. 20036

(202) 857-4000

TELEX: 892418

CABLE: DANKEY

TELECOPIER (202) 857-4410

PARTNERS IN WASHINGTON, D. C. OFFICE FORMERLY MEMBERS OF:
DANZANSKY, DICKEY, TYDINGS, QUINT & GORDON

RECEIVED
FEB 1 1982
P 5: 01

FINLEY, KUMBLE, WAGNER, HEINE, UNDERBERG & MANLEY
2029 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067
(213) 557-0111
TELECOPIER (213) 557-0898

425 PARK AVENUE
NEW YORK, N. Y. 10022
(212) 371-5900
TELECOPIER (212) 371-3469

FINLEY, KUMBLE, WAGNER, HEINE & UNDERBERG
1101 BRICKELL AVENUE
MIAMI, FLORIDA 33131
(305) 358-8050
TELECOPIER (305) 371-3655

January 28, 1982

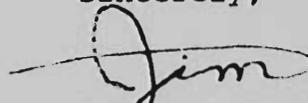
82010312662

Ms. Suzanne Callahan
Office of the General Counsel
Federal Elections Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Suzanne:

Please find enclosed the executed conciliation agreement regarding the Prince George's Medical PAC. Thank you ever so much for your effort and assistance in the completely satisfactory disposition of this matter.

Sincerely,



JAMES M. CHRISTIAN
For the Firm

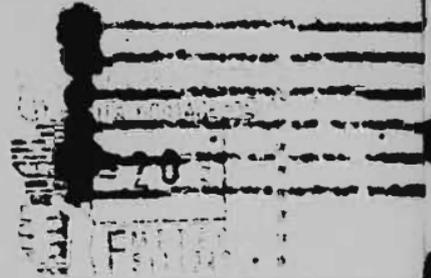
Enclosure

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FINLEY, KUMBLE, WAGNER, HEINE, UNDERBERG & CASEY

1120 CONNECTICUT AVENUE, N.W.

WASHINGTON, D.C. 20036



Ms. Suzanne Callahan
Office of the General Counsel
Federal Elections Commission
1325 K Street, N.W.
Washington, D.C.

20463

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Prince George's County)
Medical PAC)

MUR 1226

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session on January 12, 1982, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions:

1. Re-open MUR 1226.
2. Find reason to believe PGMPAC violated 2 U.S.C. §441b.
3. Approve the conciliation agreement attached to the General Counsel's December 18, 1981 report in the above-captioned matter.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry, and Reiche voted affirmatively for the decision.

Attest:

1-13-82

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

82040312664



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS /JODY CUSTER *jc*
OFFICE OF THE SECRETARY TO THE COMMISSION

DATE: JANUARY 5, 1982

SUBJECT: ADDITIONAL OBJECTION - MUR 1226 General
Counsel's Report dated 12-18-81; Received
in OCS, 12-21-81, 10:26

You were notified previously of an objection by
Commissioner Aikens.

Commissioner Reiche submitted an additional objection
at 4:33, January 4, 1982.

This matter will be discussed in executive session
on Tuesday, January 12, 1982. A copy of Commissioner Reiche's
vote sheet with his comments is attached.

Attachment:
Vote sheet

82049312655



FEDERAL ELECTION COMMISSION

WASHINGTON D C 20463

MEMORANDUM TO: CHARLES N. STEELE, GENERAL COUNSEL
FROM: MARJORIE W. ~~EMMIS~~ / JODY CUSTER *JC*
DATE: DECEMBER 31, 1981
SUBJECT: OBJECTION - MUR 1226 - General Counsel's
Report dated December 18, 1981; Received
in OCS, 12-21-81, 10:26

The above-named document was circulated to the Commission on
December 28, 1981 at 11:00.

Commissioner Aikens submitted an objection at 3:09, December 30,
1981.

This matter will be placed on the agenda for the Executive
Session of Tuesday, January 12, 1982.

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December 21, 1981

MEMORANDUM TO: Marjorie W. Emmons

FROM: Phyllis A. Kayson

SUBJECT: MUR 1226

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

Attachment

cc: Callahan

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SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
FEDERAL ELECTION COMMISSION
MAY

In the Matter of)
)
Prince George's County)
Medical PAC)

MUR 1226

81 DEC 21 A10: 26

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Based on Commission records, it has been determined that the Prince George's Medical PAC ("PGMPAC") expended \$11,100 in connection with Federal Elections during 1979 but failed to register as a political committee or file reports of receipts and expenditures with the Commission. As an unregistered committee, PGMPAC contributed \$2,000 to the Nelson for Senate Committee, \$5,000 to the Carter/Mondale Committee and \$2,000 to the Democratic Congressional Dinner Committee, \$1,000 to the Comite Pro Baltisar Corrado, \$100 to the Newt Gingrich Campaign Fund, and \$1,000 to the Seith for Senate 1980; the contributions to the Nelson and Carter/Mondale Committees exceeded the limitations set forth in 2 U.S.C. § 441a. The excessive contributions were refunded to PGMPAC by the recipients after being advised by the Commission that PGMPAC did not meet the multicandidate criteria in 2 U.S.C. § 441a(a)(4).

On July 1, 1980, the Commission found reason to believe that PGMPAC violated 2 U.S.C. § 433, § 434, and § 441a, and so notified the respondent on July 14, 1980. PGMPAC filed a response to the Commission's reason to believe notification on July 28, 1980. In its response, PGMPAC indicated that refunds of the excessive contributions had been received and indicated that

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it had no affiliation whatever with either the Maryland Medical Association or the American Medical Association or Society.

On January 6, 1981, the Commission found probable cause to believe that the referenced provisions of the Act had been violated. On that same date, the Commission approved the conciliation agreement proposed by the Office of General Counsel which provided for a civil penalty of \$2,500. The respondent committee did not attempt to negotiate language changes or a reduction in the amount of the civil penalty. The respondent committee signed the agreement and paid the \$2,500 civil penalty on February 6, 1981.

Pursuant to paragraph IX, page 2, of the conciliation agreement, the respondent was required to

"... file reports covering the period from its inception to the present pursuant to 2 U.S.C. § 433 and § 434."

As a result of the filing of the required disclosure reports, James Christian, PGMPAC's counsel, determined that the committee's treasury contained corporate funds. Thus, he advised the Commission that in addition to violations of § 433, § 434, and § 441a, an additional violation of § 441b has been committed by PGMPAC as well.

In his letter, counsel states that while he believes further conciliation is warranted, he requests that no further action be taken because this violation does not involve funds not covered in the extant conciliation agreement and because PGMPAC has ceased all activities as a result of the prior proceedings in this matter. (letter attached).

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In view of the fact that the respondent has requested conciliation in this matter, the Office of General Counsel recommends that the Commission re-open MUR 1226 for purposes of entering into conciliation with PGMPAC in connection with its violation of § 441b. We do not, however, recommend imposition of an additional civil penalty as the § 441b violation involves the same funds and transactions previously deemed illegal by the Commission and conciliated by the respondent. It is recommended that the attached conciliation agreement be sent to the respondent in order that the public record on this matter be complete.

RECOMMENDATIONS

1. Re-open MUR 1226.
2. Find reason to believe PGMPAC violated 2 U.S.C. § 441b.
3. Approve attached conciliation agreement.

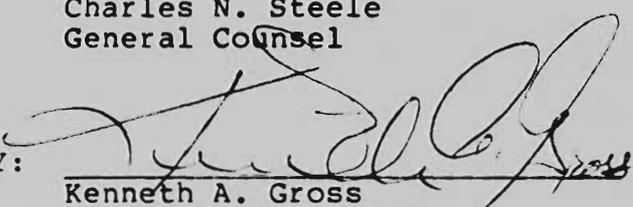
Attachments

- Proposed Conciliation Agreement (3 pages)
- Proposed Notification Letter (1 page)
- Letter from Counsel (2 pages)
- (6 total pages attached)

Date: Dec 18, 1981

Charles N. Steele
General Counsel

BY:



Kenneth A. Gross
Associate General Counsel

82040312670

2

2. Respondent accepted corporate contributions from June 18, 1978 through March 26, 1980.
3. Respondent expended \$11,100 in connection with federal elections during 1979. Contributed funds were drawn from the treasury containing corporate funds.

V. Respondent consented to the corporate contributions, in violation of 2 U.S.C. § 441b.

VI. Respondent agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

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

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

Charles N. Steele
General Counsel

Date

BY: _____
Kenneth A. Gross
Associate General Counsel

Date

Prince George's Medical PAC

BY: _____
James Christian

ITS: _____
Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

James M. Christian, Esq.
1120 Connecticut Avenue, N.W.
Washington, D.C. 20036

RE: MUR 1226

Dear Mr. Christian:

On _____, 1981, the Commission found reason to believe that Prince George's Medical PAC violated 2 U.S.C. § 441b. At your request, the Commission determined on _____, 1981, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of thirty days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Suzanne Callahan, the staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Enclosure
Conciliation Agreement

82019312674

CC# 5571
5

FINLEY, KUMBLE, WAGNER, HEINE, UNDERBERG & CASEY
1120 CONNECTICUT AVENUE, N.W.
WASHINGTON, D. C. 20036

(202) 857-4000 TELE: 892418
CABLE: DANKEY TELECOPIER (202) 857-4410

PARTNERS IN WASHINGTON, D.C. OFFICE FORMERLY MEMBERS OF:
DANZANSKY, DICKEY, TYDINGS, QUINT & GORDON

FINLEY, KUMBLE, WAGNER, HEINE, UNDERBERG & MANLEY
2020 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067
(213) 557-0111
TELECOPIER (213) 557-0898

425 PARK AVENUE
NEW YORK, N.Y. 10022
(212) 371-5900
TELECOPIER (212) 371-3489
WRITER'S DIRECT DIAL
(202) 857-4466

FINLEY, KUMBLE, WAGNER, HEINE & UNDERBERG
1401 BRICKELL AVENUE
MIAMI, FLORIDA 33131
(305) 358-8050
TELECOPIER (305) 371-3655

SEP 5 P12:16
1

October 2, 1981

Office of the General Counsel
Federal Elections Commission
1325 K Street, N.W.
Washington, D.C. 20463

Attention: Suzanne Callahan

Re: Filing of Reports MUR-1226

Dear Ms. Callahan:

In accord with previous discussions held with your office and pursuant to the terms of the Conciliation Agreement between the Prince George's Medical Political Action Committee (PGMPAC) and the Federal Elections Commission (the "Commission") fully executed February 26, 1981, PGMPAC by and through counsel here-with submits the reports of receipts and expenditures required by the aforementioned Conciliation Agreement. These reports cover the period from PGMPAC's inception through the present.

The reports disclose apparent violations of 2 U.S.C. §441b(a). As previously indicated to your Office these violations were discovered after PGMPAC initiated preparation of the reports in compliance with the Conciliation Agreement. Previous to that time the officers of PGMPAC were not aware that certain contributions received by PGMPAC were prohibited. After consultation with counsel, authorization was given to proceed with filing of the reports and for a request to the Commission for further conciliation.

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Office of the General Counsel
October 2, 1981
Page Two

Further conciliation would appear warranted, since the disclosure here is an extension of the confused state of affairs previously addressed and resolved by the Conciliation Agreement of February 26, 1981. More specifically, PGMPAC received corporate contributions from 6/18/78 through 3/26/80 totalling \$25,200.00. Of this amount \$11,950.00 was contributed to various candidates for state, local and federal offices and to entities supporting candidates for federal offices. The remaining \$13,250.00 of corporate contributions was refunded prior to expenditure.

PGMPAC respectfully requests that no further action be taken in this matter given the terms of the extant Conciliation Agreement; the fact that compliance therewith reveals a further confused state of affairs which can be regarded as having been for all intents and purposes disposed of; and the fact of cessation of activity by PGMPAC.

Sincerely,

James M. Christian
JAMES M. CHRISTIAN
For the Firm

Enclosures

glb

32040112675

ROUTING SLIP FOR RTB LETTERS

TO: Chairman/Vice Chairman

FROM: Elissa T. Garr
OGC Enforcement Docket

DATE: 1-18-82

MUR # 1226

Date RTB Found 1-12-82

Date Cert. Rec'd in OGC 1-15-82

Staff Assigned Callahan

STAFF CHECK:

me Accuracy
me Enclosures
me Certification

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Date Rec'd in OGC From Chairman/Vice Chairman
1-18-82



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 18, 1982

James M. Christian, Esq.
1120 Connecticut Avenue, N.W.
Washington, D.C. 20036

RE: MUR 1226

Dear Mr. Christian:

On January 12, 1982, the Commission found reason to believe that Prince George's Medical PAC violated 2 U.S.C. § 441b. On that same date, the Commission approved your request to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of thirty days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Suzanne Callahan, the staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Frank P. Reiche

Frank P. Reiche
Chairman
Federal Election Commission

Enclosure
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Prince George's County) MUR 1226
Medical PAC)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Reason to believe has been found that Prince George's Medical PAC ("Respondent") violated 2 U.S.C. § 441b by expending corporate funds in connection with federal elections.

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

- I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).
- II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. Respondent enters voluntarily into this Agreement with the Commission.
- IV. The pertinent facts in this matter are as follows:
 1. Respondent is a political committee.

802040312679

2. Respondent accepted corporate contributions from June 18, 1978 through March 26, 1980.
3. Respondent expended \$11,100 in connection with federal elections during 1979. Contributed funds were drawn from the treasury containing corporate funds.

V. Respondent consented to the corporate contributions, in violation of 2 U.S.C. § 441b.

VI. Respondent agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

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

8-2010312630

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

Charles N. Steele
General Counsel

Date

BY:

Kenneth A. Gross
Associate General Counsel

Date

Prince George's Medical PAC

BY:

James Christian

ITS:

Counsel

302040512681

James M. Christian, Esq.
1120 Connecticut Avenue, N.W.
Washington, D.C. 20036

RE: MUR 1226

Dear Mr. Christian:

On _____, 1981, the Commission found reason to believe that Prince George's Medical PAC violated 2 U.S.C. § 441b. At your request, the Commission determined on _____, 1981, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of thirty days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Suzanne Callahan, the staff member assigned to this matter, at (202) 523-4057.

Sincerely,

SMC
4/18/81

Enclosure
Conciliation Agreement

3 2 0 1 0 1 2 6 8 0

Gcc# 5571

FINLEY, KUMBLE, WAGNER, HEINE, UNDERBERG & CASEY

1120 CONNECTICUT AVENUE, N.W.

WASHINGTON, D. C. 20036

(202) 857-4000

TELEX: 892415

CABLE: DANKEY

TELECOPIER (202) 857-4410

PARTNERS IN WASHINGTON, D.C. OFFICE FORMERLY MEMBERS OF:

DANZANSKY, DICKEY, TYDINGS, QUINT & GORDON

FINLEY, KUMBLE, WAGNER, HEINE, UNDERBERG & MANLEY
2029 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067
(213) 557-0111
TELECOPIER (213) 557-0898

425 PARK AVENUE
NEW YORK, N.Y. 10022
(212) 371-5900
TELECOPIER (212) 371-3489

WRITER'S DIRECT DIAL
(202) 857-4466

FINLEY, KUMBLE, WAGNER, HEINE & UNDERBERG
1401 BRIGHELL AVENUE
MIAMI, FLORIDA 33131
(305) 368-8080
TELECOPIER (305) 371-3655

1 OCT 6 P3
SEP 5 P12:16

October 2, 1981

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Office of the General Counsel
Federal Elections Commission
1325 K Street, N.W.
Washington, D.C. 20463

Attention: Suzanne Callahan

Re: Filing of Reports MUR-1226

Dear Ms. Callahan:

In accord with previous discussions held with your office and pursuant to the terms of the Conciliation Agreement between the Prince George's Medical Political Action Committee (PGMPAC) and the Federal Elections Commission (the "Commission") fully executed February 26, 1981, PGMPAC by and through counsel here-with submits the reports of receipts and expenditures required by the aforementioned Conciliation Agreement. These reports cover the period from PGMPAC's inception through the present.

The reports disclose apparent violations of 2 U.S.C. §441b(a). As previously indicated to your Office these violations were discovered after PGMPAC initiated preparation of the reports in compliance with the Conciliation Agreement. Previous to that time the officers of PGMPAC were not aware that certain contributions received by PGMPAC were prohibited. After consultation with counsel, authorization was given to proceed with filing of the reports and for a request to the Commission for further conciliation.

Office of the General Counsel
October 2, 1981
Page Two

Further conciliation would appear warranted, since the disclosure here is an extension of the confused state of affairs previously addressed and resolved by the Conciliation Agreement of February 26, 1981. More specifically, PGMPAC received corporate contributions from 6/18/78 through 3/26/80 totalling \$25,200.00. Of this amount \$11,950.00 was contributed to various candidates for state, local and federal offices and to entities supporting candidates for federal offices. The remaining \$13,250.00 of corporate contributions was refunded prior to expenditure.

PGMPAC respectfully requests that no further action be taken in this matter given the terms of the extant Conciliation Agreement; the fact that compliance therewith reveals a further confused state of affairs which can be regarded as having been for all intents and purposes disposed of; and the fact of cessation of activity by PGMPAC.

Sincerely,


JAMES M. CHRISTIAN
For the Firm

Enclosures

glb

82049312694

STATEMENT OF ORGANIZATION

(see reverse side for instructions)

1. (a) Name of Committee (in Full) <input type="checkbox"/> Check if name or address is changed. Prince George's Medical Political Action Committee	2. Date
(b) Address (Number and Street) 4700 Auth Place, #200	3. FEC Identification Number
(c) City, State and ZIP Code Camp Springs, Maryland 20023	4. Is this an amended Statement? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

5. TYPE OF COMMITTEE (check one):

- (a) This committee is a principal campaign committee. (Complete the candidate information below.)
- (b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of Candidate	Candidate Party Affiliation	Office Sought	State/District
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- (c) This committee supports/opposes only one candidate _____ (name of candidate) and is NOT an authorized committee.
- (d) This committee is a _____ (National, State or subordinate) committee of the _____ (Democratic, Republican, etc.) Party.
- (e) This committee is a separate segregated fund.
- (f) This committee supports/opposes more than one Federal candidate and is NOT a separate segregated fund nor a party committee.

6. Name of Any Connected Organization or Affiliated Committee	Mailing Address and ZIP Code	Relationship
N/A		

If the registering political committee has identified a "connected organization" above, please indicate type of organization:

Corporation Corporation w/o Capital Stock Labor Organization Membership Organization Trade Association Cooperative

7. Custodian of Records: Identify by name, address (phone number - optional) and position, the person in possession of committee books and records.

Full Name	Mailing Address and ZIP Code	Title or Position
Jose T. Solano, MD.	4700 Auth Pl., Camp Springs, MD.	Treasurer

8. Treasurer: List the name and address (phone number - optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name	Mailing Address and ZIP Code	Title or Position
Jose T. Solano, MD.	4700 Auth Place, Camp Springs, MD.	Treasurer

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.	Mailing Address and ZIP Code
United Bank and Trust Company of Maryland	9401 Indianhead Hwy. Ft. Washington, Md. 20744

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

Jose T. Solano, MD.		9.24.81
Type or Print Name of Treasurer	SIGNATURE OF TREASURER	Date

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

For further information contact: Federal Election Commission, Toll Free 800-424-9530, Local 202-523-4068

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

(Summary Page)

1. Name of Committee (in Full)
Prince George's Medical Political Action Committee

Address (Number and Street)
**4700 Auth Place
#200**

City, State and ZIP Code
Camp Springs, MD. 20023

Check if address is different than previously reported.

2. FEC Identification Number
N/A

3. This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)

4. TYPE OF REPORT (check appropriate boxes)

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

(b) Is this Report an Amendment?
 YES NO

82040312635

SUMMARY		Column A This Period	Column B Calendar Year-to-Date
5. Covering Period	<u>8/12/78</u> Through <u>12/31/78</u>		
6. (a) Cash on Hand January 1, 19_____	.....		\$
(b) Cash on Hand at Beginning of Reporting Period	.....	\$ -0-	
(c) Total Receipts (from Line 18)	.....	\$ 2,700.00	\$ 2,700.00
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)	.....	\$ 2,700.00	\$ 2,700.00
7. Total Disbursements (from Line 28)	.....	\$ 1,818.56	\$ 1,818.56
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))	.....	\$ 881.44	\$ 881.44
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)	.....	\$ -0-	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	.....	\$ -0-	

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

For further information, contact:

Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4068

Jose D. Solano, MD.
Type or Print Name of Treasurer

[Signature]
SIGNATURE OF TREASURER

9-24-87
Date

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

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

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**DETAILED SUMMARY PAGE
of Receipts and Disbursements
(Page 2, FEC FORM 3X)**

Name of Committee (in Full)	Report Covering the Period:	
	From:	To:
	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
I. RECEIPTS		
11. CONTRIBUTIONS (other than loans) FROM:		
(a) Individuals/Persons Other Than Political Committees	2,700.00	2,700.00
(Memo Entry Unitemized \$ <u>400.00</u>)		
(b) Political Party Committees		
(c) Other Political Committees		
(d) TOTAL CONTRIBUTIONS (other than loans) (add 11a, 11b and 11c)	2,700.00	2,700.00
12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES		
13. ALL LOANS RECEIVED		
14. LOAN REPAYMENTS RECEIVED		
15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)		
16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES		
17. OTHER RECEIPTS (Dividends, Interest, etc.)		
18. TOTAL RECEIPTS (Add 11d, 12, 13, 14, 15, 16 and 17).		
II. DISBURSEMENTS		
19. OPERATING EXPENDITURES	518.56	518.56
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES.		
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES.		
22. INDEPENDENT EXPENDITURES (Use Schedule E)		
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. §441a(d)) (Use Schedule F)		
24. LOAN REPAYMENTS MADE		
25. LOANS MADE		
26. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees		
(b) Political Party Committees		
(c) Other Political Committees		
(d) TOTAL CONTRIBUTION REFUNDS (add 26a, 26b and 26c)		
27. OTHER DISBURSEMENTS	1,300.00	1,300.00
28. TOTAL DISBURSEMENTS (Add Lines 19, 20, 21, 22, 23, 24, 25, 26d and 27)	1,818.56	1,818.56
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES		
29. TOTAL CONTRIBUTIONS (other than loans) from Line 11d	2,700.00	2,700.00
30. TOTAL CONTRIBUTION REFUNDS from Line 26d		
31. NET CONTRIBUTIONS (other than loans) (subtract Line 30 from Line 29)	2,700.00	2,700.00
32. TOTAL OPERATING EXPENDITURES from Line 19	518.56	518.56
33. OFFSETS TO OPERATING EXPENDITURES from Line 15.		
34. NET OPERATING EXPENDITURES (subtract Line 33 from Line 32)	518.56	518.56

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SCHEDULE A

ITEMIZED RECEIPTS

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

A. Full Name, Mailing Address and ZIP Code Mid Atlantic Nephrology Ctr. 4700 Auth Place Camp Springs, MD. 20023	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date—\$		
B. Full Name, Mailing Address and ZIP Code Southern MD. Hosp. Med. Staff Fund 600 Hillwood Avenue Falls Church, VA. 22042	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date—\$		
C. Full Name, Mailing Address and ZIP Code Mary McGuire 3119 Davidsonville Rd. Davidsonville, MD. 21035	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date—\$		
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date—\$		
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date—\$		
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date—\$		
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date—\$		
SUBTOTAL of Receipts This Page (optional)			\$ 2,300.00
TOTAL This Period (last page this line number only)			\$ 2,300.00

SCHEDULE B

ITEMIZED DISBURSEMENTS

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Prince George's Medical Political Action Committee

82010312637

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
McDonald & Eudy Printers, Inc. 4509 Beech Road Temple Hills, MD. 20031	Printing Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	8/31/78	\$ 271.95
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			\$ 271.95

SCHEDULE B

ITEMIZED DISBURSEMENTS

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)
PRINCE GEORGE'S MEDICAL POLITICAL ACTION COMMITTEE

8
2
0
4
0
5
1
2
6
7
0

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Larry Hogan Committee Forestville, MD. 20028		10/12/78	\$ 1,000.00
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	11/9/78	\$ 300.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			\$ 1,300.00

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

(Summary Page)

1. Name of Committee (in Full)
Prince George's Medical Political Action Committee

Address (Number and Street)
4700 Auth Place, #200

City, State and ZIP Code
Camp Springs, Maryland 20023

Check if address is different than previously reported.

2. FEC Identification Number

3. This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)

4. TYPE OF REPORT (check appropriate boxes)

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

(b) Is this Report an Amendment?
 YES NO

82040312691

SUMMARY		Column A This Period	Column B Calendar Year-to-Date
5. Covering Period	<u>1/1/79</u> Through <u>12/31/79</u>		
6. (a) Cash on Hand January 1, 19 <u>79</u>	.....		\$ 881.44
(b) Cash on Hand at Beginning of Reporting Period	.....	\$ 881.44	
(c) Total Receipts (from Line 18)	.....	\$ 15,000.00	\$ 15,000.00
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)	.....	\$ 15,881.44	\$ 15,881.44
7. Total Disbursements (from Line 28)	.....	\$ 15,014.32	\$ 15,014.32
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))	.....	\$ 867.12	\$ 867.12
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)	.....	\$ -0-	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	.....	\$ -0-	

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

For further information, contact:

Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4068

Type or Print Name of Treasurer

[Handwritten Signature]
Date 9.24.81

SIGNATURE OF TREASURER

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

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

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**DETAILED SUMMARY PAGE
of Receipts and Disbursements
(Page 2, FEC FORM 3X)**

Name of Committee (in Full)

Report Covering the Period:

From:

To:

**COLUMN A
Total This Period**

**COLUMN E
Calendar Year-to-Date**

I. RECEIPTS

11. CONTRIBUTIONS (other than loans) FROM:

(a) Individuals/Persons Other Than Political Committees

\$ 14,000.00

(Memo Entry Unitemized \$ - 0 -)

(b) Political Party Committees

(c) Other Political Committees

14,000.00

(d) TOTAL CONTRIBUTIONS (other than loans) (add 11a, 11b and 11c)

12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES

13. ALL LOANS RECEIVED

14. LOAN REPAYMENTS RECEIVED

15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)

16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES

1,000.00

17. OTHER RECEIPTS (Dividends, Interest, etc.)

15,000.00

18. TOTAL RECEIPTS (Add 11d, 12, 13, 14, 15, 16 and 17)

II. DISBURSEMENTS

19. OPERATING EXPENDITURES

14.32

20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES

21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES

10,000.00

22. INDEPENDENT EXPENDITURES (Use Schedule E)

23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. §441a(d)) (Use Schedule F)

24. LOAN REPAYMENTS MADE

25. LOANS MADE

26. REFUNDS OF CONTRIBUTIONS TO:

(a) Individuals/Persons Other Than Political Committees

(b) Political Party Committees

(c) Other Political Committees

(d) TOTAL CONTRIBUTION REFUNDS (add 26a, 26b and 26c)

5,000.00

27. OTHER DISBURSEMENTS

15,014.32

28. TOTAL DISBURSEMENTS (Add Lines 19, 20, 21, 22, 23, 24, 25, 26d and 27)

III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES

29. TOTAL CONTRIBUTIONS (other than loans) from Line 11d

14,000.00

30. TOTAL CONTRIBUTION REFUNDS from Line 26d

0.00

31. NET CONTRIBUTIONS (other than loans) (subtract Line 30 from Line 29)

14,000.00

32. TOTAL OPERATING EXPENDITURES from Line 19

14.32

33. OFFSETS TO OPERATING EXPENDITURES from Line 15

0.00

34. NET OPERATING EXPENDITURES (subtract Line 33 from Line 32)

14.32

3 0 1 2 3 4 5 6 7 8 9

SCHEDULE A

ITEMIZED RECEIPTS

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)			
Prince George's Medical Political Action Committee			
A. Full Name, Mailing Address and ZIP Code Nelson For Senate Committee 1836 Keys Avenue Madison, Wisconsin 53711	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation	10/26/79	\$1,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): For contribution refund	Aggregate Year-to-Date-\$ 1,000.00		
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$		
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$		
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$		
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$		
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$		
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$		
SUBTOTAL of Receipts This Page (optional)			
TOTAL This Period (last page this line number only)			\$1,000.00

SCHEDULE A

ITEMIZED RECEIPTS

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)
Prince George's Medical Political Action Committee

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Mid Atlantic Nephrology Ctr. 4700 Auth Place Camp Springs, Md.		4/13/79	\$20,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	6/12/79	5,000.00
		11/30/79	1,000.00
		12/3/79	5,000.00
	Aggregate Year-to-Date—\$	\$13,000.00	
B. Full Name, Mailing Address and ZIP Code Centres de Nefrologia del Caribe Torre San Pablo Bayamon, Pr 80619		11/13/79	\$1,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
	Aggregate Year-to-Date—\$	1,000.00	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
	Aggregate Year-to-Date—\$		
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
	Aggregate Year-to-Date—\$		
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
	Aggregate Year-to-Date—\$		
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
	Aggregate Year-to-Date—\$		
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
	Aggregate Year-to-Date—\$		
SUBTOTAL of Receipts This Page (optional)			
TOTAL This Period (last page this line number only)			\$14,000.00

SCHEDULE B

ITEMIZED DISBURSEMENTS

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Prince George's Medical Political Action Committee

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Nelson for Senate Committee 1836 Kesy Avenue Madison, Wisconsin 53711	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	4/12/79	\$ 2,000.00
B. Full Name, Mailing Address and ZIP Code Democratic House and Senate Council 400 North Capitol St., #330 Washington, D.C. 20001	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year) 11/26/79	Amount of Each Disbursement This Period 2,000.00
C. Full Name, Mailing Address and ZIP Code Alex Seith for Senate 53 W Jackson Blvd. Chicago, Ill. 60604	Purpose of Disbursement Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period \$ 1,000.00
D. Full Name, Mailing Address and ZIP Code Carter/Mondale Pres. Committee P.O. Box 500 Washington, D.C. 20044	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period 5,000.00
E. Full Name, Mailing Address and ZIP Code Nelson for Senate Committee 1836 Kesy Avenue Madison, Wisconsin 53711	Purpose of Disbursement contribution refund Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year) 10/26/79	Amount of Each Disbursement This Period (\$1,000.00)
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			\$10,000.00

SCHEDULE B

ITEMIZED DISBURSEMENTS

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Prince George's Medical Political Action Committee

3 2 0 4 0 3 1 2 6 9 5

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
New Democratic Party of Puerto Rico Baltasar Corrada Resident Commissioner House of Representatives	Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	6/12/79	\$ 5,000.00
B. Full Name, Mailing Address and ZIP Code Washington, D.C. 20515	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			\$ 5,000.00

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

(Summary Page)

1. Name of Committee (In Full)
Prince George's Medical Political Action Committee

Address (Number and Street)
4700 Auth Place, #200

City, State and ZIP Code
Camp Springs, Maryland 20023

Check if address is different than previously reported.

2. FEC Identification Number

3. This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)

4. TYPE OF REPORT (check appropriate boxes)

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

(b) Is this Report an Amendment?
 YES NO

7
2
6
7
7
3
1
2
0
1
0
0
8

SUMMARY

5. Covering Period 1/1/80 Through 12/31/80

6. (a) Cash on Hand January 1, 1980

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 18)

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

7. Total Disbursements (from Line 28)

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

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

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

	Column A This Period	Column B Calendar Year-to-Date
6(a)		\$ 867.12
6(b)	\$ 867.12	
6(c)	\$ 16,565.00	\$ 16,565.00
6(d)	\$ 17,432.12	\$ 17,432.12
7	\$ 17,145.77	\$ 17,145.77
8	\$ 286.35	\$ 286.35
9	\$ -0-	
10	\$ -0-	

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

For further information, contact:

Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4068

Type of Fund Name of Treasurer
[Signature]
SIGNATURE OF TREASURER

9.24.81
Date

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

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

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**DETAILED SUMMARY PAGE
of Receipts and Disbursements
(Page 2, FEC FORM 3X)**

Name of Committee (in Full)
Prince George's Medical Political Action Committee

Report Covering the Period:
From: **1/1/80** To: **12/31/80**

3
0
0
1
2
6
7
9

I. RECEIPTS

11. CONTRIBUTIONS (other than loans) FROM:

(a) Individuals/Persons Other Than Political Committees
(Memo Entry Unitemized \$ 115.00)

(b) Political Party Committees

(c) Other Political Committees

(d) TOTAL CONTRIBUTIONS (other than loans) (add 11a, 11b and 11c)

12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES

13. ALL LOANS RECEIVED

14. LOAN REPAYMENTS RECEIVED

15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)

**16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES
AND OTHER POLITICAL COMMITTEES**

17. OTHER RECEIPTS (Dividends, Interest, etc.)

18. TOTAL RECEIPTS (Add 11d, 12, 13, 14, 15, 16 and 17)

II. DISBURSEMENTS

19. OPERATING EXPENDITURES

20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES

**21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND
OTHER POLITICAL COMMITTEES**

22. INDEPENDENT EXPENDITURES (Use Schedule E)

**23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES
(2 U.S.C. §441e(d)) (Use Schedule F)**

24. LOAN REPAYMENTS MADE

25. LOANS MADE

26. REFUNDS OF CONTRIBUTIONS TO:

(a) Individuals/Persons Other Than Political Committees

(b) Political Party Committees

(c) Other Political Committees

(d) TOTAL CONTRIBUTION REFUNDS (add 26a, 26b and 26c)

27. OTHER DISBURSEMENTS

28. TOTAL DISBURSEMENTS (Add Lines 19, 20, 21, 22, 23, 24, 25, 26d and 27)

III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES

29. TOTAL CONTRIBUTIONS (other than loans) from Line 11d

30. TOTAL CONTRIBUTION REFUNDS from Line 26d

31. NET CONTRIBUTIONS (other than loans) (subtract Line 30 from Line 29)

32. TOTAL OPERATING EXPENDITURES from Line 19

33. OFFSETS TO OPERATING EXPENDITURES from Line 15

34. NET OPERATING EXPENDITURES (subtract Line 33 from Line 32)

	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
	\$11,200.00	
	11,315.00	
	5,250.00	
	16,565.00	
	145.77	
	3,750.00	
	13,250.00	
	17,145.77	
	11,315.00	
	13,250.00	
	0.00	
	145.77	
	0.00	
	145.77	

SCHEDULE A

ITEMIZED RECEIPTS

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)
Prince George's Medical Political Action Committee

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Mid Atlantic Nephrology Center, Ltd. 1111 19th St., N.W., 307 Washington, D.C. 20036		1/2/80	\$ 1,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	1/9/80	100.00
		1/25/80	100.00
		3/26/80	1,000.00
Aggregate Year-to-Date—\$ 11,200.00			
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
Aggregate Year-to-Date—\$			
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
Aggregate Year-to-Date—\$			
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
Aggregate Year-to-Date—\$			
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
Aggregate Year-to-Date—\$			
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
Aggregate Year-to-Date—\$			
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
Aggregate Year-to-Date—\$			
SUBTOTAL of Receipts This Page (optional)			
TOTAL This Period (last page this line number only)			\$ 11,200.00

SCHEDULE A

ITEMIZED RECEIPTS

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Prince George's Medical Political Action Committee

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Congressman James Corman 14545 Friar St. Van Nays, Ca.		9/30/80	\$ 250.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify): Contribution refund	Occupation	Aggregate Year-to-Date-\$	
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Carter/Mondale Presidential Committee P.O. Box 500 Washington, D.C. 20044		3/19/80	\$ 5,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify): Contribution refund	Occupation	Aggregate Year-to-Date-\$	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
SUBTOTAL of Receipts This Page (optional)			
TOTAL This Period (last page this line number only)			\$ 5,250.00

SCHEDULE B

ITEMIZED DISBURSEMENTS

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Prince George's General Political Action Committee

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Committee-Pro Baltazar Corrada 1319 Longworth HOB Washington, D.C. 20515	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	1/2/80	\$1,000.00
B. Full Name, Mailing Address and ZIP Code Capital Hilton Hotel 16th & K Sts., N.W. Washington, D.C. 20036	Purpose of Disbursement Contribution to National Hispanic Poli. Council Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year) 7/11/80	Amount of Each Disbursement This Period 1,500.00
C. Full Name, Mailing Address and ZIP Code Citizens for Brademas Committee 1236 Longworth HOB Washington, D.C. 20515 (never cashed)	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year) 1/9/80	Amount of Each Disbursement This Period 100.00
D. Full Name, Mailing Address and ZIP Code Friends of Newt Gringrich 417 Cannon HOB Washington, D.C. 20515	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year) 1/25/80	Amount of Each Disbursement This Period 100.00
E. Full Name, Mailing Address and ZIP Code Carter/Mondale Presidential Comm. P.O. Box 500 Washington, D.C. 20044	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year) 3/25/80	Amount of Each Disbursement This Period 1,000.00
F. Full Name, Mailing Address and ZIP Code National Hispanic Political Council 1111 19th St., N.W. Washington, D.C. 20036	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year) 7/28/80	Amount of Each Disbursement This Period 50.00
G. Full Name, Mailing Address and ZIP Code Cong. James Corman 14545 Friar St. Van Nuys, Ca.	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year) 5/30/80	Amount of Each Disbursement This Period 250.00
H. Full Name, Mailing Address and ZIP Code Cong. James Corman 14545 Friar St. Van Nuys, Ca.	Purpose of Disbursement Contribution refund Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year) 9/3/80	Amount of Each Disbursement This Period (\$250.00)
I. Full Name, Mailing Address and ZIP Code Carter/Mondale Presidential Committee P.O. Box 500 Washington, D.C. 20044	Purpose of Disbursement Contribution refund Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year) 3/19/80	Amount of Each Disbursement This Period (\$5,000.00)
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			\$3,750.00

SCHEDULE B

ITEMIZED DISBURSEMENTS

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)
Prince George's General Political Action Committee

8 2 0 1 0 3 1 2 7 0 2

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
MANC 4700 Auth Place Camp Springs, Md.	Contribution refund Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	4/14/80	\$13,250.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			\$13,250.00

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

(Summary Page)

1. Name of Committee (in Full)
Prince George's Medical Political Action Committee

Address (Number and Street)
4700 Auth Place, #200

City, State and ZIP Code
Camp Springs, Md. 20023

Check if address is different than previously reported.

2. FEC Identification Number

3. This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)

4. TYPE OF REPORT (check appropriate boxes)

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

Termination Report

(b) Is this Report an Amendment?
 YES NO

3 2 0 1 0 3 1 2 7 0 3

SUMMARY		Column A This Period	Column B Calendar Year-to-Date
5. Covering Period	1/1/81 Through 9/24/81		
6. (a) Cash on Hand January 1, 19__			\$ 286.35
(b) Cash on Hand at Beginning of Reporting Period		\$ 286.35	
(c) Total Receipts (from Line 18)		\$ -0-	\$ -0-
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)		\$ -0-	\$ -0-
7. Total Disbursements (from Line 28)		\$ -0-	\$ -0-
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))		\$ 286.35	\$ 286.35
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)		\$ -0-	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)		\$ -0-	

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

For further information, contact:

Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4068

Type or Print Name of Treasurer
Thomas A. Williams
SIGNATURE OF TREASURER

Date
9.24.81

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

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

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FINLEY, KUMBLE, WAGNER, HEINE, UNDERBERG & CASEY

1120 CONNECTICUT AVENUE, N.W.

WASHINGTON, D.C. 20036

Office of the General Counsel
Federal Elections Commission
1325 K Street, N.W.
Washington, D.C.

20463

704 K/W



FEDERAL ELECTION COMMISSION

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

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THE FOLLOWING MATERIAL IS BEING ADDED TO THE
PUBLIC FILE OF CLOSED MUR 1226.





FEDERAL ELECTION COMMISSION

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

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END OF ADDITIONAL MATERIAL FOR CLOSED MUR 1301.



BEFORE THE FEDERAL ELECTION COMMISSION
January 9, 1981

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

81 MAR 27 P 4: 54

In the Matter of)
)
Slade Gorton)
Slade Gorton for United States) MUR 1301
Senate Committee)

GENERAL COUNSEL'S REPORT

Allegations

In a complaint dated September 23, 1980, the King County Democratic Central Committee alleges that Slade Gorton and the Slade Gorton for U.S. Senate Committee violated 2 U.S.C. § 441a and 11 C.F.R. § 110.1(a)(1) by accepting a contribution from an individual in excess of \$1,000. The complaint states that Slade Gorton's father guaranteed a \$140,000 loan made to the Committee which exceeds the contribution limitation placed on individuals. Furthermore, the complaint states that this contribution was not reported by the Gorton Committee in violation of 11 C.F.R. § 104.8(a).

Legal Analysis

In a response from Peter Rose, Gorton's counsel, dated October 27, 1980, he denied that Gorton's father secured or guaranteed any loan to the Gorton Committee; however, he did state that with his father's help, Slade Gorton availed himself of certain funds to open a line of credit for campaign use. The Commission on December 2, 1980, found reason to believe that a violation of 2 U.S.C. § 441a had occurred.

After gathering further information and documents regarding the subject transaction, Mr. Rose set out the facts of the matter in a letter dated December 2, 1980 (Attachment I). In summary, Mr. Rose stated that the will of Thomas Slade Gorton, Jr. (Slade Gorton's father) which was executed in 1975, specifies that upon his death, each of his four children will receive stock in the family owned and operated business. Thomas Slade Gorton, Jr. has also indicated to

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each of his children that, should they need it, they may draw on their anticipated inheritances; however, this provision is not specified in writing. All of the children have taken advantage of this offer by receiving loans from their father, as well as, taking title to several of the family homes. Additionally, as part of the estate plan, Slade Gorton has already received stock in the company valued at \$219,678.

Mr. Rose stated that "Under these circumstances, Respondent borrowed \$200,000 of his father's funds, which, as a practical matter, were his for the asking." This loan was evidenced by a demand note requiring no interest or regular payments. It was understood between Respondent and his father that, if the loan was not repaid before the father's death, the balance would be deducted from the Respondent's inheritance. With the \$200,000 check drawn from his father's personal account, Respondent purchased a certificate of deposit and opened a line of credit for the expenses of the campaign.

11 C.F.R. § 110.10(b) states that "personal funds" means "Any assets to which at the time he became a candidate... the candidate had legal right of access to or control over, including funds from immediate family members." It does not appear that Slade Gorton had any legal "access to" the funds in his Father's account although there was an understanding among the family that the money was available to the children upon request. Therefore, the funds would not be considered as personal funds of the candidate.

Mr. Rose has asked the Commission to consider that the Respondent has assets exceeding \$200,000 in the form of stock to which he has clear and unquestionable legal title and which he could have sold or pledged in order to obtain money for his campaign. Also, Mr. Rose pointed out that the Respondent fully reported the loan on the Committee reports and had no intent of violating applicable laws and regulations.

Based on the information provided by the Respondent, it appears that Slade Gorton, at the time he became a candidate for federal office, did not have legal access to \$200,000 which he obtained from his father's account in August, 1980; therefore these funds are not considered to be personal funds of the candidate, and the transaction appears to represent an excessive contribution from the candidate's father. Mr. Rose has requested,

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in his letter of December 2, 1980, that should the Commission view the subject transaction as a violation of the Act that informal conciliation be initiated. Attached for the Commission's approval is a conciliation agreement to be offered to Mr. Gorton in settlement of this matter.

During January of 1981, the counsel for Mr. Gorton provided the Commission with the name and address of Mr. Gorton's father, Thomas Slade Gorton, Jr. A copy of the complaint was forwarded to Mr. Gorton (Jr.) at that time as he is also a Respondent in this matter. Mr. Gorton (Jr.) is also represented by Peter Rose, who responded to the Commission on behalf of Mr. Gorton (Jr.) is a letter dated January 28, 1981. Mr. Rose submitted no new facts in connection with Mr. Gorton's (Jr.) role in the subject transaction. He did request that the Commission enter into informal conciliation with Mr. Gorton (Jr.).

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General Counsel's Recommendation

1. Find reason to believe that Thomas Slade Gorton, Jr. violated 2 U.S.C. § 441a.

2. Approve initiation of proceedings with Slade Gorton and the Slade Gorton Senate

3. Approve the attached letter to be mailed to the

27 March 1981
Date


Charles N. Steele
General Counsel

Attachments

- Response from Rose dated 12-2-80
- Response from Rose dated 12-10-80
- Response from Rose dated 1-28-81
- Response from Rose dated 3-2-81
- Proposed conciliation agreements and letter to Rose

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Slade Gorton) MUR 1301
Slade Gorton for United)
States Senate Committee)
(Washington))

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission's Executive Session on December 2, 1980, do hereby certify that the Commission decided by a vote of 5-1 to take the following actions in MUR 1301:

1. Find reason to believe that the Slade Gorton for U. S. Senate Committee accepted a contribution from an individual in excess of \$1000 in violation of 2 U.S.C. §441a(f).
2. Defer action against Slade Gorton's father until additional information is received from the Respondent.
3. Send the draft letter attached to the General Counsel's November 17, 1980 report.

Commissioners Aikens, Harris, McGarry, Reiche, and Tiernan voted affirmatively for the decision; Commissioner Friedersdorf dissented.

Attest:

12/8/80

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

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March 27, 1981

MEMORANDUM TO: Majjorie W. Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 1301

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

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS/MARGARET CHANEY *mc*
OFFICE OF THE SECRETARY TO THE COMMISSION

DATE: NOVEMBER 19, 1980

SUBJECT: OBJECTION - MUR 1301 - First General Counsel's
Report dated 11-17-80; Received in OCS 11-17-80,
4:10

The above-named document was circulated on a 48
hour vote basis at 11:00, November 18, 1980.

Commissioner Reiche submitted an objection at 4:39,
November 19, 1980. A copy of his vote sheet is provided.

This matter will be placed on the Executive Session
Agenda for Tuesday, December 2, 1980.

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November 17, 1980

MEMORANDUM TO: Marjorie W. Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 1301

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

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

RECEIVED
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

80 NOV 17 P4:10

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 11-17-80

MUR # 1301
DATE COMPLAINT RECEIVED
BY OGC 10-2-80
STAFF MEMBER Donaldson

COMPLAINANT'S NAME: King County Democratic Central Committee

RESPONDENT'S NAME: Slade Gorton, Slade Gorton for United States Senate Committee (Washington)

RELEVANT STATUTE: 2 U.S.C. § 441a, 11 C.F.R. § 110.1(a)(1)
11 C.F.R. § 104.8(a)

INTERNAL REPORTS CHECKED: Slade Gorton for United States Senate Committee

FEDERAL AGENCIES CHECKED: n/a

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SUMMARY OF ALLEGATIONS

In a complaint dated September 23, 1980, the King County Democratic Central Committee alleges that Slade Gorton and the Slade Gorton for U.S. Senate Committee violated 2 U.S.C. § 441a and 11 C.F.R. § 110.1(a)(1) by accepting a contribution from an individual in excess of \$1,000. The complaint states that Slade Gorton's father guaranteed a \$140,000 loan made to the Committee which exceeds the contribution limitation placed on individuals. Furthermore, the complaint states that this contribution was not reported by the Gorton Committee in violation of 11 C.F.R. § 104.8 (a).

FACTUAL AND LEGAL ANALYSIS

A response from Peter Rose, counsel for Slade Gorton and his Committee, was received on October 27, 1980. He denies that Gorton's father secured or guaranteed in any manner any loan to the Gorton Committee. However, Mr. Rose explained that Slade Gorton, with his father's help, availed himself of certain funds to purchase a certificate of deposit which was used as additional security for a bank

line of credit to his Committee. Mr. Rose promised to provide a thorough statement of all facts of the transaction by November 20, 1980. He stated that he is gathering information from the candidate in Washington State and the candidate's father in Massachusetts which is causing him a delay.

Based on the allegations in the complaint which have not been fully refuted by the Respondent's counsel, it appears that the Commission should pursue this matter by finding reason to believe that the Slade Gorton for U.S. Senate Committee accepted a contribution in excess of \$1000 in violation of 2 U.S.C. §441a(f). The additional information requested from the Respondent's counsel should disclose the exact nature and amount of the excessive contribution. In addition, we should request the name and address of Slade Gorton's father.

RECOMMENDATION

1. Find reason to believe that the Slade Gorton for U.S. Senate Committee accepted a contribution from an individual in excess of \$1000 in violation of 2 U.S.C. § 441a(f).
2. Defer action against Slade Gorton's father until additional information is received from the Respondent.
3. Send the proposed letter to the Respondent.

Enclosures

Complaint dated 9-23-80
Response dated 10-27-80
Proposed letter to Respondent's counsel.

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KING COUNTY DEMOCRATIC CENTRAL COMMITTEE : 50

100 SOUTH KING STREET, ROOM 270 • SEATTLE, WA 98104 • (206) 622-0157 • 622-0216

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CC

2953

September 23, 1980

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GENERAL COUNSEL

KAREN MARCHIORO
County Chair

LIZ PIERINI
1st Vice Chair

GIL BAKER
2nd Vice Chair

LORRAINE CHRISTIANSON
3rd Vice Chair

JIM MARTIN
State Committeeman

General Counsel
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

CLARE COCHRAN
State Committeewoman

CRAIG DONALD
Treasurer

JEFF SMITH
Secretary

Re: Federal Election Commission Complaint: King County Democratic Central Committee, Complainant vs. Slade Gorton and the Slade Gorton for United States Senate Committee

To The Commission:

Based upon official Federal Election Commission Reports filed by the Slade Gorton for United States Senate Committee (hereinafter "Committee") and statements made to the Seattle Times by a Committee spokesman, the King County Democratic Central Committee believes that Slade Gorton and the Committee have violated Federal Elections laws (2USC 441A and 11CFR \$110.1(a)(1)) by accepting at least one contribution well in excess of the \$1,000.00 limit per candidate per election on individual contributions.

On or about September 4th, 1980 the Committee filed a Twelfth Day Pre-Primary Report with the Federal Election Commission as required by Commission regulations. In that report on page two of FEC Form 3 line 13A, the Committee disclosed the receipt of a loan of \$140,000.00. On schedule C of that report the Committee itemized that loan and in the section requiring the listing of all endorsors or guarantors it listed the name of Slade Gorton and an address of 2622 S. Capital Way, Olympia, Washington 98501. No other endorsors or guarantors were disclosed in that report. Copies of the above-referenced pages are attached as Exhibit A.

On Sunday, September 14, 1980 two articles appeared in the Seattle Times concerning this loan. One of the articles reported that the \$140,000.00 loan had been signed for by Slade Gorton's father. The other article quoted a spokesman for the Committee as saying that the loan was secured by Slade Gorton's father using a certificate of deposit. Copies of those articles are attached as Exhibit B.

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Based upon this information, all of which was supplied by the Committee itself, the King County Democratic Committee believes that Slade Gorton and the Slade Gorton for United States Senate Committee have violated Federal Election law in at least two respects:

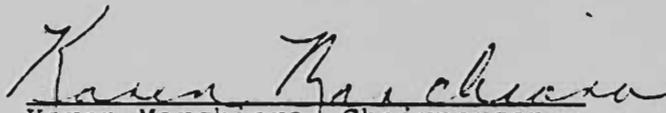
1. Under Federal Election law (2 USC 431(8) and CFR §100.7 (b) (11), "each endorser or guarantor of a loan shall be deemed to have contributed that portion of the total amount of the loan for which he or she agreed to be liable in a written agreement... In the event that such an agreement does not stipulate the portion of the loan for which each endorser or guarantor is liable, the loan shall be considered a contribution by each endorser or guarantor in the same proportion to the unpaid balance that each endorser or guarantor bears to the total number of endorsers or guarantors." In this instance, according to the statements by a spokesman for the Committee, Mr. Gorton's father appears to be a guarantor of the loan and must be credited with a contribution of at least \$70,000.00. This is a direct violation of the prohibition against contributions from single individuals, other than a candidate, in excess of \$1,000.00 per candidate per election. 11 CFR §110.0(a)(1).

2. Slade Gorton and the Committee have also violated 11 CFR §104.8(a) in failing to report and disclose the fact that Slade Gorton's father has made a contribution in excess of \$200.00.

For these reasons, and based upon the above sources, the King County Democratic Central Committee respectfully requests that the Federal Election Commission investigate this violation.

Sincerely,

KING COUNTY DEMOCRATIC
CENTRAL COMMITTEE


Karen Marchioro, Chairperson
King County Democratic Central
Committee, 101 S. King Street
Seattle, WA 98104

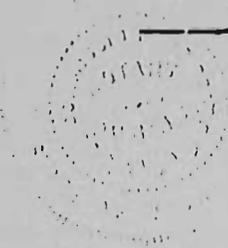
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The undersigned, being first duly sworn on oath, deposes and says:

That she is authorized to execute this verification, has read the foregoing complaint, knows the contents thereof and believes the same to be true.

Karen Marchioro
Karen Marchioro

SUBSCRIBED AND SWORN TO BEFORE ME this 23^d day of September, 1980.



Lawrence F. Baker
NOTARY PUBLIC In and for the State of Washington, residing at Seattle.

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LOANS

Name of Committee (in Full) Slade Gorton / U.S. Senate Committee			
A. Full Name, Mailing Address and ZIP Code of Loan Source Seattle Trust & Savings Bank 655 S.W. 152nd St. Seattle, Wa. 98166	Original Amount of Loan \$100,000	Cumulative Payments To Date _____	Balance Outstanding at Close of This Period \$140,000
Election: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):			
Terms: Date Incurred <u>8/15/80</u> Date Due <u>11/12/80</u> Interest Rate <u>9 1/4%</u> (apr) <input checked="" type="checkbox"/> Secured			
List All Endorsers or Guarantors (if any) to Item A			
1. Full Name, Mailing Address and ZIP Code Slade Gorton 2622 S. Capitol Way Olympia, Wa. 98501	Name of Employer State of Washington		
	Occupation Attorney General		
	Amount Guaranteed Outstanding: \$ 140,000		
2. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding: \$		
3. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding: \$		
B. Full Name, Mailing Address and ZIP Code of Loan Source			
Original Amount of Loan			
Cumulative Payments To Date			
Balance Outstanding at Close of This Period			
Election: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % (apr) <input type="checkbox"/> Secured			
List All Endorsers or Guarantors (if any) to Item B			
1. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding: \$		
2. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding: \$		
3. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding: \$		
SUBTOTALS This Period This Page (optional)			
TOTALS This Period (list one in this line only)			

0
2
7
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1
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2
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RECEIVED
RECEIVED

80 OCT 2 AM 1980

1. Name of Committee (in Full) **SLADE GORTON FOR UNITED STATES SENATE COMMITTEE**

2. FEC Identification Number **SOWA 00019**

Address (Number and Street) **P.O. Box 127**

City, State and ZIP Code **Seattle, Wa. 98111**

3. Is this Report an Amendment? YES NO

Check if address is different than previously reported.

4. TYPE OF REPORT

April 15 Quarterly Report

July 15 Quarterly Report

October 15 Quarterly Report

January 31 Year End Report

July 31 Mid Year Report (Non-election Year Only)

Twelfth day report preceding PRIMARY (Type of election) election on Sept 16, 1980 in the State of Washington

Thirtieth day report following the General Election on _____ in the State of _____

Termination Report

This report contains activity for - Primary Election General Election Special Election Runoff Election

SUMMARY		Column A This Period	Column B Calendar Year-to-Date
5. Covering Period	<u>7-1-80</u> Through <u>8-27-80</u>		
6. Net Contributions (other than loans):			
(a) Total Contributions (other than loans) (from Line 11e)	\$ 56,177.63	\$ 173,214.62	
(b) Total Contribution Refunds (from Line 20d)	\$ - 0 -	\$ 11.00	
(c) Net Contributions (other than loans) (Subtract Line 6b from 6a)	\$ 56,177.63	\$ 173,203.62	
7. Net Operating Expenditures:			
(a) Total Operating Expenditures (from Line 17)	\$ 218,651.02	\$ 334,748.13	
(b) Total Offsets to Operating Expenditures (from Line 14)	\$ 466.12	\$ 1,124.10	
(c) Net Operating Expenditures (Subtract Line 7b from 7a)	\$ 218,184.90	\$ 333,624.03	
8. Cash on Hand at Close of Reporting Period (from Line 27)	\$ 8,591.61		
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)	\$		
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	\$		

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

For further information, contact:

Federal Election Commission
Toll Free 800-426-9530
Local 202-523-4063

Case H Collins
Type or Print Name of Treasurer

[Signature]
SIGNATURE OF TREASURER

[Date]
Date

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

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

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82040312721

RECEIVED

80 OCT 2 AM: 51

Name of Committee (in Full)

Report Covering the Period:

From:

To:

COLUMN A
Total This Period

COLUMN B
Calendar Year-to-Date

I. RECEIPTS

11. CONTRIBUTIONS (other than loans) FROM:

(a) Individuals/Persons Other Than Political Committees

53,427.63

169,090.75

(Memo Entry Unitemized \$ 38,965.25)

(b) Political Party Committees

300.00

474.45

(c) Other Political Committees

2,450.00

3,649.42

(d) The Candidate

- 0 -

(e) TOTAL CONTRIBUTIONS (other than loans) (add 11a, 11b, 11c and 11d)

56,177.63

173,214.62

12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES

13. LOANS:

(a) Made or Guaranteed by the Candidate

140,000.00

140,000.00

(b) All Other Loans

140,000.00

140,000.00

(c) TOTAL LOANS (add 13a and 13b)

466.12

1,124.10

14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)

15. OTHER RECEIPTS (Dividends, Interest, etc.)

1,102.00

16. TOTAL RECEIPTS (Add 11a, 12, 13c, 14 and 15)

196,643.75

315,440.72

II. DISBURSEMENTS

17. OPERATING EXPENDITURES

220,268.40

334,748.13

18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES

- 0 -

- 0 -

19. LOAN REPAYMENTS:

(a) Of Loans Made or Guaranteed by the Candidate

- 0 -

- 0 -

(b) Of All Other Loans

- 0 -

- 0 -

(c) TOTAL LOAN REPAYMENTS (add 19a and 19b)

- 0 -

- 0 -

20. REFUNDS OF CONTRIBUTIONS TO:

(a) Individuals/Persons Other Than Political Committees

- 0 -

- 0 -

(b) Political Party Committees

- 0 -

- 0 -

(c) Other Political Committees

- 0 -

- 0 -

(d) TOTAL CONTRIBUTION REFUNDS (add 20a, 20b and 20c)

- 0 -

- 0 -

21. OTHER DISBURSEMENTS

- 0 -

- 0 -

22. TOTAL DISBURSEMENTS (Add 17, 18, 19c, 20d and 21)

220,268.40

334,830.13

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF THE REPORTING PERIOD

32,216.26

24. TOTAL RECEIPTS THIS PERIOD (From Line 16)

196,643.75

25. SUBTOTAL (Add Line 23 and Line 24)

228,860.01

26. TOTAL DISBURSEMENTS THIS PERIOD (From Line 22)

220,268.40

27. CASH ON HAND AT CLOSE OF THE REPORTING PERIOD (Subtract Line 26 from 25)

8,591.61

82040312722

Pillow fight: G.O.P.

by Richard W. Larsen
Times political writer

A sedate crowd of about 40 elderly men sat in the Nile Temple this past Thursday, listening to the luncheon speaker, Lloyd Cooney, Republican candidate for Senator.

One of the listeners strained to hear Cooney's soft, gentle voice as the candidate reflected, "I'd just like to stay here and spend the rest of my life with my grandchildren."

Instead, he went on, he'd made the "tough decision" to abandon his career in broadcasting, leave KIRO-TV where he'd been president and the on-air editorialist, and run for the Senate.

Oddly, Cooney spent most of his speech reflecting on that decision. There was no fire in his delivery. No passion. And primary-election day was ticking closer.

So it has been in the Republican primary election for the Senate: The expected tough, bare-knuckle battle between the conservative Cooney and the moderate Attorney General Slade Gorton ("he's the super-liberal," insists a Cooney conservative) didn't really develop.

There is intensity in a Gorton campaign speech, which often comes as a rapid-fire lecture. Reciting America's woes of double-digit inflation and simultaneous recession, Gorton says, "We need a United States senator who is part of the solution, rather than part of the problem."

Gorton, like Cooney, rests the blame for America's federal deficits and rising spending on the shoulders of the veteran Democrat, Warren Magnuson, chairman of the Senate Appropriations Committee.

"I'm the only candidate on either side who can say he ever balanced a government budget," says Gorton. He reminds audiences that he (Gorton) was a G.O.P. leader in the state House of Representatives before beginning his 12-year career as attorney general.

Cooney reasons he developed all the qualifications he needs to serve in the Senate through his years in the broadcast industry, "feeling the heavy hand of government on my neck as a businessman."

Serving in the Senate isn't a very tough job, Cooney says. "You don't need to be an attorney . . . You can hire all the attorneys you want."

For weeks, the Gorton campaign camp had complained that Cooney was avoiding stepping onstage with Gorton. It was obvious that Cooney, although accustomed to years of reading editorials in front of a camera, had no appetite to debate Gorton, a combative, skilled debater.

When they did share the same platform at a Seattle forum of physicians and dentists last week, it was a bland encounter. They were stiffly gentlemanly.

Cooney endorsed the so-called Kemp-Roth Republican tax-cut plan — "a reduction of income taxes 10 per cent a year for the next three years."

Gorton stopped short of endorsing the three-step tax-cut plan. He said he would support an initial tax cut, but he advocated various tax incentives, a new business-depreciation schedule and continued restraint on federal spending, perhaps pegging it at 21 per cent of the Gross National Product, no more.

That, said Gorton, would end the oversimplified "pseudo battle" over tax cuts.

Both Republicans have been aggressive in insisting that the pay of men and women in America's armed forces be increased and that the nation's defenses be strengthened.

The nation's military establishment "has been grossly neglected by the Carter administration and the Democratic Congress," says Gorton.

"We not only don't have (military) superiority, we're now in a bad second place to the Russians," says Cooney.

"I'm against Salt II," he says flatly.

Gorton argues there will be a continuing need for negotiations to place limitations on strategic arms, but that any agreement must be in America's best interests and must carry with it some mechanism for monitoring the Soviet Union's compliance.

The viability of Salt II was destroyed by the Soviet invasion of Afghanistan, said Gorton.

In handling questions on issues, Gorton sometimes delivers information to the extreme. Cooney's views are brief, simplistic and, think some critics, shallow.

Speaking to the physicians and dentists, Gorton last week delivered a lengthy analysis of health-care issues in Congress which, mourned one doctor, was an overdose of information.

When a doctor-questioner asked the candidates their positions on the National Health Service Corps, Gorton replied — flatly — he wasn't familiar enough with that to answer.

Cooney stepped to the microphone, grinned and confessed, "I was hoping he would say something very detailed and I would agree."

As they appeared together, Cooney conspicuously avoided competing with Gorton on mastery of any issue. He resorted occasionally to light, gentle humor.

Gorton delivered to the physicians-dentists audience a string of endorsements he had received, including nearly all the major newspapers of the state.

"If I knew you were going to talk about endorsements," Cooney told Gorton, "I would have brought my mother's letter."

Cooney entered the number of conservative there was no "true conser

Many of the most co Gorton whose record in office has been moderate business community by office.

Some of the most with bitterness how Gorton in the state to publicly Richard Nixon.

That was early in the be the "finest" service N which would put the nation Gorton's Republican detract

In his campaigning, the Republican philosophy. Co to the right of him.

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"EXHIBIT B-2"

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 Gorton has delivered a mainstream
 apparently has had difficulty slipping

n has become the world's strongest
 late last week.
 Gorton's and Cooney's campaigns

There was expectation that, when Cooney finally entered the race, massive waves of conservative money would roll in to help him. He attracted financial support, but not on the scale that had been expected.

Merrill Jacobs, the Cooney campaign manager, says, "We'll probably hit \$220,000 or so" and he adds, "We were looking for about \$270,000."

The final Cooney advertising campaign was scaled down. In an effort to raise money for some last-minute television time purchases, the Cooney campaign has sent a number of wires to potential givers saying, "the situation is critical."

Although Cooney's schedule of personal campaigning has not been strenuous, he made a "fly-around" of the state Friday, with

Gorton, whose campaign has been more visible, took a hefty loan — \$140,000 — to offset the expected, last-minute Cooney barrage. A Gorton campaign spokesman said the loan was secured by a certificate of deposit from the attorney general's father and a campaign steering committee is expected to raise contributions for repayment.

Gorton was buoyed by a poll, sponsored by The Times, which last week showed him rising past Cooney. In a poll of 603 voters, 39 per cent said they favor Magnuson, 28 per cent said Gorton and 21 per cent chose Cooney.



Staff illustration by Rob Kemp

Contributions: Magnuson beating Gorton and Cooney to the bank

by Dean Katz
Times Washington bureau

WASHINGTON — Slade Gorton is leading his Republican opponent, Lloyd Cooney, in campaign fund-raising as Tuesday's primary election for the Senate nears.

But neither candidate has been able to raise anywhere near the amount of money collected by the Democratic contender and incumbent, Senator Warren G. Magnuson.

As of Friday, Aubrey Davis, Magnuson campaign manager, estimated that the senator had raised close to \$800,000.

Gorton has collected about \$375,000. Cooney has raised just over \$230,000.

Both of the Republican contenders' campaign coffers were fattened by loans. Cooney borrowed \$50,000 from a bank to help out in the purchase of television advertising time, according to Merrill Jacobs, the campaign manager.

Gorton borrowed \$140,000 in a loan signed by his father.

Magnuson has raised \$291,000 from political-action committees of special-interest groups, labor unions and corporations, compared to about \$23,000 for Cooney and about \$3,500 for Gorton.

The Magnuson campaign reported virtually all of the contributions it has collected, ranging in size from \$5,000 contributed by a number of political-action committees down to a few dollars contributed by individuals.

Federal law says that contributions of less than \$200 can be reported in aggregate. Cooney reported at least \$53,000 worth of contributions under \$200 each. According to reports on file with the Federal Elections Commission in Washington, D.C., Gorton reported more than \$100,000 worth of aggregate contributions.

Of the \$500,000 which the Magnuson campaign has collected, about \$170,000 remains in the bank for use later in the campaign.

The Gorton and Cooney cam-

aigns will spend nearly every dollar on the primary.

For much of the campaign, Gorton insisted that he would not accept any money from political-action committees. But as fund-raising became tougher, Gorton changed his mind, although it apparently did not make much difference.

The only significant political-action-committee money Gorton raised were \$1,000 contributions each from the Washington State Medical Association and a Weyerhaeuser "Special Shareholders" group.

Cooney collected \$5,000 from The Committee for Survival of a Free Congress, a conservative political organization, and \$2,000 from the National Conservative Political Action Committee. He also was given \$3,000 by The Fund for a Conservative Majority and \$2,000 from the Coors Employee Political Action Committee, which gives to conservative political candidates.

Cooney received individual contributions of \$1,000 each from M.L. Bean, president of the Pay'n Save Corporation; G. Roger Victor, president of the Olympic Stain Co.; L.H. Fortin, chairman of Q.F.C., Inc., and \$500 from Charles M. Pigott, president of PACCAR.

Gorton was given \$1,000 by William D. Ruckelshaus, a vice president of Weyerhaeuser; George W. Scott, a Rainier Bank executive, and \$4,000 from Delford M. Smith of McMinnville, Ore., listed as a helicopter executive. Gorton, the state attorney general, also received contributions from a number of lawyers in the state and several of his senior assistants in Olympia.

Magnuson's contributors read like a Who's Who list of the major corporations in the state and especially of labor unions around the country.

The senator has been given special attention by airline, railroad and trucking-related compan-

ies and unions because of his strong support in the Senate, and as former chairman of the Commerce Committee, of the transportation industry.

Magnuson received \$5,000 each from the Marine Engineers Union, the Machinists Union, the United Food and Commercial Workers Union, the Seafarers Union and \$4,500 from the state Teamsters organization.

He was given \$2,500 by the Weyerhaeuser Political Action Committee (P.A.C.), \$5,000 by the American Dental P.A.C., \$3,400 by the American Federation of State, County and Municipal Employees, \$4,000 from the Grumman P.A.C., and \$3,000 by the Lockheed Company P.A.C.

Meanwhile, in the race for the 1st District Congressional seat the incumbent, Joel Pritchard, Republican, has raised about \$48,000, according to federal campaign reports.

His Democratic opponent, Robin Drake, had no contributions reported.

In the 2nd District, Northwest Washington, Al Swift, incumbent Democrat, has raised at least \$65,000, but the most recent report due was not on file.

The only other individual reporting contributions in that race was Neal E. Snider, running as a Republican, with \$3,672 collected.

In Southwest Washington, the 3rd District's Democratic congressman, Don Bonker, has collected more than \$65,000, although he has no significant opposition.

In Central Washington's 4th District, Representative Mike McCormack, Democrat, reported contributions of more than \$100,000. Sid Morrison, a strong Republican challenger, has collected more than \$170,000. Another Republican, Claude E. Oliver, has collected more than \$70,000.

In the 5th District of Eastern Washington, the incumbent, Tom Foley, Democrat, reported contri-

butions of more than \$190,000 in his effort to hold on to his seat. Dr. John Sonneland, a Republican challenger, has raised about \$80,000.

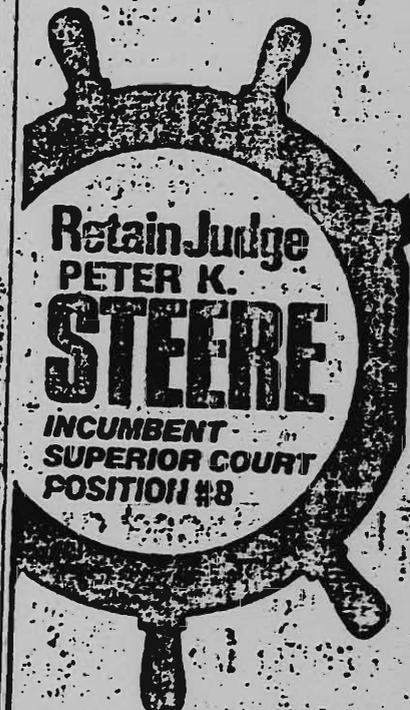
Mel Tonasket, also running as a Republican, reported contributions of \$5,568.

The incumbent in the Sixth District, Norm Dicks, Democrat, has raised more than \$113,000. His Republican opponent, Jim Beaver, has raised more than \$75,000.

In Seattle's 7th district, Mike Lowry, incumbent Democrat, has raised more than \$120,000, according to election reports. Ron Dunlap, Republican challenger, has collected \$109,000.

Many of the reports represented campaign contributions collected only through August 27.

(Paid Advertisement)



Governor candidates' campaign contributions reflect inflation

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GEORGE G. OLSEN
CLIFTON PETER ROSE
MARY LYNNE WHALEN
J. D. WILLIAMS

October 27, 1980

30 OCT 27 P 4: 29
GENERAL COUNSEL

Charles N. Steele, Esq.
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1301(80) : Slade Gorton/United States Senate Committee

Dear Mr. Steele:

Pursuant to section 111.6 of the Commission's regulations, this letter responds to the referenced MUR.*

The complaint alleges two violations of the Federal Election Campaign Act of 1971, as amended, and regulations thereunder. Both allegations were concededly based on news articles and on disclosures previously made by Respondent in reporting to the FEC. First, the complaint alleges that Mr. Gorton's father had "signed for" a loan of \$140,000 to the campaign, or that this loan was "secured by Slade Gorton's father using a certificate of deposit." This allegation is totally without foundation in fact. Mr. Gorton's father neither made a loan nor "signed for," "secured," or guaranteed in any manner any loan to the Committee. Second, the complaint alleges that the foregoing alleged transaction was not properly reported, but this allegation falls with the first. Accordingly, the complaint in this MUR should be dismissed.

However, Mr. Gorton, third-term Attorney General for the State of Washington and once elected by his peers to be President of the National Association of State Attorneys General, wishes to be fully forthcoming with the Commission. Accordingly, he has instructed us to explain that he did, with his father's help, avail himself of certain funds to purchase a certificate of deposit which was used as additional security for a bank line of credit to his Committee. Mr. Gorton entered

* By letter dated October 20, 1980, this firm was designated pursuant to 11 C.F.R. §111.23 as Respondent's counsel in this matter.

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Charles N. Steele, Esq.
October 27, 1980
page 2

into this transaction only after receiving informal advice of counsel. The bank credit was properly reported to the FEC. Mr. Gorton was entitled to use the funds for this purpose under the provisions of the Act and the decision in Buckley v. Valeo, 424 U.S. 1(1976).

Further, Mr. Gorton has instructed us to cooperate fully with the Commission, should the Commission decide to undertake any further investigation. Indeed, Mr. Gorton would welcome any investigation to set the record straight. To that end, he has directed us to prepare a thorough statement of all facts relating to the transaction as it occurred, including conducting interviews, taking affidavits, and gathering all relevant documents. We are doing this and will make all facts available, if wanted, to the Commission staff. We regret that this work could not have been completed before now, but we are confident the Commission appreciates the difficulties we face gathering information in both Washington State and Massachusetts. We shall be in touch with Ms. Donaldson to keep her informed of our progress, and we expect to finish this work soon.

Finally, I am attaching a copy of a news article reporting comment on this case by an FEC staff person. Your own letter to Mr. Gorton of October 6 highlighted the strictures on confidentiality contained in the Act, 2 U.S.C. §437g(a) (4) (B) and §437g(a) (12) (A), and we must insist upon compliance with these.

Sincerely,



Paul Arneson



Clifton Peter Rose

CPR/ng

Enclosures

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ject that, according to and would compete shipping lanes of the Maine and Tennessee of pork-barrel pro-gnuson's spending

year ended yesterday, ten of public debt is billion," Gorton said. ing in the 1980 fiscal total federal debt to ceptions already exist, deficit in the 1981 fis- 30 billion deficit. gnuson's name with by referring to the ers as the "Carter-on." use to use that term e Democratic incum- eral purse strings as mate Appropriations

Committee. "Unless there a change in the way the administration handles its money, we are doomed to double-digit inflation for the foreseeable future," Gorton said.

Gorton, state attorney general, said some positive results may occur from the ruling handed down Monday in Phase II of the Boldt Indian-treaty case.

Referring to the ruling by United States District Judge William H. Orrick, Jr., of San Francisco, who assumed jurisdiction over the case when Judge George Boldt's health failed, Gorton said the stage is now set for protection of the environment surrounding the waters where the Indians fish.

Judge Orrick's decision, Gorton said, "could help the non-Indians as well, as it gives fisheries an enhanced position over logging or other commercial enterprises."

Under certain circumstances, Gorton said, the Indians will have veto power over real-estate projects, logging, highway construction and use of pesticides.

Gorton accused of spending infraction

Karen Marchioro, King County Democratic chairman, said yesterday she has filed a complaint with the Federal Elections Commission against Slade Gorton, Republican challenger to Senator Warren Magnuson.

Ms. Marchioro's complaint concerns a \$140,000 loan taken out by the Gorton campaign before the primary. She said the fact that the loan was secured by certificate of deposit from Gorton's father is a violation of the law that limits campaign contributions to \$1,000.

A further violation was involved, she said, in not reporting the contribution.

In response, Gorton said the charge was "politically motivated and has no basis in fact."

He said the \$140,000 loan was made to the campaign finance committee, and backed up by \$200,000 which he borrowed from his father, whom he is "unconditionally obligated to repay."

"I checked with experts in federal election law before any of these transactions took place," Gorton said.

Gorton said he found it ironic that Democrats should criticize his campaign finances, when Magnuson is in the process of waging the most expensive campaign the state has ever seen.

Fred Eiland, a spokesman for the Federal Election Commission, said he could not comment on the specifics of the complaint, but said "there may be some problem" with a candidate borrowing \$200,000 from his father.

He said in most cases, a personal loan is considered the same as a contribution, and therefore is subject to the \$1,000 limit. "These limitations apply to every one, including family members," he said.

However, Eiland said the commission would have to study the complaint, and Gorton's response, before deciding whether anything improper occurred.

Minorities back Miller for attorney

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Peter Rose, Esquire
William & Jensen
1101 Connecticut Ave., N.W.
Washington, D. C. 20036

Re: MUR 1301 (80)

Dear Mr. Rose:

The Federal Election Commission notified Slade Gorton and his committee on October 6, 1980, of a complaint which alleges that they may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to them at that time.

Upon further review of the allegations contained in the complaint and your failure to fully refute those allegations in your response dated October 27, 1980, the Commission, on , 1980, determined that there is reason to believe that the Slade Gorton for U.S. Senate Committee may have violated 2 U.S.C. § 441a(f). Specifically, it appears that the Committee accepted a contribution from an individual in excess of \$1000 which is prohibited by 2 U.S.C. § 441a(f). A contribution is defined as any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office. It appears that Slade Gorton's father made a contribution in excess of \$1000 to the Gorton Committee.

Please make certain that your submission of further information includes the specific nature and amount of funds made available to Slade Gorton from his father. In addition, please provide the name and address of Slade Gorton's father. Where appropriate, statements should be submitted under oath.

In absence of any additional information which demonstrates that no further action should be taken against your client, the Commission may find probable cause to believe that a violation of the Act has occurred, and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

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Letter to Peter Rose
Page two

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

If you have any questions, please contact Susan Donaldson, the staff member assigned to this matter at (202) 523-4039.

Sincerely,

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FEDERAL ELECTION COMMISSION

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

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THE FOLLOWING MATERIAL IS BEING ADDED TO THE
PUBLIC FILE OF CLOSED MUR 1301.

