



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1967

Date Filmed 5/7/86 Camera No. --- 2

Cameraman BPC

86040360351

8 5 0 4 0 3 0 3 5 2

THIS CHECK IS DELIVERED IN CONNECTION WITH THE FOLLOWING ACCOUNT(S)

DATE	AMOUNT

IF INCORRECT PLEASE RETURN NO RECEIPT NECESSARY

NATIONAL COALITION FOR A FREE CUBA (PAC)

458

June 11 - 85 ⁶³⁻²¹⁹/₆₆₀

PAY TO THE ORDER OF

Treasurer of the United States \$ 550.00

Five hundred and fifty & 00/100 DOLLARS

NATIONAL COALITION FOR A FREE CUBA (PAC)

RNB REPUBLIC NATIONAL BANK of Miami MIAMI, FLORIDA 33136

[Signature]

FOR

⑈000458⑈ >⑈066002194⑈ ⑈001188608⑈

7



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 22, 1985

Charles D. Barnett, Esquire
250 South County Road
Palm Beach, FL 33480

RE: MUR 1967
National Coalition for a
Free Cuba, Inc., PAC
Francisco J. Hernandez, as
treasurer

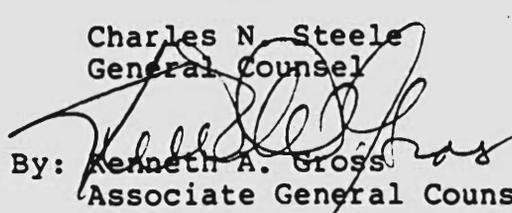
Dear Mr. Barnett:

On July 12, 1985, the Commission accepted the conciliation agreement signed by your client, and a civil penalty in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(i), (ii) and (iv), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

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

Sincerely,

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

85040760353

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
National Coalition for a) MUR 1967
Free Cuba, Inc., PAC)
Francisco J. Hernandez,)
as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that National Coalition for a Free Cuba, Inc., PAC, and Francisco J. Hernandez, as treasurer ("Respondents"), violated 2 U.S.C. § 434(a)(4)(A)(i), (ii) and (iv) by failing to file the 1983 Mid-Year, 1984 July Quarterly and 1984 12 Day Pre-General reports in a timely manner.

NOW, THEREFORE, the Commission and Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

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

III. Respondents enter voluntarily into this agreement with the Commission.

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

86040160254

1. Respondent committee is a political committee registered with the Commission.

2. Respondent Francisco J. Hernandez is the designated treasurer of the committee.

3. Respondents were to file the 1983 Mid-Year Report on July 31, 1983. Respondents filed the report on September 15, 1983, 46 days late.

4. Respondents were to file the 1984 July Quarterly Report on July 15, 1984. Respondents filed the report on July 20, 1984, five days late.

5. Respondents were to file the 1984 12 Day Pre-General Report on October 25, 1984. Respondents filed the report on November 1, 1984, seven days late.

V. Respondents failed to file its 1983 Mid-Year, 1984 July Quarterly and 1984 12 Day Pre-General reports in a timely manner in violation of 2 U.S.C. §§ 434(a)(4)(A)(iv), (i) and (ii) respectively.

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of Five Hundred and Fifty Dollars (\$550), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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 requirements thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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

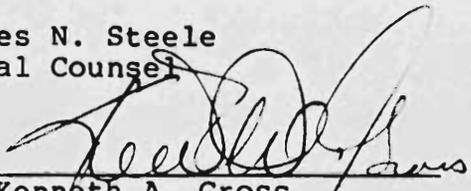
X. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

FOR THE COMMISSION:

Charles N. Steele
General Counsel

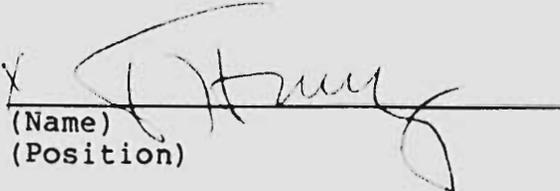
BY:


Kenneth A. Gross
Associate General Counsel

Date

July 18, 1955

FOR THE RESPONDENTS:

X 
(Name)
(Position)

Date

June 11/55

96040100350

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	MUR 1967
National Coalition for a)	
Free Cuba, Inc., PAC)	
Francisco J. Hernandez,)	
as treasurer)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 12, 1985, the Commission decided by a vote of 6-0 to take the following actions in MUR 1967:

1. Accept the agreement attached to the General Counsel's Report signed July 8, 1985.
2. Close the file.

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

Attest:

7-15-85

Date

Marjorie W Emmons

Marjorie W. Emmons
Secretary of the Commission

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

7-10-85, 9:43
7-10-85, 4:00

85040760357

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

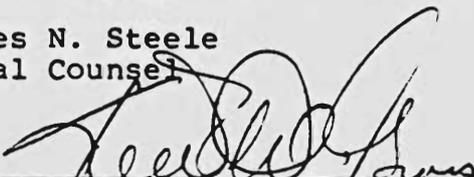
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XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

FOR THE COMMISSION:

Charles N. Steele
General Counsel

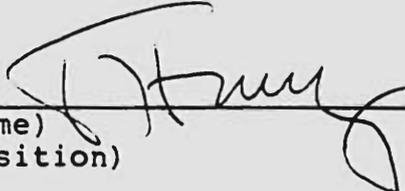
BY:


Kenneth A. Gross
Associate General Counsel

Date

July 18, 1985

FOR THE RESPONDENTS:

X 
(Name)
(Position)

Date

June 11/85

36040:00358



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Charles D. Barnett, Esquire
250 South County Road
Palm Beach, FL 33480

RE: MUR 1967
National Coalition for a
Free Cuba, Inc., PAC
Francisco J. Hernandez, as
treasurer

Dear Mr. Barnett:

On July , 1985, the Commission accepted the conciliation agreement signed by your client, and a civil penalty in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(i), (ii) and (iv), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

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

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

3604030359



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Charles D. Barnett, Esquire
250 South County Road
Palm Beach, FL 33480

RE: MUR 1967
National Coalition for a
Free Cuba, Inc., PAC
Francisco J. Hernandez, as
treasurer

Dear Mr. Barnett:

On July , 1985, the Commission accepted the conciliation agreement signed by your client, and a civil penalty in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(i), (ii) and (iv), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

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

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

3604030360

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	MUR 1967
National Coalition for a)	
Free Cuba, Inc., PAC)	
Francisco J. Hernandez,)	
as treasurer)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 21, 1985, the Commission decided by a vote of 6-0 to take the following actions in MUR 1967:

1. Enter into conciliation with National Coalition for a Free Cuba, Inc., PAC and Francisco J. Hernandez, as treasurer, prior to a finding of probable cause to believe.
2. Approve the proposed conciliation agreement submitted with the General Counsel's Report signed May 16, 1985.
3. Approve the letter attached to the General Counsel's Report signed May 16, 1985.

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

Attest:

5-21-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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

5-16-85, 12:55
5-16-85, 4:00

85040750361



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *W*
DATE: May 16, 1985
SUBJECT: MUR 1967 - Memorandum to The Commission
General Counsel's Report

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

CIRCULATIONS		DISTRIBUTION	
48 Hour Tally Vote	<input checked="" type="checkbox"/>	Compliance	<input checked="" type="checkbox"/>
Sensitive	<input checked="" type="checkbox"/>	Audit Matters	<input type="checkbox"/>
Non-Sensitive	<input type="checkbox"/>	Litigation	<input type="checkbox"/>
24 Hour No Objection	<input type="checkbox"/>	Closed MUR Letters	<input type="checkbox"/>
Sensitive	<input type="checkbox"/>	Status Sheets	<input type="checkbox"/>
Non-Sensitive	<input type="checkbox"/>	Advisory Opinions	<input type="checkbox"/>
Information	<input type="checkbox"/>	Other (see distribution below)	<input type="checkbox"/>
Sensitive	<input type="checkbox"/>		
Non-Sensitive	<input type="checkbox"/>		
Other	<input type="checkbox"/>		

85040580352



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MAY 16 10:55
May 16, 1985

MEMORANDUM

TO : The Commission
FROM : Charles N. Steele
General Counsel

SENSITIVE

BY: Kenneth A. Gross
Associate General Counsel

A handwritten signature in black ink, appearing to read "KAG", written over the typed name "Kenneth A. Gross".

SUBJECT: Withdrawal of General Counsel's Report - MUR 1967
National Coalition for a Free Cuba, Inc., PAC
Francisco J. Hernandez, as treasurer

This Office is withdrawing the General Counsel's Report in MUR 1967 in order to correct the calculations for the civil penalty. Attached is the corrected version of the report.

Attachment

8604050360

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
National Coalition for a) MUR 1967
Free Cuba, Inc., PAC)
Francisco J. Hernandez,)
as treasurer)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On April 2, 1985, the Commission determined there is reason to believe the National Coalition for a Free Cuba, Inc., PAC and Francisco J. Hernandez, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (ii) and (iv) by failing to file the 1984 July Quarterly, 1984 12 Day Pre-General and 1983 Mid-Year reports in a timely manner. In a telephone conversation with General Counsel staff, the respondents, through counsel, requested pre-probable cause conciliation in an effort to settle this matter. Counsel indicated that a formal letter to this effect would follow. (Attachment)

II. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

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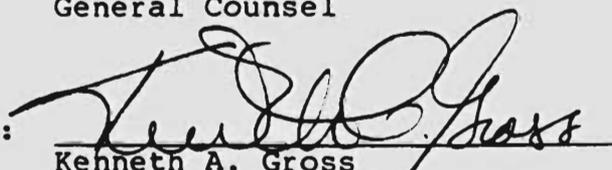
25040700565

III. GENERAL COUNSEL'S RECOMMENDATIONS

1. Enter into conciliation with National Coalition for a Free Cuba, Inc., PAC and Francisco J. Hernandez, as treasurer, prior to a finding of probable cause to believe.
2. Approve the attached proposed conciliation agreement.
3. Approve the attached letter.

Charles N. Steele
General Counsel

May 16, 1985
Date

BY: 
Kenneth A. Gross
Associate General Counsel

Attachments

- I. Letter from Charles Barnett, Esq.
- II. Letter to Charles Barnett, Esq.
- III. Conciliation Agreement

ATTACHMENT I

LAW OFFICES

BARNETT & ALAGIA

250 SOUTH COUNTY ROAD
PALM BEACH, FLORIDA 33480
(305) 832-5696
TELECOPIER (305) 832-5782
CABLE ALBAR
TELEX 803429

85 MAY 2 12:12

OFFICES IN:
MIAMI, FLORIDA
LOUISVILLE, KENTUCKY
WASHINGTON, D.C.
FRANKFORT, KENTUCKY
NASHVILLE, TENNESSEE
ATLANTA, GEORGIA
NEW ALBANY, INDIANA

CHARLES DAWSON BARNETT
PARTNER

April 30, 1985

Mr. Duane A. Brown
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1967 National Coalition For a Free Cuba, Inc., PAC

Dear Mr. Brown:

Enclosed you will find the statement of designation of counsel by National Coalition For a Free Cuba, Inc. As we discussed on the phone, our clients would like to enter into a conciliation agreement with the Federal Election Commission regarding the above-referenced MUR.

I would appreciate your forwarding to me the conciliation agreement at your convenience.

If you have any questions, please let me know.

Sincerely yours,

Charles D. Barnett

Enclosure

CDB/jes

36040700360

MAY 2 12:12
OFFICE

STATEMENT OF DESIGNATION OF COUNSEL



MUR 1967
NAME OF COUNSEL: Charles D. Barnett
ADDRESS: Barnett & Alagia
250 South County Road
Palm Beach, Florida 33480
TELEPHONE: 305 832-5696

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

April 22/85
Date

[Signature]
Signature

RESPONDENT'S NAME: Francisco J. Hernandez
ADDRESS: National Coalition For a Free Cuba, Inc.
8930 S.W. 117th Avenue
Miami, Florida 33176

HOME PHONE: _____
BUSINESS PHONE: 305 279-8500

3504050357

2



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Charles D. Barnett, Esq.
250 South County Road
Palm Beach, Fla. 33480

RE: MUR 1967
National Coalition For a Free
Cuba, Inc., PAC
Francisco J. Hernandez, as
treasurer

Dear Mr. Barnett:

On April 2, 1985, the Commission found reason to believe that your clients violated 2 U.S.C. §§ 434(a)(4)(A)(i), (ii) and (iv). At your request, the Commission determined on May , 1985, 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 your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. 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 Duane A. Brown the attorney assigned this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosures



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel *Cut*

DATE: May 13, 1985

SUBJECT: MUR 1967 - General Counsel's Report

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

CIRCULATIONS

DISTRIBUTION

48 Hour Tally Vote	[X]	Compliance	[X]
Sensitive	[X]	Audit Matters	[]
Non-Sensitive	[]	Litigation	[]
24 Hour No Objection	[]	Closed MUR Letters	[]
Sensitive	[]	Status Sheets	[]
Non-Sensitive	[]	Advisory Opinions	[]
Information	[]	Other (see distribution below)	[]
Sensitive	[]		
Non-Sensitive	[]		
Other	[]		

95040369

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
National Coalition for a) MUR 1967
Free Cuba, Inc., PAC)
Francisco J. Hernandez,)
as treasurer)

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On April 2, 1985, the Commission determined there is reason to believe the National Coalition for a Free Cuba, Inc., PAC and Francisco J. Hernandez, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (ii) and (iv) by failing to file the 1984 July Quarterly, 1984 12 Day Pre-General and 1983 Mid-Year reports in a timely manner. In a telephone conversation with General Counsel staff, the respondents, through counsel, requested pre-probable cause conciliation in an effort to settle this matter. Counsel indicated that a formal letter to this effect would follow. (Attachment).

II. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

35040750370

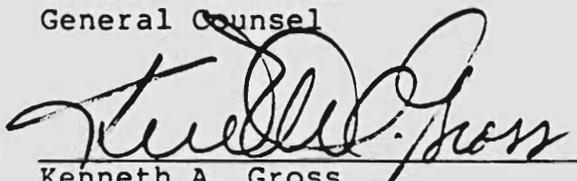
35040560371

III. GENERAL COUNSEL'S RECOMMENDATIONS

1. Enter into conciliation with National Coalition for a Free Cuba, Inc., PAC and Francisco J. Hernandez, as treasurer, prior to a finding of probable cause to believe.
2. Approve the attached proposed conciliation agreement.
3. Approve the attached letter.

Charles N. Steele
General Counsel

May 13, 1985
Date

BY: 
Kenneth A. Gross
Associate General Counsel

Attachments

- I. Letter from Charles Barnett, Esq.
- II. Letter to Charles Barnett, Esq.
- III. Conciliation Agreement

ATTACHMENT I

LAW OFFICES

BARNETT & ALAGIA

250 SOUTH COUNTY ROAD
PALM BEACH, FLORIDA 33480
(305) 832-5696
TELECOPIER (305) 832-5782
CABLE ALBAR
TELEX 803429

85 MAY 2 12:12

OFFICES IN
MIAMI, FLORIDA
LOUISVILLE, KENTUCKY
WASHINGTON, D.C.
FRANKFORT, KENTUCKY
NASHVILLE, TENNESSEE
ATLANTA, GEORGIA
NEW ALBANY, INDIANA

CHARLES DAWSON BARNETT
PARTNER

April 30, 1985

Mr. Duane A. Brown
Federal Election Commission
Washington, D.C. 20463

MAY 2 1985
P 3:10

Re: MUR 1967 National Coalition For a Free Cuba, Inc., PAC

Dear Mr. Brown:

Enclosed you will find the statement of designation of counsel by National Coalition For a Free Cuba, Inc. As we discussed on the phone, our clients would like to enter into a conciliation agreement with the Federal Election Commission regarding the above-referenced MUR.

I would appreciate your forwarding to me the conciliation agreement at your convenience.

If you have any questions, please let me know.

Sincerely yours,

Charles D. Barnett
Charles D. Barnett

Enclosure

CDB/ljs

35040350372

Attachment I



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Charles D. Barnett, Esq.
250 South County Road
Palm Beach, Fla. 33480

RE: MUR 1967
National Coalition For a Free
Cuba, Inc., PAC
Francisco J. Hernandez, as
treasurer

Dear Mr. Barnett:

On April 2, 1985, the Commission found reason to believe that your clients violated 2 U.S.C. §§ 434(a)(4)(A)(i), (ii) and (iv). At your request, the Commission determined on May , 1985, 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 your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. 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 Duane A. Brown the attorney assigned this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosures

Attachment II

8604030370

400 # 7359
THE FEC

LAW OFFICES

BARNETT & ALAGIA

250 SOUTH COUNTY ROAD
PALM BEACH, FLORIDA 33480

(305) 832-5696

TELECOPIER (305) 832-5782

CABLE ALBAR

TELEX 803429

85 MAY 2 12:12

OFFICES IN:
MIAMI, FLORIDA
LOUISVILLE, KENTUCKY
WASHINGTON, D.C.
FRANKFORT, KENTUCKY
NASHVILLE, TENNESSEE
ATLANTA, GEORGIA
NEW ALBANY, INDIANA

CHARLES DAWSON BARNETT
PARTNER

April 30, 1985

Mr. Duane A. Brown
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1967 National Coalition For a Free Cuba, Inc., PAC

Dear Mr. Brown:

Enclosed you will find the statement of designation of counsel by National Coalition For a Free Cuba, Inc. As we discussed on the phone, our clients would like to enter into a conciliation agreement with the Federal Election Commission regarding the above-referenced MUR.

I would appreciate your forwarding to me the conciliation agreement at your convenience.

If you have any questions, please let me know.

Sincerely yours,



Charles D. Barnett

Enclosure

CDB/jes

36040100374

MAY 2 12:12

STATEMENT OF DESIGNATION OF COUNSEL



MUR 1967

NAME OF COUNSEL: Charles D. Barnett

ADDRESS: Barnett & Alagia

250 South County Road

Palm Beach, Florida 33480

TELEPHONE: 305 832-5696

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

April 22/85
Date

[Signature]
Signature

RESPONDENT'S NAME: Francisco J. Hernandez

ADDRESS: National Coalition For a Free Cuba, Inc.

8930 S.W. 117th Avenue

Miami, Florida 33176

HOME PHONE: _____

BUSINESS PHONE: 305 279-8500

3504030375

BARNETT & ALAGIA
250 SOUTH COUNTY ROAD
PALM BEACH, FLORIDA 3348

REC
35 MAY 2 12:11

Mr. Charles J. Brown
Federal Reserve Bank of Boston
Boston, Mass.

6cc 7254

RE FEO

LAW OFFICES

BARNETT & ALAGIA

250 SOUTH COUNTY ROAD
PALM BEACH, FLORIDA 33480

(305) 832-5696

TELECOPIER (305) 832-5782

CABLE ALBAR

TELEX 803429

85 APR 22 11:20 AM

OFFICES IN:
MIAMI, FLORIDA
LOUISVILLE, KENTUCKY
WASHINGTON, D.C.
FRANKFORT, KENTUCKY
MEMPHIS, TENNESSEE
ATLANTA, GEORGIA
ALBANY, INDIANA

CHARLES DAWSON BARNETT
PARTNER

April 19, 1985

P 2:20

DESIGNATION OF COUNSEL

Mr. Duane A. Brown
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1967 National Coalition For a Free Cuba, Inc., PAC

Dear Mr. Brown:

We are in receipt of a letter from Mr. John Warren McGarry to Mr. Francisco J. Hernandez, treasurer of National Coalition For a Free Cuba, Inc., PAC. Please be advised that we are having Mr. Hernandez execute a Designation of Counsel statement and will forward it to shortly. We are also preparing a response to the summary of allegations and will forward our response to you shortly.

If you have any questions, please let me know.

Sincerely yours,

Charles D. Barnett

CDB/jes

06040100377

BARNETT & ALAGIA

250 SOUTH COUNTY ROAD
PALM BEACH, FLORIDA 3348

Mr. Danny A. Brown
Federal Election Commission
Washington, D.C. 20461

SENSITIVE



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

REC-1
FEC
APR 12 12:33

April 11, 1985

MEMORANDUM TO: The Commission
FROM: Charles N. Steele
General Counsel
By: Kenneth A. Gross
Associate General Counsel *KAG*
SUBJECT: RAD Referral 84NF-60

On April 2, 1985 the Commission approved the recommendation that RAD Referral 84NF-60 should become a MUR. Therefore, all documents which had previously been contained in RAD Referral 84NF-60 should now become MUR 1967.

Attachment
Copy of Certification

95047101379

BEFORE THE FEDERAL ELECTION COMMISSION

M 1967
DBrown

In the Matter of)	
)	RAD Referral 84NF-60
National Coalition for a)	
Free Cuba, Inc., PAC)	
Francisco J. Hernandez, treasurer)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 2, 1985, the Commission decided by a vote of 4-0 to take the following actions in RAD Referral 84NF-60:

1. Open a MUR.
2. Find reason to believe the National Coalition for a Free Cuba, Inc., PAC and Francisco Hernandez, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), (ii) and (iv).
3. Approve the Factual and Legal Analysis and letter attached to the First General Counsel's Report signed March 27, 1985.

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

Attest:

4-3-85

Date

Marjorie W Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:	3-29-85, 9:53
Circulated on 48 hour tally basis:	3-29-85, 2:00

95040100380



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 4, 1985

Francisco J. Hernandez, Treasurer
National Coalition for a Free
Cuba, Inc., PAC
8900 S.W. 117 Avenue
Miami, Florida 33176

Re: MUR 1967
National Coalition for
a Free Cuba, Inc., PAC
Francisco J. Hernandez, as treasurer

Dear Mr. Hernandez:

On April 2, 1985, the Federal Election Commission determined that there is reason to believe the National Coalition for a Free Cuba, Inc., PAC and you, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (ii) and (iv), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within ten days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.13(d).

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form

3504030381

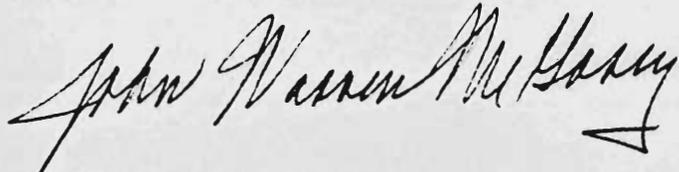
Letter to Francisco Hernandez
Page 2

stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Duane A. Brown, the attorney assigned this matter, at (202)523-4000.

Sincerely,



John Warren McGarry
Chairman

Enclosures

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

06040760382

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR No. 1967

RESPONDENT National Coalition for a Free Cuba, Inc., PAC
Francisco J. Hernandez, as treasurer

SUMMARY OF ALLEGATIONS

This matter was generated as the result of a referral from the Reports Analysis Division for respondents' failure to file three reports in a timely manner during the 1983-84 election cycle. */ (Attachment).

85040300383
The National Coalition for a Free Cuba, Inc., PAC is a political committee registered with the Commission. Francisco Hernandez is its designated treasurer ("respondents"). Respondents are required to file specified reports of receipts and disbursements in a timely manner. During the 1983-84 election cycle, the respondents failed to file three reports in a timely manner. The 1983 Mid-Year Report which was due on July 31, 1983, was filed 46 days late on September 15, 1983. The 1984 July Quarterly Report which was due on July 15, 1984, was filed 5 days late on July 20, 1984. The 1984 12 Day Pre-General Report which was due on October 25, 1984, was filed 7 days late on November 1, 1984.

*/ The respondents were also the subject of MUR 1693 for the failure to file reports in a timely manner during the 1981-82 election cycle.

FACTUAL AND LEGAL ANALYSIS

2 U.S.C. § 434(a)(4)(A)(i), (ii) and (iv) state that all political committees other than authorized committees of a candidate shall file:

(A)(i) quarterly reports, in a calendar year in which a regularly scheduled general election is held, which shall be filed no later than the 15th day after the last day of each calendar quarter... (A)(ii) a pre-election report, which shall be filed no later than the 12th day before... any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election, and which shall be complete as of the 20th day before the election; (A)(iv) in any other calendar year, a report covering the period beginning January 1 and ending June 30, which shall be filed no later than July 31... .

Inasmuch as the respondents have failed to file the 1983 Mid-Year, 1984 July Quarterly and 1984 12 Day Pre-General reports in a timely manner, the Office of General Counsel recommends the Commission open a MUR and find reason to believe the respondents violated 2 U.S.C. § 434(a)(4)(A)(i), (ii) and (iv).

95040760384



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Francisco J. Hernandez, Treasurer
National Coalition for a Free
Cuba, Inc., PAC
8900 S.W. 117 Avenue
Miami, Florida 33176

Re: MUR
National Coalition for
a Free Cuba, Inc., PAC
Francisco J. Hernandez, as treasurer

Dear Mr. Hernandez:

On , 1985, the Federal Election Commission determined that there is reason to believe the National Coalition for a Free Cuba, Inc., PAC and you, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (ii) and (iv), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within ten days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form

3 5 0 4 0 5 0 0 8 5

stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Duane A. Brown, the attorney assigned this matter, at (202)523-4000.

Sincerely,

JWG
4/3/5

John Warren McGarry
Chairman

Enclosures

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

85040500385

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
National Coalition for a)	RAD Referral 84NF-60
Free Cuba, Inc., PAC)	
Francisco J. Hernandez, treasurer)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 2, 1985, the Commission decided by a vote of 4-0 to take the following actions in RAD Referral 84NF-60:

1. Open a MUR.
2. Find reason to believe the National Coalition for a Free Cuba, Inc., PAC and Francisco Hernandez, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), (ii) and (iv).
3. Approve the Factual and Legal Analysis and letter attached to the First General Counsel's Report signed March 27, 1985.

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

Attest:

4-3-85

Date

Marjorie W Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:	3-29-85, 9:53
Circulated on 48 hour tally basis:	3-29-85, 2:00

26040700387



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel *cut*

DATE: March 28, 1985

SUBJECT: RAD 84NF-60: First General Counsel's Report

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

CIRCULATIONS		DISTRIBUTION	
48 Hour Tally Vote	<input checked="" type="checkbox"/>	Compliance	<input checked="" type="checkbox"/>
Sensitive	<input checked="" type="checkbox"/>	Audit Matters	<input type="checkbox"/>
Non-Sensitive	<input type="checkbox"/>	Litigation	<input type="checkbox"/>
24 Hour No Objection	<input type="checkbox"/>	Closed MUR Letters	<input type="checkbox"/>
Sensitive	<input type="checkbox"/>	Status Sheets	<input type="checkbox"/>
Non-Sensitive	<input type="checkbox"/>	Advisory Opinions	<input type="checkbox"/>
Information	<input type="checkbox"/>	Other (see distribution below)	<input type="checkbox"/>
Sensitive	<input type="checkbox"/>		
Non-Sensitive	<input type="checkbox"/>		
Other	<input type="checkbox"/>		

0040:00383

SENSITIVE

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

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL BY OGC TO THE COMMISSION 4/29/85-9:55 RAD REFERRAL 84NF-60
STAFF MEMBER
Duane A. Brown

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D
RESPONDENTS' NAMES: National Coalition for a Free Cuba, Inc., PAC
Francisco J. Hernandez, as treasurer
RELEVANT STATUTE: 2 U.S.C. § 434(a)(4)(A)(i), (ii) and (iv)
INTERNAL REPORTS CHECKED: Respondents'
FEDERAL AGENCIES CHECKED: None

GENERATION OF MATTER

This matter was generated as the result of a referral from the Reports Analysis Division for respondents' failure to file three reports in a timely manner during the 1983-84 election cycle. */ (Attachment).

SUMMARY OF ALLEGATIONS

The National Coalition for a Free Cuba, Inc., PAC is a political committee registered with the Commission. Francisco Hernandez is its designated treasurer ("respondents"). Respondents are required to file specified reports of receipts and disbursements in a timely manner. During the 1983-84 election cycle, the respondents failed to file three reports in a

*/ The respondents were also the subject of MUR 1693 for the failure to file reports in a timely manner during the 1981-82 election cycle.

timely manner. The 1983 Mid-Year Report which was due on July 31, 1983, was filed 46 days late on September 15, 1983. The 1984 July Quarterly Report which was due on July 15, 1984, was filed 5 days late on July 20, 1984. The 1984 12 Day Pre-General Report which was due on October 25, 1984, was filed 7 days late on November 1, 1984.

FACTUAL AND LEGAL ANALYSIS

2 U.S.C. § 434(a)(4)(A)(i), (ii) and (iv) state that all political committees other than authorized committees of a candidate shall file:

(A)(i) quarterly reports, in a calendar year in which a regularly scheduled general election is held, which shall be filed no later than the 15th day after the last day of each calendar quarter... (A)(ii) a pre-election report, which shall be filed no later than the 12th day before... any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election, and which shall be complete as of the 20th day before the election; (A)(iv) in any other calendar year, a report covering the period beginning January 1 and ending June 30, which shall be filed no later than July 31... .

Inasmuch as the respondents have failed to file the 1983 Mid-Year, 1984 July Quarterly and 1984 12 Day Pre-General reports in a timely manner, the Office of General Counsel recommends the Commission open a MUR and find reason to believe the respondents violated 2 U.S.C. § 434(a)(4)(A)(i), (ii) and (iv).

90040500390

RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe the National Coalition for a Free Cuba, Inc., PAC and Francisco Hernandez, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), (ii) and (iv).
3. Approve attached Factual and Legal Analysis and letter.

Charles N. Steele
General Counsel

March 27, 1985
Date

By:

Kenneth A. Gross
Associate General Counsel

Attachments

RAD Referral
Letter to Francisco Hernandez
Factual and Legal Analysis

35040700391

ATTACHMENT I

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 20 November 1984

ANALYST: Pamela Brown

I. COMMITTEE: National Coalition For A Free Cuba, Inc.
(C00142117)
Francisco J. Hernandez, Treasurer
8900 S.W. 117 Avenue*
Miami, FL 33176

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

III. BACKGROUND:

Failure to Timely File Reports

The National Coalition for a Free Cuba Inc. ("NCFC") failed to file three (3) Reports of Receipts and Disbursements in a timely manner for the 1983-84 election cycle (see Chart and Attachments 2 through 8). The reports were filed between 5 and 46 calendar days late.

On August 8, 1984, a Chronic Late Filing Notice was sent to NCFC for failing to file the 1983 Mid-Year and 1984 July Quarterly Reports in a timely manner (Attachment 6). The notice advised NCFC that any additional late filing of reports may result in legal enforcement action. On November 1, 1984, NCFC filed the 1984 12 Day Pre-General Election Report.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None

*/ NCFC's October Quarterly Report changed the street address from 10621 S.W. 88th Street, Suite 214, to 8900 S.W. 117 Avenue.

36040360392

LATE FILING HISTORY

REPORT TYPE	PRIOR NOTICE	DATE DUE	DATE FILED
1983 Mid-Year (1/1/83-6/30/83)	7/7/ 83 Attachment 2)	7/31/ 83 (83)	9/15/83 (Attachment 3)
1984 July Quarterly (4/1/84-6/30/84)	6/21/84 (Attachment 4)	7/15/84	7/20/84 (Attachment 5)
1984 12 Day Pre-General (10/1/84-10/17/84)	10/1/84 (Attachment 7)	10/25/84	11/1/84 (Attachment 8)

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (83-84)

DATE 13NOV84
PAGE 1

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
NATIONAL COALITION FOR A FREE CUBA INC CONNECTED ORGANIZATION: NONE				NON-PARTY QUALIFIED		ID #C00142117
1983	STATEMENT OF ORGANIZATION - AMENDMENT			23MAR83	3	83FEC/268/3847
	MID-YEAR REPORT	30,555	28,849	1JAN83 -30JUN83	10	83FEC/283/18
	REQUEST FOR ADDITIONAL INFORMATION			1JAN83 -30JUN83	3	84FEC/306/3474
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JAN83 -30JUN83	2	84FEC/311/2971
	YEAR-END	40,434	32,377	1JUL83 -31DEC83	9	84FEC/296/1257
	YEAR-END - AMENDMENT	54,934	32,559	1JUL83 -31DEC83	10	84FEC/299/2424
	YEAR-END - AMENDMENT	54,934	32,559	1JUL83 -31DEC83	16	84FEC/310/2314
	REQUEST FOR ADDITIONAL INFORMATION			1JUL83 -31DEC83	1	84FEC/306/3418
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL83 -31DEC83	1	84FEC/311/5285
1984	MISCELLANEOUS NOTICE FROM FEC			8AUG84	1	84FEC/325/0988
	APRIL QUARTERLY	161,708	64,166	1JAN84 -31MAR84	14	84FEC/310/5274
	APRIL QUARTERLY - AMENDMENT	-	-	1JAN84 -31MAR84	3	84FEC/316/4314
	REQUEST FOR ADDITIONAL INFORMATION			1JAN84 -31MAR84	2	84FEC/315/2708
	JULY QUARTERLY	1,518	86,188	1APR84 -30JUN84	16	84FEC/324/0334
	JULY QUARTERLY - AMENDMENT	-	-	1APR84 -30JUN84	3	84FEC/336/0829
	REQUEST FOR ADDITIONAL INFORMATION			1APR84 -30JUN84	4	84FEC/327/2047
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1APR84 -30JUN84	5	84FEC/328/5420
	OCTOBER QUARTERLY	-	27,500	1JUL84 -30SEP84	6	84FEC/342/0042
	PRE-GENERAL	1,007	11,500	1OCT84 -17OCT84	6	84FEC/348/0913
	TOTAL	249,722	0 250,762	0	115	TOTAL PAGES

All reports have been reviewed.
Ending Cash 10/17/84: \$6,128
Debts 10/17/84: -0-

ATTACHMENT 1

w



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

July 7, 1983

SEMIANNUAL REPORT FILING REQUIREMENTS

WHO MUST FILE

ALL POLITICAL COMMITTEES currently registered with the Commission (except committees filing monthly) must file a semiannual report by July 31, 1983.

WHAT MUST BE REPORTED

Committees must disclose all financial activity of the committee from the later of, the last report filed or the date of registration,* through June 30, 1983.

FILING DATE

Reports sent by registered or certified mail must be postmarked no later than midnight July 31, 1983. Reports hand delivered or mailed first class must be received no later than close of business July 31, 1983.

WHERE AND HOW TO FILE

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

FAILURE TO FILE

According to Commission policy, political committees will not necessarily receive notification of their failure to file reports. However, they remain fully liable for failure to file any report required under the Act. In addition, failure to file required reports may result in compliance proceedings. Committees must submit legible reports which can be reproduced clearly. Illegible documents will not be accepted as reports, and committees filing such documents will be required to refile.

MONTHLY FILERS

Committees filing on a monthly schedule need not file a semiannual report. Monthly reports are due by the twentieth of each month and should cover all financial activity of the previous month. The next monthly report must be filed by July 20, 1983, and disclose all financial activity of the committee from June 1 through June 30, 1983.

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

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

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

83 SEP 20 P 1:08

(Mandatory Page)

ATTACHMENT 3

1. Name of Committee (in Full)
NATIONAL COALITION FOR A FREE CUBA, INC.

Address (Number and Street)
**10621 S. W. 88 Street
SUITE 214**

City, State and ZIP Code
MIAMI, FLORIDA 33176

Check if address is different than previously reported.

2. FEC Identification Number
COO-142117

3. This committee qualified as a multicandidate committee during this Reporting Period on 3-15-82 (date)

4. TYPE OF REPORT (check appropriate boxes)

(a) April 15 Quarterly Report Page 1 of 2
 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

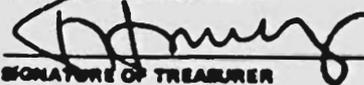
SUMMARY		Column A This Period	Column B Calendar Year-to-Date
5. Covering Period	<u>AN 1, 1983</u> Through <u>JUNE 30, 1983</u>		
6. (a) Cash on Hand January 1, 19 <u>83</u>			\$ 7,169.13
(b) Cash on Hand at Beginning of Reporting Period		\$ 7,169.13	
(c) Total Receipts (from Line 1B)		\$ 30,555.00	\$ 30,555.00
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)		\$ 37,724.13	\$ 37,724.13
7. Total Disbursements (from Line 2B)		\$ 28,849.63	\$ 28,849.63
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))		\$ 8,874.50	\$ 8,874.50
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)		\$ 14,000.00	

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 800-424-9630
Local 202-523-4088

FRANCISCO J. HERNANDEZ
Type or Print Name of Treasurer


SIGNATURE OF TREASURER

8/24/83
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.

--	--	--	--	--	--	--	--

FEC FORM 3X (3/80)

83032831928

NATIONAL COALITION FOR A FREE CUBA INC.
10621 NORTH KENDALL DRIVE - Suite 214
Miami, Florida 33143

83 SEP 20 P 1:0

CERTIFIED
P10 7079496

PUBLIC RECORDS DIVISION
FEDERAL ELECTION COMMISSION
1325 K STREET, N.W.
WASHINGTON, D.C. 20463



June 21, 1984

JULY REPORTING NOTICE FOR UNAUTHORIZED COMMITTEES

WHO MUST FILE

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

WHAT MUST BE REPORTED

All financial activity must be disclosed from the last report filed through June 30, 1984. Political committees which have not previously filed a financial disclosure report should report all financial activity from the date of registration,* through June 30, 1984.

WHEN TO FILE

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

WHERE AND HOW TO FILE

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

MONTHLY FILERS

Committees that file on a monthly schedule must file their next report by July 20, 1984, and disclose all financial activity of their committee from June 1 through June 30, 1984. Monthly reports are due by the twentieth of each month and should cover all financial activity of the previous month.

COMPLIANCE

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

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

A R E M I N D E R F O R Q U A R T E R L F I L E R S

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

86040760399

84 JUL 23

02:00
ALIGN AREA

(Summary Page)

ALIGN AREA

1. Name of Committee (In Full)
National Coalition for a Free Cuba, Inc

Address (Number and Street)
10621 S.W. 88 Street, Suite 318

City, State and ZIP Code
Miami, Fl. 33176

Check here if address is different than previously reported.

2. FEC Identification Number
C00-142117

3. This committee qualified as a multisandidate committee during this Reporting Period on *3-15-84*

4. TYPE OF REPORT (Check appropriate boxes) Page 1 of 2

(a) April 15 Quarterly Report October 15 Quarterly Report

July 15 Quarterly Report January 31 Year End Report

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

Monthly Report for _____

Twelfth day report preceding _____ (Type of Election)

election on _____ in the State of _____

Thirtieth day report following the General Election

on _____ in the State of _____

Termination Report

(b) Is this Report an Amendment?

YES NO

SUMMARY

5. Covering Period *4-1-84* through *6-30-84*

6 (a) Cash on hand January 1, 19 *84*

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 1B)

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

7 Total Disbursements (from Line 2B)

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

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

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

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6 (a)		\$ 31,249.79
6 (b)	\$ 138,791.32	
6 (c)	\$ 1,518.00	\$ 163,226.09
6 (d)	\$ 130,509.32	\$ 194,475.87
7	\$ 86,188.54	\$ 150,351.09
8	\$ 44,320.78	\$ 44,124.78
9	\$	
10	\$	

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
Tel. 202 426 1530
Local 202 523 6068

FRANCISCO J. HERNANDEZ
Type of Print Name of Treasurer

[Signature]
SIGNATURE OF TREASURER

July 15/84
Date

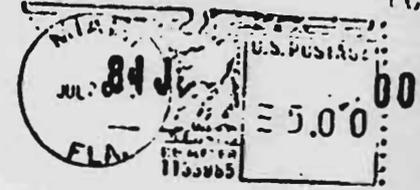
NOTE: Submission of false, erroneous or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 4371.

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

004003340334

8 4 0 3 3 2 4 0 3 4 9

FOR A FREE CUBA, INC. PAC.
P.O. Box 397
Miami, Florida 33165



**RETURN RECEIPT
REQUESTED**

**CERTIFIED
MAIL**
No. 511104

ALL REPORTS
Public Records Division
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

ATTACHMENT 5
Page 2 of 2

10



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

ATTACHMENT 7

Page 1 of 2

October 1, 1984

**GENERAL ELECTION FILING NOTICE
FOR UNAUTHORIZED COMMITTEES**

WHO MUST FILE THE PRE-GENERAL ELECTION REPORT

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

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

WHAT MUST BE REPORTED

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

WHEN TO FILE

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

* * * * *

WHO MUST FILE THE POST-GENERAL ELECTION REPORT

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

WHAT MUST BE REPORTED

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

WHEN TO FILE

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

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

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WHERE AND HOW TO FILE

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

QUARTERLY FILERS

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

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

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

* * *

MONTHLY FILERS

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

COMPLIANCE

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

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

**DETAILED SUMMARY PAGE
of Receipts and Disbursements
(Page 2, FEC FORM 3X)**

Name of Committee (or Full)		Report Covering the Period	
NATIONAL COALITION FOR A FREE CUBA, INC.		From 10-1-84	To 10-17-84
		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			163,226.08
(b) Political Party Committees			
(c) Other Political Committees			
(iii) TOTAL CONTRIBUTIONS (other than loans) (add 11(a), 11(b) and 11(c))			163,226.08
12 TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES			
13 ALL LOANS RECEIVED			
14 LOAN REPAYMENTS RECEIVED			
15 OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)		7.74	7.74
16 REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES		1,000.00	1,000.00
17 OTHER RECEIPTS (Dividends, Interest, etc.)			
18 TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)		1,007.74	164,233.82
II. DISBURSEMENTS			
19 OPERATING EXPENDITURES			41,203.56
20 TRANSFERS TO AFFILIATED OTHER PARTY COMMITTEES			
21 CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES		11,500.00	146,500.00
22 INDEPENDENT EXPENDITURES (use Schedule E)			
23 COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (P.L.C. 9447 and Use Schedule F)			
24 LOAN REPAYMENTS MADE			
25 OTHER MADE			
26 REFUNDS OF CONTRIBUTIONS TO:			
(a) Individuals/Persons Other Than Political Committees			1,652.00
(b) Political Party Committees			
(c) Other Political Committees			
26(d) TOTAL CONTRIBUTION REFUNDS (Add 26(a), 26(b) and 26(c))			
27 OTHER DISBURSEMENTS			
28 TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)		11,500.00	189,355.56
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES			
29 TOTAL CONTRIBUTIONS (other than loans) from Line 11(d)			163,226.08
30 TOTAL CONTRIBUTION REFUNDS from Line 26(d)			1,652.00
31 NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29)			161,574.08
32 TOTAL OPERATING EXPENDITURES from Line 19			41,203.56
33 OFFSETS TO OPERATING EXPENDITURES from Line 15			
34 NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)			41,203.56

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Page of for
 LINE NUMBER
 (Use separate schedule(s) for each category of the Detailed Summary Page)

SCHEDULE B

ITEMIZED DISBURSEMENTS

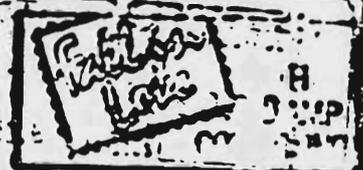
Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee

Name of Committee (in Full)			
NATIONAL COALITION FOR A FREE CUBA INC.			
A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
GENE TAYLOR FOR CONGRESS P.O. BOX 609 CARTHAGE MO. 64836	POLITICAL CONTRIBUTION Disbursement for <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	10-3-84	1,000.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
BENTLEY FOR CONGRESS 2323 YORK RD PIMONIUM, MD. 21093	POLITICAL CONTRIBUTION Disbursement for <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	10-3-84	1,000.00
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
MINORITY LEADER FUND C/OROBERT H. MICHAEL 2112 RAYBURN HOUSE OTIC BLDG WASHINGTON DC 20515	POLITICAL CONTRIBUTION Disbursement for <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	10-3-84	1,500.00
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
NEAL SMITH CAMPAIGN FUND FRIENDS OF NEAL SMITH COMM 488 INSURANCE EXCHANGE BLDG DESMOINE, IOWA 50305	POLITICAL CONTRIBUTION Disbursement for <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	10-8-84	\$3,000.00
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
KEMP ASSOCIATES PAC 499 SOUTH CAPITOL ST, S.W. STE 417 WASHINGTON, D.C. 20003	POLITICAL CONTRIBUTION Disbursement for <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	10-10-84	5,000.00
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 (Disbursements This Page (optional))			
TOTAL (Total that show this line number only)			11,500.00

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COALITION FOR A FREE CUBA, INC. PAC
P.O. BOX 387
MIAMI, FLORIDA 33148



Public Records Division
Federal Election Commission
1325 K Street, NW
Washington, DC 20543

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● ATTACHMENT II ●



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Francisco J. Hernandez, Treasurer
National Coalition for a Free
Cuba, Inc., PAC
8900 S.W. 117 Avenue
Miami, Florida 33176

Re: MUR
National Coalition for
a Free Cuba, Inc., PAC
Francisco J. Hernandez, as treasurer

Dear Mr. Hernandez:

On , 1985, the Federal Election Commission determined that there is reason to believe the National Coalition for a Free Cuba, Inc., PAC and you, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (ii) and (iv), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within ten days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form

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Letter to Francisco Hernandez

Page 2

stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Duane A. Brown, the attorney assigned this matter, at (202)523-4000.

Sincerely,

John Warren McGarry
Chairman

Enclosures

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

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ATTACHMENT III

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR No. _____

RESPONDENT National Coalition for a Free Cuba, Inc., PAC
Francisco J. Hernandez, as treasurer

SUMMARY OF ALLEGATIONS

This matter was generated as the result of a referral from the Reports Analysis Division for respondents' failure to file three reports in a timely manner during the 1983-84 election cycle. */ (Attachment).

The National Coalition for a Free Cuba, Inc., PAC is a political committee registered with the Commission. Francisco Hernandez is its designated treasurer ("respondents"). Respondents are required to file specified reports of receipts and disbursements in a timely manner. During the 1983-84 election cycle, the respondents failed to file three reports in a timely manner. The 1983 Mid-Year Report which was due on July 31, 1983, was filed 46 days late on September 15, 1983. The 1984 July Quarterly Report which was due on July 15, 1984, was filed 5 days late on July 20, 1984. The 1984 12 Day Pre-General Report which was due on October 25, 1984, was filed 7 days late on November 1, 1984.

*/ The respondents were also the subject of MUR 1693 for the failure to file reports in a timely manner during the 1981-82 election cycle.

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FACTUAL AND LEGAL ANALYSIS

2 U.S.C. § 434(a)(4)(A)(i), (ii) and (iv) state that all political committees other than authorized committees of a candidate shall file:

(A)(i) quarterly reports, in a calendar year in which a regularly scheduled general election is held, which shall be filed no later than the 15th day after the last day of each calendar quarter... (A)(ii) a pre-election report, which shall be filed no later than the 12th day before... any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election, and which shall be complete as of the 20th day before the election; (A)(iv) in any other calendar year, a report covering the period beginning January 1 and ending June 30, which shall be filed no later than July 31... .

Inasmuch as the respondents have failed to file the 1983 Mid-Year, 1984 July Quarterly and 1984 12 Day Pre-General reports in a timely manner, the Office of General Counsel recommends the Commission open a MUR and find reason to believe the respondents violated 2 U.S.C. § 434(a)(4)(A)(i), (ii) and (iv).

35040300412

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 20 November 1984

ANALYST: Pamela Brown

I. COMMITTEE: National Coalition For A Free Cuba, Inc.
(C00142117)
Francisco J. Hernandez, Treasurer
8900 S.W. 117 Avenue*/
Miami, FL 33176

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

III. BACKGROUND:

Failure to Timely File Reports

The National Coalition for a Free Cuba Inc. ("NCFC") failed to file three (3) Reports of Receipts and Disbursements in a timely manner for the 1983-84 election cycle (see Chart and Attachments 2 through 8). The reports were filed between 5 and 46 calendar days late.

On August 8, 1984, a Chronic Late Filing Notice was sent to NCFC for failing to file the 1983 Mid-Year and 1984 July Quarterly Reports in a timely manner (Attachment 6). The notice advised NCFC that any additional late filing of reports may result in legal enforcement action. On November 1, 1984, NCFC filed the 1984 12 Day Pre-General Election Report.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None

*/ NCFC's October Quarterly Report changed the street address from 10621 S.W. 88th Street, Suite 214, to 8900 S.W. 117 Avenue.

36040300410



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

20 November 1984

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA *JS*
STAFF DIRECTOR

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

SUBJECT: REFERRAL OF THE NATIONAL COALITION FOR A FREE CUBA,
INC.

This is a referral of the National Coalition for a Free Cuba, Inc. ("the NCFC"). The NCFC has failed to file three (3) reports in a timely manner during the 1983-84 election cycle.

For your information, the NCFC is a respondent in MUR 1693, which was generated from this Division for failure to timely file reports during the 1981-82 election cycle.

NCFC was also referred for a possible audit pursuant to 2 U.S.C. §438(b) on November 8, 1983. The Commission disapproved the audit on November 29, 1983 (see A83-114).

If you have any questions concerning this matter, please contact Pamela Brown at 523-4048.

Attachment.

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FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 1967

Date Filmed 5/7/84 Camera No. --- 2

Cameraman SPC

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