



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2826

DATE FILMED 4/13/89 CAMERA NO. 7

CAMERAMAN AS

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REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 13 December 1988

ANALYST: Robin Kelly

I. COMMITTEE: Pierpont for Congress  
(C00229690)  
Anthony G. Rytina, Treasurer  
139 Fireside Circle  
Baltimore, MD 21212

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

III. BACKGROUND:

Failure to File a Required Report as of Election Day

Pierpont for Congress ("the Committee") has failed to file the 12 Day Pre-General Report of Receipts and Disbursements as of Election Day, November 8, 1988. The Committee was notified on October 3, 1988, that the 12 Day Pre-General Report was due October 27, 1988 (Attachment 2). A mailgram was sent to the Committee on October 28, 1988 for failure to file the 12 Day Pre-General Report (Attachment 3). The mailgram informed the Committee that failure to file the report within four (4) business days might result in publication, audit or legal enforcement action. The name of the Committee was published for failure to file the 12 Day Pre-General Report on November 4, 1988 (Attachment 4). On November 4, 1988, the Reports Analysis Division analyst spoke with the treasurer and informed him that the report should be filed. Mr. Rytina explained the circumstances which delayed the filing of the report. He expressed concern about his failure to file the 12 Day Pre-General Report, and stated that he would do so as soon as possible (Attachment 5). On November 9, 1988 a letter was received from Mr. Rytina reiterating the telephone conversation (Attachment 6).

The report has not been filed as of this date.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

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CANDIDATE/COMMITTEE/DOCUMENT	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
	OFFICE SOUGHT/ PARTY	PRIMARY GENERAL	PRIMARY GENERAL	GENERAL			

PIERPONT, ROSS E DR	HOUSE 03 REPUBLICAN PARTY			MARYLAND	1988 ELECTION	ID# H4MD03024	
1. STATEMENT OF CANDIDATE							
1988 STATEMENT OF CANDIDATE					20APR88		1 88HSE/349/1645
2. PRINCIPAL CAMPAIGN COMMITTEE							
PIERPONT FOR CONGRESS						ID #C00229690	HOUSE
1985 STATEMENT OF ORGANIZATION					20APR88		1 88HSE/349/1643
STATEMENT OF ORGANIZATION - AMENDMENT					26APR88		1 88HSE/349/5383
48 HOUR CONTRIBUTION NOTICE					25OCT88		1 88HSE/365/5502
48 HOUR CONTRIBUTION NOTICE					4NOV88		1 88HSE/368/5516
MISCELLANEOUS REPORT TO FEC					9NOV88		1 88HSE/369/0982
APRIL QUARTERLY		2,014		174	1APR88 -15APR88		7 88HSE/349/1646
JULY QUARTERLY		7,335		7,063	16APR88 -30JUN88		9 88HSE/353/3975
OCTOBER QUARTERLY		10,011		7,375	1JUL88 -30SEP88		11 88HSE/363/2345
NOTICE OF FAILURE TO FILE					1OCT88 -19OCT88		1 88FEC/564/2332
TOTAL		0	19,360	0	14,612		33 TOTAL PAGES

3. AUTHORIZED COMMITTEES

PIERPONT FOR CONGRESS						ID #C00210492	HOUSE
1987 STATEMENT OF ORGANIZATION - TERMINATED					3SEP87		1 87HSE/338/0647
NOTICE OF FAILURE TO FILE					1JAN87 -30JUN87		1 87FEC/484/1777
NOTICE OF FAILURE TO FILE					31DEC87		1 88FEC/510/2742
1 ST LETTER INFORMATIONAL NOTICE					1SEP87		1 87FEC/492/2923
1988 MISCELLANEOUS REPORT TO FEC					3MAR88		1 88HSE/345/2380
TOTAL							5 TOTAL PAGES

4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN

5 4TH TOT PAGES

-Of the above listed reports, the April and July Quarterly Reports have been reviewed.

-Cash-on-hand as of 9/30/88: \$4571.77

-Outstanding debts and obligations as of 9/30/88: \$11,000.00

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Attachment 2

# GENERAL ELECTION REPORT NOTICE

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## FEDERAL ELECTION COMMISSION

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CONGRESSIONAL CANDIDATES

October 3, 1988

Report	Reporting Period	Reg./Cert.	
		Mailing Date*	Filing Date
Pre-General	10/01/88** - 10/19/88	10/24/88	10/27/88
Post-General	10/20/88 - 11/28/88	12/08/88	12/08/88

### WHO MUST FILE

All 1988 general election principal campaign committees must file the pre- and post-general election reports.

### WHO NEED NOT FILE

Principal campaign committees of candidates not active in the 1988 elections (i.e., committees active in past or future elections) and 1988 campaign committees not participating in the general election do not file the pre- and post-general reports.

### WHAT MUST BE REPORTED

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

### REPORTING FORMS

Candidate committees use FORM 3 (enclosed). If the campaign has more than one authorized committee, the principal campaign committee must also file a consolidated report on FORM 3Z.

### WHERE TO FILE

Consult the instructions on the back of the FORM 3 Summary Page. Note State filing requirements also.

### LAST-MINUTE CONTRIBUTIONS

A Congressional committee that receives a contribution of \$1,000 or more during the period beginning October 20 and ending November 5 must provide notice of it to the appropriate filing offices within 48 hours of its receipt. Call the FEC for more information.

### LABEL

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

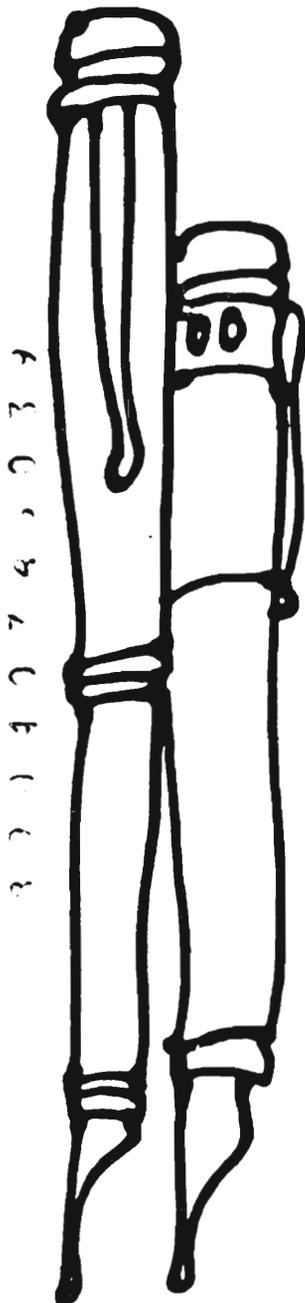
### COMPLIANCE

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

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

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

FOR INFORMATION, Call: 202/376-3120 or 800/424-9530



80-7

(This is a copy of the text of a mailgram sent to the committee listed below on October 28, 1988.)

Anthony G. Rytina, Treasurer  
Pierpont for Congress  
139 Fireside Circle  
Baltimore, MD 21212

Identification Number: C00229690

Reference: 12 DAY PRE-GENERAL REPORT (10/1/88-10/19/88)

It has come to the attention of the Federal Election Commission that you may have failed to file the 12 Day Pre-General report of receipts and expenditures as required by the Federal Election Campaign Act, as amended. You were previously notified of the due date for this report. You will be allowed four (4) business days from the date of this notice to file the 12 Day Pre-General Report. The report should be filed with the Clerk of the House, Office of Records and Registration, 1036 Longworth House Office Building, Washington, DC 20515, or the Secretary of the Senate, Office of Public Records, 232 Hart Senate Office Building, Washington, DC 20510, as appropriate. A copy of the report should also be filed with the appropriate Secretary of State or equivalent state officer.

If you have filed the report timely by certified or registered mail, please notify us immediately, in writing, of the certified or registered number and the date that the report was sent. The failure to file this report may result in publication, audit or legal enforcement action.

If you have any questions regarding this matter, please contact the Reports Analysis Division on our toll free number (800) 424-9530 or on our local number (202) 376-2480.

Sincerely,

John D. Gibson  
Assistant Staff Director  
Reports Analysis Division

8 7 7 3 3 6 4 2 3 3 2

# FEDERAL ELECTION COMMISSION



Press Office  
999 E Street, N.W., Washington, D.C. 20463  
Phone: Local 376-3155 Toll Free 800-424-9530

FOR IMMEDIATE RELEASE:  
FRIDAY, NOVEMBER 4, 1988

CONTACT: FRED EILAND  
SHARON SYNDER  
SCOTT MOXLEY

### FEC CITES PRESIDENTIAL AND CONGRESSIONAL CAMPAIGNS FOR FAILING TO FILE PRE-GENERAL ELECTION REPORTS

WASHINGTON — The Federal Election Commission has cited the campaign committees of one presidential candidate and nineteen 1988 U.S. Senate and House candidates for failing to file the required pre-general election financial disclosure reports.

Reports from the following committees with candidates active in the general election had not been filed as of 5 p.m., November 3:

- PRIS...POPULIST PARTY OF AMER NATL CMT (D. DUKE FOR PRES)...DAVID DUKE...POP
- MN/SEN...POLLY MANN FOR U.S. SENATE...POLLY MANN...PROGRESSIVE ISSUES PARTY
- CA/24...FRIENDS OF JOHN W. COWLES...JOHN W. COWLES...REP
- FL/15...MIKE KUHLE FOR CONGRESS...MICHAEL ALFRED KUHLE...DEM
- IN/10...JIM CUMMINGS FOR CONGRESS COMMITTEE...JAMES CUMMINGS...REP
- MA/11...GILLERAN FOR CONGRESS COMMITTEE...MICHAEL C. GILLERAN...REP
- MD/03...PIERFONT FOR CONGRESS...DR. ROSS E. PIERPONT...REP > RK
- NC/01...MOYE FOR CONGRESS...HOWARD DEWITT MOYE, JR...REP
- NE/03...RACEK FOR CONGRESS...JOHN D. RACEK...DEM
- NY/30...COOK FOR CONGRESS...THOMAS D. COOK...CRV
- NY/15...DOUKAS FOR CONGRESS COMMITTEE...PETER G. DOUKAS...DEM
- \*NY/06...CONGRESSMAN FLOYD FLAKE CAMPAIGN COMMITTEE...FLOYD B. FLAKE...DEM
- NY/11...FRIENDS OF RIAZ B. HUSSAIN FOR CONGRESS... RIAZ B. HUSSAIN...REP
- NY/15...COMMITTEE TO ELECT LEVITT...JOHN LEVITT...LIB
- \*NY/03...PREVIDI FOR CONGRESS...ROBERT PREVIDI...REP
- OH/12...GELPI FOR CONGRESS COMMITTEE...MICHAEL A. GELPI...IND
- OH/14...LORETTA LANG FOR CONGRESS...LORETTA AUGUSTA LANG...REP
- PA/10...CMT TO ELECT ROBERT CORDARO FOR CONGRESS...ROBERT C. CORDARO...DEM
- TX/04...FRIENDS OF RANDY SUTTON FOR CONGRESS...RANDY JOHN SUTTON...REP
- WI/09...FRIENDS OF TOM HICKEY FOR CONGRESS...THOMAS JOSEPH HICKEY...DEM

The reports were due October 27, covering activity from October 1, 1988, through October 19, 1988. If sent by regular mail, or if hand-delivered, the reports should have been received by close-of-business on October 27. If sent by registered or certified mail, the reports were to have been postmarked by October 24. Committees were notified of their filing requirements on October 3 and those which failed to file were again notified by mailgram on October 28.

The 1979 Amendments to the Federal Election Campaign Act specify that the Commission publish the names of only those committees authorized by candidates to raise and spend money on their behalf. Therefore, this list does not include other types of political committees which were also required to file.

In addition, individuals register as candidates only after they have raised or spent in excess of \$5,000. Prior to reaching that threshold, no registration or reporting is required. Therefore, some individuals whose names appear on state ballots may have no filing obligations.

Further FEC action against non-filers will be decided on a case-by-case basis. The Federal Election Campaign Act gives the Commission broad authority to initiate enforcement actions, including civil court enforcement and the imposition of civil penalties (\$5,000 for "any violation" and \$10,000 for any "knowing and willful" violation) for infractions of the law, including failure to file required disclosure reports.

\*Pre-general election reports for these committees were received after the 5 p.m., November 3, deadline for publication.

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**MEMORANDUM FOR FILES: TELECON**

**SUBJECT: 12 DAY PRE-GENERAL REPORT**

**FROM: ANTHONY RYTINA**

**TO: LINDA TANGNEY**

**NAME OF COMMITTEE: PIERPONT FOR CONGRESS**

**DATE: 11/4/88**

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Mr. Rytina called and stated that he was aware that the 12 Day Pre-General Report was overdue, and that he was doing his very best to get it in as soon as possible. Mr. Rytina stated that he was having some problems with obtaining a monthly statement from the bank. Mr. Rytina also stated that his wife was ill, and he has to spend a considerable amount of time with her. Mr. Rytina expressed a lot of concern about his failure to file the 12 Day Pre-General Report, and stated that he would do so as soon as possible.

37740743042

**HAND DELIVERED**

**ANTHONY G. RYTINA**  
112 FRENCH CIRCLE  
BALTIMORE, MARYLAND 21212

RECEIVED  
FEDERAL ELECTION COMMISSION  
FEB 11 1988

**08 NOV -9 AM 9:06**

**PIERPONT FOR CONGRESS**

**127469**

**November 7, 1988**

Federal Election Committee  
999 E Street, N. W.  
Washington, D. C. 20463

Attention: Mrs. Robin Kelly

Dear Mrs. Kelly:

Your name was given to me by Mrs. Linda Tangney, who has been most cooperative and helpful in my hour of need.

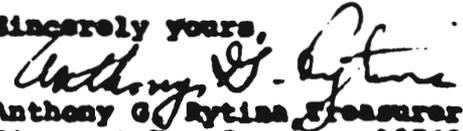
As the Treasurer for Dr. Ross E. Pierpont, running for Congress in Maryland's Third Congressional District I am hot, bothered and frustrated because I have been unable to complete our FEC report for the period October 1st through the 19th.

Our First National Bank in Baltimore could not furnish our October statement before the end of the month because it is computerized and the computer cannot spit out a monthly statement at any particular date, but one must wait for a few days after the end of the month. And I thought computers could do anything but talk.

Now I have the bank statement, but I have been unable to complete my report because of the nearness of the election, and also in any little bit of spare time I can grab I must help and care for my wife who is restricted to a hospital bed in our living room due to a painfully sore back. She has had some steroid shots in her back, and gets up only to visit the Childrens Orthopedic Hospital three times each week. Each visit kills half a day. In addition to being a chauffeur, maid and nurse I am Dr. Pierponts Treasurer, and as we approach the election tomorrow he puts more and more pressure on me to perform the many and varied duties of a Treasurer without enough money.

Please look with favor on my request for more time--and thank you very much..

Sincerely yours,



Anthony G. Rytina, Treasurer  
Pierpont For Congress-127469  
Phone-301-433-3012

AGR/grs

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FEDERAL ELECTION COMMISSION  
999 E Street, N.W.  
Washington, D.C. 20463

RECEIVED  
FEDERAL ELECTION COMMISSION  
89 JAN 18 PM 5:11

**SENSITIVE**

**FIRST GENERAL COUNSEL'S REPORT**

RAD Referral: #88NF-57  
Staff Member: Kapper

SOURCE: INTERNALLY GENERATED

RESPONDENTS: Pierpont For Congress and Anthony G. Rytina,  
as treasurer

RELEVANT STATUTES: 2 U.S.C. § 434(a)(2)(A)(i)  
11 C.F.R. § 104.5(a)(1)(i)

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

**I. GENERATION OF MATTER**

The Office of the General Counsel received a referral from the Reports Analysis Division ("RAD") on December 14, 1988. The basis of the attached referral is the failure of Pierpont For Congress and Anthony G. Rytina, as treasurer, ("the Committee") to file the 1988 12 Day Pre-General Report.

**II. FACTUAL AND LEGAL ANALYSIS**

The Federal Election Campaign Act of 1971, as amended ("the Act"), provides that for years in which regularly scheduled elections are held, authorized congressional committees shall file a pre-election report no later than the 12th day before any election in which such candidate is seeking election. 2 U.S.C. § 434(a)(2)(A)(i). Thus the due date for the 1988 12 Day Pre-General Report was October 27, 1988. The Act also requires that the Commission publish lists of authorized committees which fail to file reports. 2 U.S.C. § 438(a)(7).

89040745044

According to its Statement of Organization filed with the Commission, Pierpont For Congress is an authorized committee of Dr. Ross Z. Pierpont. In the 1988 general election, Dr. Pierpont was the Republican candidate for the House of Representatives in the 3rd District of the state of Maryland.

RAD notified the Committee on October 3, 1988 that the 1988 12 Day Pre-General Report was due on October 27, 1988. A mailgram was sent to the Committee on October 28, 1988 for failure to file the 12 Day Pre-General Report. The mailgram informed the Committee that failure to file the report within four (4) business days could result in publication, audit or legal enforcement action. On November 4, 1988, the name of the Committee was published for failure to file the 1988 12 Day Pre-General Report. The Committee has not yet filed the 12 Day Pre-General Report. Therefore, this Office recommends that the Commission open a MUR and find reason to believe the Committee and its treasurer violated 2 U.S.C. § 434(a)(2)(A)(i).

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

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IV. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe Pierpont For Congress and Anthony G. Rytina, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i), and enter into conciliation prior to probable cause to believe.
3. Approve the attached letter, Factual and Legal Analysis, and proposed conciliation agreement.

Lawrence M. Noble  
General Counsel

1-18-89  
Date

By:   
Lois G. Lerner  
Associate General Counsel

Attachments

1. Referral Material
2. Proposed Agreement
3. Letter and Factual and Legal Analysis



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JOSHUA MCFADDEN *JM*  
COMMISSION SECRETARY

DATE: JANUARY 23, 1989

SUBJECT: OBJECTION TO RAD Ref. 88NF-57: FIRST G.C. REPORT  
SIGNED JANUARY 18, 1989

The above-captioned document was circulated to the Commission on Thursday, January 19, 1989 at 12:00 p.m. .

Objection(s) have been received from the Commissioner(s) as indicated by the name(s) checked below:

Commissioner Aikens	_____
Commissioner Elliott	_____ X _____
Commissioner Josefiak	_____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Thomas	_____

This matter will be placed on the meeting agenda

Meeting date has not been set .

Please notify us who will represent your Division before the Commission on this matter.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Pierpont for Congress and	)	RAD Ref. #88NF-57
Anthony G. Rytina, as	)	
treasurer	)	

CERTIFICATION

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I, Hilda Arnold, recording secretary for the Federal Election Commission executive session of January 31, 1989, do hereby certify that the Commission decided by a vote of 5-0 to return to the General Counsel the report dated January 18, 1989 on RAD Referral #88NF-57, for revision as discussed at this meeting, and requested that the revised document be circulated for Commission approval on a tally vote basis.

Commissioners Aikens, Josefiak, McDonald, McGarry and Thomas voted affirmatively for this decision. Commissioner Elliott was not present.

Attest:

February 1, 1989  
Date

Hilda Arnold  
Hilda Arnold  
Administrative Assistant

FEDERAL ELECTION COMMISSION

BEFORE THE FEDERAL ELECTION COMMISSION

89 FEB 13 AM 11:33

In the Matter of )  
 )  
Pierpont for Congress and ) 88NF-57  
Anthony G. Rytina, as treasurer )

~~SENSITIVE~~

GENERAL COUNSEL'S REPORT

On January 31, 1989, the Commission considered RAD Referral 88NF-57 and referred it back to the Office of the General Counsel for the deletion of the percentage of the vote that the candidate received in the general election from the Factual and Legal Analysis.

37040743049

**RECOMMENDATIONS**

1. Open a MUR.
2. Find reason to believe Pierpont for Congress and Anthony G. Rytina, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i), and enter into conciliation prior to probable cause to believe.
3. Approve the attached revised Factual and Legal Analysis and revised conciliation agreement.

Lawrence M. Noble  
General Counsel

97740743030  
Date 2/10/89

BY:   
Lois G. Lerner  
Associate General Counsel

**Attachments**

1. Proposed conciliation agreement
2. Letter and Factual and Legal Analysis

BEFORE THE FEDERAL ELECTION COMMISSION

(MUR 2826)

In the Matter of )  
 )  
Pierpont for Congress and ) RAD Ref. 88NF-57  
Anthony G. Rytina, as treasurer )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 15, 1989, the Commission decided by a vote of 5-0 to take the following actions in RAD Ref. 88NF-57:

1. Open a MUR.
- 2 Find reason to believe Pierpont for Congress and Anthony G. Rytina, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i), and enter into conciliation prior to probable cause to believe.
3. Approve the revised Factual and Legal Analysis and revised conciliation agreement, as recommended in the General Counsel's report signed February 10, 1989.

Commissioners Aikens, Elliott, Josefiak, McGarry, and Thomas voted affirmatively for the decision; Commissioner McDonald did not cast a vote.

Attest:

2-15-89

Date

*Marjorie W. Emmons*

Marjorie W. Emmons  
Secretary of the Commission

Received in the Office of Commission Secretary:	Mon.,	2-13-89,	11:38
Circulated on 48 hour tally basis:	Mon.,	2-13-89,	4:00
Deadline for vote:	Wed.,	2-15-89,	4:00

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 21, 1989

Anthony G. Rytina, Treasurer  
Pierpont For Congress  
139 Fireside Circle  
Baltimore, Maryland 21212

RE: MUR 2826  
Pierpont For Congress  
and Anthony G. Rytina,  
as treasurer

Dear Mr. Rytina:

On February 15, 1989, the Federal Election Commission found that there is reason to believe Pierpont For Congress ("the Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's findings, is attached for your information.

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

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

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

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*plm*

Anthony G. Rytina  
Page 2

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

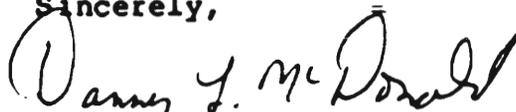
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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

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

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

Sincerely,

  
Danny E. McDonald  
Chairman

Enclosures

Factual and Legal Analysis  
Procedures  
Designation of Counsel Form  
Conciliation Agreement

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In the Matter of )  
 ) MUR 2826  
Pierpont For Congress and )  
Anthony G. Rytina, as treasurer )

**SENSITIVE**

**GENERAL COUNSEL'S REPORT**

**I. BACKGROUND**

Attached for Commission approval is a conciliation agreement signed by Anthony G. Rytina, treasurer of Pierpont For Congress. The attached agreement is the original agreement previously approved by the Commission. Along with the signed agreement, respondents have submitted a check in payment of the civil penalty.

**II. RECOMMENDATIONS**

1. Approve the conciliation agreement with Pierpont For Congress and Anthony G. Rytina, as treasurer.
2. Approve the attached letter.
3. Close the file in this matter.

Lawrence M. Noble  
General Counsel

March 20, 1989  
Date

BY: Lois G. Lerner  
Lois G. Lerner  
Associate General Counsel

**Attachments**

1. Conciliation Agreement
2. Civil Penalty Check
3. Proposed Letter

Staff assigned: Tamara Kapper

89040743054

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Pierpont For Congress and ) MUR 2826  
Anthony G. Rytina, as treasurer )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 23, 1989, the Commission decided by a vote of 5-0 to take the following actions in MUR 2826:

1. Approve the conciliation agreement with Pierpont For Congress and Anthony G. Rytina, as treasurer, as recommended in the General Counsel's report signed March 20, 1989.
2. Approve the letter, as recommended in the General Counsel's report signed March 20, 1989.
3. Close the file in this matter.

Commissioners Aikens, Elliott, Josefiak, McGarry, and Thomas voted affirmatively for the decision; Commissioner McDonald did not cast a vote.

Attest:

3-23-89

Date

*Marjorie W. Emmons*

Marjorie W. Emmons  
Secretary of the Commission

Received in the Office of Commission Secretary:	Tues.,	3-21-89,	10:55
Circulated on 48 hour tally basis:	Tues.,	3-21-89,	4:00
Deadline for vote:	Thurs.,	3-23-89,	4:00

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 27, 1989

Anthony G. Rytina, Treasurer  
Pierpont For Congress  
139 Fireside Circle  
Baltimore, Maryland 21212

RE: MUR 2826

Dear Mr. Rytina:

On March 23, 1989, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted by you in settlement of a violation of 2 U.S.C. § 434(a)(2)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to Pierpont For Congress and you, as treasurer. This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

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

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

Sincerely,

Lawrence M. Noble  
General Counsel

*Lois G. Lerner*

BY: Lois G. Lerner  
Associate General Counsel

Enclosure  
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED  
ESTIMATED - 3 PM 3:51

In the Matter of	)	
	)	MUR <u>2826</u>
Pierpont For Congress and	)	
Anthony G. Rytina as treasurer	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Pierpont For Congress and Anthony G. Rytina, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(2)(A)(i).

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

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C.

§ 437g(a)(4)(A)(i).

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

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

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

1. Respondent Pierpont For Congress is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Respondent Anthony G. Rytina, is the treasurer of Pierpont For Congress.

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PC of 34

3. Section 434(a)(2)(A)(i) of Title 2 provides that for years in which regularly scheduled elections are held, authorized congressional committees shall file a pre-election report no later than the 12th day before any election in which such candidate is seeking election.

4. Respondents were required to file the 1988 12 Day Pre-General Report no later than October 27, 1988. Respondents filed the 1988 12 Day Pre-General Report on January 18, 1989.

V. Respondents failed to file timely the 1988 12 Day Pre-General Report in violation of 2 U.S.C. § 434(a)(2)(A)(i).

VI. 1. Respondents will pay a civil penalty to the Federal Election Commission in the amount of five hundred dollars (\$500), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

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IX. 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.

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

FOR THE COMMISSION:

Lawrence M. Noble  
General Counsel

BY: *Lois G. Lerner*  
Lois G. Lerner  
Associate General Counsel

*March 24, 1989*  
Date

FOR THE RESPONDENTS:

*Anthony J. Syta*  
(Position) (Name)

*March 2, 1987*  
Date

99040743059



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2826

DATE FILMED 4/13/89 CAMERA NO. 4

CAMERAMAN AS

99040743060

4/26 April 1989



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THE FOLLOWING MATERIAL IS BEING ADDED TO THE FILE IN

MUR 2826

8 9 0 4 0 7 4 5 3 0 3

06C 2366

RECEIVED  
FEDERAL ELECTION COMMISSION  
ADMINISTRATIVE DIVISION

ANTHONY G. RYTINA  
139 FIRESIDE CIRCLE  
BALTIMORE, MARYLAND 21212

89 APR -3 PM 12: 22

Mar 28 26

March 31, 1989

# CLOSED

Ms Tamara Kapper  
Federal Elections Committee  
F. E. C. Building  
999 "E" Street, N. W.  
Washington, D. C. 20463

Dear Ms Kapper:

The F. E. C. report for 7/1/88 to 9/30/88 is enclosed. We did not speak more specifically in your office as it seems we discussed 10/1/88 to 10/1988. When I got into the matter I realized 7/1 to 9/30/88 had to be corrected and improved in order for 10/1 to 10/19/88 to be useful. Since 7/1/to 9/30 is a three month report it has taken me much longer than I had anticipated to put this report together.

It does not balance to the exact dollar, but I implore you to accept this report even though a little inaccurate. Noone in his right mind would believe how long I have agonized over this report. At times I became so exasperated I wanted to push the desk upside down. Frequently I would work over papers all afternoon and well into the night, and when I got back to my desk the next morning I just did not recognize or remember any of the figures, and then it took considerable time to get acclimated again.

In the prcess I organized and put into place much other information needed for 10/1to 10/20. , which I think I shall incorporate into the last report because just prior to the electon and thereafter we had very little action, income or expenditures.

I apologize profusely for the length of time it has taken to turn out this work, but please believe me it was not a labor of great love, and I simply had to get along as quickly as I could under my mental condition. I would like to go back to Johns Hopkins Hospital again, but I know they will restate their encouraging remarks " you do not have alzheimers, you just are getting older and more forgetful".

Please bear with me and some day it will all be behind us, but I do very much appreciate kindness and forebearance.  
your

Sincerel yours,

*Anthony G. Rytina*  
Pierpont For Congress  
Anthony G. Rytina,  
Treasurer

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THE FOLLOWING MATERIAL IS BEING ADDED TO THE  
PUBLIC RECORD IN (CLOSED) MUR 2826

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RECEIVED  
FEDERAL ELECTION COMMISSION  
ADMINISTRATIVE DIVISION

ANTHONY G. RYTINA  
139 FIRESIDE CIRCLE  
BALTIMORE, MARYLAND 21212

89 MAY 17 AM 8:34

**CLOSED** May 14, 1989

MUR 2826

Ms Tamara Kapper:

After I had finally sent you the last report of Pierpont For Congress for the period 10/20 - 11/28 - 12/31/88, over the weekend I just happened to notice that line 8 of the top page of FEC Form 3 was incorrectly copied from line 27 of the Detailed Summary Page. I cannot tell you why or how I ever happened to spot this error, probably the larger amount hit my eye as we just never would have that much money at the end of any campaign.

The error is corrected and the entire corrected report is attached. I am not sure Dr. Pierpont will ever run again, but you can be assured with certainty that you have heard the last of me. One night I stayed up till the early hours of the morning, and when I got to my desk the next day it was as though I had never/that report at any time, let alone seen

just about seven hours ago.

*Anthony G. Rytina*  
Anthony G. Rytina, Treasurer  
PIERPONT FOR CONGRESS

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89 MAY 17 AM 9:45

RECEIVED  
FEDERAL ELECTION COMMISSION  
ADMINISTRATIVE DIVISION

**CORRECTED ORIGINAL COPY - THIS PAGE ONLY**  
**REPORT OF RECEIPTS AND DISBURSEMENTS**

For An Authorized Committee  
 (Summary Page)

89 MAY 17 AM 8:34

USE FEC MAILING LABEL OR TYPE OR PRINT

1. NAME OF COMMITTEE (in full) <b>PIERPONT FOR CONGRESS</b>		2. FEC IDENTIFICATION NUMBER <b>127469</b>
ADDRESS (number and street) <input type="checkbox"/> Check if different than previously reported. <b>DR. ROSS Z. PIERPONT 5602 ENDERLY ROAD</b>		
CITY, STATE and ZIP CODE <b>BALTIMORE, MD. 21212</b>	STATE/DISTRICT	
3. IS THIS REPORT AN AMENDMENT? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <b>FINAL REPORT</b>		

**4. TYPE OF REPORT**

<input type="checkbox"/> April 15 Quarterly Report	<input type="checkbox"/> Twelfth day report preceding _____ (Type of Election)
<input type="checkbox"/> July 15 Quarterly Report	election on _____ in the State of _____
<input type="checkbox"/> October 15 Quarterly Report	<input type="checkbox"/> Thirtieth day report following the General Election on _____
<input type="checkbox"/> January 31 Year End Report	_____ in the State of _____
<input type="checkbox"/> July 31 Mid-Year Report (Non-election Year Only)	<input checked="" type="checkbox"/> 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>10/20-11/30</u> through <u>12/31/88</u>		
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(e))	\$ 8,653.00	\$ 23,988.49
(b) Total Contribution Refunds (from Line 20(d))	\$ ZERO	\$ ZERO
(c) Net Contributions (other than loans) (subtract Line 6(b) from 6(a))	\$ 8,653.00	\$ 23,988.49
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	\$ 28,708.69	\$ 47,603.64
(b) Total Offsets to Operating Expenditures (from Line 14)	ZERO	ZERO
(c) Net Operating Expenditures (subtract Line 7(b) from 7(a))	\$ 28,708.69	\$ 47,603.64
8. Cash on Hand at Close of Reporting Period (from Line 27)	\$ 2,260.52	<b>For further information contact:</b> Federal Election Commission 999 E Street, NW Washington, DC 20463 Toll Free 800-424-9530 Local 202-376-3120
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	ZERO	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	\$ 26,000.00	

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

Type or Print Name of Treasurer <b>ANTHONY G. RYTINA</b>	
Signature of Treasurer 	Date <b>5/2/89</b>

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

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