



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3126

DATE FILMED 3/29/91 CAMERA NO. 4

CAMERAMAN AS

21040331903

**REPORTS ANALYSIS REFERRAL**

**TO**

**OFFICE OF GENERAL COUNSEL**

**DATE:** 9 July 1990

**ANALYST:** Kenneth Davis

**I. COMMITTEE:**

San Bernardino County Republican  
Central Committee (C00014092)  
James C. Frost, Treasurer  
(January 1, 1990 to the present)  
Al Miller, Treasurer  
(February 7, 1989 to January 1, 1990)  
Harold Boring, Treasurer  
(March 6, 1985 to February 7, 1989)  
P.O. Box 2356  
San Bernardino, CA 92406

**II. RELEVANT STATUTE:** 2 U.S.C. §434(a)(4)(A)(i)

**III. BACKGROUND:**

**Failure to Timely File the 1990 April Quarterly Report**

The San Bernardino County Republican Central Committee ("the Committee") failed to file its 1990 April Quarterly Report, covering the period from January 1, 1990 through March 31, 1990, in a timely manner. The Committee was notified on March 22, 1990 that a report was due April 15, 1990 (Attachment 2).

On May 8, 1990, a Non-Filer Notice was sent to the Committee (Attachment 3).

On June 21, 1990, the Committee filed its 1990 April Quarterly Report (Attachment 4).

**IV. OTHER PENDING MATTERS INITIATED BY RAD:**

None.

91040331904

FEDERAL ELECTION COMMISSION  
1989-1990  
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

DATE 29JUN90

PAGE 2

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
				TYPE OF FILER		
SAN BERNARDINO COUNTY REPUBLICAN CENTRAL COMMITTEE				ID #000014092	PARTY QUALIFIED	
CONNECTED ORGANIZATION: REPUB. STATE CENT. CMTE. OF CALIFORNIA						
	1989 STATEMENT OF ORGANIZATION - AMENDMENT			15FEB89	2	89FEC/585/1081
	STATEMENT OF ORGANIZATION - AMENDMENT			19MAY89	2	89FEC/595/2813
	MID-YEAR REPORT	19,059	17,313	1JAN89 -30JUN89	10	89FEC/600/4661
	MID-YEAR REPORT - AMENDMENT	19,059	17,313	1JAN89 -30JUN89	3	89FEC/610/4313
	MID-YEAR REPORT - AMENDMENT	-	-	1JAN89 -30JUN89	1	90FEC/620/3049
	1 ST LETTER INFORMATIONAL NOTICE			1JAN89 -30JUN89	1	89FEC/610/1443
	YEAR-END	10,624	11,842	1JUL89 -31DEC89	7	90FEC/620/3174
	YEAR-END - AMENDMENT	-	-	1JUL89 -31DEC89	3	90FEC/620/2927
	REQUEST FOR ADDITIONAL INFORMATION			1JUL89 -31DEC89	3	90FEC/629/5120
	REQUEST FOR ADDITIONAL INFORMATION AND			1JUL89 -31DEC89	4	90FEC/621/4311
	1989 STATEMENT OF ORGANIZATION - AMENDMENT			2APR90	1	90FEC/620/3048
	STATEMENT OF ORGANIZATION - AMENDMENT			21JUN90	2	90FEC/640/3948
	APRIL QUARTERLY	8,867	6,444	1JAN90 -31MARR	8	90FEC/640/3950
	NOTICE OF FAILURE TO FILE			1JAN90 -31MARR	1	90FEC/609/0800
	TOTAL	38,550	35,605		48	TOTAL PAGES

2104031905

All reports have been reviewed.  
Ending cash-on-hand as of 3/31/90: \$2,951.77  
Outstanding debts and obligations owed to the Committee as of 3/31/90: \$0  
Outstanding debts and obligations owed by the Committee as of 3/31/90: \$0

# REPORT NOTICE

## FEDERAL ELECTION COMMISSION

PARTIES AND PACS

March 22, 1990

REPORT	REPORTING PERIOD	REG./CERT. MAILING DATE*	FILING DATE
April Quarterly	01/01/90**-03/31/90	04/15/90	04/15/90

**WHO MUST FILE**

PARTY COMMITTEES AND PACS (NONCONNECTED COMMITTEES AND SEPARATE SEGREGATED FUNDS) filing on a quarterly basis must file a Quarterly Report in April.

**WHAT MUST BE REPORTED**

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

**REPORTING FORMS**

Party committees and PACs use Form 3X (enclosed).

**WHERE TO FILE**

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

**LABEL**

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

**PRE-ELECTION REPORTING**

Committees which make contributions or expenditures (including independent expenditures) in connection with a candidate's primary election must also file a 12-day Pre-Election Report if the activity was not previously reported. See the January Record.

**LAST-MINUTE INDEPENDENT EXPENDITURES**

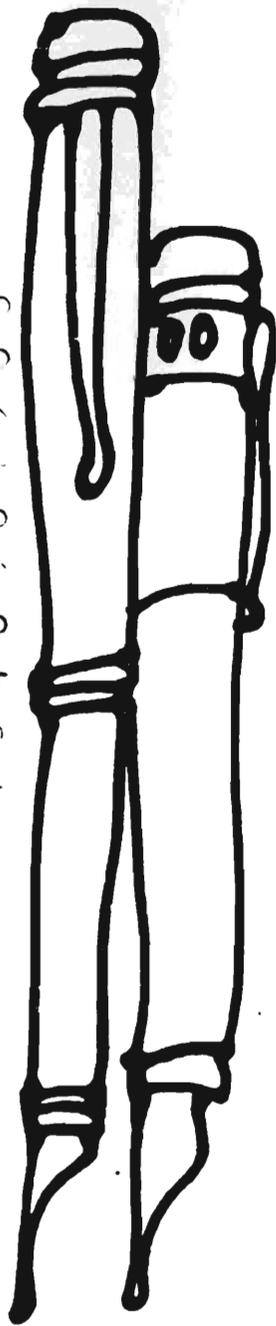
Committees which make an independent expenditure of \$1,000 or more, after the 20th day, but more than 24 hours before an election, must report it within 24 hours.

\*The mailing date is a holiday; nevertheless, the report must be received by the filing date. Reports sent by registered or certified mail will be considered filed on the date of the U.S. postmark. Reports hand delivered or mailed first class must be received by the filing date.

\*\*The period begins with the close of the last report filed by the committee. If the committee has filed no previous reports, the period begins with the date of the committee's first activity.

(over)

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**PARTIES AND PACS**

**APRIL QUARTERLY**

**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.**

21040331907

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



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20541

EO-7

May 8, 1990

James C. Frost, Treasurer  
San Bernardino County Republican  
Central Committee  
P.O. Box 2356  
San Bernardino, CA 92406

Identification Number: C00014092

Reference: April Quarterly Report (1/1/90-3/31/90)

Dear Mr. Frost:

It has come to the attention of the Federal Election Commission ("the Commission") that your committee may be in violation of 2 U.S.C. §434(a) for failing to file the above referenced Report of Receipts and Disbursements. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 999 E Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR §§100.2, 100.3, 100.4).

Although the Commission may initiate an audit or legal enforcement action concerning this matter, your prompt response and a letter of explanation will be taken into consideration.

If you have any questions, please contact Kenneth Davis Jr. on our toll-free number (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,

John D. Gibson  
Assistant Staff Director  
Reports Analysis Division

9 1 x A 3 0 3 9 3 3 2 9 6 8

# REPORT OF RECEIPTS AND DISBURSEMENTS

For Other Than An Authorized Committee  
(Summary Page)

Attachment 4  
Page 1 of 1

90 JUN 21 AM 9 05

USE FEC MAILING LABEL  
OR  
TYPE OR PRINT

NAME OF COMMITTEE (in full)  
**SAN BERNARDINO County Republican  
CENTRAL COMMITTEE**

ADDRESS (number and street) (check if different than previously reported)  
**P.O. Box 2356**

CITY, STATE, AND ZIP CODE  
**San BERNARDINE, CA 92406**

FEDERAL ELECTION COMMISSION  
**C 00014092**  
DURING THIS PERIOD

## 4. TYPE OF REPORT

- April 15 Quarterly Report
  - July 15 Quarterly Report
  - October 15 Quarterly Report
  - January 31 Year End Report
  - July 31 Mid Year Report (Non-election Year Only)
  - Termination Report
- Monthly Report (check appropriate box):  
 February  
 March  
 April  
 May  
 June  
 July  
 August  
 September  
 October  
 November  
 December
- Twelfth day report preceding election or  
Thirtieth day report following the general election in the State of
- Is this Report an Amendment? YES NO

### SUMMARY

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
1. Covering Period <u>1/1/90</u> through <u>3/31/90</u>		
2. a. Cash on Hand January 1, 19 <u>90</u>		\$ 528.96
b. Cash on Hand at Beginning of Reporting Period	\$ 528.96	
c. Total Receipts (from Line 18)	\$ 8867.00	\$ 8867.00
d. Subtotal (add Lines 4(b) and 6(c) for Column A and 5(b) and 6(c) for Column B)	\$ 9,395.96	\$ 9,395.96
7. Total Disbursements (from Line 28)	\$ 6,444.19	\$ 6,444.19
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6.d.)	\$ 2,951.77	\$ 2,951.77
9. Debts and Obligations Owed TO the Committee (itemize all on Schedule C and/or Schedule D)	\$	
10. Debts and Obligations Owed BY the Committee (itemize all on Schedule C and/or Schedule D)	\$	

For further information contact  
Federal Election Commission  
494 E Street, N.W.  
Washington, DC 20461  
Toll Free 800-424-9540  
Local 202-462-6282

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

**JAMES C. PROST**  
Signature of Treasurer

*James C. Prost*

Date  
5 29 90

NOTE: Supplying false or erroneous or incomplete information may subject the person signing this Report to the penalties of 18 USC 641.

21040331909

90 SEP -5 PM 4:33

**SENSITIVE**

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

**FIRST GENERAL COUNSEL'S REPORT**

**RAD Referral # 90NF-14  
STAFF MEMBER: Todd Hageman**

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

**RESPONDENTS: San Bernardino County Republican  
Central Committee and James C.  
Frost, as treasurer**

**RELEVANT STATUTE: 2 U.S.C. § 434(a)(4)(A)(i)**

**INTERNAL REPORTS CHECKED: San Bernardino County Republican  
Central Committee Reports**

**FEDERAL AGENCIES CHECKED: None**

**I. GENERATION OF MATTER**

The Reports Analysis Division ("RAD") referred the San Bernardino County Republican Central Committee (the "Committee") and James C. Frost, as treasurer, to the Office of the General Counsel on July 9, 1990. See Attachment 1. The basis of the attached RAD referral is the Committee's failure to timely file its 1990 April Quarterly Report of Receipts and Disbursements in accordance with 2 U.S.C. § 434(a)(4)(A)(i). The 1990 April Quarterly Report was filed on June 21, 1990.

**II. FACTUAL AND LEGAL ANALYSIS**

For the factual and legal analysis, see Attachment 3.

21040831910

**III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY**

91040831911

**IV. RECOMMENDATIONS**

1. Open a MUR.
2. Find reason to believe that the San Bernardino County Republican Central Committee and James C. Frost, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i).
3. Approve the appropriate letter, Factual and Legal Analysis and proposed conciliation agreement.

Lawrence M. Noble  
General Counsel

Date

9/5/90

BY:

  
Lois G. Lerner  
Associate General Counsel

**Attachments**

1. Referral Materials
2. Proposed Conciliation Agreement
3. Factual and Legal Analysis

21040331912

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) RAD Referral #90NF-14  
San Bernardino County Republican )  
Central Committee and James C. )  
Frost, as treasurer. )

(MUR)  
3126

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 20, 1990, the Commission decided by a vote of 6-0 to take the following actions in RAD Referral #90NF-14:

1. Open a MUR.
2. Find reason to believe that the San Bernardino County Republican Central Committee and James C. Frost, as treasurer, violated 2 U.S.C. § 434(a) (4)(A)(i).
3. Approve the appropriate letter, Factual and Legal Analysis and proposed conciliation agreement, as recommended in the First General Counsel's Report dated September 5, 1990.

Commissioners Aikens, Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision.

Attest:

9-20-90  
Date

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

Received in the Commission: Wednesday, Sept. 5, 1990 4:33 p.m.  
Circulated to the Commission: Thursday, Sept. 6, 1990 11:00 a.m.  
Deadline for vote: Thursday, Sept. 20, 1990 4:00 p.m.

dh

2164031913



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 27, 1990

Mr. James C. Frost, Treasurer  
San Bernardino County Republican  
Central Committee  
P.O. Box 2356  
San Bernardino, CA 92406

RE: MUR 3126

Dear Mr. Frost:

On September 20, 1990, the Federal Election Commission found that there is reason to believe that the San Bernardino County Republican Central Committee ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(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 finding, 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.

If you are interested in expediting the resolution of this matter by pursuing probable 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.

21040331914

Mr. Frost  
Page 2

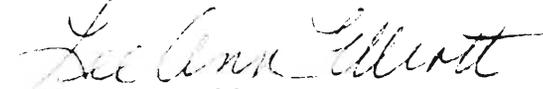
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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

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 Todd S. Hageman, the staff member assigned to this matter, at (800) 424-9530.

Sincerely,

  
Lee Ann Elliott  
Chairman

Enclosures  
Factual and Legal Analysis  
Procedures  
Designation of Counsel Form  
Conciliation Agreement

21040531915

**FEDERAL ELECTION COMMISSION**

**FACTUAL AND LEGAL ANALYSIS**

**RESPONDENTS:** San Bernardino County Republican Central Committee and James C. Frost, as treasurer **MUR: 3126**

The Federal Election Campaign Act of 1971, as amended ("the Act"), at Section 434(a)(4)(A)(i) requires all political committees, other than authorized committees of a candidate, to file quarterly reports no later than the 15th day after the last day of the calendar quarter and complete as of the last day of the quarter, which delineate the committee's receipts and disbursements during that time.

The San Bernardino County Republican Central Committee ("the Committee") was notified on May 8, 1990 that the 1990 April Quarterly Report was due on April 15, 1990. The Committee filed its 1990 April Quarterly Report of Receipts and Disbursements on June 21, 1990, 67 days late. Therefore, there is reason to believe that the San Bernardino County Republican Central Committee and James C. Frost, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) by failing to timely file the 1990 April Quarterly Report.

21040331916



# San Bernardino County Republican Party

90 OCT 16 PM 4: 17

MUR 3126

October 9, 1990

Lee Ann Elliott, Chairman  
Federal Election Commission  
Washington, D.C. 20463

Dear Chairman Elliott:

This letter is written to appeal a decision by the Federal Election Commission finding that the San Bernardino County Republican Party and its Treasurer, Jim Frost, was delinquent in filing the 1990 April Quarterly Report. (See MUR 3126)

We do not contest the fact that the report was submitted beyond the deadline. This was clearly the case.

We believe, however, that there were extenuating circumstances that should be considered prior to rendering a judgment regarding a potential fine.

In early 1990, Committee Treasurer Al Miller moved out of state and was replaced by Jim Frost. Mr. Frost is the elected Treasurer of the City of Rancho Cucamonga, California.

For reasons unbeknownst to us, Mr. Frost failed to comply with Federal Election Commission regulations regarding the timely filing of committee Quarterly Reports despite repeated attempts by committee staff and leadership to encourage him to do so. (See enclosed memos and letters)

For that reason, Mr. Frost was replaced as Treasurer last month.

In light of that fact and the previous record of timely filings by the San Bernardino County Republican Party in previous years, I would like to request that any fine be waived.

Our organization is keenly aware of the importance of filing required reports in a timely manner and we have taken action to ensure compliance in the future.

Thank you for your consideration.

Respectfully,

Michael Duane Davis, Chairman

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF LEGAL COUNSEL  
90 OCT 17 AM 11:06

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# San Bernardino County Republican Party

September 12, 1990

Mr. Jim Frost, Treasurer  
12996 Victoria Avenue  
Etiwanda, CA 91739

Dear Jim:

I am authorized to inform you that the Executive Committee of the San Bernardino County Republican Party, upon unanimous agreement, plans to recommend to the entire body that your resignation as Treasurer of the aforementioned organization be accepted immediately.

This recommendation will be made at the next scheduled meeting on Monday, September 17, 1990.

In anticipation of this action, the San Bernardino County Republican Party requests that all official documents and records in your custody be transferred immediately my office at 14011 Park Avenue, Suite 140, in Victorville. If this is not convenient, I will be willing to send a messenger to pick them up.

At the current time, we are unable to carry out any and all necessary financial transactions due to our lack of access to committee financial records and checkbooks.

Your expeditious response to this request is appreciated.

Sincerely,

Michael Duane Davis  
Chairman

2104031918



# San Bernardino County Republican Party

September 5, 1990

Mr. Jim Frost, Treasurer  
San Bernardino County Republican Party  
12996 Victoria Avenue  
Etiwanda, CA 91739

Dear Jim:

In our conversation today, you indicated to me that you had mailed the SBCRP's report covering the period 4/1/90 to 6/30/90 to the Federal Elections Commission (F.E.C.) by registered mail last week. As you know, the filing deadline of 7/15/90 has long since passed. You have been advised that if the report was not sent by registered or certified mail to the F.E.C. by Thursday, September 9th, it will be referred to General Counsel for fine.

You also indicated to me that you have not yet filed the report with the Fair Political Practices Commission covering the period 1/1/90 to 6/30/90. The filing deadline was 7/31/90.

Jim, I must stress again that there can be no excuse for the late filing of these legally required reports. Your delinquency in this regard puts not only yourself but the entire committee at risk.

I want you to complete the FPFC report no later than Monday, September 10, and bring the original copy with you to the Executive Committee meeting that evening. Also, I would like you to make copies of the F.E.C. report for all members of the Executive Committee and bring them with you Monday night as well.

I cannot find the words to express my displeasure for your failure to meet your obligations as treasurer of this Committee. This is a situation that should not have occurred and cannot be tolerated in the future.

I look forward to a full discussion regarding this issue at the Executive Committee meeting Monday night.

Sincerely,

*Michael Duane Davis*

Michael Duane Davis  
Chairman

21040331919



# San Bernardino County Republican Party

MEMORANDUM FOR JIM FROST  
TREASURER, SBCRP

FROM: DIANE STONE, EXECUTIVE DIRECTOR

RE: FEC/FPPC REPORTING REQUIREMENTS

DATE: 21 MAY 1990

21040031920

I wanted to remind you that our first FPPC report, covering the reporting period 1/1/90 to 5/19/90, must be received by the Secretary of State by 5/24/90. It is required that this report be sent by guaranteed overnight mail. Also, I want to urge you to complete the FEC report, covering the period 1/1/90 to 3/31/90, as soon as possible. As you know, the report was due 4/15/90. You will need to file a letter with the report indicating why it was late. I would suggest that you mention that the committee had a change in treasurers. I would also mention that the committee was not active in Federal races during the period covered by the report. If you need assistance with the reports or have any questions, please feel free to contact me at either 714/988-6951 or 714/948-9205.

cc: Michael Davis



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 21, 1990

Mr. Harold L. Boring, Treasurer  
San Bernardino County Republican  
Central Committee  
P.O. Box 2356  
San Bernardino, CA 92406

RE: MUR 3126

Dear Mr. Boring:

On September 20, 1990, the Federal Election Commission found reason to believe that the San Bernardino County Republican Central Committee ("Committee") and James C. Frost as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). In a letter dated September 27, 1990, the Commission informed the Committee of the finding and offered to enter into negotiations prior to a finding of probable cause to believe. Enclosed with that letter was a proposed conciliation agreement for your consideration. Due to the Committee's recent treasurer change, enclosed is a copy of the conciliation agreement revised to reflect the new treasurer.

On October 17, 1990, this Office received the Committee's response dated October 9, 1990 concerning the Commission's reason to believe finding and the offer to enter into pre-probable cause negotiations. Staff from this Office has attempted to contact you concerning any counterproposal offer you might have. If you wish to conciliate this matter prior to a finding of probable cause to believe, please sign and return the conciliation agreement or respond with a counterproposal. If the signed conciliation agreement or a counterproposal is not received within 10 days, this Office will move to the next stage in the enforcement process.

2104031921

Mr. Harold L. Boring  
Page Two

If you have any questions, please direct them to  
Todd Hageman, the staff member assigned to this matter, at  
(202) 376-5690.

Sincerely,

Lawrence M. Noble  
General Counsel



BY: Lois G. Herner  
Associate General Counsel

Enclosure  
Conciliation Agreement

21040331922



# San Bernardino County Republican Party

November 27, 1990

Mr. Todd Hageman  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

RE: MUR 3126

RECEIVED  
FEDERAL ELECTION COMMISSION  
90 DEC 14 AM 11:55

Dear Mr. Hageman:

We are in receipt of a letter from Lawrence M. Noble, General Counsel, signed by Lois G. Lerner, Associate General Counsel, dated November 21, 1990, regarding the San Bernardino County Republican Central Committee's violation of the Federal Election Campaign Act.

Inasmuch as this letter was received late yesterday after the Thanksgiving holidays, and you provided only ten (10) days to send the signed agreement or offer a counter-proposal, we are hereby formally requesting an extension of that time in order to schedule a meeting of the organization's membership.

We would appreciate an additional ten (10) days to respond in a timely manner.

I may be reached through my office at (714) 381-1164 or my home during non-office hours at (714) 883-6656.

We appreciate your assistance in this matter.

Sincerely,

*Harold L. Boring*  
HAROLD L. BORING  
Treasurer

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66-2977

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 3126  
San Bernardino County )  
Republican Central Committee )  
and Harold L. Boring, )  
as treasurer )

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Harold L. Boring, the treasurer of the San Bernardino County Republican Central Committee.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with the San Bernardino County Republican Central Committee and Harold L. Boring, as treasurer.
2. Close the file.
3. Approve the appropriate letter.

Lawrence M. Noble  
General Counsel

Date 2/26/91

BY:

  
Lois G. Lerner  
Associate General Counsel

Attachment  
Conciliation Agreement

Staff Assigned: Todd S. Hageman

21040331924

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 3126  
San Bernardino County )  
Republican Central )  
Committee and Harold )  
L. Boring, as treasurer. )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 27, 1991, the Commission decided by a vote of 6-0 to take the following actions in MUR 3126:

1. Accept the conciliation agreement with the San Bernardino County Republican Central Committee and Harold L. Boring, as treasurer, as recommended in the General Counsel's Report dated February 26, 1991.
2. Close the file.
3. Approve the appropriate letter, as recommended in the General Counsel's Report dated February 26, 1991.

Commissioners Aikens, Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision.

Attest:

3-1-91  
Date

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

Received in the Commission: Friday, Feb. 26, 1991 11:29 a.m.  
Circulated to the Commission: Tuesday, Feb. 26, 1991 4:00 p.m.  
Deadline for vote: Thursday, Feb. 28, 1991 4:00 p.m.

dh

91040331925



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 11, 1991

**CLOSED**

Mr. Harold L. Boring, Treasurer  
San Bernardino County Republican  
Central Committee  
P.O. Box 2356  
San Bernardino, CA 92406

RE: MUR 3126

Dear Mr. Boring:

On February 27, 1991, the Federal Election Commission accepted the signed conciliation agreement submitted on your behalf in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

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. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact Todd Hageman, the staff member assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner  
Associate General Counsel

Enclosure  
Conciliation Agreement

91040331926

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 3126  
San Bernardino County )  
Republican Central Committee )  
and Harold L. Boring, )  
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 the San Bernardino County Republican Central Committee and its treasurer ("Respondents") violated 2 U.S.C. § 434(a)(4)(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. The San Bernardino County Republican Central Committee is a political committee within the meaning of

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2 U.S.C. § 431(4).

2. Harold L. Boring is the present treasurer of the San Bernardino County Republican Central Committee. At the time of the transaction involved herein, James Frost was the Committee's treasurer.

3. Section 434(a)(4)(A)(i) of Title 2 provides that all political committees, other than authorized committees of a candidate, shall file quarterly reports no later than the 15th day after the last day of each calendar quarter delineating all receipts and disbursements made during the preceding quarter and complete as of the last day of the quarter.

4. Respondents were required to file the 1990 April Quarterly Report no later than April 15, 1990. Respondents did not file the report until June 21, 1990, sixty-seven (67) days late, disclosing \$8,867 in receipts and \$6,444.19 in disbursements.

V. Respondents failed to timely file the 1990 April Quarterly Report in violation of 2 U.S.C. § 434(a)(4)(A)(i).

VI. 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

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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.

IX. Respondents shall have no more than 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.

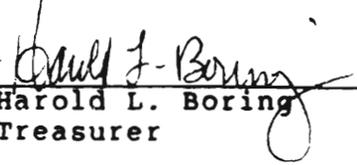
FOR THE COMMISSION:

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Werner  
Associate General Counsel

3/8/91 Date

FOR THE RESPONDENTS:

  
Harold L. Boring  
Treasurer

Feb 7, 1991 Date

21040331929



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3126

DATE FILMED 3/29/91 CAMERA NO. 4

CAMERAMAN AS

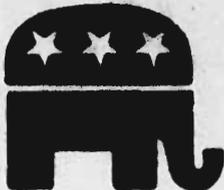
21040331930



FEDERAL ELECTION COMMISSION  
WASHINGTON, D C 20463

THE FOLLOWING DOCUMENTATION IS ADDED TO  
THE PUBLIC RECORD IN CLOSED MUR 3126 .

2104035413



SAN BERNARDINO COUNTY  
REPUBLICAN CENTRAL COMMITTEE

EGC 0485

P.O. BOX 2356 SAN BERNARDINO, CALIFORNIA, 92406

**CLOSED**

91 MAR 25 PM 2:53

RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

March 18, 1991

Mr. Todd Hageman  
Federal Election Commission  
Washington, D.C. 20463

RE: MUR 3126

Dear Mr. Hageman:

Please find enclosed a check for \$500.00 made payable to the Federal Election Commission as per the Conciliation Agreement signed March 8, 1991. This check completes the civil penalty assessment defined in the agreement.

I appreciate your personal attention and assistance throughout this problem.

Sincerely,

*Harold L. Borine*  
HAROLD L. BORINE  
Chairman

HLB:pg

Encl.

91 MAR 22 AM 10:58

RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 25, 1991

TWO WAY MEMORANDUM

**TO:** Fabrae Brunson  
OGC, Docket

**FROM:** Philomena Brooks *RB*  
Accounting Technician

**SUBJECT:** Account Determination for Funds Received

We recently received a check from Harold Boring, check number 3126, dated March 18, 1991, and in the amount of \$ 500.00. Attached is a copy of the check and any correspondence that was forwarded. Please indicate below the account into which it should be deposited, and the MUR number and name.

-----

**TO:** Philomena Brooks  
Accounting Technician

**FROM:** Fabrae Brunson *FB*  
OGC, Docket

In reference to the above check in the amount of \$ 500.00, the MUR number is 3126 and in the name of Harold & Aloia Boring San Bernadino County Rep. The account into which it should be deposited is indicated below:

- Budget Clearing Account (OGC), 95F3875.16
- Civil Penalties Account, 95-1099.160
- Other: \_\_\_\_\_

Fabrae Brunson  
Signature

- 3/25/91  
Date

91040335415

