



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3289

DATE FILMED 11/20/81 CAMERA NO. 2

CAMERAMAN AS

91040875449



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

4 February 1991

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

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

SUBJECT: REFERRAL OF MONTHLY UNAUTHORIZED COMMITTEES
FOR FAILING TO FILE THE 1990 12 DAY PRE-GENERAL
REPORT BY ELECTION DAY

Attached is a listing of thirty-five (35) monthly unauthorized committees which failed to file the 1990 12 Day Pre-General Report by Election Day, November 6, 1990.

For your information, each committee was sent Prior Notice of the due date of the report on October 1, 1990 (Attachment 36). Twenty-nine (29) of the committees were sent Non-Filer Notices on November 15, 1990 (Attachment 37). Six (6) of the committees

were not sent Non-Filer Notices because their 12 Day Pre-General Reports were filed by November 15, 1990.

If you have any questions, please contact Lisa Stolaruk at 376-2480.

Attachment

91040875450

91040875451

C00231225 Home Shopping Network Inc, Political
Action Committee (HSN PAC)

91NF-31

91040875452

HOME SHOPPING NETWORK INC. POLITICAL ACTION COMMITTEE (HSN PAC)
(Attachment 15a - 15d)

ATTACHMENT

COMMITTEE REPORT TO CONGRESS FOR 1990

PAGE 17

COMMITTEE	DOCUMENT	AMOUNTS	DISBURSED DASH	COVERED DATES	PAGES	LOCATION
					TYPE OF FILE	
HOME SHOPPING NETWORK INC POLITICAL ACTION COMMITTEE (HSN PAC)						
REGISTERED ORGANIZATION: HOME SHOPPING NETWORK INC						
	1989 MID-YEAR REPORT	0	0	10/1/89 - 01/31/89	3	90FEC/001/0489
	YEAR-END	0	0	12/1/89 - 01/31/89	4	90FEC/001/0550
1990	STATEMENT OF ORGANIZATION - AMENDMENT			10/31/90	2	90FEC/048/0191
	BILLING FREQUENCY CHANGE NOTICE			10/31/90	1	90FEC/048/0191
	ACKNOWLEDGEMENT OF BILLING FREQUENCY CHANGE			10/31/90	1	90FEC/048/0191
	APRIL QUARTERLY	0	0	11/30/90 - 01/31/90	4	90FEC/054/0191
	JULY QUARTERLY	50,259	50,259	12/1/90 - 03/31/90	11	90FEC/054/0191
	JULY QUARTERLY - AMENDMENT	50,259	50,259	12/1/90 - 03/31/90	10	90FEC/055/0490
	JULY QUARTERLY - AMENDMENT	-	-	12/1/90 - 03/31/90	10	90FEC/057/0191
	REQUEST FOR ADDITIONAL INFORMATION			12/1/90 - 03/31/90	5	90FEC/058/0798
	REQUEST FOR ADDITIONAL INFORMATION AND			12/1/90 - 03/31/90	2	90FEC/058/0801
	AUGUST MONTHLY	21,000	21,000	10/31/90 - 01/31/90	13	90FEC/071/0210
	AUGUST MONTHLY - AMENDMENT	10,007	10,007	10/31/90 - 01/31/90	10	90FEC/054/0191
	SEPTEMBER MONTHLY	15,070	15,123	12/1/90 - 01/31/90	6	90FEC/050/0230
	OCTOBER MONTHLY	21,000	21,170	10/31/90 - 01/31/90	14	90FEC/010/0191
	OCTOBER MONTHLY - AMENDMENT	-	-	10/31/90 - 03/31/90	3	90FEC/071/0191
	NOVEMBER GENERAL	0,000	0,000	10/31/90 - 01/31/90	1	90FEC/071/0191
	NOVEMBER GENERAL - AMENDMENT	0,000	0,000	10/31/90 - 01/31/90	10	90FEC/072/0791
	NOTICE OF FAILURE TO FILE			10/31/90 - 01/31/90	1	90FEC/071/0191
	DECEMBER GENERAL	0,501	0,501	10/31/90 - 03/31/90	1	90FEC/050/0230
	DECEMBER	0,740	0,740	07/01/90 - 01/31/90	17	90FEC/050/0230
	TOTAL	153,000	0 153,000		104	90FEC/001/0550

ALL REPORTS HAVE BEEN REVIEWED EXCEPT YEAR END
 ENDING CASH ON HAND AS OF 12/31/90: 7.00
 OUTSTANDING DEBTS OWED BY THE COMMITTEE AS OF 12/31/90: 47,136.00

91040875453



NOV 15 1990

November 19, 1990

Mr. John D. Gibson
Assistant Staff Director
Reports Analysis Division
Federal Election Commission
999 E Street, NW
Washington, DC 20463

RE: Home Shopping Network, Inc. Political Action
Committee (HSN PAC)
Identification Number C00231225
12 Day Pre-General Report (10/1/90-10/17/90)

Dear Mr. Gibson:

Enclosed is the Form 3X for HSN PAC for the above referenced period. Please be advised that we called your office on October 4, 1990 to confirm whether we were required to file this report. We believe we talked with a representative named Kathleen who informed us that the report would not be required if no political contributions were made between October 1 and October 17. Since no such contributions were made, we intended on filing a Form 3X for the period October 1 through November 26, 1990.

We apologize if we misunderstood the instructions that were given to us and trust that our prompt filing in response to your letter of November 15, 1990 will serve to resolve the matter.

Please let me know if you require any further information.

Sincerely,

Les R. Wandler
Treasurer

Enclosure



91040875454
3103611527

REPORT OF RECEIPTS AND DISBURSEMENTS

For Other Than An Authorized Committee
(Summary Page)

NOV 23 11:12:15

USE FEC MAILING LABEL
ON
TYPE OR PRINT

NAME OF COMMITTEE (in full) HONEY SHOPPING NETWORK, INC. POLITICAL ACTION COMMITTEE (HSN PAC)	2. FEC IDENTIFICATION NUMBER C00231225
ADDRESS (number and street) <input type="checkbox"/> Check if different than previously reported P. O. Box 9090 (Les Wandler)	3. This committee qualified as a multi-candidate committee DURING THIS Reporting Period on _____ (date)
CITY, STATE and ZIP CODE Clearwater FL 34618	

4. TYPE OF REPORT

- (a) April 15 Quarterly Report
- July 15 Quarterly Report
- October 15 Quarterly Report
- January 31 Year End Report
- July 31 Mid Year Report (Non-election Year Only)
- Termination Report

Monthly Report Due On:

- February 20
- March 20
- April 20
- May 20
- June 20
- July 20
- August 20
- September 20
- October 20
- November 20
- December 20
- January 31

Twelfth day report preceding General (Type of Election)
 election on 11/6/90 in the State of Florida

Thirtieth day report following the General Election on _____ in the State of _____

(b) Is this Report an Amendment? YES NO

SUMMARY

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. Covering Period <u>10/1/90</u> through <u>10/17/90</u>		
(a) Cash on Hand January 1, 19 <u>90</u>	\$ -0-	\$ -0-
(b) Cash on Hand at Beginning of Reporting Period	\$ 1,874.13	
(c) Total Receipts (from Line 18)	\$ 2,201.59	\$ 138,728.47
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$ 4,075.72	\$ 138,728.47
7. Total Disbursements (from Line 28)	\$ 4,065.72	\$ 138,713.47
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ 10.00	\$ 10.00
9. Debts and Obligations Owed TO the Committee (itemize all on Schedule C and/or Schedule D)	\$ -0-	
10. Debts and Obligations Owed BY the Committee (itemize all on Schedule C and/or Schedule D)	\$ 57,020.36	

For further information contact:
 Federal Election Commission
 999 E Street, NW
 Washington, DC 20463
 Toll Free 800-424-9530
 Local 202 376 3120

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
LES R WANDLER

Signature of Treasurer


Date
11-19-90

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 USC §1379

9-1-0 40875455
3103671:5:3

GENERAL ELECTION REPORT NOTICE

ATTACHMENT 36
(Page 1 of 2)

FEDERAL ELECTION COMMISSION

PARTIES AND PACs

October 1, 1990

I. ALL MONTHLY FILERS

REPORT	REPORTING PERIOD	REG./CERT. MAILING DATE*	FILING DATE
Pre-General	10/01/90**-10/17/90	10/22/90	10/25/90
Post-General	10/18/90 - 11/26/90	12/06/90	12/06/90

II. QUARTERLY FILERS THAT MAKE GENERAL ELECTION CONTRIBUTIONS OR EXPENDITURES FROM OCTOBER 1 THROUGH OCTOBER 17***

REPORT	REPORTING PERIOD	REG./CERT. MAILING DATE*	FILING DATE
Pre-General	10/01/90**-10/17/90	10/22/90	10/25/90
Post-General	10/18/90 - 11/26/90	12/06/90	12/06/90

III. QUARTERLY FILERS WHICH DO NOT MAKE GENERAL ELECTION CONTRIBUTIONS OR EXPENDITURES FROM OCTOBER 1 THROUGH OCTOBER 17***

REPORT	REPORTING PERIOD	REG./CERT. MAILING DATE*	FILING DATE
Post-General	10/01/90**-11/26/90	12/06/90	12/06/90

WHO MUST FILE

Party committees and PACs (nonconnected committees and separate segregated funds) must follow the above charts in order to determine whether they must file the pre-general election report. All party committees and PACs, regardless of financial activity, must file the post-general election report.

WHAT MUST BE REPORTED

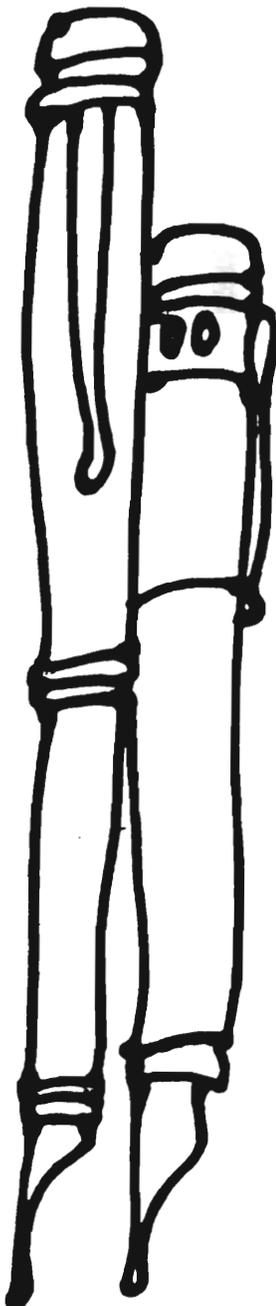
All financial activity (not previously reported) that occurred during the reporting period.

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

***Committees that made general election contributions or expenditures prior to October 1 which have not been previously reported must also follow the Chart II reporting requirements.

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PARTIES AND PACs

GENERAL ELECTION

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.

LAST-MINUTE INDEPENDENT EXPENDITURES

Any PAC which makes any independent expenditures aggregating \$1,000 or more during the period beginning October 18 and ending November 4 must report them within 24 hours. Call the FEC for more information.

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.

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

91040875458



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

November 15, 1990

**TREASURER
COMMITTEE
STREET
CITY, STATE ZIP**

Identification Number: ID NUMBER

Reference: 12 Day Pre-General Report (10/1/90-10/17/90)

Dear **TREASURER**:

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 §§108.2, 108.3, 108.4).

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 **ANALYST** 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

91040875459

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

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

RAD Referral: 91NF 17 - 51
Staff Member: Noriega E. James

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

RESPONDENTS:

91040875460

Home Shopping Network Inc. Political Action
Committee (HSN PAC) and Les R. Wandler, as
treasurer (91NF-31)

91040875461

91040875462

RELEVANT STATUTES: 434(a)(4)(B)
INTERNAL REPORTS CHECKED: Referral Materials
FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

The Reports Analysis Division ("RAD") referred the above thirty-five (35) committees and their treasurers to the Office of the General Counsel on February 5, 1991. The basis of the attached RAD referral is the committees' failure to file the

1990 12 Day Pre-General Report in a timely manner, in violation of 2 U.S.C. § 434(a)(4)(B).

II. FACTUAL AND LEGAL ANALYSIS

The Federal Election Campaign Act of 1971, as amended ("the Act"), provides that all unauthorized political committees that file monthly reports, shall file a pre-general election report in lieu of filing the report otherwise due in November of any year in which a regularly scheduled general election is held. 2 U.S.C. § 434(a)(4)(B). According to Section 434(a)(2)(A)(i) the pre-election report must be filed no later than the 12th day before any election, and should be complete as of the 20th day before the election.

With regard to the 1990 general election, unauthorized committees were required to file a 12 Day Pre-General Election Report, covering the pre-election period of October 1 through October 17, by October 25, 1990. The committees referred by RAD failed to file the 1990 Pre-General Report or a report covering the pre-election period by the required deadline. However, seven of the committees filed 1990 November Monthly Reports with coverage dates of October 1 through 31, 1990. These reports

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were received after the due date for the 12 Day Pre-General Report.

On October 1, 1990, prior notification was sent to all unauthorized committees which specifically informed monthly filers of the requirement to file a 12 Day Pre-General Report by October 25, 1990 (Attachment 1, pages 177 - 178). Each committee which failed to submit either a 12 Day Pre-General Report or a November Monthly Report was sent a Non-Filer Notice on November 15, 1990 (Attachment 1, page 179).

Accordingly, the Office of the General Counsel recommends that the Commission open Matters Under Review and find reason to believe that 34 of the 35 previously referenced committees and their treasurers (See Recommendation I) violated 2 U.S.C. § 434(a)(4)(B) by failing to file timely the 1990 12 Day Pre-General Report.

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III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

This Office also recommends that the Commission offer to enter into conciliation with the respondents prior to a finding of probable cause to believe.

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PAGES 7 THROUGH 27 DO NOT PERTAIN TO THESE RESPONDENTS.

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IV. RECOMMENDATIONS

1. Open Matters Under Review, find reason to believe that the following committees and their treasurer violated 2 U.S.C. § 434(a)(4)(B) and enter into conciliation prior to a finding of probable cause to believe:

A.

B.

C.

D.

E.

F.

G.

H.

I.

J.

K.

L.

M.

N.

O. Home Shopping Network Inc. Political Action
Committee (HSN PAC) and Les R. Wandler, as
treasurer (91NF-31)

P.

91040875468

Q.

R.

S.

T.

U.

V.

W.

X.

Y.

Z.

AA.

BB.

CC.

DD.

EE.

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FF.

GG.

HH.

2.

3. Approve the attached Factual and Legal Analyses and proposed conciliation agreements and the appropriate letters.

Lawrence M. Noble
General Counsel

Date 5/2/91

BY: 
Lois G. Lerner
Associate General Counsel

Attachments:

1. RAD Referral
2. Factual and Legal Analysis (34)
3. Conciliation Agreement (34)

91040875470

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Thirty-five (35) Committees and) RAD Referrals
their treasurers) #91NF 17-51)

CERTIFICATION

I, Marjorie W. Emmons, do hereby certify that the Commission took the following actions with respect to the above-captioned referrals:

1. Decided by a vote of 6-0 to
 - a) Open Matters Under Review, find reason to believe that the following committees and their treasurer violated 2 U.S.C. § 434(a)(4)(B) and enter into conciliation prior to a finding of probable cause to believe:
 - A.
 - B.
 - C.

(continued)

91040875471

Federal Election Commission
Certification: RAD 91NF 17-51
May 14, 1991

Page 2

D.

E.

F.

G.

H.

I.

J.

K.

(continued)

21040875472

Federation Election Commission
Certification: RAD 91NF 17-51
May 14, 1991

Page 3

L.

M.

N. Home Shopping Network Inc.
Political Action Committee
(HSN PAC) and Les R. Wandler,
as treasurer (91NF-31)

O.

P.

Q.

R.

S.

(continued)

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Federal Election Commission
Certification: RAD 91NF 17-51
May 14, 1991

Page 4

T.

U.

V.

W.

X.

Y.

Z.

AA.

(continued)

91040875474

BB.

CC.

DD.

EE.

FF.

GG.

b)

c) Approve the Factual and Legal Analyses
and proposed conciliation agreements
and the appropriate letters as
recommended in the General Counsel's
Report dated May 2, 1991.

(continued)

21040875475

Federal Election Commission
Certification: RAD 91NF 17-51
May 14, 1991

Page 6

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

91040875476

Attest:

5-17-91
Date

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



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

May 28, 1991

Les R. Wandler, Treasurer
Home Shopping Network Inc.
Political Action Committee (HSN PAC)
P.O. Box 9090
Clearwater, Fl 34618

RE: MUR 3289
Home Shopping Network Inc.
Political Action Committee (HSN PAC)
and Les R. Wandler, as treasurer

Dear Mr. Wandler:

On May 14, 1991, the Federal Election Commission found that there is reason to believe Home Shopping Network Inc. Political Action Committee (HSN PAC) ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(B), 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.

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Les R. Wandler, Treasurer
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 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 Michael G. Marinelli, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Joan D. Aikens

Joan D. Aikens
Vice Chairman

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

91040875478

FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

MUR: 3289

RESPONDENTS: Home Shopping Network Inc. Political Action
Committee (HSN PAC) and Les R. Wandler, as
treasurer

The Federal Election Campaign Act of 1971, as amended ("the Act"), provides that all unauthorized political committees that file monthly reports, shall file a pre-general election report in lieu of filing the report otherwise due in November of any year in which a regularly scheduled general election is held. 2 U.S.C. § 434(a)(4)(B). According to Section 434(a)(2)(A)(i) the pre-election report must be filed no later than the 12th day before any election, and should be complete as of the 20th day before the election.

With regard to the 1990 general election, unauthorized committees were required to file a 12 Day Pre-General Election Report, covering the pre-election period of October 1 through October 17, by October 25, 1990. The above referenced committee failed to file the 1990 Pre-General Report or a report covering the pre-election period by the required deadline. Therefore, there is reason to believe the Home Shopping Network Inc. Political Action Committee (HSN PAC) and Les R. Wandler, as treasurer, violated 2 U.S.C. § 434(a)(4)(B) by failing to timely file the 1990 12 Day Pre-General Report.

91040875479

66-1608

RECEIVED

91 JUN 19 AM 11:08



June 3, 1991

Mr. Michael G. Marinelli
General Counsel's Office
Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

Re: MUR 3289
Home Shopping Network, Inc.
Political Action Committee (HSN PAC)
and Les R. Wandler, as treasurer

Dear Mr. Marinelli:

I am in receipt of your letter dated May 28, 1991, indicating that the Committee and myself, as treasurer, violated 2 U.S.C. Sec. 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended. Specifically, the Federal Election Commission is assessing a civil penalty for failure to timely file a 12 Day Pre-General Election Report covering the pre-election period of October 1, 1990, through October 17, 1990. The report was due on October 25, 1990 but was not filed until November 20, 1990.

I am enclosing for your reference a copy of my letter to the Commission submitting the report in question. You will note in my letter that we called the Commission on October 4, 1990 to determine our filing requirements. Being a recently activated committee we were uncertain of the requirements (the Committee became active in June of 1990 and began filing monthly reports in July of 1990).

The response we received from the Commission was that a 12 Day Pre-General Election Report would not be required if the Committee made no political contributions between October 1 and October 17. Since no such contributions were made (in fact, the next political contribution made by the Committee was on November 1, 1990), we intended on filing a Form 3X for the period October 1 through November 26, 1990.

On November 19, 1990 we received the attached letter from the Commission indicating that the 12 Day Pre-General Election Report was late. I talked with Mr. John D. Gibson and he indicated that the information we had received over the telephone had been erroneous and that we should submit the required report immediately and explain the reason for the delay in a cover letter (we submitted the report the next day with the cover letter).

91040875480

91 JUN 19 PM 3:12



Mr. Michael G. Marinelli
June 3, 1990
Page 2

I believe that the Committee, and myself as treasurer, acted prudently and in good faith in attempting to comply with the applicable reporting requirements. When our apparent violation of the rules was brought to our attention it was corrected within twenty-four hours.

The staff of the Commission has been very helpful to us in explaining various rules and requirements. However, it appears that on one occasion we received erroneous information which has led to this pending assessment. I do not believe that the Committee, or myself as treasurer, should be held liable for civil penalties when we asked a Commission representative a specific question on this specific issue and received erroneous information. For these reasons, I respectfully request that the Commission waive this assessment against the Home Shopping Network, Inc. Political Action Committee (HSN PAC) and myself, as treasurer.

Please let me know if you require any further information to resolve this matter.

Sincerely,



Les P. Wandler
Treasurer, HSN PAC

Enclosures

91240875431



November 19, 1990

Mr. John D. Gibson
Assistant Staff Director
Reports Analysis Division
Federal Election Commission
999 E Street, NW
Washington, DC 20463

RE: Home Shopping Network, Inc. Political Action
Committee (HSN PAC)
Identification Number C00231225
12 Day Pre-General Report (10/1/90-10/17/90)

Dear Mr. Gibson:

Enclosed is the Form 3X for HSN PAC for the above referenced period. Please be advised that we called your office on October 4, 1990 to confirm whether we were required to file this report. We believe we talked with a representative named Kathleen who informed us that the report would not be required if no political contributions were made between October 1 and October 17. Since no such contributions were made, we intended on filing a Form 3X for the period October 1 through November 26, 1990.

We apologize if we misunderstood the instructions that were given to us and trust that our prompt filing in response to your letter of November 15, 1990 will serve to resolve the matter.

Please let me know if you require any further information.

Sincerely,

Les R. Wandler
Treasurer

Enclosure



91040875482

NOV 19 1990



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

November 15, 1990

Les R. Wandler, Treasurer
Home Shopping Network Inc.
Political Action Committee
(HSN PAC)
P.O. Box 9090
Clearwater, FL 34618

Identification Number: C00231225

Reference: 12 Day Pre-General Report (10/1/90-10/17/90)

Dear Mr. Wandler:

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 §§108.2, 108.3, 108.4).

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 Edward Ryan on our toll-free number (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,

A handwritten signature in cursive script, appearing to read "John D. Gibson".

John D. Gibson
Assistant Staff Director
Reports Analysis Division

91049875433



October 23, 1991

Ms. Lois G. Lerner
Associate General Counsel
General Counsel's Office
Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

Re: MUR 3289
Home Shopping Network, Inc.
Political Action Committee
(HSN PAC)

Dear Ms. Lerner:

Enclosed please find a signed Conciliation Agreement for the above matter and a check in the amount of \$300 pursuant to paragraph VI of the Agreement. Please forward a copy to me after you have signed on behalf of the Commission.

Per discussions with Ms. Bumgarner of your office, HSN PAC is authorized to pay the \$300 civil penalty and report the disbursement on Schedule B of FEC Form 3X.

Please let me know if you require any further information.

Sincerely,


Les R. Wandler
Treasurer, HSN PAC

Enclosures

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91 OCT 29 AM 10:58



HOME SHOPPING NETWORK, INC.
POLITICAL ACTION COMMITTEE (HSN PAC)
2505 - 118TH AVE. N. PH. 813 572 8585
ST PETERSBURG, FL 33716

1056

21-10/830

OCTOBER 23, 91

PAY TO THE
ORDER OF

FEDERAL ELECTION Commission

\$ 300.00

THREE HUNDRED + 00/100

DOLLARS



Citizens Fidelity Bank

LOUISVILLE, KENTUCKY 40202

A PNC BANK

FOR CIVIL RIGHTS DEPT 3-59

[Signature]

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RECEIVED
F.E.C.
SECRETARIAT

91 OCT 31 AM 11:31

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Home Shopping Network, Inc.)
Political Action Committee)
(HSN PAC) and Les R. Wandler,)
as treasurer)

MUR 3289

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Les R. Wandler, treasurer of the Home Shopping Network, Inc. Political Action Committee (HSN PAC) ("Respondents"). Attachment 1.

The attached agreement contains no changes from the agreement approved by the Commission on October 9, 1991. Respondents also submitted a \$300 check for the civil penalty. Attachment 2.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with the Home Shopping Network, Inc. Political Action Committee (HSN PAC) and Les R. Wandler, as treasurer.
2. Close the file.
3. Approve the appropriate letter.

Lawrence M. Noble
General Counsel

10-30-91
Date

By: 
Lois G. Lerner
Assistant General Counsel

Attachments

1. Conciliation Agreement
2. Photocopy of civil penalty check

Staff Assigned: Mary Ann Bumgarner

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Home Shopping Network, Inc.) MUR 3289
Political Action Committee)
(HSN PAC) and Les R. Wandler,)
as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 4, 1991, the Commission decided by a vote of 6-0 to take the following actions in MUR 3289:

1. Accept the conciliation agreement with the Home Shopping Network, Inc. Political Action Committee (HSN PAC) and Les R. Wandler, as treasurer, as recommended in the General Counsel's Report dated October 30, 1991.
2. Close the file.
3. Approve the appropriate letter, as recommended in the General Counsel's Report dated October 30, 1991.

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

Attest:

11-9-91
Date

Delores Harris
for Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat:	Thurs., October 31, 1991 11:31 a.m.
Circulated to the Commission:	Thurs., October 31, 1991 4:00 p.m.
Deadline for vote:	Mon., November 4, 1991 4:00 p.m.

dr

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FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

November 7, 1991

Les R. Wandler, Treasurer
Home Shopping Network Inc.
Political Action Committee
(HSN PAC)
P.O. Box 9090
Clearwater, Florida 34618

RE: MUR 3289
Home Shopping Network Inc.
Political Action Committee
(HSN PAC) and Les R.
Wandler, as treasurer

Dear Mr. Wandler:

On November 4, 1991, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on behalf of the Home Shopping Network Inc. Political Action Committee (HSN PAC) and you, as treasurer, in settlement of a violation of 2 U.S.C. § 434(a)(4)(B), 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. If you have any

CLOSED

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Les R. Wandler
Page 2

questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Home Shopping Network Inc. Political) MUR: 3289
Action Committee (HSN PAC) and)
Les R. Wandler, 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 Home Shopping Network Inc. Political Action Committee (HSN PAC) and Les R. Wandler, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(4)(B).

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.

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

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

1. Home Shopping Network Inc. Political Action Committee (HSN PAC) is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Les R. Wandler is the treasurer of Home Shopping Network Inc. Political Action Committee (HSN PAC).

3. Section 434(a)(4)(B) of the Federal Election Campaign Act of 1971, as amended ("the Act"), provides that all unauthorized political committees, that file monthly reports, shall file a pre-general election report in lieu of filing the report otherwise due in November of any year in which a regularly scheduled general election is held. According to Section 434(a)(2)(A)(i) the pre-election report must be filed no later than the 12th day before any election, and should be complete as of the 20th day before the election.

4. Respondents were required to file the 12 Day Pre-General Election Report, covering the pre-election period of October 1 through October 17, by October 25, 1990. Respondents failed to file the 1990 12 Day Pre-General Report or a report covering the pre-election period until November 20, 1990, 26 days late, disclosing \$2,201 in receipts and \$4,065 in disbursements for the relevant reporting period.

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V. Respondents failed to file the 1990 12 Day Pre-General Report in a timely fashion in violation of 2 U.S.C. § 434(a)(4)(B).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Three Hundred Dollars (\$300), 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.

IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

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

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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

11-7-91
Date

FOR THE RESPONDENTS:


Name: L. WANDLER
Position: Trustee

10/25/91
Date

9 1 0 4 0 8 7 5 4 9 3



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3289

DATE FILMED 11/20/91 CAMERA NO. 2
CAMERAMAN AS

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