

LIBERTY
AND
JUSTICE
FOR ALL
EQUAL RIGHTS
CHAPTER

IN GOD
WE TRUST

EQUAL RIGHTS CHAPTER 1

P. O. Box 17362 = Jacksonville, FL 32247 = (904) 737-0072

February 1993

Federal Election Commission
999 ...
Washington, DC 20463

RE: Complaint against Representative Corrine Brown

Dear Investigator:

On behalf of Liberty & Justice for All, this is a formal complaint against Representative Corrine Brown who represents Florida's Third Congressional District. Our organization requests the Federal Election Commission promptly and thoroughly investigate reports that some of Rep. Brown's campaign finance reports included forged signatures and discrepancies between the amounts reported spent and collected.

Enclosed are two articles from The Florida Times-Union (2/20/93 & 2/24/93) which contain the information prompting this complaint. We believe they provide sufficient evidence to warrant a full inquiry by the Federal Election Commission.

If the allegations are found to be true, we further request that discipline or prosecution be undertaken against all parties involved to the extent allowed by law. As an organization dedicated to equality for all regardless of race, religion, sex, or national origin, Liberty & Justice for All also upholds the principle of equal responsibility for all, including elected officials, to follow the law.

Respectfully submitted and sworn to by: Susan M. Lamb who produced FL D/L
as identification and who did not take an oath on this 24th day

Susan M. Lamb
President



OGC 8526
RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM
MAR 1 12 17 PM '93

93 MAR - 1 PM 3:05

RECEIVED
FEDERAL ELECTION COMMISSION

Campaign official quits

B-1)

on her staff,
employed,
is. "Unbeliev-

to even repri-
nj) last week
ncampaign volun-
discipline a vol-

re could be
criminal in-
ording to the

in at not be-
les of checks
by the cam-

cks in Rep.
FEC were
immons and
on treasurer.
ition to Ron-

s candidates
ing an su-
nd assistant
is on file as
ted either
for either

ould not be
yesterday,

served as campaign treasurer for Rep. Brown's state House races, as well as president of the One Stop Economic Development Center.

One Stop was a controversial business incubator, funded by a \$425,000 federal grant and headed by a close friend of Rep. Brown, the Rev. Alvin Moore, who had no business experience. Ronnie Simmons also worked at One Stop, as an assistant to Moore.

Brown says finance forms forged

By Kimberly C. Moore

WASHINGTON — Rep. Corrine Brown of Jacksonville said this week that her chief of staff forged a signature on her latest federal campaign finance forms, which contain "a number of computation errors."

The forgery could be considered a crime, according to the Federal Election Commission, but Rep. Brown said she sees no reason to discipline her top aide, Roscoe Simmons.

The disclosure comes amid some confusion over just how much Rep. Brown

spent on her campaign and whether she has any money left in her account.

Asked earlier this week if he had filled out the forms or signed someone else's name to them, Simmons denied having any knowledge of Rep. Brown's campaign finances.

On Wednesday, however, Rep. Brown said Simmons "filled out the report and signed it."

The typewritten name and forged signature of Kenneth Jones, a Jacksonville vascular surgeon, appears on the form as the authorized campaign treasurer.

"That is not my signature," Jones said

after reviewing the form. "I was surprised when you told me that a report had been filed."

After learning of the forgery, Jones wrote Rep. Brown, demanding that she investigate the matter and saying the report contained a "number of computation errors." Jones also asked the congresswoman to take action against Simmons.

"If he was my employee, he wouldn't be around anymore," Jones said.

The congresswoman said Simmons thought he was allowed to sign Jones' name.

"Clearly, he found out he could not," she said. "There was no attempt at any time to deceive or mislead anyone."

Jones said he did not give Simmons or anyone else in Rep. Brown's campaign permission to sign his name.

"Absolutely not," he said.

Falsifying federal documents is considered a felony, according to Fred Elland, a spokesman for the Federal Election Commission. He added that sending the document through the mail for fraudulent pur

(See BROWN, Page B-3)

Tuesday, February 20, 1993 *** B-3

Brown says aide forged campaign finance form

(From Page B-1)

pages also could be considered a felony, a relevant point because the report was mailed to the FEC.

Elland said he was speaking only in general terms and not about a specific case.

The U.S. Code states that falsifying federal documents is punishable by a \$10,000 fine or up to five years in prison, or both. Sending fictitious documents through the mail is punishable by a \$1,000 fine or up to more than five years in prison.

A Justice Department official said criminal intent must be present for the action to be considered criminal forgery.

Federal campaign regulations forbid congressional staff members from working on a congressional



Brown

campaign during regular office hours. Filing out FEC forms constitutes working on the campaign but is considered only a minor violation.

Rep. Brown said Simmons filled out the report after hours and, therefore, did not violate any campaign laws.

Jones said he repeatedly asked Simmons for detailed information regarding candidate Brown's deposits and disbursements.

"Nobody has been in communication with me since the end of the election," he said, adding that he never received the information he requested.

Jones said Rep. Brown should surround herself with "honest and competent" staff members.

Simmons is not new to controversy. In 1980, he served as the assistant to the Rev. Alvin Moore at the One Stop Economic Development Center, a business development program in Jacksonville funded by a \$425,000 federal grant from the Department of Housing and Urban Development. Moore, a friend of

Rep. Brown, had no experience running such a program.

One Stop was sharply criticized after The Florida Times-Union reported that Rep. Brown, then a state legislator, helped Moore secure the grant. The venture failed, and One Stop was forced to return more than \$300,000 to the government.

Questions about Rep. Brown's latest campaign finance reports surfaced when the November forms filed by her campaign did not correlate with the December forms, filed this month with the FEC.

The Nov. 23 report, filed a month prior to the latest report, lists the total operating expenditures in 1992 as \$280,598. The next report shows the campaign spent \$8,823 in December, which should have brought the total expenditures in 1992 to \$289,421. However, the 1992 total expenditures were listed on the December report as \$282,457.

Simmons could not explain how the number went down, instead of up.

The December forms show that

Rep. Brown is \$10,000 in debt. However, figures show that she took in \$25,000 more than she spent. The December record lists campaign expenditures at \$282,457 for last year's election and campaign contributions of \$292,500.

"That must be a mistake," Jones said. "I guarantee we didn't take in more money than we spent."

Rep. Brown said she is having her reports audited but is still not certain how much money her campaign took in or spent.

"I have just completed a review of my campaign reports and the manner in which they were prepared," she said in a prepared statement. "I am now in the process of interviewing accounting professionals, who specialize in FEC reporting, to handle my future FEC reporting responsibilities."

The FEC said it would begin an investigation of the forgery allegations only if someone files a complaint.

Jones said he signed, at the most, two or three reports for Rep. Brown's campaign. There are five

campaign finance reports on file with the FEC in Washington that bear either his signature or a forged signature.

A close review of the reports reveals contradictory figures.

The individual contributions to the campaign listed in the five reports add up to \$297,300 for 1992. But the total on Rep. Brown's latest report totals only \$280,500, and that's \$6,000 less than listed on her previous report.

Jones said the number should be approximately \$301,000.

The individual expenditures listed in the five reports total \$241,100, but Rep. Brown's latest report lists expenditures of \$263,400, the same figure listed on a previous report.

The numbers show Rep. Brown with a surplus after the election. Recently, however, she solicited political action committee directors and asked them to help pay off her

"\$60,000 campaign debt."

The flap over her aide's forgery is the latest in a string of embarrassments that have plagued Rep. Brown since her first days in office last month.

First, she hired an aide who had been convicted of murder in 1971 and who admitted using cocaine while later serving as a Lake City councilman. She said she wasn't aware of her aide's previous problems.

Rep. Brown also was the victim of a hoax by Spy magazine. A Spy reporter asked her and other new House members if they approved of U.S. efforts to halt ethnic cleansing in Freedonia, which was the fictitious country in the Marx Brothers movie *Duck Soup*.

"I think all of those situations are very, very sad, and I think we need to take action to assist those people," she said of Freedonia. Staff writer Paul Van Osdal contributed to this report.



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MARCH 4, 1993

Susan M. Lamb, President
Liberty and Justice for All
Equal Rights Chapter 1
P.O. Box 17362
Jacksonville, FL 32245

Dear Ms. Lamb:

This is to acknowledge receipt on March 1, 1993, of your letter dated February 24, 1993. The Federal Election Campaign Act of 1971, as amended ("the Act") and Commission Regulations require that the contents of a complaint meet certain specific requirements. One of these requirements is that a complaint be sworn to and signed in the presence of a notary public and notarized. Your letter was not properly sworn to.

In order to file a legally sufficient complaint, you must swear before a notary that the contents of your complaint are true to the best of your knowledge and the notary must represent as part of the jurat that such swearing occurred. The preferred form is "Subscribed and sworn to before me on this ___ day of ___, 19__." A statement by the notary that the complaint was sworn to and subscribed before her also will be sufficient. We are sorry for the inconvenience that these requirements may cause you, but we are not statutorily empowered to proceed with the handling of a compliance action unless all the statutory requirements are fulfilled. See 2 U.S.C. § 437g.

Enclosed is a Commission brochure entitled "Filing a Complaint." I hope this material will be helpful to you should you wish to file a legally sufficient complaint with the Commission.

If you have any questions concerning this matter, please contact me at (202) 219-3410.

Sincerely,

Retha Dixon
Docket Chief

Enclosure
cc: Corrine Brown

96043741803



OAC 8697
RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

Mar 15 11 48 AM '93

EQUAL RIGHTS CHAPTER 1

**IN GOD
WE TRUST**

P. O. Box 17382 = Jacksonville, FL 32245 = (904) 737-0072

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE CLERK
MAR 15 1993

March 11, 1993

MUR 3750

Federal Election Commission
Attn: Retha Dixon, Docket Chief
999 "E" St., NW
Washington, DC 20463

RE: Complaint against Rep. Corrine Brown

Dear Ms. Dixon:

Thank you for your letter dated 3/4/93 explaining the insufficiency of our previously submitted complaint. On behalf of Liberty & Justice for All, this is a correction of the omission on that previous filing against Rep. Corrine Brown who represents Florida's Third Congressional District.

As before, we ask the Federal Election Commission to promptly and thoroughly investigate reports that Rep. Brown's campaign finance reports included forged signatures and discrepancies between the amounts reported spent and collected.

Enclosed are two articles from The Florida Times-Union on 2/20/93 and 2/24/93 which contain the information prompting this complaint. We believe they provide sufficient evidence to warrant a full inquiry by the Federal Election Commission.

If the allegations are found to be true, we further request that disciplinary action or prosecution be undertaken against Rep. Brown and all other parties involved. As an organization dedicated to equal rights for all, Liberty & Justice for All also upholds equal responsibilities for all to follow the law.

Thank you for the brochure explaining the complaint process. It was very informative. We look forward to hearing the outcome and request a copy of the final report when it is available under public record law.

Subscribed and sworn to before me on this 11th day of March, 1993:

Susan M. Lamb,
President

ON THIS 11TH Day of March, 1993.

BARBARA A. SMITH
Notary Public, State of Florida
My comm. expires Sept. 22, 1993
Comm. No. AA698041
Bonded Pichard Ins. Agent

96043741804

Brown says finance forms forged

By Kimberly C. Moore

States News Service

WASHINGTON — Rep. Corrine Brown of Jacksonville said this week that her chief of staff forged a signature on her latest federal campaign finance forms, which contain "a number of computation errors."

The forgery could be considered a crime, according to the Federal Election Commission, but Rep. Brown said she sees no reason to discipline her top aide, Ronnie Simmons.

The disclosure comes amid some confusion over just how much Rep. Brown

spent on her campaign and whether she has any money left in her account.

Asked earlier this week if he had filled out the forms or signed someone else's name to them, Simmons denied having any knowledge of Rep. Brown's campaign finances.

On Wednesday, however, Rep. Brown said Simmons "filled out the report and signed it."

The typewritten name and forged signature of Kenneth Jones, a Jacksonville vascular surgeon, appears on the form as the authorized campaign treasurer.

"That is not my signature," Jones said

after reviewing the form. "I was surprised when you told me that a report had been filed."

After learning of the forgery, Jones wrote Rep. Brown, demanding that she investigate the matter and saying the report contained a "number of computation errors." Jones also asked the congresswoman to take action against Simmons.

"If he was my employee, he wouldn't be around anymore," Jones said.

The congresswoman said Simmons thought he was allowed to sign Jones' name.

"Clearly, he found out he could not," she said. "There was no attempt at any time to deceive or mislead anyone."

Jones said he did not give Simmons or anyone else in Rep. Brown's campaign permission to sign his name.

"Absolutely not," he said.

Falsifying federal documents is considered a felony, according to Fred Zilka, spokesman for the Federal Election Commission. He added that sending the document through the mail for fraudulent pur-

(See BROWN, Page B-3)

(From Page B-1)

poses also could be considered a felony, a relevant point because the report was mailed to the FEC.

Eiland said he was speaking only in general terms and not about a specific case.

The U.S. Code states that falsifying federal documents is punishable by a \$10,000 fine or up to five years in prison, or both. Sending fictitious documents through the mail is punishable by a \$1,000 fine and not more than five years in jail, or both.

A Justice Department official said criminal intent must be present for the action to be considered criminal forgery.

Federal campaign regulations forbid congressional staff members from working on a congressional

campaign during regular office hours. Filling out FEC forms constitutes working on the campaign but is considered only a minor violation.

Rep. Brown said Simmons filled out the report after hours and, therefore, did not violate any campaign laws.

Jones said he repeatedly asked Simmons for detailed information regarding candidate Brown's deposits and disbursements.

"Nobody has been in communication with me since the end of the election," he said, adding that he never received the information he requested.

Jones said Rep. Brown should surround herself with "honest and competent" staff members.

Simmons is not new to controversy. In 1990, he served as the assistant to the Rev. Alvin Moore at the One Stop Economic Development Center, a business development program in Jacksonville funded by a \$425,000 federal grant from the Department of Housing and Urban Development. Moore, a friend of

Rep. Brown, had no experience running such a program.

One Stop was sharply criticized after The Florida Times-Union reported that Rep. Brown, then a state legislator, helped Moore secure the grant. The venture failed, and One Stop was forced to return more than \$300,000 to the government.

Questions about Rep. Brown's latest campaign finance reports surfaced when the November forms filed by her campaign did not correlate with the December forms, filed this month with the FEC.

The Nov. 23 report, filed a month prior to the latest report, lists the total operating expenditures in 1992 as \$296,896. The next report shows the campaign spent \$8,623 in December, which should have brought the total expenditures in 1992 to \$305,519. However, the 1992 total expenditures were listed on the December report as \$263,457.

Simmons could not explain how the number went down, instead of up.

The December forms show that

Rep. Brown is \$16,000 in debt. However, figures show that she took in \$23,000 more than she spent. The December record lists campaign expenditures at \$263,457 for last year's election and campaign contributions of \$286,500.

"That must be a mistake," Jones said. "I guarantee we didn't take in more money than we spent."

Rep. Brown said she is having her reports audited but is still not certain how much money her campaign took in or spent.

"I have just completed a review of my campaign reports and the manner in which they were prepared," she said in a prepared statement. "I am now in the process of interviewing accounting professionals, who specialize in FEC reporting, to handle my future FEC reporting responsibilities."

The FEC said it would begin an investigation of the forgery allegations only if someone files a complaint.

Jones said he signed, at the most, two or three reports for Rep. Brown's campaign. There are five



Brown

Page 1 of 2
Florida
Times-Union
2/20/93

Page 2 of 2

Florida Times-Union, 2/20/93

campaign finance reports on file with the FEC in Washington that bear either his signature or a forged signature.

A close review of the reports reveals contradictory figures.

The individual contributions to the campaign listed in the five reports add up to \$297,300 for 1992. But the total on Rep. Brown's latest report totals only \$280,500, and that's \$16,800 less than listed on her previous report.

Jones said the number should be approximately \$301,000.

The individual expenditures listed in the five reports total \$241,100, but Rep. Brown's latest report lists expenditures of \$263,400, the same figure listed on a previous report.

The numbers show Rep. Brown with a surplus after the election. Recently, however, she solicited political action committee directors and asked them to help pay off her

"\$60,000 campaign debt."

The flap over her aide's forgery is the latest in a string of embarrassments that have plagued Rep. Brown since her first days in office last month.

First, she hired an aide who had been convicted of murder in 1971 and who admitted using cocaine while later serving as a Lake City councilman. She said she wasn't aware of her aide's previous problems.

Rep. Brown also was the victim of a hoax by Spy magazine. A Spy reporter asked her and other new House members if they approved of U.S. efforts to halt ethnic cleansing in Freedonia, which was the fictitious country in the Marx Brothers movie *Duck Soup*.

"I think all of those situations are very, very sad, and I think we need to take action to assist those people," she said of Freedonia.

Staff writer Paul Van Osdal contributed to this report.

96043741806

Brown campaign official quits

By Kimberly C. Moore
States News Service

WASHINGTON — The campaign treasurer for Rep. Corrine Brown of Jacksonville has quit following a report about improper handling of her campaign finance forms. Kenneth Jones said yesterday he resigned because Rep. Brown failed to fire her chief of staff, Ronnie Simmons, after she learned Simmons had forged Jones' signature on her latest campaign finance

report to the Federal Election Commission. "The continued relationship of Mr. Simmons with your organization, after he finally acknowledged forging my signature on FEC returns, leaves me no choice but to sever all associations with your election or re-election campaign," Jones wrote to Rep. Brown on Monday. The congresswoman refused through an aide to comment yesterday on Jones' res-

ignation or her campaign account and did not return phone calls. Jones, a vascular surgeon who performs kidney transplants in Jacksonville, said he was never given access to Rep. Brown's campaign checking account records. "I resigned, in part, because I was not getting the cooperation I needed to do an adequate job as treasurer," Jones said. After reviewing the six campaign finance documents filed by Rep. Brown's staff,

Jones said he definitely did not sign two of the forms but probably signed the remaining four. He said, however, that he did not fill out any of the forms. Rep. Brown said last week that Simmons filled out the final report and forged Jones' signature on it. Jones said he regrets getting involved with Rep. Brown's campaign and is
(See BROWN, Page B-3)

(From Page B-1)

that Simmons remains on her staff. "The guy is still employed," Jones said of Simmons. "Unbelievable." Rep. Brown refused to even reprimand Simmons, saying last week that he acted as a campaign volunteer and "you can't discipline a volunteer."

The forged signature could be considered a crime if criminal intent was involved, according to the U.S. Justice Department.

Jones cited frustration at not being shown detailed copies of checks received or written by the campaign.

Copies of three checks in Rep. Brown's files at the FEC were signed by a Gloria Simmons and identify her as campaign treasurer. Ms. Simmons is no relation to Ronnie Simmons.

Campaign law requires candidates to file records designating an authorized treasurer and assistant treasurer, but no records on file as of yesterday designated either Jones or Ms. Simmons for either position.

Ms. Simmons, who could not be reached for comment yesterday,

served as campaign treasurer for Rep. Brown's state House races, as well as president of the One Stop Economic Development Center.

One Stop was a controversial business incubator, funded by a \$425,000 federal grant and headed by a close friend of Rep. Brown, the Rev. Alvin Moore, who had no business experience. Ronnie Simmons also worked at One Stop, as an assistant to Moore.

Florida Times-Union
2/24/93



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 19, 1993

Susan M. Lamb, President
Liberty and Justice for All
P.O. Box 17362
Jacksonville, FL 32245

RE: MUR 3750

Dear Ms. Lamb:

This letter acknowledges receipt on March 15, 1993, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by Friends of Corrine Brown and Gloria Simmons, as treasurer, Elias Ronnie Simmons and Representative Corrine Brown. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 3750. Please refer to this number in all future correspondence. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa E. Klein".

Lisa E. Klein
Assistant General Counsel

Enclosure
Procedure

96043741808



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 19, 1993

Gloria Simmons, Treasurer
Friends of Corrine Brown
3416 Nancy Street
Jacksonville, FL 32209

RE: MUR 3750

Dear Ms. Simmons:

The Federal Election Commission received a complaint which indicates that the Friends of Corrine Brown ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3750. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Committee and you, as treasurer, in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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

96043741809

Gloria Simmons, Treasurer
Friends of Corrine Brown
Page 2

If you have any questions, please contact Dawn M. Odrowski, the attorney assigned to this matter, at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Lisa E. Klein
Assistant General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

96043741810



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

March 19, 1993

Elias Ronnie Simmons
1037 LHOB
Washington, DC 20515-0903

RE: MUR 3750

Dear Mr. Simmons:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3750. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

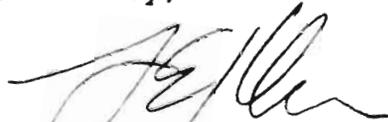
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed 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.

96043741811

Elias Ronnie Simmons
Page 2

If you have any questions, please contact Dawn M. Odrowski, the attorney assigned to this matter, at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Lisa E. Klein
Assistant General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

96040751812

11/14/11

OAC 8820

PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
607 FOURTEENTH STREET, N.W. • WASHINGTON, D.C. 20005-2011 • (202) 628-6600

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF COUNSEL
93 APR -1 PM 3:51

April 1, 1993

Ms. Dawn Odrowski
Office of the General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

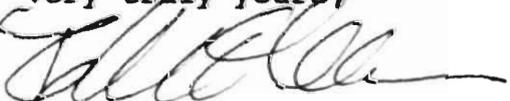
Re: MUR 3750

Dear Ms. Odrowski:

On behalf of Congresswoman Corrine Brown; Friends of Corrine Brown, and Gloria Simmons, as Treasurer; and Elias Ronnie Simmons, we are requesting an extension of time to respond to the complaint in this matter.

Due to the recent designations of Perkins Coie as counsel (attached), under the original 15 day response deadline we would not have an adequate opportunity to prepare a response. An extension of time is necessary in order to review the records, to discuss the issues with our client, and to collect factual information. Because the Complaint raises questions about the accuracy of the Committee's FEC reports, we will also need to conduct a comprehensive review of these reports in order to prepare a response. Therefore we are requesting an extension of twenty days until April 30.

We also request that the Commission consolidate this matter with MUR 3751. The two matters address substantially the same issues. Therefore, consolidation of these matters would allow more efficient review of the issues.

Very truly yours,


Judith L. Corley
B. Holly Schadler
Counsel to Respondents

Attachment

BHS:mah

[04031-0001/DA930890.023]

96043741813

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3750

NAME OF COUNSEL: Judith L. Corley and B. Holly Schadler

ADDRESS: Perkins Cole
607 14th Street, NW, Suite 800
Washington, DC 20005

TELEPHONE: (202) 628-6600

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

March 29, 1993
Date

Corrine Brown
Signature Corrine Brown

RESPONDENT'S NAME: Corrine Brown

ADDRESS: 1037 Longworth House Office Building
Washington, DC 20515-0903

TELEPHONE: HOME ()

BUSINESS ()

96043741814

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3750

NAME OF COUNSEL: Judith L. Corley and B. Holly Schadler

ADDRESS: Perkins Coie

607 14th Street, NW, Suite 800

Washington, DC 20005

TELEPHONE: (202) 628-6600

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

3/28/93
Date

Elias Ronnie Simmons
Signature Elias Ronnie Simmons

RESPONDENT'S NAME: Elias Ronnie Simmons

ADDRESS: 1037 Longworth House Office Building

Washington, DC 20515-0903

TELEPHONE: HOME (_____) _____

BUSINESS (_____) _____

96043741815



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 7, 1993

Judith L. Corley and B. Holly Schadler
Perkins Cole
607 14th Street, N.W., Suite 800
Washington, DC 20005-2011

RE: MURs 3750 & 3751
Corrine Brown
Friends of Corrine Brown and
Gloria Simmons, as treasurer
Elias Ronnie Simmons

Dear Ms. Corley and Ms. Schadler:

This is in response to your letters dated April 1, 1993, which we received on April 1, 1993, requesting extensions of 20 days to respond to the complaints in MURs 3750 and 3751. After considering the circumstances presented in your letters, the Office of the General Counsel has granted the requested extensions. Accordingly, your response to each complaint is due by the close of business on April 30, 1993.

You also requested that the Commission consolidate MURs 3750 and 3751. While the Commission sometimes consolidates matters, it has not done so with respect to these matters at this time. Until such action is taken, please file responses to both MURs 3750 and 3751. If in your judgment a single response will adequately address the complaints in both matters, please reference both MURs in your response.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Dawn M. Odrowski
Dawn M. Odrowski
Attorney

96043741816

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM
Apr 30 11 54 AM '93

PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
607 FOURTEENTH STREET, N.W. • WASHINGTON, D.C. 20005-2011
(202) 628-6600 • FACSIMILE (202) 434-1690

April 28, 1993

Lawrence M. Noble, Esq.
Federal Election Commission
Office of the General Counsel
999 E Street, NW
Washington, DC 20463

Attention: Dawn M. Odrowski

**Re: MURs 3750 and 3751 - Representative Corrine Brown;
Friends of Corrine Brown; Gloria Simmons, as
Treasurer; and Elias Ronnie Simmons**

Dear Mr. Noble:

This letter constitutes the response to MURs 3750 and 3751 on behalf of Representative Corrine Brown; Friends of Corrine Brown; Gloria Simmons, as Treasurer; and Elias Ronnie Simmons ("Respondents"). We are filing a consolidated response to MURs 3750 and 3751 because the complaints in both matters raise essentially identical issues. Complainants, Winston R. Wood and Liberty and Justice For All, have raised questions related to the preparation and filing of the FEC reports of Friends of Corrine Brown (the "Committee").

REVIEW OF FEC REPORTS

The Complaints raise questions about the accuracy of the reports filed by the Committee. The Committee has retained a professional accountant to conduct a thorough review of all of its reports and prepare amendments, as necessary, to ensure that the reports accurately reflect the Committee's activities. Subsequent to initiating this review, the Committee received a letter notifying the Committee that the Commission had voted to audit the Committee's records. The Committee's review will be completed in June prior to the audit on July 3.

Since its inception, the Committee has worked diligently to avoid any errors or miscalculations in its recordkeeping and reporting. As a first-time candidate in an extremely competitive race, Ms. Brown relied almost exclusively on volunteers to conduct her campaign. She had severely limited resources to hire staff and consultants during the race.

RECEIVED
FEDERAL ELECTION
COMMISSION
93 APR 30 PM 3:31

96043741817

She had three elections -- primary, runoff and general -- in just 64 days. These elections occurred after a prolonged court battle over the redistricting lines, resolved finally in June, 1992. Because her campaign could not afford the \$10,000 filing fee, Congresswoman Brown then had to collect approximately 10,000 signatures to petition on to the ballot for the September 1 primary. This schedule taxed the Committee's staff and financial resources. Moreover, none of the campaign staff or volunteers had federal campaign experience and, therefore, they were unfamiliar with the requirements of federal election campaign laws.

While they made every effort to keep up with administrative matters, the Committee had no funds to retain an experienced bookkeeper or accountant to address recordkeeping and reporting duties. Thus, the Committee relied on accounting students and others to complete the reports. Even after the campaign, many of her staff continued on a volunteer basis. Now, the Committee has taken the necessary steps to better organize reporting procedures.

SIGNATURES ON FEC REPORTS

Complainants also raise an issue related to the treasurer's signature on two FEC reports filed by the Committee. According to the articles attached to the Complaint, it was alleged the treasurer, Dr. Kenneth Jones, did not sign two of the reports filed by the Committee.¹ In fact, Dr. Jones signed four reports. Two amended reports were signed by Gloria Simmons, as Treasurer; and two reports were signed by Ronnie Simmons.

As noted above, the campaign was staffed by volunteers, operated on a short time table, and had little time to master the reporting requirements. Dr. Jones traveled between his office and the hospital where he practiced; like many doctors, he has irregular and extremely demanding hours. The Committee found it difficult to find him to sign priority reports. As a result, Committee representatives had experienced significant delays between the time the report was prepared and obtaining Dr. Jones' signature.

In the case of the Year-End report, the Committee was unaware, until Friday, January 29, that a report was due. See Simmons Affidavit. Notices from the Commission were sent to a post office box in Florida that was not regularly checked

¹The newspaper reports, relied on by complainants in this matter, are not entirely accurate. Congresswoman Brown has asked for and received corrections from States News Service. See Exhibit 1.

26043741818

Lawrence M. Noble, Esq.

April 28, 1993

Page 3

because no staff person was available in the state to pick up the mail. On January 29, the Congresswoman received a notice in her office from the Clerk of the House alerting all Members that the Year-End report was due on Sunday. As a consequence, Mr. Simmons spent the weekend preparing the report and hand-delivered it on January 31. See Simmons Affidavit. The Committee did not have adequate time to send the report to Mr. Jones in Florida for his signature. Instead, Mr. Simmons signed it.

Mr. Simmons understood at the time that he was permitted to sign on the treasurer's behalf. See Simmons Affidavit. Mr. Simmons had served as staff Secretary to Congresswoman Brown while she was in the Florida legislature. He had volunteered significant amounts of time evenings and weekends during the campaign, served as her key assistant during her transition to federal office and is now her Chief of Staff. In these various capacities, the Congresswoman relied on him to oversee many administrative matters. Mr. Simmons even had some authority to sign other documents, including correspondence, on behalf of the Congresswoman.

In this case, Mr. Simmons simply misunderstood his authority to execute the documents. He was operating under exigent circumstances attempting to do the best job he could to complete and file the FEC report in a timely manner. There was no intention to somehow falsely represent Dr. Jones' signature. From past experience, he knew that it would be difficult, if not impossible, to secure Dr. Jones signature before the filing deadline. Moreover, because of his close association with the Congresswoman's campaign, he understood his role to permit him to sign the document.

In February, prior to the complaint in this matter, an amended Year-End report was filed with Gloria Simmons' signature. This was done as soon as the Committee understood there was a problem with the original report. Ms. Simmons is now the treasurer of the Committee. This change will avoid any similar misunderstandings related to the signature on FEC reports in the future.

Sincerely,



B. Holly Schadler
Counsel to Respondents

Attachments

BHS:mah

96043741819

PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
607 FOURTEENTH STREET, N.W. • WASHINGTON, D.C. 20005-2011 • (202) 628-6600

April 15, 1993

Mr. Leland Schwartz, Editor
States News Service
1333 F Street, NW
Suite 400
Washington, D.C. 20004

Dear Mr. Schwartz:

I am writing this letter on behalf of my clients, Congresswomen Corrine Brown and her campaign committee, Friends of Corrine Brown (the "Committee"). One of your reporters, Ms. Kimberley C. Moore, has written numerous articles about Congresswoman Brown, several of which contain inaccurate or misleading statements about my clients. We ask that the News Service take immediate steps to correct these inaccurate and unfair statements.

Specifically, in articles appearing in The Florida Times-Union and the Gainesville Sun on February 20 and 19 respectively, Ms. Moore reports that Congresswoman Brown admitted that her chief of staff, Ronnie Simmons, "forged" the signature of the Committee's Treasurer on the Committee's federal campaign finance forms. Congresswoman Brown never made such an admission, nor has she ever made any statement to that effect. Ms. Moore's reporting was not only entirely inaccurate but particularly damaging to my client since The Florida Times-Union chose to feature this alleged admission in the article's headline.

Forgery has a specific meaning under the law and is not a term Ms. Moore should be using loosely, as she seems to have done in this case. Forgery is a crime which requires knowledge or intent to defraud or falsify. A person has committed forgery only if he acts with the purpose or intent of defrauding or injuring someone. See, W. LaFave & A. Scott, Criminal Law (2d. ed. 1986); Model Penal Code, § 224.1. Congresswoman Brown did not make, and would never have made a statement, as the article reports, that her aide "forged" a document. This inaccuracy was brought to the News Service's attention earlier but has never been corrected.

In articles appearing during the same period, Ms. Moore reported that Fred Eiland, a spokesman for the Federal Election Commission, said that sending a document through the mail for fraudulent purposes could be a felony. The statement's relevance is questionable since as a matter of policy the FEC does not comment on specific cases. Further,

93 APR 30 PM 3:32

FEDERAL ELECTION COMMISSION
OFFICE

96043741820

the comment represents an interpretation of the criminal code by a non-lawyer employed by an agency with no jurisdiction over criminal code or fraud statutes. Compounding this problem, Ms. Moore attempted to show that Mr. Eiland's point was relevant in this case because Congresswoman Brown's report was mailed to the FEC. In fact the report was hand-delivered as shown by the stamp "hand-delivered" on the front. Again, no correction was ever published even after Congresswoman Brown brought this error to the attention of Ms. Moore and her editors.

In an article appearing on February 25, 1993, Ms. Moore reports: "a state grand jury found no wrongdoing," with regard to the One Stop Economic Center. This statement was also incorrect. In fact, the Florida State's Attorney for the Fourth Judicial District investigated the charges against One Stop and subsequently dismissed them. The charges were determined not to even warrant examination by a grand jury. Again, Ms. Moore did not take the time, or was not inclined, to determine the true facts. Moreover, no correction of this inaccuracy has ever been printed.

We request that each of these factual misrepresentations be corrected immediately. Ms. Moore has made it clear, in a conversation with one of Ms. Brown's aides, that she does not trust the Congresswoman or her staff and that she believes they are "liars". Moreover, she has made repeated calls to the Congresswoman's home and to her aides at their homes. Ms. Moore's behavior demonstrates a fundamental lack of respect to which these individuals are entitled. While I hope the News Service does not choose to condone this type of behavior from its reporters, in any case it still has an obligation to correct blatant factual misrepresentations appearing in its articles.

Sincerely,



B. Holly Schadler
Counsel to Friends of Corrine
Brown

cc: Darrell Hartman, City Editor
Gainesville Sun

Carl Cannon, Publisher
Florida Times Union

Harold Lifvendahl, Publisher
Orlando Sentinel

34

State News Service

WASHINGTON, APRIL 21 -- Rep. Corbin Brown, through her attorney, has asked State News Service to correct its news story reporting that she said her chief of staff forged her campaign treasurer's signature on a key federal election document.

She has also objected to the raising of the question of mail fraud implicating the document, on the grounds that it was hand-delivered, not mailed, to the government.

On the falsifying of the signature matter, Rep. Brown agreed that her aide, Annie Simmons, did sign the name of Dr. Kenneth Jones on the report in question, but never referred to it as forgery.

In a letter to State, her Washington Law Firm, Parkers Cole, maintained that "Forgery has a specific meaning under the law" and should not be used "loosely" as it "seems to have" been in this case. Forgery, Parkers Cole says, "is a crime which requires knowledge or intent to defraud or falsify."

The news service used the word "forged" to convey to readers that Simmons did not have permission from Dr. Jones to sign his name on the 1972 year-end Federal Election Commission report, using the common definition "to make, or write in fraudulent imitation."

Dr. Jones later resigned as campaign treasurer because of what he called a forgery and Rep. Brown's failure to discipline Simmons for this act.

"The continued relationship of Dr. Simmons with your organization, after he finally acknowledged forging my signature on F.E.C. returns, leaves no question but to sever all associations with your election or re-election campaign," Dr. Jones wrote in a February 22 letter.

The news service did not use the word "forged" in any attempt to sensationalize the falsification of Dr. Jones' signature.

Another point Rep. Brown and her attorney have asked to be corrected was a reference to "mail fraud," involving the document in question.

This point came when a reporter asked a spokesman for the FEC what the penalties were for falsifying a signature on campaign finance reports.

The spokesman said falsifying a federal document could be a felony and that if the reports were mailed to the agency, that action could constitute mail fraud.

All of Rep. Brown's FEC documents were mailed to the agency except for the one in question, which was, in fact, stamped "hand delivered," removing any question of mail fraud, Justice Department officials confirmed Friday.

The news service regrets and apologizes for the error.

On another matter, State News Service wishes to correct an erroneous report that a Florida grand jury looked into and found no wrongdoing with her involvement in a federally-funded small business agency. One

ST. LOUIS

Staten News Service

WASHINGTON, APRIL 21 -- Rep. Carolyn Brown, through her attorney, has asked Staten News Service to correct its news story reporting that she said her chief of staff forged her campaign treasurer's signature on a key federal election document.

She has also objected to the raising of the question of mail fraud involving the document, on the grounds that it was hand-delivered, not mailed, to the government.

On the falsifying of the signature matter, Rep. Brown agreed that her aide, Morris Simmons, did sign the name of Dr. Kenneth Jones on the report in question, but never referred to it as forgery.

In a letter to Staten, her Washington Law Firm, Perkins Cole, maintained that "Forgery has a specific meaning under the law" and should not be used "loosely" as it "seems to have" been in this case. Forgery, Perkins Cole says, "is a crime which requires knowledge or intent to defraud or falsify."

The news service used the word "forged" to convey to readers that Simmons did not have permission from Dr. Jones to sign his name on the 1982 year-end Federal Election Commission report, using the common definition "to make or write in fraudulent imitation."

Dr. Jones later resigned as campaign treasurer because of what he called a forgery and Rep. Brown's failure to discipline Simmons for this act.

"The continuing relationship of Dr. Simmons with your organization, after he freely acknowledged forging my signature on F.E.C. returns, leaves no question but to show all associations with your election or re-election campaign," Dr. Jones wrote in a February 22 letter.

The news service did not use the word "forged" in any attempt to suggest the falsification of Dr. Jones' signature.

Another news Rep. Brown's attorney has asked to be deleted was a reference to "mail fraud," involving the document in question.

This was when a reporter asked a spokesman for the FBI about the possibility of mail fraud for falsifying a signature on campaign finance reports.

The spokesman said falsifying a federal document could be a felony and that if the reports were mailed to the agency, that action could constitute mail fraud.

All of Rep. Brown's FEC documents were called to the agency except for the one in question, which was, in fact, alleged "hand delivered," removing any question of mail fraud, Justice Department officials confirmed Friday.

The news service regrets and apologizes for the error.

On another matter, Staten News Service wishes to correct an erroneous report that a Florida grand jury looked into and found no wrongdoing with her involvement in a federally-funded small business agency. One

96043741822

Stop Economic Espionage Center.

Harry Sharstein, state attorney for Duval, Clay and Nassau Counties, said Friday that the case never went before the grand jury. The state investigation conducted by attorneys for the state of Florida examined the matter and found no evidence of wrongdoing, Sharstein said.

The news service regrets and apologizes for the error.

-88-
88

9 6 0 4 3 7 4 1 8 2 3

FLORIDA

Corrections

• Because of a reporting error, a Feb. 20 story by States News Service on Page B-1 about U.S. Rep. Corrine Brown's campaign disclosure was incorrect. The campaign disclosure referred to in the story was hand-delivered to the Federal Elections Commission, removing any question of mail fraud.

The same story concerning an aide's signature on a campaign disclosure needs further clarification. Rep. Brown agreed that her aide did sign the name of her campaign treasurer on the report in question but never referred to it as forgery.

• Because of a reporting error, a Feb. 26 story by States News Service on Page B-1 concerning a complaint filed with the Federal Election Commission on U.S. Rep. Corrine Brown's campaign disclosure contained some incorrect information. A Florida grand jury did not investigate the One Stop Economic Development Center.

• Because of a reporting error, Tom Beal's name was misspelled in a story on Page B-6 yesterday.

96043741824

BEFORE THE
FEDERAL ELECTION COMMISSION

IN THE MATTER OF
Congresswoman Corrine Brown;
Friends of Corrine Brown; Elias
Ronnie Simmons; and Gloria
Simmons, as Treasurer

MUR 3751

AFFIDAVIT OF ELIAS RONNIE SIMMONS

I, Elias Ronnie Simmons, under penalty of perjury pursuant to Section 1746 of Title 28, declare as follows:

1. I have personal knowledge of the facts set forth herein and if called on to testify in this matter, I would testify as set forth herein.
2. I have known Representative Corrine Brown for approximately ten years.
3. I served as Corrine Brown's secretary from January 15, 1992 until November 1, 1992 while she was in the Florida State legislature.
4. I volunteered for the Friends of Corrine Brown (the Committee) during the 1992 election.
5. I currently serve as Chief of Staff in Representative Corrine Brown's Congressional office.
6. I prepared the Year-End report due January 31, 1993 for the Committee.
7. The Committee was not aware until Friday, January 29, that an FEC report was due on January 31.
8. Because of the extremely short time period available to prepare the report, I did not believe that it would be possible to secure the Treasurer's signature on the report and file it in a timely manner.
9. It was further my understanding that I was permitted to sign the FEC report in lieu of the Treasurer.

96043741825

10. I never had any intention of falsely representing Dr. Jones' signature.

Further Affiant sayeth not.


Elias Ronnie Simmons

Signed on this 27th day of April, 1993.

96043741826

FEDERAL E
OFFICE OF
93 APR 30 PM 3:32
RECEIVED
COMMISSION

STATEMENT OF DESIGNATION OF COUNSEL

NUM 3750

NAME OF COUNSEL: Judith L. Corley and B. Holly Schadler

ADDRESS: Perkins Coie
607 14th Street, NW, Suite 800
Washington, DC 20005

TELEPHONE: (202) 628-6600

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

3/31/93
Date

Gloria Simmons
Signature
Gloria Simmons

RESPONDENT'S NAME: Friends of Corrine Brown

ADDRESS: Friends of Corrine Brown, c/o Gloria Simmons, Treasurer
3416 Nancy Street
Jacksonville, FL 32209

TELEPHONE: HOME (_____) _____
BUSINESS (_____) _____

96043741827

FAX: 202 434-1690

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

FIRST GENERAL COUNSEL'S REPORT

MURs 3750, 3751, 3771
Staff Member: Matthew J. Tanielian

SOURCE: COMPLAINT AND AUDIT REFERRAL

RESPONDENTS: Friends of Corrine Brown and Gloria Simmons, as treasurer
Corrine Brown
Ronnie Simmons
One Stop Economic Development Center, Inc.
Austin-Sheinkopf, Ltd.

RELEVANT STATUTES: 2 U.S.C. § 431(8)(A)(i)

2 U.S.C. § 434(a)(1)

2 U.S.C. § 441a(a)(1)(A)

2 U.S.C. § 441a(f)

2 U.S.C. § 441b(a)

96043741828

As discussed herein, the Office of General Counsel believes that MURs 3750, 3751, and 3771 do not warrant further enforcement action. This Office recommends the Commission make reason to believe findings, but take no further action and close the files on MURs 3750 and 3751, and find no reason to believe that a violation occurred and close the file with respect to MUR 3771.

96043741830

NOTICE

**PAGES 4 - 15
CONTAIN INFORMATION PERTAINING TO MATTERS
OTHER THAN MURS 3750, 3751 AND 3771.**

96043741831

III. MURs 3750 and 3751

The FECA requires each treasurer of a political committee to file reports of receipts and disbursements and to sign each such report. 2 U.S.C. § 434(a)(1).

On March 15, 1993, this Office received a complaint from Liberty and Justice for All, Susan M. Lamb, President, and on March 19, 1993, received a complaint from Winston R. Wood. Attachments 3 and 4. Both complaints were based on newspaper articles in the *Gainesville Sun* on February 19, 1993 and March 27, 1993, and the *Florida Times-Union* in Jacksonville on February 24, 1993.¹² The complainants alleged that staff person Ronnie Simmons forged the signature of the treasurer, Dr. Kenneth Jones, on two reports filed with the Commission in violation of 2 U.S.C. § 434(a)(1).¹³

Dr. Kenneth Jones was the treasurer during the 1992 campaign, and Ronnie Simmons has been identified by the Committee as Representative Brown's key assistant.¹⁴ The complaints were identical in that they both alleged that Ronnie Simmons "forged" disclosure reports by signing Dr. Jones's signature on two of the reports.

¹² According to the Committee, the newspaper articles relied on by the complainants were not entirely accurate. Representative Brown asked for, and received a correction from the States News Service. See Attachment 5 at 6-8.

¹³ MUR 3771 alleged the identical violation, stemming from the same newspaper articles. See *infra* p. 18.

¹⁴ Ronnie Simmons was Representative Brown's staff secretary while she was in the Florida legislature and served as Representative Brown's Chief of Staff in the House of Representatives.

96043741832

In its response to the complaints, the Committee admitted that Ronnie Simmons signed the two reports. However, the Committee explained that Mr. Simmons signed the report because it was difficult to locate Dr. Jones due to his medical practice, and as a result, the Committee frequently experienced significant delays between the time the report was prepared and the time Dr. Jones signed them. Attachment 5 at 2. The Committee also submitted an affidavit of Ronnie Simmons in which he addressed one of the instances in which he signed Dr. Jones's name. In that instance, a Year-End Report was due on January 31, 1993; however, it was only on January 29 that the Committee became aware of the requirement to file the report. Mr. Simmons stated he did not believe he could secure the treasurer's signature on the report on time and that he believed that he was permitted to sign the report in lieu of the treasurer. *Id.* at 9.

The Committee has admitted that it failed to obtain the treasurer's signature on two of the reports filed with the Commission. 2 U.S.C. § 434(a)(1). However, given the lack of any evidence of an intentional scheme to commit fraud in the signing of the reports, the fact that the reports were filed on time, and the readiness of the Committee to explain the circumstances around which the mistakes occurred, this Office believes further enforcement action is not warranted.

Accordingly, the Office of the General Counsel recommends the Commission find reason to believe that Friends of Corrine Brown and Gloria Simmons, as treasurer, violated 2 U.S.C. § 434(a)(1), but take no further action. This Office further recommends that the Commission find reason to believe the Ronnie Simmons violated 2 U.S.C. § 434(a)(1), but take no further action.

96043741833

IV. MUR 3771

An individual may not make any contributions to a candidate or his or her authorized committees, with respect to any election for federal office which, in the aggregate, exceed \$1,000. 2 U.S.C. § 441a(a)(1)(A). Political committees may not knowingly accept any contributions or make any expenditures in violation of this limitation. 2 U.S.C. § 441a(f). It is unlawful for any corporation to make a contribution or expenditure in connection with any federal election, or for any candidate, political committee, or other person knowingly to accept or receive any contribution prohibited by this section. 2 U.S.C. § 441b(a). The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. 2 U.S.C. § 431(8)(A)(i).

On April 12, 1993, this Office received a complaint from Edward Holmer who, based on the same newspaper articles cited in the complaints in MURs 3750 and 3751, made allegations in addition to those discussed in MURs 3750 and 3751. Mr. Holmer alleged that the Committee received in-kind contributions worth \$63,000 from a consulting firm, Austin-Sheinkopf, Ltd., in the form of television and radio air time. See Attachment 6. The responses of both Austin-Sheinkopf and the Committee stated that the Committee was billed \$63,000 for the services of Austin-Sheinkopf, and the Committee paid in full.¹⁵ Attachment 7 at 3-4. Thus, it does not appear that there was a violation of 2 U.S.C. § 441b(a) by either Austin-Sheinkopf or the Committee.

¹⁵ The disbursement reports filed with the Commission show a total of \$94,862.10 in payments to Austin-Sheinkopf between July 7, 1992 and November 18, 1992 for consulting and television and radio air time.

96043741834

In his complaint, Mr. Holmer also referred to a newspaper article in the *Florida Times-Union* dated February 24, 1993, which identified Gloria Simmons, the Committee treasurer subsequent to Dr. Jones, as the president of the One Stop Economic Development Center, Inc. ("One Stop"). According to the newspaper article, One Stop was funded by a \$450,000 federal grant. When this venture failed, the city of Jacksonville was required to repay \$300,000 back to the federal government. Mr. Holmer alleged that the funds of One Stop may have been diverted to Ms. Brown's campaign. The basis for the allegation apparently stemmed from the relationship between One Stop and the Committee's treasurer, Gloria Simmons, and the fact that Ms. Brown was a friend of the director of One Stop, Reverend Alvin Moore. However, this Office searched the Commission's contributor records, as well as information provided to the Audit Division and found no evidence of contributions by One Stop to the campaign.¹⁶

Mr. Holmer also alleged that staff member Ronnie Simmons signed the treasurer's name on two FEC reports. This identical allegation was addressed in MURs 3750 and 3751.

Therefore, the Office of General Counsel recommends the Commission find no reason to believe that Friends of Corrine Brown and Gloria Simmons, as treasurer, violated 2 U.S.C. §§ 441b(a) or 441a(f). This Office also recommends the Commission find no reason to believe that Austin-Sheinkopf, Ltd., violated 2 U.S.C. § 441a(a)(1)(A). This Office also recommends

¹⁶ Additionally, the Florida State's Attorney's Office investigated the charges with regards to the failure of One Stop unrelated to Representative Brown, and subsequently determined that the charges did not warrant examination by the grand jury. See Attachment 7.

96043741835

the Commission find no reason to believe that One Stop Economic Development Center, Inc. violated 2 U.S.C. § 441b(a).

96043741836

VI. RECOMMENDATIONS

96043741837

MUR 3750 and MUR 3751

1. Find reason to believe that Friends of Corrine Brown and Gloria Simmons, as treasurer, violated 2 U.S.C. § 434(a)(1), but take no further action;
2. Find reason to believe that Ronnie Simmons violated 2 U.S.C. § 434(a)(1), but take no further action;
3. Approve the appropriate letters; and
4. Close the files.

MUR 3771

1. Find no reason to believe that Friends of Corrine Brown and Gloria Simmons, as treasurer, violated 2 U.S.C. §§ 441b(a) or 441a(f);
2. Find no reason to believe that Austin-Sheinkopf, Ltd. violated 2 U.S.C. § 441a(a)(1)(A);
3. Find no reason to believe that One Stop Economic Development Center, Inc. violated 2 U.S.C. § 441b(a);
4. Approve the appropriate letters; and
5. Close the file.

96043741838

Lawrence M. Noble
General Counsel

5/14/96
Date

Kim Bright-Coleman
BY: Kim Bright-Coleman
Associate General Counsel

96043741839

Tenilián

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Friends of Corrine Brown and)	MURs 3750, 3751,
Gloria Simmons, as treasurer;)	3771
Corrine Brown;)	
Ronnie Simmons;)	
One Stop Economic Development)	
Center, Inc.;)	
Austin-Sheinkopf, Ltd.)	

CORRECTED CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on June 6, 1996, do hereby certify that the Commission decided by a vote of 4-0 to take the following actions with respect to MURs 3750, 3751, 3771

96043741840

(continued)

Federal Election Commission
Certification: MURs 3750,
3751, AND 3771
June 6, 1996

Page 2

96043741841

(continued)

Federal Election Commission
Certification: NURs 3750,
3751, and 3771
June 6, 1996

Page 3

NUR 3750 and NUR 3751

1. Find reason to believe that Friends of Corrine Brown and Gloria Simmons, as treasurer, violated 2 U.S.C. § 434(a)(1), but take no further action;
2. Find reason to believe that Ronnie Simmons violated 2 U.S.C. § 434(a)(1), but take no further action;
3. Approve the appropriate letters as recommended in the General Counsel's May 14, 1996 report; and
4. Close the files.

(continued)

96043741842

Federal Election Commission
Certification: NURs 3750,
3751, and 3771
June 6, 1996

Page 4

~~NUR 3771~~

1. Find no reason to believe that Friends of Corrine Brown and Gloria Simmons, as treasurer, violated 2 U.S.C. §§ 441b(a) or 441a(f);
2. Find no reason to believe that Austin-Sheinkopf, Ltd. violated 2 U.S.C. § 441a(a)(1)(A);
3. Find no reason to believe that One Stop Economic Development Center, Inc. violated 2 U.S.C. § 441b(a);
4. Approve the appropriate letters as recommended in the General Counsel's May 14, 1996 report; and
5. Close the file.

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

Attest:

6-13-96
Date

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

96043741843



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 17, 1996

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Susan M. Lamb
President
Liberty and Justice for All
P.O. Box 17362
Jacksonville, Florida 32245

RE: MUR 3750

Dear Ms. Lamb:

This is in reference to the complaint you filed with the Federal Election Commission on March, 11, 1993, concerning the Friends of Corrine Brown committee.

Based on that complaint, on June 6, 1996, the Commission found that there was reason to believe Friends of Corrine Brown and Gloria Simmons, as treasurer, and Ronnie Simmons violated 2 U.S.C. § 434(a)(1), a provision of the Federal Election Campaign Act of 1971, as amended. However, after considering the circumstances of this matter, the Commission determined to take no further action against Friends of Corrine Brown and Gloria Simmons, as treasurer, and Ronnie Simmons, and closed the file in this matter on June 6, 1996. This matter will become part of the public record within 30 days. The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Matthew J. Tanielian
Law Clerk

Enclosure
General Counsel's Report

96043741844



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 17, 1996

Friends of Corrine Brown
Gloria Simmons, Treasurer
3109 River Bend Court, D-102
Laurel, Maryland 20724

RE: MURs 3750, 3751

Dear Mr. Simmons:

On June 6, 1996, the Federal Election Commission found that there is reason to believe Friends of Corrine Brown ("Committee") violated 2 U.S.C. § 434(a)(1), a provision of the Federal Election Campaign Act of 1971, as amended. However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its files. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

The Commission reminds the Committee that the signing of a report submitted to the Commission by persons other than the treasurer of a political committee is a violation of 2 U.S.C. § 434(a)(1). The Committee should take steps to ensure that this activity does not occur in the future.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact Matthew J. Tanielian, the staff member assigned to this matter, at (202) 219-3690.

Sincerely,

Lee Ann Elliott
Chairman

Enclosure
Factual and Legal Analysis

cc: Corrine Brown

96043741845



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 17, 1996

Elias Ronnie Simmons
1610 Longworth House Office Building
Washington, DC 20515-0903

RE: MURs 3750, 3751

Dear Mr. Simmons:

On June 6, 1996, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 434(a)(1), a provision of the Federal Election Campaign Act of 1971, as amended. However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its files. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

The Commission reminds you that the signing of a report submitted to the Commission by persons other than the treasurer of a political committee is a violation of 2 U.S.C. § 434(a)(1). You should take steps to ensure that this activity does not occur in the future.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact Matthew J. Tanielian, the staff member assigned to this matter, at (202) 219-3690.

Sincerely,

Lee Ann Elliott
Chairman

Enclosure
Factual and Legal Analysis

96043741846

FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

MURs: 3750, 3751

RESPONDENT: Ronnie Simmons

This matter was generated by the Federal Election Commission ("Commission") in the normal course of carrying out its supervisory responsibilities pursuant to the Federal Election Campaign Act of 1971, as amended ("FECA" or "Act"). 2 U.S.C. § 437g(a)(2). Friends of Corrine Brown ("Committee") was the principal campaign committee for Corrine Brown's 1992 race for the House of Representatives, 3rd District for the State of Florida. MURs 3750 and 3751 were complaint generated.

The FECA requires each treasurer of a political committee to file reports of receipts and disbursements and to sign each such report. 2 U.S.C. § 434(a)(1).

On March 15, 1993, the Commission received a complaint from Liberty and Justice for All, Susan M. Lamb, President, and on March 19, 1993, received a complaint from Winston R. Wood. Both complaints were based on newspaper articles in the *Gainesville Sun* on February 19, 1993 and March 27, 1993, and the *Florida Times-Union* in Jacksonville on February 24, 1993. The complainants alleged that staff person Ronnie Simmons forged the signature of the treasurer, Dr. Kenneth Jones, on two reports filed with the Commission in violation of 2 U.S.C. § 434(a)(1).

96043741847

Dr. Kenneth Jones was the treasurer during the 1992 campaign, and Ronnie Simmons has been identified by the Committee as Representative Brown's key assistant. The complaints were identical in that they both alleged that Ronnie Simmons "forged" disclosure reports by signing Dr. Jones's signature on two of the reports.

In its response to the complaints, the Committee admitted that Ronnie Simmons signed the two reports. However, the Committee explained that Mr. Simmons signed the report because it was difficult to locate Dr. Jones due to his medical practice, and as a result, the Committee frequently experienced significant delays between the time the report was prepared and the time Dr. Jones signed them. The Committee also submitted an affidavit of Ronnie Simmons in which he addressed one of the instances in which he signed Dr. Jones's name. In that instance, a Year-End Report was due on January 31, 1993; however, it was only on January 29 that the Committee became aware of the requirement to file the report. Mr. Simmons stated he did not believe he could secure the treasurer's signature on the report on time and that he believed that he was permitted to sign the report in lieu of the treasurer.

The Committee has admitted that it failed to obtain the treasurer's signature on two of the reports filed with the Commission. 2 U.S.C. § 434(a)(1). Therefore, the Commission has found reason to believe the Ronnie Simmons violated 2 U.S.C. § 434(a)(1). However, the Commission has also determined to take no further action with respect to the violation.

96043741848



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

THIS IS THE BEGINNING OF MUR # 3750

DATE FILMED 7-26-76 CAMERA NO. 2

CAMERAMAN MAJ

96043741849