



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

THIS IS THE BEGINNING OF MUR # 3790

DATE FILMED 5-11-94 CAMERA NO. 2

CAMERAMAN JMH

94030973626

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: December 7, 1992

ANALYST: Jennifer Henry

I. COMMITTEE: Committee to Elect Tony Valencia for Congress
(C00268128)
Donna Hussong, Treasurer^{1/}
268 1/2 Third Avenue
Chula Vista, CA 91910

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

III. BACKGROUND:

Failure to File a Required Report as of Election Day

The Committee to Elect Tony Valencia for Congress ("the Committee") failed to file the 1992 12 Day Pre-General Report of Receipts and Disbursements as of Election Day, November 3, 1992. The Committee was notified on September 28, 1992, that the 1992 12 Day Pre-General Report was due October 22, 1992 (Attachment 2). A mailgram was sent to the Committee on October 23, 1992 for failure to file the 1992 12 Day Pre-General Report (Attachment 3). The mailgram informed the Committee that failure to file the report within four (4) business days might result in publication, audit or legal enforcement action. The name of the Committee was published for failure to file the 1992 12 Day Pre-General Report on October 30, 1992 (Attachment 4). On November 18, 1992, the Reports Analysis Division analyst attempted to make contact with the candidate and the treasurer to inform them that the report should be filed and that failure to file reports in a timely manner was a serious violation subject to enforcement

^{1/} Walter R. Ludlow signed the 1992 October Quarterly Report; however, the Committee has not filed an amended Statement of Organization listing a change in treasurers. A review of the Committee's reports did not disclose an address for Walter R. Ludlow.

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COMMITTEE TO ELECT TONY VALENCIA FOR
CONGRESS
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

action (Attachment 5). As both have unlisted numbers, no contact was possible.

The report has not been filed as of this date.



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

VALENCIA, TONY	HOUSE 50 REPUBLICAN PARTY			CALIFORNIA	1992 ELECTION	ID# H2CA50067	
1. STATEMENT OF CANDIDATE							
1992 STATEMENT OF CANDIDATE					18MAY92		1 92HSE/451/2106
2. PRINCIPAL CAMPAIGN COMMITTEE							
COMMITTEE TO ELECT TONY VALENCIA FOR CONGRESS						ID #C00268128	HOUSE
1992 STATEMENT OF ORGANIZATION						18MAY92	1 92HSE/451/2105
APRIL QUARTERLY		5,200		5,699		1APR92 -13MAY92	2 92HSE/451/2102
REQUEST FOR ADDITIONAL INFORMATION						1APR92 -13MAY92	2 92FEC/772/4454
REQUEST FOR ADDITIONAL INFORMATION 2ND						1APR92 -13MAY92	3 92FEC/777/2790
JULY QUARTERLY		8,750		9,422		14MAY92 -30JUN92	9 92HSE/460/0658
REQUEST FOR ADDITIONAL INFORMATION						14MAY92 -30JUN92	2 92FEC/782/2526
REQUEST FOR ADDITIONAL INFORMATION 2ND						14MAY92 -30JUN92	3 92FEC/786/5257
OCTOBER QUARTERLY			30,800		32,687	1JUL92 -30SEP92	12 92HSE/481/3407
NOTICE OF FAILURE TO FILE						1JUL92 -30SEP92	1 92FEC/799/5221
NOTICE OF FAILURE TO FILE						1OCT92 -14OCT92	1 92FEC/800/1914
TOTAL		13,950	30,800	15,121	32,687		36 TOTAL PAGES
3. AUTHORIZED COMMITTEES							
4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN							

All reports have been reviewed.
 Ending cash-on-hand as of 9/30/92: \$1467
 Outstanding debts owed to/by the Committee as of 9/30/92: \$0

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GENERAL ELECTION REPORT NOTICE

FEDERAL ELECTION COMMISSION

CONGRESSIONAL

September 28, 1992

1992 GENERAL ELECTION CANDIDATE COMMITTEES

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
Pre-General	10/01/92 - 10/14/92	10/19/92	10/22/92
Post-General	10/15/92 - 11/23/92	12/03/92	12/03/92

WHO MUST FILE

All 1992 general election principal campaign committees of congressional candidates (including unopposed candidates) who seek election in the November 3, 1992 General Election must file the Pre- and Post-General Election Reports.

WHO NEED NOT FILE

Principal campaign committees of candidates not active in the 1992 elections (i.e., committees active in past or future elections) and 1992 campaign committees not participating in the general election do not file the Pre- and Post-General Reports.

48 HOUR NOTICES ON CONTRIBUTIONS

Notices are required if the committee receives contributions (including contributions and loans from the candidate's personal funds; and endorsements or guarantees of bank loans) of \$1,000 or more, during the period of October 15 through October 31. The notices must reach the appropriate federal and state filing offices within 48 hours of the committee's receipt of the contribution(s).

LABEL

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

COMPLIANCE

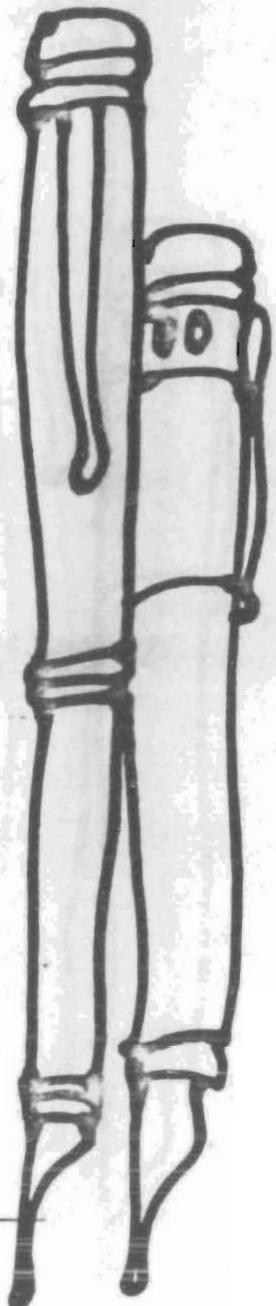
TREASURERS OF POLITICAL COMMITTEES ARE RESPONSIBLE FOR FILING ALL REPORTS ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT ACTION. COMMITTEES FILING ILLEGIBLE REPORTS OR USING NON-FEC FORMS WILL BE REQUIRED TO REFILE.

*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.

**Reports sent by registered or certified mail must be post-marked by the mailing date; otherwise, they must be received by the filing date.

FOR INFORMATION, Call: 800/424-9530 or 202/219-3420

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BQ-7

(This is a copy of the text of a mailgram sent to the committee listed below on October 23, 1992.)

Donna Hussong, Treasurer
Committee to Elect Tony Valencia
for Congress
268 1/2 Third Avenue
Chula Vista, CA 91910

Identification Number: C00268128

Reference: 12 DAY PRE-GENERAL REPORT (10/1/92-10/14/92)

It has come to the attention of the Federal Election Commission that you may have failed to file the 12 Day Pre-General report of receipts and expenditures as required by the Federal Election Campaign Act. You were previously notified of the due date for this report.

You will be allowed four (4) business days from the date of this notice to file the 12 Day Pre-General Report. The report should be filed with the Clerk of the House, Office of Records and Registration, 1036 Longworth House Office Building, Washington, DC 20515, or the Secretary of the Senate, Office of Public Records, 232 Hart Senate Office Building, Washington, DC 20510, as appropriate. A copy of the report should also be filed with the appropriate Secretary of State or equivalent state officer.

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

If you have any questions regarding this matter, please contact the Reports Analysis Division on our toll free number (800) 424-9530 or on our local number (202) 219-3580.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

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FEDERAL ELECTION COMMISSION

Press Office
909 E Street, N.W., Washington, DC 20542
Phone: Local 202-219-4155 Tel Free 800-424-9630



ATTACHMENT 4
PAGE 1 OF 1

FOR IMMEDIATE RELEASE
OCTOBER 30, 1992

CONTACT: FRED KILAND
SHARON SHYDER
SCOTT WOXLEY

FEC CITES COMMITTEES FOR FAILING TO FILE PRE-ELECTION REPORTS

WASHINGTON -- The Federal Election Commission today cited 28 campaigns for failing to file the required pre-general election report of financial activity.

The reports were due by close of business October 22, covering activity from October 1 through October 14. If sent by certified or registered mail, they should have been postmarked by October 19. Committees were notified of their filing requirements on September 28 and those which failed to file were again notified by mailgram on October 23.

As of 5 p.m. October 29, reports from the following committees had not been filed:

PRESIDENT

Populist Party of America-Nat'l Cate/Bo Gritz for President...Bo Gritz...Pop
Marrou for President...Andre Marrou...Lib

SENATE

** AL.....Sellers for U.S. Senate Committee...Richard D. Sellers...Rep
CA.....Genis for U.S. Senate...June R. Genis...Lib
GA.....Jim Hudson for Senate Committee...James T. Hudson, Jr....Lib
UT.....Anita R. Morrow for Senate...Anita R. Morrow...Pop

HOUSE

AR/01...Terry Hayes for Congress Committee...Terry Hayes...Rep
CA/29...Davis for Congress...David Davis...Ind
CA/51...Committee to Elect Bea Herbert...Beatrice S. Herbert...Dem
CA/50...Committee to Elect Tony Valencia for Congress...Tony Valencia...Rep
FL/17...Carrie Meek for Congress...Carrie P. Meek...Dem
IL/01...Citizens for Jay Walker...James E. Walker, II...Rep
IL/19...Douglas E. Lee for Congress Committee...Douglas E. Lee...Rep
IN/02...Ted Shaver for Congress Committee...Theodore J. Shaver...Unk
IN/04...Pierson for Congress Committee Inc...Charles W. Pierson...Rep
IA/09...Conboy to Congress Committee...Martin D. Conboy...Rep
MO/01...Citizens for Montgomery...Arthur S. Montgomery...Rep
MS/05...Shawn O'Hara for Congress...Shawn Richard O'Hara...Ind
NJ/01...Solomon for Congress Committee...Lee A. Solomon...Rep
* NC/01...Committee to Elect Ted Tyler...Ted Tyler...Rep
* NY/06...Simeon Golar for Congress...Simeon Golar...Liberal
* OK/06...Anthony for Congress...Bob Anthony...Rep
* OH/05...Jim Seagraves for Congress...James A. Seagraves...Rep
* PA/17...Pennsylvanians for Bill Sturges...Bill Sturges...Dem
TX/21...Caddy for Congress...James N. Gaddy...Dem
** TX/30...Lucy Cain for Congress...Lucy J. Cain...Rep
TX/30...Eddie Bernice Johnson for Congress...Eddie Bernice Johnson...Dem
WA/06...People Supporting Tom Donnelly for Congress...Tom Donnelly...Ind

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

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

Further Commission action against non-filers or late filers is decided on a case-by-case basis. Federal election law gives the FEC broad authority to initiate enforcement actions, including the imposition of civil penalties (\$5,000 for "any violation" and \$10,000 for any "knowing and willful" violation) for infractions of the law.

The next report due for general election candidates will be the 30-day post election report, due December 3. It will cover activity from October 15 through November 23.

NOTES

* Pre-election reports for these committees were received after 5 p.m. October 29, the deadline for publication.

** These committees also failed to file the October Quarterly report. That report was due October 15, covering activity from July 1 through September 30. Committees were notified of their filing requirements on September 21, and again, by mailgram, on October 22.

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MEMORANDUM FOR FILES: T E L E C O N

SUBJECT: FAILURE TO FILE 12G

FROM: JENNIFER HENRY, REPORTS ANALYST

TO: WHOM IT MAY CONCERN

NAME OF COMMITTEE: COMMITTEE TO ELECT TONY VALENCIA TO CONGRESS, C00268128

DATE: 11/18/92

This analyst tried, without any success, to contact all persons listed on the Committee's Form 1, but neither the candidate, Tony Valencia, (or his wife, Gloria Valencia) nor the Treasurer, Donna Hussong, have listed phone numbers.

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SENSITIVE

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

FIRST GENERAL COUNSEL'S REPORT

RAD Referral: #92NF-13
Staff Member: Tamara Kapper

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

RESPONDENTS: Committee to Elect Tony Valencia for Congress and
Walter Ludlow, acting as treasurer

RELEVANT STATUTES: 2 U.S.C. § 433(c)
2 U.S.C. § 434(a)(2)(A)(i)

INTERNAL REPORTS CHECKED: Referral Material
Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

The Office of the General Counsel received a referral from the Reports Analysis Division on December 8, 1992. Attachment 1. The basis of the attached referral is the failure of the Committee to Elect Tony Valencia for Congress and Walter Ludlow, acting as treasurer ("Valencia Committee"), to file their 1992 12 Day Pre-General Report.¹ The candidate, Tony Valencia, lost the November 3, 1992, general election for the U.S. House of Representatives from the 50th Congressional District in the State of California with twenty-nine percent (29%) of the vote.

1. On April 16, 1993, subsequent to this Office receiving the RAD referral, the Valencia Committee filed the report.

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II. FACTUAL AND LEGAL ANALYSIS

A. Failure to File in a Timely Manner

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that in any calendar year in which regularly scheduled elections are held, the treasurer of the principal campaign committee of a candidate seeking election shall file a pre-election report no later than the 12th day before any election in which such candidate is seeking election. 2 U.S.C. § 434(a)(2)(A)(i).

Pursuant to 2 U.S.C. § 434(a)(2)(A)(i) the Valencia Committee was required to file the 1992 12 Day Pre-General Report no later than October 22, 1992. The Valencia Committee was notified, in writing, on September 28, 1992, that the 1992 12 Day Pre-General Report was due on October 22, 1992. On October 23, 1992, the Commission sent the Valencia Committee a non-filer notice for failing to file the report. The notice informed the committee that failure to file the report might result in audit or legal enforcement action.

The Valencia Committee filed the 1992 12 Day Pre-General Report on April 16, 1993, 176 days late, disclosing receipts totalling \$16,791 and disbursements totalling \$14,123. Therefore, this Office recommends that the Commission find reason to believe that Respondents violated 2 U.S.C. § 434(a)(2)(A)(i) by failing to file timely their 1992 12 Day Pre-General Report.

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B. Failure to Amend Statement of Organization

Authorized principal campaign committees are required to file statements of organization. 2 U.S.C. § 433(a). Pursuant to 2 U.S.C. § 433(c), political committees are required to submit changes to information previously submitted in their statements of organization no later than 10 days after the changes take place.

According to the Valencia Committee's statement of organization Donna Hussong is the treasurer of record. However, according to the disclosure reports filed by the Valencia Committee the last report Ms. Hussong signed was the 1992 July Quarterly Report. Mr. Walter Ludlow signed the 1992 October Quarterly, 12 Day Pre-General,² 30 Day Post-General, Year End, and Amended Year End Reports as the Valencia Committee's treasurer. Attachment 2. Thus, it appears that Walter Ludlow is acting as the treasurer for the Valencia Committee. Mr. Ludlow recently contacted the RAD analyst by telephone and stated that he would file an amendment to the statement of

2. The report filed by the Valencia Committee was marked the 1992 October Quarterly Report, however, the coverage dates (10/1/92-10/14/92) indicate that the report covered activity that occurred during the 1992 12 Day Pre-General reporting period. The Valencia Committee previously filed its 1992 October Quarterly Report on October 28, 1992.

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organization notifying the Commission that he was the new treasurer. To date, the Valencia Committee has not submitted an amendment to its statement of organization reflecting a change in treasurer. Therefore, this Office recommends that the Commission find reason to believe that the Committee to Elect Tony Valencia for Congress and Walter Ludlow, acting as treasurer, violated 2 U.S.C. § 433(c).

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

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IV. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe the Committee to Elect Tony Valencia to Congress and Walter Ludlow, acting as treasurer, violated 2 U.S.C. §§ 434(a)(2)(A)(i) and 433(c), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the attached Factual and Legal Analysis, the attached proposed Conciliation Agreement and the appropriate letter.

Lawrence M. Noble
General Counsel

Date

6/11/93

BY:



Lois G. Lerner
Associate General Counsel

Attachments

1. Referral Materials
2. Summary Pages from Five (5) Reports
3. Factual and Legal Analysis
4. Proposed Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Committee to Elect Tony Valencia) RAD Referral
for Congress and Walter Ludlow,) #92NF-13
acting as treasurer) MUR 3790

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 17, 1993, the Commission decided by a vote of 5-0 to take the following actions with respect to RAD Referral #92NF-13:

1. Open a MUR.
2. Find reason to believe the Committee to Elect Tony Valencia to Congress and Walter Ludlow, acting as treasurer, violated 2 U.S.C. §§ 434(a)(2)(A)(i) and 433(c), and enter into conciliation prior to a finding of probable cause to believe.

(continued)

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3. Approve the Factual and Legal Analysis, the proposed Conciliation Agreement, and the appropriate letter, as recommended in the General Counsel's report dated June 11, 1993.

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

Attest:

6-18-93
Date

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

Received in Secretariat: Monday, June 14, 1993 12:26 p.m.
Circulated to Commission: Monday, June 14, 1993 4:00 p.m.
Deadline for Vote: Thursday, June 17, 1993 4:00 p.m.

mwe

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

JUNE 22, 1993

Walter Ludlow, Acting as Treasurer
Committee to Elect Tony Valencia
for Congress
5744 Good Karma Lane
Bonita, CA 91902

RE: MUR 3790
Committee to Elect Tony Valencia
for Congress and Walter Ludlow,
acting as treasurer

Dear Mr. Ludlow:

On June 17, 1993, the Federal Election Commission found that there is reason to believe the Committee to Elect Tony Valencia for Congress ("Committee") and you, acting as treasurer, violated 2 U.S.C. §§ 433(c) and 434(a)(2)(A)(i), provisions 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, acting 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, acting as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

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

If you are interested in expediting the resolution of this matter by pursuing preprobable cause conciliation and if you

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Mr. Ludlow
Page 2

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 Tamara Kapper, the staff member assigned to this matter, at (202) 219-3690.

Sincerely,



Scott E. Thomas
Chairman

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

cc: Tony Valencia

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Committee to Elect Tony Valencia MUR: 3790
for Congress and Walter Ludlow,
acting as treasurer

This matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2).

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that in any calendar year in which regularly scheduled elections are held, the treasurer of the principal campaign committee of a candidate seeking election shall file a pre-election report no later than the 12th day before any election in which such candidate is seeking election. 2 U.S.C. § 434(a)(2)(A)(i).

According to its statement of organization filed with the Commission, the Committee to Elect Tony Valencia to Congress is the authorized principal campaign committee of Tony Valencia. Donna Hussong is the treasurer of record of the Committee to Elect Tony Valencia to Congress. Mr. Valencia was a candidate for the U.S. House of Representatives from the 50th District of the State of California in the November 3, 1992, general election.

Pursuant to 2 U.S.C. § 434(a)(2)(A)(i) the Valencia Committee was required to file the 1992 12 Day Pre-General Report no later than October 22, 1992. The Valencia Committee

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was notified, in writing, on September 28, 1992, that the 1992 12 Day Pre-General Report was due on October 22, 1992. On October 23, 1992, the Commission sent the Valencia Committee a non-filer notice for failing to file the report. The notice informed the committee that failure to file the report might result in audit or legal enforcement action.

The Valencia Committee filed the 1992 12 Day Pre-General Report on April 16, 1993, 176 days late, disclosing receipts totalling \$16,791 and disbursements totalling \$14,123. Therefore, there is reason to believe that Respondents violated 2 U.S.C. § 434(a)(2)(A)(i) by failing to file timely the 1992 12 Day Pre-General Report.

Authorized principal campaign committees are required to file statements of organization. 2 U.S.C. § 433(a). Pursuant to 2 U.S.C. § 433(c), political committees are required to submit changes to information previously submitted in their statements of organization no later than 10 days after the changes take place.

As previously stated, Donna Hussong is the treasurer of record. However, according to Commission records the last report Ms. Hussong signed was the 1992 July Quarterly Report. Mr. Walter Ludlow signed the 1992 October Quarterly, 12 Day Pre-General,¹ 30 Day Post-General, Year End, and Amended Year

1. The report filed by the Valencia Committee was marked the 1992 October Quarterly Report, however, the coverage dates (10/1/92-10/14/92) indicate that the report covered activity that occurred during the 1992 12 Day Pre-General reporting period. The Valencia Committee previously filed its 1992 October Quarterly on October 28, 1992.

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End Reports as the Valencia Committee's treasurer. Thus, it appears that Walter Ludlow is acting as treasurer for the Valencia Committee. To date, the Valencia Committee has not submitted an amendment to its statement of organization reflecting a change in treasurer. Therefore, there is reason to believe that the Committee to Elect Tony Valencia for Congress and Walter Ludlow, acting as treasurer, violated 2 U.S.C. § 433(c).

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JULY 29, 1993

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Walter Ludlow, Treasurer
Committee to Elect Tony Valencia
for Congress
3545 Camino del Rio South, Suite C
San Diego, CA 92108

RE: MUR 3790

Dear Mr. Ludlow:

On June 22, 1993, you were notified that the Federal Election Commission determined to enter into negotiations directed toward reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. On that same date you were sent a conciliation agreement offered by the Commission in settlement of this matter.

Please note that conciliation negotiations entered into prior to a finding of probable cause to believe are limited to a maximum of 30 days. To date, you have not responded to the proposed agreement. The 30 day period for negotiations has expired. Unless we receive a response from you within five days, this Office will consider these negotiations terminated and will proceed to the next stage of the enforcement process.

Should you have any questions, please contact me at the toll-free number (800) 424-9530 or my local number (202) 219-3690.

Sincerely,

Tamara K. Kapper
Paralegal

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OGC 9766

LUDLOW & HARRISON
a CPA Corporation

3545 Camino Del Rio South, Suite C
San Diego, CA 92108

(619) 283-3333
Fdx. (619) 283-7997

August 18, 1993

Ms Kapper
Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

RE: MUR 3790
Committee to Elect Tony Valencia for Congress
Identification Number: C00268128

Dear Ms Kapper:

The official treasurer for the Committee was Donna Hussong. Sometime around last September of 1992 Donna's personal life was tossed upside down as she found herself in the position of going through a divorce. She was no longer available to sign the required reports. At that time the candidate's wife, Gloria Valencia, was in my employ as a receptionist. Gloria initially asked me if I would allow her time to help in filling out these required reports. Subsequently, inasmuch as no one was able to locate Donna Hussong, Gloria asked me if I would be willing to sign the reports. I saw my role as one of helping a friend in need, not aware of any requirement to notify the Commission by so doing. While recognizing the need to maintain a set of rules and procedures to protect the democratic process, I believe that there is and should be a fine line allowing for the goodwill of people who are honestly trying just to help, albeit in ignorance of all the procedures.

As for the October report being filed 176 days late, I am at a total loss. I signed the report, and the FEC has a copy of this report with my signature, dated 10/29/92. This was for the period ending 10/14/92. Gloria Valencia assures me that she sent out the report that day, but cannot produce any evidence of it. When it was brought to my attention that the Commission did not have a copy on file, I took another photocopy of the report I had on file and sent it in immediately. At this point, since there is no longer a campaign, everyone has disappeared and I seem to be the Committee.

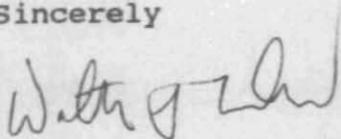
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Ms. Kapper
Office of the General Counsel
Federal Election Committee
August 18, 1993
page 2

All my correspondence to the commission is now being sent certified mail, and I am wondering how in the world I got talked into helping out in this regard. The candidate is currently unemployed. The Committee has a total of \$ 690 in funds, which is diminishing at the rate of \$ 10 per month for bank charges. There are unpaid campaign debts totaling \$ 6,374, excluding the \$ 15,000 loaned by the candidate himself.

Your consideration of this matter is appreciated.

Sincerely



Walter S. Ludlow

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BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of)
)
Committee to Elect Tony Valencia) MUR 3790
for Congress and Walter Ludlow,)
as treasurer)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On June 17, 1993, the Federal Election Commission (the "Commission") found reason to believe that the Committee to Elect Tony Valencia for Congress and Walter Ludlow, as treasurer, ("Valencia Committee") violated 2 U.S.C. §§ 433(c) and 434(a)(2)(A)(i), respectively, for the failure to amend its statement of organization within ten (10) days of a change in treasurer¹ and the failure to file timely its 1992 12 Day Pre-General Report. On that same date, the Commission offered to enter into conciliation negotiations with the Valencia Committee prior to a finding of probable cause to believe and approved a proposed conciliation

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1. On June 1, 1993, the Valencia Committee submitted an amendment to its statement of organization notifying the Commission that the new treasurer is Walter Ludlow.

II. RECOMMENDED ACTION IN LIGHT OF FEC v. NRA

This report contains recommendations to assure that this matter conforms to the Court's opinion in FEC v. NRA Political Victory Fund, et al., No. 91-5360 (D.C. Cir. Oct. 22, 1993) ("NRA"). Based upon the original referral from the Reports Analysis Division and consistent with the Commission's November 9, 1993, decisions concerning compliance with the NRA opinion, this Office recommends that the Commission revoke its determinations to: 1) open a MUR; 2) find reason to believe that the Valencia Committee violated 2 U.S.C. §§ 433(c) and 434(a)(2)(A)(i); 3) approve the factual and legal analysis that was attached to the First General Counsel's Report dated June 11, 1993; and 4) enter into preprobable cause conciliation with the Valencia Committee. For the convenience of the Commission, this Office has attached the certification in this matter dated June 18, 1993. Attachment 3.

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V. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that the Committee to Elect Tony Valencia for Congress and Walter Ludlow, as treasurer, violated 2 U.S.C. §§ 433(c) and 434(a)(2)(A)(i).
3. Enter into conciliation prior to a finding of probable cause to believe with the Committee to Elect Tony Valencia for Congress and Walter Ludlow, as treasurer, regarding the violations of 2 U.S.C. §§ 433(c) and 434(a)(2)(A)(i).
4. Approve the factual and legal analysis that was attached to the First General Counsel's Report dated June 11, 1993.

5. Approve the terms of the attached conciliation agreement. Attachment 4.
6. Approve the appropriate letter.

Lawrence M. Noble
General Counsel

Date 1/10/54

BY: 
Lois G. Lerner
Associate General Counsel

94030973653

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Committee to Elect Tony Valencia) MUR 3790
for Congress and Walter Ludlow,)
as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 13, 1994, the Commission decided by a vote of 6-0 to take the following actions in MUR 3790:

1. Open a MUR.
2. Find reason to believe that the Committee to Elect Tony Valencia for Congress and Walter Ludlow, as treasurer, violated 2 U.S.C. §§ 433(c) and 434(a)(2)(A)(i).
3. Enter into conciliation prior to a finding of probable cause to believe with the Committee to Elect Tony Valencia for Congress and Walter Ludlow, as treasurer, regarding the violations of 2 U.S.C. §§ 433(c) and 434(a)(2)(A)(i).
4. Approve the factual and legal analysis that was attached to the First General Counsel's Report dated June 11, 1993.

(continued)

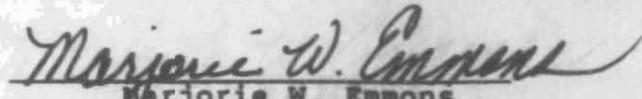
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5. Approve the terms of the conciliation agreement, as recommended in the General Counsel's Report dated January 10, 1994.
6. Approve the appropriate letter, as recommended in the General Counsel's Report dated January 10, 1994.

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

Attest:

1-13-94
Date


Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Mon., Jan. 10, 1994 3:56 p.m.
Circulated to the Commission: Tues., Jan. 11, 1994 11:00 a.m.
Deadline for vote: Fri., Jan. 14, 1994 4:00 p.m.

bjr

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FEDERAL ELECTION COMMISSION

JANUARY 21, 1994

Walter Ludlow, Treasurer
Committee to Elect Tony Valencia
for Congress
3545 Camino Del Rio South, Suite C
San Diego, CA 92108

RE: MUR 3790
Committee to Elect Tony Valencia
for Congress and Walter Ludlow, as
treasurer

Dear Mr. Ludlow:

On June 17, 1993, the Federal Election Commission found reason to believe that the Committee to Elect Tony Valencia for Congress and you, as treasurer, violated 2 U.S.C. §§ 433(c) and 434(a)(2)(A)(i), and subsequently entered into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

As you may be aware, on October 22, 1993, the D.C. Circuit declared the Commission unconstitutional on separation of powers grounds due to the presence of the Clerk of the House of Representatives and the Secretary of the Senate or their designees as members of the Commission. FEC v. NRA Political Victory Fund, No. 91-5360 (D.C. Cir. Oct. 22, 1993). Since the decision was handed down, the Commission has taken several actions to comply with the court's decision. While the Commission petitions the Supreme Court for a writ of certiorari, the Commission, consistent with that opinion, has remedied any possible constitutional defect identified by the Court of Appeals by reconstituting itself as a six-member body without the Clerk of the House and the Secretary of the Senate or their designees. In addition, the Commission has adopted specific procedures for revoting or ratifying decisions pertaining to open enforcement matters.

In this matter, on January 13, 1994, the Commission revoted to find reason to believe that the Committee and you, as treasurer, violated 2 U.S.C. §§ 433(c) and 434(a)(2)(A)(i), and

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Mr. Ludlow
Page 2

to approve the Factual and Legal Analysis previously mailed to you. You should refer to that document for the basis of the Commission's decision. If you need an additional copy, one will be provided upon request.

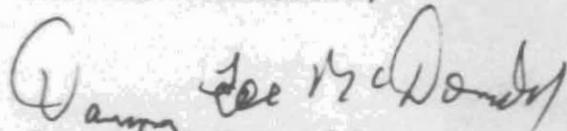
Furthermore, the Commission revoted to enter into conciliation negotiations prior to a finding of probable cause to believe

In view of the NRA decision, and the reconstitution of the Commission as a six-member body, it is necessary that you sign the enclosed conciliation agreement reflecting those terms. Please sign and return the enclosed agreement within ten days. The check for the civil penalty should be made payable to the Federal Election Commission.

Given the unique circumstances engendered by the NRA decision, conciliation negotiations, prior to a finding of probable cause to believe, will be limited to a maximum of 30 days.

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

For the Commission,


Danny Lee McDonald
Vice Chairman

Enclosure
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
F.E.C.
SECRETARIAT

In the Matter of)
)
Committee to Elect)
Tony Valencia for Congress)
and Walter Ludlow, as)
treasurer)

MUR 3790

94 APR -5 AM 10:25

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement that has been signed by the treasurer of the Committee to Elect Tony Valencia, Walter Ludlow. Attachment 1.

The attached agreement contains no changes from the agreement approved by the Commission on January 13, 1994. Payment of the civil penalty has not been received by the Commission.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with the Committee to Elect Tony Valencia for Congress and Walter Ludlow, as treasurer.
2. Close the file in this matter.
3. Approve the appropriate letter.

Lawrence M. Noble
General Counsel

Date

4/4/94

BY:


Lois G. Lerner
Associate General Counsel

Attachment

Conciliation Agreement, dated 3/28/94

Staff Member: Tamara Kapper

94030973658

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Committee to Elect Tony Valencia) MUR 3790
for Congress and Walter Ludlow,)
as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 8, 1994, the Commission decided by a vote of 5-0 to take the following actions in MUR 3790:

1. Accept the conciliation agreement with the Committee to Elect Tony Valencia for Congress and Walter Ludlow, as treasurer, as recommended in the General Counsel's Report dated April 4, 1994.
2. Close the file in this matter.
3. Approve the appropriate letter, as recommended in the General Counsel's Report dated April 4, 1994.

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

Attest:

4-8-94
Date

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

Received in the Secretariat:	Tues., April 5, 1994	10:25 a.m.
Circulated to the Commission:	Tues., April 5, 1994	4:00 p.m.
Deadline for vote:	Fri., April 8, 1994	4:00 p.m.

bjr

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 11, 1994

Walter Ludlow, Treasurer
Committee to Elect Tony Valencia
for Congress
3545 Camino Del Rio South, Suite C
San Diego, CA 92108

RE: MUR 3790
Committee to Elect Tony Valencia
for Congress and Walter Ludlow, as
treasurer

Dear Mr. Ludlow:

On April 8, 1994, the Federal Election Commission accepted the signed conciliation agreement that you submitted in settlement of a violation of 2 U.S.C. §§ 433(c) and 434(a)(2)(A)(i), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter.

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.

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

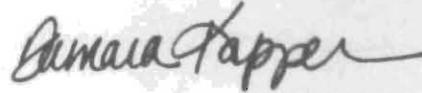
Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation

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Mr. Ludlow
Page 2

agreement's effective date. If you have any questions, please contact me at my local number (202) 219-3690 or the toll-free number (800) 424-9530.

Sincerely,



Tamara Kapper
Paralegal

Enclosure
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 3790
Committee to Elect Tony Valencia)
to Congress and Walter Ludlow,)
as treasurer)

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CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Committee to Elect Tony Valencia to Congress and Walter Ludlow, as treasurer, ("Respondents") violated 2 U.S.C. §§ 433(c) and 434(a)(2)(A)(i).

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

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

§ 437g(a)(4)(A)(i).

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

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

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

1. The Committee to Elect Tony Valencia to Congress is a political committee within the meaning of 2 U.S.C. § 431(4), and is the authorized principal campaign committee for Tony Valencia's 1992 congressional campaign.

2. Walter Ludlow is the treasurer for the Committee to Elect Tony Valencia for Congress.

3. The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that for years in which regularly scheduled elections are held, the treasurer of the principal campaign committee of a candidate seeking election shall file a pre-election report no later than the 12th day before any election in which such candidate is seeking election. 2 U.S.C. § 434(a)(2)(A)(i).

4. Pursuant to 2 U.S.C. § 434(a)(2)(A)(i), Respondents were required to file their 1992 12 Day Pre-General Report no later than October 22, 1992. Respondents filed the report on April 16, 1993, 176 days late, disclosing receipts totaling \$16,791 and disbursements totaling \$14,123.

5. The Act also requires each authorized principal campaign committee of a federal candidate to file a statement of organization. 2 U.S.C. § 433(a). Any changes in information previously submitted in the statement of organization shall be reported no later than 10 days after the date of the change. 2 U.S.C. § 433(c).

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6. Pursuant to 2 U.S.C. § 433(c), Respondents were required to file an amendment to their statement of organization no later than 10 days after the change in treasurer.

Walter Ludlow signed the Valencia Committee's 1992 October Quarterly, 12 Day Pre-General, 30 Day Post-General, Year End and Amended Year End Reports as the Committee's treasurer.

7. Respondents filed an amendment to their statement of organization to reflect the change in treasurer on June 1, 1993.

V. 1. Respondents failed to file timely their 1992 12 Day Pre-General Report in violation of 2 U.S.C. § 434(a)(2)(A)(i).

2. Respondents failed to amend their statement of organization to reflect a change in treasurer within 10 days of when the change took place in violation of 2 U.S.C. § 433(c).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of one thousand dollars (\$1,000), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

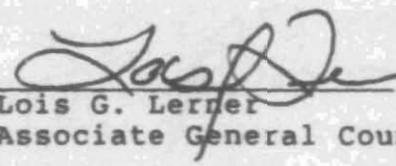
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IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

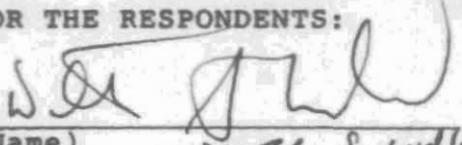
X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY:  4-11-94
Lois G. Lerner Date
Associate General Counsel

FOR THE RESPONDENTS:

 3/17/84
(Name) Walter S. Ludlow Date
(Position) Treasurer

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3790

DATE FILMED 5-11-94 CAMERA NO. 2

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FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

Microfilm
 Public Rcds
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THE FOLLOWING DOCUMENTATION IS ADDED TO
THE PUBLIC RECORD IN CLOSED MUR 3790.

7/14/94

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CLOSED

JUNE 21, 1994

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Walter Ludlow, Treasurer
Committee to Elect Tony Valencia
for Congress
3545 Camino Del Rio South, Suite C
San Diego, CA 92108

RE: MUR 3790
Committee to Elect Tony Valencia
for Congress and Walter Ludlow, as
treasurer

Dear Mr. Ludlow:

On April 11, 1994, the Federal Election Commission and the Committee to Elect Tony Valencia for Congress and you, as treasurer, entered into a conciliation agreement in settlement of violations of 2 U.S.C. §§ 433(c) and 434(a)(2)(A)(i). According to the agreement, you were required to pay a civil penalty of \$1,000.

According to Commission records, your payment has not been received. Please be advised that, pursuant to 2 U.S.C. § 437g(a)(5)(D), violation of any provision of the conciliation agreement may result in the institution of a civil suit for relief in the United States District Court. Unless we receive the payment from you in five days, this Office will recommend that the Commission file suit to remedy this violation.

If you believe the Commission's records are in error, or if you have any questions, please contact me at my local number (202) 219-3690 or the toll free number (800) 424-9530.

Sincerely,

Tamara Kapper
Paralegal

94043535477



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Date: 9/28/94

 Microfilm
 Public Records
 Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED ROR 3790

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COUNSEL
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August 17, 1994

Ms. Tamara K. Kapper
Federal Election Committee
Washington DC 20463

RE: MUR 3790

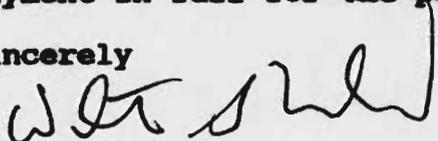
Dear Ms Kapper

As you know, the Committee to Elect Tony Valencia to Congress was assessed a fine in the amount of \$ 1,000. Of this amount, \$ 580 has been paid, leaving a balance owing of \$ 420. The purpose of this letter is to make a formal request to have the balance owed forgiven.

As of today, the Committee has no money or other resources. Neither the Candidate, Tony Valencia, or his wife are earning any income. Moreover, Tony has made many and repeated attempts to raise money to resolve this issue. No one has to date stepped forward to help. It appears that no one wants to help the candidate that has lost the election. As for myself as Treasurer, I have my own problems with a federal IRS lien.

In summary, I respectfully request that this issue be allowed to be closed with the amount that has already been paid serving as payment in full for the penalty assessed.

Sincerely



Walter S. Ludlow

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Date: 10/27/94

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THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED NUR 3790

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COMMISSION
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BEFORE THE FEDERAL ELECTION COMMISSION **Oct 13 12 21 PM '94**

In the Matter of)
)
Committee to Elect Tony)
Valencia for Congress and)
Walter Ludlow, as treasurer)

NUR 3790

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On July 25, 1994, this Office circulated a General Counsel's Report recommending that the Commission file a civil suit for relief in United States District Court against the Committee to Elect Tony Valencia for Congress Committee and Walter Ludlow, as treasurer, ("Valencia Committee") for the failure to pay a \$1,000 civil penalty, pursuant to the terms of a conciliation agreement entered into by the Commission and the Valencia Committee on April 11, 1994. Soon after this Office circulated the report to the Commission, Respondents submitted a partial payment (\$580) of the civil penalty.

On July 28, 1994, staff from this Office contacted Mr. Ludlow to inquire about the outstanding balance of the penalty. Mr. Ludlow stated that he would send the Commission the remaining \$420 on August 5, 1994. On August 2, 1994, during the Executive Session meeting, staff from this Office advised the Commission of the latest developments in the case, and withdrew its recommendation in light of the promised payment.

II. DISCUSSION OF RESPONDENTS' REQUEST

We did not receive the promised balance from the Valencia Committee. Instead, on August 22, 1994, Respondents submitted a

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letter requesting that the \$420 balance be forgiven by the Commission. Attachment 1. The basis for Respondents' request is financial hardship by both the candidate and the treasurer. According to Respondents, the Valencia Committee has no money or other resources; the candidate and his wife are unemployed; and the candidate has exhausted all avenues of fundraising to raise the balance of the penalty. Further, the treasurer contends that he is experiencing financial difficulties due to the Internal Revenue Service placing a lien on his income. Id.

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III. RECOMMENDATIONS

1. Accept the partial payment of the civil penalty as submitted by the Committee to Elect Tony Valencia and Walter Ludlow, as treasurer, as fulfilling the terms of the conciliation agreement entered into on April 11, 1994.
2. Approve the appropriate letter.

10/12/94
Date


Lawrence R. Noble
General Counsel

Attachments

1. Respondents' Request, dated 8/17/94
2. Signed Conciliation Agreement, dated 4/11/94

Staff member: Tamara Kapper

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Committee to Elect Tony Valencia) MUR 3790
for Congress and Walter Ludlow,)
as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 19, 1994, the Commission decided by a vote of 5-0 to take the following actions in MUR 3790:

1. Accept the partial payment of the civil penalty as submitted by the Committee to Elect Tony Valencia and Walter Ludlow, as treasurer, as fulfilling the terms of the conciliation agreement entered into on April 11, 1994, as recommended in the General Counsel's Report dated October 12, 1994.
2. Approve the appropriate letter, as recommended in the General Counsel's Report dated October 12, 1994.

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

Attest:

10-20-94
Date

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

Received in the Secretariat: Thurs., Oct. 13, 1994 12:21 p.m.
Circulated to the Commission: Thurs., Oct. 13, 1994 4:00 p.m.
Deadline for vote: Wed., Oct. 19, 1994 4:00 p.m.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 25, 1994

Walter Ludlow, Treasurer
Committee to Elect Tony Valencia
For Congress
3545 Camino Del Rio South, Suite C
San Diego, CA 92108

RE: Committee to Elect Tony
Valencia for Congress and
Walter Ludlow, as treasurer

Dear Mr. Ludlow:

On October 19, 1994, the Federal Election Commission ("Commission") determined to accept the partial payment of the civil penalty submitted by the Committee to Elect Tony Valencia for Congress and you, as treasurer, as fulfilling the terms of the conciliation agreement entered into on April 11, 1994. Please be advised that the Commission's action reflects the unusual factors brought forth after the settlement of this matter.

If you have any questions, please contact me at the toll-free number (800) 424-9530 or my local number (202) 219-3690.

Sincerely,

Tamara Kapper
Tamara Kapper
Paralegal

94043591660