



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

THIS IS THE BEGINNING OF MUR # 4030

DATE FILMED 12-19-98 CAMERA NO. 2

CAMERAMAN JM 10

94043601436

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

AUG 9 12 18 PM '94

AFFIDAVIT

COMMON WEALTH _____)
STATE OF FLORIDA _____)
as:
COUNTY OF ESCAMBIA _____)
PARRISH _____)

MUR 4030

Ref: VINCE WHIBBS, JR. FOR CONGRESS
July 15 Quarterly Report

L. Ralph F. Perkins, 5545 Grande Lagoon Boulevard, Pensacola, Florida

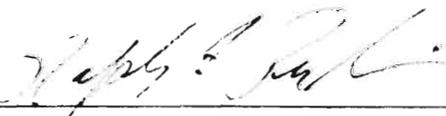
hereby solemnly swear & affirm
(swear & affirm)

that Vince Whibbs, Jr., 12 Hillbrook Way, Pensacola, Florida 32503 a Democratic Congressional Candidate in the First Congressional District of Northwest Florida has omitted in his Schedule A, Itemized Receipts, fifty contributors, from page 1 of 11 to page 11 of 11, the "Name of Employer" and the "Occupation" of those contributing to his campaign. Mr. Whibbs should submit an addendum to his July 15 Quarterly Report listing the "Name of Employer" and their "Occupation."

There are a total of fifty omissions failing to list the "Name of Employer" and "Occupation." Out of an aggregate of seventy seven contributors this equates to omissions of over two thirds. This is an unusually high percentage (number) of omissions.

Mr. Whibbs must be required to submit an amendment to his July 15 Quarterly Report.

I declare under penalty of perjury that this is a true statement of fact and correct.



AFFIANT'S SIGNATURE
Ralph F. Perkins

74043601437

The forgoing instrument was acknowledged before me this August 2, 1994 by Ralph E. Perkins who is personally known to me or who has produced his Florida Driver License, number P625-726-41-300-0 as identification.

Cathy Burleigh
(Signature of Person Taking Acknowledgment)
Cathy Burleigh
(Name typed, printed or stamped)
Customer Sales Specialist
(Title or Rank)
CC11148
(Serial Number, if any)

NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES: May 20, 1995.
BONDED THROUGH NOTARY PUBLIC UNDERWRITERS.

24043601438



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20461

AUGUST 17, 1994

Ralph F. Perkins
5545 Grande Lagoon Blvd.
Pensacola, FL 32507

RE: MUR 4030

Dear Mr. Perkins:

This letter acknowledges receipt on August 9, 1994, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). The respondent(s) 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 4030. Please refer to this number in all future communications. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosure
Procedures

24043601439



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

AUGUST 17, 1994

Vince Whibbs, Jr.
12 Hillbrook Way
Pensacola, FL 32503

RE: MUR 4030

Dear Mr. Whibbs:

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 4030. 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)(3)(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.

24043601440

Vince Whibbs, Jr.
Page 2

If you have any questions, please contact Alva E. Smith at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

24043601441



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

AUGUST 17, 1994

Richard R. Baker, Treasurer
Vince Whibbs Jr. Campaign Committee
P.O. Drawer 1271
Pensacola, FL 32596

RE: MUR 4030

Dear Mr. Baker:

The Federal Election Commission received a complaint which indicates that the Vince Whibbs Jr. Campaign Committee ("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 4030. 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.

24043601442

Richard R. Baker, Treasurer
Vince Whibbs Jr. Campaign Committee
Page 2

If you have any questions, please contact Alva E. Smith at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

24043601443



VINCE WHIBBS JR.
For U.S. CONGRESS

Taking Northwest Florida's Values To Washington

RECEIVED
FEDERAL ELECTION
COMMISSION
ADMINISTRATIVE
Aug 25 11 05 AM '94

RECEIVED
FEDERAL ELECTION
COMMISSION
GENERAL
INVEST
Aug 25 11 42 AM '94

August 22, 1994

Ms. Mary L. Taksar, Attorney
Central Enforcement Docket
Federal Election Commission
Washington, DC 20463

Re: MUR 4030
Your letter dated 8/17/94

Dear Ms. Taksar:

Your referenced letter included a copy of an affidavit filed by Ralph E. Perkins stating that the employer and occupation were not included for approximately 50 of the listed contributors for the July 15th Quarterly report for the candidacy of Vince Whibbs, Jr.

In accordance with 102.9(a)2, the names of employers and occupations are to be listed for contributions exceeding \$200 (or those for whom multiple contributions aggregate more than \$200). The campaign report did include employers and occupations for contributors in excess of \$200, and did not include such information for those who contributed lesser amounts.

Please confirm receipt of this letter and the finding or recommendation. Thank you very much for your assistance.

Sincerely,

Richard R. Baker
Campaign Treasurer

Enclosure

cc: Mr. Vince Whibbs, Jr.

7 4 0 4 3 6 0 1 4 4 4

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
) Enforcement Priority
)

GENERAL COUNSEL'S MONTHLY REPORT

SENSITIVE

I. INTRODUCTION

This report is the second Enforcement Priority System Monthly Report. The purpose of this September Monthly Report is to recommend that the Commission no longer pursue the identified lower priority and stale cases.

II. CASES RECOMMENDED FOR CLOSING

A. Cases Not Warranting Further Pursuit Relative to Other Cases Pending Before the Commission

A critical component of the Priority System is identifying those pending cases that do not warrant the further expenditure of resources. Each incoming matter is evaluated using Commission-approved criteria and cases that, based on their rating, do not warrant pursuit relative to other pending cases are placed in this category. By closing such cases, the Commission is able to use its limited resources to focus on more important cases.

Having evaluated incoming matters, this Office has identified 44 cases which do not warrant further pursuit

24043601445

relative to the other pending cases.¹ A short description of each case and the factors leading to assignment of a relatively low priority and consequent recommendation not to pursue each case is attached to this report. See Attachments 1-44. For the Commission's convenience, the narratives for the externally-generated matters are immediately followed by the complaint and response(s) and the narrative for the internally-generated matter is immediately followed by the referral.

B. Stale Cases

Investigations are severely impeded and require relatively more resources when the activity and evidence are old. Consequently, the Office of General Counsel recommends that the Commission focus its efforts on cases involving more recent activity. Such efforts will also generate more impact on the current electoral process and are a more efficient allocation of our limited resources. To this end, this Office has identified 2 cases that have remained inactive and assigned to the Central Enforcement Docket for one year and which it believes do not warrant further investment of significant Commission resources.² Since the recommendation not to pursue the identified cases is

1. These matters are: PM 299; MUR 3856; MUR 3859; MUR 3860; MUR 3861; MUR 3863; MUR 3864; MUR 3865; MUR 3868; MUR 3869; MUR 3870; MUR 3871; MUR 3872; MUR 3873; MUR 3874; MUR 3875; MUR 3877; MUR 3878; MUR 3880; MUR 3881; MUR 3882; MUR 3883; MUR 3884; MUR 3885; MUR 3887; MUR 3888; MUR 3889; MUR 3897; MUR 3900; MUR 3901; MUR 3906; MUR 3909; MUR 3910; MUR 3913; MUR 3914; MUR 3915; MUR 3916; MUR 4029; MUR 4030; MUR 4034; MUR 4035; MUR 4038; MUR 4039; and MUR 4040.

2. These matters are RAD 93L-66 and RAD 93L-69.

24043601446

based on staleness, this Office has not prepared separate narratives for these cases. However, the referrals for these internally-generated matters are attached. See Attachments 45-46.

94043601447

This Office recommends that the Commission exercise its prosecutorial discretion and no longer pursue the cases listed below effective November 14, 1994. By closing the cases effective November 14, 1994, CED and the Legal Review Team will respectively have the additional time necessary for preparing the closing letters and the case files for the public record for this fairly large number of cases.

III. RECOMMENDATIONS

A. Decline to open a MUR and close the file effective November 14, 1994 in RAD 93L-66 and RAD 93L-69.

B. Decline to open a MUR, close the file effective November 14, 1994, and approve the appropriate letter in PM 299.

C. Take no action, close the file effective November 14, 1994, and approve the appropriate letter in the following matters:

- 1) MUR 3856
- 2) MUR 3859
- 3) MUR 3860
- 4) MUR 3861
- 5) MUR 3863
- 6) MUR 3864
- 7) MUR 3865
- 8) MUR 3868
- 9) MUR 3869
- 10) MUR 3870
- 11) MUR 3871
- 12) MUR 3872
- 13) MUR 3873
- 14) MUR 3874
- 15) MUR 3875
- 16) MUR 3877
- 17) MUR 3878
- 18) MUR 3880
- 19) MUR 3881
- 20) MUR 3882
- 21) MUR 3883
- 22) MUR 3884
- 23) MUR 3885
- 24) MUR 3887
- 25) MUR 3888
- 26) MUR 3889
- 27) MUR 3897
- 28) MUR 3900
- 29) MUR 3901
- 30) MUR 3906
- 31) MUR 3909
- 32) MUR 3910
- 33) MUR 3913
- 34) MUR 3914
- 35) MUR 3915

24043601448

- 36) MUR 3916
- 37) MUR 4029
- 38) MUR 4030
- 39) MUR 4034
- 40) MUR 4035
- 41) MUR 4038
- 42) MUR 4039
- 43) MUR 4040

10'26'94
Date

Lawrence M. Noble
Lawrence M. Noble
General Counsel

Attachments

24043601449

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Vince Whibbs Jr. Campaign) MUR 4030
Committee.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 2, 1994, the Commission decided by a vote of 6-0 to take no action, close the file in MUR 4030 effective November 14, 1994, and approve the appropriate letter, as recommended in the General Counsel's Report dated October 26, 1994.

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

Attest:

11-3-94
Date

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

Received in the Secretariat: Thurs., Oct. 27, 1994 3:16 p.m.
Circulated to the Commission: Fri., Oct. 28, 1994 2:00 p.m.
Deadline for vote: Wed., Nov. 02, 1994 4:00 p.m.

bjr

24043601450



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

NOV 21 1994

Ralph F. Perkins
5545 Grande Lagoon Blvd.
Pensacola, FL 32507

RE: MUR 4030

Dear Mr. Perkins:

On August 9, 1994, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the respondents. See attached narrative. Accordingly, the Commission closed its file in this matter on November 14, 1994. This matter will become part of the public record within 30 days.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

24043601451

MUR 4030

VINCE WHIBBS JR. CAMPAIGN COMMITTEE

The complainant, Ralph Perkins, alleges that the Vince Whibbs Jr. Campaign Committee failed to include the required contributor information regarding employer and occupation for fifty contributors listed in the Committee's 1994 July Quarterly Report.

In response to the complaint, the Committee states that all fifty contributions were for amounts less than \$200 and that employer and occupation information was provided for all contributors whose aggregate contributions exceeded \$200.

This matter involves less significant issues relative to other matters pending before the Commission.

24043601452



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20461

NOV 21 1994

Vince Whibbs, Jr.
12 Hillbrook Way
Pensacola, FL 32503

RE: MUR 4030

Dear Mr. Whibbs:

On August 17, 1994, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter on November 14, 1994.

The confidentiality provisions of 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 prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

24043601453

**MUR 4030
VINCE WHIBBS JR. CAMPAIGN COMMITTEE**

The complainant, Ralph Perkins, alleges that the Vince Whibbs Jr. Campaign Committee failed to include the required contributor information regarding employer and occupation for fifty contributors listed in the Committee's 1994 July Quarterly Report.

In response to the complaint, the Committee states that all fifty contributions were for amounts less than \$200 and that employer and occupation information was provided for all contributors whose aggregate contributions exceeded \$200.

This matter involves less significant issues relative to other matters pending before the Commission.

24043601454



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20461

NOV 21 1994

Richard R. Baker, Treasurer
Vince Whibbs Jr. Campaign Committee
P.O. Drawer 1271
Pensacola, FL 32596

RE: MUR 4030

Dear Mr. Baker:

On August 17, 1994, the Federal Election Commission notified the Vince Whibbs Jr. Campaign Committee ("Committee") and you, as treasurer, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the Committee and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter on November 14, 1994.

The confidentiality provisions of 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 prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

24743601455

**MUR 4030
VINCE WHIBBS JR. CAMPAIGN COMMITTEE**

The complainant, Ralph Perkins, alleges that the Vince Whibbs Jr. Campaign Committee failed to include the required contributor information regarding employer and occupation for fifty contributors listed in the Committee's 1994 July Quarterly Report.

In response to the complaint, the Committee states that all fifty contributions were for amounts less than \$200 and that employer and occupation information was provided for all contributors whose aggregate contributions exceeded \$200.

This matter involves less significant issues relative to other matters pending before the Commission.

240443601456



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

THIS IS THE END OF MUR # 4030

DATE FILMED 12-19-91 CAMERA NO. 2

CAMERAMAN JMN

24043601457