



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4329

DATE FILMED 10-9-96 CAMERA NO. 2

CAMERAMAN Jm14

26043760405

REQUEST FOR INVESTIGATION

DATE: February 22, 1996

TO:

Federal Election Commission
999 E Street, North West
Washington, D.C. 20463-0001
() Telephone (800) 424-9530

96043760406

FEB 26 10 27 AM '96

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

RE: Possible felony violations of both California and Federal election and other laws by San Diego County Board of Supervisors member: DIANNE JACOB.

It is very respectfully requested that you immediately commence a formal investigation into possible felony and misdemeanor violations of both California and Federal election and other laws by San Diego County Board of Supervisors member: DIANNE JACOB; and if you find any violations either felony or misdemeanor that you prosecute the offenders to the fullest extent of the law.

It is suspected that San Diego County Board of Supervisors member DIANNE JACOB violated Federal Election Law Title 2, United States Code Section 441e (Contribution by Foreign Nationals). According to her own campaign contribution report (copy attached for your easy reference) covering the period '7-1-95 to 9-30-95" on "8/10/95" DIANNE JACOB collected

\$250.00 from a "J. Manuel Jasso" and on "8/14/95" DIANNE JACOB collected \$250.00 from a "Manuela Ching Palomarez". Both of these individuals use a Tecate, California U.S.A. post office box as their addresses. The use of a post office box raises suspicion as to their residency since Tecate, California U.S.A. is a tiny border town adjacent to the much larger Mexican city of Tecate, Baja California, Mexico. Many foreign nationals, such as Mexican nationals are known to have post office boxes in the United States of America, such as Tecate, California U.S.A. to collect their mail, receive government checks, etc. It is suspected that both of these individuals are foreign nationals (Mexicans). As I am sure you know, it is a felony to accept money for "any election to any political office" from foreign nationals.

The report of the private investigator that was hired to check into the nationality of the aforementioned contributors to DIANNE JACOB: "J. Manuel Jasso" and "Manuela Ching Palomarez" is attached. When the private investigator questioned the aforementioned J. Manuel Jasso about his citizenship he reportedly replied: "I am a Mexican citizen". Mr. Jasso was also found to have a Tecate, Baja California, Mexico address and telephone listing: 755 Rio Usumacinta

It was also determined that the aforementioned "Manuela Ching Palomarez" has a "border crossing card" for crossing into the U.S.A (this could be verified by checking with the Immigration and Naturalization Service). This would seem to indicate that she is a foreign national (Mexican Citizen) as well.

The investigation further determined that the aforementioned "J. Manuel Jasso" and "Manuela Ching Palomarez" are employees of the RANCHO LA PUERTA health resort in Tecate, Baja California, Mexico. It was determined that Ms. Deborah Szekely is a senior partner/part owner of this resort as well as an owner of the GOLDEN DOOR health spa near Escondido, San Diego County, California. Ms. Deborah Szekely also contributed to DIANNE JACOB on "8/14/95" (please see attached copy of campaign contribution report of DIANNE JACOB).

The connection between the aforementioned Ms. Deborah Szekely and "J. Manuel Jasso", and "Manuela Ching Palomarez" is clearly established by the investigator's report of their employment at the RANCHO LA PUERTA health spa in Tecate, Baja California, Mexico. Further how could "Manuela Ching Palomarez", a \$150 per week "hostess/concierge" afford to contribute two weeks salary to a political candidate in another country? Or, except for her employer's interest: why would she be interested? It is suspected that this could be money laundering through employees and it is requested that this angle be checked out as well as looking into any possible conspiracy and RICO violations.

It is also known that Mr. Alexandre Szekely, President of the GOLDEN DOOR health spa in Escondido, San Diego County, California contributed \$250.00 to DIANNE JACOB's campaign on "9/26/95" (please see attached copy of campaign contribution report of DIANNE JACOB). This contribution came within eight days of a vote on an important project ("10/04/95" agenda item attached) in which the aforementioned GOLDEN DOOR health spa was an appellant and appears to be in conflict with local San Diego County campaign contribution laws. While DIANNE JACOB's vote was on 10/04/95 it was on a public hearing continued from September 20, 1995 that was on a matter heard by the Planning Commission on August 4, 1995 and all four aforementioned contributions were between the August 4, 1995 Planning Commission action and DIANNE JACOB's vote on 10/04/95 on the on the same item and all four aforementioned contributions were from individuals related to the aforementioned GOLDEN DOOR health spa. DIANNE JACOB may be guilty of accepting a bribe for her vote.

It is very respectfully requested that you commence an immediate formal investigation into the aforementioned and if you find any violations of any law(s) including but not limited to violation of bribery laws, conspiracy, election laws, felonious contribution from foreign nationals, money laundering, Racketeer Influenced Corrupt Organization (RICO), and anything else that you prosecute the offenders to the fullest extent of the law.

Very respectfully submitted,

Jerry Felt

96043760407

Jerry Fick
649 G Street
Post Office Drawer 6010
Chula Vista, California 91909-6010

96043760408



FEDERAL ELECTION COMMISSION

Washington, DC 20463

March 1, 1996

Jerry Fick
P.O. Box Drawer 6010
Chula Vista, CA 91909-6010

Dear Mr. Fick:

This is to acknowledge receipt on February 26, 1996, of your letter dated February 22, 1996. 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 did not contain a notarization on your signature and 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 him/her also will be sufficient. We regret 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.

Please note that this matter will remain confidential for a 15 day period to allow you to correct the defects in your complaint. If the complaint is corrected and refiled within the 15 day period, the respondents will be so informed and provided a copy of the corrected complaint. The respondents will then have an additional 15 days to respond to the complaint on the merits. If the complaint is not corrected, the file will be closed and no additional notification will be provided to the respondents.

9604760409

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

Sincerely,

Retha Dixon

Retha Dixon
Docket Chief

Enclosure

cc: Friends of Dianne Jacob
Manuel Ching Palomarez
J. Manuel Jasso
Deborah Szekely
Golden Door

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RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

MAR 25 3 02 PM '96

1 Jerry Fick
2 649 G Street
3 Post Office Drawer 6010
4 Chula Vista, California 91909-6010
5 Telephone (619) 422-2107

6 Complainant In Pro Per

8 FEDERAL ELECTION COMMISSION
9 UNITED STATES OF AMERICA

11 IN THE MATTER OF:)
12 JERRY FICK,)
13 COMPLAINANT,)
14 AND)
15 DIANNE JACOB,)
16 FRIENDS OF DIANNE JACOB,)
17 DEBORAH SZEKELY,)
18 ALEXANDRE SZEKELY,)
19 J. MANUEL JASSO,)
20 MANUELA CHING PALOMAREZ,)
21 GOLDEN DOOR FITNESS RESORT,)
22 RESPONDENTS.)

Case No. 4329
VERIFIED COMPLAINT

23 COMPLAINANT JERRY FICK BEING DULY SWORN HEREBY DECLARES AS
24 FOLLOWS:

25 I very respectfully request that you immediately commence a
26 formal investigation into possible felony and misdemeanor
27

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1 violations of Federal election and other laws by Respondent San
2 Diego County Board of Supervisors member: DIANNE JACOB and the
3 other Respondents; and if you find any violations either felony or
4 misdemeanor that you prosecute the offenders to the fullest extent
5 of the law.

6 I believe that Respondent San Diego County Board of
7 Supervisors member DIANNE JACOB and the other Respondents may have
8 violated Federal Election Law Title 2, United States Code Section
9 441e (Contribution by Foreign Nationals) and other laws. According
10 to her own campaign contribution report (copy attached for your easy
11 reference) covering the period 7-1-95 to 9-30-95 on 8/10/95
12 Respondent DIANNE JACOB collected \$250.00 from
13 Respondent J. MANUEL JASSO and on 8/14/95 Respondent DIANNE JACOB
14 collected \$250.00 from Respondent MANUELA CHING PALOMAREZ. Both
15 of these Respondents use a Tecate, California U.S.A. post office box
16 as their addresses. The use of a post office box raises suspicion as
17 to their residency since Tecate, California U.S.A. is a tiny border
18 town adjacent to the much larger Mexican city of Tecate,
19 Baja California, Mexico. Many foreign nationals, such as Mexican
20 nationals are known to have post office boxes in the United States of
21 America, such as Tecate, California U.S.A. to collect their mail,
22 receive government checks, etc. I believe that both of these
23 individuals are foreign nationals (Mexicans). As I am sure you
24 know, it is a felony to accept money for "any election to any
25 political office" from foreign nationals.

26 The report of the private investigator that I hired to check
27 into the nationality of the Respondent Contributors to

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1 Respondent DIANNE JACOB: J. MANUEL JASSO and
2 MANUELA CHING PALOMAREZ is attached. When the private
3 investigator questioned the Respondent J. MANUEL JASSO about his
4 citizenship he reportedly replied: "I am a Mexican citizen".
5 MR. JASSO was also found to have a Tecate, Baja California, Mexico
6 address and telephone listing:

7 755 Rio Usumacinta
8 phone 4-2534.

9 It was also determined that Respondent
10 MANUELA CHING PALOMAREZ has a "border crossing card" for crossing
11 into the U.S.A (this could be verified by checking with the
12 Immigration and Naturalization Service). This would seem to
13 indicate that she is a foreign national (Mexican Citizen) as
14 well.

15 The investigation further determined that Respondents
16 J. MANUEL JASSO and MANUELA CHING PALOMAREZ are employees of the
17 RANCHO LA PUERTA FITNESS RESORT in Tecate, Baja California,
18 Mexico. I believe that Respondent DEBORAH SZEKELY has an ownership
19 interest in this resort as well as is the owner of the Respondent
20 GOLDEN DOOR FITNESS RESORT in Escondido, San Diego County,
21 California. Respondent DEBORAH SZEKELY also contributed to
22 Respondent DIANNE JACOB on 8/14/95 (please see attached copy of
23 campaign contribution report of FRIENDS OF DIANNE JACOB).

24 The connection between Respondent DEBORAH SZEKELY and
25 Respondents J. MANUEL JASSO, and MANUELA CHING PALOMAREZ is
26 clearly established by my investigator's report of their employment
27 at the RANCHO LA PUERTA FITNESS RESORT in Tecate,

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1 Baja California, Mexico. Further how could Respondent
2 MANUELA CHING PALOMAREZ, a \$150/\$200 per week "hostess/concierge"
3 afford to contribute almost two weeks salary to a political
4 candidate in another country? Or, except for her employer
5 Respondent DEBORAH SZEKELY's interest: why would she be
6 interested? I believe that this could be money laundering through
7 employees and I request that this angle be checked out as well as
8 looking into any possible conspiracy and RICO violations.

9 It is also known that Respondent ALEXANDRE SZEKELY, President
10 of the Respondent GOLDEN DOOR FITNESS RESORT in Escondido,
11 San Diego County, California contributed \$250.00 to
12 Respondent DIANNE JACOB's campaign on 9/26/95 (please see attached
13 copy of campaign contribution report of FRIENDS OF DIANNE JACOB).
14 This contribution came within eight days of a vote on an important
15 project (10/04/95 agenda item attached) in which the Respondent
16 GOLDEN DOOR FITNESS RESORT was an appellant and appears to be in
17 conflict with local San Diego County campaign contribution laws.
18 While Respondent DIANNE JACOB's vote was on 10/04/95 it was on a
19 public hearing continued from September 20, 1995 that was on a
20 matter heard by the Planning Commission on August 4, 1995 and all
21 four aforementioned contributions were between the August 4, 1995
22 Planning Commission action and Respondent DIANNE JACOB's vote on
23 10/04/95 on the same item and all four aforementioned contributions
24 were from individuals related to the Respondent
25 GOLDEN DOOR FITNESS RESORT. I believe Respondent DIANNE JACOB may
26 be guilty of accepting a bribe for her vote.

27 I very respectfully request that you commence an immediate
28

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1 formal investigation into the aforementioned and if you find any
2 violations of any law(s) including but not limited to violation of
3 bribery laws, conspiracy, election laws, felonious contribution
4 from foreign nationals, money laundering,
5 Racketeer Influenced Corrupt Organization (RICO), and anything
6 else that you prosecute the offenders to the fullest extent of the
7 law.

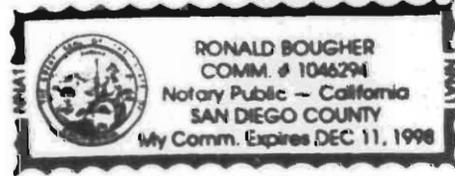
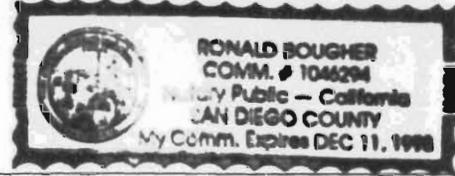
8 I hereby swear under penalty of perjury that I believe the
9 foregoing to be true and correct.

10 Dated March 22, 1996 at Chula Vista, San Diego County,
11 California.

12
13
14 Jerry Fick: Jerry Fick
15

16
17
18 Subscribed and Sworn to before me on this 22 day
19 of March, 1996 at Chula Vista, California 91910, Notary Public In
20 and For the County of San Diego, State of California:

21
22
23 Ronald Bougher



28

GENE RODRIGUEZ

**Private Investigator
STATE LICENSE No. P13219
P.O. Box 152564
San Diego, CA 92195**

2/15/96

**SUBJECT: WITNESS CHECK AT RANCHO LA PUERTA,
TECATE, B.C. MEXICO**

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On 2/14/96, I drove to the resort and arrived at approximately 11:30 a.m. I was directed to Manuel Jasso's office and contacted his secretary, Tere Ochoa. Ms. Ochoa informed me that Mr. Jasso was in Tijuana on business and would not return until later in the afternoon. I then asked to speak to Manuela Ching-Palomares, and was told that she was on her day off, and would return on the next day.

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I then asked Ms. Ochoa if she knew the residency/citizenship status of Mr. Jasso and Ms. Ching, and she stated that I would have to speak to the parties directly, in order to obtain the information I was seeking. Ms. Ochoa did inform me that Ms. Ching was the "hostess/concierge", but would not give any more details.

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At approximately 2:15 p.m., I contacted Mr. Jasso. (upon my 2nd visit, I was told by the desk clerk to first contact his secretary, but I soon realized this was a delay tactic) I told Mr. Jasso that I had some questions about a political contribution that he made to an American candidate. Mr. Jasso became somewhat defensive, and stated, "My religious and political affiliations are my personal business."

I then asked Mr. Jasso if he was an American citizen, and he responded, "I am a Mexican citizen." He then told me that if I wanted more information, I should speak to the person in question. He then walked away.

Before leaving Tecate, I went to the Chamber of Commerce and found the following listing in the local directory:

Jose Manuel Pena Jasso
755 Rio Usumacinta,

WITNESS CHECK, CONT.

After crossing the border, I drove to Ms. Ching's address of 473 Thing Rd., and contacted her sister-in-law, who told me that Manuela was working at the resort. I asked her what kind of work, and she told me that it was "something important" but she did not know her exact title or function.

I gave her my card, and asked her to have Ms. Ching call me.

The house I saw appeared to be at least 40 years old, and in need of some repair.

As of this report, Ms. Ching has not called me. Several phone calls to the resort in an attempt to contact Ms. Ching could not be completed. (not uncommon)

From my experience, Ms. Ching Palomarez's duties in her capacity as a "hostess/concierge" is estimated to have a weekly salary of approximately \$150-\$200 - U.S.

Gene Rodriguez



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Schedule A
 Monetary Contributions Received
 NAME OF CANDIDATE: DIANNE JACOB

Statement covers period from 7-1-95 through 9-30-95
 Page 9 of 26
 I.D. NUMBER 911529

FRIENDS OF DIANNE JACOB

DATE RECEIVED	FULL NAME AND ADDRESS OF CONTRIBUTOR	OCCUPATION AND EMPLOYER	AMOUNT RECEIVED THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN - DEC 31)	CUMULATIVE TO DATE OTHER
8/1/95	LOUIS SCHOOLER 629 W. CIRCLE DRIVE SOLANA BEACH, CA 92075	PRESIDENT WESTERN FINANCIAL PLANNING	\$250.00	\$250.00	\$250.00
8/1/95	RICHARD STRINGHAM 18656 DEERHORN VALLEY RD. JANUA, CA 91935	PRESIDENT/CUSTOMHOUSE BROKER RICHARD STRINGHAM & CO	\$125.00	\$225.00	\$225.00
8/1/95	RONALD DAHIGREN 3076 COLINA VERDE LANE JANUA, CA 91935	HOSPITAL ADMINISTRATOR JOB SEARCH	\$100.00	\$100.00	\$100.00
8/1/95	THOMAS HON 2936 MEADE AVENUE SAN DIEGO, CA 92116	INVESTOR THIC	\$100.00	\$100.00	\$200.00
8/1/95	WILLIAM MEAD 5428 REBOLLA LANE SAN DIEGO, CA 92124	CLINICAL DIRECTOR MENTAL HEALTH SYSTEMS	\$250.00	\$250.00	\$250.00
8/10/95	BERNADETTE LUECK 11376N VIA RENO SAN DIEGO EL CAJON, CA 92019	RETIRED	\$250.00	\$250.00	\$250.00
8/10/95	BERNARD LUECK 11376N VIA RENO SAN DIEGO EL CAJON, CA 92019	OWNER THUNDERBIRD PRODUCTS	\$250.00	\$250.00	\$250.00
8/10/95	GIBBS APIARIES 14814 COOL VALLEY ROAD P.O. BOX 1244 VALLEY CENTER, CA 92082	OWNER GIBBS APIARIES	\$100.00	\$100.00	\$100.00
→ 8/10/95	J. RAFAEL JASSO P.O. BOX 69 TECATE, CA 91980	MANAGING PARTNER RANCHO LA PUERTA	\$250.00	\$250.00	\$250.00
→ 8/14/95	DEBORAH SZEKELY 3232 DOME ST SAN DIEGO, CA 92103	OWNER GOLDEN DOOR	\$220.00	\$220.00	\$220.00
→ 8/14/95	MANUELA CHING PALOMAEZ 473 THING RD P.O. BOX 292 TECATE, CA 91980	CONCIERGE FITNESS RESORTS	\$250.00	\$250.00	\$250.00

SUBTOTAL \$2,145.00

* = Contribution to debt

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Schedule A
 Monetary Contributions Received
 NAME OF CANDIDATE: DIANNE JACOB

Statement covers period from 7-1-95 through 9-30-95 Page 12 of 26
 I.D. NUMBER 911529

FRIENDS OF DIANNE JACOB

DATE RECEIVED	FULL NAME AND ADDRESS OF CONTRIBUTOR	OCCUPATION AND EMPLOYER	AMOUNT RECEIVED THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN - DEC 31)	CUMULATIVE TO DATE OTHER
9/11/95	JOHN JOHNSON 6445 LAKE ARROWHEAD DR SAN DIEGO, CA 92119	PRES & C.E.O. SAN DIEGO URBAN LEAGUE	\$200.00	\$200.00	\$200.00
9/11/95	ROBERT MUNSACKER 2402 TURNBRIDGE GLEN ESCONDIDO, CA 92027	CONSTRUCTION THE HIGHLAND COMPANY	\$125.00	\$125.00	\$125.00
9/11/95	STEVE SOUTH 1445 - 31ST SAN DIEGO, CA 92102	GENERAL MANAGER EDCO DISPOSAL CORP	\$250.00	\$250.00	\$250.00
9/11/95	TRICIA MUNTER 3260 E. FOUR RUN WAY SAN DIEGO, CA 92111	R.N.	\$100.00	\$100.00	\$100.00
9/11/95	WALTER ZABLE P.O. BOX 85587 SAN DIEGO, CA 92186	COB & CEO CUBIC CORP.	\$250.00	\$250.00	\$250.00
9/21/95	DAVID DOLSTEIN P.O. BOX 2532 FONTANA, CA 923342532	EXEC. V.P. MERRY AIR SERVICE, INC	\$125.00	\$125.00	\$125.00
9/21/95	JAMES MC NAMEE 757 DOMINGO DRIVE #A NEWPORT BEACH, CA 92660	SO. CAL DISTRICT MANAGER SHURGARD STORAGE CENTERS	\$100.00	\$100.00	\$100.00
9/21/95	KEVIN DEMLER 25818 HIGHWAY 78 RAMONA, CA 92065	SELF PINE HILL EGG RANCH	\$250.00	\$250.00	\$250.00
9/21/95	MARCIA SPURGEON P.O. BOX 1133 JANUL, CA 91935	REALTOR EAST COUNTY LAND CO.	\$100.00	\$100.00	\$100.00
9/21/95	MARVIN FINCH 639 MISSION COURT CHULA VISTA, CA 91910	PRESIDENT RCP BLOCK & BRICK, INC.	\$100.00	\$100.00	\$250.00
→ 9/26/95	ALEXANDRE SZEKELY 8456 WESTWAY DR LA JOLLA, CA 92037	PRESIDENT GOLDEN DOOR	\$250.00	\$250.00	\$250.00
9/26/95	GAIL LAMB 13924 HILDALE ROAD VALLEY CENTER, CA 92082	RETIRED	\$150.00	\$150.00	\$150.00

SUBTOTAL \$2,000.00

* = Contribution to debt

1 **SUBJECT:** Continued Noticed Public Hearing:
White Water Canyon Waterpark; General Plan Amendment (GPA 95-03), Specific Plan (SP 95-002), Zone Reclassification (R95-005), and Major Use Permit (P95-011), North County Metropolitan Subregional Planning Area
(Carryover item from 9/10/95, Agenda No. 1)

SUPV. DIST. (LOCATION): 5

DESCRIPTION:

The proposed project is a request for a General Plan Amendment (GPA 95-03), a Specific Plan (SP 95-002), a Zone Reclassification (R95-005), and a Major Use Permit (P95-011) for the purposes of establishing a recreational waterpark facility with related structures and uses, which will include a wave action pool with ten different water contact attractions/features. Structures associated with the waterpark facility include an administration/first aid building, several restrooms/changing facilities, food concessions, shaded eating areas, ticketing and arcade buildings, one water holding tank, mechanical equipment buildings, a wastewater treatment plant, and a storage pond. Improvements include an access roadway to serve the project and parking areas to accommodate approximately 1,500 vehicles. Additional uses include utilizing the waterpark for training fire fighting personnel.

The waterpark will be a seasonal use, which will be in operation from Memorial Day through Labor Day, and four weekends prior and subsequent to the season (for a maximum of 120 calendar days in a one year period). The waterpark will be open to the general public only between the hours of 10:00 a.m. to 7:00 p.m.

The waterpark is designed for a maximum capacity of 5,000 patrons, although attendance is anticipated to reach that number only 2 days per year (Fourth of July weekend). Average attendance is expected to be 3,500 per day, while mid-week attendance is estimated to be approximately 1,500 per day.

The project site is located on the west side of Mesa Rock Road, a frontage road west of Interstate 15, and approximately 1.25 miles south of Deer Springs Road, in the North County Metropolitan Subregional Planning Area, and lies within the Twin Oaks Sponsor Group's area of authority.

INVOLVED PARTIES

Owner/Applicant: White Water Canyon, Inc. (George Hice), Thomas O'Hara, Duwane Townsend;
Consultants: TRS Consultants; American Engineering Laboratories, Inc (AEL), Aquatic Design Group, James C. Berry Acoustician, Giroux & Associates - Atmospheric Environment Consultants, Leighton and Associates, Inc., Linscott, Law & Greenspan Engineers, Inc., NBS/Lowery, Nolte and Associates, Pacific Southwest Biological Services, Inc., Roger DeWeese, Inc., & Associates - Landscape Architects, Kay Stewart - Landscape Architect, TMI Environmental Services; **Responsible Sponsor Group:** Twin Oaks Valley Sponsor Group; **Local Jurisdictions:** City of Escondido, City of San Marcos, **Districts:** Vallecitos Water District, Deer Springs Fire Protection District, **Other:** The Golden Door (Please refer to Attachment 1, Ownership Disclosure Form, DPL #305.)

REFERRAL

PREVIOUS ACTIONS:

On September 20, 1995 (1), your Board continued this item to October 4, 1995 at 9:00 a.m.

On August 4, 1995 the Planning Commission voted 4-2-1-0 to recommend to the Board of Supervisors that the proposed project be denied for the reasons discussed in the staff report. (Vote: 4 Ayes: Beck, Brooks, Kretzer, Woods; 2 Noes: Edwards, Piro; 1 Abstention: York; 0 Absent.)

On June 21, 1995, the Twin Oaks Valley Sponsor Group voted 6-0 to deny the proposed project based on the following motion: As citizens of this community are overwhelmingly opposed to this proposed waterpark, we recommend denial of the General Plan Amendment, Specific Plan Amendment, Rezoning and Major Use Permit, the documents contain many errors, omissions, contradictions and deceptive statements.

10/4/95

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On March 15, 1995 (1), the Board of Supervisors voted 4-1-0 to deny the appeals of the Twin Oaks Valley Sponsor Group and the Golden Door, and approved the Planning Commission's recommendation to authorize processing of the applicant's request to file a privately initiated GPA.

On January 20, 1995, the Planning Commission voted 4-2-1 to approve the authorization of a privately initiated Plan Amendment Authorization (PAA 94-05) to amend the North County Metropolitan Subregional Plan map and text.

On December 14, 1994, the Twin Oaks Valley Sponsor Group voted 6-0-0 to recommend that the PAA request not be authorized for processing because the Sponsor Group found that only one of the ten criteria (Criteria No. 4) specified in Board Policy I-63, General Plan Amendment and Zoning Guidelines, could be met.

On March 23, 1994 (2), the Board of Supervisors heard an appeal of the Planning Commission decision of approval and took the following actions regarding Major Use Permit P89-034: 1) the Board voted 4-0-1 to grant the appeal and deny Major Use Permit P89-034, and 2) the Board voted 3-1-1 to deny Major Use Permit P89-034 without prejudice, thereby waiving the one year prohibition against refileing the Major Use Permit.

On September 17, 1993, the Planning Commission voted 5-0-2 to approve Major Use Permit P89-034.

On July 22, 1993, the Planning and Environmental Review Board (PERB), voted 2-1-0 to deny Major Use Permit P89-034.

PLANNING COMMISSION RECOMMENDATION:

1. Adopt the Resolution denying General Plan Amendment (GPA 95-03) for the reasons stated in the staff report (Attachment M).
2. Adopt the Resolution denying SP 95-002 for the White Water Canyon Waterpark Specific Plan for the reasons stated in the staff report (Attachment O).
3. Deny the requested Zone Reclassification (R95-005, Attachment P).
4. Adopt the Resolution denying Major Use Permit (P95-011) for the reasons stated in the staff report (Attachment R).
5. Do not adopt the Statement of Overriding Considerations.

DEPARTMENT OF PLANNING AND LAND USE RECOMMENDATION:

1. Certify that the Final Environmental Impact Report (EIR) has been completed in compliance with the California Environmental Quality Act (CEQA), review and consider the information contained therein, and find that the Final EIR reflects the independent judgment of the Board of Supervisors. The Final EIR consists of the following documents:
 - a. The Draft EIR dated April, 1995, at Attachment S, as revised by the Additional Information Statement dated August, 1995, at Attachment T.
 - b. The public comments received on the Draft EIR dated April, 1995, and the County's responses thereto, at Attachment S.
 - c. The list of persons, organizations, and public agencies commenting on the Draft EIR dated April, 1995, at Attachment S.
2. Adopt the findings concerning mitigation of significant environmental effects pursuant to Public Resources Code Section 21081 at Attachment S.

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10/4/95

- 96043760422
3. Adopt the findings concerning infeasibility of project alternatives at Attachment W.
 4. Adopt the Mitigation Monitoring Program prepared in accordance with Public Resources Code Section 21081.6 as found at page 13 of Attachment N, and page 16 of Attachment Q.
 5. Adopt the Statement of Overriding Considerations in accordance with CEQA Guidelines Section 15093 at Attachment V.
 6. Adopt the Final Resolution for General Plan Amendment 95-03 for the reasons stated in the staff report and in the Final Resolution, at Attachment L.
 7. Adopt the Resolution approving Specific Plan 95-002 for the White Water Canyon Waterpark specific Plan which makes the appropriate findings and includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with State Law and the County General Plan, at Attachment N.
 8. Adopt the Ordinance approving a change from the A70(4) Limited Agricultural Use Regulation and the RR1 Rural Residential Use Regulation to the S88 Specific Planning Area Use Regulation and other designators as shown in the Ordinance, including the "B" Community Design Review Area Designator and the P Planned Development Area Regulations Designator, at Attachment P.
 9. Grant Major Use Permit P95-011 which makes the appropriate findings and includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with the Zoning Ordinance and State Law, at Attachment Q.

MAJOR ISSUES:

- o What are the impacts of the proposed project on the County Circulation Element?
- o Does the proposed project provide adequate assurance that the availability of essential public services and facilities will be provided?
- o Can overriding considerations be made for significant and unmitigable impacts regarding grading?
- o Can overriding considerations be made for significant and unmitigable impacts regarding community character?

PLANNING GROUP/PUBLIC STATEMENTS:

Twin Oaks Valley Sponsor Group: On June 24, 1995, the Twin Oaks Valley Sponsor Group voted 6-0 to recommend denial of the proposed project based on the following motion: As citizens of this community are overwhelmingly opposed to this proposed waterpark, we recommend denial of the General Plan Amendment, Specific Plan Amendment, Rezoning and Major Use Permit, the documents for they contain many errors, omissions, contradictions and deceptive statements.

The Sponsor Group has identified concerns with traffic, public facilities, geology, and community character. Specifically, they are concerned with the potential for traffic congestion on routes used by the neighboring communities to the proposed waterpark. They also identified their concern with the ability of the Clear Springs Fire Protection District, Vallecitos Water District, and Sheriff's Department to supply public services. Additionally, they are concerned with the geology of the area, such as seismic activity, grading, and potential risks of boulder rolling. Finally, the Sponsor Group believes that the proposed project will result in a major change to the existing community character of the area.

I-15 Design Review Board: On April 20, 1995, the I-15 Design Review Board voted 6-0 to recommend preliminary approval of the proposed project. The I-15 Design Review Board's decision to grant preliminary approval also included a request that the Design Review Board be provided another opportunity to review and comment on the final Landscape Plan as required in the conditions of approval for the Major Use Permit.



FEDERAL ELECTION COMMISSION

Washington, DC 20463

March 28, 1996

Jerry Fick
P.O. Box Drawer 6010
Chula Vista, CA 91909-6010

RE: MUR 4329

Dear Mr. Fick:

This letter acknowledges receipt on March 25, 1996, 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 4329. 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

96043760423



FEDERAL ELECTION COMMISSION
Washington, DC 20463

March 28, 1996

J. Manuel Jasso
P.O. Box 69
Tecate, CA 91980

RE: MUR 4329

Dear Mr. Jasso:

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 4329. 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.

96040760424

If you have any questions, please contact me 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

96046760425



FEDERAL ELECTION COMMISSION

Washington, DC 20463

March 28, 1996

Deborah Szekely
3232 Dove Street
San Diego, CA 92103

RE: MUR 4329

Dear Ms. Szekely:

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 4329. 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.

96042760426

If you have any questions, please contact me 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

96048760427



FEDERAL ELECTION COMMISSION

Washington, DC 20463

March 28, 1996

Manuela Ching Palomarez
473 Thing Road
P.O. Box 292
Tecate, CA 91980

RE: MUR 4329

Dear Ms. Palomarez:

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 4329. 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.

96043760428

If you have any questions, please contact me 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

98043760429



FEDERAL ELECTION COMMISSION

Washington, DC 20463

March 28, 1996

Alexandre Szekely, President
Golden Door
8456 Westway Drive
LaJolla, CA 92037

RE: MUR 4329

Dear Mr. Szekely:

The Federal Election Commission received a complaint which indicates that you and the Golden Door 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 4329. 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 and the Golden Door 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.

960476040

If you have any questions, please contact me 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

96043760431



FEDERAL ELECTION COMMISSION

Washington, DC 20463

March 28, 1996

Treasurer
Friends of Dianne Jacob
P.O. Box 388 JAMUL
San Diego, CA 91935

RE: MUR 4329

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that Friends of Dianne Jacob ("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 4329. 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.

9604376042

If you have any questions, please contact me 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

9604076043



FEDERAL ELECTION COMMISSION

Washington, DC 20463

March 28, 1996

Honorable Dianne Jacob
San Diego County Board of Supervisors
P.O. Box 388 JAMUL
San Diego, CA 91935

RE: MUR 4329

Dear Ms. Jacob:

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 4329. 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.

9604376044

If you have any questions, please contact me 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

9604376045

LAW OFFICES OF
**NIELSEN, MERKSAMER,
PARRINELLO, MUELLER & NAYLOR**
A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

SACRAMENTO
770 L STREET, SUITE 800
SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 446-0752
FAX (916) 446-6106

591 REDWOOD HIGHWAY, #4000
MILL VALLEY, CALIFORNIA 94941
TELEPHONE (415) 389-6800
FAX (415) 388-6874

SAN FRANCISCO
650 CALIFORNIA STREET, SUITE 2650
SAN FRANCISCO, CALIFORNIA 94108
TELEPHONE (415) 388-6800
FAX (415) 388-6800

April 12, 1996

VIA CERTIFIED MAIL

Mary Taskar, Esq.
Enforcement Division
Federal Election Commission
Washington, D.C. 20463

Re: MUR 4329

Dear Ms. Taskar:

We represent San Diego County Supervisor Dianne Jacob regarding the complaint filed against her with the Federal Election Commission by Jerry Pick, and have enclosed a completed Designation of Counsel Statement.

The complaint alleges that Supervisor Jacob accepted two contributions from "foreign nationals," prohibited by 2 United States Code section 441e and 11 Code of Federal Regulations section 110.4. As explained in more detail below, this allegation is factually and legally incorrect. (We will only respond to those allegations in the complaint relating to Supervisor Jacob.)

Supervisor Jacob's campaign did in fact accept a \$250 campaign contribution from J. Manuel Jasso on August 10, 1995, and a \$250 contribution from Manuela Ching Palomarez on August 14, 1995. The campaign refunded the \$250 contribution to Mr. Jasso on February 27, 1996, as soon as the campaign learned that he may be a foreign national (and before the March 26, 1996 election). (Exhibit 1, March 2, 1996 San Diego Union-Tribune article; Exhibit 2, refund check.) The campaign did not refund the \$250 contribution to Ms. Palomarez because she is in fact a permanent resident of the United States (i.e., "green card holder"). (Exhibit 3, Resident Alien Card.)

At the time that the campaign received these two contributions, no one at the campaign had any reason to believe that either of them came from a foreign national. Mr. Jasso listed a California address on his response card, and his contribution check was issued by a California bank. (Exhibit 4, response card and check.) Despite the complaint's allegation

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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

APR 15 2 37 PM '96

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Mary Taskar, Esq.
April 12, 1996
Page 2

that Ms. Palomarez uses a United States post office box as her address, she listed a California residence address and a California work address on her response card. She also wrote her contribution check from a California bank account. (Exhibit 5, response card and check.)

Mr. Jasso's use of a post office box on his response card does not "raise suspicions" regarding his residency, despite the complaint's allegation. Supervisor Jacob's legislative district comprises over 2,000 square miles, much of which is unincorporated area and much of which is rural or undeveloped. Thousands of Supervisor Jacob's constituents use post office boxes as their mailing addresses. The campaign in fact received hundreds of checks from contributors who listed post office boxes as their residence addresses, and would be happy to provide the FEC with copies of these response cards.

The fact that these two contributions came from individuals with Hispanic surnames, and that one of the contributors indicated that he works in Mexico but lives in the United States, does not render them "questionable" contributions. Supervisor Jacob's legislative district includes 44 miles of the United States-Mexico border and dozens of "border towns." It is a common practice -- especially since the adoption of NAFTA -- for individuals to live in a border town and work in Mexico; Schlagg Lock Company, Sony, Carta Blanca and Tecate Breweries and several other companies maintain large operations directly across the Mexican border and employ people who live in the United States. Many of Supervisor Jacob's constituents in fact live in the United States but work in Mexico, and thousands have Hispanic surnames.

Supervisor Jacob's campaign received over 2,000 individual campaign contributions during the course of her re-election campaign. Several of these contributions came from individuals who have Hispanic surnames; hundreds of the contributors listed post office boxes as their residence addresses; and many live in the United States but work in Mexico. The campaign had no reason to believe that these two contributions came from foreign nationals, and it refunded the contribution from Mr. Jasso as soon as it learned that he may be a foreign national. The FEC should therefore find "no reason to believe" that Supervisor Jacob violated federal campaign laws.

96043760437

Mary Taskar, Esq.
April 12, 1996
Page 3

Please feel free to call me with any questions.

Sincerely,

James R. Sutton

James R. Sutton

cc: Supervisor Dianne Jacob

JRS/js
Enclosures
#6853.01

9604376048

Union-Tribune

Jacob sends back \$250 contribution

By DAVID HARPSTER
Staff Writer

East County Supervisor Dianne Jacob's re-election campaign has returned a \$250 contribution amid allegations that the money was illegally donated by a Mexican citizen.

Jacob, who is running to keep her 2nd District post, says she gave back the money this week after Chula Vista resident Jerry Fick raised questions about the donor's citizenship.

Fick, a property manager who is backing Jacob opponent Dan McMillan in the March 26 election, has called for an investigation into the matter.

He contends that the \$250 contribution from J. Manuel Jasso on Aug. 10 violated election laws because Jasso reputedly is a Mexican citizen.

Federal election codes prohibit campaign contributions from foreign citizens, said Gary Huckaby, spokesman for the state Fair Political Practices Commission.

Campaign records show that Jasso listed a Tecate, Calif., post office box as his address. But a private investigator hired by Fick issued a report last month saying that Jasso is a Mexican citizen living in Tecate, Baja California.

"I'm outraged," Fick said. "When you see a contribution coming from a border area, you should say, 'Wait a minute, I should check this.'"

"I would say she has a duty to check those checks," he said.

In defense, Jacob said she had no reason to suspect the donation, one of several thousand individual contributions she has received from throughout the region.

"When I received the contributions, I had no reason to doubt his residency," she said. "It had an East County address."

After reviewing a copy of Fick's claims, Jacob said she tried to con-

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EXHIBIT 1

... Jasso's residency, but was unable to do so.

"Because there was a question about it, I promptly returned the contribution," she said.

Efforts to contact Jasso yesterday for comment were unsuccessful.

Jacob did keep a \$250 contribution received Aug. 14 from Manuela Ching Palomarez, another donor who gave a Tecate, Calif., address. Fick had also raised questions about her citizenship, but Jacob said the woman is a legal resident.

Both contributors are associates of Alexandre and Deborah Szekely, owners of a Tecate health resort and the Golden Door health spa near Escondido.

26043760410

0 6 0 4 3 7 6 0 4 1

PAY TO THE ORDER OF
J. Manuel Jasso
 Two Hundred Fifty and 00/100 *****
 J. Manuel Jasso
 P.O. Box 69
 Tecate, CA 91980

FRIENDS OF DIANNE JACOB
 P.O. BOX 4888
 LA MESA, CA 91944

WELLS FARGO BANK
 BANKING CENTER BRANCH
 16241 20TH ST
 LA JOLLA, CA 92037
 619 451 2000

Date: 2/27/96
 \$ 250.00 DOLLARS

1173

Memo: *Contribution Returned*
Paul Selver

EXHIBIT 2



First Interstate Bank
Teesta Office
430 Teesta Road
Teesta, CA 91650

No 8820016218

Cashier's Check

10-21/1220

DATE 08-04-95

PAY

FIRST INTERSTATE BANK OF CA 250 DOLS 00 CTS

\$ ****\$250.00****

PAY TO THE ORDER OF *****Dianne Jacob*****

[Handwritten Signature]
AUTHORIZED SIGNATURE
12357

⑈8820016218⑈ ⑆122000218⑆367098950⑈



DIANNE! You can count on my support in your campaign for County Supervisor. I will:

- Mail postcards to my friends
- Display a sign in my yard/business
- Send letters to the editor of my local paper
- Walk door-to-door in my neighborhood distributing literature
- Make phone calls
- Other _____

Please make checks payable to:
Friends of Dianne Jacob

Enclosed is my contribution for:

- \$250
- \$125
- \$50
- \$25
- Other _____

You may use my name as an endorser in campaign literature.

Signature *[Signature]*
 Name J. Manuel Jasso Spouse TEREZITA
 Residential Address P.O. Box 69
 City TERATE State Calif. Zip 91980 Phone 615-2665-4105
 Employer _____ Check if Self-Employed
 Occupation or Title Managing Contractor
 Business Address Rancho La Puente
 City TERATE State MEXICO Phone _____
 If self-employed, place of business _____

Local law limits campaign contributions to \$250 per person for the Primary Election, and \$250 per person for the General Election. Spouses may write separate checks or write one check signed by both spouses if the total does not exceed \$250. Only personal checks may be accepted. Corporate, business, and other non-personal contributions are not permitted. Contributions for by Friends of Dianne Jacob. Carl Silva, Treasurer.

NEW EXHIBIT 4

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26043760443

3112

RAMON PALOMAREZ
MANUELA CHING PALOMAREZ
473 THING RD.
P.O. BOX 282
TECATE, CA 91980

8/8, 925

Pay to the Order of Friends of Dianne Jacobs \$ 250.00
Two Hundred Fifty & no/100 Dollars

First Interstate Bank
Postmaster: Bank of California 2000
481 Tecate Road
P.O. Box 28
Tecate, CA 91980-0028

To: [Signature]



DIANNE! You can count on my support in your campaign for County Supervisor. I will:

- Mail postcards to my friends
- Display a sign in my yard/business
- Send letters to the editor of my local paper
- Walk door-to-door in my neighborhood distributing literature
- Make phone calls
- Other _____

Please make checks payable to:
Friends of Dianne Jacob

Enclosed is my contribution for:

- \$250
- \$125
- \$50
- \$25
- Other _____

You may use my name as an endorser in campaign literature.

Signature [Signature]

Name Manuelita Ching Spouse RAMON

Residential Address 473 Thing Rd

City Tecate, CA State CA Zip 91980 Phone 619/478-5073

Employer Fitness Resorts (Rancho La Puente) Check if Self-Employed

Occupation or Title Concierge

Business Address P.O. Box 69

City Tecate State CA Zip 91980 Phone [Redacted]

MANUELA CHING PALOMAREZ
If self-employed, place of business _____

Local law limits campaign contributions to \$250 per person for the Primary Election, and \$250 per person for the General Election. Spouses may write separate checks or write one check signed by both spouses if the check exceeds \$250. Only personal checks may be used. State, business or committee contributions are not permitted. Aid for by Friends of Dianne Jacob.

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4329

NAME OF COUNSEL: James R. Sutton

FIRM: Nielsen, Merksamer, Parrinello, Mueller & Naylor

ADDRESS: 591 Redwood Highway, #4000

Mill Valley, CA 94941

TELEPHONE:(415) 389-6800

FAX:(415) 388-6874

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.

4/12/96

Date

James R. Sutton
Signature

RESPONDENT'S NAME: Supervisor Diane Jacob

ADDRESS: 1600 Pacific Highway, Rm. 335

San Diego, CA 92101

TELEPHONE: HOME() _____

BUSINESS(619) 531-5522

96043760414

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

April 16, 1996

Apr 18 2 32 PM '96

General Counsel's Office
Federal Election Commission
999 E. Street, N.W.
Washington, D. C. 20463

Re: MUR 4329

Dear General Counsel's Office:

I received a letter from Mary Taksar enclosing a complaint alleging that I violated the Federal Election Campaign Act. I read the complaint, and am responding to it by this letter.

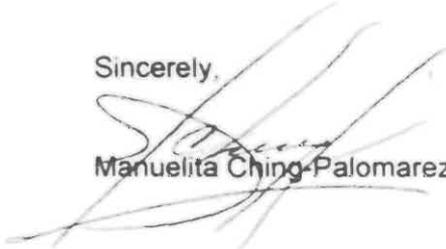
I am not that familiar with all of the laws governing campaign contributions. However, if I understand Mr. Fick's complaint against me, the primary violation he alleges is that I am a foreign national. I am not a foreign national. I am a permanent resident of the United States. Attached to this letter is a copy of my Resident Alien Card, which is commonly referred to as a "green card". Since I am a permanent resident, it is my belief that I am entitled to make political contributions in the United States.

I was insulted by the description of my position at Rancho La Puerta. I am, in fact, the Head Concierge at Rancho La Puerta, which is an executive position. I am personally responsible for assisting all of the guests with their individual requests. I report directly to the President and Managing Partner of the Ranch. I own a home as well as property in the town of Tecate. I am fully capable of making a \$250. contribution, which I did from my own funds.

I became aware of Supervisor Jacob's efforts to protect Tecate through my work at Rancho La Puerta. I was proud to make a contribution to someone who is helping my community.

I believe that I have fully obeyed the law, and do not deserve the treatment I have received in this matter. I hope and request that you will take the necessary steps to end my involvement with this action and dismiss the complaint that has been filed against me.

Sincerely,


Manuelita Ching-Palomarez

CHING-PALOMAREZ
P.O. BOX 292473 THING RD.
TECATE, CA 91980

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RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

APR 18 2 40 PM '86

José Manuel Jasso
P.O. Box 69
Tecate, CA 91980

General Counsel's Office
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 4329

Dear General Counsel's Office:

This letter responds to the complaint filed against me regarding a political contribution I made to Supervisor Diane Jacob. I am a foreign national who has been politically active in Baja California. Previously, I served as Mayor of my town, Tecate. I have also been privileged to be appointed Secretary of Tourism for the State of Baja California. While I am not an employee of Rancho La Puerta, I am the managing partner.

Supervisor Jacob has been a strong advocate for protecting Tecate, California, and the surrounding area. At Rancho La Puerta, we are concerned about our facility and its environs. I am pleased with Supervisor Jacob's stands on the issues affecting Rancho La Puerta.

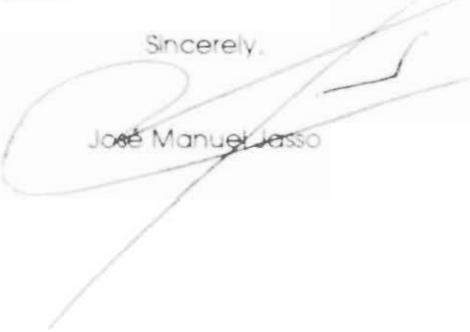
I read Mr. Fick's complaint, alleging that I am not a United States citizen. He is correct that I am not a citizen of the United States of America. When I made the contribution to Supervisor Jacob, I was not aware that citizenship was a requirement for contributing to her. I had not previously made any political contributions in the United States. When Supervisor Jacob's campaign learned that I was not a citizen, they returned my contribution and explained to me that United States law prohibits contributions from foreign nationals.

I did not want to violate United States law. Naturally, I will make no further political contributions in the United States. I am sorry for any embarrassment or problems encountered by Supervisor Jacob as a result of my contribution. Supervisor Jacob did not know that I was not a United States citizen. I have an address in the United States which I use for my United States business dealings. I was not trying to hide my citizenship, but no one asked me or explained that as a Mexican citizen, I was prohibited from making a contribution.

Now that I am familiar with the law, nothing would be gained by pursuing an action against me. I am not going to make any other contributions. I have never made any other contributions. I am sorry I made this one contribution. I respectfully request that the Federal Election Commission not take any action against me.

If you would like any additional information, I would be pleased to assist. Thank you for your consideration of my request.

Sincerely,


José Manuel Jasso

96043760416

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
APR 19 3 07 PM '96

4/17/96

General Counsel's Office
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 4329

Dear General Counsel's Office,

This letter responds to a complaint in which I am a named respondent, designated by the above-referenced matter. I have reviewed the complaint, and I remain completely at a loss as to why I am a respondent. I attended the fundraiser at issue, and made a political contribution—I paid for the breakfast and wrote a check to Supervisor Jacob's re-election campaign. My son was one of the three co-hosts for the fundraiser.

As the founder and chairman of both Rancho La Puerta and the Golden Door, I am troubled by the allegations contained in Mr. Fick's complaint. As of this date, the Golden Door has not received a copy, therefore I am responding only in my capacity as an individual.

In the fifty-plus years that I have resided in San Diego County, I have supported a great many candidates for public office, given and participated in fundraisers and in fact, ran for Congress myself in the early 1980s. I was vociferous in my support of Dianne Jacob and wrote dozens of letters on her behalf, as I have for many before her.

I certainly did not ask either Jose Manuel Jasso or Manuelita Ching de Palomarez to contribute to Supervisor Jacob or provide either of them with the money to do so. Both of them are financially secure: Mr. Jasso is one-third owner of Rancho La Puerta and Manuelita Ching de Palomarez's father was one of Tecate's most important citizens and land owners when we began Rancho La Puerta in 1940.

I know you are aware that Mr. Jasso's contribution was returned as soon as it was called to the Supervisor's attention. If Manuelita Ching de Palomarez's green card residency and the fact that she lives in Tecate, California, where her children attend school is not satisfactory then I am certain that Supervisor Jacob would immediately refund that contribution as well.

I understand and appreciate that you are required to investigate complaints, even frivolous ones, but I hereby respectfully request that you not pursue an action against me in this matter. If there is any other information I might provide in order to terminate this matter, please allow me the opportunity to do so.

Sincerely,


Deborah Szekely



9604876047

LAW OFFICES OF
**NIELSEN, MERKSAMER,
PARRINELLO, MUELLER & NAYLOR**

A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

SACRAMENTO

770 L STREET, SUITE 800
SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 446-6752

FAX (916) 446-6106

591 REDWOOD HIGHWAY, #4000

MILL VALLEY, CALIFORNIA 94941

TELEPHONE (415) 389-6800

FAX (415) 388-6874

SAN FRANCISCO

650 CALIFORNIA STREET, SUITE 2650
SAN FRANCISCO, CALIFORNIA 94108
TELEPHONE (415) 389-6800

FAX (415) 388-6874

April 24, 1996

Mary Taskar, Esq.
Enforcement Division
Federal Election Commission
Washington, D.C. 20463

Re: MUR 4329

Dear Ms. Taskar:

This correspondence follows our letter dated April 12, 1996, regarding the complaint filed with the FEC against San Diego County Supervisor Dianne Jacob.

We want to emphasize that Supervisor Jacob's campaign complied with 11 Code of Federal Regulations section 103.3(b)(2) regarding the "late discovery of prohibited contributions." That provision requires a campaign committee which deposits a contribution and which later discovers that it comes from a foreign national to refund the contribution "within 30 days of the date on which the illegality is discovered."

As explained in our earlier letter, the campaign refunded the \$250 contribution to Mr. Jasso on February 27, 1996, as soon as it discovered (and well within 30 days) that he may be a foreign national. The campaign therefore acted as required by federal law.

Thank you very much for your prompt resolution of this matter.

Sincerely,



James R. Sutton

cc: Supervisor Dianne Jacob

JRS/js
#6853.01

APR 29 9 59 AM '96
RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

96043760448

REED & DAVIDSON

ATTORNEYS AT LAW

777 SOUTH FIGUEROA STREET

SUITE 3700

LOS ANGELES, CALIFORNIA 90017

TELEPHONE (213) 624-6200

FACSIMILE (213) 623-1692

ORANGE COUNTY OFFICE
3151 AIRWAY AVENUE, SUITE M-1
COSTA MESA, CALIFORNIA 92626
TELEPHONE (714) 641-1888
FACSIMILE (714) 546-1003

DANA W REED
CARY DAVIDSON

OF COUNSEL
DARRYL R WOLD
BRADLEY W HERTZ

May 8, 1996

General Counsel's Office
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 4329

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
MAY 13 3 12 PM '96

Dear General Counsel's Office:

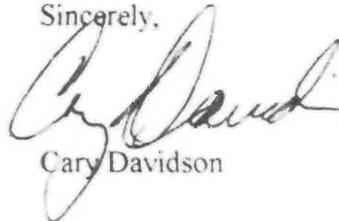
This letter responds to a complaint received by your office which named our clients, Alexandre Szekely and the Golden Door, as respondents in the above-referenced matter. We have reviewed the complaint, and on its face, do not see any accusations directed against either the Golden Door or Alexandre Szekely.

Mr. Szekely knows and works with the other persons identified in the complaint. The Golden Door is mentioned in the complaint, but the allegations do not appear to be in connection with any violations of the Federal Election Campaign Act ("the Act").

Based upon the failure of the complaint to state any violations of the Act by Mr. Szekely or the Golden Door, we respectfully request the Federal Election Commission to take no action against either of them. In fact, we cannot conceive of any action warranted by the irrelevant information contained in Mr. Fick's complaint.

Thank you for your anticipated efforts in closing this matter. Should you have any questions concerning my clients, please feel free to contact me.

Sincerely,



Cary Davidson

cc: Mr. Alexandre Szekely

96043760449

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4329

NAME OF COUNSEL: Cary Davidson

FIRM: Reed & Davidson

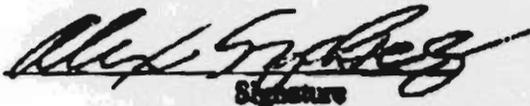
ADDRESS: 777 South Figueroa Street, Suite 3700
Los Angeles, California 90017

TELEPHONE: (213) 624-6200

FAX: (213) 623-1692

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.

May 6, 1996
Date


Signature

RESPONDENT'S NAME: Alexandre Szekely & Golden Door

ADDRESS: 8456 Westway Drive
La Jolla, California 92037

TELEPHONE: HOME _____

BUSINESS (619) 744-6677

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
MAY 8 4 20 PM '96

975043760450

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
FEDERAL ELECTION COMMISSION
GENERAL COUNSEL
WASHINGTON, D.C. 20543

Aug 14 4 50 PM '96

In the Matter of

)
)
)

Enforcement Priority

SENSITIVE

GENERAL COUNSEL'S REPORT

I. INTRODUCTION

In accordance with the objectives of the Enforcement Priority System ("EPS") adopted by the Commission in May 1993, the Office of the General Counsel has periodically recommended that the Commission not pursue cases that are stale or that, in comparison to other pending matters, do not appear to warrant the use of the Commission's limited resources. This General Counsel's Report recommends the Commission not pursue 43 cases that fall within these categories.

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 Commission 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.

96043760451

Having evaluated incoming matters, this Office has identified 24 cases which do not warrant further pursuit relative to other pending matters.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. Attachments 1-24. As the Commission has previously requested, we have also attached responses and referral materials where that information has not been circulated previously to the Commission. Attachment 25.

B. Stale Cases

Investigations are severely impeded and require relatively greater resources when the activity, and the evidence of the activity, are old. Accordingly, the Office of the 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 19 cases that

now too old to warrant the use of the Commission's resources

this Office believes are

¹ These matters are: MUR 4227 (Wellstone for Senate) (Attachment 1); MUR 4273 (Jesse Wineberry) (Attachment 2); MUR 4290 (Lincoln Club of Riverside County) (Attachment 3); MUR 4292 (Congressman Ron Packard) (Attachment 4); MUR 4293 (Willie Colon for Congress) (Attachment 5); MUR 4294 (Alan Keyes for President '96) (Attachment 6); MUR 4299 (UAW-V-CAP) (Attachment 7); MUR 4312 (Sonoma County Republicans) (Attachment 8); MUR 4316 (Ross Perot) (Attachment 9); MUR 4318 (Patrick Combs for Congress) (Attachment 10); MUR 4324 (Buchanan for President) (Attachment 11); MUR 4325 (Dan Garstecki for Congress '96) (Attachment 12); MUR 4329 (Golden Door) (Attachment 13); MUR 4330 (Trice Harvey) (Attachment 14); MUR 4333 (WSB-TV) (Attachment 15); MUR 4334 (Cox Communications) (Attachment 16); MUR 4336 (WSB-TV) (Attachment 17); MUR 4339 (WSB-TV) (Attachment 18); MUR 4348 (Soglin for Congress) (Attachment 19); MUR 4359 (Francis Thompson for Congress) (Attachment 20); MUR 4360 (Weygand Committee) (Attachment 21); MUR 4363 (WSB-TV) (Attachment 22); MUR 4364 (Friends of Jimmy Blake) (Attachment 23) and Pre-MUR 328 (Department of the Interior) (Attachment 24).

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Because our recommendation not to pursue these cases is based on their staleness, this Office has not prepared separate narratives for these cases. we have attached responses and referral materials in those instances where the information was not previously circulated. Attachments 26-45.

This Office recommends the Commission exercise its prosecutorial discretion and no longer pursue the cases listed below effective September 3, 1996. By closing the cases effective that day, CED and the Legal Review Team each will have the necessary time to prepare closing letters and case files for the public record.

2604376043

III. RECOMMENDATIONS

A. Decline to open a MUR, close the file effective September 3, 1996, and approve the appropriate letters in the following matters:

- 1) Pre-MUR 293
- 2) Pre-MUR 311
- 3) Pre-MUR 328
- 4) RAD Referral 95L-03
- 5) RAD Referral 95L-11
- 6) RAD Referral 95L-16
- 7) RAD Referral 95L-22
- 8) RAD Referral 95NF-21

B. Take no action, close the file effective September 3, 1996, and approve the appropriate letters in the following matters:

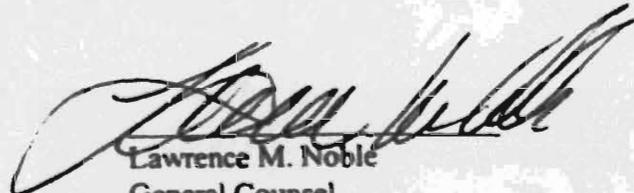
- 1) MUR 4061
- 2) MUR 4074
- 3) MUR 4101
- 4) MUR 4146
- 5) MUR 4151
- 6) MUR 4175
- 7) MUR 4180
- 8) MUR 4184
- 9) MUR 4198
- 10) MUR 4201
- 11) MUR 4227
- 12) MUR 4232
- 13) MUR 4273
- 14) MUR 4290
- 15) MUR 4292
- 16) MUR 4293
- 17) MUR 4294
- 18) MUR 4299
- 19) MUR 4312
- 20) MUR 4316
- 21) MUR 4318
- 22) MUR 4324
- 23) MUR 4325
- 24) MUR 4329
- 25) MUR 4330
- 26) MUR 4333
- 27) MUR 4334

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- 28) MUR 4336
- 29) MUR 4339
- 30) MUR 4348
- 31) MUR 4359
- 32) MUR 4360
- 33) MUR 4363
- 34) MUR 4364

C. Take no further action, close the file effective September 3, 1996, and approve the appropriate letters in MUR 3826.

8/14/96
Date


Lawrence M. Noble
General Counsel

96043760455

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Enforcement Priority.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 21, 1996, the Commission took the following actions on the General Counsel's August 14, 1996 report on the above-captioned matter:

1. Decided by a vote of 5-0:

A. Decline to open a MUR, close the file effective September 3, 1996, and approve the appropriate letters in each of the following matters:

- 1) Pre-MUR 293
- 2) Pre-MUR 311
- 3) Pre-MUR 328
- 4) RAD Referral 95L-03
- 5) RAD Referral 95L-11
- 6) RAD Referral 95L-16
- 7) RAD Referral 95L-22
- 8) RAD Referral 95NF-21

B. Take no action, close the file effective September 3, 1996, and approve the appropriate letters in each of the following matters:

- 1) MUR 4061
- 2) MUR 4074
- 3) MUR 4101
- 4) MUR 4146
- 5) MUR 4151
- 6) MUR 4175
- 7) MUR 4180
- 8) MUR 4184
- 9) MUR 4198

(continued)

96043760456

Federal Election Commission
Certification for Enforcement
Priority
August 23, 1996

Page 2

- 10) MUR 4227
- 11) MUR 4232
- 12) MUR 4273
- 13) MUR 4290
- 14) MUR 4292
- 15) MUR 4293
- 16) MUR 4294
- 17) MUR 4299
- 18) MUR 4312
- 19) MUR 4316
- 20) MUR 4318
- 21) MUR 4324
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- 25) MUR 4333
- 26) MUR 4334
- 27) MUR 4336
- 28) MUR 4339
- 29) MUR 4348
- 30) MUR 4359
- 31) MUR 4360
- 32) MUR 4363
- 33) MUR 4364

Commissioners Aikens, Elliott, McDonald,
McGarry, and Thomas voted affirmatively with
respect to each of the above-noted matters.

Attest:

8-26-96
Date

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

Received in the Secretariat: Wed., Aug. 14, 1996 4:56 p.m.
Circulated to the Commission: Fri., Aug. 16, 1996 12:00 p.m.
Deadline for vote: Wed., Aug. 21, 1996 4:00 p.m.

bjr

96043760457



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

SEP 06 1996

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jerry Fick
P.O.Box Drawer 6010
Chula Vista, CA 91909-6010

RE: MUR 4329

Dear Mr. Fick:

On March 25, 1996, 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 September 3, 1996. 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,

Colleen T. Sealander, Attorney
Central Enforcement Docket

Attachment
Narrative

8 5 4 3 2 1 0 0 6 9

**MUR 4329
GOLDEN DOOR**

Jerry Fick filed a complaint alleging that J. Manuel Jasso and Manuela Ching-Palomarez each made \$250 contributions to San Diego County Board Supervisor member Dianne Jacob's re-election campaign. He alleges that Mr. Jasso and Ms. Ching-Palomarez are foreign nationals who work at a resort located in Mexico and that the contributions were solicited by their employer, Deborah Szekely, as part of a reimbursement scheme involving four contributions to Ms. Jacob. Complainant attaches copies of a private investigator's report regarding the employees' citizenship status and portions of a Jacob campaign report listing the alleged foreign nationals, Ms. Szekely and Alexandre Szekely, as \$250 (each) contributors to Ms. Jacob.

Jose Manuel Jasso responded and admits that he is a foreign national. He states that he is the managing partner of Rancho La Puerta, the former mayor of Tecate, Mexico, and the current Secretary of Tourism for Baja California. He says that he contributed to Ms. Jacob because of her stands on protecting Tecate and its surroundings. When Supervisor Jacob's campaign learned that he was not a citizen, they returned his contribution and explained that United States law prohibits contributions from foreign nationals. He states that he will make no further political contributions.

Manuela Ching-Palomarez responds that she is a permanent resident of the United States and encloses a copy of her Resident Alien Card. She further states that she is Head Concierge at Rancho La Puerta, an executive position, and made the \$250 contribution from her personal funds.

Deborah Szekely responds that she attended a fund-raiser and made a political contribution to Supervisor Jacob's re-election campaign. She states that she did not ask either Jose Manuel Jasso or Manuela Ching-Palomarez to contribute to Supervisor Jacob or provide either of them with the money to do so.

Counsel for Alexandre Szekely and the Golden Door responds that he does not see any FECA accusations directed against either of them.

Counsel for San Diego County Supervisor Dianne Jacob responds that her campaign did in fact accept a \$250 contribution from J. Manuel Jasso and a \$250 contribution from Manuela Ching-Palomarez. Counsel explains that at the time the campaign received these contributions, no one at the campaign had any reason to believe that either of them were from foreign nationals because they listed California home addresses on their contribution response cards and the checks were issued on California banks. Counsel states that the campaign refunded the \$250 to Mr. Jasso within 30 days after it first learned from press reports that he may be a foreign national and more than a month prior to the election. Counsel further states that the campaign did not refund the contribution to Ms. Ching-Palomarez because she is a permanent resident of the United States.

96043760459

This matter involves insubstantial amounts of money and the respondents have taken remedial action.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

SEP 06 1996

J. Manuel Jasso
P.O. Box 69
Tecate, CA 91980

RE: MUR 4329

Dear Mr. Jasso:

On March 28, 1996, 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 September 3, 1996.

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 the Central Enforcement Docket at (202) 219-3400.

Sincerely,

Colleen T. Sealander, Attorney
Central Enforcement Docket

Attachment
Narrative

96043760401

**MUR 4329
GOLDEN DOOR**

Jerry Fick filed a complaint alleging that J. Manuel Jasso and Manuela Ching-Palomarez each made \$250 contributions to San Diego County Board Supervisor member Dianne Jacob's re-election campaign. He alleges that Mr. Jasso and Ms. Ching-Palomarez are foreign nationals who work at a resort located in Mexico and that the contributions was solicited by their employer, Deborah Szekely, as part of a reimbursement scheme involving four contributions to Ms. Jacob. Complainant attaches copies of a private investigator's report regarding the employees' citizenship status and portions of a Jacob campaign report listing the alleged foreign nationals, Ms. Szekely and Alexandre Szekely, as \$250 (each) contributors to Ms. Jacob.

Jose Manuel Jasso responded and admits that he is a foreign national. He states that he is the managing partner of Rancho La Puerta, the former mayor of Tecate, Mexico, and the current Secretary of Tourism for Baja California. He says that he contributed to Ms. Jacob because of her stands on protecting Tecate and its surroundings. When Supervisor Jacob's campaign learned that he was not a citizen, they returned his contribution and explained that United States law prohibits contributions from foreign nationals. He states that he will make no further political contributions.

Manuela Ching-Palomarez responds that she is a permanent resident of the United States and enclose a copy of her Resident Alien Card. She further states that she is Head Concierge at Rancho La Puerta, an executive position, and made the \$250 contribution from her personal funds.

Deborah Szekely responds that she attended a fund-raiser and made a political contribution to Supervisor Jacob's re-election campaign. She states that she did not ask either Jose Manuel Jasso or Manuela Ching-Palomarez to contribute to Supervisor Jacob or provide either of them with the money to do so.

Counsel for Alexandre Szekely and the Golden Door responds that he does not see any FECA accusations directed against either of them.

Counsel for San Diego County Supervisor Dianne Jacob responds that her campaign did in fact accept a \$250 contribution from J. Manuel Jasso and a \$250 contribution from Manuela Ching-Palomarez. Counsel explains that at the time the campaign received these contributions, no one at the campaign had any reason to believe that either of them were from foreign nationals because they listed California home addresses on their contribution response cards and the checks were issued on California banks. Counsel states that the campaign refunded the \$250 to Mr. Jasso within 30 days after it first learned from press reports that he may be a foreign national and more than a month prior to the election. Counsel further states that the campaign did not refund the contribution to Ms. Ching-Palomarez because she is a permanent resident of the United States.

26043760462

This matter involves insubstantial amounts of money and the respondents have taken remedial action.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SEP 06 1996

Cary Davidson, Esquire
Reed & Davidson
777 South Figueroa Street, Suite 3700
Los Angeles, CA 90017

RE: MUR 4329
Alexandre Szekely
Golden Door

Dear Mr. Davidson:

On March 28, 1996, the Federal Election Commission notified your clients 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 Alexandre Szekely and the Golden Door. See attached narrative. Accordingly, the Commission closed its file in this matter on September 3, 1996.

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 the Central Enforcement Docket at (202) 219-3400.

Sincerely,

Colleen T. Sealander, Attorney
Central Enforcement Docket

Attachment
Narrative

96043760464

**MUR 4329
GOLDEN DOOR**

Jerry Fick filed a complaint alleging that J. Manuel Jasso and Manuela Ching-Palomarez each made \$250 contributions to San Diego County Board Supervisor member Dianne Jacob's re-election campaign. He alleges that Mr. Jasso and Ms. Ching-Palomarez are foreign nationals who work at a resort located in Mexico and that the contributions was solicited by their employer, Deborah Szekely, as part of a reimbursement scheme involving four contributions to Ms. Jacob. Complainant attaches copies of a private investigator's report regarding the employees' citizenship status and portions of a Jacob campaign report listing the alleged foreign nationals, Ms. Szekely and Alexandre Szekely, as \$250 (each) contributors to Ms. Jacob.

Jose Manuel Jasso responded and admits that he is a foreign national. He states that he is the managing partner of Rancho La Puerta, the former mayor of Tecate, Mexico, and the current Secretary of Tourism for Baja California. He says that he contributed to Ms. Jacob because of her stands on protecting Tecate and its surroundings. When Supervisor Jacob's campaign learned that he was not a citizen, they returned his contribution and explained that United States law prohibits contributions from foreign nationals. He states that he will make no further political contributions.

Manuela Ching-Palomarez responds that she is a permanent resident of the United States and enclose a copy of her Resident Alien Card. She further states that she is Head Concierge at Rancho La Puerta, an executive position, and made the \$250 contribution from her personal funds.

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26043760465

This matter involves insubstantial amounts of money and the respondents have taken remedial action.

96043760466



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SEP 06 1996

Manuelita Ching-Palomarez
473 Thing Road
P.O. Box 292
Tecate, CA 91980

RE: MUR 4329

Dear Ms. Ching-Palomarez:

On March 28, 1996, 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 September 3, 1996.

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 the Central Enforcement Docket at (202) 219-3400.

Sincerely,

Colleen T. Sealander, Attorney
Central Enforcement Docket

Attachment
Narrative

96043760467

**MUR 4329
GOLDEN DOOR**

Jerry Fick filed a complaint alleging that J. Manuel Jasso and Manuela Ching-Palomarez each made \$250 contributions to San Diego County Board Supervisor member Dianne Jacob's re-election campaign. He alleges that Mr. Jasso and Ms. Ching-Palomarez are foreign nationals who work at a resort located in Mexico and that the contributions was solicited by their employer, Deborah Szekely, as part of a reimbursement scheme involving four contributions to Ms. Jacob. Complainant attaches copies of a private investigator's report regarding the employees' citizenship status and portions of a Jacob campaign report listing the alleged foreign nationals, Ms. Szekely and Alexandre Szekely, as \$250 (each) contributors to Ms. Jacob.

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Deborah Szekely responds that she attended a fund-raiser and made a political contribution to Supervisor Jacob's re-election campaign. She states that she did not ask either Jose Manuel Jasso or Manuela Ching-Palomarez to contribute to Supervisor Jacob or provide either of them with the money to do so.

Counsel for Alexandre Szekely and the Golden Door responds that he does not see any FECA accusations directed against either of them.

Counsel for San Diego County Supervisor Dianne Jacob responds that her campaign did in fact accept a \$250 contribution from J. Manuel Jasso and a \$250 contribution from Manuela Ching-Palomarez. Counsel explains that at the time the campaign received these contributions, no one at the campaign had any reason to believe that either of them were from foreign nationals because they listed California home addresses on their contribution response cards and the checks were issued on California banks. Counsel states that the campaign refunded the \$250 to Mr. Jasso within 30 days after it first learned from press reports that he may be a foreign national and more than a month prior to the election. Counsel further states that the campaign did not refund the contribution to Ms. Ching-Palomarez because she is a permanent resident of the United States.

96043760468

This matter involves insubstantial amounts of money and the respondents have taken remedial action.

96043760469



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SEP 06 1996

Deborah Szekely
3232 Dove Street
San Diego, CA 92103

RE: MUR 4329

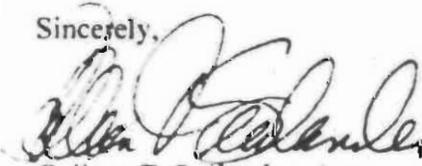
Dear Ms. Szekely:

On March 28, 1996, 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 September 3, 1996.

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 the Central Enforcement Docket at (202) 219-3400.

Sincerely,

Colleen T. Sealander, Attorney
Central Enforcement Docket

Attachment
Narrative

960437604/0

MUR 4329
GOLDEN DOOR

Jerry Fick filed a complaint alleging that J. Manuel Jasso and Manuela Ching-Palomarez each made \$250 contributions to San Diego County Board Supervisor member Dianne Jacob's re-election campaign. He alleges that Mr. Jasso and Ms. Ching-Palomarez are foreign nationals who work at a resort located in Mexico and that the contributions was solicited by their employer, Deborah Szekely, as part of a reimbursement scheme involving four contributions to Ms. Jacob. Complainant attaches copies of a private investigator's report regarding the employees' citizenship status and portions of a Jacob campaign report listing the alleged foreign nationals, Ms. Szekely and Alexandre Szekely, as \$250 (each) contributors to Ms. Jacob.

Jose Manuel Jasso responded and admits that he is a foreign national. He states that he is the managing partner of Rancho La Puerta, the former mayor of Tecate, Mexico, and the current Secretary of Tourism for Baja California. He says that he contributed to Ms. Jacob because of her stands on protecting Tecate and its surroundings. When Supervisor Jacob's campaign learned that he was not a citizen, they returned his contribution and explained that United States law prohibits contributions from foreign nationals. He states that he will make no further political contributions.

Manuela Ching-Palomarez responds that she is a permanent resident of the United States and enclose a copy of her Resident Alien Card. She further states that she is Head Concierge at Rancho La Puerta, an executive position, and made the \$250 contribution from her personal funds.

Deborah Szekely responds that she attended a fund-raiser and made a political contribution to Supervisor Jacob's re-election campaign. She states that she did not ask either Jose Manuel Jasso or Manuela Ching-Palomarez to contribute to Supervisor Jacob or provide either of them with the money to do so.

Counsel for Alexandre Szekely and the Golden Door responds that he does not see any FECA accusations directed against either of them.

Counsel for San Diego County Supervisor Dianne Jacob responds that her campaign did in fact accept a \$250 contribution from J. Manuel Jasso and a \$250 contribution from Manuela Ching-Palomarez. Counsel explains that at the time the campaign received these contributions, no one at the campaign had any reason to believe that either of them were from foreign nationals because they listed California home addresses on their contribution response cards and the checks were issued on California banks. Counsel states that the campaign refunded the \$250 to Mr. Jasso within 30 days after it first learned from press reports that he may be a foreign national and more than a month prior to the election. Counsel further states that the campaign did not refund the contribution to Ms. Ching-Palomarez because she is a permanent resident of the United States.

2604376041

This matter involves insubstantial amounts of money and the respondents have taken remedial action.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

SEP 06 1996

James R. Sutton, Esquire
Nielsen, Merksamer, Parrinello,
Mueller & Naylor
591 Redwood Highway, #4000
Mill Valley, CA 94941

RE: MUR 4329
Supervisor Dianne Jacob

Dear Mr. Sutton:

On March 28, 1996, the Federal Election Commission notified your client 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 Supervisor Dianne Jacob. See attached narrative. Accordingly, the Commission closed its file in this matter on September 3, 1996.

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 the Central Enforcement Docket at (202) 219-3400.

Sincerely,

Colleen T. Sealander, Attorney
Central Enforcement Docket

Attachment
Narrative

9604376043

**MUR 4329
GOLDEN DOOR**

Jerry Fick filed a complaint alleging that J. Manuel Jasso and Manuela Ching-Palomarez each made \$250 contributions to San Diego County Board Supervisor member Dianne Jacob's re-election campaign. He alleges that Mr. Jasso and Ms. Ching-Palomarez are foreign nationals who work at a resort located in Mexico and that the contributions was solicited by their employer, Deborah Szekely, as part of a reimbursement scheme involving four contributions to Ms. Jacob. Complainant attaches copies of a private investigator's report regarding the employees' citizenship status and portions of a Jacob campaign report listing the alleged foreign nationals, Ms. Szekely and Alexandre Szekely, as \$250 (each) contributors to Ms. Jacob.

Jose Manuel Jasso responded and admits that he is a foreign national. He states that he is the managing partner of Rancho La Puerta, the former mayor of Tecate, Mexico, and the current Secretary of Tourism for Baja California. He says that he contributed to Ms. Jacob because of her stands on protecting Tecate and its surroundings. When Supervisor Jacob's campaign learned that he was not a citizen, they returned his contribution and explained that United States law prohibits contributions from foreign nationals. He states that he will make no further political contributions.

Manuela Ching-Palomarez responds that she is a permanent resident of the United States and enclose a copy of her Resident Alien Card. She further states that she is Head Concierge at Rancho La Puerta, an executive position, and made the \$250 contribution from her personal funds.

Deborah Szekely responds that she attended a fund-raiser and made a political contribution to Supervisor Jacob's re-election campaign. She states that she did not ask either Jose Manuel Jasso or Manuela Ching-Palomarez to contribute to Supervisor Jacob or provide either of them with the money to do so.

Counsel for Alexandre Szekely and the Golden Door responds that he does not see any FECA accusations directed against either of them.

Counsel for San Diego County Supervisor Dianne Jacob responds that her campaign did in fact accept a \$250 contribution from J. Manuel Jasso and a \$250 contribution from Manuela Ching-Palomarez. Counsel explains that at the time the campaign received these contributions, no one at the campaign had any reason to believe that either of them were from foreign nationals because they listed California home addresses on their contribution response cards and the checks were issued on California banks. Counsel states that the campaign refunded the \$250 to Mr. Jasso within 30 days after it first learned from press reports that he may be a foreign national and more than a month prior to the election. Counsel further states that the campaign did not refund the contribution to Ms. Ching-Palomarez because she is a permanent resident of the United States.

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This matter involves insubstantial amounts of money and the respondents have taken remedial action.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

SEP 06 1996

Carl Silva, Treasurer
Friends of Dianne Jacob
P.O. Box 388 JAMUL
San Diego, CA 91935

RE: MUR 4329

Dear Mr. Silva:

On March 28, 1996, 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 Friends of Dianne Jacob and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter on September 3, 1996.

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 the Central Enforcement Docket at (202) 219-3400.

Sincerely,

Colleen T. Sealander, Attorney
Central Enforcement Docket

Attachment
Narrative

96043760416

**MUR 4329
GOLDEN DOOR**

Jerry Fick filed a complaint alleging that J. Manuel Jasso and Manuela Ching-Palomarez each made \$250 contributions to San Diego County Board Supervisor member Dianne Jacob's re-election campaign. He alleges that Mr. Jasso and Ms. Ching-Palomarez are foreign nationals who work at a resort located in Mexico and that the contributions was solicited by their employer, Deborah Szekely, as part of a reimbursement scheme involving four contributions to Ms. Jacob. Complainant attaches copies of a private investigator's report regarding the employees' citizenship status and portions of a Jacob campaign report listing the alleged foreign nationals, Ms. Szekely and Alexandre Szekely, as \$250 (each) contributors to Ms. Jacob.

Jose Manuel Jasso responded and admits that he is a foreign national. He states that he is the managing partner of Rancho La Puerta, the former mayor of Tecate, Mexico, and the current Secretary of Tourism for Baja California. He says that he contributed to Ms. Jacob because of her stands on protecting Tecate and its surroundings. When Supervisor Jacob's campaign learned that he was not a citizen, they returned his contribution and explained that United States law prohibits contributions from foreign nationals. He states that he will make no further political contributions.

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This matter involves insubstantial amounts of money and the respondents have taken remedial action.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4329

DATE FILMED 10-9-96 CAMERA NO. 2

CAMERAMAN JMN

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