



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4533

DATE FILMED 8-10-97 CAMERA NO. 4

CAMERAMAN JMU

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## REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: JUL 19 1996

ANALYST: GINGER CAMPBELL

I. COMMITTEE: Michela Alioto for Congress  
(C00308403)  
Linda Blum, Treasurer  
555 Capitol Mall, Suite #625  
Sacramento, CA 95814

II. RELEVANT STATUTE: 2 U.S.C. §434(a)(6)  
11 CFR §104.5(f)

## III. BACKGROUND:

## Failure to File Forty-Eight Hour Notification

Michela Alioto for Congress ("the Committee") has failed to file one (1) 48-Hour Notification ("48 Hour Notice") for a candidate loan totaling \$40,000 received prior to the 1996 Primary Election.

The candidate was involved in the 1996 Primary Election held on March 26, 1996. Prior Notice was sent to the Committee on February 16, 1996. (Attachment 2). The Notice includes a section titled "48 Hour Notices on Contributions." This section reads "Notices are required if the committee receives contributions (including in-kind gifts or advances of goods or services; loans from the candidate or other non-bank sources; and guarantees or endorsements of loans to the candidate or committee) of \$1,000 or more, during the period of March 7 through March 23, 1996. The notices must reach the appropriate federal and state filing offices within 48 hours of the committee's receipt of the contribution(s)."

Schedules A and C of the 1996 April Quarterly Report indicate that the Committee failed to file one (1) 48-Hour Notice for a candidate loan received during the aforementioned period (Attachment 3). The following is the loan for which a 48-Hour Notice was not filed:

<u>Contributor Name</u>	<u>Date</u>	<u>Amount</u>
Michela Alioto	3/12/96	\$40,000

On May 24, 1996, an Informational ("Notice") was sent to the Committee (Attachment 4). The Notice notes that the Committee may have failed to file one or more of the required

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48-Hour Notices for "last minute" contributions of \$1,000 or more. The Notice requests the Committee to review their procedures for checking contributions received during the aforementioned time period. In addition, the Notice states that although the Commission may take legal steps, any response would be taken into consideration.

On June 3, 1996, a Reports Analysis Division analyst telephoned a Committee representative, Jeanne Pritchard, to inquire into the missing 48-Hour Notice. Ms. Pritchard directed the analyst to contact Linda Blum, the Treasurer. Linda Blum was contacted by the analyst. Ms. Blum stated that the 48-Hour Notice was sent to the Commission and that she would forward a copy to the Commission (Attachment 5).

On June 7, 1996, a response from the Committee was received. However, the response did not include the 48-Hour Notice for the contribution in question (Attachment 6). The analyst contacted the Treasurer and informed her that the response had been received but that it did not include the missing 48-Hour Notice. Ms. Blum stated that she would locate the correct 48-Hour Notice and contact the analyst on June 10, 1996 (Attachment 7).

On June 11, 1996, when the analyst had not been contacted by the Committee, a call was made to request an update on the status of the missing 48-Hour Notice. Linda Blum, the Treasurer, was in a meeting so a message was left requesting a return call (Attachment 8). The Treasurer did not contact the analyst.

On June 13, 1996, the Treasurer called the analyst and stated that the 48-Hour Notice had not been filed with the Commission (Attachment 9). The Treasurer stated that a misunderstanding with the Bank's Wire Transfer Report resulted in the March 12, 1996, \$40,000 candidate loan being mistaken as a duplicate reporting of the March 15, 1996, \$40,000 candidate loan. Thus, only one (1) 48-Hour Notice for \$40,000 was sent to the Commission. The Treasurer stated that a letter of explanation would be sent to the Commission for consideration when reviewing the referral.

On June 14, 1996, the Committee's response was hand delivered to the Commission (Attachment 10). The response states that the increased activity level during the Primary resulted in miscommunication between the campaign office and the finance committee, which led to the 48-Hour Notice not being sent. \*

\*/In an amendment dated July 11, 1996, the Committee corrected the typographical error in this letter by changing "May" to "March".

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CANDIDATE/COMMITTEE/DOCUMENT	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION TYPE OF FILER
	OFFICE SOUGHT/ PARTY	PRIMARY GENERAL	PRIMARY GENERAL	GENERAL			
ALICIA, MICHELA A	HOUSE 01 DEMOCRATIC PARTY				CALIFORNIA	1996 ELECTION	ID# H6C01103
STATEMENT OF CANDIDATE							
1995 STATEMENT OF CANDIDATE					14NOV95	1	96HSE/584/1647
PRINCIPAL CAMPAIGN COMMITTEE							
MICHELA ALICIA FOR CONGRESS					ID #000308403	HOUSE	
1995 STATEMENT OF ORGANIZATION					14NOV95	1	96HSE/584/1666
YEAR-END		100,000	29,099		17JAN96 - 31DEC95	8	96HSE/588/4500
1996 48 HOUR CONTRIBUTION NOTICE					11MAR96	2	96HSE/595/3157
48 HOUR CONTRIBUTION NOTICE					15MAR96	2	96HSE/596/2914
48 HOUR CONTRIBUTION NOTICE					18MAR96	2	96HSE/596/2439
48 HOUR CONTRIBUTION NOTICE					19MAR96	2	96HSE/596/2746
48 HOUR CONTRIBUTION NOTICE					20MAR96	2	96HSE/596/3450
48 HOUR CONTRIBUTION NOTICE					11JUL96	4	96HSE/605/0599
PRE-PRIMARY		166,299	201,400		17JAN96 - 31MAR96	24	96HSE/596/1016
PRE-PRIMARY - AMENDMENT		165,469	200,340		17JAN96 - 31MAR96	8	96HSE/603/1472
REQUEST FOR ADDITIONAL INFORMATION					17JAN96 - 31MAR96	3	96FEC/036/4051
APRIL QUARTERLY		118,026	149,014		7MAR96 - 31MAR96	19	96HSE/603/1456
APRIL QUARTERLY - AMENDMENT					7MAR96 - 31MAR96	4	96HSE/606/5009
MAY QUARTERLY - AMENDMENT					7MAR96 - 31MAR96	6	96HSE/607/1146
1ST LETTER INFORMATIONAL NOTICE					7MAR96 - 31MAR96	2	96FEC/051/4940
TOTAL		582,594	0	377,550		44	TOTAL PAGES
AUTHORIZED COMMITTEES							
AGENT RAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN							

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All reports have been reviewed.

Ending cash-on-hand as of 3/31/96: \$5,039

Debts owed to/by the committee as of 3/31/96: \$301,928

# PRIMARY ELECTION REPORT NOTICE

## FEDERAL ELECTION COMMISSION

CALIFORNIA  
Congressional Committees

February 16, 1996

**FOR COMMITTEES INVOLVED IN THE PRIMARY (03/26/96)**

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
Pre-Primary	01/01/96 - 03/06/96	03/11/96	03/14/96
	----48 Hour Notices----		
April Quarterly	03/07/96 - 03/31/96	04/15/96	04/15/96

**WHO MUST FILE**

Principal campaign committees of congressional candidates (including unopposed candidates) who seek nomination in the primary must file the above reports and notices. If the campaign has more than one authorized committee(s), in addition to the principal campaign committee, the principal campaign committee must also file a consolidated report on Form 32.

**WHERE TO FILE**

Due to recent legislative changes, U.S. House candidates should file with the Federal Election Commission, rather than with the Clerk of the House of Representatives. Committees should consult the back of Forms 3 and 6 for the FEC's mailing address.

**48 HOUR NOTICES ON CONTRIBUTIONS**

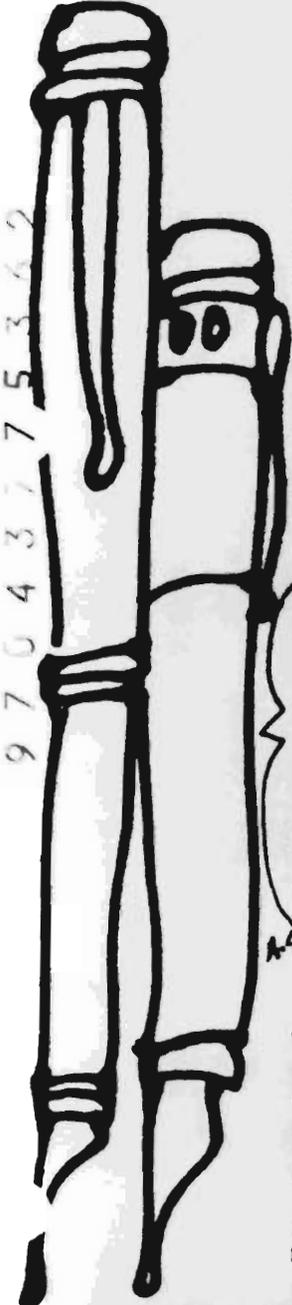
Notices are required if: the committee receives contributions (including in-kind gifts or advances of goods or services; loans from the candidate or other non-bank sources; and guarantees or endorsements of loans to the candidate or committee) of \$1,000 or more, during the period of March 7 through March 23.

The notices must reach the appropriate federal and state filing offices within 48 hours of the committee's receipt of the contribution(s). U.S. House candidates faxing 48-hour notices should transmit them to the FEC at 202/219-0174. Note that 48-hour notices are the only FEC documents that may be faxed.

\*These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered and, if applicable, before the individual became a candidate.

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

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**LABEL**

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

**COMPLIANCE**

Treasurers of political committees are responsible for filing all reports on time. Failure to do so is subject to enforcement action. Committees filing illegible reports or using non-FEC forms (except for FEC approved computer generated forms) will be required to refile.

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

**SCHEDULE A** **ITEMIZED RECEIPTS**  
**Loans Made or Guaranteed by the Candidate**

Use separate schedule(s) for each category of the Detailed Summary Page (03/07/96 - 02/31/96)	PAGE	OF
	1	1
FOR LINE NUMBER		13(a)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)  
Michela Alioto for Congress C00308403

9904375342

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Michela Alioto 1819 Einfandel Lane St. Helena, CA 94574		03/12/96	40,000.00 (personal funds)
		03/15/96	40,000.00 (personal funds)
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	03/15/96	20,000.00 (personal funds)
Aggregate Year-to-Date >		\$	200,000.00 (personal funds)
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
Aggregate Year-to-Date >		\$	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
Aggregate Year-to-Date >		\$	
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
Aggregate Year-to-Date >		\$	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
Aggregate Year-to-Date >		\$	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
Aggregate Year-to-Date >		\$	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
Aggregate Year-to-Date >		\$	

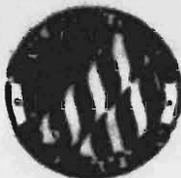
SUBTOTAL of Receipts This Page (optional)	100,000.00
TOTAL This Period (last page this line number only)	100,000.00

**LOANS**  
Loans Received by the Committee

Name of Committee (in Full) <b>Michela Alioto for Congress</b>			
A. Full Name, Mailing Address and ZIP Code of Loan Source <b>Michela Alioto 1819 Sinfandel Lane St. Helena, CA 94574</b>		Original Amount of Loan <b>40,000.00</b>  (Personal Funds)	Cumulative Payment To Date <b>0.00</b>
Election: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Balance Outstanding at Close of This Period <b>40,000.00</b>	
Terms: Date Incurred <u>03/12/96</u> Date Due <u>03/12/99</u> Interest Rate <u>0.0000</u> %(apr) <input type="checkbox"/> Secured			
List All Endorsers or Guarantors (if any) to Item A			
1. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding: \$		
2. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding: \$		
3. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding: \$		
(03/07/96 - 03/31/96)			
B. Full Name, Mailing Address and ZIP Code of Loan Source <b>Michela Alioto 1819 Sinfandel Lane St. Helena, CA 94574</b>		Original Amount of Loan <b>100,000.00</b>  (Personal Funds)	Cumulative Payment To Date <b>0.00</b>
Election: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Balance Outstanding at Close of This Period <b>100,000.00</b>	
Terms: Date Incurred <u>02/09/96</u> Date Due <u>02/08/99</u> Interest Rate <u>0.0000</u> %(apr) <input type="checkbox"/> Secured			
List All Endorsers or Guarantors (if any) to Item B			
1. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding: \$		
2. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding: \$		
3. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding: \$		
SUBTOTALS This Period/This Page (optional) .....			<b>140,000.00</b>
TOTALS This Period (last page in this line only) .....			

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Carry outstanding balance only to LINE 3, Schedule D, for this form. If no Schedule D, carry forward to appropriate line of Summary.



## FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

NO-5

Linda Blum, Treasurer  
 Nichola Aliote for Congress  
 555 Capital Mall #625  
 Sacramento, CA 95814

MAY 24 1996

Identification Number: C00308403

Reference: April Quarterly Report (3/7/96-3/31/96)

Dear Ms. Blum:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your report indicates that your committee may have failed to file one or more of the required 48 hour notices regarding "last minute" contributions received by your committee after the close of books for the 12 Day Pre-Primary report. A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. Although the Commission may take legal action, any response you wish to provide concerning this matter will be considered. (11 CFR §106.5(f))

Any amendment or clarification should be filed with the Federal Election Commission. If you need assistance, please feel free to contact us on our toll-free number, (800) 424-9520. My local number is (202) 219-3580.

Sincerely,

Ginger Campbell  
 Reports Analyst  
 Reports Analysis Division

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Celebrating the Commission's 25th Anniversary

WE'RE HERE, TODAY AND TOMORROW --  
 COMMITTED TO SERVING THE PUBLIC BY CHOICE

FEC Initiated - June 3, 1996

To: Michela Alioto for Congress Committee  
Jeanne Prichard - Report Preparer  
(916) 264-1818

From: Ginger Campbell  
RAD

I called Jeanne Prichard about the letter of May 24, 1996 regarding the missing 48-hour notice. She said the letter had arrived and that I needed to speak with Linda Blum. I advised her that the missing 48-hour notice is OGC referable and that I need a response.

To: Michela Alioto for Congress Committee  
Linda Blum - Treasurer  
(415) 434-8900

From: Ginger Campbell  
RAD

I called Linda Blum and advised her that I needed a response to my letter on a missing 48-hour notice. I explained that the 48-hour notice that is missing is the \$40,000 personal fund loan from the candidate on March 12, 1996. I advised her that it was OGC referable. She stated that the notice had been sent to the FEC a day late because of some confusion between offices. She said she will talk with Jeanne Prichard and forward a copy of the notice to my attention by Wednesday, June 5, 1996.

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June 6, 1996

**VIA OVERNIGHT DELIVERY**

Ms. Ginger Campbell  
Federal Election Commission  
999 E Street N.W.  
Washington, D.C. 20463

Re: Michela Alioto for Congress

Dear Ginger,

Per your request, enclosed please find a copy of the Notice of Last-Minute Contribution form dated March 18, 1996, which reported the wire transfers made by Michela Alioto (as a loan to the campaign) on Friday, March 15, 1996. The finance committee for the campaign was notified by mail of the completed wire transfers. We received that notice from Imperial Bank on Monday, March 18, 1996 and reported it accordingly.

Please let me know if we may be of further assistance.

Best regards,



Linda T. Blum

LTB:sw  
enclosures

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NOTICE OF LAST REPORT

DATE OF REPORT

Federal Election Commission  
Facsimile No: (202) 219-2212

(2) California Secretary of State  
Facsimile No: (916) 622-1045

FROM: MICHELA ALIOTO FOR CONGRESS  
555 Capitol Mall, Ste. 685  
Sacramento, CA 95814

I.D.No. C2000401

Office: House of Representatives,  
California, District 1

Date of Election: March 26, 1996

The following contributions were received during  
the late reporting period, March 7 through March 23, 1996:

<u>Name and Address of Contributor</u>	<u>Date Received</u>	<u>Amount</u>
<u>Michela Alioto</u> <u>1819 Zinfandel Lane</u> <u>St. Helena, Ca. 94574</u>	<u>3/15/96</u>	<u>\$20,000</u> * Candidate's personal funds - loan
<u>Michela Alioto</u> <u>1819 Zinfandel Lane</u> <u>St. Helena, Ca. 94574</u>	<u>3/15/96</u>	<u>\$40,000</u> * Candidate's personal funds - loan

FEC Initiated - June 7, 1996

To: Linda Blum  
(415) 434-8900

From: Ginger Campbell  
RAD

I called and informed her that the package had been received at the FEC. However, the back-up information provided was not for the correct 48-Hour Notice. I told her that I was specifically interested in the 48-Hour Notice for the \$40,000 March 12, 1996, contribution by the candidate. She stated that she would look into the problem and call on Monday.

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FEC Initiated - June 11, 1996

To: Linda Blum  
(415) 434-8900

From: Ginger Campbell  
RAD

I called to see if she had obtained any additional information on the missing 48-Hour Notice. She was in a meeting and I left a message asking for a return call.

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Attachment #9

From: Linda Blum  
Michela Alioto for Congress  
(415) 434-8900

To: Ginger Campbell  
RAD

Linda Blum stated that through a mix-up a 48-Hour Notice for the \$40,000 contribution by the candidate on March 12, 1996 was not filed with the Commission. She inquired into the possible ramifications, I told her the referral was to be sent to OGC where a fine might be leveled against the Committee.

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FEDERAL  
ELECTION  
COMMISSION

JUN 14 10 45 AM '96

**MICHELIA ALIOTO FOR CONGRESS  
1333 JEFFERSON STREET  
NAPA, CA. 94542  
(707) 259-9450**

June 13, 1996

**VIA OVERNIGHT DELIVERY**

Ms. Ginger Campbell  
Federal Election Commission  
999 E. Street N.W.  
Washington, D.C. 20463

Re: Late Contribution of May 12, 1996

Dear Ms. Campbell,

In response to your inquiry regarding the Notice of Last Minute Contribution for the May 12, 1996 contribution of \$40,000.00 made by Michela Alioto as a loan to her campaign, we have reviewed our records and found that we apparently did not file the required notice.

However, we would like to offer the following explanation:

The May 12, 1996 contribution from Michela Alioto was made by wire transfer. Due to the activity level at that stage of the primary, communication from the campaign office to the finance committee was apparently overlooked. Our finance records indicate that the bank notified us of the wire transfer after May 15, 1996.

On May 15, 1996, Michela Alioto made two additional contributions to her campaign, one for \$40,000 and one for \$20,000. We filed the Notice of Last Minute Contribution for both of these amounts in a timely manner. Copies of that filing are attached

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Attachment #10

We believe that the \$40,000 from May 13, 1996 may have been mistaken for the wire notification on May 15, 1996. This was an inadvertent oversight on our part.

Please let us know if we can provide any further information.

Very truly yours,

*Linda T. Blum*

Linda T. Blum  
Treasurer

99760430753915

NOTICE OF LAST-TERM CONTRIBUTION

DATE OF REPORT: 3/16/96

- TO: (1) Federal Election Commission  
Facsimile No: 12021 652-0121
- (2) California Secretary of State  
Facsimile No: 12161 652-2011

FROM: MICHELA ALIOTO FOR CONGRESS  
555 Capital Mall, Ste. 600  
Sacramento, CA 95814

I.D.No. CR03CR021

Office: House of Representatives,  
California, District 1

Date of Election: March 23, 1996

The following contributions were received during the late reporting period, March 7 through March 23, 1996:

<u>Name and Address of Contributor</u>	<u>Date Received</u>	<u>Amount</u>
<u>Michela Alioto</u> <u>1819 Zinfandel Lane</u> <u>St. Helena, Ca. 94574</u>	<u>3/15/96</u>	<u>\$20,000</u> * Candidate's personal funds - loan
<u>Michela Alioto</u> <u>1819 Zinfandel Lane</u> <u>St. Helena, Ca. 94574</u>	<u>3/15/96</u>	<u>\$40,000</u> * Candidate's personal funds - loan
_____	_____	_____
_____	_____	_____
_____	_____	_____

99760046075346





030 045 3700 001 2/22/76 6:25:28

LOCATION ACCOUNT NUMBER 000 000 000 000  
AT&T SERVICE MEMBERSHIP D...  
LAW FOR - JAMES R. ALLO...  
REV. 9-215-026 8960

DATE	TIME	TO	FROM	AREA	CLASS	CHARGE	STATUS
------	------	----	------	------	-------	--------	--------

CALLS BILLED TO 030 045 3700

NUMBER AND EXTENSION AREA

1	0711	7:40	TO	000	000	000	000
2	0711	8:10	TO	000	000	000	000
3	0712	01:00	TO	000	000	000	000
4	0712	01:05	TO	000	000	000	000
5	0712	01:10	TO	000	000	000	000
6	0712	01:15	TO	000	000	000	000
7	0712	01:20	TO	000	000	000	000
8	0712	01:25	TO	000	000	000	000
9	0712	01:30	TO	000	000	000	000
10	0712	01:35	TO	000	000	000	000
11	0712	01:40	TO	000	000	000	000
12	0712	01:45	TO	000	000	000	000
13	0712	01:50	TO	000	000	000	000
14	0712	01:55	TO	000	000	000	000
15	0712	02:00	TO	000	000	000	000
16	0712	02:05	TO	000	000	000	000
17	0712	02:10	TO	000	000	000	000
18	0712	02:15	TO	000	000	000	000
19	0712	02:20	TO	000	000	000	000
20	0712	02:25	TO	000	000	000	000
21	0712	02:30	TO	000	000	000	000
22	0712	02:35	TO	000	000	000	000
23	0712	02:40	TO	000	000	000	000
24	0712	02:45	TO	000	000	000	000
25	0712	02:50	TO	000	000	000	000
26	0712	02:55	TO	000	000	000	000
27	0712	03:00	TO	000	000	000	000
28	0712	03:05	TO	000	000	000	000
29	0712	03:10	TO	000	000	000	000
30	0712	03:15	TO	000	000	000	000
31	0712	03:20	TO	000	000	000	000
32	0712	03:25	TO	000	000	000	000
33	0712	03:30	TO	000	000	000	000
34	0712	03:35	TO	000	000	000	000
35	0712	03:40	TO	000	000	000	000
36	0712	03:45	TO	000	000	000	000
37	0712	03:50	TO	000	000	000	000
38	0712	03:55	TO	000	000	000	000
39	0712	04:00	TO	000	000	000	000
40	0712	04:05	TO	000	000	000	000
41	0712	04:10	TO	000	000	000	000
42	0712	04:15	TO	000	000	000	000
43	0712	04:20	TO	000	000	000	000
44	0712	04:25	TO	000	000	000	000
45	0712	04:30	TO	000	000	000	000
46	0712	04:35	TO	000	000	000	000
47	0712	04:40	TO	000	000	000	000
48	0712	04:45	TO	000	000	000	000
49	0712	04:50	TO	000	000	000	000
50	0712	04:55	TO	000	000	000	000
51	0712	05:00	TO	000	000	000	000
52	0712	05:05	TO	000	000	000	000
53	0712	05:10	TO	000	000	000	000
54	0712	05:15	TO	000	000	000	000
55	0712	05:20	TO	000	000	000	000
56	0712	05:25	TO	000	000	000	000
57	0712	05:30	TO	000	000	000	000
58	0712	05:35	TO	000	000	000	000
59	0712	05:40	TO	000	000	000	000
60	0712	05:45	TO	000	000	000	000
61	0712	05:50	TO	000	000	000	000
62	0712	05:55	TO	000	000	000	000
63	0712	06:00	TO	000	000	000	000
64	0712	06:05	TO	000	000	000	000
65	0712	06:10	TO	000	000	000	000
66	0712	06:15	TO	000	000	000	000
67	0712	06:20	TO	000	000	000	000
68	0712	06:25	TO	000	000	000	000
69	0712	06:30	TO	000	000	000	000
70	0712	06:35	TO	000	000	000	000
71	0712	06:40	TO	000	000	000	000
72	0712	06:45	TO	000	000	000	000
73	0712	06:50	TO	000	000	000	000
74	0712	06:55	TO	000	000	000	000
75	0712	07:00	TO	000	000	000	000
76	0712	07:05	TO	000	000	000	000
77	0712	07:10	TO	000	000	000	000
78	0712	07:15	TO	000	000	000	000
79	0712	07:20	TO	000	000	000	000
80	0712	07:25	TO	000	000	000	000
81	0712	07:30	TO	000	000	000	000
82	0712	07:35	TO	000	000	000	000
83	0712	07:40	TO	000	000	000	000
84	0712	07:45	TO	000	000	000	000
85	0712	07:50	TO	000	000	000	000
86	0712	07:55	TO	000	000	000	000
87	0712	08:00	TO	000	000	000	000
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91	0712	08:20	TO	000	000	000	000
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99	0712	09:00	TO	000	000	000	000
100	0712	09:05	TO	000	000	000	000

WYFA 30-STORE LOW DISTANCE DIRECT DIALS 000 00

WYFA CALLS BILLED TO 030 045 3700 000 00

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

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COMMISSION  
OCT 4 12 58 PM '96

OCT 4 12 58 PM '96

**FIRST GENERAL COUNSEL'S REPORT**

**SENSITIVE**

RAD REFERRAL: 96L-05  
DATE ACTIVATED: Sept. 12, 1996

STAFF MEMBER: Beth Stein  
Clinett Short

SOURCE: INTERNALLY GENERATED

RESPONDENTS: Michela Alioto for Congress and  
Angelina Alioto, as treasurer

RELEVANT STATUTES: 2 U.S.C. § 434(a)(6)(A)

**I. GENERATION OF MATTER**

The Office of the General Counsel received a referral from the Reports Analysis Division ("RAD") on July 19, 1996. The basis for the attached referral is the failure of the Michela Alioto for Congress and Angelina Alioto, as treasurer ("Respondents") to file a 48-Hour Notice for a \$40,000 loan from the candidate's personal funds. Michela Alioto won the 1996 Primary Election in the First Congressional District in the State of California with forty percent of the vote.

**II. FACTUAL AND LEGAL ANALYSIS**

Based on the Factual and Legal Analysis, see Attachment 1, this Office recommends the Commission find reason to believe the Respondents violated 2 U.S.C. § 434(a)(6)(A).

97043775379

**III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY**

**IV. RECOMMENDATIONS**

1. Open a MUR.
2. Find reason to believe the Michela Alioto for Congress and Angelina Alioto, as treasurer, violated 2 U.S.C. § 434(a)(6)(A), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the attached Factual and Legal Analysis, proposed conciliation agreement, and the appropriate letter.

Lawrence M. Noble  
General Counsel

10-3-96  
Date

BY:   
Lois G. Lerner  
Associate General Counsel

**Attachments:**

1. Factual and Legal Analysis
2. Proposed Conciliation Agreement
3. Respondent's June 13, 1996 Letter

9704377533C



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

**MEMORANDUM**

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/BONNIE ROSS  
COMMISSION SECRETARY

DATE: OCTOBER 10, 1996

SUBJECT: RAD Referral #96L-05 - First General Counsel's Report  
dated October 3, 1996.

The above-captioned document was circulated to the Commission  
on Monday, October 7, 1996.

Objection(s) have been received from the Commissioner(s) as  
indicated by the name(s) checked below:

Commissioner Aikens                    **XXX**

Commissioner Elliott

Commissioner McDonald

Commissioner McGarry

Commissioner Thomas

This matter will be placed on the meeting agenda for  
Tuesday, October 22, 1996.

Please notify us who will represent your Division before the Commission on this  
matter.

97043775381

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Michela Alioto for Congress )  
and Angelina Alioto, as )  
treasurer )

RAD Referral 96L-05 MUR 4533

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on October 22, 1996, do hereby certify that the Commission decided by a vote of 4-0 to take the following actions with respect to RAD Referral 96L-05:

1. Open a MUR.
2. Find reason to believe the Michela Alioto for Congress and Angelina Alioto, as treasurer, violated 2 U.S.C. § 434(a)(6)(A), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the Factual and Legal Analysis, proposed conciliation agreement, and the appropriate letter as recommended in the General Counsel's October 3, 1996 report

(continued)

97043775302

Federal Election Commission  
Certification: RAD Referral 96L-05  
October 22, 1996

Page 2

Commissioners Aikens, Elliott, McDonald, and Thomas  
voted affirmatively for the decision. Commissioner  
McGarry was not present at the time of the vote.

Attest:

10-23-96  
Date

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

97043775303



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 28, 1996

Angelina R. Alioto, Treasurer  
Michela Alioto for Congress  
555 Capitol Mall, Suite 625  
Sacramento, CA 95814

RE: MUR 4533  
Michela Alioto for Congress and  
Angelina Alioto, as treasurer

Dear Ms. Alioto:

On October 22, 1996, the Federal Election Commission found that there is reason to believe the Michela Alioto for Congress Committee ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(6)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

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

If you are interested in expediting the resolution of this matter by pursuing pre-probable cause conciliation, and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Clinett Short, the staff member assigned to this matter, at (202) 219-3690.

Sincerely,



Lee Ann Elliott  
Chairman

Enclosures  
Factual and Legal Analysis  
Procedures  
Designation Counsel Forms  
Conciliation Agreements

cc: Candidate

97043775305

**FEDERAL ELECTION COMMISSION**

**FACTUAL AND LEGAL ANALYSIS**

**RESPONDENTS: Michela Alioto for Congress and  
Angelina Alioto, as treasurer**

**MUR 4533**

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

The Federal Election Campaign Act of 1971, as amended ("the Act,") requires principal campaign committees of candidates for federal office to notify in writing either the Secretary of the Senate, the Clerk of the U.S. House of Representatives, or the Commission, as well as the Secretary of State, of each contribution totaling \$1,000 or more, received by any authorized committee of the candidate after the 20th day but more than 48 hours before any election. 2 U.S.C. § 434(a)(6)(A). The Act further requires that notification be made within 48 hours after the receipt of the contribution, and that it include the name of the candidate and office sought, the date of receipt, the amount of the contribution, and the identification of the contributor. Id. The notification of these contributions shall be in addition to all other reporting requirements. 2 U.S.C. § 434(a)(6)(B).

The Primary Election in the state of California was held on March 26, 1996. Pursuant to the Act, the Respondents were required to notify the Commission, in writing, of all contributions of \$1,000 or more received from March 7 to March 23, 1996, within 48 hours of their receipt. A review of the Committee's 1996 April Quarterly Report

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identified a \$40,000 contribution from the candidate's personal funds received on March 12, 1996, for which no 48-hour notice was filed.

According to 2 U.S.C. § 431(8)(A) and 11 C.F.R. § 100.7(a)(1)(B), a loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid. Loans from the candidate's personal funds are subject to the 48 hour reporting requirement contained at 2 U.S.C. § 434(a)(6)(A). In response to an inquiry from RAD, Linda Blum, the treasurer at that time acknowledged that no 48-hour notice had been filed for this loan. She stated that due to the hectic pace of the campaign, the \$40,000 candidate loan of March 12, 1996 was apparently confused with another \$40,000 candidate loan made on March 15, 1996. See Attachment 3. The two \$40,000 loans are reported separately on the Committee's April Quarterly Report.

For the reasons stated above, there is reason to believe that Michela Alioto for Congress and Angelina Alioto, as treasurer, violated 2 U.S.C. § 434(a)(6)(A) by failing to report a campaign contribution of \$1,000 or more, received after the 20th day, but more than 48 hours before the primary election, within 48 hours of receipt of the contribution.

97043775337

# MICHELA ALIOTO

## FOR CONGRESS



**PRIVILEGED AND CONFIDENTIAL**

November 15, 1996

Ms. Elizabeth Stein  
 Legal Counsel  
 Federal Election Commission  
 999 E Street, N.W.  
 Washington, D.C. 20463  
 phone: 202.219.3690  
 fax: 202.219.3923

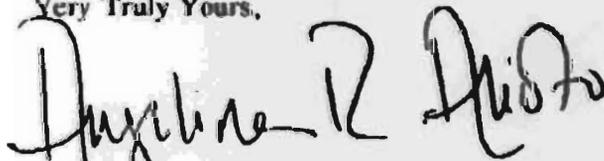
ID: C00308403

RE: MUR 4533

Dear Ms. Stein,

Please find 2 "Designation of Counsel" forms enclosed. The first designates Joseph Remcho from Remcho, Johansen & Purcell as counsel for the Committee. The second designates Joseph M. Alioto as counsel for Angelina R. Alioto. If you have any questions or concerns please feel free to give me a call.

Very Truly Yours,



Angelina R. Alioto  
 Treasurer

cc: Joseph Remcho, Remcho, Johansen & Purcell  
 fax: 415.398.7256  
 Joseph M. Alioto, Alioto Law Firm  
 fax: 415.434.9200

NOV 18 7 52 AM '96

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 COMMISSION  
 OFFICE OF GENERAL  
 COUNSEL

97043775388



STATEMENT OF DESIGNATION OF COUNSEL

NR 4533

NAME OF COUNSEL: Joseph Pencho  
ADDRESS: Pencho Johnson & Purcell  
555 Capitol Mall  
Suite 1025, Sacramento, CA 95814  
TELEPHONE: 916.264.1818

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.

Nov 15, 1996  
Date

Angeline R. Aiello  
Signature

RESPONDENT'S NAME: Michela Aiello for Congress  
ADDRESS: 1333 Jefferson St. (the committee.)  
NAPA CA  
94559  
HOME PHONE: —  
BUSINESS PHONE: 707-259-9450

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COMMISSION  
OFFICE OF GENERAL  
COUNSEL

STATEMENT OF DESIGNATION OF COUNSEL

NR 4533  
 NAME OF COUNSEL: Joseph M. Aiello  
 ADDRESS: Photo Law Firm  
One Embarcadero  
40th Floor, SF CA 94111  
 TELEPHONE: (415) 434-8900

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.

Nov 15, 1996  
Date

Angelina R. Aiello  
Signature

RESPONDENT'S NAME: Angelina R. Aiello  
 ADDRESS: 1338 Jefferson St.  
Napa CA  
94559  
 HOME PHONE: 707.967.9860  
 BUSINESS PHONE: 707.259.9450

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 OFFICE OF GENERAL  
 COUNSEL  
 Nov 18 7 52 AM '96

**REMCHO, JOHANSEN & PURCELL**  
ATTORNEYS AT LAW

220 MONTGOMERY STREET, SUITE 800  
SAN FRANCISCO, CALIFORNIA 94104  
415/398-6230 FAX: 415/398-7256

November 27, 1996

**VIA FACSIMILE & U.S. MAIL**

Elizabeth Stein  
Federal Election Commission  
999 "E" Street  
Washington, D.C. 20463

Re: MUR 4533  
Michela Alioto for Congress

Dec 3 2 25 PM '96

FEDERAL ELECTION  
COMMISSION  
OFFICE OF THE CLERK

Dear Ms. Stein:

This is in reply to Lee Ann Elliott's letter dated October 28, 1996, and the proposed Conciliation Agreement.

Michela Alioto for Congress does wish to expedite the resolution of this matter by reaching a conciliation agreement.

1. The violation was, of course, entirely unintentional and did not involve negligence on the part of the committee. The contribution in question was a wire transfer of \$40,000 from the candidate's personal checking account to the campaign account on March 12, 1996. On March 15, 1996, another wire transfer of \$40,000 was made from the candidate's personal account to the committee account. The committee treasurer initially was not aware that a contribution from a candidate's personal funds triggered a late contribution report. When she became aware of that requirement, she immediately filed a late contribution report. However, because of the extremely

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Elizabeth Stein  
Federal Election Commission  
November 27, 1996  
Page 2

high level of activity during the few weeks just before the election, the fact that there were actually two \$40,000 wire transfers from the candidate's account to the committee was overlooked, and only one report was filed. It was then fully reported on the next regular statement.

2. The committee was diligent in its efforts to comply with the many complex rules and requirements of the Federal election laws. We are sure that you will find that all other committee reports were filed on time and that the committee made extraordinary efforts to meet all record keeping and disclosure requirements.

3. One of the criteria for determining an appropriate fine for a violation of the Federal campaign disclosure rules is an evaluation of the harm to the public in not receiving the unreported information in a timely matter. In the case of this one missing late contribution report, there was very little if any harm to the public because of the following reasons:

a. The contribution was from the candidate's personal funds, not from an outside source.

b. A great percentage of the committee's funds consisted of contributions from the candidate's personal funds so the public was aware that the candidate was using her personal funds in the campaign.

c. Another contribution received during the late contribution period from the candidate was timely reported so the public was aware that the candidate was using her personal funds during the period just preceding the election.

4. The candidate lost the election. The committee has more debts than it has campaign funds at this time

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Elizabeth Stein  
Federal Election Commission  
November 27, 1996  
Page 3

Thank you.

Sincerely,

*Joseph Remcho*  
Joseph Remcho

JR:ca

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COMMISSION  
OFFICE OF GENERAL  
COUNSEL

**REMCHO, JOHANSEN & PURCELL**  
ATTORNEYS AT LAW

Dec 6 1 43 PM '96

555 CAPITOL MALL, SUITE 625  
SACRAMENTO, CALIFORNIA 95814  
916/264-1818 FAX: 916/264-1824

**FAX COVER SHEET**

**TO:** Beth Stein / *climatt*  
Federal Election Commission

**DATE:** December 4, 1996

**TIME:** 12:20 pm

**FAX#:** (202) 219-3923

**CL/MTR. NO.:** 846-1

**FROM:** Joseph Remcho

**NO. OF PAGES:** 2  
(including cover page)

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**RE:** MUR 4533 - Michela Alloto for Congress  
Statement of Designation of Counsel from Angelina R. Alloto

97043775374

**STATEMENT OF DESIGNATION OF COUNSEL**

**RE: MUR/511**

**NAME OF COUNSEL: Joseph Bando**  
**ADDRESS: Rencho Johnson & Funnell**  
**555 Capitol Mall, Ste. 425**  
**Sacramento, CA 95814**

**TELEPHONE: (916) 264-1818**

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.

December 4, 1996 Angeline R. Alton  
Date Signature

**RESPONDENT'S NAME: Angeline R. Alton**  
**ADDRESS: 1333 Johnson Street**  
**Napa, CA 94558**

**BUSINESS PHONE: (707) 258-0100**

97043775395

**REMCHO, JOHANSEN & PURCELL**  
ATTORNEYS AT LAW

220 MONTGOMERY STREET, SUITE 800  
SAN FRANCISCO, CALIFORNIA 94104  
415/398-6230 FAX: 415/398-7256

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COMMISSION  
OFFICE OF GENERAL  
COUNSEL

JAN 28 3 08 PM '97

January 27, 1997

**VIA FEDERAL EXPRESS**

Elizabeth Stein  
Federal Election Commission  
999 "E" Street  
Washington, D.C. 20463

Re: MUR 4533  
Michela Alioto for Congress

Dear Ms. Stein:

Enclosed is the signed original agreement in the above-referenced matter.

Sincerely,



Esther Aviva  
Secretary to Joseph Rencho

Enclosures

cc: Michela Alioto for Congress Committee

97043775306

**BEFORE THE FEDERAL ELECTION COMMISSION**

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FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

FEB 6 11 05 AM '97

In the Matter of )  
 )  
Michela Alioto for Congress Committee and )  
Angelina Alioto, as treasurer )

MUR 4533

**SENSITIVE**

**GENERAL COUNSEL'S REPORT**

**I. BACKGROUND**

Attached is a revised conciliation agreement submitted on behalf of the Michela Alioto for Congress Committee and its treasurer. For the reasons discussed below, this Office recommends that the Commission accept the conciliation agreement and close the file in this matter. A check for the civil penalty has not yet been received.

**II. DISCUSSION OF PRE-PROBABLE CAUSE CONCILIATION**

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**III. RECOMMENDATIONS**

1. Accept the attached conciliation agreement with the Michela Alioto for Congress Committee and its treasurer.
2. Approve the appropriate letter.
3. Close the file.

Lawrence M. Noble  
General Counsel

2/6/97  
Date

  
BY: Lois G. Lerner  
Associate General Counsel

**Attachment**

1. Conciliation Agreement

Staff assigned: Clinett Short  
Beth Stein

97043775308

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
 Michela Alioto for Congress ) MUR 4533  
 Committee and Angelina Alioto, )  
 as treasurer. )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 11, 1997, the Commission decided by a vote of 5-0 to take the following actions in MUR 4533:

1. Accept the conciliation agreement with the Michela Alioto for Congress Committee and its treasurer, as recommended in the General Counsel's Report dated February 6, 1997.
2. Approve the appropriate letter, as recommended in the General Counsel's Report dated February 6, 1997.
3. Close the file.

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

Attest:

2-12-97  
Date

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

Received in the Secretariat: Thurs., Feb. 06, 1997 11:05 a.m.  
Circulated to the Commission: Thurs., Feb. 06, 1997 4:00 p.m.  
Deadline for vote: Tues., Feb. 11, 1997 4:00 p.m.

bjr

9704375399



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 14, 1997

Joseph Remcho, Esq.  
Remcho, Johansen & Purcell  
220 Montgomery Street, Suite 800  
San Francisco, CA 94104

RE: MUR 4533  
Michela Alioto for Congress

Dear Mr. Remcho:

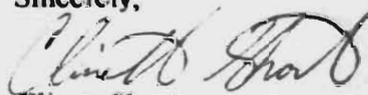
On February 2, 1997, the Federal Election Commission accepted the signed conciliation agreement submitted on your client's behalf in settlement of a violation of 2 U.S.C. § 434(a)(6)(A), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

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

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

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 219-3690.

Sincerely,

  
Clinett Short  
Paralegal Specialist

Enclosure  
Conciliation Agreement

97043775400

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )

Michela Alioto for Congress and )  
its treasurer )

MUR 4533

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
JAN 28 3 08 PM '97

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Michela Alioto for Congress Committee and its treasurer violated 2 U.S.C. § 434(a)(6)(A).

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

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

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

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

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

1. Michela Alioto for Congress is a political committee within the meaning of 2 U.S.C. § 431(4), and is the authorized principal campaign committee of Michela Alioto for her 1996 campaign for the United States House of Representatives.

2. Linda Blum was the treasurer of Michela Alioto for Congress at the time of the activity.

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3. Angelina Alioto is currently the treasurer of Michela Alioto for Congress.

4. The Federal Election Campaign Act of 1971, as amended ("the Act"), requires principal campaign committees of candidates for federal office to notify in writing either the Secretary of the Senate, the Clerk of the U.S. House of Representatives or the Commission, as appropriate, and the Secretary of State, of each contribution totaling \$1,000 or more, received by any authorized committee of the candidate after the 20th day but more than 48 hours before any election. 2 U.S.C. § 434(a)(6)(A). The Act further requires notification to be made within 48 hours after the receipt of the contribution and to include the name of the candidate and office sought, the date of receipt, the amount of the contribution, and the identification of the contributor. *Id.* The notification of these contributions shall be in addition to all other reporting requirements. 2 U.S.C. § 434(a)(6)(B).

5. The 1996 California primary election was held on March 26, 1996. On February 16, 1996, the Commission notified Michela Alioto for Congress that 48 hour notices must be filed for all contributions totaling \$1,000 or more received between March 7 and March 23, 1996.

6. On March 12, 1996, Michela Alioto for Congress received a contribution of \$1,000 or more in the form of a \$40,000 loan from the candidate's personal funds. No 48 hour contribution notice was filed reporting the receipt of this contribution.

V. Respondents failed to report a campaign contributions of \$1,000 or more received after the 20th day, but more than 48 hours before the 1996 California primary election, within 48 hours of receipt of the contribution in violation of 2 U.S.C. § 434(a)(6)(A).

VI. Respondents will pay to the Commission a civil penalty in the amount of six thousand dollars (\$6,000) pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this

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agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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

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

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

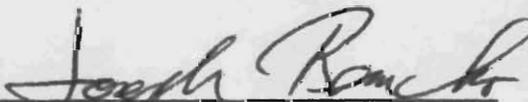
FOR THE COMMISSION:

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel

2/14/97  
Date

FOR THE RESPONDENTS:

  
Joseph Remcho  
Counsel

JANUARY 27, 1997  
Date

97043775403



FEDERAL ELECTION COMMISSION  
WASHINGTON, D C 20463

THIS IS THE END OF MUR # 4533

DATE FILMED 8-10-57 CAMERA NO. 4

CAMERAMAN JMH

9704375404



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Date: 3/20/97

Microfilm

Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED NUR 4533

97043780600



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

CLOSED

March 18, 1997

Mar 18 2 23 PM '97

FEDERAL ELECTION  
COMMISSION  
OFFICE OF LEGAL  
COUNSEL

**TWO WAY MEMORANDUM**

**CLOSED**

TO: OGC Docket  
FROM: Leslie D. Brown  
Disbursing Technician  
SUBJECT: Account Determination for Funds Received

We recently received a check from **Michela Alloto for Congress**, check number **1528**, dated **March 12, 1997**, for the amount of **\$6000.00**. A copy of the check and any correspondence is being forwarded. Please indicate below which account the funds should be deposited and give the MUR/Case number and name associated with the deposit.

-----  
TO: Rosa E. Swinton <sup>RES</sup> Accounting Technician      Leslie D. Brown Disbursing Technician  
FROM: OGC Docket  
SUBJECT: Disposition of Funds Received

In reference to the above check in the amount of \$ 6,000.00 the MUR/Case number is 7533 and in the name of Michela Alloto for Congress. Place this deposit in the account indicated below:

- Budget Clearing Account (OGC), 95F3875.16
- Civil Penalties Account, 95-1099.160
- Other: \_\_\_\_\_

Retha L. Nijon  
Signature

3/19/97  
Date

97043780601

PAY TO THE ORDER OF FEDERAL ELECTION COMMISSION

FEDERAL ELECTION COMMISSION  
999 E STREET, N.W.  
WASHINGTON, D.C. 20463

MEMO  
MUR 4533

*Robert M. Perry, Treasurer*

⑆001528⑆ ⑆121139517⑆01 019154⑆

MICHELA ALIOTO FOR CONGRESS  
FEDERAL ELECTION COMMISSION

MUR 4533

3/12/97

1528  
6,000.00

97043780602

NAPA NATIONAL BAN MUR 4533

6,000.00