FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

THIS IS THE BEGINNING OF MUR # 4600

DATE FILMED 1-12-98 CAMERA NO. 2

CAMERAMAN S.E.G

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Bob Filner
U.S. CONGRESS

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

DEC 18 11 23 AM '96

December 3, 1996

Complainant: Congressman Bob Filner
P.O. Box 127868
San Diego, CA 92112

Respondent Vargas for Congress '96 (C00307256)
Deanna Liebergot, Treasurer
3609 Fourth Avenue
San Diego, CA 92126

MUR 4600

DEC 18 12 51 PM '96

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

To whom it may Concern:

On May 29, 1996 the Vargas for Congress '96 committee accepted a contribution in the amount of $5,000.00 from the San Diego Police Officers Assn., Inc. This contribution was itemized on the Vargas for Congress '96 July 15th quarterly report as a PAC contribution. However, according to the FEC, the San Diego Police Officers Assn., Inc. is not a federally registered PAC.

I hereby request a full investigation into the acceptance of this illegal contribution. At the very least, the Vargas for Congress '96 Committee should be required to refund the full amount of the contribution immediately.

I hereby request the FEC immediately investigate this matter.

Signed and sworn under penalty of perjury,

Bob Filner
BOB FILNER
Member of Congress

Sworn to before me and subscribed in my presence this 9 day of DECEMBER, 1996.

CAROLINE R. KLEMP
Notary Public, District of Columbia
My Commission Expires April 30, 2000

P.O. Box 127868 ★ San Diego, CA 92112 ★ Tel. 619/~~425-1998~~ XXXXXXX ★ FAX 619/~~425-1986~~ XXXXXXX

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Paid for by Bob Filner for Congress

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FEDERAL ELECTION COMMISSION
Washington, DC 20463

December 23, 1996

The Honorable Robert Filner
P.O. Box 127868
San Diego, CA 92112

RE: MUR 4600

Dear Mr. Filner:

This letter acknowledges receipt on December 18, 1996, of the complaint you filed 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 4600. 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,

F. Andrew Turley (tos)

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosure
Procedures

9804385290 9

FEDERAL ELECTION COMMISSION
Washington, DC 20463

December 23, 1996

Deanna Liebergot, Treasurer
Vargas for Congress '96
3609 Fourth Avenue
San Diego, CA 92103

RE: MUR 4600

Dear Ms. Liebergot:

The Federal Election Commission received a complaint which indicates that Vargas for Congress ("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 4600. 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.

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

Sincerely,

(FAS)

F. Andrew Turley

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

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

cc: Juan Carlos Vargas

9804385291 1

FEDERAL ELECTION COMMISSION
Washington, DC 20463

December 23, 1996

Gary Collins, President
San Diego Police Officers Association, Inc.
619 Kettner Blvd.
San Diego, CA 92101

RE: MUR 4600

Dear Mr. Collins:

The Federal Election Commission received a complaint which indicates that the San Diego Police Officers Association, Inc. 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 4600. 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 San Diego Police Officers Association, Inc. 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.

9804385291 2

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

Sincerely,

F. Andrew Turley (AES)

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

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

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Deanna Liebergot

3609 4th. Ave. • San Diego, CA 92103
619/295-6923 • Fax 619/295-0487

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

JAN 7 10 39 AM '97

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket
Federal Election Commission
Washington, DC 20463

Re: MUR 4600

Dear Mr. Turley:

I am in receipt of your letter of December 23, 1996.

I am the Treasurer for Vargas for Congress '96. According to my records, the San Diego Police Officers Assn. Inc. made a $5000 contribution to Vargas for Congress '96 on May 29, 1996.

I duly reported said contribution as required by your agency.

At the time I received that contribution, I was assured by Mr. Michael McGhee, the political director of the San Diego Police Officers Assn. that they were a duly registered and authorized PAC and that it was proper for me to accept said contribution.

I am a bookkeeper by profession and a "Volunteer Treasurer" for Vargas for Congress '96. I have learned a great deal about FEC regulations while working for Vargas. I know, for example, that the law limits contributions to $1000 per person and $5000 for a PAC. Whenever I receive a contribution that does not clearly fir those guidelines, I inquire of the donor. I have refused to accept corporate donations and contributions in excess of the limits.

I would not have accepted the San Diego Police Officers Assn. Inc. contribution had I not been assured by their political director that the money came from a duly authorized PAC and was a legal contribution. My understanding is that the San Diego Police Officers Assn. is an established political entity that makes contributions in many, many races and to numerous candidates. When they told me that theirs was a legal PAC contribution, I believed them..

I am unaware of any duty I might have as the Campaign Treasurer to check with the FEC to insure that a contributor is telling me the truth when they represent they are a duly authorized federal PAC.

I am more than willing to cooperate with your investigation into this matter in any way you might require. I am.

Yours very truly,

Deanna Liebergot

Deanna Liebergot

9704385291 4

SAN DIEGO POLICE OFFICERS ASSOCIATION INC.
8388 Vickers Street, San Diego, California 92111-2118
(619) 573-1199 Fax (619) 573-1574

Garry Collins
President
Bob Rex
Vice President
Tom Simonds
Treasurer
Tom Rhodes
Secretary
Directors
Terry DeGelder
Chris Ellis
Lester "Butch" Hubble
Stephen Margetts
John Minto

JAN 10 3 13 PM '97
RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Mr. F. Andrew Turley
Federal Election Commission
999 E. Street, NW
Washington, D.C. 20463

RE: MUR 4600

Dear Mr. Turley:

This matter has caught me completely by surprise and is very embarrassing. It appears that the Association might have been misinformed by an employee whose job entailed making sure all contributions made by the Association were legal and that the appropriate forms were filed. The aforementioned employee no longer works for the Association and I am attempting to contact him to determine if he knows something I don't.

I am sorry for the inconvenience this has caused your office. Rest assured that the San Diego Police Officers Association, whose business it is to represent 1950 San Diego Police Officers, would not knowingly violate any law.

If the Association did in fact violate the Federal Election Campaign Act of 1971 I will do whatever it takes to bring us into compliance, though I am unsure just what the available remedies would be.

Let me know what options are available to the Association and I will contact our former employee and determine just where the miscommunication occurred.

Sincerely,

Garry Collins

Garry Collins
President

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 13, 1997

Mr. Garry Collins, President
San Diego Police Officers Association
8388 Vickers Street
San Diego, CA 92111

re: MUR 4600

Dear Mr. Collins:

Thank you for your letter, which we received on January 10th, concerning the above-captioned Matter Under Review (MUR).

In your letter, you asked me to let you know the options available to your organization. You are not required to take any further action at this time. However, submission of a detailed response which addresses the substance of the allegations is most helpful to the process of evaluating and deciding the best course of action on matters such as this. The Commission has arrived at no determination at this point whether reason to believe exists that the San Diego Police Officers Association has violated the Federal Election Campaign Act. The "reason to believe" finding depends upon evaluation of the complaint and the responses filed by the parties. The Commission benefits greatly from detailed substantive responses in arriving at a determination of whether reason to believe exists, and to decide upon an appropriate resolution.

Please feel free to contact me again if we can be of any further assistance.

Very truly yours,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

9804385291 6

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
	)	ENFORCEMENT PRIORITY
	)	

SENSITIVE

GENERAL COUNSEL'S REPORT

I. INTRODUCTION.

The cases listed below have been identified as either stale or of low priority based upon evaluation under the Enforcement Priority System (EPS). This report is submitted to recommend that the Commission no longer pursue these cases.

This is the first Enforcement Priority Report that reflects the impact of the 1996 election cycle cases on the Commission's enforcement workload. We have identified cases that are stale which are recommended for dismissal at this time. This is the highest number of cases identified as stale in a single report, and the highest number of stale cases recommended for closure at one time, since the inception of EPS in 1993.

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II. CASES RECOMMENDED FOR CLOSURE.

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

EPS was created to identify pending cases which, due to the lower priority of the issues raised in the matters relative to others presently pending before the Commission, do not warrant further expenditure of resources. Central Enforcement Docket (CED) evaluates each incoming matter using Commission-approved criteria, resulting in a numerical rating for each case.

Closing such cases permits the Commission to focus its limited resources on more important cases presently pending before it. Based upon this review, we have identified cases that do not warrant further action relative to other pending matters.[3] Attachment 1 to this report contains summaries of each case, the EPS rating, and the factors leading to assignment of a low priority and recommendation not to further pursue the matter.

B. Stale Cases

Effective enforcement relies upon the timely pursuit of complaints and referrals to ensure compliance with the law. Investigations concerning activity more remote in time usually require a greater commitment of resources, primarily due to the fact that the evidence of such activity becomes more difficult to develop as it ages. Focusing investigative efforts on more recent and more significant activity also has a more positive effect on the electoral process and the regulated community. In recognition of this fact, EPS provides us with the

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[3] These cases are: RAD 97L-10 (*Citizens for Randy Borow*); RAD 97L-16 (*Republican State Central Committee of South Dakota*); Pre-MUR 347 (*Producers Lloyds Insurance Company*); Pre-MUR 348 (*Peoples National Bank of Commerce*); Pre-MUR 349 (*Trump Plaza*); Pre-MUR 350 (*Citibank, N.A.*); Pre-MUR 355 (*Feingold Senate Committee*); MUR 4494 (*Georgianna Lincoln*); MUR 4586 (*Friends of Zach Wamp*); MUR 4590 (*Oklahoma Education Association*); MUR 4600 (*San Diego Police Officers Assoc.*); MUR 4612 (*Teresa Doggett for Congress*); MUR 4615 (*Catholic Democrats for Christian Values*); MUR 4616 (*American Legislative Exchange Council*); MUR 4620 (*Eastern Connecticut Chamber of Commerce*); MUR 4622 (*Telles for Mayor*); MUR 4628 (*Gutknecht for Congress*); MUR 4629 (*Janice Schakowsky*); MUR 4636 (*IBEW Local 505*); MUR 4637 (*Dettman for Congress*); MUR 4639 (*Larson for Congress*); MUR 4641 (*Becker for Congress*); MUR 4644 (*Detroit City Council*); MUR 4651 (*Mike Ryan*); MUR 4653 (*Pritzker for Congress*); MUR 4656 (*H. Carroll for Congress*); and MUR 4657 (*Buchanan for President*).

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means to identify those cases which, though earning a higher rating when received, remained unassigned for a significant period due to a lack of staff resources for effective investigation. The utility of commencing an investigation declines as these cases age, until they reach a point when activation of a case would not be an efficient use of the Commission's resources.

We have identified cases that have remained on the Central Enforcement Docket for a sufficient period of time to render them stale. We are recommending the closure of cases based on staleness.[6]

[6] These cases are: MUR 4283 (*Chenoweth for Congress*); MUR 4341 (*Juan Soliz for Congress*); MUR 4402 (*U.S. Representative Helen Chenoweth*); MUR 4435 (*Lincoln for Congress*); MUR 4439 (*UAW*); MUR 4442 (*Lipinski for Congress*); MUR 4444 (*Roberts for Congress*); MUR 4445 (*Randy Tate for Congress*); MUR 4446 (*Clinton/Gore '96 Primary*); MUR 4447 (*Random House, Inc.*); MUR 4449 (*Clinton Administration*); MUR 4453 (*Mike Ward for Congress*); MUR 4454 (*Ralph Nader*); MUR 4459 (*Clinton/Gore '96*); MUR 4474 (*Salvi for Senate*); MUR 4477 (*BBDO-New York*); MUR 4481 (*Diamond Bar Caucus*); MUR 4485 (*Perot '92 Petition Committee*); MUR 4486 (*Bunda for Congress*); MUR 4495 (*Pennsylvania PACE for Federal Elections*); MUR 4496 (*Norwood for Congress*); MUR 4497 (*Pease for Congress*); MUR 4510 (*Stabenow for Congress*); MUR 4511 (*Bob Coffin for Congress*); MUR 4514 (*Friends for Franks*); MUR 4515 (*Clinton Investigative Commission*); MUR 4521 (*WMAL 630 AM*); MUR 4525 (*Senator Larry Pressler*); MUR 4527 (*Brennan for Senate*); MUR 4536 (*Signature Properties, Inc.*); MUR 4540 (*Tim Johnson for SD*); MUR 4542 (*Dan Frisa for Congress*); MUR 4552 (*Charles W. Norwood*); MUR 4554 (*John Byron for Congress*); MUR 4556 (*Jim Wiggins for Congress*); MUR 4561 (*Jay Hoffman for Congress*); MUR 4564 (National Republican Congressional Committee); MUR 4567 (DNC Services Corp.); MUR 4569 (McGovern Committee); RAD 96L-11 (*New York Republican County Committee*); Pre-MUR 343 (*NRSC*); and Pre-MUR 312 (*Joseph Demio*). The *Demio* case involves fundraising related to former Congresswoman Mary Rose Oakar's 1992 congressional campaign. It was held as a courtesy to the Department of Justice pending resolution of a parallel criminal matter in the District Court for the District of Columbia. Mr. Demio recently entered into a plea agreement with the Department of Justice (on which we were not consulted) in which he agreed, among other things, to waive the statute of limitations regarding civil violations of the FECA. Considering the age of the case and activity, the fact that DOJ has not formally referred this matter to us, and the Commission's continuing resource constraints, dismissal is the appropriate disposition of this matter.

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We recommend that the Commission exercise its prosecutorial discretion and direct closure of the cases listed below, effective November 17, 1997. Closing these cases as of this date will permit CED and the Legal Review Team the necessary time to prepare closing letters and case files for the public record.

III. RECOMMENDATIONS.

A. Decline to open a MUR, close the file effective November 17, 1997, and approve the appropriate letters in the following matters:

RAD 96L-11	Pre-MUR 312	Pre-MUR 349
	Pre-MUR 343	Pre-MUR 350
RAD 97L-10	Pre-MUR 347	Pre-MUR 355
RAD 97L-16	Pre-MUR 348	

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B. Take no action, close the file effective November 17, 1997, and approve the appropriate letters in the following matters:

MUR 4283	MUR 4495	
MUR 4341	MUR 4496	MUR 4569
MUR 4402	MUR 4497	MUR 4586
MUR 4435	MUR 4510	MUR 4590
MUR 4439	MUR 4511	MUR 4600
MUR 4442	MUR 4514	MUR 4612
MUR 4444	MUR 4515	MUR 4615
MUR 4445		MUR 4616
MUR 4446	MUR 4521	MUR 4620
MUR 4447	MUR 4525	MUR 4622
MUR 4449	MUR 4527	MUR 4628
MUR 4453	MUR 4536	MUR 4629
MUR 4454	MUR 4540	MUR 4636
MUR 4459	MUR 4542	MUR 4637
MUR 4474	MUR 4552	MUR 4639
MUR 4477	MUR 4554	MUR 4641
MUR 4481	MUR 4556	MUR 4644
MUR 4485	MUR 4561	MUR 4651
MUR 4486		MUR 4653
	MUR 4564	MUR 4656
MUR 4494	MUR 4567	MUR 4657

7/97
Date

Lawrence M. Noble
General Counsel

9804385292 1

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	Agenda Document No. X97-77
Enforcement Priority	)	

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on December 2, 1997, do hereby certify that the Commission took the following actions with respect to Agenda Document No. X97-77:

1. Decided by a vote of 5-0 to

   A. Decline to open a MUR, close the file effective December 15, 1997, and approve the appropriate letters in the following matters:

1.	RAD 96L-11	7.	Pre-MUR 347
		8.	Pre-MUR 348
3.	RAD 97L-10	9.	Pre-MUR 349
4.	RAD 97L-16	10.	Pre-MUR 350
5.	Pre-MUR 312	11.	Pre-MUR 355
6.	Pre-MUR 343		

   B. Take no action, close the file effective December 15, 1997, and approve the appropriate letters in the following matters:

1.	MUR 4283	6.	MUR 4442
2.	MUR 4341	7.	MUR 4444
3.	MUR 4402	8.	MUR 4445
4.	MUR 4435	9.	MUR 4446
5.	MUR 4439	10.	MUR 4447

(continued)

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11.	MUR 4449	36.	MUR 4556
12.	MUR 4453	37.	MUR 4561
13.	MUR 4454	38.	MUR 4564
14.	MUR 4459	39.	MUR 4567
15.	MUR 4474	40.	MUR 4569
16.	MUR 4477	41.	MUR 4586
17.	MUR 4481	42.	MUR 4590
18.	MUR 4485	43.	MUR 4600
19.	MUR 4486	44.	MUR 4612
20.	MUR 4494	45.	MUR 4615
21.	MUR 4495	46.	MUR 4616
22.	MUR 4496	47.	MUR 4620
23.	MUR 4497	48.	MUR 4622
24.	MUR 4510	49.	MUR 4628
25.	MUR 4511	50.	MUR 4629
26.	MUR 4514	51.	MUR 4636
27.	MUR 4515	52.	MUR 4637
28.	MUR 4521	53.	MUR 4639
29.	MUR 4525	54.	MUR 4641
30.	MUR 4527	55.	MUR 4644
31.	MUR 4536	56.	MUR 4651
32.	MUR 4540	57.	MUR 4653
33.	MUR 4542	58.	MUR 4656
34.	MUR 4552	59.	MUR 4657
35.	MUR 4554		

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

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Attest:

12-4-97
Date

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

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 15, 1997

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable Robert Filner
U.S. House of Representatives
330 Cannon House Office Building
Washington, D.C. 20515-0550

RE: MUR 4600

Dear Mr. Filner:

On December 18, 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 December 15, 1997. 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,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

98043852924

MUR 4600
SAN DIEGO POLICE OFFICERS ASSOCIATION

Congressman Robert Filner alleges that his opponent's campaign, Vargas for Congress '96, accepted an excessive $5,000 contribution from an unregistered organization, the San Diego Police Officers Association.

The San Diego Police Officers Association responds that they made the contribution in error. Respondent Vargas for Congress '96 refunded $4,000 to the San Diego Police Officers Association upon receipt of the complaint.

There's no indication of any serious intent to violate the FECA, and this matter is less significant relative to other matters pending before the Commission.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 15, 1997

Deanna Liebergot, Treasurer
Vargas for Congress '96
3609 Fourth Avenue
San Diego, CA 92103

RE: MUR 4600

Dear Ms. Liebergot:

On December 23, 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 Vargas for Congress '96 and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter on December 15, 1997.

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

If you have any questions, please contact Alva E. Smith on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 219-3400.

Sincerely,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

98043852926

MUR 4600
SAN DIEGO POLICE OFFICERS ASSOCIATION

Congressman Robert Filner alleges that his opponent's campaign, Vargas for Congress '96, accepted an excessive $5,000 contribution from an unregistered organization, the San Diego Police Officers Association.

The San Diego Police Officers Association responds that they made the contribution in error. Respondent Vargas for Congress '96 refunded $4,000 to the San Diego Police Officers Association upon receipt of the complaint.

There's no indication of any serious intent to violate the FECA, and this matter is less significant relative to other matters pending before the Commission.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 15, 1997

Garry Collins, President
San Diego Police Officers Association
8388 Vickers Street
San Diego, CA 92111

RE: MUR 4600

Dear Mr. Collins:

On December 23, 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 the San Diego Police Officers Association, Inc. See attached narrative. Accordingly, the Commission closed its file in this matter on December 15, 1997.

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

If you have any questions, please contact Alva E. Smith on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 219-3400.

Sincerely,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

98043852928

MUR 4600
SAN DIEGO POLICE OFFICERS ASSOCIATION

Congressman Robert Filner alleges that his opponent's campaign, Vargas for Congress '96, accepted an excessive $5,000 contribution from an unregistered organization, the San Diego Police Officers Association.

The San Diego Police Officers Association responds that they made the contribution in error. Respondent Vargas for Congress '96 refunded $4,000 to the San Diego Police Officers Association upon receipt of the complaint.

There's no indication of any serious intent to violate the FECA, and this matter is less significant relative to other matters pending before the Commission.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4600

DATE FILMED 1-12-98 CAMERA NO. 2

CAMERAMAN S.E.G

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