

# FEDERAL ELECTION COMMISSION



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## FEC RELEASES SIX COMPLIANCE CASES

WASHINGTON -- The Federal Election Commission has made public its final action on six matters previously under review (MURs). This release contains only summary information. Closed files should be thoroughly read for details, including the FEC's legal analysis of the case. (Please see footnote at the end of this release.) Closed MUR files are available in the Public Records Office.

### 1. MUR 3682/3655

**RESPONDENTS:** (a) Fox for Congress Committee, Frank Jenkins, treasurer (PA) [MUR 3682/3655]  
(b) Jon D. Fox (PA) [MUR 3682/3655]  
(c) Jewish Exponent (PA) [MUR 3682]  
**COMPLAINANT:** Kenneth Smukler, Campaign Manager, Marjorie Margolies-Mezvinsky for Congress (PA)  
**SUBJECT:** Disclaimers  
**DISPOSITION:** (a) Conciliation Agreement: \$950 civil penalty\*  
(b-c) No reason to believe\*

### 2. MUR 3787

**RESPONDENTS:** (a) Georgia Republican Party Committee, Marvin H. Smith, treasurer (GA)  
(b) Arthur L. Williams, Jr. (GA)  
**COMPLAINANT:** FEC Initiated (Audit)  
**SUBJECT:** Excessive contributions; corporate contributions; expenditures on behalf of the party's general election presidential candidate without prior authorization of the RNC; failure to maintain receipt records  
**DISPOSITION:** (a) Reason to believe, but took no further action\* [re: all of the above]  
(b) Conciliation Agreement: \$5,000 civil penalty\* [re: excessive contributions]

### 3. MUR 3973/Pre-MUR 284

**RESPONDENTS:** (a) Bob Davis (MI)  
(b) Bob Davis for Congress Committee, Kathleen J. O'Leary, treasurer (MI)  
**COMPLAINANT:** Referral by John C. Kenney, Deputy Assistant Attorney General, Criminal Division, Department of Justice, emanating from investigation into overdrafts at House Banking Facility (DC)

- SUBJECT:** Failure to use designated depository and to maintain records for petty cash disbursements
- DISPOSITION:** (a-b) Reason to believe, but took no further action\*
4. MUR 4043
- RESPONDENTS:** (a) Paul Barden (WA)  
(b) Barden for Congress, Sylvia Barnes, treasurer (WA)  
(c) Vickie Schmitz (WA)
- COMPLAINANT:** FEC Initiated (RAD)
- SUBJECT:** Excessive contributions; exceeding \$25,000 annual limit
- DISPOSITION:** (a-c) Conciliation Agreement: \$25,000 civil penalty\*  
(b) Refund \$1,500 in excessive contributions
5. MUR 4213
- RESPONDENTS:** Minnesota Democratic-Farmer-Labor Party, William J. Davis, treasurer (MN)
- COMPLAINANT:** FEC Initiated (Audit)
- SUBJECT:** Expenditures on behalf of the general election campaign of the party's presidential candidate without prior authorization from the DNC; expenditures on behalf of the presidential ticket from non-federal funds; impermissible transfer of funds from non-federal account to federal account; use of non-federal funds to pay federal expenses; failure to itemize contributions from political committees; failure to disclose contribution and disbursement information
- DISPOSITION:** Reason to believe, but took no further action\*  
Sent admonishment letter.
6. MUR 4214
- RESPONDENTS:** North Carolina Democratic Victory Fund, Jim Young, treasurer (NC)
- COMPLAINANT:** FEC Initiated (Audit)
- SUBJECT:** Expenditures on behalf of the general election campaign of the party's presidential candidate without prior authorization from the DNC; use of non-federal funds for federal activity; failure to accurately disclose receipts from joint fundraising account
- DISPOSITION:** Reason to believe, but took no further action\*  
Sent admonishment letter.

\*There are four administrative stages to the FEC enforcement process:

1. Receipt of proper complaint
2. "Reason to believe" stage
3. "Probable cause" stage
4. Conciliation stage

It takes the votes of at least four of the six Commissioners to take any action. The FEC can close a case at any point after reviewing a complaint. If a violation is found and conciliation cannot be reached, then the FEC can institute a civil court action against a respondent.

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