

FEDERAL ELECTION COMMISSION

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FOR IMMEDIATE RELEASE:
NOVEMBER 22, 1996

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FEC RELEASES 15 COMPLIANCE CASES

WASHINGTON -- The Federal Election Commission has made public its final action on 15 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 1806

RESPONDENTS: (a) Survival Education Fund, Inc. (NY)
(b) National Mobilization for Survival (NY)
(c) Benjamin Spock, M.D. (NY)
COMPLAINANTS: National Conservative Political Action Committee, John T. Dolan, Chairman (VA)
SUBJECT: Corporate contributions; disclaimers
DISPOSITION: (a-b) Probable cause to believe [5/24/88], litigation authorized [9/20/88]*
-Stipulation and Order: [Note: (a) only]
September 3, 1996 - \$2,000 civil penalty
-U.S. Court of Appeals, 2nd Circuit:
September 12, 1995 - Denied FEC's Motion for Summary Judgment on claim of corporate contributions and granted FEC's Motion for Summary Judgment on claim of disclaimers. Remanded to the district court for determination of appropriate relief.
-Opinion: January 18, 1994
FEC's motion for summary judgment denied.
(c) No probable cause to believe*

2. MUR 2604

RESPONDENTS: (a) America's PAC, Neil Barry Rincover, Executive Director and acting as treasurer (CA)
(b) Physicians Interindemnity/PAC ("PI/PAC"), Sabri El Farra, treasurer (CA)
COMPLAINANTS: Bill Press, on behalf of Bill Press for U.S. Senate (CA)
SUBJECT: Failure to forward earmarked contribution timely; failure to provide information regarding earmarked contribution properly; failure to register and to file reports timely; knowing acceptance of corporate contributions; excessive contributions
DISPOSITION: (a) Probable cause to believe [9/17/91], litigation authorized [2/4/92]*

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- Final Order and Default Judgment:
January 14, 1993 - \$25,000 civil penalty.
Respondents must refund contribution, register and report, and are enjoined from committing such violations in the future.
- Motion to set aside Default Judgment denied 5/23/94.
Respondents found in civil contempt. Civil penalty reduced to \$5,000.
- (b) Conciliation Agreement: \$3,000 civil penalty*

3. MUR 3975

RESPONDENTS: (a) Christian Coalition, Ralph Reed, Executive Director (VA)
(b) Lucas for Congress, C.A. Wheeler, treasurer (OK)
(c) Chenoweth for Congress, Wayne Crow, treasurer (ID)

COMPLAINANTS: Democratic Congressional Campaign Committee, Robert F. Bauer, Esq. (DC)

SUBJECT: Influencing federal elections without complying with source restrictions, contribution limits and disclosure requirements

DISPOSITION: (a-c) Took no action*

4. MUR 4200

RESPONDENTS: (a) Herschensohn for U.S. Senate 1992, Betty Presley, treasurer (CA)
(b) Eleanor Allen (CA) (c) Richard Anderson (CA)
(d) Susan Breadbury (CA) (e) John M. Burris (CA)
(f) James Carlson (CA) (g) Winston Fuller (CA)
(h) Joe MacPherson (CA) (i) Grace Seklemian (CA)
(j) Isaac Starkman (CA) (k) Smiland Land Company (CA)

COMPLAINANT: FEC Initiated (Audit)

SUBJECT: Excessive contributions; failure to file 48-hour reports

DISPOSITION: (a) Conciliation Agreement: \$15,352 civil penalty*
Respondents will continue to report as debts owed to contributors the excessive contributions totaling \$43,049 until these refunds are made.
(b-k) Reason to believe, but took no further action*
[re: excessive contributions]
Sent admonishment letters.

5. MUR 4203/4002

RESPONDENT: U. S. Term Limits (DC)

COMPLAINANTS: Democratic Congressional Campaign Committee, Robert F. Bauer, Esq. (DC) [4203]
William White (PA) [4002]

SUBJECT: Corporate contributions; failure to register and report; failure to file 24-hour independent expenditure reports; disclaimers

DISPOSITION: Reason to believe, but took no further action*
Sent admonishment letter.

6. MUR 4204

RESPONDENT: Americans for Tax Reform (DC)

COMPLAINANTS: Democratic Congressional Campaign Committee, Robert F. Bauer, Esq. (DC)

SUBJECT: Corporate contributions; failure to register and report

DISPOSITION: Reason to believe [4/18/95], insufficient votes to proceed with investigation or make additional findings [10/1/96]*

7. MUR 4223

RESPONDENTS: John J. Murray for Congress Committee (PA)
COMPLAINANT: FEC Initiated (RAD)
SUBJECT: Failure to file 48-hour report
DISPOSITION: Probable cause to believe [12/15/95], litigation
authorized [3/19/96]
-Final Consent Order and Judgment:
September 10, 1996 - \$15,000 civil penalty*
Because of respondents financial circumstances the court
suspended all but \$3,000 of the civil penalty. Any
additional contributions received are to be paid to
retire suspended amount of civil penalty.

8. MUR 4240/Pre-MUR 310

RESPONDENTS: (a) Hard Rock Cafe Inc. (CA)
(b) Hard Rock Cafe America, L.P. (CA)
(c) Melrose Corp. (CA)
(d) Peter Morton (CA)
(e) Alan Mazursky (CA)
(f) Mrs. Tarlton Morton (CA)
COMPLAINANT: Sua sponte
SUBJECT: Corporate contributions; contributions in the names of
others
DISPOSITION: (a-d) Conciliation Agreement: \$23,000 civil penalty*
(e-f) Reason to believe (knowing and willful), but took no
further action*
[re: contributions in the names of others]
Sent Mazursky admonishment letter.

9. MUR 4268

RESPONDENTS: (a) The Long Term Care Campaign (DC)
(b) The Honorable Tim Johnson (SD)
(c) Tim Johnson for South Dakota Committee, Berniece F.
Mayer, treasurer (SD)
(d) Democratic Senatorial Campaign Committee, Donald J.
Foley, treasurer (DC)
COMPLAINANTS: Joel Rosenthal, Chairman, South Dakota Republican Party
(SD)
SUBJECT: Excessive contribution; corporate contribution; disclaimer
DISPOSITION: (a) No reason to believe* [re: disclaimer]
(a-d) No reason to believe*
[re: excessive contribution; corporate contribution]

10. MUR 4270

RESPONDENTS: United Conservatives of America, Robert G. Mills,
treasurer (VA)
COMPLAINANT: FEC Initiated (RAD)
SUBJECT: Failure to file disclosure reports timely
DISPOSITION: Probable cause to believe, but took no further action*
Sent admonishment letter.

11. MUR 4314

RESPONDENTS: (a) Sherman for Congress, David L. Gould, treasurer (CA)
(b) Friends of Brad Sherman, David L. Gould, treasurer (CA)
(c) Brad Sherman for Controller, David L. Gould, treasurer (CA)
(d) Brad Sherman (CA)
COMPLAINANTS: Republican Party of Los Angeles County, Andrew J. Hopwood Chairman (CA)
SUBJECT: Transfer of state campaign funds to federal campaign
DISPOSITION: (a-d) No reason to believe*

12. MUR 4343

RESPONDENTS: Natural Law Party of New York, Andrew Mallon, treasurer (NY)
COMPLAINANT: FEC Initiated (RAD)
SUBJECT: Failure to file disclosure reports timely
DISPOSITION: Probable cause to believe, but took no further action*
Sent admonishment letter.

13. MUR 4351

RESPONDENTS: (a) United Mine Workers of America (DC)
(b) United Mine Workers of America - Coal Miners Political Action Committee (COMPAC), Carlo Tarley, treasurer (DC)
COMPLAINANT: Roger Lee Hartline (OH)
SUBJECT: Union contributions
DISPOSITION: (a-b) Reason to believe, but took no further action*

14. MUR 4403

RESPONDENTS: Populist Party of America, Philip G. Chesler, treasurer (PA)
COMPLAINANT: FEC Initiated (RAD)
SUBJECT: Failure to file disclosure report timely
DISPOSITION: Conciliation Agreement: \$250 civil penalty*

15. MUR 4508

RESPONDENTS: Hambsch for Congress Committee, Paul Lammers, treasurer (CA)
COMPLAINANT: Sua sponte
SUBJECT: Failure to clearly request contributor information; disclaimer
DISPOSITION: No reason to believe*
[re: failure to clearly request contributor information]
Reason to believe, but took no further action*
[re: disclaimer]
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.