



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 1147, 1148, 1149
pt 2

Date Filmed 1-9-81 Camera No. --- 2

Cameraman SPC

1 0 4 0 3 0 2 1 6

81040230217

mw MOR1147

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
☒ Show to whom and date delivered.....
☐ Show to whom, date and address of delivery.....
☐ RESTRICTED DELIVERY
 Show to whom and date delivered.....
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery.....

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO: *Danny Becker*
Homebuilders Assoc.
of Nevada PAC

3. ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 947612

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE ☒ Addressee ☐ Authorized agent
D. Readout

4. DATE OF DELIVERY
12-23-80

5. ADDRESS (Complete only if required)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

80 DEC 29 12:21 PM '80

☆ GPO : 1975-285-546

Form 3811, Jan. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

81040030218

MW MOR 1147.

PS Form 3811, Jan 1979

● **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)

☒ Show to whom and date delivered.

☐ Show to whom, date and address of delivery.

☐ **RESTRICTED DELIVERY**
Show to whom and date delivered.

☐ **RESTRICTED DELIVERY.**
Show to whom, date, and address of delivery. \$

(CONSULT POSTMASTER FOR FEES)

2. **ARTICLE ADDRESSED TO:**
Barry Becker
Nevada Now PAC

3. **ARTICLE DESCRIPTION:**

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	72166	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4. DATE OF DELIVERY

5. ADDRESS (Complete only if requested)

6. **UNABLE TO DELIVER BECAUSE:** 18:21:27

CLERK'S INITIALS

RETURN RECEIPT REGISTERED INSURED AND CERTIFIED MAIL

9104030219

1001 MOR 1147

PS Form 3811 Jan 1979

● **SENDER:** Complete Items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
☒ Show to whom and date delivered.....
☐ Show to whom, date and address of delivery.....
☐ RESTRICTED DELIVERY
Show to whom and date delivered.....
☐ RESTRICTED DELIVERY
Show to whom, date, and address of delivery.....

(CONSULT POSTMASTER FOR FEES)

2. **ARTICLE ADDRESSED TO:**
Barry Becker
Rocky Mountain Builders
PAC

3. **ARTICLE DESCRIPTION:**
REGISTERED NO. CERTIFIED NO. INSURED NO.
947.11

(Always obtain signature of addressee or agent)
I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent

4. **DATE OF DELIVERY** **POSTMARK**

5. **ADDRESS** (Complete only if requested)

6. **UNABLE TO DELIVER BECAUSE** **CLERK'S INITIALS**
E : 21: 220-111

FEDERAL ELECTION COMMISSION

circulation documents and
internal documents

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

- | | |
|--|---|
| <input type="checkbox"/> (1) Classified Information | <input type="checkbox"/> (6) Personal privacy |
| <input type="checkbox"/> (2) Internal rules and practices | <input type="checkbox"/> (7) Investigatory files |
| <input type="checkbox"/> (3) Exempted by other statute | <input type="checkbox"/> (8) Banking Information |
| <input type="checkbox"/> (4) Trade secrets and commercial or financial information | <input type="checkbox"/> (9) Well Information (geographic or geophysical) |
| <input checked="" type="checkbox"/> (5) Internal Documents | |

Signed

Mama White

date

December 22, 1980



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 18, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Homebuilders Association of the State of
Nevada Political Action Committee
50 South Jones Blvd., Suite 101
Las Vegas, Nevada 89107

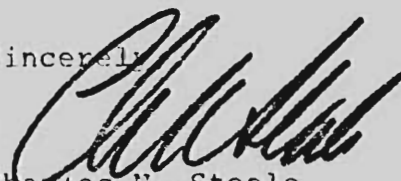
Re: MUR 1147

Dear Mr. Becker:

On December 17, 1980, the Commission accepted the conciliation agreement signed by you and a civil penalty in settlement of a violation of 2 U.S.C. §§ 433 (b)(2) and 441a(a)(1)(A) and 11 C.F.R. § 102.2. Accordingly, the file has been closed in this matter and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files. If you have any questions please contact Maura White, the staff member assigned to this matter, at 202-523-4060.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Homebuilders Association of the State of
Nevada Political Action Committee
50 South Jones Blvd., Suite 101
Las Vegas, Nevada 89107

Re: MUR 1147

Dear Mr. Becker:

On , 1980, the Commission accepted the conciliation agreement signed by you and a civil penalty in settlement of a violation of 2 U.S.C. §§ 433 (b)(2) and 441a(a)(1)(A) and 11 C.F.R. § 102.2. Accordingly, the file has been closed in this matter and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files. If you have any questions please contact Maura White, the staff member assigned to this matter, at 202-523-4060.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

3 1 0 4 0 0 3 0 2 2 3

In the Matter of)
)
Homebuilders Association of the) MUR 1147
State of Nevada Political Action)
Committee, Rocky Mountain Builders)
Political Action Committee, Nevada)
Now Political Action Committee)

CONCILIATION AGREEMENT

This matter having been initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities, and the Commission having found reason to believe that the Homebuilders Association of the State of Nevada Political Action Committee (hereinafter "HAN-PAC") violated 11 C.F.R. § 102.2, 2 U.S.C. § 433(b)(2), and 2 U.S.C. § 441a(a)(1)(A);

NOW, THEREFORE, the Commission and HAN-PAC, having participated in informal methods of conciliation, do hereby agree as follows:

I. The Commission has jurisdiction over HAN-PAC and the subject matter of this proceeding, and this agreement has the effect of a conciliation agreement under 2 U.S.C. § 437g(a)(4)(A).

II. HAN-PAC has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. HAN-PAC enters voluntarily into this agreement with the Commission.

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

1. Homebuilders Association of the State of Nevada Political Action Committee ("HAN-PAC") is a political committee "connected with," as defined in 11 C.F.R. § 100.6, the Homebuilders Association of the State of Nevada.
2. Rocky Mountain Builders Political Action Committee ("RMB-PAC") is a political committee as defined in 11 C.F.R. § 100.5(a) with no "connected organization" as defined in 11 C.F.R. § 100.6.
3. Nevada Now Political Action Committee ("NN-PAC") is a political committee as defined in 11 C.F.R. § 100.5(a) with no "connected organization" as defined in 11 C.F.R. § 100.6.
4. HAN-PAC has not, at any time relevant to this matter, reported NN-PAC or RMB-PAC as an "affiliated committee" pursuant to 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 in its Statement of Organization filed with the Commission.
5. Barry W. Becker is the treasurer of HAN-PAC.
6. Barry W. Becker is the treasurer of NN-PAC.
7. Barry W. Becker is the treasurer of RMB-PAC.
8. HAN-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.
9. NN-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.

11040230224

10. RMB-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.

11. On October 6, 1978, HAN-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to general election campaign of Larry Williams (MT-Senate).

12. On October 6, 1978, NN-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to the general election campaign of Larry Williams (MT-Senate).

13. On October 6, 1978, RMB-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to the general election campaign of Larry Williams (MT-Senate).

14. In addition to the contributions described in subparagraphs 11-13 supra, HAN-PAC, NN-PAC, and RMB-PAC have made contributions to other federal candidates in-common on October 6, 1978.

1004030225

15. Barry W. Becker is involved in making the contribution decisions of HAN-PAC.
16. Barry W. Becker is involved in making the contribution decisions of RMB-PAC.
17. The Constitution and Bylaws of NN-PAC state that the treasurer of NN-PAC shall serve as a member of the Contribution Committee of NN-PAC, the body which directs the making of contributions to candidates and political committees.
18. Barry W. Becker was involved in the establishment of HAN-PAC.
19. Barry W. Becker was involved in the establishment of NN-PAC.
20. Barry W. Becker was involved in the establishment of RMB-PAC.
21. Barry W. Becker is involved in the administration of the finances of HAN-PAC.
22. Barry W. Becker is involved in the administration of the finances of NN-PAC.
23. Barry W. Becker is involved in the administration of the finances of RMB-PAC.
24. RMB-PAC and HAN-PAC received transfers of \$1,500 and \$1,000 respectively, from NN-PAC on October 22, 1978, which represented 38% of the 1978 yearly receipts of NN-PAC, and 32% and 46.8% of the 1978 yearly receipts of RMB-PAC and HAN-PAC, respectively.

3104030225

WHEREFORE, HAN-PAC agrees:

V. HAN-PAC violated 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 by its failure to report NN-PAC and RMB-PAC as affiliated committees. HAN-PAC violated 2 U.S.C. § 441a(a)(1)(A) by making contributions to four candidates which, when aggregated with contributions by NN-PAC and RMB-PAC to the same candidates in the same election, exceeded one thousand dollars (\$1,000) per election.

VI. HAN-PAC will pay a civil penalty to the treasurer of the United States in the amount of two hundred and fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. HAN-PAC will file a Statement of Organization with the Commission which identifies NN-PAC and RMB-PAC, pursuant to 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2, as an "affiliated committee" for as long as RMB-PAC and NN-PAC remain in existence.

VIII. HAN-PAC agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended. 2 U.S.C. § 431, et seq.

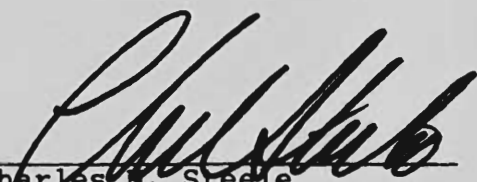
IX. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

1040030227


X. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

XI. It is mutually agreed that HAN-PAC will comply with the requirements in Paragraphs VI and VII above within thirty (30) days from the date this agreement becomes effective.

18 Dec 6 - 1980
Date


Charles N. Steele
General Counsel
Federal Election Commission

11-20-80
Date


Barry W. Becker
Treasurer
Homebuilders Association of
the State of Nevada Political
Action Committee

11040030228



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 18, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Rocky Mountain Builders Political
Action Committee
50 South Jones Blvd., Suite 101
Las Vegas, Nevada 89107

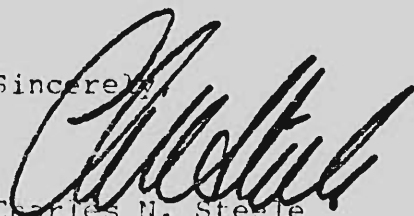
Re: MUR 1147

Dear Mr. Becker:

On December 17, 1980, the Commission accepted the conciliation agreement signed by you and a civil penalty in settlement of a violation of 2 U.S.C. §§ 433 (b)(2) and 441a(a)(1)(A) and 11 C.F.R. § 102.2. Accordingly, the file has been closed in this matter and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files. If you have any questions please contact Maura White, the staff member assigned to this matter, at 202-523-4060.

Sincerely,


Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

104030229



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Rocky Mountain Builders Political
Action Committee
50 South Jones Blvd., Suite 101
Las Vegas, Nevada 89107

Re: MUR 1147

Dear Mr. Becker:

On , 1980, the Commission accepted the conciliation agreement signed by you and a civil penalty in settlement of a violation of 2 U.S.C. §§ 433 (b)(2) and 441a(a)(1)(A) and 11 C.F.R. § 102.2. Accordingly, the file has been closed in this matter and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files. If you have any questions please contact Maura White, the staff member assigned to this matter, at 202-523-4060.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION
September 16, 1980

In the Matter of)
)
Rocky Mountain Builders) MUR 1147
Political Action Committee,)
Nevada Now Political)
Action Committee, Homebuilders)
Association of the State of)
Nevada Political Action Committee)

CONCILIATION AGREEMENT

104030231
This matter having been initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities, and the Commission having found reason to believe that the Rocky Mountain Builders Political Action Committee (hereinafter "RMB-PAC") violated 11 C.F.R. § 102.2, 2 U.S.C. § 433(b)(2), and 2 U.S.C. § 441a(a)(1)(A);

NOW, THEREFORE, the Commission and RMB-PAC, having participated in informal methods of conciliation, do hereby agree as follows:

I. The Commission has jurisdiction over RMB-PAC and the subject matter of this proceeding, and this agreement has the effect of a conciliation agreement under 2 U.S.C. § 437g(a)(4)(A).

II. RMB-PAC has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. RMB-PAC enters voluntarily into this agreement with the Commission.

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

1. RMB-PAC is a political committee as defined in 11 C.F.R. § 100.5(a), with no "connected organization" as defined in 11 C.F.R. § 100.6.
2. Nevada Now Political Action Committee ("NN-PAC") is a political committee as defined in 11 C.F.R. § 100.5(a), with no "connected organization" as defined in 11 C.F.R. § 100.6.
3. Homebuilders Association of the State of Nevada Political Action Committee ("HAN-PAC") is a political committee "connected with," as defined in 11 C.F.R. § 100.6, the Homebuilders Association of the State of Nevada.
4. RMB-PAC has not, at any time relevant to this matter, reported NN-PAC or HAN-PAC as an "affiliated committee" pursuant to 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 in its Statement of Organization filed with the Commission.
5. Barry W. Becker is the treasurer of RMB-PAC.
6. Barry W. Becker is the treasurer of NN-PAC.
7. Barry W. Becker is the treasurer of HAN-PAC.
8. RMB-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.
9. NN-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.

10403023

10. HAN-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.
11. On October 6, 1978, RMB-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to general election campaign of Larry Williams (MT-Senate).
12. On October 6, 1978, NN-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to the general election campaign of Larry Williams (MT-Senate).
13. On October 6, 1978, HAN-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to the general election campaign of Larry Williams (MT-Senate).
14. In addition to the contributions described in subparagraphs 11-13 supra, RMB-PAC, NN-PAC, and HAN-PAC have made contributions to other federal candidates in common on October 6, 1978.

10030233

15. Barry W. Becker is involved in making the contribution decisions of RMB-PAC.
16. Barry W. Becker is involved in making the contribution decisions of HAN-PAC.
17. The Constitution and Bylaws of NN-PAC state that the treasurer of NN-PAC shall serve as a member of the Contribution Committee of NN-PAC, the body which directs the making of contributions to candidates and political committees.
18. Barry W. Becker was involved in the establishment of RMB-PAC.
19. Barry W. Becker was involved in the establishment of NN-PAC.
20. Barry W. Becker was involved in the establishment of HAN-PAC.
21. Barry W. Becker is involved in the administration of the finances of RMB-PAC.
22. Barry W. Becker is involved in the administration of the finances of NN-PAC.
23. Barry W. Becker is involved in the administration of the finances of HAN-PAC.
24. RMB-PAC and HAN-PAC received transfers of \$1,500 and \$1,000 respectively, from NN-PAC on October 22, 1978, which represented 38% of the 1978 yearly receipts of NN-PAC, and 32% and 46.8% of the 1978 yearly receipts of RMB-PAC and HAN-PAC, respectively.

WHEREFORE, RMB-PAC agrees:

V. RMB-PAC violated 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 by its failure to report NN-PAC and HAN-PAC as affiliated committees. RMB-PAC violated 2 U.S.C. § 441a(a)(1)(A) by making contributions to four candidates which, when aggregated with

contributions by NN-PAC and HAN-PAC to the same candidates in the same election, exceeded one thousand dollars (\$1,000) per election.

VI. RMB-PAC will pay a civil penalty to the treasurer of the United States in the amount of two hundred and fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. RMB-PAC will file a Statement of Organization with the Commission which identifies NN-PAC and HAN-PAC, pursuant to 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2, as an "affiliated committee," OR will file a termination report and cease its activities and reporting to the Commission.

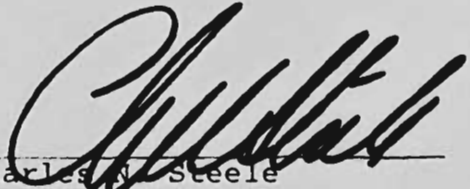
VIII. RMB-PAC agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended. 2 U.S.C. § 431, et seq.

IX. 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 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.


X. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

XI. It is mutually agreed that RMB-PAC will comply with the requirements in Paragraphs VI and VII above within thirty (30) days from the date this agreement becomes effective.

18 December 1980
Date


Charles N. Steele
General Counsel
Federal Election Commission

11-20-80
Date


Barry W. Becker
Treasurer
Rocky Mountain Builders
Political Action Committee

1040230235



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 18, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Nevada Now Political Action
Committee
50 South Jones Blvd., Suite 101
Las Vegas, Nevada 89107

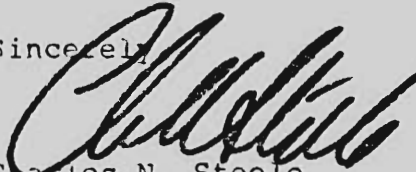
Re: MUR 1147

Dear Mr. Becker:

On December 17, 1980, the Commission accepted the conciliation agreement signed by you and a civil penalty in settlement of a violation of 2 U.S.C. §§ 433 (b)(2) and 441a(a)(1)(A) and 11 C.F.R. § 102.2. Accordingly, the file has been closed in this matter and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files. If you have any questions please contact Maura White, the staff member assigned to this matter, at 202-523-4060.

Sincerely,


Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

7
3
3
0
2
0
3
0
4
0
0
1



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Nevada Now Political Action
Committee
50 South Jones Blvd., Suite 101
Las Vegas, Nevada 89107

Re: MUR 1147

Dear Mr. Becker:

On , 1980, the Commission accepted the conciliation agreement signed by you and a civil penalty in settlement of a violation of 2 U.S.C. §§ 433 (b)(2) and 441a(a)(1)(A) and 11 C.F.R. § 102.2. Accordingly, the file has been closed in this matter and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files. If you have any questions please contact Maura White, the staff member assigned to this matter, at 202-523-4060.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION
September 16, 1980

In the Matter of)
)
Nevada Now Political) MUR 1147
Action Committee,)
Rocky Mountain Builders)
Political Action Committee,)
Homebuilders Association of the)
State of Nevada Political)
Action Committee)

CONCILIATION AGREEMENT

9
3
2
0
3
0
2
3
0
4
0
0
1
0
3
1
0
3
9

This matter having been initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities, and the Commission having found reason to believe that the Nevada Now Political Action Committee (hereinafter "NN-PAC") violated 11 C.F.R. § 102.2, 2 U.S.C. § 433(b)(2), and 2 U.S.C. § 441a(a)(1)(A);

NOW, THEREFORE, the Commission and NN-PAC, having participated in informal methods of conciliation, do hereby agree as follows:

I. The Commission has jurisdiction over NN-PAC and the subject matter of this proceeding, and this agreement has the effect of a conciliation agreement under 2 U.S.C. § 437g(a)(4)(A).

II. NN-PAC has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. NN-PAC enters voluntarily into this agreement with the Commission.

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

1. NN-PAC is a political committee as defined in 11 C.F.R. § 100.5(a), with no "connected organization" as defined in 11 C.F.R. § 100.6.
2. Rocky Mountain Builders Political Action Committee ("RMB-PAC") is a political committee as defined in 11 C.F.R. § 100.5(a), with no "connected organization" as defined in 11 C.F.R. § 100.6.
3. Homebuilders Association of the State of Nevada Political Action Committee ("HAN-PAC") is a political committee "connected with," as defined in 11 C.F.R. § 100.6, the Homebuilders Association of the State of Nevada.
4. NN-PAC has not, at any time relevant to this matter, reported RMB-PAC or HAN-PAC as an "affiliated committee" pursuant to 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 in its Statement of Organization filed with the Commission.
5. Barry W. Becker is the treasurer of NN-PAC.
6. Barry W. Becker is the treasurer of RMB-PAC.
7. Barry W. Becker is the treasurer of HAN-PAC.
8. NN-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.
9. RMB-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.

01040030240

10. HAN-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.

11. On October 6, 1978, NN-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to general election campaign of Larry Williams (MT-Senate).

12. On October 6, 1978, RMB-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to the general election campaign of Larry Williams (MT-Senate).

13. On October 6, 1978, HAN-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to the general election campaign of Larry Williams (MT-Senate).

14. In addition to the contributions described in subparagraphs 11-13 supra, NN-PAC, RMB-PAC, and HAN-PAC have made contributions to other federal candidates in common on October 6, 1978.

1004030241

15. Barry W. Becker is involved in making the contribution decisions of RMB-PAC.
16. Barry W. Becker is involved in making the contribution decisions of HAN-PAC.
17. The Constitution and Bylaws of NN-PAC state that the treasurer of NN-PAC shall serve as a member of the Contribution Committee of NN-PAC, the body which directs the making of contributions to candidates and political committees.
18. Barry W. Becker was involved in the establishment of NN-PAC.
19. Barry W. Becker was involved in the establishment of RMB-PAC.
20. Barry W. Becker was involved in the establishment of HAN-PAC.
21. Barry W. Becker is involved in the administration of the finances of NN-PAC.
22. Barry W. Becker is involved in the administration of the finances of RMB-PAC.
23. Barry W. Becker is involved in the administration of the finances of HAN-PAC.
24. NN-PAC transferred \$1,000 and \$1,500 to HAN-PAC and RMB-PAC, respectively, during October 1978, which represented 38% of the 1978 total yearly receipts of NN-PAC, and 46.8% and 32% of the 1978 total yearly receipts of HAN-PAC and RMB-PAC, respectively.

WHEREFORE, NN-PAC agrees:

V. NN-PAC violated 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 by its failure to report RMB-PAC and HAN-PAC as affiliated committees. NN-PAC violated 2 U.S.C. § 441a(a)(1)(A) by making contributions to four candidates which, when aggregated with

0104030242

contributions by RMB-PAC and HAN-PAC to the same candidates in the same election, exceeded one thousand dollars (\$1,000) per election.

VI. NN-PAC will pay a civil penalty to the treasurer of the United States in the amount of two hundred and fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. NN-PAC will file a Statement of Organization with the Commission which identifies RMB-PAC and HAN-PAC, pursuant to 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2, as an "affiliated committee," OR will file a termination report and cease its activities and reporting to the Commission.

VIII. NN-PAC agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended. 2 U.S.C. § 431, et seq.

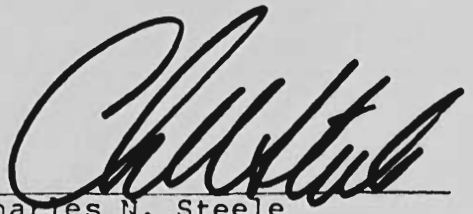
IX. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

X. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.


1040030243

XI. It is mutually agreed that NN-PAC will comply with the requirements in Paragraphs VI and VII above within thirty (30) days from the date this agreement becomes effective.

19 December 1980
Date


Charles N. Steele
General Counsel
Federal Election Commission

11-20-1980
Date


Barry W. Becker
Treasurer
Nevada Now Political Action
Committee

11040030244

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1147
Rocky Mountain Builders Political)
Action Committee ("RMB-PAC"))
Nevada Now Political Action)
Committee ("NN-PAC"))
Homebuilders Association of the)
State of Nevada Political Action)
Committee ("HAN-PAC"))

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 17, 1980, the Commission decided by a vote of 5-0 to take the following actions regarding MUR 1147:

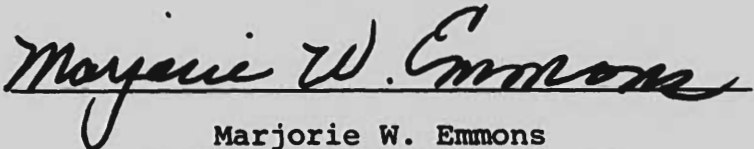
1. Accept the three conciliation agreements as submitted with the General Counsel's December 12, 1980 memorandum.
2. Close the file.

Commissioners Aikens, Harris, McGarry, Reiche, and Tiernan voted affirmatively.

Attest:

12-12-80

Date



Marjorie W. Emmons
Secretary of the Commission

Received in Office of the Commission Secretary: 12-12-80, 4:35
Circulated on 48 hour vote basis: 12-15-80, 4:00

31040230245

December 12, 1980

MEMORANDUM TO: Marjorie W. Emmons
FROM: Elissa T. Garr
SUBJECT: MUR1147

Please have the attached Memo distributed to the
Commission on a 48 hour tally basis. Thank you.

8104030246

GCE#
2180

MUR 17

White

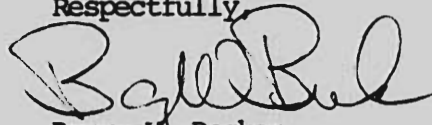
July 29, 1980

Mr. John Warren McGarry
Vice-Chairman
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

Dear Mr. McGarry:

As Treasurer for the following Political Action Committees, Nevada Now PAC, Rocky Mountain Builders PAC and Home Builders Association of Nevada PAC, please let this letter serve as our formal request to enter Informal Conciliation prior to a Finding of probable cause. I believe that through my discussions with Maura White and with your review of some of the additional answers that I have supplied, this would be the easiest way to solve any alleged violations concerning these three PACS.

Respectfully,



Barry W. Becker
Treasurer,
Above-named PACS

BWB:dr

44 : 018 4 700 00

0104030247

B. W. Becker
50 S. Jones Blvd., #101
Las Vegas, Nevada 89107

Mr. John Warren McGarry
Vice-Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463

1 0 1 0 0 3 0 2 4

55



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 25, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Nevada Now Political Action
Committee
50 South Jones Boulevard, Suite 101
Las Vegas, Nevada

Re: MUR 1147

Dear Mr. Becker:

On June 10, 1980, the Commission found reason to believe that your committee violated § 441b(a) of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above-captioned matter. However, after considering the circumstances of this matter, the Commission determined to take no further action in this matter.

The Commission reminds you that it is nevertheless a violation of 2 U.S.C. § 441b(a) for a political committee to accept administrative support from a corporation which is not the "connected organization" (2 U.S.C. § 431(7)) of the political committee. You should take immediate steps to insure that this type of activity does not occur in the future.

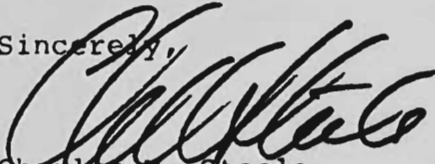
Enclosed please find a conciliation agreement that this office is prepared to recommend to the Commission in settlement of the Commission's investigation into the matter of affiliation between the Rocky Mountain Builders Political Action Committee, the Nevada Now Political Action Committee, and the Homebuilders Association of the State of Nevada Political Action Committee.

On July 2, 1980, and by letter dated July 29, 1980, you stated that you wished to resolve this matter without proceeding to a finding of probable cause to believe that a violation of 2 U.S.C. §§ 433 and 441a have occurred. The enclosed agreement was drafted as a result of your phone conversation of July 2 with this office and provides for either the termination of the Nevada Now Political Action Committee within 30 days of the execution of the enclosed agreement, or that the Nevada Now Political Action Committee will report affiliation with the Rocky Mountain Builders Political Action Committee and the Homebuilders Association of the State of Nevada Political Action Committee within 30 days of the execution of the enclosed agreement.

If you agree with the provisions of the enclosed agreement, please sign and return it to the Commission within 10 days. I will then recommend that the Commission approve the agreement. Please make your check payable to the U.S. Treasurer.

If you have any questions or suggestions for changes in the enclosed conciliation agreement please contact Maura White, the staff member assigned to this matter, at 202-523-4060.

Sincerely,


Charles N. Steele
General Counsel

Enclosure

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one). <input checked="" type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> Show to whom, date, and address of delivery. <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> RESTRICTED DELIVERY. <input type="checkbox"/> Show to whom, date, and address of delivery. \$ (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: <u>B. Becker</u> <u>NV-PAC</u> <u>50 South Gines Blvd</u> <u>Las Vegas, NV 89107</u>	
3. ARTICLE DESCRIPTION: REGISTERED NO. <u>085976</u>	INSURED NO. <u>946576</u>
I have received the article described above. SIGNATURE <input checked="" type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent <u>[Signature]</u>	
4. DATE OF DELIVERY <u>Aug 30-80</u>	POSTMARK <u>1981</u> <u>08</u>
5. ADDRESS (Complete only if requested)	
6. CLERK'S INITIALS <u>RECEIVED</u> <u>[Signature]</u>	

PS Form 3811, Aug. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

1 0 4 0 0 3 0 2 5 0



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Nevada Now Political Action
Committee
50 South Jones Boulevard, Suite 101
Las Vegas, Nevada

Re: MUR 1147

Dear Mr. Becker:

On June 10, 1980, the Commission found reason to believe that your committee violated § 441b(a) of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above-captioned matter. However, after considering the circumstances of this matter, the Commission determined to take no further action in this matter.

The Commission reminds you that it is nevertheless a violation of 2 U.S.C. § 441b(a) for a political committee to accept administrative support from a corporation which is not the "connected organization" (2 U.S.C. § 431(7)) of the political committee. You should take immediate steps to insure that this type of activity does not occur in the future.

Enclosed please find a conciliation agreement that this office is prepared to recommend to the Commission in settlement of the Commission's investigation into the matter of affiliation between the Rocky Mountain Builders Political Action Committee, the Nevada Now Political Action Committee, and the Homebuilders Association of the State of Nevada Political Action Committee.

On July 2, 1980, and by letter dated July 29, 1980, you stated that you wished to resolve this matter without proceeding to a finding of probable cause to believe that a violation of 2 U.S.C. §§ 433 and 441a have occurred. The enclosed agreement was drafted as a result of your phone conversation of July 2 with this office and provides for either the termination of the Nevada Now Political Action Committee within 30 days of the execution of the enclosed agreement, or that the Nevada Now Political Action Committee will report affiliation with the Rocky Mountain Builders Political Action Committee and the Homebuilders Association of the State of Nevada Political Action Committee within 30 days of the execution of the enclosed agreement.

1004030251

If you agree with the provisions of the enclosed agreement, please sign and return it to the Commission within 10 days. I will then recommend that the Commission approve the agreement. Please make your check payable to the U.S. Treasurer.

If you have any questions or suggestions for changes in the enclosed conciliation agreement please contact Maura White, the staff member assigned to this matter, at 202-523-4060.

Sincerely,

mwa 9/24

Charles N. Steele
General Counsel

Enclosure

01040230252

BEFORE THE FEDERAL ELECTION COMMISSION
September 16, 1980

In the Matter of)
)
Nevada Now Political) MUR 1147
Action Committee,)
Rocky Mountain Builders)
Political Action Committee,)
Homebuilders Association of the)
State of Nevada Political)
Action Committee)

CONCILIATION AGREEMENT

101030253
This matter having been initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities, and the Commission having found reason to believe that the Nevada Now Political Action Committee (hereinafter "NN-PAC") violated 11 C.F.R. § 102.2, 2 U.S.C. § 433(b)(2), and 2 U.S.C. § 441a(a)(1)(A);

NOW, THEREFORE, the Commission and NN-PAC, having participated in informal methods of conciliation, do hereby agree as follows:

I. The Commission has jurisdiction over NN-PAC and the subject matter of this proceeding, and this agreement has the effect of a conciliation agreement under 2 U.S.C. § 437g(a)(4)(A).

II. NN-PAC has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. NN-PAC enters voluntarily into this agreement with the Commission.

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

1. NN-PAC is a political committee as defined in 11 C.F.R. § 100.5(a), with no "connected organization" as defined in 11 C.F.R. § 100.6.
2. Rocky Mountain Builders Political Action Committee ("RMB-PAC") is a political committee as defined in 11 C.F.R. § 100.5(a), with no "connected organization" as defined in 11 C.F.R. § 100.6.
3. Homebuilders Association of the State of Nevada Political Action Committee ("HAN-PAC") is a political committee "connected with," as defined in 11 C.F.R. § 100.6, the Homebuilders Association of the State of Nevada.
4. NN-PAC has not, at any time relevant to this matter, reported RMB-PAC or HAN-PAC as an "affiliated committee" pursuant to 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 in its Statement of Organization filed with the Commission.
5. Barry W. Becker is the treasurer of NN-PAC.
6. Barry W. Becker is the treasurer of RMB-PAC.
7. Barry W. Becker is the treasurer of HAN-PAC.
8. NN-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.
9. RMB-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.

1040230251

10. HAN-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.

11. On October 6, 1978, NN-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to general election campaign of Larry Williams (MT-Senate).

12. On October 6, 1978, RMB-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to the general election campaign of Larry Williams (MT-Senate).

13. On October 6, 1978, HAN-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to the general election campaign of Larry Williams (MT-Senate).

14. In addition to the contributions described in subparagraphs 11-13 supra, NN-PAC, RMB-PAC, and HAN-PAC have made contributions to other federal candidates in-
common on October 6, 1978.

104030255

15. Barry W. Becker is involved in making the contribution decisions of RMB-PAC.
16. Barry W. Becker is involved in making the contribution decisions of HAN-PAC.
17. The Constitution and Bylaws of NN-PAC state that the treasurer of NN-PAC shall serve as a member of the Contribution Committee of NN-PAC, the body which directs the making of contributions to candidates and political committees.
18. Barry W. Becker was involved in the establishment of NN-PAC.
19. Barry W. Becker was involved in the establishment of RMB-PAC.
20. Barry W. Becker was involved in the establishment of HAN-PAC.
21. Barry W. Becker is involved in the administration of the finances of NN-PAC.
22. Barry W. Becker is involved in the administration of the finances of RMB-PAC.
23. Barry W. Becker is involved in the administration of the finances of HAN-PAC.
24. NN-PAC transferred \$1,000 and \$1,500 to HAN-PAC and RMB-PAC, respectively, during October 1978, which represented 38% of the 1978 total yearly receipts of NN-PAC, and 46.8% and 32% of the 1978 total yearly receipts of HAN-PAC and RMB-PAC, respectively.

WHEREFORE, NN-PAC agrees:

V. NN-PAC violated 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 by its failure to report RMB-PAC and HAN-PAC as affiliated committees. NN-PAC violated 2 U.S.C. § 441a(a)(1)(A) by making contributions to four candidates which, when aggregated with

contributions by RMB-PAC and HAN-PAC to the same candidates in the same election, exceeded one thousand dollars (\$1,000) per election.

VI. NN-PAC will pay a civil penalty to the treasurer of the United States in the amount of two hundred and fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. NN-PAC will file a Statement of Organization with the Commission which identifies RMB-PAC and HAN-PAC, pursuant to 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2, as an "affiliated committee," OR will file a termination report and cease its activities and reporting to the Commission.

VIII. NN-PAC agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended. 2 U.S.C. § 431, et seq.

IX. 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 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.

X. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

1100030257

XI. It is mutually agreed that NN-PAC will comply with the requirements in Paragraphs VI and VII above within thirty (30) days from the date this agreement becomes effective.

Date

Charles N. Steele
General Counsel
Federal Election Commission

Date

Barry W. Becker
Treasurer
Nevada Now Political Action
Committee

1040330258



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 25, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Rocky Mountain Builders Political
Action Committee
50 South Jones Boulevard, Suite 101
Las Vegas, Nevada

Re: MUR 1147

Dear Mr. Becker:

On June 10, 1980, the Commission found reason to believe that your committee violated § 441b(a) of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above-captioned matter. However, after considering the circumstances of this matter, the Commission determined to take no further action in this matter.

The Commission reminds you that it is nevertheless a violation of 2 U.S.C. § 441b(a) for a political committee to accept administrative support from a corporation which is not the "connected organization" (2 U.S.C. § 431(7)) of the political committee. You should take immediate steps to insure that this type of activity does not occur in the future.

Enclosed please find a conciliation agreement that this office is prepared to recommend to the Commission in settlement of the Commission's investigation into the matter of affiliation between the Rocky Mountain Builders Political Action Committee, the Nevada Now Political Action Committee, and the Homebuilders Association of the State of Nevada Political Action Committee.


On July 2, 1980, and by letter dated July 29, 1980, you stated that you wished to resolve this matter without proceeding to a finding of probable cause to believe that a violation of 2 U.S.C. §§ 433 and 441a have occurred. The enclosed agreement was drafted as a result of your phone conversation of July 2 with this office and provides for either the termination of the Rocky Mountain Builders Political Action Committee within 30 days of the execution of the enclosed agreement, or that the Rocky Mountain Builders Political Action Committee will report affiliation with the Nevada Now Political Action Committee and the Homebuilders Association of the State of Nevada Political Action Committee within 30 days of the execution of the enclosed agreement.

10030250

If you agree with the provisions of the enclosed agreement, please sign and return it to the Commission within 10 days. I will then recommend that the Commission approve the agreement. Please make your check payable to the U.S. Treasurer.

If you have any questions or suggestions for changes in the enclosed conciliation agreement please contact Maura White, the staff member assigned to this matter, at 202-523-4060.

Sincerely,


Charles N. Steele
General Counsel

Enclosure

PS Form 3811, Aug. 1978

1. The following service is requested (check one).
☒ Show to whom and date delivered.
☐ Show to whom, date, and address of delivery.
☐ RESTRICTED DELIVERY.
☐ Show to whom and date delivered.
☐ RESTRICTED DELIVERY.
☐ Show to whom, date, and address of delivery.
☐ RESTRICTED DELIVERY.
☐ Show to whom, date, and address of delivery.
☐ RESTRICTED DELIVERY FOR FEES.
☐ Show to whom, date, and address of delivery.
☐ RESTRICTED DELIVERY FOR FEES.

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO: B. Beep
EMB-PACmed Blvd
50 South NV 89107
Las Vegas NV

3. ARTICLE DESCRIPTION: 8 f
REGISTERED NO. 946582 CERTIFIED NO. 946582 INSURED NO. 946582

4. I have received the article described above.
☐ Addressed ☐ Authorized agent
SIGNATURE Charles N. Steele POSTMARK SEP 27 1978

5. ADDRESS (Complete only if requested)
1147

6. UNABLE TO DELIVER BECAUSE:
White

CLERK'S INITIALS White

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Rocky Mountain Builders Political
Action Committee
50 South Jones Boulevard, Suite 101
Las Vegas, Nevada

Re: MUR 1147

Dear Mr. Becker:

On June 10, 1980, the Commission found reason to believe that your committee violated § 441b(a) of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above-captioned matter. However, after considering the circumstances of this matter, the Commission determined to take no further action in this matter.

The Commission reminds you that it is nevertheless a violation of 2 U.S.C. § 441b(a) for a political committee to accept administrative support from a corporation which is not the "connected organization" (2 U.S.C. § 431(7)) of the political committee. You should take immediate steps to insure that this type of activity does not occur in the future.

Enclosed please find a conciliation agreement that this office is prepared to recommend to the Commission in settlement of the Commission's investigation into the matter of affiliation between the Rocky Mountain Builders Political Action Committee, the Nevada Now Political Action Committee, and the Homebuilders Association of the State of Nevada Political Action Committee.

On July 2, 1980, and by letter dated July 29, 1980, you stated that you wished to resolve this matter without proceeding to a finding of probable cause to believe that a violation of 2 U.S.C. §§ 433 and 441a have occurred. The enclosed agreement was drafted as a result of your phone conversation of July 2 with this office and provides for either the termination of the Rocky Mountain Builders Political Action Committee within 30 days of the execution of the enclosed agreement, or that the Rocky Mountain Builders Political Action Committee will report affiliation with the Nevada Now Political Action Committee and the Homebuilders Association of the State of Nevada Political Action Committee within 30 days of the execution of the enclosed agreement.

1
0
4
0
2
3
0
2
6
1

If you agree with the provisions of the enclosed agreement, please sign and return it to the Commission within 10 days. I will then recommend that the Commission approve the agreement. Please make your check payable to the U.S. Treasurer.

If you have any questions or suggestions for changes in the enclosed conciliation agreement please contact Maura White, the staff member assigned to this matter, at 202-523-4060.

Sincerely,

mwa/24

Charles N. Steele
General Counsel

Enclosure

104030262

BEFORE THE FEDERAL ELECTION COMMISSION
September 16, 1980

In the Matter of)
)
Rocky Mountain Builders) MUR 1147
Political Action Committee,)
Nevada Now Political)
Action Committee, Homebuilders)
Association of the State of)
Nevada Political Action Committee)

CONCILIATION AGREEMENT

3
6
2
0
3
3
0
2
0
4
0
0
1
0
4
0
3
0
2
6
3
This matter having been initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities, and the Commission having found reason to believe that the Rocky Mountain Builders Political Action Committee (hereinafter "RMB-PAC") violated 11 C.F.R. § 102.2, 2 U.S.C. § 433(b)(2), and 2 U.S.C. § 441a(a)(1)(A);

NOW, THEREFORE, the Commission and RMB-PAC, having participated in informal methods of conciliation, do hereby agree as follows:

I. The Commission has jurisdiction over RMB-PAC and the subject matter of this proceeding, and this agreement has the effect of a conciliation agreement under 2 U.S.C. § 437g(a)(4)(A).

II. RMB-PAC has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. RMB-PAC enters voluntarily into this agreement with the Commission.

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

1. RMB-PAC is a political committee as defined in 11 C.F.R. § 100.5(a), with no "connected organization" as defined in 11 C.F.R. § 100.6.
2. Nevada Now Political Action Committee ("NN-PAC") is a political committee as defined in 11 C.F.R. § 100.5(a), with no "connected organization" as defined in 11 C.F.R. § 100.6.
3. Homebuilders Association of the State of Nevada Political Action Committee ("HAN-PAC") is a political committee "connected with," as defined in 11 C.F.R. § 100.6, the Homebuilders Association of the State of Nevada.
4. RMB-PAC has not, at any time relevant to this matter, reported NN-PAC or HAN-PAC as an "affiliated committee" pursuant to 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 in its Statement of Organization filed with the Commission.
5. Barry W. Becker is the treasurer of RMB-PAC.
6. Barry W. Becker is the treasurer of NN-PAC.
7. Barry W. Becker is the treasurer of HAN-PAC.
8. RMB-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.
9. NN-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.

4104030264

10. HAN-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.

11. On October 6, 1978, RMB-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to general election campaign of Larry Williams (MT-Senate).

12. On October 6, 1978, NN-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to the general election campaign of Larry Williams (MT-Senate).

13. On October 6, 1978, HAN-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to the general election campaign of Larry Williams (MT-Senate).

14. In addition to the contributions described in subparagraphs 11-13 supra, RMB-PAC, NN-PAC, and HAN-PAC have made contributions to other federal candidates in common on October 6, 1978.

1040230265

15. Barry W. Becker is involved in making the contribution decisions of RMB-PAC.
16. Barry W. Becker is involved in making the contribution decisions of HAN-PAC.
17. The Constitution and Bylaws of NN-PAC state that the treasurer of NN-PAC shall serve as a member of the Contribution Committee of NN-PAC, the body which directs the making of contributions to candidates and political committees.
18. Barry W. Becker was involved in the establishment of RMB-PAC.
19. Barry W. Becker was involved in the establishment of NN-PAC.
20. Barry W. Becker was involved in the establishment of HAN-PAC.
21. Barry W. Becker is involved in the administration of the finances of RMB-PAC.
22. Barry W. Becker is involved in the administration of the finances of NN-PAC.
23. Barry W. Becker is involved in the administration of the finances of HAN-PAC.
24. RMB-PAC and HAN-PAC received transfers of \$1,500 and \$1,000 respectively, from NN-PAC on October 22, 1978, which represented 38% of the 1978 yearly receipts of NN-PAC, and 32% and 46.8% of the 1978 yearly receipts of RMB-PAC and HAN-PAC, respectively.

WHEREFORE, RMB-PAC agrees:

V. RMB-PAC violated 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 by its failure to report NN-PAC and HAN-PAC as affiliated committees. RMB-PAC violated 2 U.S.C. § 441a(a)(1)(A) by making contributions to four candidates which, when aggregated with

1040230265

contributions by NN-PAC and HAN-PAC to the same candidates in the same election, exceeded one thousand dollars (\$1,000) per election.

VI. RMB-PAC will pay a civil penalty to the treasurer of the United States in the amount of two hundred and fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. RMB-PAC will file a Statement of Organization with the Commission which identifies NN-PAC and HAN-PAC, pursuant to 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2, as an "affiliated committee," OR will file a termination report and cease its activities and reporting to the Commission.

VIII. RMB-PAC agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended. 2 U.S.C. § 431, et seq.

IX. 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 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.

X. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

0104030267

XI. It is mutually agreed that RMB-PAC will comply with the requirements in Paragraphs VI and VII above within thirty (30) days from the date this agreement becomes effective.

Date

Charles N. Steele
General Counsel
Federal Election Commission

Date

Barry W. Becker
Treasurer
Rocky Mountain Builders
Political Action Committee

11040302269



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 25, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Homebuilders Association of the State of
Nevada Political Action Committee
50 South Jones Boulevard, Suite 101
Las Vegas, Nevada

Re: MUR 1147

Dear Mr. Becker:

On June 10, 1980, the Commission found reason to believe that your committee violated § 441b(a) of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above-captioned matter. However, after considering the circumstances of this matter, the Commission determined to take no further action in this matter.

The Commission reminds you that it is nevertheless a violation of 2 U.S.C. § 441b(a) for a political committee to accept administrative support from a corporation which is not the "connected organization" (2 U.S.C. § 431(7)) of the political committee. You should take immediate steps to insure that this type of activity does not occur in the future.

Enclosed please find a conciliation agreement that this office is prepared to recommend to the Commission in settlement of the Commission's investigation into the matter of affiliation between the Rocky Mountain Builders Political Action Committee, the Nevada Now Political Action Committee, and the Homebuilders Association of the State of Nevada Political Action Committee.

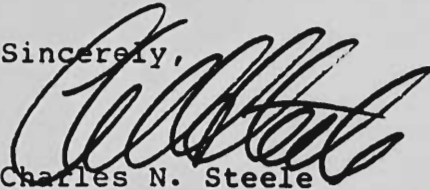
On July 2, 1980, and by letter dated July 29, 1980, you stated that you wished to resolve this matter without proceeding to a finding of probable cause to believe that a violation of 2 U.S.C. §§ 433 and 441a have occurred. The enclosed agreement was drafted as a result of your phone conversation of July 2 with this office and provides that the Homebuilders Association of the State of Nevada Political Action Committee will report affiliation with the Rocky Mountain Builders Political Action Committee and the Nevada Now Political Action Committee for as long as the Rocky Mountain Builders Political Action Committee and the Nevada Now Political Action Committee remain in existence.

9 6 2 0 3 0 4 0 2 1

If you agree with the provisions of the enclosed agreement, please sign and return it to the Commission within 10 days. I will then recommend that the Commission approve the agreement. Please make your check payable to the U.S. Treasurer.

If you have any questions or suggestions for changes in the enclosed conciliation agreement please contact Maura White, the staff member assigned to this matter, at 202-523-4060.

Sincerely,


Charles N. Steele
General Counsel

Enclosure

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one) <input checked="" type="checkbox"/> Show to whom and date delivered <input type="checkbox"/> Show to whom, date and address of delivery <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom, date, and address of delivery \$ (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: <i>HAN-PAC 50 South Jones Blvd Suite Las Vegas, NV</i>	
3. ARTICLE DESCRIPTION: REGISTERED NO. <i>946581</i>	INSURED NO.
1. (Always obtain signature of addressee or agent) I have received the article described above. SIGNATURE <i>[Signature]</i> <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent	
4. DATE OF DELIVERY <i>7-29-80</i>	POSTMARK <i>1980 JUL 29</i>
5. ADDRESS (Complete only if requested)	
6. UNABLE TO DELIVER BECAUSE	
CLERK'S INITIALS	

Mae 1147 White

010400230270



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Homebuilders Association of the State of
Nevada Political Action Committee
50 South Jones Boulevard, Suite 101
Las Vegas, Nevada

Re: MUR 1147

Dear Mr. Becker:

On June 10, 1980, the Commission found reason to believe that your committee violated § 441b(a) of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above-captioned matter. However, after considering the circumstances of this matter, the Commission determined to take no further action in this matter.

The Commission reminds you that it is nevertheless a violation of 2 U.S.C. § 441b(a) for a political committee to accept administrative support from a corporation which is not the "connected organization" (2 U.S.C. § 431(7)) of the political committee. You should take immediate steps to insure that this type of activity does not occur in the future.

Enclosed please find a conciliation agreement that this office is prepared to recommend to the Commission in settlement of the Commission's investigation into the matter of affiliation between the Rocky Mountain Builders Political Action Committee, the Nevada Now Political Action Committee, and the Homebuilders Association of the State of Nevada Political Action Committee.

On July 2, 1980, and by letter dated July 29, 1980, you stated that you wished to resolve this matter without proceeding to a finding of probable cause to believe that a violation of 2 U.S.C. §§ 433 and 441a have occurred. The enclosed agreement was drafted as a result of your phone conversation of July 2 with this office and provides that the Homebuilders Association of the State of Nevada Political Action Committee will report affiliation with the Rocky Mountain Builders Political Action Committee and the Nevada Now Political Action Committee for as long as the Rocky Mountain Builders Political Action Committee and the Nevada Now Political Action Committee remain in existence.

1104030271

If you agree with the provisions of the enclosed agreement, please sign and return it to the Commission within 10 days. I will then recommend that the Commission approve the agreement. Please make your check payable to the U.S. Treasurer.

If you have any questions or suggestions for changes in the enclosed conciliation agreement please contact Maura White, the staff member assigned to this matter, at 202-523-4060.

Sincerely,

mw 9/24

Charles N. Steele
General Counsel

Enclosure

61040230272

BEFORE THE FEDERAL ELECTION COMMISSION
September 16, 1980

In the Matter of)
)
Homebuilders Association of the) MUR 1147
State of Nevada Political Action)
Committee, Rocky Mountain Builders)
Political Action Committee, Nevada)
Now Political Action Committee)

CONCILIATION AGREEMENT

1040230273
This matter having been initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities, and the Commission having found reason to believe that the Homebuilders Association of the State of Nevada Political Action Committee (hereinafter "HAN-PAC") violated 11 C.F.R. § 102.2, 2 U.S.C. § 433(b)(2), and 2 U.S.C. § 441a(a)(1)(A);

NOW, THEREFORE, the Commission and HAN-PAC, having participated in informal methods of conciliation, do hereby agree as follows:

I. The Commission has jurisdiction over HAN-PAC and the subject matter of this proceeding, and this agreement has the effect of a conciliation agreement under 2 U.S.C. § 437g(a)(4)(A).

II. HAN-PAC has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. HAN-PAC enters voluntarily into this agreement with the Commission.

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

1. Homebuilders Association of the State of Nevada Political Action Committee ("HAN-PAC") is a political committee "connected with," as defined in 11 C.F.R. § 100.6, the Homebuilders Association of the State of Nevada.
2. Rocky Mountain Builders Political Action Committee ("RMB-PAC") is a political committee as defined in 11 C.F.R. § 100.5(a) with no "connected organization" as defined in 11 C.F.R. § 100.6.
3. Nevada Now Political Action Committee ("NN-PAC") is a political committee as defined in 11 C.F.R. § 100.5(a) with no "connected organization" as defined in 11 C.F.R. § 100.6.
4. HAN-PAC has not, at any time relevant to this matter, reported NN-PAC or RMB-PAC as an "affiliated committee" pursuant to 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 in its Statement of Organization filed with the Commission.
5. Barry W. Becker is the treasurer of HAN-PAC.
6. Barry W. Becker is the treasurer of NN-PAC.
7. Barry W. Becker is the treasurer of RMB-PAC.
8. HAN-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.
9. NN-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.

1040230271

10. RMB-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.

11. On October 6, 1978, HAN-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to general election campaign of Larry Williams (MT-Senate).

12. On October 6, 1978, NN-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to the general election campaign of Larry Williams (MT-Senate).

13. On October 6, 1978, RMB-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to the general election campaign of Larry Williams (MT-Senate).

14. In addition to the contributions described in subparagraphs 11-13 supra, HAN-PAC, NN-PAC, and RMB-PAC have made contributions to other federal candidates in common on October 6, 1978.

5
2
7
0
3
0
2
3
0
4
0
0
1

15. Barry W. Becker is involved in making the contribution decisions of HAN-PAC.
16. Barry W. Becker is involved in making the contribution decisions of RMB-PAC.
17. The Constitution and Bylaws of NN-PAC state that the treasurer of NN-PAC shall serve as a member of the Contribution Committee of NN-PAC, the body which directs the making of contributions to candidates and political committees.
18. Barry W. Becker was involved in the establishment of HAN-PAC.
19. Barry W. Becker was involved in the establishment of NN-PAC.
20. Barry W. Becker was involved in the establishment of RMB-PAC.
21. Barry W. Becker is involved in the administration of the finances of HAN-PAC.
22. Barry W. Becker is involved in the administration of the finances of NN-PAC.
23. Barry W. Becker is involved in the administration of the finances of RMB-PAC.
24. RMB-PAC and HAN-PAC received transfers of \$1,500 and \$1,000 respectively, from NN-PAC on October 22, 1978, which represented 38% of the 1978 yearly receipts of NN-PAC, and 32% and 46.8% of the 1978 yearly receipts of RMB-PAC and HAN-PAC, respectively.

1040230275

WHEREFORE, HAN-PAC agrees:

V. HAN-PAC violated 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 by its failure to report NN-PAC and RMB-PAC as affiliated committees. HAN-PAC violated 2 U.S.C. § 441a(a)(1)(A) by making contributions to four candidates which, when aggregated with contributions by NN-PAC and RMB-PAC to the same candidates in the same election, exceeded one thousand dollars (\$1,000) per election.

VI. HAN-PAC will pay a civil penalty to the treasurer of the United States in the amount of two hundred and fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. HAN-PAC will file a Statement of Organization with the Commission which identifies NN-PAC and RMB-PAC, pursuant to 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2, as an "affiliated committee" for as long as RMB-PAC and NN-PAC remain in existence.

VIII. HAN-PAC agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended. 2 U.S.C. § 431, et seq.

IX. 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 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.

7720230401

X. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

XI. It is mutually agreed that HAN-PAC will comply with the requirements in Paragraphs VI and VII above within thirty (30) days from the date this agreement becomes effective.

1040230279
Date _____

Charles N. Steele
General Counsel
Federal Election Commission

Date _____

Barry W. Becker
Treasurer
Homebuilders Association of
the State of Nevada Political
Action Committee



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 25, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, President
Becker Realty Corporation
50 South Jones Boulevard, Suite 101
Las Vegas, Nevada 89107

Re: MUR 1147

Dear Mr. Becker:

On June 10, 1980, the Commission found reason to believe that the Becker Realty Corporation violated section 441b(a) of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances of this matter, the Commission determined, on September 16, 1980, to take no further action in this matter. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds you that the contribution by a corporation of administrative support to a political committee, other than the separate segregated fund of a corporation, is nevertheless a violation of 2 U.S.C. § 441b(a).

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one.) <input checked="" type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> Show to whom, date and address of delivery. <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> RESTRICTED DELIVERY. <input type="checkbox"/> Show to whom, date, and address of delivery.	
(CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: <i>B. Becker</i>	
3. ARTICLE DESCRIPTION: REGISTERED NO. <i>685970</i>	INSURED NO.
(Always obtain signature of addressee or agent)	
I have received the article described above. SIGNATURE: <i>B. Becker</i> <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent	
DATE OF DELIVERY <i>10-28-80</i>	POSTMARK <i>29 1980</i>
5. ADDRESS (Complete only if requested)	
6. UNABLE TO DELIVER BECAUSE:	
CLERK'S INITIALS	

PS Form 3811, Jan. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

RECEIVED
OCT 2 11:59
MUR

Steele
ounsel



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, President
Becker Realty Corporation
50 South Jones Boulevard, Suite 101
Las Vegas, Nevada

Re: MUR 1147

Dear Mr. Becker:

On June 10, 1980, the Commission found reason to believe that the Becker Realty Corporation violated section 441b(a) of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances of this matter, the Commission determined, on September 16, 1980, to take no further action in this matter. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds you that the contribution by a corporation of administrative support to a political committee, other than the separate segregated fund of a corporation, is nevertheless a violation of 2 U.S.C. § 441b(a).

Sincerely,

MUR 9/24/80

Charles N. Steele
General Counsel

0104030280



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS/MARGARET CHANEY

DATE: SEPTEMBER 23, 1980

SUBJECT: MUR 1147 - Memorandum to the Commission
dated 9-22-80: Received in OCS 9-22-80,
11:04

The above-named document was circulated to the Commission on a no-objection basis at 4:00, September 22, 1980.

There were no objections to the proposed letter to the Becker Realty Corporation, as attached to the above-named memorandum, at the time of the deadline. However, Commissioner Aikens noted a word omission in the letter. A copy of the vote sheet is attached.

11040230281

RECEIVED
FEDERAL ELECTION COMMISSION
COMMUNICATIONS SECTION



80 SEP 23 P 2: 07
FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

DATE AND TIME OF TRANSMITTAL MONDAY, 9-22-80
4:00

Commissioner FRIEDERSDORF, AIKENS, TIERNAN, MCGARRY, REICHE, HARRIS

RETURN TO THE OFFICE OF COMMISSION SECRETARY BY: TUESDAY, SEPT. 23, 1980
4:00

MUR No. 1147 - Memorandum to the Commission dated 9-22-80 with
amended proposed letter

() I object to the recommendation in the attached report.

COMMENTS: Info noted on letter

Date 9-23-80 Signature J. Aiken

OBJECTIONS, SIGNED AND DATED, MUST BE RECEIVED IN THE COMMISSION SECRETARY'S OFFICE NO LATER THAN THE DATE AND TIME SHOWN ABOVE OR THE MATTER WILL BE DEEMED APPROVED. PLEASE RETURN ALL PAPERS TO THE OFFICE OF THE SECRETARY TO THE COMMISSION.





FEDERAL ELECTION COMMISSION

WASHINGTON DC 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, President
Becker Realty Corporation
50 South Jones Boulevard, Suite 101
Las Vegas, Nevada 89107

Re: MUR 1147

Dear Mr. Becker:

On June 10, 1980, the Commission found reason to believe that the Becker Realty Corporation violated section 441b(a) of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances of this matter, the Commission determined, on September 16, 1980, to take no further action in this matter. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds you that the contribution by a corporation of administrative support to a political committee, other than the separate segregated fund of a corporation, is nevertheless a violation of 2 U.S.C. § 441b(a).

by

Sincerely, ..

Charles N. Steele
General Counsel

1104030287

September 22, 1980

MEMORANDUM TO: Marjorie W. Emmons

FROM: Elissa T. Garr

SUBJECT: MUR 1147

Please have the attached Memo distributed to the
Commission on a 24 hour no-objection basis. Thank you.

81040230284



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

80 SEP 22 11:04

September 22, 1980

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel *CS*

SUBJECT: MUR 1147

On September 16, 1980, the Commission approved the General Counsel's recommendation in MUR 1147 but directed the Office of General Counsel to amend the proposed letter to the Becker Realty Corporation. Attached for the Commission's approval is a copy of the letter which the General Counsel proposes to send to the Becker Realty Corporation.

Attachment

1104030285



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, President
Becker Realty Corporation
50 South Jones Boulevard, Suite 101
Las Vegas, Nevada 89107

Re: MUR 1147

Dear Mr. Becker:

On June 10, 1980, the Commission found reason to believe that the Becker Realty Corporation violated section 441b(a) of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances of this matter, the Commission determined, on September 16, 1980, to take no further action in this matter. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds you that the contribution by a corporation of administrative support to a political committee, other than the separate segregated fund of a corporation, is nevertheless a violation of 2 U.S.C. § 441b(a).

Sincerely,

Charles N. Steele
General Counsel

6104030285

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Rocky Mountain Builders Political)
Action Committee, Nevada Now) MUR 1147
Political Action Committee,)
Homebuilders Association of the)
State of Nevada Political Action)
Committee)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission's executive session on September 16, 1980, do hereby certify that the Commission took the following actions on MUR 1147:

1. Decided by a vote of 4-2 to amend the letter to Mr. Barry Becker, President of the Becker Realty Corporation, as submitted with the General Counsel's July 18, 1980 report, by deleting the language advising that the files of the three political action committees be immediately removed from the office of the Becker Realty Corporation and maintained elsewhere.

Commissioners Aikens, Friedersdorf, McGarry, and Reiche voted affirmatively for the decision. Commissioners Harris and Tiernan dissented.

2. Decided by a vote of 4-2 to:
 - a) Approve the conciliation agreements with the Nevada Now Political Action Committee ("NN-PAC"), the Homebuilders Association of the State of Nevada Political Action Committee ("HAN-PAC"), and Rocky Mountain Builders Political Action Committee ("RMB-PAC").
 - b) Take no further action against the Becker Realty Corporation, Nevada Now Political Action Committee ("NN-PAC"), Homebuilders Association of the State of Nevada Political Action Committee ("HAN-PAC"), and the Rocky Mountain Builders Political Action Committee ("RMB-PAC") in regard to 2 U.S.C. §441b(a).

Continued

2. (continued)

- c) Approve the letters attached to the General Counsel's July 18, 1980 report, subject to the amendment of one as indicated above.

Commissioners Aikens, Friedersdorf, McGarry, and Reiche voted affirmatively for the decision; Commissioners Harris and Tiernan dissented.

Attest:

9/18/80

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

81040230283



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS/MARGARET CHANEY *me*
DATE: SEPTEMBER 9, 1980
SUBJECT: ADDITIONAL OBJECTION TO MUR 1147

You were notified at 2:15, September 8, 1980 of an objection by Commissioner Reiche to the General Counsel's Report on MUR 1147.

An additional objection was received from Commissioner Aikens at 4:05, September 8, 1980.

6104030280



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS/MARGARET CHANEY *MWE*

DATE: SEPTEMBER 8, 1980

SUBJECT: OBJECTION - MUR 1147 - General Counsel's Report
dated 8-18-80; Signed 9-3-80; Received in
OCS 9-4-80, 11:21

The above-named document was circulated on a 48
hour vote basis at 4:00, September 4, 1980.

Commissioner Reiche submitted an objection at 12:38,
September 8, 1980.

This matter will be placed on the Executive Session
Agenda for Tuesday, September 16, 1980.

01040230290

48 HOUR TALLY SHEET



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

Date and Time Transmitted: THURSDAY, 8-4-80
4:00

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY
80 SEP 8 PM 4:38

Commissioner FRIEDERSDORF, AIKENS, TIERNAN, MCGARRY, REICHE, HARRIS

RETURN TO OFFICE OF COMMISSION SECRETARY BY: MONDAY, SEPTEMBER 8, 1980
4:00

MUR No. 1147 - General Counsel's Report dated 8-18-80; Signed
9-3-80

- () I approve the recommendation
(☒) I object to the recommendation

COMMENTS: *I believe we should clarify the termination of existence alternative included in the proposed conciliation agreement.*
Please hold for exec. meeting 9-16-80

Date: 9/5/80 Signature: Frank P. Reiche

THE OFFICE OF GENERAL COUNSEL WILL TAKE NO ACTION IN THIS MATTER UNTIL THE APPROVAL OF FOUR COMMISSIONERS IS RECEIVED. PLEASE RETURN ALL PAPERS NO LATER THAN THE DATE AND TIME SHOWN ABOVE TO THE OFFICE OF COMMISSION SECRETARY. ONE OBJECTION PLACES THE ITEM ON THE EXECUTIVE SESSION AGENDA.





FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE *mwc*

FROM: MARJORIE W. EMMONS/MARGARET CHANEY

DATE: SEPTEMBER 8, 1980

SUBJECT: Question Regarding MUR 1147, General Counsel's
Report dated 8-18-80

Attached is a copy of Commissioner Harris'
vote sheet with comments regarding the proposed agreements.

ATTACHMENT:
Copy of Vote Sheet

01040230292

Paragraph VII
of the
proposed
agreement
is phrased
in the
alternative

OK?

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

80 SEP 8 A10: 20

FEDERAL ELECTION COMMISSION

1100 STREET N.W.
WASHINGTON, D.C. 20463

Date and Time Transmitted: THURSDAY, 9-4-80
4:00

EDERSDORF, AIKENS, TIERNAN, MCGARRY, REICHE, HARRIS

OF COMMISSION SECRETARY BY: MONDAY, SEPTEMBER 8, 1980
4:00

MUR No. 1147 - General Counsel's Report dated 8-18-80; Signed
9-3-80

- (☒) I approve the recommendation
(☐) I object to the recommendation

COMMENTS: _____

Date: 9-8-80 Signature: Thomas E. Harris

THE OFFICE OF GENERAL COUNSEL WILL TAKE NO ACTION IN THIS MATTER
UNTIL THE APPROVAL OF FOUR COMMISSIONERS IS RECEIVED. PLEASE
RETURN ALL PAPERS NO LATER THAN THE DATE AND TIME SHOWN ABOVE TO
THE OFFICE OF COMMISSION SECRETARY. ONE OBJECTION PLACES THE ITEM
ON THE EXECUTIVE SESSION AGENDA.



September 4, 1980

MEMORANDUM TO: Marjorie W. Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 1147

Please have the attached General Counsel's Report distributed to the Commission on a 48 hour tally basis.
Thank you.

81040230294

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION
July 18, 1980

SEP 4 11:21

In the Matter of)
)
Rocky Mountain Builders Political) MUR 1147
Action Committee, Nevada Now)
Political Action Committee,)
Homebuilders Association of the)
State of Nevada Political Action)
Committee)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On February 28, 1980, the Federal Election Commission found reason to believe that the Rocky Mountain Builders Political Action Committee ("RMB-PAC"), Nevada Now Political Action Committee ("NN-PAC"), and Homebuilders Association of the State of Nevada Political Action Committee ("HAN-PAC") violated 2 U.S.C. §§ 433(b)(2) and 441a(a)(1)(A) by failing to report affiliation with each other and by making contributions to four candidates during 1978 which, if aggregated, exceeded the contribution limitations. Reason to believe notification letters and questions were mailed to Barry Becker, the treasurer of the three respondent committees, on February 29, 1980. The responses of RMB-PAC, NN-PAC, and HAN-PAC were received by the Office of General Counsel on March 26 and March 31, 1980.

On June 10, 1980, the Commission further determined that there is reason to believe that RMB-PAC, NN-PAC, HAN-PAC, and the Becker Realty Corporation violated 2 U.S.C. § 441b(a) by the PACs' acceptance of administrative support from the

Becker Realty Corporation. 1/ On June 16, 1980, the Commission mailed reason to believe notification letters to RMB-PAC, NN-PAC, HAN-PAC, and the Becker Realty Corporation, in regard to its finding of § 441b(a) violations, and issued additional questions to the three PACs concerning their possible affiliation with one another.

On July 2, 1980, Barry Becker, the PACs' treasurer, telephoned a staff member of the Office of General Counsel and stated that RMB-PAC, NN-PAC, and HAN-PAC wished to engage in informal conciliation and thereby resolve this matter. Mr. Becker also stated, however, that his desire to informally conciliate this matter pertained only to the affiliation issue and not the Commission's finding in regard to RMB-PAC's, NN-PAC's, HAN-PAC's, and the Becker Realty Corporation's violation of 2 U.S.C. § 441b(a). The written request of RMB-PAC, NN-PAC, and HAN-PAC to enter into informal conciliation was received in the Office of General Counsel on August 4, 1980 (Attachment 1).

II. FACTUAL AND LEGAL ANALYSIS

(a) 2 U.S.C. § 433(b)(2) and 2 U.S.C. § 441a

In regard to the affiliation of RMB-PAC, NN-PAC, and HAN-PAC, and their aggregations of contributions in excess of the contribution limits, the General Counsel recommends that the Commission approve the attached conciliation agreements with RMB-PAC, NN-PAC, and HAN-PAC (Attachments 2-4). The respondent PACs' replies of March 26 and March 31, 1980, to questions

1/ While a corporation may provide administrative support to its separate segregated fund (2 U.S.C. § 441b(b)(2)(C)), neither RMB-PAC, NN-PAC, nor HAN-PAC have reported the Becker Realty Corporation as a connected organization.

01049230296

issued by the Commission provided additional information about the relationships of the PACs to one another and the role of the PACs' treasurer within the organizations.

The pertinent facts in this matter described in the attached agreements are that Barry Becker is the treasurer of RMB-PAC, NN-PAC, and HAN-PAC, and that the addresses of the three PACs are the same as that of the Becker Realty Corporation. Moreover, Barry Becker is involved in the administration of the finances of the three PACs and was involved in the establishment of each of the PACs. RMB-PAC, NN-PAC, and HAN-PAC also have made similar patterns of contributions and Barry Becker is involved in the making of the contribution decisions of at least RMB-PAC and HAN-PAC. Furthermore, during 1978 NN-PAC transferred a significant portion of its 1978 receipts to RMB-PAC and HAN-PAC; said receipt of the transfer from NN-PAC accounted for a significant portion of the 1978 receipts of RMB-PAC and HAN-PAC as well.

2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 require all political committees to report all affiliated or connected organizations on their Statements of Organization.

11 C.F.R. § 100.5(g)(2) defines affiliated committees to be all committees established, financed, maintained, or controlled by the same corporation, labor organization, person, or groups of persons, including any parent, subsidiary, branch, division, department, or local unit thereof. 11 C.F.R. §§ 100.5(g)(2)(ii)(D) and 100.5(g)(2)(ii)(E) include as indicia of affiliation similar patterns of contributions, and the

1104030297

transfer of funds which represent a substantial portion of the funds of either the transferor or transferee committee, other than the transfer of funds jointly raised.

2 U.S.C. § 441a(a)(5) provides that all contributions made by political committees which are established or financed or maintained or controlled by any corporation, labor organization, or any other person, including any parent, subsidiary, branch, division, department, or local unit thereof, shall be considered to have been made by a single political committee.

As affiliated committees, RMB-PAC, NN-PAC, and HAN-PAC have contributed to four candidates in common in excess of the \$1,000 limitation per election. 2/ The amount in violation totals \$1,475. In view of the amount in excess and the PACs' failure to report each other as affiliated committees, the General Counsel recommends that the Commission approve the attached agreements which provide for the payment of a \$250 civil penalty from each respondent PAC. Additionally, Mr. Becker has indicated that RMB-PAC and NN-PAC will either terminate their activities or report their affiliated committees. The attached agreement provides for prospective relief in that RMB-PAC and NN-PAC will either report affiliation with each other and HAN-PAC, or will terminate their activities within 30 days of the execution of this agreement; HAN-PAC will report affiliation with RMB-PAC and NN-PAC for as long as

2/ RMB-PAC, NN-PAC, and HAN-PAC, if affiliated, would not have qualified as multicandidate political committees until after the filing of the April 10, 1979, quarterly report.

RMB-PAC and NN-PAC remain in existence.

(b) 2 U.S.C. § 441b(a)

The March 26, 1980, responses of RMB-PAC, NN-PAC, and HAN-PAC in regard to the affiliation issue stated that there were no operating expenditures for the PACs. The responses noted that the PACs' files were maintained in the personal office of their treasurer, Barry Becker, at the Becker Realty Corporation. As the Becker Realty Corporation appeared to be absorbing the costs of rent, phone, and in one instance the cost of a solicitation, for the three PACs, since the establishment of each PAC, the Commission determined, on June 10, 1980, that there was reason to believe that the Becker Realty Corporation, RMB-PAC, NN-PAC, and HAN-PAC violated 2 U.S.C. § 441b(a). 3/

2 U.S.C. § 441b(a) prohibits a corporation from making a contribution or expenditure in connection with federal election activities. 2 U.S.C. § 431(8)(A)(i) defines contribution to include any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office.

3/ RMB-PAC, NN-PAC, and HAN-PAC filed Statements of Organization on November 28, 1977, February 6, 1978, and October 17, 1977, respectively. The Becker Realty filed for incorporation, according to the Nevada Secretary of State, on November 2, 1978.

On July 16, 1980, the written responses of the Becker Realty Corporation, RMB-PAC, NN-PAC, and HAN-PAC were received by the Office of General Counsel in regard to the § 441b finding (Attachment 5). Barry Becker stated as President of the Becker Realty Corporation that although the corporation may have filed for incorporation in November, 1978, it "could not be true" that the corporation had furnished support to the PACs since that time because "(1) Becker Realty, ..., was merely an incorporated entity. (2) Becker Realty had no funds. (3) Becker Realty had no typewriter or telephone." Mr. Becker further explained that "[a]t the time of filing the incorporated papers until August 20, 1979, Becker Realty Corporation was nothing more than a corporate entity. It had no offices, it conducted no business, it had no bank account or funds and was merely filed in anticipation of future use." Mr. Becker concluded that there "is no day to day operation of the PACs. All solicitations are done by word of mouth ... The only service that I believe could be construed to be provided by Becker Realty would be the 15 cent stamp attached to the quarter filing in the third quarter of 1979 and the year-end filing in January, 1980, and the use of the typewriter for typing these filings." The responses of RMB-PAC, NN-PAC, and HAN-PAC all stated that the telephone of the Becker Realty Corporation is not used by them, all solicitations are conducted in person, and that they pay no rent to the Becker Realty Corporation

1104030300

as each PAC simply consists of a "manila folder, which contains the records." The PACs' responses further explained that the files of each PAC "have been maintained in Barry W. Becker's personal office since the creation of the PAC." Furthermore, in an oral communications with a staff member of the Office of General Counsel on July 2, 1980, Mr. Becker stated that the one written solicitation of RMB-PAC during 1978 was handled by Jack Kenney, the chairman of RMB-PAC, and the Becker Realty Corporation was, therefore, in no way involved in the solicitation.

In view of the facts that the files of RMB-PAC, NN-PAC, and HAN-PAC were simply maintained at the Becker Realty Corporation, that the Becker Realty Corporation did not conduct its activities as an incorporated entity until August, 1979, and considering the very limited role of the Becker Realty Corporation in the PACs' operations, the General Counsel recommends that the Commission take no further action against the RMB-PAC, NN-PAC, HAN-PAC, and the Becker Realty Corporation in regard to violations of 2 U.S.C. § 441b(a). It is recommended, however, that Mr. Becker be advised to relocate the PACs at a location other than the Becker Realty Corporation.

III. RECOMMENDATION

1. Approve the attached conciliation agreements with the Nevada Now Political Action Committee ("NN-PAC"), the Homebuilders Association of the State of Nevada Political Action Committee ("HAN-PAC"), and Rocky Mountain Builders Political Action Committee ("RMB-PAC").

41040030303

ATTACHMENT #1

ACC#
2185

MUR 11-77

White

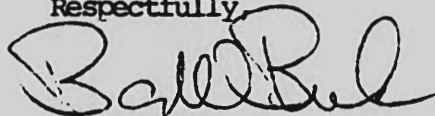
July 29, 1980

Mr. John Warren McGarry
Vice-Chairman
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

Dear Mr. McGarry:

As Treasurer for the following Political Action Committees, Nevada Now PAC, Rocky Mountain Builders PAC and Home Builders Association of Nevada PAC, please let this letter serve as our formal request to enter Informal Conciliation prior to a Finding of probable cause. I believe that through my discussions with Maura White and with your review of some of the additional answers that I have supplied, this would be the easiest way to solve any alleged violations concerning these three PACS.

Respectfully,



Barry W. Becker
Treasurer,
Above-named PACS

BWB:dr

44 : 01A 4 700 00

11040030305

ATTACHMENTS #2-4

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Rocky Mountain Builders) MUR 1147
Political Action Committee,)
Nevada Now Political)
Action Committee, Homebuilders)
Association of the State of)
Nevada Political Action Committee)

CONCILIATION AGREEMENT

1104030306
This matter having been initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities, and the Commission having found reason to believe that the Rocky Mountain Builders Political Action Committee (hereinafter "RMB-PAC") violated 11 C.F.R. § 102.2, 2 U.S.C. § 433(b)(2), and 2 U.S.C. § 441a(a)(1)(A);

NOW, THEREFORE, the Commission and RMB-PAC, having participated in informal methods of conciliation, do hereby agree as follows:

I. The Commission has jurisdiction over RMB-PAC and the subject matter of this proceeding, and this agreement has the effect of a conciliation agreement under 2 U.S.C. § 437g(a)(4)(A).

II. RMB-PAC has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. RMB-PAC enters voluntarily into this agreement with the Commission.

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

1. RMB-PAC is a political committee as defined in 11 C.F.R. § 100.5(a), with no "connected organization" as defined in 11 C.F.R. § 100.6.
2. Nevada Now Political Action Committee ("NN-PAC") is a political committee as defined in 11 C.F.R. § 100.5(a), with no "connected organization" as defined in 11 C.F.R. § 100.6.
3. Homebuilders Association of the State of Nevada Political Action Committee ("HAN-PAC") is a political committee "connected with," as defined in 11 C.F.R. § 100.6, the Homebuilders Association of the State of Nevada.
4. RMB-PAC has not, at any time relevant to this matter, reported NN-PAC or HAN-PAC as an "affiliated committee" pursuant to 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 in its Statement of Organization filed with the Commission.
5. Barry W. Becker is the treasurer of RMB-PAC.
6. Barry W. Becker is the treasurer of NN-PAC.
7. Barry W. Becker is the treasurer of HAN-PAC.
8. RMB-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.
9. NN-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.

1104030307

14. In addition to the contributions described in subparagraphs 11-13 supra, RMB-PAC, NN-PAC, and HAN-PAC have made contributions to other federal candidates in common on October 6, 1978.

15. Barry W. Becker is involved in making the contribution decisions of RMB-PAC.
16. Barry W. Becker is involved in making the contribution decisions of HAN-PAC.
17. The Constitution and Bylaws of NN-PAC state that the treasurer of NN-PAC shall serve as a member of the Contribution Committee of NN-PAC, the body which directs the making of contributions to candidates and political committees.
18. Barry W. Becker was involved in the establishment of RMB-PAC.
19. Barry W. Becker was involved in the establishment of NN-PAC.
20. Barry W. Becker was involved in the establishment of HAN-PAC.
21. Barry W. Becker is involved in the administration of the finances of RMB-PAC.
22. Barry W. Becker is involved in the administration of the finances of NN-PAC.
23. Barry W. Becker is involved in the administration of the finances of HAN-PAC.
24. RMB-PAC and HAN-PAC received transfers of \$1,500 and \$1,000 respectively, from NN-PAC on October 22, 1978, which represented 38% of the 1978 yearly receipts of NN-PAC, and 32% and 46.8% of the 1978 yearly receipts of RMB-PAC and HAN-PAC, respectively.

WHEREFORE, RMB-PAC agrees:

V. RMB-PAC violated 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 by its failure to report NN-PAC and HAN-PAC as affiliated committees. RMB-PAC violated 2 U.S.C. § 441a(a)(1)(A) by making contributions to four candidates which, when aggregated with

contributions by NN-PAC and HAN-PAC to the same candidates in the same election, exceeded one thousand dollars (\$1,000) per election.

VI. RMB-PAC will pay a civil penalty to the treasurer of the United States in the amount of two hundred and fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. RMB-PAC will file a Statement of Organization with the Commission which identifies NN-PAC and HAN-PAC, pursuant to 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2, as an "affiliated committee," OR will file a termination report and cease its activities and reporting to the Commission.

VIII. RMB-PAC agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended. 2 U.S.C. § 431, et seq.

IX. 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 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.

X. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

XI. It is mutually agreed that RMB-PAC will comply with the requirements in Paragraphs VI and VII above within thirty (30) days from the date this agreement becomes effective.

Date _____

Charles N. Steele
General Counsel
Federal Election Commission

Date _____

Barry W. Becker
Treasurer
Rocky Mountain Builders
Political Action Committee

11040230311

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Homebuilders Association of the) MUR 1147
State of Nevada Political Action)
Committee, Rocky Mountain Builders)
Political Action Committee, Nevada)
Now Political Action Committee)

CONCILIATION AGREEMENT

104030312
This matter having been initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities, and the Commission having found reason to believe that the Homebuilders Association of the State of Nevada Political Action Committee (hereinafter "HAN-PAC") violated 11 C.F.R. § 102.2, 2 U.S.C. § 433(b)(2), and 2 U.S.C. § 441a(a)(1)(A);

NOW, THEREFORE, the Commission and HAN-PAC, having participated in informal methods of conciliation, do hereby agree as follows:

I. The Commission has jurisdiction over HAN-PAC and the subject matter of this proceeding, and this agreement has the effect of a conciliation agreement under 2 U.S.C. § 437g(a)(4)(A).

II. HAN-PAC has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. HAN-PAC enters voluntarily into this agreement with the Commission.

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

1. Homebuilders Association of the State of Nevada Political Action Committee ("HAN-PAC") is a political committee "connected with," as defined in 11 C.F.R. § 100.6, the Homebuilders Association of the State of Nevada.
2. Rocky Mountain Builders Political Action Committee ("RMB-PAC") is a political committee as defined in 11 C.F.R. § 100.5(a) with no "connected organization" as defined in 11 C.F.R. § 100.6.
3. Nevada Now Political Action Committee ("NN-PAC") is a political committee as defined in 11 C.F.R. § 100.5(a) with no "connected organization" as defined in 11 C.F.R. § 100.6.
4. HAN-PAC has not, at any time relevant to this matter, reported NN-PAC or RMB-PAC as an "affiliated committee" pursuant to 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 in its Statement of Organization filed with the Commission.
5. Barry W. Becker is the treasurer of HAN-PAC.
6. Barry W. Becker is the treasurer of NN-PAC.
7. Barry W. Becker is the treasurer of RMB-PAC.
8. HAN-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.
9. NN-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.

104030313

10. RMB-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.

11. On October 6, 1978, HAN-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to general election campaign of Larry Williams (MT-Senate).

12. On October 6, 1978, NN-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to the general election campaign of Larry Williams (MT-Senate).

13. On October 6, 1978, RMB-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to the general election campaign of Larry Williams (MT-Senate).

14. In addition to the contributions described in subparagraphs 11-13 supra, HAN-PAC, NN-PAC, and RMB-PAC have made contributions to other federal candidates in common on October 6, 1978.

1000030314

15. Barry W. Becker is involved in making the contribution decisions of HAN-PAC.
16. Barry W. Becker is involved in making the contribution decisions of RMB-PAC.
17. The Constitution and Bylaws of NN-PAC state that the treasurer of NN-PAC shall serve as a member of the Contribution Committee of NN-PAC, the body which directs the making of contributions to candidates and political committees.
18. Barry W. Becker was involved in the establishment of HAN-PAC.
19. Barry W. Becker was involved in the establishment of NN-PAC.
20. Barry W. Becker was involved in the establishment of RMB-PAC.
21. Barry W. Becker is involved in the administration of the finances of HAN-PAC.
22. Barry W. Becker is involved in the administration of the finances of NN-PAC.
23. Barry W. Becker is involved in the administration of the finances of RMB-PAC.
24. RMB-PAC and HAN-PAC received transfers of \$1,500 and \$1,000 respectively, from NN-PAC on October 22, 1978, which represented 38% of the 1978 yearly receipts of NN-PAC, and 32% and 46.8% of the 1978 yearly receipts of RMB-PAC and HAN-PAC, respectively.

5
3
0
3
3
0
2
0
4
0
1
0

WHEREFORE, HAN-PAC agrees:

V. HAN-PAC violated 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 by its failure to report NN-PAC and RMB-PAC as affiliated committees. HAN-PAC violated 2 U.S.C. § 441a(a)(1)(A) by making contributions to four candidates which, when aggregated with contributions by NN-PAC and RMB-PAC to the same candidates in the same election, exceeded one thousand dollars (\$1,000) per election.

VI. HAN-PAC will pay a civil penalty to the treasurer of the United States in the amount of two hundred and fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. HAN-PAC will file a Statement of Organization with the Commission which identifies NN-PAC and RMB-PAC, pursuant to 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2, as an "affiliated committee" for as long as RMB-PAC and NN-PAC remain in existence.

VIII. HAN-PAC agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended. 2 U.S.C. § 431, et seq.

IX. 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 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.

X. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

XI. It is mutually agreed that HAN-PAC will comply with the requirements in Paragraphs VI and VII above within thirty (30) days from the date this agreement becomes effective.

Date

Charles N. Steele
General Counsel
Federal Election Commission

Date

Barry W. Becker
Treasurer
Homebuilders Association of
the State of Nevada Political
Action Committee

104030317

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Nevada Now Political) MUR 1147
Action Committee,)
Rocky Mountain Builders)
Political Action Committee,)
Homebuilders Association of the)
State of Nevada Political)
Action Committee)

CONCILIATION AGREEMENT

1104030318
This matter having been initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities, and the Commission having found reason to believe that the Nevada Now Political Action Committee (hereinafter "NN-PAC") violated 11 C.F.R. § 102.2, 2 U.S.C. § 433(b)(2), and 2 U.S.C. § 441a(a)(1)(A);

NOW, THEREFORE, the Commission and NN-PAC, having participated in informal methods of conciliation, do hereby agree as follows:

I. The Commission has jurisdiction over NN-PAC and the subject matter of this proceeding, and this agreement has the effect of a conciliation agreement under 2 U.S.C. § 437g(a)(4)(A).

II. NN-PAC has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. NN-PAC enters voluntarily into this agreement with the Commission.

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

1. NN-PAC is a political committee as defined in 11 C.F.R. § 100.5(a), with no "connected organization" as defined in 11 C.F.R. § 100.6.
2. Rocky Mountain Builders Political Action Committee ("RMB-PAC") is a political committee as defined in 11 C.F.R. § 100.5(a), with no "connected organization" as defined in 11 C.F.R. § 100.6.
3. Homebuilders Association of the State of Nevada Political Action Committee ("HAN-PAC") is a political committee "connected with," as defined in 11 C.F.R. § 100.6, the Homebuilders Association of the State of Nevada.
4. NN-PAC has not, at any time relevant to this matter, reported RMB-PAC or HAN-PAC as an "affiliated committee" pursuant to 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 in its Statement of Organization filed with the Commission.
5. Barry W. Becker is the treasurer of NN-PAC.
6. Barry W. Becker is the treasurer of RMB-PAC.
7. Barry W. Becker is the treasurer of HAN-PAC.
8. NN-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.
9. RMB-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.

1104030310

10. HAN-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.

11. On October 6, 1978, NN-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to general election campaign of Larry Williams (MT-Senate).

12. On October 6, 1978, RMB-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to the general election campaign of Larry Williams (MT-Senate).

13. On October 6, 1978, HAN-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to the general election campaign of Larry Williams (MT-Senate).

14. In addition to the contributions described in subparagraphs 11-13 supra, NN-PAC, RMB-PAC, and HAN-PAC have made contributions to other federal candidates in-common on October 6, 1978.

0
2
3
0
3
0
2
4
0
1
0

15. Barry W. Becker is involved in making the contribution decisions of RMB-PAC.
16. Barry W. Becker is involved in making the contribution decisions of HAN-PAC.
17. The Constitution and Bylaws of NN-PAC state that the treasurer of NN-PAC shall serve as a member of the Contribution Committee of NN-PAC, the body which directs the making of contributions to candidates and political committees.
18. Barry W. Becker was involved in the establishment of NN-PAC.
19. Barry W. Becker was involved in the establishment of RMB-PAC.
20. Barry W. Becker was involved in the establishment of HAN-PAC.
21. Barry W. Becker is involved in the administration of the finances of NN-PAC.
22. Barry W. Becker is involved in the administration of the finances of RMB-PAC.
23. Barry W. Becker is involved in the administration of the finances of HAN-PAC.
24. NN-PAC transferred \$1,000 and \$1,500 to HAN-PAC and RMB-PAC, respectively, during October 1978, which represented 38% of the 1978 total yearly receipts of NN-PAC, and 46.8% and 32% of the 1978 total yearly receipts of HAN-PAC and RMB-PAC, respectively.

WHEREFORE, NN-PAC agrees:

V. NN-PAC violated 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 by its failure to report RMB-PAC and HAN-PAC as affiliated committees. NN-PAC violated 2 U.S.C. § 441a(a)(1)(A) by making contributions to four candidates which, when aggregated with

104030321

VI. NN-PAC will pay a civil penalty to the treasurer of the United States in the amount of two hundred and fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VIII. NN-PAC agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended. 2 U.S.C. § 431, et seq.

IX. 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 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.

X. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

XI. It is mutually agreed that NN-PAC will comply with the requirements in Paragraphs VI and VII above within thirty (30) days from the date this agreement becomes effective.

Date

Charles N. Steele
General Counsel
Federal Election Commission

Date

Barry W. Becker
Treasurer
Nevada Now Political Action
Committee

1040230323

11040030324

ATTACHMENT #5



- COMMERCIAL
- ACREAGE
- RESIDENTIAL
- INVESTMENT
- PROPERTY MGMT.

July 7, 1980



CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. John Warren McGarry
Vice-Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463

Re: MUR 1147

Dear Mr. McGarry:

I hope that I have fully explained the situation concerning the relationship between Becker Realty Company, Becker Realty Corporation and the three PACS that I am personally the Treasurer of. It has always been my understanding that the Federal Election Commission was created to prevent large amounts of cash and corporate donations from influencing the election of Federal candidates. In this particular case, Becker Realty may have, from August 20, 1979 until the Annual filing of the three PACS that I am Treasurer of, supplied approximately a dollar's worth of postage and one of their typewriters was used to type out the Year-End Report, all of which may add up to a total of about \$10.00 worth of support or \$3.33 per PAC, if I were to rent a typewriter, plus postage.

Prior to August 20, 1979, Becker Realty Corporation was just myself, doing business as Becker Realty Company. This minimal amount of support was acceptable and allowable under your regulations. I guess I was just in the habit of not keeping track of such a small amount of support (approximately \$3.50 per PAC, per year).

00 JUL 16 1980

BECKER ENTERPRISES
A Standard of Excellence Since 1903

TECHNICAL SERVICES
GENERAL COUNSEL
JUL 10 1980
DEPT. 100

50 SOUTH JONES BLVD., SUITE 101 ••• LAS VEGAS, NEVADA 89107 ••• 702/870-0212

Mr. John Warren McGarry
Page 2
July 7, 1980

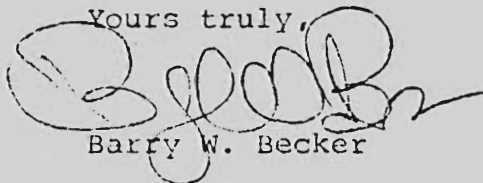
In several telephone conversations with Maura White, she mentioned that it would possibly be the contention of the Commission that the mere fact that Becker Realty Corporation was incorporated in November, 1978, could be deemed that it has been furnishing this support since that time. This could not be true for the following reasons:

1. Becker Realty, as I had mentioned earlier, was merely an incorporated entity.
2. Becker Realty had no funds.
3. Becker Realty had no typewriter or telephone.

For these reasons, it could not have given aid of any kind to any Federal Pac. The only reason that the Pacs shared the same address as our business address, is that I'm in business for myself, along with my brothers and father and we have always owned the buildings that our business is in and I have virtually all correspondence sent to my business address. This is just a habit.

I hope the answers to your questions and my explanation of the evolution of Becker Realty and how it is related to these Pacs will help paint a much clearer picture in your minds concerning this situation. If there are any questions that I may have left unanswered to your satisfaction, please do not hesitate to request a more detailed clarification.

Yours truly,



Barry W. Becker

BWB:dr

Enclosures

104033025



- COMMERCIAL
- ACREAGE
- RESIDENTIAL
- INVESTMENT
- PROPERTY MGMT.

July 7, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. John Warren McGarry
Vice-Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463

Re: MUR 1147

Dear Mr. McGarry:

This will acknowledge your letter of June 16, 1980, relative to Becker Realty Corporation. I will answer the questions in the sequence in which they are presented.

1. State the date of the incorporation of the Becker Realty Corporation.

Becker Realty Corporation was incorporated on November 2, 1978. Becker Realty Corporation was incorporated for the purpose of operating a full-service real estate business in the future. At the time of filing the incorporated papers until August 20, 1979, Becker Realty Corporation was nothing more than a corporate entity. It had no offices, it conducted no business, it had no bank account or funds and was merely filed in anticipation of future use.

2. Who owns the building located at 50 South Jones Boulevard, Las Vegas, Nevada?

Becker Investment Company, a Nevada general partnership. The three partners are Ernest A. Becker, Jr.,

BECKER ENTERPRISES
A Standard of Excellence Since 1903

50 SOUTH JONES BLVD., SUITE 101 ••• LAS VEGAS, NEVADA 89107 ••• 702/870-0212

7
2
3
0
3
0
2
0
4
0
1

Mr. John Warren McGarry

Page 2

July 7, 1980

one-third interest, Barry W. Becker, one-third interest, and Bruce F. Becker, one-third interest.

3. Does the Becker Realty Corporation pay any rent to the owner of the building located at 50 South Jones Boulevard, Las Vegas, Nevada?

Yes. Becker Realty Company (Barry W. Becker, d/b/a Becker Realty Company) moved into the offices at 50 South Jones Boulevard, Las Vegas, Nevada, on April 15, 1979, and continued to operate in that manner until August 20, 1979, when Barry W. Becker had his real estate license transferred from his individual name to the Becker Realty Corporation. At that time, Becker Realty Corporation started paying rent on its offices at 50 South Jones Boulevard, Suite 101. Until that time, rent was paid by Barry W. Becker, an individual, d/b/a Becker Realty Company.

4. State the name of all businesses which reside at Suite 101, 50 South Jones Boulevard, Las Vegas, Nevada.

At this time, just Becker Realty Corporation. Prior to that, Becker Realty Company.

5. State the address of the Becker Realty Corporation prior to its relocation at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada.

As I had mentioned earlier, prior to August 20, 1979, Becker Realty Corporation was nothing more than a legally filed corporation. The Becker Realty Company was formerly located at 6115 Clarice Avenue, Las Vegas, Nevada, and as I had mentioned in my previous letters in March, Becker Realty was nothing more than myself possessing a real estate license so that we could more economically resale homes that we took in trade while conducting our home building business. The small shopping center on Clarice, which we formerly had our offices in, is owned by the Fremont West Shopping Center, which is a partnership between Ernest A. Becker, Sr. (25%) and Becker Investment Company, which I mentioned earlier as the owner of 50 South Jones Boulevard. Becker Realty Company paid no rent at this address.

Mr. John Warren McGarry
Page 3
July 7, 1980

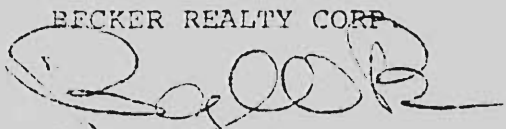
6. Are the facilities of the Becker Realty Corporation (i.e. typewriter, phone) utilized by either RMB-PAC, NN-PAC or HAN-PAC in the day to day operation of each PAC? If the answer is yes, state whether or not any of the PACs pay for these services.

As I mentioned in my responses in March, all of the Pacs that use the mailing address of 50 South Jones Boulevard, Suite 101, are inactive Pacs. The only operation involved in these Pacs is the filing of quarterly reports and annual reports. As you will notice from my filings, most of the quarterly filings have been done on post cards because in most cases, the Pacs never generated more than \$1000 per quarter and rarely ever spent \$1000 per quarter. There is no day to day operation of the Pacs. All solicitations are done by word of mouth, and when checks were received, I personally made out the deposit form and deposited them. The only service that I believe could be construed to be provided by Becker Realty would be the 15¢ stamp attached to the quarter filing in the third quarter of 1979 and the year-end filing in January, 1980, and the use of the typewriter for typing these filings.

The records and the check books for each of these Pacs take up approximately 2 square feet in my personal file cabinet, which I keep in my office. The file cabinet is an antique Oak cabinet, which was a gift to me from my father. It is not a filing cabinet owned by Becker Realty Corporation.

Yours truly,

BECKER REALTY CORP


Barry W. Becker
President

BWB:dr

104030320

July 7, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. John Warren McGarry
Vice-Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463

Re: MUR 1147

Dear Mr. McGarry:

Enclosed are the answers concerning Becker Realty Corporation that were posed in your letters dated June 16, 1980, to the NEVADA NOW PAC (NN-PAC), HOME BUILDERS ASSOCIATION OF THE STATE OF NEVADA PAC (HAN-PAC) and the ROCKY MOUNTAIN BUILDERS PAC (RMB-PAC).

NEVADA NOW PAC

3(a), (b), (c) and (d):

The telephone is not used by the NEVADA NOW PAC. All solicitations are done in person by Ernest A. Becker, Sr.

4(a), (b) and (c):

NEVADA NOW PAC pays no rent and the NEVADA NOW PAC consists only of a check book and a 11½ x 14 manila folder, which contain the records.

9(a) and (b):

The files have been maintained in Barry W. Becker's personal office since the creation of the PAC. His office has been located at 6115 Clarice Avenue and later moved to 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada.

Mr. John Warren McGarry
Page 2
July 7, 1980

HOME BUILDERS ASSOCIATION OF THE STATE OF NEVADA PAC

3(a), (b), (c) and (d):

The telephone is not used by the HOME BUILDERS ASSOCIATION OF THE STATE OF NEVADA PAC. All solicitations are done in person.

4(a), (b) and (c):

The HOME BUILDERS ASSOCIATION OF THE STATE OF NEVADA PAC pays no rent and the PAC consists only of a check book and a 11½ x 14 manila folder, which contain the records.

13(a) and (b):

The files have been maintained in Barry W. Becker's personal office since the creation of the PAC. His office has been located at 6115 Clarice and later moved to 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada.

ROCKY MOUNTAIN BUILDERS PAC

3(a), (b), (c) and (d):

The telephone is not used by the ROCKY MOUNTAIN BUILDERS PAC. All solicitations are done in person.

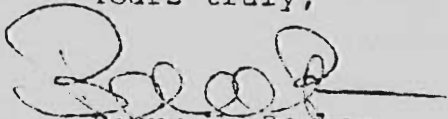
4(a), (b) and (c):

ROCKY MOUNTAIN BUILDERS PAC pays no rent and the PAC consists only of a check book and a 11½ x 14 manila folder, which contain the records.

9(a) and (b):

The files have been maintained in Barry W. Becker's personal office since the creation of the PAC. His office has been located at 6115 Clarice Avenue and later moved to 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada.

Yours truly,


Barry W. Becker
Treasurer (All 3 of
the above Pacs)

BWB:dr

LETTERS TO RESPONDENTS

11040230332



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Nevada Now Political Action
Committee
50 South Jones Boulevard, Suite 101
Las Vegas, Nevada

Re: MUR 1147

Dear Mr. Becker:

On June 10, 1980, the Commission found reason to believe that your committee violated § 441b(a) of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above-captioned matter. However, after considering the circumstances of this matter, the Commission determined to take no further action in this matter.

The Commission reminds you that it is nevertheless a violation of 2 U.S.C. § 441b(a) for a political committee to accept administrative support from a corporation which is not the "connected organization" (2 U.S.C. § 431(7)) of the political committee. You should take immediate steps to insure that this type of activity does not occur in the future.

Enclosed please find a conciliation agreement that this office is prepared to recommend to the Commission in settlement of the Commission's investigation into the matter of affiliation between the Rocky Mountain Builders Political Action Committee, the Nevada Now Political Action Committee, and the Homebuilders Association of the State of Nevada Political Action Committee.

On July 2, 1980, and by letter dated July 29, 1980, you stated that you wished to resolve this matter without proceeding to a finding of probable cause to believe that a violation of 2 U.S.C. §§ 433 and 441a have occurred. The enclosed agreement was drafted as a result of your phone conversation of July 2 with this office and provides for either the termination of the Nevada Now Political Action Committee within 30 days of the execution of the enclosed agreement, or that the Nevada Now Political Action Committee will report affiliation with the Rocky Mountain Builders Political Action Committee and the Homebuilders Association of the State of Nevada Political Action Committee within 30 days of the execution of the enclosed agreement.

If you agree with the provisions of the enclosed agreement, please sign and return it to the Commission within 10 days. I will then recommend that the Commission approve the agreement. Please make your check payable to the U.S. Treasurer.

If you have any questions or suggestions for changes in the enclosed conciliation agreement please contact Maura White, the staff member assigned to this matter, at 202-523-4060.

Sincerely,

Charles N. Steele
General Counsel

Enclosure

61040230334

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Nevada Now Political) MUR 1147
Action Committee,)
Rocky Mountain Builders)
Political Action Committee,)
Homebuilders Association of the)
State of Nevada Political)
Action Committee)

CONCILIATION AGREEMENT

5
3
3
0
3
3
2
0
4
0
1
0
4
0
3
5
This matter having been initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities, and the Commission having found reason to believe that the Nevada Now Political Action Committee (hereinafter "NN-PAC") violated 11 C.F.R. § 102.2, 2 U.S.C. § 433(b)(2), and 2 U.S.C. § 441a(a)(1)(A);

NOW, THEREFORE, the Commission and NN-PAC, having participated in informal methods of conciliation, do hereby agree as follows:

I. The Commission has jurisdiction over NN-PAC and the subject matter of this proceeding, and this agreement has the effect of a conciliation agreement under 2 U.S.C. § 437g(a)(4)(A).

II. NN-PAC has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. NN-PAC enters voluntarily into this agreement with the Commission.

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

1. NN-PAC is a political committee as defined in 11 C.F.R. § 100.5(a), with no "connected organization" as defined in 11 C.F.R. § 100.6.
2. Rocky Mountain Builders Political Action Committee ("RMB-PAC") is a political committee as defined in 11 C.F.R. § 100.5(a), with no "connected organization" as defined in 11 C.F.R. § 100.6.
3. Homebuilders Association of the State of Nevada Political Action Committee ("HAN-PAC") is a political committee "connected with," as defined in 11 C.F.R. § 100.6, the Homebuilders Association of the State of Nevada.
4. NN-PAC has not, at any time relevant to this matter, reported RMB-PAC or HAN-PAC as an "affiliated committee" pursuant to 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 in its Statement of Organization filed with the Commission.
5. Barry W. Becker is the treasurer of NN-PAC.
6. Barry W. Becker is the treasurer of RMB-PAC.
7. Barry W. Becker is the treasurer of HAN-PAC.
8. NN-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.
9. RMB-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.

61040230336

10. HAN-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.

11. On October 6, 1978, NN-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to general election campaign of Larry Williams (MT-Senate).

12. On October 6, 1978, RMB-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to the general election campaign of Larry Williams (MT-Senate).

13. On October 6, 1978, HAN-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to the general election campaign of Larry Williams (MT-Senate).

14. In addition to the contributions described in subparagraphs 11-13 supra, NN-PAC, RMB-PAC, and HAN-PAC have made contributions to other federal candidates in-common on October 6, 1978.

61040230337

15. Barry W. Becker is involved in making the contribution decisions of RMB-PAC.
16. Barry W. Becker is involved in making the contribution decisions of HAN-PAC.
17. The Constitution and Bylaws of NN-PAC state that the treasurer of NN-PAC shall serve as a member of the Contribution Committee of NN-PAC, the body which directs the making of contributions to candidates and political committees.
18. Barry W. Becker was involved in the establishment of NN-PAC.
19. Barry W. Becker was involved in the establishment of RMB-PAC.
20. Barry W. Becker was involved in the establishment of HAN-PAC.
21. Barry W. Becker is involved in the administration of the finances of NN-PAC.
22. Barry W. Becker is involved in the administration of the finances of RMB-PAC.
23. Barry W. Becker is involved in the administration of the finances of HAN-PAC.
24. NN-PAC transferred \$1,000 and \$1,500 to HAN-PAC and RMB-PAC, respectively, during October 1978, which represented 38% of the 1978 total yearly receipts of NN-PAC, and 46.8% and 32% of the 1978 total yearly receipts of HAN-PAC and RMB-PAC, respectively.

WHEREFORE, NN-PAC agrees:

V. NN-PAC violated 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 by its failure to report RMB-PAC and HAN-PAC as affiliated committees. NN-PAC violated 2 U.S.C. § 441a(a)(1)(A) by making contributions to four candidates which, when aggregated with

61040330339

contributions by RMB-PAC and HAN-PAC to the same candidates in the same election, exceeded one thousand dollars (\$1,000) per election.

VI. NN-PAC will pay a civil penalty to the treasurer of the United States in the amount of two hundred and fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. NN-PAC will file a Statement of Organization - with the Commission which identifies RMB-PAC and HAN-PAC, pursuant to 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2, as an "affiliated committee," OR will file a termination report and cease its activities and reporting to the Commission.

VIII. NN-PAC agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended. 2 U.S.C. § 431, et seq.

IX. 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 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.

X. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

01004030330

XI. It is mutually agreed that NN-PAC will comply with the requirements in Paragraphs VI and VII above within thirty (30) days from the date this agreement becomes effective.

Date

Charles N. Steele
General Counsel
Federal Election Commission

Date

Barry W. Becker
Treasurer
Nevada Now Political Action
Committee

810040230340



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Rocky Mountain Builders Political
Action Committee
50 South Jones Boulevard, Suite 101
Las Vegas, Nevada

Re: MUR 1147

Dear Mr. Becker:

On June 10, 1980, the Commission found reason to believe that your committee violated § 441b(a) of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above-captioned matter. However, after considering the circumstances of this matter, the Commission determined to take no further action in this matter.

The Commission reminds you that it is nevertheless a violation of 2 U.S.C. § 441b(a) for a political committee to accept administrative support from a corporation which is not the "connected organization" (2 U.S.C. § 431(7)) of the political committee. You should take immediate steps to insure that this type of activity does not occur in the future.

Enclosed please find a conciliation agreement that this office is prepared to recommend to the Commission in settlement of the Commission's investigation into the matter of affiliation between the Rocky Mountain Builders Political Action Committee, the Nevada Now Political Action Committee, and the Homebuilders Association of the State of Nevada Political Action Committee.

On July 2, 1980, and by letter dated July 29, 1980, you stated that you wished to resolve this matter without proceeding to a finding of probable cause to believe that a violation of 2 U.S.C. §§ 433 and 441a have occurred. The enclosed agreement was drafted as a result of your phone conversation of July 2 with this office and provides for either the termination of the Rocky Mountain Builders Political Action Committee within 30 days of the execution of the enclosed agreement, or that the Rocky Mountain Builders Political Action Committee will report affiliation with the Nevada Now Political Action Committee and the Homebuilders Association of the State of Nevada Political Action Committee within 30 days of the execution of the enclosed agreement.

8104030341

If you agree with the provisions of the enclosed agreement, please sign and return it to the Commission within 10 days. I will then recommend that the Commission approve the agreement. Please make your check payable to the U.S. Treasurer.

If you have any questions or suggestions for changes in the enclosed conciliation agreement please contact Maura White, the staff member assigned to this matter, at 202-523-4060.

Sincerely,

Charles N. Steele
General Counsel

Enclosure

81040230342

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Rocky Mountain Builders) MUR 1147
Political Action Committee,)
Nevada Now Political)
Action Committee, Homebuilders)
Association of the State of)
Nevada Political Action Committee)

CONCILIATION AGREEMENT

61040230347
This matter having been initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities, and the Commission having found reason to believe that the Rocky Mountain Builders Political Action Committee (hereinafter "RMB-PAC") violated 11 C.F.R. § 102.2, 2 U.S.C. § 433(b)(2), and 2 U.S.C. § 441a(a)(1)(A);

NOW, THEREFORE, the Commission and RMB-PAC, having participated in informal methods of conciliation, do hereby agree as follows:

- I. The Commission has jurisdiction over RMB-PAC and the subject matter of this proceeding, and this agreement has the effect of a conciliation agreement under 2 U.S.C. § 437g(a)(4)(A).
- II. RMB-PAC has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. RMB-PAC enters voluntarily into this agreement with the Commission.

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

1. RMB-PAC is a political committee as defined in 11 C.F.R. § 100.5(a), with no "connected organization" as defined in 11 C.F.R. § 100.6.
2. Nevada Now Political Action Committee ("NN-PAC") is a political committee as defined in 11 C.F.R. § 100.5(a), with no "connected organization" as defined in 11 C.F.R. § 100.6.
3. Homebuilders Association of the State of Nevada Political Action Committee ("HAN-PAC") is a political committee "connected with," as defined in 11 C.F.R. § 100.6, the Homebuilders Association of the State of Nevada.
4. RMB-PAC has not, at any time relevant to this matter, reported NN-PAC or HAN-PAC as an "affiliated committee" pursuant to 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 in its Statement of Organization filed with the Commission.
5. Barry W. Becker is the treasurer of RMB-PAC.
6. Barry W. Becker is the treasurer of NN-PAC.
7. Barry W. Becker is the treasurer of HAN-PAC.
8. RMB-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.
9. NN-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.

110400330341

10. HAN-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.

11. On October 6, 1978, RMB-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to general election campaign of Larry Williams (MT-Senate).

12. On October 6, 1978, NN-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to the general election campaign of Larry Williams (MT-Senate).

13. On October 6, 1978, HAN-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to the general election campaign of Larry Williams (MT-Senate).

14. In addition to the contributions described in subparagraphs 11-13 supra, RMB-PAC, NN-PAC, and HAN-PAC have made contributions to other federal candidates in common on October 6, 1978.

104030345

15. Barry W. Becker is involved in making the contribution decisions of RMB-PAC.
16. Barry W. Becker is involved in making the contribution decisions of HAN-PAC.
17. The Constitution and Bylaws of NN-PAC state that the treasurer of NN-PAC shall serve as a member of the Contribution Committee of NN-PAC, the body which directs the making of contributions to candidates and political committees.
18. Barry W. Becker was involved in the establishment of RMB-PAC.
19. Barry W. Becker was involved in the establishment of NN-PAC.
20. Barry W. Becker was involved in the establishment of HAN-PAC.
21. Barry W. Becker is involved in the administration of the finances of RMB-PAC.
22. Barry W. Becker is involved in the administration of the finances of NN-PAC.
23. Barry W. Becker is involved in the administration of the finances of HAN-PAC.
24. RMB-PAC and HAN-PAC received transfers of \$1,500 and \$1,000 respectively, from NN-PAC on October 22, 1978, which represented 38% of the 1978 yearly receipts of NN-PAC, and 32% and 46.8% of the 1978 yearly receipts of RMB-PAC and HAN-PAC, respectively.

WHEREFORE, RMB-PAC agrees:

V. RMB-PAC violated 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 by its failure to report NN-PAC and HAN-PAC as affiliated committees. RMB-PAC violated 2 U.S.C. § 441a(a)(1)(A) by making contributions to four candidates which, when aggregated with

010030346

contributions by NN-PAC and HAN-PAC to the same candidates in the same election, exceeded one thousand dollars (\$1,000) per election.

VI. RMB-PAC will pay a civil penalty to the treasurer of the United States in the amount of two hundred and fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. RMB-PAC will file a Statement of Organization with the Commission which identifies NN-PAC and HAN-PAC, pursuant to 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2, as an "affiliated committee," OR will file a termination report and cease its activities and reporting to the Commission.

VIII. RMB-PAC agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended. 2 U.S.C. § 431, et seq.

IX. 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 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.

X. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

1004030347

XI. It is mutually agreed that RMB-PAC will comply with the requirements in Paragraphs VI and VII above within thirty (30) days from the date this agreement becomes effective.

Date

Charles N. Steele
General Counsel
Federal Election Commission

Date

Barry W. Becker
Treasurer
Rocky Mountain Builders
Political Action Committee

01040230349



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Homebuilders Association of the State of
Nevada Political Action Committee
50 South Jones Boulevard, Suite 101
Las Vegas, Nevada

Re: MUR 1147

Dear Mr. Becker:

On June 10, 1980, the Commission found reason to believe that your committee violated § 441b(a) of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above-captioned matter. However, after considering the circumstances of this matter, the Commission determined to take no further action in this matter.

The Commission reminds you that it is nevertheless a violation of 2 U.S.C. § 441b(a) for a political committee to accept administrative support from a corporation which is not the "connected organization" (2 U.S.C. § 431(7)) of the political committee. You should take immediate steps to insure that this type of activity does not occur in the future.

Enclosed please find a conciliation agreement that this office is prepared to recommend to the Commission in settlement of the Commission's investigation into the matter of affiliation between the Rocky Mountain Builders Political Action Committee, the Nevada Now Political Action Committee, and the Homebuilders Association of the State of Nevada Political Action Committee.

On July 2, 1980, and by letter dated July 29, 1980, you stated that you wished to resolve this matter without proceeding to a finding of probable cause to believe that a violation of 2 U.S.C. §§ 433 and 441a have occurred. The enclosed agreement was drafted as a result of your phone conversation of July 2 with this office and provides that the Homebuilders Association of the State of Nevada Political Action Committee will report affiliation with the Rocky Mountain Builders Political Action Committee and the Nevada Now Political Action Committee for as long as the Rocky Mountain Builders Political Action Committee and the Nevada Now Political Action Committee remain in existence.

010400340

If you agree with the provisions of the enclosed agreement, please sign and return it to the Commission within 10 days. I will then recommend that the Commission approve the agreement. Please make your check payable to the U.S. Treasurer.

If you have any questions or suggestions for changes in the enclosed conciliation agreement please contact Maura White, the staff member assigned to this matter, at 202-523-4060.

Sincerely,

Charles N. Steele
General Counsel

Enclosure

01040030350

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Homebuilders Association of the) MUR 1147
State of Nevada Political Action)
Committee, Rocky Mountain Builders)
Political Action Committee, Nevada)
Now Political Action Committee)

CONCILIATION AGREEMENT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000
1001
1002
1003
1004
1005
1006
1007
1008
1009
1010
1011
1012
1013
1014
1015
1016
1017
1018
1019
1020
1021
1022
1023
1024
1025
1026
1027
1028
1029
1030
1031
1032
1033
1034
1035
1036
1037
1038
1039
1040
1041
1042
1043
1044
1045
1046
1047
1048
1049
1050
1051
1052
1053
1054
1055
1056
1057
1058
1059
1060
1061
1062
1063
1064
1065
1066
1067
1068
1069
1070
1071
1072
1073
1074
1075
1076
1077
1078
1079
1080
1081
1082
1083
1084
1085
1086
1087
1088
1089
1090
1091
1092
1093
1094
1095
1096
1097
1098
1099
1100
1101
1102
1103
1104
1105
1106
1107
1108
1109
1110
1111
1112
1113
1114
1115
1116
1117
1118
1119
1120
1121
1122
1123
1124
1125
1126
1127
1128
1129
1130
1131
1132
1133
1134
1135
1136
1137
1138
1139
1140
1141
1142
1143
1144
1145
1146
1147
1148
1149
1150
1151
1152
1153
1154
1155
1156
1157
1158
1159
1160
1161
1162
1163
1164
1165
1166
1167
1168
1169
1170
1171
1172
1173
1174
1175
1176
1177
1178
1179
1180
1181
1182
1183
1184
1185
1186
1187
1188
1189
1190
1191
1192
1193
1194
1195
1196
1197
1198
1199
1200
1201
1202
1203
1204
1205
1206
1207
1208
1209
1210
1211
1212
1213
1214
1215
1216
1217
1218
1219
1220
1221
1222
1223
1224
1225
1226
1227
1228
1229
1230
1231
1232
1233
1234
1235
1236
1237
1238
1239
1240
1241
1242
1243
1244
1245
1246
1247
1248
1249
1250
1251
1252
1253
1254
1255
1256
1257
1258
1259
1260
1261
1262
1263
1264
1265
1266
1267
1268
1269
1270
1271
1272
1273
1274
1275
1276
1277
1278
1279
1280
1281
1282
1283
1284
1285
1286
1287
1288
1289
1290
1291
1292
1293
1294
1295
1296
1297
1298
1299
1300
1301
1302
1303
1304
1305
1306
1307
1308
1309
1310
1311
1312
1313
1314
1315
1316
1317
1318
1319
1320
1321
1322
1323
1324
1325
1326
1327
1328
1329
1330
1331
1332
1333
1334
1335
1336
1337
1338
1339
1340
1341
1342
1343
1344
1345
1346
1347
1348
1349
1350
1351
1352
1353
1354
1355
1356
1357
1358
1359
1360
1361
1362
1363
1364
1365
1366
1367
1368
1369
1370
1371
1372
1373
1374
1375
1376
1377
1378
1379
1380
1381
1382
1383
1384
1385
1386
1387
1388
1389
1390
1391
1392
1393
1394
1395
1396
1397
1398
1399
1400
1401
1402
1403
1404
1405
1406
1407
1408
1409
1410
1411
1412
1413
1414
1415
1416
1417
1418
1419
1420
1421
1422
1423
1424
1425
1426
1427
1428
1429
1430
1431
1432
1433
1434
1435
1436
1437
1438
1439
1440
1441
1442
1443
1444
1445
1446
1447
1448
1449
1450
1451
1452
1453
1454
1455
1456
1457
1458
1459
1460
1461
1462
1463
1464
1465
1466
1467
1468
1469
1470
1471
1472
1473
1474
1475
1476
1477
1478
1479
1480
1481
1482
1483
1484
1485
1486
1487
1488
1489
1490
1491
1492
1493
1494
1495
1496
1497
1498
1499
1500
1501
1502
1503
1504
1505
1506
1507
1508
1509
1510
1511
1512
1513
1514
1515
1516
1517
1518
1519
1520
1521
1522
1523
1524
1525
1526
1527
1528
1529
1530
1531
1532
1533
1534
1535
1536
1537
1538
1539
1540
1541
1542
1543
1544
1545
1546
1547
1548
1549
1550
1551
1552
1553
1554
1555
1556
1557
1558
1559
1560
1561
1562
1563
1564
1565
1566
1567
1568
1569
1570
1571
1572
1573
1574
1575
1576
1577
1578
1579
1580
1581
1582
1583
1584
1585
1586
1587
1588
1589
1590
1591
1592
1593
1594
1595
1596
1597
1598
1599
1600
1601
1602
1603
1604
1605
1606
1607
1608
1609
1610
1611
1612
1613
1614
1615
1616
1617
1618
1619
1620
1621
1622
1623
1624
1625
1626
1627
1628
1629
1630
1631
1632
1633
1634
1635
1636
1637
1638
1639
1640
1641
1642
1643
1644
1645
1646
1647
1648
1649
1650
1651
1652
1653
1654
1655
1656
1657
1658
1659
1660
1661
1662
1663
1664
1665
1666
1667
1668
1669
1670
1671
1672
1673
1674
1675
1676
1677
1678
1679
1680
1681
1682
1683
1684
1685
1686
1687
1688
1689
1690
1691
1692
1693
1694
1695
1696
1697
1698
1699
1700
1701
1702
1703
1704
1705
1706
1707
1708
1709
1710
1711
1712
1713
1714
1715
1716
1717
1718
1719
1720
1721
1722
1723
1724
1725
1726
1727
1728
1729
1730
1731
1732
1733
1734
1735
1736
1737
1738
1739
1740
1741
1742
1743
1744
1745
1746
1747
1748
1749
1750
1751
1752
1753
1754
1755
1756
1757
1758
1759
1760
1761
1762
1763
1764
1765
1766
1767
1768
1769
1770
1771
1772
1773
1774
1775
1776
1777
1778
1779
1780
1781
1782
1783
1784
1785
1786
1787
1788
1789
1790
1791
1792
1793
1794
1795
1796
1797
1798
1799
1800
1801
1802
1803
1804
1805
1806
1807
1808
1809
1810
1811
1812
1813
1814
1815
1816
1817
1818
1819
1820
1821
1822
1823
1824
1825
1826
1827
1828
1829
1830
1831
1832
1833
1834
1835
1836
1837
1838
1839
1840
1841
1842
1843
1844
1845
1846
1847
1848
1849
1850
1851
1852
1853
1854
1855
1856
1857
1858
1859
1860
1861
1862
1863
1864
1865
1866
1867
1868
1869
1870
1871
1872
1873
1874
1875
1876
1877
1878
1879
1880
1881
1882
1883
1884
1885
1886
1887
1888
1889
1890
1891
1892
1893
1894
1895
1896
1897
1898
1899
1900
1901
1902
1903
1904
1905
1906
1907
1908
1909
1910
1911
1912
1913
1914
1915
1916
1917
1918
1919
1920
1921
1922
1923
1924
1925
1926
1927
1928
1929
1930
1931
1932
1933
1934
1935
1936
1937
1938
1939
1940
1941
1942
1943
1944
1945
1946
1947
1948
1949
1950
1951
1952
1953
1954
1955
1956
1957
1958
1959
1960
1961
1962
1963
1964
1965
1966
1967
1968
1969
1970
1971
1972
1973
1974
1975
1976
1977
1978
1979
1980
1981
1982
1983
1984
1985
1986
1987
1988
1989
1990
1991
1992
1993
1994
1995
1996
1997
1998
1999
2000
2001
2002
2003
2004
2005
2006
2007
2008
2009
2010
2011
2012
2013
2014
2015
2016
2017
2018
2019
2020
2021
2022
2023
2024
2025
2026
2027
2028
2029
2030
2031
2032
2033
2034
2035
2036
2037
2038
2039
2040
2041
2042
2043
2044
2045
2046
2047
2048
2049
2050
2051
2052
2053
2054
2055
2056
2057
2058
2059
2060
2061
2062
2063
2064
2065
2066
2067
2068
2069
2070
2071
2072
2073
2074
2075
2076
2077
2078
2079
2080
2081
2082
2083
2084
2085
2086
2087
2088
2089
2090
2091
2092
2093
2094
2095
2096
2097
2098
2099
2100
2101
2102
2103
2104
2105
2106
2107
2108
2109
2110
2111
2112
2113
2114
2115
2116
2117
2118
2119
2120
2121
2122
2123
2124
2125
2126
2127
2128
2129
2130
2131
2132
2133
2134
2135
2136
2137
2138
2139
2140
2141
2142
2143
2144
2145
2146
2147
2148
2149
2150
2151
2152
2153
2154
2155
2156
2157
2158
2159
2160
2161
2162
2163
2164
2165
2166
2167
2168
2169
2170
2171
2172
2173
2174
2175
2176
2177
2178
2179
2180
2181
2182
2183
2184
2185
2186
2187
2188
2189
2190
2191
2192
2193
2194
2195
2196
2197
2198
2199
2200
2201
2202
2203
2204
2205
2206
2207
2208
2209
2210
2211
2212
2213
2214

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

1. Homebuilders Association of the State of Nevada Political Action Committee ("HAN-PAC") is a political committee "connected with," as defined in 11 C.F.R. § 100.6, the Homebuilders Association of the State of Nevada.
2. Rocky Mountain Builders Political Action Committee ("RMB-PAC") is a political committee as defined in 11 C.F.R. § 100.5(a) with no "connected organization" as defined in 11 C.F.R. § 100.6.
3. Nevada Now Political Action Committee ("NN-PAC") is a political committee as defined in 11 C.F.R. § 100.5(a) with no "connected organization" as defined in 11 C.F.R. § 100.6.
4. HAN-PAC has not, at any time relevant to this matter, reported NN-PAC or RMB-PAC as an "affiliated committee" pursuant to 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 in its Statement of Organization filed with the Commission.
5. Barry W. Becker is the treasurer of HAN-PAC.
6. Barry W. Becker is the treasurer of NN-PAC.
7. Barry W. Becker is the treasurer of RMB-PAC.
8. HAN-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.
9. NN-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.

104033035

10. RMB-PAC is located at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, the business address of the Becker Realty Corporation.

11. On October 6, 1978, HAN-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to general election campaign of Larry Williams (MT-Senate).

12. On October 6, 1978, NN-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to the general election campaign of Larry Williams (MT-Senate).

13. On October 6, 1978, RMB-PAC contributed \$700 to the general election campaign of William Armstrong (CO-Senate), \$375 to the general election campaign of James McClure (ID-Senate), \$375 to the general election campaign of Alan Simpson (WY-Senate), and \$375 to the general election campaign of Larry Williams (MT-Senate).

14. In addition to the contributions described in subparagraphs 11-13 supra, HAN-PAC, NN-PAC, and RMB-PAC have made contributions to other federal candidates in common on October 6, 1978.

0104033035

15. Barry W. Becker is involved in making the contribution decisions of HAN-PAC.
16. Barry W. Becker is involved in making the contribution decisions of RMB-PAC.
17. The Constitution and Bylaws of NN-PAC state that the treasurer of NN-PAC shall serve as a member of the Contribution Committee of NN-PAC, the body which directs the making of contributions to candidates and political committees.
18. Barry W. Becker was involved in the establishment of HAN-PAC.
19. Barry W. Becker was involved in the establishment of NN-PAC.
20. Barry W. Becker was involved in the establishment of RMB-PAC.
21. Barry W. Becker is involved in the administration of the finances of HAN-PAC.
22. Barry W. Becker is involved in the administration of the finances of NN-PAC.
23. Barry W. Becker is involved in the administration of the finances of RMB-PAC.
24. RMB-PAC and HAN-PAC received transfers of \$1,500 and \$1,000 respectively, from NN-PAC on October 22, 1978, which represented 38% of the 1978 yearly receipts of NN-PAC, and 32% and 46.8% of the 1978 yearly receipts of RMB-PAC and HAN-PAC, respectively.

1104030354

WHEREFORE, HAN-PAC agrees:

V. HAN-PAC violated 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 by its failure to report NN-PAC and RMB-PAC as affiliated committees. HAN-PAC violated 2 U.S.C. § 441a(a)(1)(A) by making contributions to four candidates which, when aggregated with contributions by NN-PAC and RMB-PAC to the same candidates in the same election, exceeded one thousand dollars (\$1,000) per election.

VI. HAN-PAC will pay a civil penalty to the treasurer of the United States in the amount of two hundred and fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. HAN-PAC will file a Statement of Organization with the Commission which identifies NN-PAC and RMB-PAC, pursuant to 2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2, as an "affiliated committee" for as long as RMB-PAC and NN-PAC remain in existence.

VIII. HAN-PAC agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended. 2 U.S.C. § 431, et seq.

IX. 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 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.

310403035

X. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

XI. It is mutually agreed that HAN-PAC will comply with the requirements in Paragraphs VI and VII above within thirty (30) days from the date this agreement becomes effective.

Date

Charles N. Steele
General Counsel
Federal Election Commission

Date

Barry W. Becker
Treasurer
Homebuilders Association of
the State of Nevada Political
Action Committee

0104030355



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, President
Becker Realty Corporation
50 South Jones Boulevard, Suite 101
Las Vegas, Nevada

Re: MUR 1147

Dear Mr. Becker:

On June 10, 1980, the Commission found reason to believe that the Becker Realty Corporation violated section 441b(a) of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances of this matter, the Commission determined on , 1980, to take no further action in this matter. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds you that the contribution by a corporation of administrative support to a political committee, other than the separate segregated fund of a corporation, is nevertheless a violation of 2 U.S.C. § 441b(a). Please note that in order to insure that this activity does not occur in the future, the Commission advises that the files of the Rocky Mountain Builders Political Action Committee, Nevada Now Political Action Committee, and the Homebuilders Association of the State of Nevada Political Action Committee be immediately removed from the office of the Becker Realty Corporation and maintained elsewhere.

If you have any questions please contact Maura White, the staff member assigned to this matter, at 202-523-4060.

Sincerely,

Charles N. Steele
General Counsel

10040330357



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE *mwe*
FROM: MARJORIE W. EMMONS/MARGARET CHANEY *mc*
DATE: AUGUST 4, 1980
SUBJECT: MUR 1147 - Interim Investigative Report #2
dated 7-28-80; Signed 7-30-80; Received
in OCS 7-31-80, 3:10

The above-named document was circulated to the
Commission on a 24 hour no-objection basis at 2:00,
August 1, 1980.

There were no objections to the Interim Investigative
Report at the time of the deadline.

01040030350

July 31, 1980

MEMORANDUM TO: Marjorie W. Emmons
FROM: Elissa T. Carr
SUBJECT: MUR 1147

Please have the attached Interim Invest Report
distributed to the Commission. Thank you.

81040230359

BEFORE THE FEDERAL ELECTION COMMISSION
July 28, 1980

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

In the Matter of

Rocky Mountain Builders Political
Action Committee ("RMB-PAC"), Nevada
Now Political Action Committee ("NN-PAC"),
Homebuilders Association of the State of
Nevada Political Action Committee ("HAN-PAC"),
Becker Realty Corporation


80 JUL 31 P 3: 10

MUR 1147

INTERIM INVESTIGATIVE REPORT #2

On June 10, 1980, the Commission found reason to believe that RMB-PAC, NN-PAC, HAN-PAC, and the Becker Realty Corporation violated 2 U.S.C. § 441b(a). The Commission had previously determined, on February 28, 1980, that RMB-PAC, NN-PAC, and HAN-PAC violated 2 U.S.C. §§ 441a and 433(b)(2). On June 16, 1980, reason to believe notification letters, in regard to violations of § 441b(a), were mailed to RMB-PAC, NN-PAC, HAN-PAC, and the Becker Realty Corporation. On July 2, 1980, the treasurer of RMB-PAC, NN-PAC, and HAN-PAC telephoned a staff member of the Office of General Counsel and stated that RMB-PAC, NN-PAC, and HAN-PAC wished to engage in informal conciliation in regard to the Commission's investigation into the matter of affiliation between the PACs. On July 16, 1980, the written responses of RMB-PAC, NN-PAC, HAN-PAC, and the Becker Realty Corporation were received in the Office of General Counsel in regard to § 441b violations. The Office of General Counsel is currently reviewing these responses and will make a recommendation to the Commission shortly.

30 JUL 1980
Date


Charles N. Steele
General Counsel

01040030360



- COMMERCIAL
- ACREAGE
- RESIDENTIAL
- INVESTMENT
- PROPERTY MGMT.

July 7, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. John Warren McGarry
Vice-Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463

Re: MUR 1147

Dear Mr. McGarry:

I hope that I have fully explained the situation concerning the relationship between Becker Realty Company, Becker Realty Corporation and the three PACS that I am personally the Treasurer of. It has always been my understanding that the Federal Election Commission was created to prevent large amounts of cash and corporate donations from influencing the election of Federal candidates. In this particular case, Becker Realty may have, from August 20, 1979 until the Annual filing of the three PACS that I am Treasurer of, supplied approximately a dollar's worth of postage and one of their typewriters was used to type out the Year-End Report, all of which may add up to a total of about \$10.00 worth of support or \$3.33 per PAC, if I were to rent a typewriter, plus postage.

Prior to August 20, 1979, Becker Realty Corporation was just myself, doing business as Becker Realty Company. This minimal amount of support was acceptable and allowable under your regulations. I guess I was just in the habit of not keeping track of such a small amount of support (approximately \$3.50 per PAC, per year).

98 : 018 91 700 08

BECKER ENTERPRISES
A Standard of Excellence Since 1903

50 SOUTH JONES BLVD., SUITE 101 ••• LAS VEGAS, NEVADA 89107 ••• 702/870-0212

Mr. John Warren McGarry
Page 2
July 7, 1980

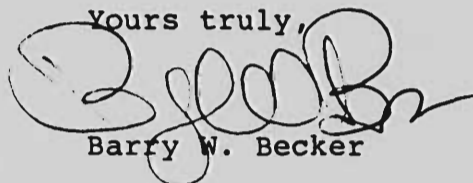
In several telephone conversations with Maura White, she mentioned that it would possibly be the contention of the Commission that the mere fact that Becker Realty Corporation was incorporated in November, 1978, could be deemed that it has been furnishing this support since that time. This could not be true for the following reasons:

1. Becker Realty, as I had mentioned earlier, was merely an incorporated entity.
2. Becker Realty had no funds.
3. Becker Realty had no typewriter or telephone.

For these reasons, it could not have given aid of any kind to any Federal Pac. The only reason that the Pacs shared the same address as our business address, is that I'm in business for myself, along with my brothers and father and we have always owned the buildings that our business is in and I have virtually all correspondence sent to my business address. This is just a habit.

I hope the answers to your questions and my explanation of the evolution of Becker Realty and how it is related to these Pacs will help paint a much clearer picture in your minds concerning this situation. If there are any questions that I may have left unanswered to your satisfaction, please do not hesitate to request a more detailed clarification.

Yours truly,



Barry W. Becker

BWB:dr

Enclosures

104030362



- COMMERCIAL
- ACREAGE
- RESIDENTIAL
- INVESTMENT
- PROPERTY MGMT.

July 7, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. John Warren McGarry
Vice-Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463

Re: MUR 1147

Dear Mr. McGarry:

This will acknowledge your letter of June 16, 1980, relative to Becker Realty Corporation. I will answer the questions in the sequence in which they are presented.

1. State the date of the incorporation of the Becker Realty Corporation.

Becker Realty Corporation was incorporated on November 2, 1978. Becker Realty Corporation was incorporated for the purpose of operating a full-service real estate business in the future. At the time of filing the incorporated papers until August 20, 1979, Becker Realty Corporation was nothing more than a corporate entity. It had no offices, it conducted no business, it had no bank account or funds and was merely filed in anticipation of future use.

2. Who owns the building located at 50 South Jones Boulevard, Las Vegas, Nevada?

Becker Investment Company, a Nevada general partnership. The three partners are Ernest A. Becker, Jr.,

BECKER ENTERPRISES
A Standard of Excellence Since 1903

50 SOUTH JONES BLVD., SUITE 101 ••• LAS VEGAS, NEVADA 89107 ••• 702/870-0212

363030401

Mr. John Warren McGarry
Page 2
July 7, 1980

one-third interest, Barry W. Becker, one-third interest, and Bruce F. Becker, one-third interest.

3. Does the Becker Realty Corporation pay any rent to the owner of the building located at 50 South Jones Boulevard, Las Vegas, Nevada?

Yes. Becker Realty Company (Barry W. Becker, d/b/a Becker Realty Company) moved into the offices at 50 South Jones Boulevard, Las Vegas, Nevada, on April 15 1979, and continued to operate in that manner until August 20, 1979, when Barry W. Becker had his real estate license transferred from his individual name to the Becker Realty Corporation. At that time, Becker Realty Corporation started paying rent on its offices at 50 South Jones Boulevard, Suite 101. Until that time, rent was paid by Barry W. Becker, an individual, d/b/a Becker Realty Company.

4. State the name of all businesses which reside at Suite 101, 50 South Jones Boulevard, Las Vegas, Nevada.

At this time, just Becker Realty Corporation. Prior to that, Becker Realty Company.

5. State the address of the Becker Realty Corporation prior to its relocation at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada.

As I had mentioned earlier, prior to August 20, 1979, Becker Realty Corporation was nothing more than a legally filed corporation. The Becker Realty Company was formerly located at 6115 Clarice Avenue, Las Vegas, Nevada, and as I had mentioned in my previous letters in March, Becker Realty was nothing more than myself possessing a real estate license so that we could more economically resale homes that we took in trade while conducting our home building business. The small shopping center on Clarice, which we formerly had our offices in, is owned by the Fremont West Shopping Center, which is a partnership between Ernest A. Becker, Sr. (25%) and Becker Investment Company, which I mentioned earlier as the owner of 50 South Jones Boulevard. Becker Realty Company paid no rent at this address.

1104030364

Mr. John Warren McGarry
Page 3
July 7, 1980

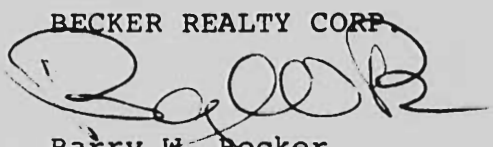
6. Are the facilities of the Becker Realty Corporation (i.e. typewriter, phone) utilized by either RMB-PAC, NN-PAC or HAN-PAC in the day to day operation of each PAC? If the answer is yes, state whether or not any of the PACs pay for these services.

As I mentioned in my responses in March, all of the Pacs that use the mailing address of 50 South Jones Boulevard, Suite 101, are inactive Pacs. The only operation involved in these Pacs is the filing of quarterly reports and annual reports. As you will notice from my filings, most of the quarterly filings have been done on post cards because in most cases, the Pacs never generated more than \$1000 per quarter and rarely ever spent \$1000 per quarter. There is no day to day operation of the Pacs. All solicitations are done by word of mouth, and when checks were received, I personally made out the deposit form and deposited them. The only service that I believe could be construed to be provided by Becker Realty would be the 15¢ stamp attached to the quarter filing in the third quarter of 1979 and the year-end filing in January, 1980, and the use of the typewriter for typing these filings.

The records and the check books for each of these Pacs take up approximately 2 square feet in my personal file cabinet, which I keep in my office. The file cabinet is an antique Oak cabinet, which was a gift to me from my father. It is not a filing cabinet owned by Becker Realty Corporation.

Yours truly,

BECKER REALTY CORP.


Barry W. Becker
President

BWB:dr

61040330365

July 7, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. John Warren McGarry
Vice-Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463

Re: MUR 1147

Dear Mr. McGarry:

Enclosed are the answers concerning Becker Realty Corporation that were posed in your letters dated June 16, 1980, to the NEVADA NOW PAC (NN-PAC), HOME BUILDERS ASSOCIATION OF THE STATE OF NEVADA PAC (HAN-PAC) and the ROCKY MOUNTAIN BUILDERS PAC (RMB-PAC).

NEVADA NOW PAC

3(a), (b), (c) and (d):

The telephone is not used by the NEVADA NOW PAC. All solicitations are done in person by Ernest A. Becker, Sr.

4(a), (b) and (c):

NEVADA NOW PAC pays no rent and the NEVADA NOW PAC consists only of a check book and a 11½ x 14 manila folder, which contain the records.

9(a) and (b):

The files have been maintained in Barry W. Becker's personal office since the creation of the PAC. His office has been located at 6115 Clarice Avenue and later moved to 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada.

01040230366

Mr. John Warren McGarry
Page 2
July 7, 1980

HOME BUILDERS ASSOCIATION OF THE STATE OF NEVADA PAC

3(a),(b),(c) and (d):

The telephone is not used by the HOME BUILDERS ASSOCIATION OF THE STATE OF NEVADA PAC. All solicitations are done in person.

4(a),(b) and (c):

The HOME BUILDERS ASSOCIATION OF THE STATE OF NEVADA PAC pays no rent and the PAC consists only of a check book and a 11½ x 14 manila folder, which contain the records.

13(a) and (b):

The files have been maintained in Barry W. Becker's personal office since the creation of the PAC. His office has been located at 6115 Clarice and later moved to 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada.

ROCKY MOUNTAIN BUILDERS PAC

3(a),(b),(c) and (d):

The telephone is not used by the ROCKY MOUNTAIN BUILDERS PAC. All solicitations are done in person.

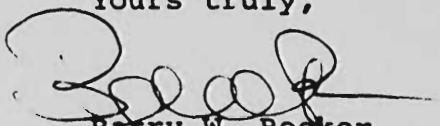
4(a),(b) and (c):

ROCKY MOUNTAIN BUILDERS PAC pays no rent and the PAC consists only of a check book and a 11½ x 14 manila folder, which contain the records.

9(a) and (b):

The files have been maintained in Barry W. Becker's personal office since the creation of the PAC. His office has been located at 6115 Clarice Avenue and later moved to 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada.

Yours truly,


Barry W. Becker
Treasurer (All 3 of
the above Pacs)

BWB:dr

61040330367

61040230368



50 SOUTH JONES BLVD.—SUITE 100 • LAS VEGAS, NEVADA 89107

To Mr. John W. McGarry
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20563

ATTN: MS. MAURA WHITE

RETURN RECEIPT
REQUESTED

CERTIFIED

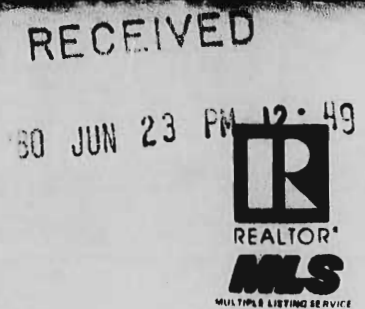
POST OFFICE

MAIL



- COMMERCIAL
- ACREAGE
- RESIDENTIAL
- INVESTMENT
- PROPERTY MGMT.

June 19, 1980

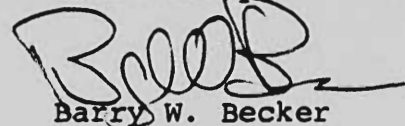


Ms. Maura White
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

Dear Ms. White:

Could you please give me an update on the Commission's decision on their inquiry into whether or not the Rocky Mountain Builders Political Action Committee, the Home Builders Association of Nevada Political Action Committee and the Nevada Now Political Action Committee are affiliated Pacs. I am the Treasurer of all three Pacs.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Barry W. Becker'.

Barry W. Becker

BWB:dr

BECKER ENTERPRISES
A Standard of Excellence Since 1903

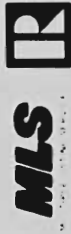
50 SOUTH JONES BLVD., SUITE 101 ••• LAS VEGAS, NEVADA 89107 ••• 702/870-0212

01040230369



REALTY CORP.

50 SOUTH JONES BLVD. SUITE 101 LAS VEGAS, NEVADA 89107



Ms. Maura White
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

RECEIVED
FEB 12 1977

ROUTING SLIP FOR RTB LETTERS

TO: Chairman/Vice Chairman

FROM: Elissa T. Garr
OGC Enforcement Docket

DATE: 6-12-80

MUR # 1147

Date RTB Found ~~6-10-80~~ 6-16-80

Date Cert. Rec'd in OGC 6-12-80

Staff Assigned White

STAFF CHECK:

MW Accuracy
MW Enclosures
MW Certification

Date Rec'd in OGC From Chairman/Vice Chairman

6-16-80

61040230371



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 16, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Nevada Now PAC
50 South Jones Boulevard
Suite 101
Las Vegas, Nevada 89107

Re: MUR 1147

Dear Mr. Becker:

The Federal Election Commission notified you in a letter dated February 29, 1980, that the Commission found reason to believe that your committee violated 2 U.S.C. §§ 441a and 433 and 11 C.F.R. § 102.2.

Upon further review of the information available to the Commission and information supplied by you, the Commission determined, on June 10, 1980, that there is reason to believe that your committee violated 2 U.S.C. § 441b(a). A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

Please submit answers to the enclosed questions within 15 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred, and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) (formerly § 437g(a)(3)(B)) unless you notify the Commission in writing that you wish the matter to be made public.

010403030302

Letter to: Barry Becker (NN-PAC)
Page 2

If you have any questions, please contact Maura White,
the staff member assigned to this matter at 202/523-4060.

Sincerely,

John Warren McGarry

JOHN WARREN MCGARRY
Vice-Chairman

Enclosure

PS Form 3811, Aug. 1978

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one)

☐ Show to whom and date delivered _____

☐ Show to whom, date, and address of delivery _____

☐ RESTRICTED DELIVERY
Show to whom and date delivered _____

☐ RESTRICTED DELIVERY
Show to whom, date, and address of delivery S. _____
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO
*Barry Becker, Texas
650 South Jones Blvd.
Las Vegas, Nev. 89107*

3. ARTICLE DESCRIPTION:

REGISTERED NO	CERTIFIED NO	INSURED NO
	<i>945170</i>	

4. (Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

D Readout

5. DATE OF DELIVERY *6-19-82* POSTMARK *6-19-82*

6. ADDRESS (Complete only if requested)

7. UNABLE TO DELIVER BECAUSE

CLERK'S INITIALS

MUR 1147 NW

FEDERAL ELECTION COMMISSION

NOTIFICATION OF REASON TO BELIEVE FINDING

DATE June 16, 1980

MUR NO. 1147
STAFF MEMBER(S) & TEL. NO.
M. White/ D. Branch

RESPONDENT Nevada Now PAC ("NN-PAC")

202/523-4060

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

BACKGROUND

On February 28, 1980, the Commission determined that there is reason to believe that the Rocky Mountain Builders PAC ("RMB-PAC"), Nevada Now PAC ("NN-PAC"), and the Home-builders Association of the State of Nevada PAC ("HAN-PAC") violated 2 U.S.C. §§ 441a(a)(1)(A) and 433(b)(2) and 11 C.F.R. § 102.2 by failing to report affiliation with each other and by making contributions to federal candidates during 1978 in excess of the contribution limitations. On February 29, 1980, reason to believe notification letters and interrogatories were mailed to the three PACs. The responses of RMB-PAC, HAN-PAC, and NN-PAC were received on March 26 and March 31, 1980. These responses indicate that the RMB-PAC, NN-PAC, HAN-PAC, and the Becker Realty Corporation may also have violated 2 U.S.C. § 441b(a).

II. Factual Basis and Legal Analysis

The RMB-PAC, NN-PAC, and HAN-PAC share a common treasurer. Barry Becker is the treasurer of the three PACs as well as the President of the Becker Realty Corporation. The addresses of the three PACs are the same as that of the Becker Realty Corporation. The Becker Realty Corporation has been an incorporated entity since November 2, 1978. 1/

A review of reports filed by the RMB-PAC, NN-PAC, and HAN-PAC indicated that, with the exception of bank charges, the PACs have not expended any funds for their respective operation (i.e. rent, phone) since their establishment. 2/

1/ This date of incorporation was obtained from the Nevada Secretary of State. It does not agree, however, with information voluntarily supplied by Mr. Becker. Mr. Becker's March 31, 1980, response has stated that Becker Realty became incorporated during the latter part of 1979.

2/ RMB-PAC, NN-PAC, and HAN-PAC registered with the Commission on November 28, 1977, February 6, 1978, and October 17, 1977, respectively.

104030374

- 2 -

In response to the Commission's questions about the operating expenses (rent, phone, salaries) of RMB-PAC, NN-PAC, and HAN-PAC, Mr. Becker stated that there are "no operating expenses" for the three PACs, with the exception of bank charges, since the files of RMB-PAC, NN-PAC, and HAN-PAC are kept in his personal office at the Becker Realty Corporation. He also stated that there are no employees of the PACs as "[i]t is all volunteer work."

As the Becker Realty Corporation has been an incorporated entity since November, 1978, and since neither RMB-PAC, NN-PAC, nor HAN-PAC pay any portion of the rent, phone or other incidental operating expenses, it appears that the Becker Realty Corporation has been making contributions to RMB-PAC, NN-PAC, and HAN-PAC since November 1978 by incurring the costs of the PACs' operation. Moreover, the RMB-PAC engaged in one written solicitation during 1978, the cost of which appears to have been absorbed by the Becker Realty Corporation.

While a corporation may provide administrative support to its separate segregated fund (2 U.S.C. § 441b(b)(2)(C)), neither RMB-PAC, NN-PAC, nor HAN-PAC have reported the Becker Realty Corporation as a connected organization. Both RMB-PAC and NN-PAC report no connected organizations; HAN-PAC reports the Homebuilders Association of the State of Nevada as a connected organization.

2 U.S.C. § 441b(a) prohibits any corporation from making a contribution or expenditure in connection with federal election activities. It is also a violation of this section for any officer or director of any corporation to consent to any contribution or expenditure by the corporation and for any political committee or other person to knowingly accept or receive any contribution prohibited by § 441b. 2 U.S.C. § 431(8)(A)(i) (former § 431(e)(1)(A)) defines contribution to include any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office.

Based on the foregoing analysis, the Federal Election Commission has found:

1. Reason to believe that the NN-PAC violated 2 U.S.C. § 441b(a).

Questions/Requests for Information

To: Nevada Now PAC (NN-PAC)

For purposes of these questions, the following definitions apply: 1) Rocky Mountain Builders PAC shall be referred to as RMB-PAC; 2) Nevada Now PAC shall be referred to as NN-PAC; 3) Homebuilders Association of the State of Nevada PAC shall be referred to as HAN-PAC; and 4) the Homebuilders Association of the State of Nevada shall be referred to as HASN.

1. List the home and business address and occupation for the following persons:
 - 1) Ernest A. Becker, Sr.
 - 2) Andy Skurski
- 2a) List all individuals named in questions 1 a-b who hold any position, i.e. employee, officer, owner, in the Becker Realty Corporation and identify that position. Include the dates that the person has held their position.
- b) List all individuals named in questions 1 a-b who are members or employees of HASN and identify their relationship to the HASN, including the dates of their employment or membership.
- c) List all individuals named in questions 1 a-b who are members or employees of the Homebuilders Association of any other state other than Nevada. Identify the Homebuilders Association to which they belong, and include the dates of their employment or membership.
- 3a) Is any business or activity of NN-PAC carried out by telephone? If the answer is yes, list all business and activity which is conducted in this manner.
- b) If the answer to question 3(a) is yes, state the name of the individual or entity whose telephone is used by NN-PAC to conduct such business or activity.

1040330375

- 1
0
4
0
3
3
0
3
7
7
- c) Who pays the cost of the telephone listed in response to question 3(b)?
 - d) What portion, if any, of the telephone costs of the individual or entity listed in response to question 3(b) does NN-PAC pay per month?
- 4a) Does NN-PAC pay any rent to the owner of the building located at 50 South Jones Boulevard, Las Vegas, Nevada?
- b) Does NN-PAC pay any rent to the Becker Realty Corporation?
- c) Does the Becker Realty Corporation pay any rent to the owner for NN-PAC? If the answer is yes, state how much per month.
- 5) Were members of the Homebuilders Association of any state solicited for membership in NN-PAC? If so, state the name of all Homebuilders Associations which were solicited.
- 6) List all individuals who have authority to remove or appoint the officers of NN-PAC. For each person listed, state their occupation and position within any PAC or Homebuilders Association.
- 7a) May the contribution decisions of NN-PAC be made by a sole officer or individual? If the answer is yes, state the name of the individual and their position.
- b) For each contribution made by NN-PAC to the candidates listed below, state the name of all individuals who took part in making the decision to contribute to:
- 1) William Armstrong (CO-S)
 - 2) James McClure (ID-S)
 - 3) Alan Simpson (WY-S)
 - 4) Larry Williams (MT-S)
 - 5) Jed Richardson (UT-1)
 - 6) Tom Richey (AZ-2)
 - 7) Bob Stump (AZ-3)
 - 8) Pete Domenici (AZ-S)
 - 9) Larry Pressler (SD-S)

- c) For each contribution made by NN-PAC to the candidates listed below, state the name of all individuals, other than those named in response to question 7(b), who were consulted or took part in discussions in regard to each contribution decision:

- 1) William Armstrong (CO-S)
- 2) James McClure (ID-S)
- 3) Alan Simpson (WY-S)
- 4) Larry Williams (MT-S)
- 5) Jed Richardson (UT-1)
- 6) Tom Richey (AZ-2)
- 7) Bob Stump (AZ-3)
- 8) Pete Domenici (AZ-S)
- 9) Larry Pressler (SD-S)

- 7d) When were the decisions of NN-PAC made to contribute to each of the following candidates:

- 1) William Armstrong (CO-S)?
- 2) James McClure (ID-S)?
- 3) Alan Simpson (WY-S)?
- 4) Larry Williams (MT-S)?
- 5) Jed Richardson (UT-1)?
- 6) Tom Richey (AZ-2)?
- 7) Bob Stump (AZ-3)?
- 8) Pete Domenici (AZ-S)?
- 9) Larry Pressler (SD-S)?

- e) Have any of the contribution decisions of NN-PAC been made in conjunction with any officer or official of:

- 1) RMB-PAC?
- 2) HAN-PAC?
- 3) any other PAC?
- 4) any Homebuilders Association?

If the answer is yes, state the name of the candidate involved, the name of the officer or official, including their title, and the role of the officer or official in the contribution decision.

01040330379

- 8) In a letter from Barry Becker, treasurer of NN-PAC, to the Federal Election Commission dated March 26, 1980, Mr. Becker stated that officials of NN-PAC attended a seminar at which sample bylaws were distributed. State the date and sponsor of the seminar.
- 9a) For how long have the files of NN-PAC been maintained in the offices of the Becker Realty Corporation?
- b) Have the files of NN-PAC been maintained in any place other than the offices of the Becker Realty Corporation since the establishment of NN-PAC? If so, where?
- 10) Provide copies of all minutes of all meetings where the contribution decisions of NN-PAC were discussed.
- 11) Article IX of the Constitution and Bylaws of NN-PAC provides for a Contribution Committee. Does the NN-PAC have such a committee in operation? If so, list all individuals who are members of this committee.

01040230370



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 16, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Rocky Mountain Builders PAC
50 South Jones Boulevard
Suite 101
Las Vegas, Nevada 89107

Re: MUR 1147

Dear Mr. Becker:

The Federal Election Commission notified you in a letter dated February 29, 1980, that the Commission found reason to believe that your committee violated 2 U.S.C. §§ 441a and 433 and 11 C.F.R. § 102.2.

Upon further review of the information available to the Commission and information supplied by you, the Commission determined, on June 10, 1980, that there is reason to believe that your committee violated 2 U.S.C. § 441b(a). A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

Please submit answers to the enclosed questions within 15 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred, and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) (formerly § 437g(a)(3)(B)) unless you notify the Commission in writing that you wish the matter to be made public.

Letter to: Barry Becker (RMB-PAC)
Page 2

If you have any questions, please contact Maura White,
the staff member assigned to this matter at 202/523-4060.

Sincerely,

John Warren McGarry
JOHN WARREN MCGARRY
Vice-Chairman

Enclosure

PS Form 3811, Aug. 1978

● **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
☐ Show to whom and date delivered. _____
☐ Show to whom, date, and address of delivery. _____
☐ RESTRICTED DELIVERY
Show to whom and date delivered. _____
☐ RESTRICTED DELIVERY.
Show to whom, date, and address of delivery. \$_____
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
*Barry Becker, Treas.
Rocky Mount, Building PAC
50 South Jones Blvd.
Las Vegas, Nev.*

3. ARTICLE DESCRIPTION: *Las Vegas, Nev.*
REGISTERED NO. _____ CERTIFIED NO. *945177* INSURED NO. _____

4. (Always obtain signature of addressee or agent)
I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
John Warren McGarry

4. DATE OF DELIVERY _____

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE _____

CLERK'S INITIALS _____

0861
02
NUP

MUR 1147

MW

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

104030381

FEDERAL ELECTION COMMISSION

NOTIFICATION OF REASON TO BELIEVE FINDING

DATE June 16, 1980

MUR NO. 1147

STAFF MEMBER(S) & TEL. NO.

M. White/ D. Branch

RESPONDENT Rocky Mountain Builders PAC ("RMB-PAC")

202/523-4060

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

BACKGROUND

On February 28, 1980, the Commission determined that there is reason to believe that the Rocky Mountain Builders PAC ("RMB-PAC"), Nevada Now PAC ("NN-PAC"), and the Homebuilders Association of the State of Nevada PAC ("HAN-PAC") violated 2 U.S.C. §§ 441a(a)(1)(A) and 433(b)(2) and 11 C.F.R. § 102.2 by failing to report affiliation with each other and by making contributions to federal candidates during 1978 in excess of the contribution limitations. On February 29, 1980, reason to believe notification letters and interrogatories were mailed to the three PACs. The responses of RMB-PAC, HAN-PAC, and NN-PAC were received on March 26 and March 31, 1980. These responses indicate that the RMB-PAC, NN-PAC, HAN-PAC, and the Becker Realty Corporation may also have violated 2 U.S.C. § 441b(a).

II. Factual Basis and Legal Analysis

The RMB-PAC, NN-PAC, and HAN-PAC share a common treasurer. Barry Becker is the treasurer of the three PACs as well as the President of the Becker Realty Corporation. The addresses of the three PACs are the same as that of the Becker Realty Corporation. The Becker Realty Corporation has been an incorporated entity since November 2, 1978. 1/

A review of reports filed by the RMB-PAC, NN-PAC, and HAN-PAC indicated that, with the exception of bank charges, the PACs have not expended any funds for their respective operation (i.e. rent, phone) since their establishment. 2/

1/ This date of incorporation was obtained from the Nevada Secretary of State. It does not agree, however, with information voluntarily supplied by Mr. Becker. Mr. Becker's March 31, 1980, response has stated tht Becker Realty became incorporated during the latter part of 1979.

2/ RMB-PAC, NN-PAC, and HAN-PAC registered with the Commission on November 28, 1977, February 6, 1978, and October 17, 1977, respectively.

810403038

- 2 -

In response to the Commission's questions about the operating expenses (rent, phone, salaries) of RMB-PAC, NN-PAC, and HAN-PAC, Mr. Becker stated that there are "no operating expenses" for the three PACs, with the exception of bank charges, since the files of RMB-PAC, NN-PAC, and HAN-PAC are kept in his personal office at the Becker Realty Corporation. He also stated that there are no employees of the PACs as "[i]t is all volunteer work."

As the Becker Realty Corporation has been an incorporated entity since November, 1978, and since neither RMB-PAC, NN-PAC, nor HAN-PAC pay any portion of the rent, phone or other incidental operating expenses, it appears that the Becker Realty Corporation has been making contributions to RMB-PAC, NN-PAC, and HAN-PAC since November 1978 by incurring the costs of the PACs' operation. Moreover, the RMB-PAC engaged in one written solicitation during 1978, the cost of which appears to have been absorbed by the Becker Realty Corporation.

While a corporation may provide administrative support to its separate segregated fund (2 U.S.C. § 441b(b)(2)(C)), neither RMB-PAC, NN-PAC, nor HAN-PAC have reported the Becker Realty Corporation as a connected organization. Both RMB-PAC and NN-PAC report no connected organizations; HAN-PAC reports the Homebuilders Association of the State of Nevada as a connected organization.

2 U.S.C. § 441b(a) prohibits any corporation from making a contribution or expenditure in connection with federal election activities. It is also a violation of this section for any officer or director of any corporation to consent to any contribution or expenditure by the corporation and for any political committee or other person to knowingly accept or receive any contribution prohibited by § 441b. 2 U.S.C. § 431(8)(A)(i) (former § 431(e)(1)(A)) defines contribution to include any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office.

Based on the foregoing analysis, the Federal Election Commission has found:

1. Reason to believe that the RMB-PAC violated 2 U.S.C. § 441b(a).

Questions/Requests for Information

To: Rocky Mountain Builders PAC (RMB-PAC)

For purposes of these questions, the following definitions apply: 1) Rocky Mountain Builders PAC shall be referred to as RMB-PAC; 2) Nevada Now PAC shall be referred to as NN-PAC; 3) Homebuilders Association of the State of Nevada PAC shall be referred to as HAN-PAC; and 4) the Homebuilders Association of the State of Nevada shall be referred to as HASN.

- 610403384
1. List the home and business address and occupation for the following persons:
 - a) Barry Becker
 - b) John Kenney
 - c) Ron J. Causey
 - 2a) List all individuals named in questions 1 a-c who hold any position, i.e. employee, officer, owner, in the Becker Realty Corporation and identify that position. Include the dates that the person has held their position.
 - b) List all individuals named in questions 1 a-c who are members or employees of HASN and identify their relationship to the HASN, including the dates of their employment or membership.
 - c) List all individuals named in questions 1 a-c who are members or employees of the Homebuilders Association of any other state other than Nevada. Identify the Homebuilders Association to which they belong, and include the dates of their employment or membership.

- 3a) Is any business or activity of RMB-PAC carried out by telephone? If the answer is yes, list all business and activity which is conducted in this manner.
- b) If the answer to question 3(a) is yes, state the name of the individual or entity whose telephone is used by RMB-PAC to conduct such business or activity.
- c) Who pays the cost of the telephone listed in response to question 3(b)?
- d) What portion, if any, of the telephone costs of the individual or entity listed in response to question 3(b) does RMB-PAC pay per month?
- 4a) Does RMB-PAC pay any rent to the owner of the building located at 50 South Jones Boulevard, Las Vegas, Nevada?
- b) Does RMB-PAC pay any rent to the Becker Realty Corporation?
- c) Does the Becker Realty Corporation pay any rent to the owner for RMB-PAC? If the answer is yes, state how much per month.
- 5) Were members of the Homebuilders Association of any state solicited for membership in RMB-PAC? If so, state the name of all Homebuilders Associations which were solicited.
- 6) List all individuals who have authority to remove or appoint the officers of RMB-PAC. For each person listed, state their occupation and position within any PAC or Homebuilders Association.

01040030385

- 7a) May the contribution decisions of RMB-PAC be made by a sole officer or individual? If the answer is yes, state the name of the individual and their position.
- b) For each contribution made by RMB-PAC to the candidates listed below, state the name of all individuals who took part in making the decision to contribute to:
- 1) William Armstrong (CO-S)
 - 2) James McClure (ID-S)
 - 3) Alan Simpson (WY-S)
 - 4) Larry Williams (MT-S)
 - 5) Jed Richardson (UT-1)
 - 6) Tom Richey (AZ-2)
 - 7) Bob Stump (AZ-3)
- c) For each contribution made by RMB-PAC to the candidates listed below, state the name of all individuals, other than those named in response to question 7(b), who were consulted or took part in discussions in regard to each contribution decision:
- 1) William Armstrong (CO-S)
 - 2) James McClure (ID-S)
 - 3) Alan Simpson (WY-S)
 - 4) Larry Williams (MT-S)
 - 5) Jed Richardson (UT-1)
 - 6) Tom Richey (AZ-2)
 - 7) Bob Stump (AZ-3)
- d) When were the decisions of RMB-PAC made to contribute to each of the following candidates:
- 1) William Armstrong (CO-S)?
 - 2) James McClure (ID-S)?
 - 3) Alan Simpson (WY-S)?
 - 4) Larry Williams (MT-S)?
 - 5) Jed Richardson (UT-1)?
 - 6) Tom Richey (AZ-2)?
 - 7) Bob Stump (AZ-3)?

01049230385

7e) Have any of the contribution decisions of RMB-PAC been made in conjunction with any officer or official of:

- 1) NN-PAC?
- 2) HAN-PAC?
- 3) any other PAC?
- 4) any Homebuilders Association?

If the answer is yes, state the name of the candidate involved, the name of the officer or official, including their title, and the role of the officer or official in the contribution decision.

- 8) In a letter from Barry Becker, treasurer of RMB-PAC, to the Federal Election Commission dated March 26, 1980, Mr. Becker stated that officials of RMB-PAC attended a seminar at which sample bylaws were distributed. State the date and sponsor of the seminar.
- 9) In a letter from Barry Becker, treasurer of RMB-PAC to the Federal Election Commission dated March 26, 1980, Mr. Becker stated that the RMB-PAC engaged in one written solicitation during 1978. In regard to that solicitation:
- a) State the cost of the paper, materials, and xeroxing used in the solicitation.
 - b) Who paid the cost of paper, materials, and xeroxing used in the solicitation?
 - c) Where was the solicitation reproduced?
 - d) State the name, occupation, and employer of the individual who reproduced the solicitation and whether this work was done during normal working hours.
 - e) State the name, occupation, and employer of the individual who typed the solicitation, and whether this work was done during normal working hours.

0100330387

- f) If the solicitation was mailed, state the cost of the mailing of the solicitation.
 - g) Who paid the cost of mailing the solicitation?
 - h) To whom was the solicitation distributed?
-
- 10a) For how long have the files of RMB-PAC been maintained in the offices of the Becker Realty Corporation?
 - b) Have the files of RMB-PAC been maintained in any place other than the offices of the Becker Realty Corporation since the establishment of RMB-PAC? If so, where?
-
- 11) Provide copies of all minutes of all meetings where the contribution decisions of RMB-PAC were discussed.
-
- 12) Article IX of the Constitution and Bylaws of RMB-PAC provides for a Contribution Committee. Does the RMB-PAC have such a committee in operation? If so, list all individuals who are members of this committee.

8104030389



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 16, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Homebuilders Association of
the State of Nevada PAC
50 South Jones Boulevard
Suite 101
Las Vegas, Nevada 89107

Re: MUR 1147

Dear Mr. Becker:

The Federal Election Commission notified you in a letter dated February 29, 1980, that the Commission found reason to believe that your committee violated 2 U.S.C. §§ 441a and 433 and 11 C.F.R. § 102.2.

Upon further review of the information available to the Commission and information supplied by you, the Commission determined, on June 10, 1980, that there is reason to believe that your committee violated 2 U.S.C. § 441b(a). A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

Please submit answers to the enclosed questions within 15 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred, and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) (formerly § 437g(a)(3)(B)) unless you notify the Commission in writing that you wish the matter to be made public.

1104030380

Letter to: Barry Becker (HAN-PAC)
Page 2

If you have any questions, please contact Maura White, the staff member assigned to this matter at 202/523-4060.

Sincerely,

JOHN WARREN McGARRY
Vice-Chairman

Enclosure

SENDER: Complete Items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.							
1. The following service is requested (check one). <input type="checkbox"/> Show to whom and date delivered. _____ <input type="checkbox"/> Show to whom, date, and address of delivery. _____ <input type="checkbox"/> RESTRICTED DELIVERY Show to whom and date delivered. _____ <input type="checkbox"/> RESTRICTED DELIVERY. Show to whom, date, and address of delivery. _____ (CONSULT POSTMASTER FOR FEES)							
2. ARTICLE ADDRESSED TO: <i>Harry Rickles, Treas.</i> <i>50 South Jones Blvd.</i> <i>Las Vegas, Nev, 89107</i>							
3. ARTICLE DESCRIPTION: <table border="1"> <tr> <td>REGISTERED NO.</td> <td>CERTIFIED NO.</td> <td>INSURED NO.</td> </tr> <tr> <td></td> <td>081-570</td> <td></td> </tr> </table>		REGISTERED NO.	CERTIFIED NO.	INSURED NO.		081-570	
REGISTERED NO.	CERTIFIED NO.	INSURED NO.					
	081-570						
(Always obtain signature of addressee or agent) I have received the article described above. SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent <i>Chas. W. Calhoun for [Signature]</i>							
4. DATE OF DELIVERY	POSTMARK 						
5. ADDRESS (Complete only if requested)							
6. UNABLE TO DELIVER BECAUSE:							
CLERK'S INITIALS							

MUR 1147 MW

FEDERAL ELECTION COMMISSION

NOTIFICATION OF REASON TO BELIEVE FINDING

DATE June 16, 1980

MUR NO. 1147
STAFF MEMBER(S) & TEL. NO.
M. White/ D. Branch

RESPONDENT Homebuilders Association of the
State of Nevada ("HAN-PAC")

202/523-4060

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

BACKGROUND

On February 28, 1980, the Commission determined that there is reason to believe that the Rocky Mountain Builders PAC ("RMB-PAC"), Nevada Now PAC ("NN-PAC"), and the Homebuilders Association of the State of Nevada PAC ("HAN-PAC") violated 2 U.S.C. §§ 441a(a)(1)(A) and 433(b)(2) and 11 C.F.R. § 102.2 by failing to report affiliation with each other and by making contributions to federal candidates during 1978 in excess of the contribution limitations. On February 29, 1980, reason to believe notification letters and interrogatories were mailed to the three PACs. The responses of RMB-PAC, HAN-PAC, and NN-PAC were received on March 26 and March 31, 1980. These responses indicate that the RMB-PAC, NN-PAC, HAN-PAC, and the Becker Realty Corporation may also have violated 2 U.S.C. § 441b(a).

II. Factual Basis and Legal Analysis

The RMB-PAC, NN-PAC, and HAN-PAC share a common treasurer. Barry Becker is the treasurer of the three PACs as well as the President of the Becker Realty Corporation. The addresses of the three PACs are the same as that of the Becker Realty Corporation. The Becker Realty Corporation has been an incorporated entity since November 2, 1978. 1/

A review of reports filed by the RMB-PAC, NN-PAC, and HAN-PAC indicated that, with the exception of bank charges, the PACs have not expended any funds for their respective operation (i.e. rent, phone) since their establishment. 2/

1/ This date of incorporation was obtained from the Nevada Secretary of State. It does not agree, however, with information voluntarily supplied by Mr. Becker. Mr. Becker's March 31, 1980, response has stated tht Becker Realty became incorporated during the latter part of 1979.

2/ RMB-PAC, NN-PAC, and HAN-PAC registered with the Commission on November 28, 1977, February 6, 1978, and October 17, 1977, respectively.

1040330391

In response to the Commission's questions about the operating expenses (rent, phone, salaries) of RMB-PAC, NN-PAC, and HAN-PAC, Mr. Becker stated that there are "no operating expenses" for the three PACs, with the exception of bank charges, since the files of RMB-PAC, NN-PAC, and HAN-PAC are kept in his personal office at the Becker Realty Corporation. He also stated that there are no employees of the PACs as "[i]t is all volunteer work."

As the Becker Realty Corporation has been an incorporated entity since November, 1978, and since neither RMB-PAC, NN-PAC, nor HAN-PAC pay any portion of the rent, phone or other incidental operating expenses, it appears that the Becker Realty Corporation has been making contributions to RMB-PAC, NN-PAC, and HAN-PAC since November 1978 by incurring the costs of the PACs' operation. Moreover, the RMB-PAC engaged in one written solicitation during 1978, the cost of which appears to have been absorbed by the Becker Realty Corporation.

While a corporation may provide administrative support to its separate segregated fund (2 U.S.C. § 441b(b)(2)(C)), neither RMB-PAC, NN-PAC, nor HAN-PAC have reported the Becker Realty Corporation as a connected organization. Both RMB-PAC and NN-PAC report no connected organizations; HAN-PAC reports the Homebuilders Association of the State of Nevada as a connected organization.

2 U.S.C. § 441b(a) prohibits any corporation from making a contribution or expenditure in connection with federal election activities. It is also a violation of this section for any officer or director of any corporation to consent to any contribution or expenditure by the corporation and for any political committee or other person to knowingly accept or receive any contribution prohibited by § 441b. 2 U.S.C. § 431(8)(A)(i) (former § 431(e)(1)(A)) defines contribution to include any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office.

Based on the foregoing analysis, the Federal Election Commission has found:

1. Reason to believe that the HAN-PAC violated 2 U.S.C. § 441b(a).

Questions/Requests for Information

To: Homebuilders Association of the State of Nevada PAC (HAN-PAC)

For purposes of these questions, the following definitions apply: 1) Rocky Mountain Builders PAC shall be referred to as RMB-PAC; 2) Nevada Now PAC shall be referred to as NN-PAC; 3) Homebuilders Association of the State of Nevada PAC shall be referred to as HAN-PAC; and 4) the Homebuilders Association of the State of Nevada shall be referred to as HASN.

1. List the home and business address and occupation for the following persons:
 - a) Joe McDonald
 - b) Dwight Millard
- 2a) List all individuals named in questions 1 a-b who hold any position, i.e. employee, officer, owner, in the Becker Realty Corporation and identify that position. Include the dates that the person has held their position.
- b) List all individuals named in questions 1 a-b who are members or employees of HASN and identify their relationship to the HASN, including the dates of their employment or membership.
- c) List all individuals named in questions 1 a-b who are members or employees of the Homebuilders Association of any other state other than Nevada. Identify the Homebuilders Association to which they belong, and include the dates of their employment or membership.
- 3a) Is any business or activity of HAN-PAC carried out by telephone? If the answer is yes, list all business and activity which is conducted in this manner.
- b) If the answer to question 3(a) is yes, state the name of the individual or entity whose telephone is used by HAN-PAC to conduct such business or activity.

104030393

- 01040330394
- c) Who pays the cost of the telephone listed in response to question 3(b)?
 - d) What portion, if any, of the telephone costs of the individual or entity listed in response to question 3(b) does HAN-PAC pay per month?
- 4a) Does HAN-PAC pay any rent to the owner of the building located at 50 South Jones Boulevard, Las Vegas, Nevada?
- b) Does HAN-PAC pay any rent to the Becker Realty Corporation?
- c) Does the Becker Realty Corporation pay rent to the owner for HAN-PAC? If the answer is yes, state how much per month.
- 5) Were members of the Homebuilders Association of any state solicited for membership in HAN-PAC? If so, state the name of all Homebuilders Association which were solicited.
- 6) List all individuals who have authority to remove or appoint the officers of HAN-PAC. For each person listed, state their occupation and position within any PAC or Homebuilders Association.
- 7a) May the contribution decisions of HAN-PAC be made by a sole officer or individual? If the answer is yes, state the name of the individual and their position.
- b) For each contribution made by HAN-PAC to the candidates listed below, state the name of all individuals who took part in making the decision to contribute to:
- 1) William Armstrong (CO-S)
 - 2) James McClure (ID-S)
 - 3) Alan Simpson (WY-S)
 - 4) Larry Williams (MT-S)
 - 5) Pete Domenici (AZ-S)
 - 6) Larry Pressler (SD-S)

- c) For each contribution made by HAN-PAC to the candidates listed below, state the name of all individuals, other than those named in response to question 7(b), who were consulted or took part in discussions in regard to each contribution decision:

- 1) William Armstrong (CO-S)
- 2) James McClure (ID-S)
- 3) Alan Simpson (WY-S)
- 4) Larry Williams (MT-S)
- 5) Pete Domenici (AZ-S)
- 6) Larry Pressler (SD-S)

- 7d) When were the decisions of HAN-PAC made to contribute to each of the following candidates:

- 1) William Armstrong (CO-S)?
- 2) James McClure (ID-S)?
- 3) Alan Simpson (WY-S)?
- 4) Larry Williams (MT-S)?
- 5) Pete Domenici (AZ-S)?
- 6) Larry Pressler (SD-S)?

- e) Have any of the contribution decisions of HAN-PAC been made in conjunction with any officer or official of:

- 1) NN-PAC?
- 2) RMB-PAC?
- 3) any other PAC?
- 4) any Homebuilders Association?

If the answer is yes, state the name of the candidate involved, the name of the officer or official, including their title, and the role of the officer or official in the contribution decision.

- 8) Does the HASN have any role in the contribution decisions of HAN-PAC? If the answer is yes, describe its role.
- 9) Were the Constitution and Bylaws of HAN-PAC approved by the HASN? If the answer is yes, state the date they were approved.

104030395

- 10) Has the HASN, at any time, provided HAN-PAC with financial assistance, including support services, i.e. xeroxing?
- 11) Has Barry Becker ever been an employee or agent, or in any way under the supervision or control of the HASN? If the answer is yes, state the dates that he was in such a position, and describe that position.
- 12) In a letter from Barry Becker, treasurer of HAN-PAC, to the Federal Election Commission dated March 26, 1980, Mr. Becker stated that officials of HAN-PAC attended a seminar at which sample bylaws were distributed. State the date and sponsor of the seminar.
- 13a) For how long have the files of HAN-PAC been maintained in the offices of the Becker Realty Corporation?
- b) Have the files of HAN-PAC been maintained in any place other than the offices of the Becker Realty Corporation since the establishment of HAN-PAC? If so, where?
- 14) Provide copies of all minutes of all meetings where the contribution decisions of HAN-PAC were discussed.
- 15) Provide a copy of the Constitution and Bylaws of HAN-PAC.
- 16) Does HAN-PAC have a Contribution Committee in operation? If the answer is yes, list all members of such committee.

01040230395



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 16, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, President
Becker Realty
50 South Jones Boulevard
Suite 101
Las Vegas, Nevada 89107

Re: MUR 1147

Dear Mr. Becker:

On June 10, 1980, the Federal Election Commission determined that there is reason to believe that the Becker Realty Corporation violated section 441b(a) of the Federal Election Campaign Act of 1971, as amended ("the Act"). A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.


Please submit answers to the enclosed questions within 15 days of receipt of this letter. Where appropriate statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against the Becker Realty Corporation, the Commission may find probable cause to believe that a violation has occurred, and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe, if you so desire.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) (formerly § 437g(a)(3)(B)) unless you notify the Commission in writing that you wish the matter to be made public.

If you have any questions, please contact Maura White, the staff member assigned to this matter at 202/523-4060.

Sincerely,


JOHN WARREN MCGARRY
Vice-Chairman

Enclosure

01040030397

01040230398

1. Complete items 1 through 4 and
Add your address in the "RETURN TO" space on
reverse.

The following service is requested (check one):
☒ Show to whom and date delivered
☐ Show to whom, date, and address of delivery
☐ RESTRICTED DELIVERY
☐ Show to whom and date delivered
☐ RESTRICTED DELIVERY
☐ Show to whom, date, and address of delivery \$
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO: *B. Becker*
Becker Realty Corp.
50 South Jones Blvd
Suite 101 Roslindale MA

ARTICLE DESCRIPTION

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	<i>945729</i>	

(Always obtain signature of addressee or agent)

I have received the article described above
 SIGNATURE ☐ Addressee ☐ Authorized agent
Robert M. Kelley

DATE OF DELIVERY *6/20/80* POSTMARK *02 NRP*

3. ADDRESSEE (Complete only if requested)

4. UNABLE TO DELIVER BECAUSE

CLERK'S INITIALS

Mur Mur 1147

GPO: 1970-272-382

FEDERAL ELECTION COMMISSION

NOTIFICATION OF REASON TO BELIEVE FINDING

DATE June 16, 1980

MUR NO. 1147
STAFF MEMBER(S) & TEL. NO.
M. White/ D. Branch

RESPONDENT Becker Realty Corporation

202/523-4060

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

BACKGROUND

On February 28, 1980, the Commission determined that there is reason to believe that the Rocky Mountain Builders PAC ("RMB-PAC"), Nevada Now PAC ("NN-PAC"), and the Homebuilders Association of the State of Nevada PAC ("HAN-PAC") violated 2 U.S.C. §§ 441a(a)(1)(A) and 433(b)(2) and 11 C.F.R. § 102.2 by failing to report affiliation with each other and by making contributions to federal candidates during 1978 in excess of the contribution limitations. On February 29, 1980, reason to believe notification letters and interrogatories were mailed to the three PACs. The responses of RMB-PAC, HAN-PAC, and NN-PAC were received on March 26 and March 31, 1980. These responses indicate that the RMB-PAC, NN-PAC, HAN-PAC, and the Becker Realty Corporation may also have violated 2 U.S.C. § 441b(a).

II. Factual Basis and Legal Analysis

The RMB-PAC, NN-PAC, and HAN-PAC share a common treasurer. Barry Becker is the treasurer of the three PACs as well as the President of the Becker Realty Corporation. The addresses of the three PACs are the same as that of the Becker Realty Corporation. The Becker Realty Corporation has been an incorporated entity since November 2, 1978. 1/

A review of reports filed by the RMB-PAC, NN-PAC, and HAN-PAC indicated that, with the exception of bank charges, the PACs have not expended any funds for their respective operation (i.e. rent, phone) since their establishment. 2/

1/ This date of incorporation was obtained from the Nevada Secretary of State. It does not agree, however, with information voluntarily supplied by Mr. Becker. Mr. Becker's March 31, 1980, response has stated tht Becker Realty became incorporated during the latter part of 1979.

2/ RMB-PAC, NN-PAC, and HAN-PAC registered with the Commission on November 28, 1977, February 6, 1978, and October 17, 1977, respectively.

1104030399

- 2 -

In response to the Commission's questions about the operating expenses (rent, phone, salaries) of RMB-PAC, NN-PAC, and HAN-PAC, Mr. Becker stated that there are "no operating expenses" for the three PACs, with the exception of bank charges, since the files of RMB-PAC, NN-PAC, and HAN-PAC are kept in his personal office at the Becker Realty Corporation. He also stated that there are no employees of the PACs as "[i]t is all volunteer work."

As the Becker Realty Corporation has been an incorporated entity since November, 1978, and since neither RMB-PAC, NN-PAC, nor HAN-PAC pay any portion of the rent, phone or other incidental operating expenses, it appears that the Becker Realty Corporation has been making contributions to RMB-PAC, NN-PAC, and HAN-PAC since November 1978 by incurring the costs of the PACs' operation. Moreover, the RMB-PAC engaged in one written solicitation during 1978, the cost of which appears to have been absorbed by the Becker Realty Corporation.

While a corporation may provide administrative support to its separate segregated fund (2 U.S.C. § 441b(b)(2)(C)), neither RMB-PAC, NN-PAC, nor HAN-PAC have reported the Becker Realty Corporation as a connected organization. Both RMB-PAC and NN-PAC report no connected organizations; HAN-PAC reports the Homebuilders Association of the State of Nevada as a connected organization.

2 U.S.C. § 441b(a) prohibits any corporation from making a contribution or expenditure in connection with federal election activities. It is also a violation of this section for any officer or director of any corporation to consent to any contribution or expenditure by the corporation and for any political committee or other person to knowingly accept or receive any contribution prohibited by § 441b. 2 U.S.C. § 431(8) (A)(i) (former § 431(e)(1)(A)) defines contribution to include any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office.

Based on the foregoing analysis, the Federal Election Commission has found:

1. Reason to believe that the Becker Realty Corporation violated 2 U.S.C. § 441b(a).

Questions/Requests for Information

To: Becker Realty Corporation

1. State the date of the incorporation of the Becker Realty Corporation.
2. Who owns the building located at 50 South Jones Boulevard, Las Vegas, Nevada?
3. Does the Becker Realty Corporation pay any rent to the owner of the building located at 50 South Jones Boulevard, Las Vegas, Nevada?
4. State the name of all businesses which reside at Suite 101, 50 South Jones Boulevard, Las Vegas, Nevada.
5. State the address of the Becker Realty Corporation prior to its relocation at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada.
6. Are the facilities of the Becker Realty Corporation (i.e. typewriter, phone) utilized by either RMB-PAC, NN-PAC or HAN-PAC in the day to day operation of each PAC ? If the answer is yes, state whether or not any of the PACs pay for these services.

1
4
0
3
0
4
0
1

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Rocky Mountain Builders PAC)

Nevada Now PAC)

Homebuilders Association of the)

State of Nevada PAC)

MUR 1147

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission's executive session on June 10, 1980, do hereby certify that the Commission decided by a vote of 5-1 to take the following actions in MUR 1147:

1. Find reason to believe that the Becker Realty Corporation, Rocky Mountain Builders PAC ("RMB-PAC"), Nevada Now PAC ("NN-PAC"), and Homebuilders Association of the State of Nevada PAC ("HAN-PAC") violated 2 U.S.C. §441b(a).
2. Send the letters and questions attached to the General Counsel's May 15, 1980 report.

Commissioners Aikens, Harris, McGarry, Reiche, and Tiernan voted affirmatively for the decision; Commissioner Friedersdorf dissented.

Attest:

6/12/80

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE *mwe*
FROM: MARJORIE W. EMMONS/MARGARET CHANEY *mc*
DATE: JUNE 2, 1980
SUBJECT: OBJECTION - MUR 1147 - General Counsel's
Report dated 5-15-80; Signed 5-28-80,
Received in OCS 5-29-80, 11:09

The above-named document was circulated on a 48 hour
vote basis at 4:00, May 29, 1980.

Commissioner Friedersdorf submitted an objection
at 4:03, June 2, 1980, thereby placing MUR 1147 on the
Executive Session Agenda for June 10, 1980.

61049230407

May 29, 1980

MEMORANDUM TO: Marjorie W. Emmons
FROM: Jane Colgrove
SUBJECT: MUR 1147

Please have the attached General Counsel's Report on MUR 1147 distributed to the Commission on a 48 hour tally basis.

Thank you.

81040230404

BEFORE THE FEDERAL ELECTION COMMISSION
May 15, 1980

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

80 MAY 29 All : 09

In the Matter of)
) MUR 1147
Rocky Mountain Builders PAC)
Nevada Now PAC)
Homebuilders Association of the)
State of Nevada PAC)

GENERAL COUNSEL'S REPORT

I. Background

On February 28, 1980, the Commission determined that there is reason to believe that the Rocky Mountain Builders PAC ("RMB-PAC"), Nevada Now PAC ("NN-PAC"), and the Homebuilders Association of the State of Nevada PAC ("HAN-PAC") violated 2 U.S.C. §§ 441a(a)(1)(A) and 433(b)(2) and 11 C.F.R. § 102.2 by failing to report affiliation with each other and by making contributions to federal candidates during 1978 in excess of the contribution limitations. On February 29, 1980, reason to believe notification letters and interrogatories were mailed to the three PACs. The responses of RMB-PAC, HAN-PAC, and NN-PAC were received on March 26 and March 31, 1980 (Attachments 1-4). These responses indicate that the RMB-PAC, NN-PAC, HAN-PAC, and the Becker Realty Corporation may also have violated 2 U.S.C. § 441b(a).

II. Factual Basis and Legal Analysis

As discussed in the General Counsel's Report dated February 26, 1980, the RMB-PAC, NN-PAC, and HAN-PAC share a common treasurer. Barry Becker is the treasurer of the three PACs as well as the President of the Becker Realty Corporation.

The addresses of the three PACs are the same as that of the Becker Realty Corporation. The Becker Realty Corporation has been incorporated since November 2, 1978. 1/

A review of reports filed by the RMB-PAC, NN-PAC, and HAN-PAC indicated that, with the exception of bank charges, the PACs have not expended any funds for their respective operation (i.e. rent, phone) since their establishment. 2/ In response to the Commission's questions about the operating expenses (rent, phone, salaries) of RMB-PAC, NN-PAC, and HAN-PAC, Mr. Becker stated that there are "no operating expenses" for the three PACs, with the exception of bank charges, since the files of RMB-PAC, NN-PAC, and HAN-PAC are kept in his personal office at the Becker Realty Corporation. He also stated that there are no employees of the PACs as "[i]t is all volunteer work."

As the Becker Realty Corporation has been an incorporated entity since November, 1978, and since neither RMB-PAC, NN-PAC, nor HAN-PAC pay any portion of the rent, phone or other incidental operating expenses, it appears that the Becker Realty Corporation has been making contributions to RMB-PAC, NN-PAC, and HAN-PAC since November 1978 by incurring the costs of the PACs' operation. Moreover, the RMB-PAC engaged in one written solicitation during 1978, the cost of which appears to have been absorbed by the Becker Realty Corporation.

1/ This date of incorporation was obtained from the Nevada Secretary of State. It does not agree, however, with information voluntarily supplied by Mr. Becker. Mr. Becker's March 31, 1980, response has stated that Becker Realty became incorporated during the latter part of 1979.

2/ RMB-PAC, NN-PAC, and HAN-PAC registered with the Commission on November 28, 1977, February 6, 1978, and October 17, 1977, respectively.

While a corporation may provide administrative support to its separate segregated fund (2 U.S.C. § 441b(b)(2)(C)), neither RMB-PAC, NN-PAC, nor HAN-PAC have reported the Becker Realty Corporation as a connected organization. Both RMB-PAC and NN-PAC report no connected organizations; HAN-PAC reports the Homebuilders Association of the State of Nevada as a connected organization.

2 U.S.C. § 441b(a) prohibits any corporation from making a contribution or expenditure in connection with federal election activities. It is also a violation of this section for any officer or director of any corporation to consent to any contribution or expenditure by the corporation and for any political committee or other person to knowingly accept or receive any contribution prohibited by § 441b. 2 U.S.C. § 431(8)(A)(i) (former § 431(e)(1)(A)) defines contribution to include any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office.


Based on the foregoing analysis, the General Counsel recommends that the Commission find reason to believe that the Becker Realty Corporation, RMB-PAC, NN-PAC, and HAN-PAC violated 2 U.S.C. § 441b(a). The General Counsel also recommends that the Commission approve the attached questions to the Becker Realty Corporation, RMB-PAC, NN-PAC, and HAN-PAC, in regard to the Commission's previous finding of reason to believe that RMB-PAC, NN-PAC, and HAN-PAC violated §§ 441a and 433, and in regard to the recommendation before the Commission.

01040030407

III. Recommendations

1. Find reason to believe that the Becker Realty Corporation, Rocky Mountain Builders PAC ("RMB-PAC"), Nevada Now PAC ("NN-PAC"), and Homebuilders Association of the State of Nevada PAC ("HAN-PAC") violated 2 U.S.C. § 441b(a).
2. Send the attached letters and questions.

28 May 1980
Date


Charles R. Steele
General Counsel

Attachments

1. Attachments 1-4
2. Questions
3. Letters

11040030409

ATTACHMENT #1

01040030400



- COMMERCIAL
- ACREAGE
- RESIDENTIAL
- INVESTMENT
- PROPERTY MGMT.

March 18, 1980

RECEIVED

80 MAR 26



MUR 1148

Ms. Maura White
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Ms. White:

I will number my answers identical to the questions I will be answering.

ROCKY MOUNTAIN BUILDERS PAC

1. 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, 89107.
2. John E. Kenney, Jr., Chairman, Ron J. Causey, Vice-Chairman, and Barry W. Becker, Treasurer. Barry Becker handles all duties and chores in relationship to the administration and operation of the PAC. There are no employees to speak of. In other words, no one receives compensation for their services. It is all volunteer work.
3. John Kenney, Jr., Ron Causey and Barry Becker founded the ROCKY MOUNTAIN BUILDERS PAC in order to solicit funds to support candidates for Federal election.
4. John E. Kenney, Jr., Ron J. Causey, and Barry W. Becker.
5. There have been no operating expenses for the PAC. I use my personal office as the mailing address and maintain the file there. However, there are no operating expenses, with the exception of bank charges.

BECKER ENTERPRISES
A Standard of Excellence Since 1903

50 SOUTH JONES BLVD., SUITE 101 ••• LAS VEGAS, NEVADA 89107 ••• 702/870-0212

U
B
A
T
E
C
H
N
I
C
A
L
S
E
R
V
I
C
E
S

30 MAR 25 P 5:08

RECEIVED
FEDERAL ELECTION COMMISSION
MAR 25 1980

Ms. Maura White
Federal Election Commission
Page 2 - ROCKY MOUNTAIN BUILDERS PAC
March 18, 1980

6. We both share the same mailing address.
7. The only relationship that I know of is that I am the Treasurer of each PAC, they all share the same mailing address, their bylaws are the same, and because the organizers of all the Pacs attended the same seminar at which sample bylaws for the establishment of Political Action Committees were available.
8. John Kenney, Jr., Ron J. Causey and Barry W. Becker have the sole responsibility for making these decisions. By all members of our Contribution Committee, I assume you mean the members of our Pac and all contributions and members have been reported in our yearly and quarterly reports. We have received no funds since our last report.
9. The funds are solicited merely by word of mouth.
10. Yes. We participated in a fund raising activity, which was reported in my first quarterly report for 1979.
11. We had one (1) solicitation. Copy of material is enclosed.
12. John Kenney, Jr., Ron J. Causey and Barry Becker established this Political Action Committee because of the new rules governing campaign contributions to Federal candidates. We had hoped to be able to solicit and generate a sizeable amount of funds in which to support candidates who strongly believe in the free enterprise system and free competition. Although, as you can see from our reports, we have not yet been able to generate the amount of funds that we had hoped for.

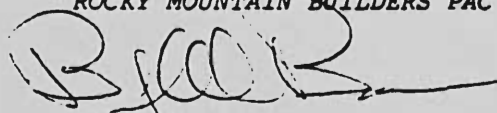
0100341052130/48121

Ms. Maura White
Federal Election Commission
Page 3 - ROCKY MOUNTAIN BUILDERS PAC
March 18, 1980

13. The original constitution and bylaws are still in effect and have not been changed.

Respectfully yours,

ROCKY MOUNTAIN BUILDERS PAC



Barry W. Becker
Treasurer

BWB:dr

Enclosure

100430483

000315110074801230413
COMMITTEE MEMBERSHIP: They will decide which races and the amount of contribution.

Chairman - Jack Kenney, NV
Vice Chairman

Arizona - Pete Herder
Ralph Staggs

Colorado - John Dawson
Ralph Weinland

Nevada - Dudley Smith

New Mexico - Gerhard Muller
Peg Parsons

Treasurer - Barry Becker, NV

Utah - Dan Jerman
Glade Nielsen

Wyoming - Skip Cunningham
Joe Mock

Idaho - Ray Behrman
to be picked

Montana - Robert Miller
to be picked

DIRECTIONS: Builder members: please complete form and send at least \$100. If your total is greater than \$100 for the two and one-half years covered by the form will you please send the PAC the highest figure.

Each month, builder members will be asked to give on a voluntary basis by completing the form and sending your check to the PAC. The cost is \$3 per house.

Associate members: please complete the form and send at least \$50. Each month you will be asked to give on a voluntary basis. The cost is \$1.50 per house.

Using the formula for a builder, simply divide by 2 the total amount and this would be your figure for two and one-half years. Will you please send the PAC the highest figure.

EXAMPLE:
\$3 x 10 single family units = \$30
\$2 x 15 apartment units = \$30
.0001 x \$300,000 of com'l permit = \$30

----- cut here -----

Year 1975 - Single Family \$3 x _____ (units built) = \$ _____
 Apartments \$2 x _____ (units built) = \$ _____
 Commercial \$ _____ x .0001 = \$ _____

Year 1976 Single Family \$3 x _____ (units built) = \$ _____
 Apartments \$2 x _____ (units built) = \$ _____
 Commercial \$ _____ x .0001 = \$ _____

Jan - June Single Family \$3 x _____ (units built) = \$ _____
 1977 Apartments \$2 x _____ (units built) = \$ _____
 Commercial \$ _____ x .0001 = \$ _____

BUILDER TOTAL \$ _____
ASSOCIATE TOTAL \$ _____

Mail to ROCKY MOUNTAIN BUILDERS PAC
6115 Clarice Ave. Las Vegas, NV 89107

I desire to make a contribution. I am aware the Committee will disburse the funds for political purposes as it sees fit according to the guidelines set forth in the Committee's Articles of Organization.

Enclosed is my check for \$ _____ pledge for \$ _____

NAME _____ Builder _____ Associate _____

HOME ADDRESS _____ STATE _____ ZIP _____

HOME PHONE NO. () _____ BUS PHONE () _____

SIGNATURE _____ OCCUPATION _____

US CITIZEN YES _____ NO _____ Authorized and paid for by Rocky Mountain Builders Political Action Committee 6115 Clarice Ave Las Vegas NV 89107 John E. (Jack) Kenney, Jr. Chairman. A copy of our report is filed with the Federal Election Committee in Washington, D.C. and is available for purchase.

ATTACHMENT #2

11010230415



- COMMERCIAL
- ACREAGE
- RESIDENTIAL
- INVESTMENT
- PROPERTY MGMT.

March 18, 1980

Ms. Maura White
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463

Dear Ms. White:

I will number my answers identical to the questions I will be answering.

NEVADA NOW PAC

1. 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, 89107.
2. Ernest A. Becker, Sr., Chairman; Andy Skurski, Vice-Chairman, and Barry W. Becker, Treasurer. Barry Becker handles all duties and chores in relationship to the administration and operation of the PAC. There are no employees to speak of. In other words, no one receives compensation for their services. It is all volunteer work.
3. The original officers of the NEVADA NOW PAC were appointed by my father, Ernest A. Becker, Sr., in the organization of the PAC.
4. Ernest A. Becker, Sr., Andy Skurski, and Barry W. Becker.
5. There have been no operating expenses for the PAC. I use my personal office as the mailing address and maintain the file there. However, there are no operating expenses, with the exception of bank charges.

BECKER ENTERPRISES
A Standard of Excellence Since 1903

50 SOUTH JONES BLVD., SUITE 101 ••• LAS VEGAS, NEVADA 89107 ••• 702/870-0212

MLC #876

RECEIVED

80 MAR 26 A



MUR 1149

80 MAR 26 P 5:08

GENERAL INVESTIGATIVE

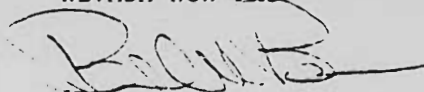
6:10 PM 03 41 05 01 30 07 01 11 5

Ms. Maura White
Federal Election Commission
Page 2 - NEVADA NOW PAC
March 18, 1980

6. We both share the same mailing address.
7. The only relationship that I know of is that I am the Treasurer of each PAC, they all share the same mailing address, their bylaws are the same, and because the organizers of all the PACS attended the same seminar at which sample bylaws for the establishment of Political Action Committees were available.
8. Ernest A. Becker, Sr. and Andy Skurski, to this point, have made all the decisions as to which candidates would be supported for Federal office. They based their decisions primarily on information they had received from friends in other Western states and from recommendations from our Congressional Delegation here in Nevada upon our request of them for this information. Example: My question to Senator Laxalt would be - Senator Laxalt, who would be a good candidate for the United States Senate in the West to support for re-election since you are not running for re-election this year? He may have suggested four or five candidates at that time.
9. The funds are solicited mainly by my father, Ernest A. Becker, Sr., merely by word of mouth.
10. No.
11. There has never been any solicitation materials used.
12. Ernest A. Becker, Sr., Andy Skurski, and Barry W. Becker.
13. The original constitution and bylaws are still in effect and have not been changed.

Respectfully yours,

NEVADA NOW PAC



Barry W. Becker
Treasurer

BWB:dr

01003410321300749127

ATTACHMENT # 3

01040230418

B RC Becker
REALTY CORP.

- COMMERCIAL
- ACREAGE
- RESIDENTIAL
- INVESTMENT
- PROPERTY MGMT.

March 18, 1980

Ms. Maura White
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463

Dear Ms. White:

I will number my answers identical to the questions I will be answering.

HOME BUILDERS ASSOCIATION OF NEVADA PAC

1. 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, 89107.
2. Joe McDonald, Chairman, Dwight Millard, Vice-Chairman, and Barry W. Becker, Treasurer. Barry Becker handles all duties and chores in relationship to the administration and operation of the PAC. There are no employees to speak of. In other words, no one receives compensation for their services. It is all volunteer work.
3. We are appointed by the Board of Directors of the Home Builders Association of the State of Nevada.
4. Joe McDonald, Dwight Millard, and Barry W. Becker.
5. There have been no operating expenses for the PAC. I use my personal office as the mailing address and maintain the file there. However, there are no operating expenses, with the exception of bank charges.

BECKER ENTERPRISES
A Standard of Excellence Since 1903

50 SOUTH JONES BLVD., SUITE 101 ••• LAS VEGAS, NEVADA 89107 ••• 702/870-0212

RECEIVED

80 MAR 26



MUR 1147

80 MAR 26 5:08

6000310137479

Ms. Maura White
Federal Election Commission
Page 2 - HOME BUILDERS ASSOCIATION OF NEVADA PAC
March 18, 1980

6. The HOME BUILDERS ASSOCIATION OF NEVADA PAC is a political action fund, organized by the Home Builders Association of the State of Nevada.
7. We both share the same mailing address.
8. We both share the same mailing address, and I am the Treasurer of all three Pacs. I might take this opportunity to explain that since I was Treasurer of the ROCKY MOUNTAIN BUILDERS PAC, I volunteered to be Treasurer of the HOME BUILDERS ASSOCIATION OF NEVADA PAC because I would already be filling out the forms for ROCKY MOUNTAIN and felt it would be just as easy to do two forms as it would be to do one. Although at that time, I had no idea that because I was merely doing the paper work that this may cause the Federal Election Commission to deem these PACS be affiliated.
9. The Board of Directors of the Home Builders Association of the State of Nevada has authorized Joe McDonald, Dwight Millard and Barry W. Becker to make the decisions as to which candidates this Pac will support. We have done so by consulting the Governmental Affairs Division of the National Association of Home Builders, and attending Regional Political Action Seminars and discussing it with many incumbent Senators and Congressmen in the Western United States.
10. Funds are solicited by word of mouth only.
11. We have not participated in any fund raising activities.
12. We have used no solicitation materials.
13. The Board of Directors of the Home Builders Association of the State of Nevada instructed Joe McDonald, Dwight Millard and Barry W. Becker to form this Committee. So,

0101003410730748237

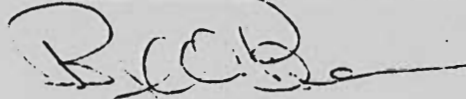
Ms. Maura White
Federal Election Commission
Page 3 - HOME BUILDERS ASSOCIATION OF NEVADA PAC
March 18, 1980

I am submitting our three names. If you feel it is necessary to have the names of the individuals who were members of the Board of Directors of the Association at that time, please let me know and I will have our State Executive Officer furnish me that list of names so that I can forward it on to you.

14. The original constitution and bylaws are still in effect and have not been changed.

Respectfully yours,

HOME BUILDERS ASSOCIATION OF NEVADA PAC



Barry W. Becker
Treasurer

BWB:dr

6 0 0 0 4 0 1 3 0 4 2 1

ATTACHMENT #4

01049230422



- COMMERCIAL
- ACREAGE
- RESIDENTIAL
- INVESTMENT
- PROPERTY MGMT.

March 25, 1980

Ms. Maura White
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

Dear Ms. White:

I am writing this letter as a supplement to the answers of the questions that were posed to me as Treasurer of the Rocky Mountain Builders PAC.

Mr. Jack Kenney and I began looking into establishing a federally-registered Pac in July, 1977. Our main motive was to solicit funds throughout the Rocky Mountain States that have common problems dealing with the United States Government, so that we could support candidates whom we felt understood many of the problems of the small businessman. It was our hope, through this Pac, that we could generate funds to support candidates in other states besides Nevada, by educating more and more people throughout our area that it was important to support candidates in other neighboring states, rather than just candidates from their own states. As you can see by the attached one solicitation hand-out that we had, we contacted a group of builders to help us with this endeavor in many of the states in the Rocky Mountain West. Although, as you can see from our reporting forms, our endeavors were not too tremendously successful. We did not have the time, individually, to adequately sell the benefits of supporting a Pac such as we had established.

I would also like to further clarify the relationship between Becker Realty and the Rocky Mountain Builders PAC. Becker Realty was a licensed real estate company, owned totally by myself, Barry Becker, from 1974, when I was first licensed, until September 1979, when I transferred my license into the corporation of Becker

BECKER ENTERPRISES
A Standard of Excellence Since 1963

50 SOUTH JONES BLVD., SUITE 101 ••• LAS VEGAS, NEVADA 89107 ••• 702/870-0212

RECEIVED
80 MAR 31 4:18



104030423

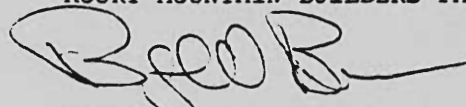
Ms. Maura White
Page 2
March 25, 1980

Realty. This business was used solely for the resale of trade-in homes as a result of our primary business, Becker-Built Homes. In April, 1979, we built our new office complex and, at that time, created enough space for Becker Realty to actually move into a full service real estate business. Later that year, we did incorporate.

This may give a little more insight to my brief answers that were submitted to you on the 18th of this month.

Yours truly,

ROCKY MOUNTAIN BUILDERS PAC



Barry W. Becker
Treasurer

BWB:dr

Enclosures

104030424



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Homebuilders Association of
the State of Nevada PAC
50 South Jones Boulevard
Suite 101
Las Vegas, Nevada 89107

Re: MUR 1147

Dear Mr. Becker:

The Federal Election Commission notified you in a letter dated February 29, 1980, that the Commission found reason to believe that your committee violated 2 U.S.C. §§ 441a and 433 and 11 C.F.R. § 102.2.

Upon further review of the information available to the Commission and information supplied by you, the Commission determined, on , 1980, that there is reason to believe that your committee violated 2 U.S.C. § 441b(a). A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

Please submit answers to the enclosed questions within 15 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred, and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) (formerly § 437g(a)(3)(B)) unless you notify the Commission in writing that you wish the matter to be made public.

0100430425

Letter to: Barry Becker (HAN-PAC)
Page 2

If you have any questions, please contact Maura White,
the staff member assigned to this matter at 202/523-4060.

Sincerely,

Enclosure

1040330426

FEDERAL ELECTION COMMISSION

NOTIFICATION OF REASON TO BELIEVE FINDING

DATE _____

MUR NO. 1147
STAFF MEMBER(S) & TEL. NO.
M. White/ D. Branch

RESPONDENT Homebuilders Association of the
State of Nevada ("HAN-PAC")

202/523-4060

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

BACKGROUND

On February 28, 1980, the Commission determined that there is reason to believe that the Rocky Mountain Builders PAC ("RMB-PAC"), Nevada Now PAC ("NN-PAC"), and the Homebuilders Association of the State of Nevada PAC ("HAN-PAC") violated 2 U.S.C. §§ 441a(a)(1)(A) and 433(b)(2) and 11 C.F.R. § 102.2 by failing to report affiliation with each other and by making contributions to federal candidates during 1978 in excess of the contribution limitations. On February 29, 1980, reason to believe notification letters and interrogatories were mailed to the three PACs. The responses of RMB-PAC, HAN-PAC, and NN-PAC were received on March 26 and March 31, 1980. These responses indicate that the RMB-PAC, NN-PAC, HAN-PAC, and the Becker Realty Corporation may also have violated 2 U.S.C. § 441b(a).

II. Factual Basis and Legal Analysis

The RMB-PAC, NN-PAC, and HAN-PAC share a common treasurer. Barry Becker is the treasurer of the three PACs as well as the President of the Becker Realty Corporation. The addresses of the three PACs are the same as that of the Becker Realty Corporation. The Becker Realty Corporation has been an incorporated entity since November 2, 1978. 1/

A review of reports filed by the RMB-PAC, NN-PAC, and HAN-PAC indicated that, with the exception of bank charges, the PACs have not expended any funds for their respective operation (i.e. rent, phone) since their establishment. 2/

1/ This date of incorporation was obtained from the Nevada Secretary of State. It does not agree, however, with information voluntarily supplied by Mr. Becker. Mr. Becker's March 31, 1980, response has stated tht Becker Realty became incorporated during the latter part of 1979.

2/ RMB-PAC, NN-PAC, and HAN-PAC registered with the Commission on November 28, 1977, February 6, 1978, and October 17, 1977, respectively.

0104030427

- 2 -

In response to the Commission's questions about the operating expenses (rent, phone, salaries) of RMB-PAC, NN-PAC, and HAN-PAC, Mr. Becker stated that there are "no operating expenses" for the three PACs, with the exception of bank charges, since the files of RMB-PAC, NN-PAC, and HAN-PAC are kept in his personal office at the Becker Realty Corporation. He also stated that there are no employees of the PACs as "[i]t is all volunteer work."

As the Becker Realty Corporation has been an incorporated entity since November, 1978, and since neither RMB-PAC, NN-PAC, nor HAN-PAC pay any portion of the rent, phone or other incidental operating expenses, it appears that the Becker Realty Corporation has been making contributions to RMB-PAC, NN-PAC, and HAN-PAC since November 1978 by incurring the costs of the PACs' operation. Moreover, the RMB-PAC engaged in one written solicitation during 1978, the cost of which appears to have been absorbed by the Becker Realty Corporation.

While a corporation may provide administrative support to its separate segregated fund (2 U.S.C. § 441b(b)(2)(C)), neither RMB-PAC, NN-PAC, nor HAN-PAC have reported the Becker Realty Corporation as a connected organization. Both RMB-PAC and NN-PAC report no connected organizations; HAN-PAC reports the Homebuilders Association of the State of Nevada as a connected organization.

2 U.S.C. § 441b(a) prohibits any corporation from making a contribution or expenditure in connection with federal election activities. It is also a violation of this section for any officer or director of any corporation to consent to any contribution or expenditure by the corporation and for any political committee or other person to knowingly accept or receive any contribution prohibited by § 441b. 2 U.S.C. § 431(8)(A)(i) (former § 431(e)(1)(A)) defines contribution to include any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office.

Based on the foregoing analysis, the Federal Election Commission has found:

1. Reason to believe that the HAN-PAC violated 2 U.S.C. § 441b(a).

Questions/Requests for Information

To: Homebuilders Association of the State of Nevada PAC (HAN-PAC)

For purposes of these questions, the following definitions apply: 1) Rocky Mountain Builders PAC shall be referred to as RMB-PAC; 2) Nevada Now PAC shall be referred to as NN-PAC; 3) Homebuilders Association of the State of Nevada PAC shall be referred to as HAN-PAC; and 4) the Homebuilders Association of the State of Nevada shall be referred to as HASN.

1. List the home and business address and occupation for the following persons:
 - a) Joe McDonald
 - b) Dwight Millard
- 2a) List all individuals named in questions 1 a-b who hold any position, i.e. employee, officer, owner, in the Becker Realty Corporation and identify that position. Include the dates that the person has held their position.
- b) List all individuals named in questions 1 a-b who are members or employees of HASN and identify their relationship to the HASN, including the dates of their employment or membership.
- c) List all individuals named in questions 1 a-b who are members or employees of the Homebuilders Association of any other state other than Nevada. Identify the Homebuilders Association to which they belong, and include the dates of their employment or membership.
- 3a) Is any business or activity of HAN-PAC carried out by telephone? If the answer is yes, list all business and activity which is conducted in this manner.
- b) If the answer to question 3(a) is yes, state the name of the individual or entity whose telephone is used by HAN-PAC to conduct such business or activity.

01040230422

- 61040330430
- c) Who pays the cost of the telephone listed in response to question 3(b)?
 - d) What portion, if any, of the telephone costs of the individual or entity listed in response to question 3(b) does HAN-PAC pay per month?
- 4a) Does HAN-PAC pay any rent to the owner of the building located at 50 South Jones Boulevard, Las Vegas, Nevada?
- b) Does HAN-PAC pay any rent to the Becker Realty Corporation?
- c) Does the Becker Realty Corporation pay rent to the owner for HAN-PAC? If the answer is yes, state how much per month.
- 5) Were members of the Homebuilders Association of any state solicited for membership in HAN-PAC? If so, state the name of all Homebuilders Association which were solicited.
- 6) List all individuals who have authority to remove or appoint the officers of HAN-PAC. For each person listed, state their occupation and position within any PAC or Homebuilders Association.
- 7a) May the contribution decisions of HAN-PAC be made by a sole officer or individual? If the answer is yes, state the name of the individual and their position.
- b) For each contribution made by HAN-PAC to the candidates listed below, state the name of all individuals who took part in making the decision to contribute to:
- 1) William Armstrong (CO-S)
 - 2) James McClure (ID-S)
 - 3) Alan Simpson (WY-S)
 - 4) Larry Williams (MT-S)
 - 5) Pete Domenici (AZ-S)
 - 6) Larry Pressler (SD-S)

- c) For each contribution made by HAN-PAC to the candidates listed below, state the name of all individuals, other than those named in response to question 7(b), who were consulted or took part in discussions in regard to each contribution decision:

- 1) William Armstrong (CO-S)
- 2) James McClure (ID-S)
- 3) Alan Simpson (WY-S)
- 4) Larry Williams (MT-S)
- 5) Pete Domenici (AZ-S)
- 6) Larry Pressler (SD-S)

- 7d) When were the decisions of HAN-PAC made to contribute to each of the following candidates:

- 1) William Armstrong (CO-S)?
- 2) James McClure (ID-S)?
- 3) Alan Simpson (WY-S)?
- 4) Larry Williams (MT-S)?
- 5) Pete Domenici (AZ-S)?
- 6) Larry Pressler (SD-S)?

- e) Have any of the contribution decisions of HAN-PAC been made in conjunction with any officer or official of:

- 1) NN-PAC?
- 2) RMB-PAC?
- 3) any other PAC?
- 4) any Homebuilders Association?

If the answer is yes, state the name of the candidate involved, the name of the officer or official, including their title, and the role of the officer or official in the contribution decision.

- 8) Does the HASN have any role in the contribution decisions of HAN-PAC? If the answer is yes, describe its role.
- 9) Were the Constitution and Bylaws of HAN-PAC approved by the HASN? If the answer is yes, state the date they were approved.

0104030431

- 10) Has the HASN, at any time, provided HAN-PAC with financial assistance, including support services, i.e. xeroxing?
- 11) Has Barry Becker ever been an employee or agent, or in any way under the supervision or control of the HASN? If the answer is yes, state the dates that he was in such a position, and describe that position.
- 12) In a letter from Barry Becker, treasurer of HAN-PAC, to the Federal Election Commission dated March 26, 1980, Mr. Becker stated that officials of HAN-PAC attended a seminar at which sample bylaws were distributed. State the date and sponsor of the seminar.
- 13a) For how long have the files of HAN-PAC been maintained in the offices of the Becker Realty Corporation?
- b) Have the files of HAN-PAC been maintained in any place other than the offices of the Becker Realty Corporation since the establishment of HAN-PAC? If so, where?
- 14) Provide copies of all minutes of all meetings where the contribution decisions of HAN-PAC were discussed.
- 15) Provide a copy of the Constitution and Bylaws of HAN-PAC.
- 16) Does HAN-PAC have a Contribution Committee in operation? If the answer is yes, list all members of such committee.

0104030430



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Rocky Mountain Builders PAC
50 South Jones Boulevard
Suite 101
Las Vegas, Nevada 89107

Re: MUR 1147

Dear Mr. Becker:

The Federal Election Commission notified you in a letter dated February 29, 1980, that the Commission found reason to believe that your committee violated 2 U.S.C. §§ 441a and 433 and 11 C.F.R. § 102.2.

Upon further review of the information available to the Commission and information supplied by you, the Commission determined, on , 1980, that there is reason to believe that your committee violated 2 U.S.C. § 441b(a). A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

Please submit answers to the enclosed questions within 15 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred, and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe, if you so desire.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) (formerly § 437g(a)(3)(B)) unless you notify the Commission in writing that you wish the matter to be made public.

Letter to: Barry Becker (RMB-PAC)
Page 2

If you have any questions, please contact Maura White,
the staff member assigned to this matter at 202/523-4060.

Sincerely,

Enclosure

11040230434

FEDERAL ELECTION COMMISSION

NOTIFICATION OF REASON TO BELIEVE FINDING

DATE _____

MUR NO. 1147
STAFF MEMBER(S) & TEL. NO.
M. White/ D. Branch

RESPONDENT Rocky Mountain Builders PAC ("RMB-PAC")
202/523-4060

SOURCE OF MUR: INTERNALLY GENERATED

BACKGROUND

On February 28, 1980, the Commission determined that there is reason to believe that the Rocky Mountain Builders PAC ("RMB-PAC"), Nevada Now PAC ("NN-PAC"), and the Homebuilders Association of the State of Nevada PAC ("HAN-PAC") violated 2 U.S.C. §§ 441a(a)(1)(A) and 433(b)(2) and 11 C.F.R. § 102.2 by failing to report affiliation with each other and by making contributions to federal candidates during 1978 in excess of the contribution limitations. On February 29, 1980, reason to believe notification letters and interrogatories were mailed to the three PACs. The responses of RMB-PAC, HAN-PAC, and NN-PAC were received on March 26 and March 31, 1980. These responses indicate that the RMB-PAC, NN-PAC, HAN-PAC, and the Becker Realty Corporation may also have violated 2 U.S.C. § 441b(a).

II. Factual Basis and Legal Analysis

The RMB-PAC, NN-PAC, and HAN-PAC share a common treasurer. Barry Becker is the treasurer of the three PACs as well as the President of the Becker Realty Corporation. The addresses of the three PACs are the same as that of the Becker Realty Corporation. The Becker Realty Corporation has been an incorporated entity since November 2, 1978. 1/

A review of reports filed by the RMB-PAC, NN-PAC, and HAN-PAC indicated that, with the exception of bank charges, the PACs have not expended any funds for their respective operation (i.e. rent, phone) since their establishment. 2/

1/ This date of incorporation was obtained from the Nevada Secretary of State. It does not agree, however, with information voluntarily supplied by Mr. Becker. Mr. Becker's March 31, 1980, response has stated that Becker Realty became incorporated during the latter part of 1979.

2/ RMB-PAC, NN-PAC, and HAN-PAC registered with the Commission on November 28, 1977, February 6, 1978, and October 17, 1977, respectively.

6104030435

In response to the Commission's questions about the operating expenses (rent, phone, salaries) of RMB-PAC, NN-PAC, and HAN-PAC, Mr. Becker stated that there are "no operating expenses" for the three PACs, with the exception of bank charges, since the files of RMB-PAC, NN-PAC, and HAN-PAC are kept in his personal office at the Becker Realty Corporation. He also stated that there are no employees of the PACs as "[i]t is all volunteer work."

As the Becker Realty Corporation has been an incorporated entity since November, 1978, and since neither RMB-PAC, NN-PAC, nor HAN-PAC pay any portion of the rent, phone or other incidental operating expenses, it appears that the Becker Realty Corporation has been making contributions to RMB-PAC, NN-PAC, and HAN-PAC since November 1978 by incurring the costs of the PACs' operation. Moreover, the RMB-PAC engaged in one written solicitation during 1978, the cost of which appears to have been absorbed by the Becker Realty Corporation.

While a corporation may provide administrative support to its separate segregated fund (2 U.S.C. § 441b(b)(2)(C)), neither RMB-PAC, NN-PAC, nor HAN-PAC have reported the Becker Realty Corporation as a connected organization. Both RMB-PAC and NN-PAC report no connected organizations; HAN-PAC reports the Homebuilders Association of the State of Nevada as a connected organization.

2 U.S.C. § 441b(a) prohibits any corporation from making a contribution or expenditure in connection with federal election activities. It is also a violation of this section for any officer or director of any corporation to consent to any contribution or expenditure by the corporation and for any political committee or other person to knowingly accept or receive any contribution prohibited by § 441b. 2 U.S.C. § 431(8) (A)(i) (former § 431(e)(1)(A)) defines contribution to include any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office.

Based on the foregoing analysis, the Federal Election Commission has found:

1. Reason to believe that the RMB-PAC violated 2 U.S.C. § 441b(a).

Questions/Requests for Information

To: Rocky Mountain Builders PAC (RMB-PAC)

For purposes of these questions, the following definitions apply: 1) Rocky Mountain Builders PAC shall be referred to as RMB-PAC; 2) Nevada Now PAC shall be referred to as NN-PAC; 3) Homebuilders Association of the State of Nevada PAC shall be referred to as HAN-PAC; and 4) the Homebuilders Association of the State of Nevada shall be referred to as HASN.

1. List the home and business address and occupation for the following persons:
- a) Barry Becker
 - b) John Kenney
 - c) Ron J. Causey
- 2a) List all individuals named in questions 1 a-c who hold any position, i.e. employee, officer, owner, in the Becker Realty Corporation and identify that position. Include the dates that the person has held their position.
- b) List all individuals named in questions 1 a-c who are members or employees of HASN and identify their relationship to the HASN, including the dates of their employment or membership.
- c) List all individuals named in questions 1 a-c who are members or employees of the Homebuilders Association of any other state other than Nevada. Identify the Homebuilders Association to which they belong, and include the dates of their employment or membership.

41040330437

- 3a) Is any business or activity of RMB-PAC carried out by telephone? If the answer is yes, list all business and activity which is conducted in this manner.
- b) If the answer to question 3(a) is yes, state the name of the individual or entity whose telephone is used by RMB-PAC to conduct such business or activity.
- c) Who pays the cost of the telephone listed in response to question 3(b)?
- d) What portion, if any, of the telephone costs of the individual or entity listed in response to question 3(b) does RMB-PAC pay per month?
- 4a) Does RMB-PAC pay any rent to the owner of the building located at 50 South Jones Boulevard, Las Vegas, Nevada?
- b) Does RMB-PAC pay any rent to the Becker Realty Corporation?
- c) Does the Becker Realty Corporation pay any rent to the owner for RMB-PAC? If the answer is yes, state how much per month.
- 5) Were members of the Homebuilders Association of any state solicited for membership in RMB-PAC? If so, state the name of all Homebuilders Associations which were solicited.
- 6) List all individuals who have authority to remove or appoint the officers of RMB-PAC. For each person listed, state their occupation and position within any PAC or Homebuilders Association.

104030439

- 7a) May the contribution decisions of RMB-PAC be made by a sole officer or individual? If the answer is yes, state the name of the individual and their position.
- b) For each contribution made by RMB-PAC to the candidates listed below, state the name of all individuals who took part in making the decision to contribute to:
- 1) William Armstrong (CO-S)
 - 2) James McClure (ID-S)
 - 3) Alan Simpson (WY-S)
 - 4) Larry Williams (MT-S)
 - 5) Jed Richardson (UT-1)
 - 6) Tom Richey (AZ-2)
 - 7) Bob Stump (AZ-3)
- c) For each contribution made by RMB-PAC to the candidates listed below, state the name of all individuals, other than those named in response to question 7(b), who were consulted or took part in discussions in regard to each contribution decision:
- 1) William Armstrong (CO-S)
 - 2) James McClure (ID-S)
 - 3) Alan Simpson (WY-S)
 - 4) Larry Williams (MT-S)
 - 5) Jed Richardson (UT-1)
 - 6) Tom Richey (AZ-2)
 - 7) Bob Stump (AZ-3)
- d) When were the decisions of RMB-PAC made to contribute to each of the following candidates:
- 1) William Armstrong (CO-S)?
 - 2) James McClure (ID-S)?
 - 3) Alan Simpson (WY-S)?
 - 4) Larry Williams (MT-S)?
 - 5) Jed Richardson (UT-1)?
 - 6) Tom Richey (AZ-2)?
 - 7) Bob Stump (AZ-3)?

104030430

7e) Have any of the contribution decisions of RMB-PAC been made in conjunction with any officer or official of:

- 1) NN-PAC?
- 2) HAN-PAC?
- 3) any other PAC?
- 4) any Homebuilders Association?

If the answer is yes, state the name of the candidate involved, the name of the officer or official, including their title, and the role of the officer or official in the contribution decision.

- 8) In a letter from Barry Becker, treasurer of RMB-PAC, to the Federal Election Commission dated March 26, 1980, Mr. Becker stated that officials of RMB-PAC attended a seminar at which sample bylaws were distributed. State the date and sponsor of the seminar.
- 9) In a letter from Barry Becker, treasurer of RMB-PAC to the Federal Election Commission dated March 26, 1980, Mr. Becker stated that the RMB-PAC engaged in one written solicitation during 1978. In regard to that solicitation:
- a) State the cost of the paper, materials, and xeroxing used in the solicitation.
 - b) Who paid the cost of paper, materials, and xeroxing used in the solicitation?
 - c) Where was the solicitation reproduced?
 - d) State the name, occupation, and employer of the individual who reproduced the solicitation and whether this work was done during normal working hours.
 - e) State the name, occupation, and employer of the individual who typed the solicitation, and whether this work was done during normal working hours.

1040330440

- f) If the solicitation was mailed, state the cost of the mailing of the solicitation.
- g) Who paid the cost of mailing the solicitation?
- h) To whom was the solicitation distributed?

- 10a) For how long have the files of RMB-PAC been maintained in the offices of the Becker Realty Corporation?
- b) Have the files of RMB-PAC been maintained in any place other than the offices of the Becker Realty Corporation since the establishment of RMB-PAC? If so, where?

- 11) Provide copies of all minutes of all meetings where the contribution decisions of RMB-PAC were discussed.

- 12) Article IX of the Constitution and Bylaws of RMB-PAC provides for a Contribution Committee. Does the RMB-PAC have such a committee in operation? If so, list all individuals who are members of this committee.

104030441



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Nevada Now PAC
50 South Jones Boulevard
Suite 101
Las Vegas, Nevada 89107

Re: MUR 1147

Dear Mr. Becker:

The Federal Election Commission notified you in a letter dated February 29, 1980, that the Commission found reason to believe that your committee violated 2 U.S.C. §§ 441a and 433 and 11 C.F.R. § 102.2.

Upon further review of the information available to the Commission and information supplied by you, the Commission determined, on , 1980, that there is reason to believe that your committee violated 2 U.S.C. § 441b(a). A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

Please submit answers to the enclosed questions within 15 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred, and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe, if you so desire.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) (formerly § 437g(a)(3)(B)) unless you notify the Commission in writing that you wish the matter to be made public.

Letter to: Barry Becker (NN-PAC)
Page 2

If you have any questions, please contact Maura White,
the staff member assigned to this matter at 202/523-4060.

Sincerely,

Enclosure

1040230443

FEDERAL ELECTION COMMISSION

NOTIFICATION OF REASON TO BELIEVE FINDING

DATE _____

MUR NO. 1147
STAFF MEMBER(S) & TEL. NO.
M. White/ D. Branch

RESPONDENT Nevada Now PAC ("NN-PAC")

202/523-4060

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

BACKGROUND

On February 28, 1980, the Commission determined that there is reason to believe that the Rocky Mountain Builders PAC ("RMB-PAC"), Nevada Now PAC ("NN-PAC"), and the Homebuilders Association of the State of Nevada PAC ("HAN-PAC") violated 2 U.S.C. §§ 441a(a)(1)(A) and 433(b)(2) and 11 C.F.R. § 102.2 by failing to report affiliation with each other and by making contributions to federal candidates during 1978 in excess of the contribution limitations. On February 29, 1980, reason to believe notification letters and interrogatories were mailed to the three PACs. The responses of RMB-PAC, HAN-PAC, and NN-PAC were received on March 26 and March 31, 1980. These responses indicate that the RMB-PAC, NN-PAC, HAN-PAC, and the Becker Realty Corporation may also have violated 2 U.S.C. § 441b(a).

II. Factual Basis and Legal Analysis

The RMB-PAC, NN-PAC, and HAN-PAC share a common treasurer. Barry Becker is the treasurer of the three PACs as well as the President of the Becker Realty Corporation. The addresses of the three PACs are the same as that of the Becker Realty Corporation. The Becker Realty Corporation has been an incorporated entity since November 2, 1978. 1/

A review of reports filed by the RMB-PAC, NN-PAC, and HAN-PAC indicated that, with the exception of bank charges, the PACs have not expended any funds for their respective operation (i.e. rent, phone) since their establishment. 2/

1/ This date of incorporation was obtained from the Nevada Secretary of State. It does not agree, however, with information voluntarily supplied by Mr. Becker. Mr. Becker's March 31, 1980, response has stated tht Becker Realty became incorporated during the latter part of 1979.

2/ RMB-PAC, NN-PAC, and HAN-PAC registered with the Commission on November 28, 1977, February 6, 1978, and October 17, 1977, respectively.

104030441

In response to the Commission's questions about the operating expenses (rent, phone, salaries) of RMB-PAC, NN-PAC, and HAN-PAC, Mr. Becker stated that there are "no operating expenses" for the three PACs, with the exception of bank charges, since the files of RMB-PAC, NN-PAC, and HAN-PAC are kept in his personal office at the Becker Realty Corporation. He also stated that there are no employees of the PACs as "[i]t is all volunteer work."

As the Becker Realty Corporation has been an incorporated entity since November, 1978, and since neither RMB-PAC, NN-PAC, nor HAN-PAC pay any portion of the rent, phone or other incidental operating expenses, it appears that the Becker Realty Corporation has been making contributions to RMB-PAC, NN-PAC, and HAN-PAC since November 1978 by incurring the costs of the PACs' operation. Moreover, the RMB-PAC engaged in one written solicitation during 1978, the cost of which appears to have been absorbed by the Becker Realty Corporation.

While a corporation may provide administrative support to its separate segregated fund (2 U.S.C. § 441b(b)(2)(C)), neither RMB-PAC, NN-PAC, nor HAN-PAC have reported the Becker Realty Corporation as a connected organization. Both RMB-PAC and NN-PAC report no connected organizations; HAN-PAC reports the Homebuilders Association of the State of Nevada as a connected organization.

2 U.S.C. § 441b(a) prohibits any corporation from making a contribution or expenditure in connection with federal election activities. It is also a violation of this section for any officer or director of any corporation to consent to any contribution or expenditure by the corporation and for any political committee or other person to knowingly accept or receive any contribution prohibited by § 441b. 2 U.S.C. § 431(8)(A)(i) (former § 431(e)(1)(A)) defines contribution to include any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office.

Based on the foregoing analysis, the Federal Election Commission has found:

1. Reason to believe that the NN-PAC violated 2 U.S.C. § 441b(a).

104030445

Questions/Requests for Information

To: Nevada Now PAC (NN-PAC)

For purposes of these questions, the following definitions apply: 1) Rocky Mountain Builders PAC shall be referred to as RMB-PAC; 2) Nevada Now PAC shall be referred to as NN-PAC; 3) Homebuilders Association of the State of Nevada PAC shall be referred to as HAN-PAC; and 4) the Homebuilders Association of the State of Nevada shall be referred to as HASN.

1. List the home and business address and occupation for the following persons:
 - 1) Ernest A. Becker, Sr.
 - 2) Andy Skurski
- 2a) List all individuals named in questions 1 a-b who hold any position, i.e. employee, officer, owner, in the Becker Realty Corporation and identify that position. Include the dates that the person has held their position.
- b) List all individuals named in questions 1 a-b who are members or employees of HASN and identify their relationship to the HASN, including the dates of their employment or membership.
- c) List all individuals named in questions 1 a-b who are members or employees of the Homebuilders Association of any other state other than Nevada. Identify the Homebuilders Association to which they belong, and include the dates of their employment or membership.
- 3a) Is any business or activity of NN-PAC carried out by telephone? If the answer is yes, list all business and activity which is conducted in this manner.
- b) If the answer to question 3(a) is yes, state the name of the individual or entity whose telephone is used by NN-PAC to conduct such business or activity.

6104030445

- 1
1
0
4
0
2
3
0
4
4
7
- c) Who pays the cost of the telephone listed in response to question 3(b)?
 - d) What portion, if any, of the telephone costs of the individual or entity listed in response to question 3(b) does NN-PAC pay per month?
- 4a) Does NN-PAC pay any rent to the owner of the building located at 50 South Jones Boulevard, Las Vegas, Nevada?
- b) Does NN-PAC pay any rent to the Becker Realty Corporation?
- c) Does the Becker Realty Corporation pay any rent to the owner for NN-PAC? If the answer is yes, state how much per month.
- 5) Were members of the Homebuilders Association of any state solicited for membership in NN-PAC? If so, state the name of all Homebuilders Associations which were solicited.
- 6) List all individuals who have authority to remove or appoint the officers of NN-PAC. For each person listed, state their occupation and position within any PAC or Homebuilders Association.
- 7a) May the contribution decisions of NN-PAC be made by a sole officer or individual? If the answer is yes, state the name of the individual and their position.
- b) For each contribution made by NN-PAC to the candidates listed below, state the name of all individuals who took part in making the decision to contribute to:
- 1) William Armstrong (CO-S)
 - 2) James McClure (ID-S)
 - 3) Alan Simpson (WY-S)
 - 4) Larry Williams (MT-S)
 - 5) Jed Richardson (UT-1)
 - 6) Tom Richey (AZ-2)
 - 7) Bob Stump (AZ-3)
 - 8) Pete Domenici (AZ-S)
 - 9) Larry Pressler (SD-S)

- c) For each contribution made by NN-PAC to the candidates listed below, state the name of all individuals, other than those named in response to question 7(b), who were consulted or took part in discussions in regard to each contribution decision:

- 1) William Armstrong (CO-S)
- 2) James McClure (ID-S)
- 3) Alan Simpson (WY-S)
- 4) Larry Williams (MT-S)
- 5) Jed Richardson (UT-1)
- 6) Tom Richey (AZ-2)
- 7) Bob Stump (AZ-3)
- 8) Pete Domenici (AZ-S)
- 9) Larry Pressler (SD-S)

- 7d) When were the decisions of NN-PAC made to contribute to each of the following candidates:

- 1) William Armstrong (CO-S)?
- 2) James McClure (ID-S)?
- 3) Alan Simpson (WY-S)?
- 4) Larry Williams (MT-S)?
- 5) Jed Richardson (UT-1)?
- 6) Tom Richey (AZ-2)?
- 7) Bob Stump (AZ-3)?
- 8) Pete Domenici (AZ-S)?
- 9) Larry Pressler (SD-S)?

- e) Have any of the contribution decisions of NN-PAC been made in conjunction with any officer or official of:

- 1) RMB-PAC?
- 2) HAN-PAC?
- 3) any other PAC?
- 4) any Homebuilders Association?

If the answer is yes, state the name of the candidate involved, the name of the officer or official, including their title, and the role of the officer or official in the contribution decision.

0104030449

- 8) In a letter from Barry Becker, treasurer of NN-PAC, to the Federal Election Commission dated March 26, 1980, Mr. Becker stated that officials of NN-PAC attended a seminar at which sample bylaws were distributed. State the date and sponsor of the seminar.
- 9a) For how long have the files of NN-PAC been maintained in the offices of the Becker Realty Corporation?
- b) Have the files of NN-PAC been maintained in any place other than the offices of the Becker Realty Corporation since the establishment of NN-PAC? If so, where?
- 10) Provide copies of all minutes of all meetings where the contribution decisions of NN-PAC were discussed.
- 11) Article IX of the Constitution and Bylaws of NN-PAC provides for a Contribution Committee. Does the NN-PAC have such a committee in operation? If so, list all individuals who are members of this committee.

0104030447



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, President
Becker Realty
50 South Jones Boulevard
Suite 101
Las Vegas, Nevada 89107

Re: MUR 1147

Dear Mr. Becker:

On , 1980, the Federal Election Commission determined that there is reason to believe that the Becker Realty Corporation violated section 441b(a) of the Federal Election Campaign Act of 1971, as amended ("the Act"). A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

Please submit answers to the enclosed questions within 15 days of receipt of this letter. Where appropriate statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against the Becker Realty Corporation, the Commission may find probable cause to believe that a violation has occurred, and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe, if you so desire.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) (formerly § 437g(a)(3)(B)) unless you notify the Commission in writing that you wish the matter to be made public.

If you have any questions, please contact Maura White, the staff member assigned to this matter at 202/523-4060.

Sincerely,

Enclosure

104030450

FEDERAL ELECTION COMMISSION

NOTIFICATION OF REASON TO BELIEVE FINDING

DATE _____

MUR NO. 1147
STAFF MEMBER(S) & TEL. NO.
M. White/ D. Branch

RESPONDENT Becker Realty Corporation

202/523-4060

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

BACKGROUND

On February 28, 1980, the Commission determined that there is reason to believe that the Rocky Mountain Builders PAC ("RMB-PAC"), Nevada Now PAC ("NN-PAC"), and the Home-builders Association of the State of Nevada PAC ("HAN-PAC") violated 2 U.S.C. §§ 441a(a)(1)(A) and 433(b)(2) and 11 C.F.R. § 102.2 by failing to report affiliation with each other and by making contributions to federal candidates during 1978 in excess of the contribution limitations. On February 29, 1980, reason to believe notification letters and interrogatories were mailed to the three PACs. The responses of RMB-PAC, HAN-PAC, and NN-PAC were received on March 26 and March 31, 1980. These responses indicate that the RMB-PAC, NN-PAC, HAN-PAC, and the Becker Realty Corporation may also have violated 2 U.S.C. § 441b(a).

II. Factual Basis and Legal Analysis

The RMB-PAC, NN-PAC, and HAN-PAC share a common treasurer. Barry Becker is the treasurer of the three PACs as well as the President of the Becker Realty Corporation. The addresses of the three PACs are the same as that of the Becker Realty Corporation. The Becker Realty Corporation has been an incorporated entity since November 2, 1978. 1/

A review of reports filed by the RMB-PAC, NN-PAC, and HAN-PAC indicated that, with the exception of bank charges, the PACs have not expended any funds for their respective operation (i.e. rent, phone) since their establishment. 2/

1/ This date of incorporation was obtained from the Nevada Secretary of State. It does not agree, however, with information voluntarily supplied by Mr. Becker. Mr. Becker's March 31, 1980, response has stated that Becker Realty became incorporated during the latter part of 1979.

2/ RMB-PAC, NN-PAC, and HAN-PAC registered with the Commission on November 28, 1977, February 6, 1978, and October 17, 1977, respectively.

0104030451

- 2 -

In response to the Commission's questions about the operating expenses (rent, phone, salaries) of RMB-PAC, NN-PAC, and HAN-PAC, Mr. Becker stated that there are "no operating expenses" for the three PACs, with the exception of bank charges, since the files of RMB-PAC, NN-PAC, and HAN-PAC are kept in his personal office at the Becker Realty Corporation. He also stated that there are no employees of the PACs as "[i]t is all volunteer work."

As the Becker Realty Corporation has been an incorporated entity since November, 1978, and since neither RMB-PAC, NN-PAC, nor HAN-PAC pay any portion of the rent, phone or other incidental operating expenses, it appears that the Becker Realty Corporation has been making contributions to RMB-PAC, NN-PAC, and HAN-PAC since November 1978 by incurring the costs of the PACs' operation. Moreover, the RMB-PAC engaged in one written solicitation during 1978, the cost of which appears to have been absorbed by the Becker Realty Corporation.

While a corporation may provide administrative support to its separate segregated fund (2 U.S.C. § 441b(b)(2)(C)), neither RMB-PAC, NN-PAC, nor HAN-PAC have reported the Becker Realty Corporation as a connected organization. Both RMB-PAC and NN-PAC report no connected organizations; HAN-PAC reports the Homebuilders Association of the State of Nevada as a connected organization.

2 U.S.C. § 441b(a) prohibits any corporation from making a contribution or expenditure in connection with federal election activities. It is also a violation of this section for any officer or director of any corporation to consent to any contribution or expenditure by the corporation and for any political committee or other person to knowingly accept or receive any contribution prohibited by § 441b. 2 U.S.C. § 431(8)(A)(i) (former § 431(e)(1)(A)) defines contribution to include any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office.

Based on the foregoing analysis, the Federal Election Commission has found:

1. Reason to believe that the Becker Realty Corporation violated 2 U.S.C. § 441b(a).

Questions/Requests for Information

To: Becker Realty Corporation

1. State the date of the incorporation of the Becker Realty Corporation.
2. Who owns the building located at 50 South Jones Boulevard, Las Vegas, Nevada?
3. Does the Becker Realty Corporation pay any rent to the owner of the building located at 50 South Jones Boulevard, Las Vegas, Nevada?
4. State the name of all businesses which reside at Suite 101, 50 South Jones Boulevard, Las Vegas, Nevada.
5. State the address of the Becker Realty Corporation prior to its relocation at 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada.
6. Are the facilities of the Becker Realty Corporation (i.e. typewriter, phone) utilized by either RMB-PAC, NN-PAC or HAN-PAC in the day to day operation of each PAC ? If the answer is yes, state whether or not any of the PACs pay for these services.

0104030453



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS/MARGARET CHANEY *me*

DATE: APRIL 1, 1980

SUBJECT: MUR 1147 - Interim Investigative Report #1,
dated 3-25-80; Signed 3-28-80; Received
in OCS 3-28-80, 1:46

The above-named document was circulated to the Commission on a 24 hour no-objection basis at 11:00, March 31, 1980.

There were no objections to the Interim Investigative Report at the time of the deadline.

8104030454

March 28, 1980

MEMORANDUM TO: Marjorie W. Emmons

FROM: Elissa T. Garr

SUBJECT: MUR 1147

Please have the attached Interim Invest Report distributed to the Commission. Thank you.

81040230455

BEFORE THE FEDERAL ELECTION COMMISSION
March 25, 1980

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY


80 MAR 28 P 1: 46

In the Matter of)
)
Rocky Mountain Builders PAC ("RMB-PAC")) MUR 1147
Nevada Now PAC ("NN-PAC"))
Homebuilders Association of the)
State of Nevada PAC ("HAN-PAC"))

INTERIM INVESTIGATIVE REPORT #1

On February 28, 1980, the Commission determined that there is reason to believe that the Rocky Mountain Builders PAC, Nevada Now PAC, and Homebuilders Association of the State of Nevada PAC violated 2 U.S.C. §§ 441a(a)(1)(A) and 433(b)(2), and 11 C.F.R. § 102.2. On February 29, 1980, reason to believe letters and interrogatories were mailed to Barry Becker, the treasurer of the above three PACs. Return receipts indicate that the last of the three letters was received by Mr. Becker on March 10, 1979. In a conversation with Mr. Becker on March 24, 1980, he indicated that he mailed the responses of the RMB-PAC, NN-PAC, and HAN-PAC on March 19, 1980. Upon receipt the Office of General Counsel will review the information submitted and prepare an appropriate recommendation.

28 March 1980
Date


Charles N. Steele
General Counsel



- COMMERCIAL
- ACREAGE
- RESIDENTIAL
- INVESTMENT
- PROPERTY MGMT.

March 25, 1980



Ms. Maura White
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

Dear Ms. White:

I am writing this letter as a supplement to the answers of the questions that were posed to me as Treasurer of the Rocky Mountain Builders PAC.

Mr. Jack Kenney and I began looking into establishing a federally-registered Pac in July, 1977. Our main motive was to solicit funds throughout the Rocky Mountain States that have common problems dealing with the United States Government, so that we could support candidates whom we felt understood many of the problems of the small businessman. It was our hope, through this Pac, that we could generate funds to support candidates in other states besides Nevada, by educating more and more people throughout our area that it was important to support candidates in other neighboring states, rather than just candidates from their own states. As you can see by the attached one solicitation hand-out that we had, we contacted a group of builders to help us with this endeavor in many of the states in the Rocky Mountain West. Although, as you can see from our reporting forms, our endeavors were not too tremendously successful. We did not have the time, individually, to adequately sell the benefits of supporting a Pac such as we had established.

I would also like to further clarify the relationship between Becker Realty and the Rocky Mountain Builders PAC. Becker Realty was a licensed real estate company, owned totally by myself, Barry Becker, from 1974, when I was first licensed, until September 1979, when I transferred my license into the corporation of Becker

BECKER ENTERPRISES
A Standard of Excellence Since 1963

50 SOUTH JONES BLVD., SUITE 101 ••• LAS VEGAS, NEVADA 89107 ••• 702/870-0212

50 MAR 31 1980
P12: 702-870-0212

0104030457

Ms. Maura White

Page 2

March 25, 1980

Realty. This business was used solely for the resale of trade-in homes as a result of our primary business, Becker-Built Homes. In April, 1979, we built our new office complex and, at that time, created enough space for Becker Realty to actually move into a full service real estate business. Later that year, we did incorporate.

This may give a little more insight to my brief answers that were submitted to you on the 18th of this month.

Yours truly,

ROCKY MOUNTAIN BUILDERS PAC



Barry W. Becker
Treasurer

BWB:dr

Enclosures

81040230458



- COMMERCIAL
- ACREAGE
- RESIDENTIAL
- INVESTMENT
- PROPERTY MGMT.

March 18, 1980

Ms. Maura White
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Ms. White:

I will number my answers identical to the questions I will be answering.

ROCKY MOUNTAIN BUILDERS PAC

1. 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, 89107.
2. John E. Kenney, Jr., Chairman, Ron J. Causey, Vice-Chairman, and Barry W. Becker, Treasurer. Barry Becker handles all duties and chores in relationship to the administration and operation of the PAC. There are no employees to speak of. In other words, no one receives compensation for their services. It is all volunteer work.
3. John Kenney, Jr., Ron Causey and Barry Becker founded the ROCKY MOUNTAIN BUILDERS PAC in order to solicit funds to support candidates for Federal election.
4. John E. Kenney, Jr., Ron J. Causey, and Barry W. Becker.
5. There have been no operating expenses for the PAC. I use my personal office as the mailing address and maintain the file there. However, there are no operating expenses, with the exception of bank charges.

BECKER ENTERPRISES
A Standard of Excellence Since 1903

50 SOUTH JONES BLVD., SUITE 101 ••• LAS VEGAS, NEVADA 89107 ••• 702/870-0212

1040330450

Ms. Maura White
Federal Election Commission
Page 2 - ROCKY MOUNTAIN BUILDERS PAC
March 18, 1980

6. We both share the same mailing address.
7. The only relationship that I know of is that I am the Treasurer of each PAC, they all share the same mailing address, their bylaws are the same, and because the organizers of all the Pacs attended the same seminar at which sample bylaws for the establishment of Political Action Committees were available.
8. John Kenney, Jr., Ron J. Causey and Barry W. Becker have the sole responsibility for making these decisions. By all members of our Contribution Committee, I assume you mean the members of our Pac and all contributions and members have been reported in our yearly and quarterly reports. We have received no funds since our last report.
9. The funds are solicited merely by word of mouth.
10. Yes. We participated in a fund raising activity, which was reported in my first quarterly report for 1979.
11. We had one (1) solicitation. Copy of material is enclosed.
12. John Kenney, Jr., Ron J. Causey and Barry Becker established this Political Action Committee because of the new rules governing campaign contributions to Federal candidates. We had hoped to be able to solicit and generate a sizeable amount of funds in which to support candidates who strongly believe in the free enterprise system and free competition. Although, as you can see from our reports, we have not yet been able to generate the amount of funds that we had hoped for.

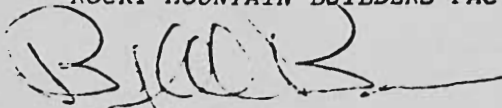
0104030460

Ms. Maura White
Federal Election Commission
Page 3 - ROCKY MOUNTAIN BUILDERS PAC
March 18, 1980

13. The original constitution and bylaws are still in effect and have not been changed.

Respectfully yours,

ROCKY MOUNTAIN BUILDERS PAC



Barry W. Becker
Treasurer

BWB:dr

Enclosure

11040230461

INTERROGATORIES/REQUESTS FOR INFORMATION

1. State the location of RMB-PAC offices.
2. List all employees and officers of RMB-PAC, including their respective duties.
3. Describe the method whereby the officers of RMB-PAC are appointed.
4. List all individuals who administer the financial affairs of RMB-PAC.
5. How are the operating expenses, i.e. rent, telephone, salaries, of RMB-PAC paid for or provided for?
6. What relationship, if any, exists between RMB-PAC and the Becker Realty Corporation?
7. What relationship, if any, exists between RMB-PAC and the Homebuilders Association of the State of Nevada PAC and the Nevada Now PAC?
8. Describe the method whereby the RMB-PAC selects candidates to support for federal office, and include the name and position of all individuals involved, in any way, in those decisions. Include all members of the Contribution Committee and indicate that they are members of this committee.
9. Describe the method whereby funds are solicited for RMB-PAC.
10. Has RMB-PAC ever participated in any fundraising activities, alone, or with either the Homebuilders Association of the State of Nevada PAC or Nevada Now PAC? If the answer is yes, indicate what portion of the costs were incurred by RMB-PAC, and indicate what disposition was made of the proceeds.
11. Provide copies of all solicitation materials used by RMB-PAC during 1978.
12. List all individuals involved in the establishment of RMB-PAC, and describe their role in such establishment.
13. Provide a copy of the most recent Constitution and Bylaws of RMB-PAC.

1104030462

104030463
COMMITTEE MEMBERSHIP They will decide which races and the amount
of contribution.

Chairman - Jack Kenney, NV
Vice Chairman

Arizona - Pete Herder
Ralph Staggs

Colorado - John Dawson
Ralph Weinland

Nevada - Dudley Smith

New Mexico - Gerhard Muller
Peg Parsons

Treasurer - Barry Becker, NV

Utah - Dan Jerman
Glade Nielsen

Wyoming - Skip Cunningham
Joe Mock

Idaho - Ray Behrman
to be picked

Montana - Robert Miller
to be picked

DIRECTIONS: Builder members: please complete form and send
at least \$100. If your total is greater than \$100
for the two and one-half years covered by the form
will you please send the PAC the highest figure.

Each month, builder members will be asked to give
on a voluntary basis by completing the form and
sending your check to the PAC. The cost is \$3
per house.

Associate members: please complete the form and
send at least \$50. Each month you will be asked
to give on a voluntary basis. The cost is \$1.50
per house.

Using the formula for a builder, simply divide by 2
the total amount and this would be your figure
for two and one-half years. Will you please send
the PAC the highest figure.

EXAMPLE: \$3 x 10 single family units = \$30
\$2 x 15 apartment units = \$30
.0001 x \$300,000 of com'l permit = \$30

0104030464

Year 1975 - Single Family \$3 x _____ (units built) = \$_____
 Apartments \$2 x _____ (units built) = \$_____
 Commercial \$ _____ x .0001 = \$_____

Year 1976 Single Family \$3 x _____ (units built) = \$_____
 Apartments \$2 x _____ (units built) = \$_____
 Commercial \$ _____ x .0001 = \$_____

Jan - June 1977 Single Family \$3 x _____ (units built) = \$_____
 Apartments \$2 x _____ (units built) = \$_____
 Commercial \$ _____ x .0001 = \$_____

BUILDER TOTAL \$_____
ASSOCIATE TOTAL \$_____

Mail to ROCKY MOUNTAIN BUILDERS PAC
6115 Clarice Ave. Las Vegas, NV 89107

I desire to make a contribution. I am aware the Committee will disburse the funds for political purposes as it sees fit according to the guidelines set forth in the Committee's Articles of Organization.

Enclosed is my check for \$ _____ pledge for \$ _____

NAME _____ Builder _____ Associate _____

HOME ADDRESS _____ STATE _____ ZIP _____

HOME PHONE NO. () _____ BUS PHONE () _____

SIGNATURE _____ OCCUPATION _____

US CITIZEN YES _____ NO _____ Authorized and paid for by Rocky Mountain Builders Political Action Committee 6115 Clarice Ave Las Vegas NV 89107 John E. (Jack) Kenney, Jr. Chairman. A copy of our report is filed with the Federal Election Committee in Washington, D.C. and is available for purchase.



- COMMERCIAL
- ACREAGE
- RESIDENTIAL
- INVESTMENT
- PROPERTY MGMT.

March 18, 1980

Ms. Maura White
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463

Dear Ms. White:

I will number my answers identical to the questions I will be answering.

NEVADA NOW PAC

1. 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, 89107.
2. Ernest A. Becker, Sr., Chairman; Andy Skurski, Vice-Chairman, and Barry W. Becker, Treasurer. Barry Becker handles all duties and chores in relationship to the administration and operation of the PAC. There are no employees to speak of. In other words, no one receives compensation for their services. It is all volunteer work.
3. The original officers of the NEVADA NOW PAC were appointed by my father, Ernest A. Becker, Sr., in the organization of the PAC.
4. Ernest A. Becker, Sr., Andy Skurski, and Barry W. Becker.
5. There have been no operating expenses for the PAC. I use my personal office as the mailing address and maintain the file there. However, there are no operating expenses, with the exception of bank charges.

BECKER ENTERPRISES
A Standard of Excellence Since 1903

50 SOUTH JONES BLVD., SUITE 101 ••• LAS VEGAS, NEVADA 89107 ••• 702/870-0212

11040230465

Ms. Maura White
Federal Election Commission
Page 2 - NEVADA NOW PAC
March 18, 1980

6. We both share the same mailing address.
7. The only relationship that I know of is that I am the Treasurer of each PAC, they all share the same mailing address, their bylaws are the same, and because the organizers of all the PACS attended the same seminar at which sample bylaws for the establishment of Political Action Committees were available.
8. Ernest A. Becker, Sr. and Andy Skurski, to this point, have made all the decisions as to which candidates would be supported for Federal office. They based their decisions primarily on information they had received from friends in other Western states and from recommendations from our Congressional Delegation here in Nevada upon our request of them for this information. Example: My question to Senator Laxalt would be - Senator Laxalt, who would be a good candidate for the United States Senate in the West to support for re-election since you are not running for re-election this year? He may have suggested four or five candidates at that time.
9. The funds are solicited mainly by my father, Ernest A. Becker, Sr., merely by word of mouth.
10. No.
11. There has never been any solicitation materials used.
12. Ernest A. Becker, Sr., Andy Skurski, and Barry W. Becker.
13. The original constitution and bylaws are still in effect and have not been changed.

Respectfully yours,

NEVADA NOW PAC



Barry W. Becker
Treasurer

EWB:dr

104030465

INTERROGATORIES/REQUESTS FOR INFORMATION

1. State the location of NN-PAC offices.
2. List all employees and officers of NN-PAC, including their respective duties.
3. Describe the method whereby the officers of NN-PAC are appointed.
4. List all individuals who administer the financial affairs of NN-PAC.
5. How are the operating expenses, i.e. rent, telephone, salaries, of NN-PAC paid for or provided for?
6. What relationship, if any, exists between NN-PAC and the Becker Realty Corporation?
7. What relationship, if any, exists between NN-PAC and the Rocky Mountain Builders PAC and the Homebuilders Association of the State of Nevada PAC?
8. Describe the method whereby NN-PAC selects candidates to support for federal office, and include the name and position of all individuals involved, in any way, in those decisions. Include all members of the Contribution Committee and indicate that they are members of this committee.
9. Describe the method whereby funds are solicited for NN-PAC.
10. Has NN-PAC ever participated in any fundraising activities, alone, or with either the Rocky Mountain Builders PAC or the Homebuilders Association of the State of Nevada PAC? If the answer is yes, indicate what portion of the costs were incurred by NN-PAC, and indicate what disposition was made of the proceeds.
11. Provide copies of all solicitation materials used by NN-PAC during 1978.
12. List all individuals involved in the establishment of NN-PAC, and describe their role in such establishment.
13. Provide a copy of the most recent Constitution and Bylaws of NN-PAC.

1040230467



- March 18, 1980

Dear Ms. White:

HOME BUILDERS ASSOCIATION OF NEVADA PAC

1. 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada,
89107.
2. Joe McDonald, Chairman, Dwight Millard, Vice-Chairman,
and Barry W. Becker, Treasurer. Barry Becker handles
all duties and chores in relationship to the administra-
tion and operation of the PAC. There are no employees
to speak of. In other words, no one receives compensa-
tion for their services. It is all volunteer work.
3. We are appointed by the Board of Directors of the Home
Builders Association of the State of Nevada.
4. Joe McDonald, Dwight Millard, and Barry W. Becker.
5. There have been no operating expenses for the PAC. I
use my personal office as the mailing address and
maintain the file there. However, there are no op-
erating expenses, with the exception of bank charges.

50 SOUTH JONES BLVD., SUITE 101 ••• LAS VEGAS, NEVADA 89107 ••• 702/870-0212

Ms. Maura White
Federal Election Commission
Page 2 - HOME BUILDERS ASSOCIATION OF NEVADA PAC
March 18, 1980

6. The HOME BUILDERS ASSOCIATION OF NEVADA PAC is a political action fund, organized by the Home Builders Association of the State of Nevada.
7. We both share the same mailing address.
8. We both share the same mailing address, and I am the Treasurer of all three Pacs. I might take this opportunity to explain that since I was Treasurer of the ROCKY MOUNTAIN BUILDERS PAC, I volunteered to be Treasurer of the HOME BUILDERS ASSOCIATION OF NEVADA PAC because I would already be filling out the forms for ROCKY MOUNTAIN and felt it would be just as easy to do two forms as it would be to do one. Although at that time, I had no idea that because I was merely doing the paper work that this may cause the Federal Election Commission to deem these PACS be affiliated.
9. The Board of Directors of the Home Builders Association of the State of Nevada has authorized Joe McDonald, Dwight Millard and Barry W. Becker to make the decisions as to which candidates this Pac will support. We have done so by consulting the Governmental Affairs Division of the National Association of Home Builders, and attending Regional Political Action Seminars and discussing it with many incumbent Senators and Congressmen in the Western United States.
10. Funds are solicited by word of mouth only.
11. We have not participated in any fund raising activities.
12. We have used no solicitation materials.
13. The Board of Directors of the Home Builders Association of the State of Nevada instructed Joe McDonald, Dwight Millard and Barry W. Becker to form this Committee. So,

104030460

INTERROGATORIES/REQUESTS FOR INFORMATION

1. State the location of HAN-PAC offices.
2. List all employees and officers of HAN-PAC, including their respective duties.
3. Describe the method whereby the officers of HAN-PAC are appointed.
4. List all individuals who administer the financial affairs of HAN-PAC.
5. How are the operating expenses, i.e. rent, telephone, salaries, of HAN-PAC paid for or provided for?
6. What relationship, if any, exists, between HAN-PAC and the Homebuilders Association of the State of Nevada?
7. What relationship, if any, exists between HAN-PAC and the Becker Realty Corporation?
8. What relationship, if any, exists between HAN-PAC and the Rocky Mountain Builders PAC and the Nevada Now PAC?
9. Describe the method whereby HAN-PAC selects candidates to support for federal office, and include the name and position of all individuals involved, in any way, in those decisions.
10. Describe the method whereby funds are solicited for HAN-PAC.
11. Has HAN-PAC ever participated in any fundraising activities, alone, or with either the Rocky Mountain Builders PAC or Nevada Now PAC? If the answer is yes, indicate what portion of the costs were incurred by HAN-PAC, and what disposition was made of the proceeds.
12. Provide copies of all solicitation materials used by HAN-PAC during 1978.
13. List all individuals involved in the establishment of HAN-PAC, and describe their role in such establishment.
14. Provide copies of all Constitutions and Bylaws of HAN-PAC.

1040030470

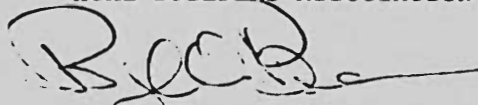
Ms. Maura White
Federal Election Commission
Page 3 - HOME BUILDERS ASSOCIATION OF NEVADA PAC
March 18, 1980

I am submitting our three names. If you feel it is necessary to have the names of the individuals who were members of the Board of Directors of the Association at that time, please let me know and I will have our State Executive Officer furnish me that list of names so that I can forward it on to you.

14. The original constitution and bylaws are still in effect and have not been changed.

Respectfully yours,

HOME BUILDERS ASSOCIATION OF NEVADA PAC



Barry W. Becker
Treasurer

BWB:dr

1040330471

01040030472

50 SOUTH JONES BLVD.—SUITE 100 • LAS VEGAS, NEVADA 89107



To
Ms. Maura White
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463



- COMMERCIAL
- ACREAGE
- RESIDENTIAL
- INVESTMENT
- PROPERTY MGMT.

March 18, 1980

Ms. Maura White
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463

Dear Ms. White:

I will number my answers identical to the questions I will be answering.

NEVADA NOW PAC

1. 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, 89107.
2. Ernest A. Becker, Sr., Chairman; Andy Skurski, Vice-Chairman, and Barry W. Becker, Treasurer. Barry Becker handles all duties and chores in relationship to the administration and operation of the PAC. There are no employees to speak of. In other words, no one receives compensation for their services. It is all volunteer work.
3. The original officers of the NEVADA NOW PAC were appointed by my father, Ernest A. Becker, Sr., in the organization of the PAC.
4. Ernest A. Becker, Sr., Andy Skurski, and Barry W. Becker.
5. There have been no operating expenses for the PAC. I use my personal office as the mailing address and maintain the file there. However, there are no operating expenses, with the exception of bank charges.

BECKER ENTERPRISES
A Standard of Excellence Since 1903

50 SOUTH JONES BLVD., SUITE 101 ••• LAS VEGAS, NEVADA 89107 ••• 702/870-0212

HCC#836

RECEIVED

80 MAR 26 A



MUR 1149

80 MAR 26 5:08

GENERAL COUNSEL


60031510791
11040230473

Ms. Maura White
Federal Election Commission
Page 2 - NEVADA NOW PAC
March 18, 1980

6. We both share the same mailing address.
7. The only relationship that I know of is that I am the Treasurer of each PAC, they all share the same mailing address, their bylaws are the same, and because the organizers of all the PACS attended the same seminar at which sample bylaws for the establishment of Political Action Committees were available.
8. Ernest A. Becker, Sr. and Andy Skurski, to this point, have made all the decisions as to which candidates would be supported for Federal office. They based their decisions primarily on information they had received from friends in other Western states and from recommendations from our Congressional Delegation here in Nevada upon our request of them for this information. Example: My question to Senator Laxalt would be - Senator Laxalt, who would be a good candidate for the United States Senate in the West to support for re-election since you are not running for re-election this year? He may have suggested four or five candidates at that time.
9. The funds are solicited mainly by my father, Ernest A. Becker, Sr., merely by word of mouth.
10. No.
11. There has never been any solicitation materials used.
12. Ernest A. Becker, Sr., Andy Skurski, and Barry W. Becker.
13. The original constitution and bylaws are still in effect and have not been changed.

Respectfully yours,

NEVADA NOW PAC


Barry W. Becker
Treasurer

BWB:dr

00031510792
01040230474

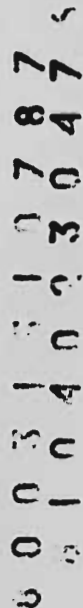
00031510793
0104023047;



50 SOUTH JONES BLVD. - SUITE 100 • LAS VEGAS, NEVADA 89107

To

Ms. Maura White
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463



Ms. Maura White

Federal Election Commission

Page 2 - HOME BUILDERS ASSOCIATION OF NEVADA PAC

March 18, 1980

6. The HOME BUILDERS ASSOCIATION OF NEVADA PAC is a political action fund, organized by the Home Builders Association of the State of Nevada.
7. We both share the same mailing address.
8. We both share the same mailing address, and I am the Treasurer of all three Pacs. I might take this opportunity to explain that since I was Treasurer of the ROCKY MOUNTAIN BUILDERS PAC, I volunteered to be Treasurer of the HOME BUILDERS ASSOCIATION OF NEVADA PAC because I would already be filling out the forms for ROCKY MOUNTAIN and felt it would be just as easy to do two forms as it would be to do one. Although at that time, I had no idea that because I was merely doing the paper work that this may cause the Federal Election Commission to deem these PACS be affiliated.
9. The Board of Directors of the Home Builders Association of the State of Nevada has authorized Joe McDonald, Dwight Millard and Barry W. Becker to make the decisions as to which candidates this Pac will support. We have done so by consulting the Governmental Affairs Division of the National Association of Home Builders, and attending Regional Political Action Seminars and discussing it with many incumbent Senators and Congressmen in the Western United States.
10. Funds are solicited by word of mouth only.
11. We have not participated in any fund raising activities.
12. We have used no solicitation materials.
13. The Board of Directors of the Home Builders Association of the State of Nevada instructed Joe McDonald, Dwight Millard and Barry W. Becker to form this Committee. So,

60031510788
21040230477

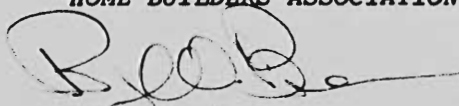
Ms. Maura White
Federal Election Commission
Page 3 - HOME BUILDERS ASSOCIATION OF NEVADA PAC
March 18, 1980

I am submitting our three names. If you feel it is necessary to have the names of the individuals who were members of the Board of Directors of the Association at that time, please let me know and I will have our State Executive Officer furnish me that list of names so that I can forward it on to you.

14. The original constitution and bylaws are still in effect and have not been changed.

Respectfully yours,

HOME BUILDERS ASSOCIATION OF NEVADA PAC

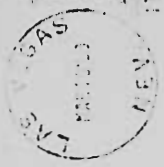


Barry W. Becker
Treasurer

BWB:dr

00031510789
001040230478

0031510790
01040030470



50 SOUTH JONES BLVD.—SUITE 100 • LAS VEGAS, NEVADA 89107

To

Ms. Maura White
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463



- COMMERCIAL
- ACREAGE
- RESIDENTIAL
- INVESTMENT
- PROPERTY MGMT.

March 18, 1980

RECEIVED

80 MAR 26



MUR 1148

Ms. Maura White
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Ms. White:

I will number my answers identical to the questions I will be answering.

ROCKY MOUNTAIN BUILDERS PAC

1. 50 South Jones Boulevard, Suite 101, Las Vegas, Nevada, 89107.
2. John E. Kenney, Jr., Chairman, Ron J. Causey, Vice-Chairman, and Barry W. Becker, Treasurer. Barry Becker handles all duties and chores in relationship to the administration and operation of the PAC. There are no employees to speak of. In other words, no one receives compensation for their services. It is all volunteer work.
3. John Kenney, Jr., Ron Causey and Barry Becker founded the ROCKY MOUNTAIN BUILDERS PAC in order to solicit funds to support candidates for Federal election.
4. John E. Kenney, Jr., Ron J. Causey, and Barry W. Becker.
5. There have been no operating expenses for the PAC. I use my personal office as the mailing address and maintain the file there. However, there are no operating expenses, with the exception of bank charges.

BECKER ENTERPRISES
A Standard of Excellence Since 1903

50 SOUTH JONES BLVD., SUITE 101 ••• LAS VEGAS, NEVADA 89107 ••• 702/870-0212

Ms. Maura White
Federal Election Commission
Page 2 - ROCKY MOUNTAIN BUILDERS PAC
March 18, 1980

6. We both share the same mailing address.
7. The only relationship that I know of is that I am the Treasurer of each PAC, they all share the same mailing address, their bylaws are the same, and because the organizers of all the Pacs attended the same seminar at which sample bylaws for the establishment of Political Action Committees were available.
8. John Kenney, Jr., Ron J. Causey and Barry W. Becker have the sole responsibility for making these decisions. By all members of our Contribution Committee, I assume you mean the members of our Pac and all contributions and members have been reported in our yearly and quarterly reports. We have received no funds since our last report.
9. The funds are solicited merely by word of mouth.
10. Yes. We participated in a fund raising activity, which was reported in my first quarterly report for 1979.
11. We had one (1) solicitation. Copy of material is enclosed.
12. John Kenney, Jr., Ron J. Causey and Barry Becker established this Political Action Committee because of the new rules governing campaign contributions to Federal candidates. We had hoped to be able to solicit and generate a sizeable amount of funds in which to support candidates who strongly believe in the free enterprise system and free competition. Although, as you can see from our reports, we have not yet been able to generate the amount of funds that we had hoped for.

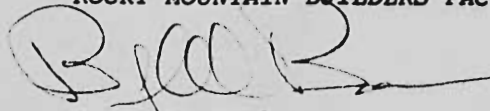
800315107821
01040230481

Ms. Maura White
Federal Election Commission
Page 3 - ROCKY MOUNTAIN BUILDERS PAC
March 18, 1980

13. The original constitution and bylaws are still in effect and have not been changed.

Respectfully yours,

ROCKY MOUNTAIN BUILDERS PAC



Barry W. Becker
Treasurer

BWB:dr

Enclosure

60031510783
01040030482

COMMITTEE MEMBERSHIP: They will decide which races and the amount of contribution.

Chairman - Jack Kenney, NV

Treasurer - Barry Becker, NV

Vice Chairman

Arizona - Pete Herder
Ralph Staggs

Utah - Dan Jerman
Glade Nielsen

Colorado - John Dawson
Ralph Weinland

Wyoming - Skip Cunningham
Joe Mock

Nevada - Dudley Smith

Idaho - Ray Behrman
to be picked

New Mexico - Gerhard Muller
Peg Parsons

Montana - Robert Miller
to be picked

DIRECTIONS: Builder members: please complete form and send at least \$100. If your total is greater than \$100 for the two and one-half years covered by the form will you please send the PAC the highest figure.

Each month, builder members will be asked to give on a voluntary basis by completing the form and sending your check to the PAC. The cost is \$3 per house.

Associate members: please complete the form and send at least \$50. Each month you will be asked to give on a voluntary basis. The cost is \$1.50 per house.

Using the formula for a builder, simply divide by 2 the total amount and this would be your figure for two and one-half years. Will you please send the PAC the highest figure.

EXAMPLE: \$3 x 10 single family units = \$30
\$2 x 15 apartment units = \$30
.0001 x \$300,000 of com'l permit = \$30

cut here

Year 1975 - Single Family	\$3 x _____	(units built) = \$ _____
Apartment	\$2 x _____	(units built) = \$ _____
Commercial	\$ _____ x .0001	= \$ _____

Year 1976 Single Family	\$3 x _____	(units built) = \$ _____
Apartment	\$2 x _____	(units built) = \$ _____
Commercial	\$ _____ x .0001	= \$ _____

Jan - June 1977 Single Family	\$3 x _____	(units built) = \$ _____
Apartment	\$2 x _____	(units built) = \$ _____
Commercial	\$ _____ x .0001	= \$ _____

BUILDER TOTAL	\$ _____
ASSOCIATE TOTAL	\$ _____

Mail to ROCKY MOUNTAIN BUILDERS PAC
6115 Clarice Ave. Las Vegas, NV 89107

I desire to make a contribution. I am aware the Committee will disburse the funds for political purposes as it sees fit according to the guidelines set forth in the Committee's Articles of Organization.

Enclosed is my check for \$ _____ pledge for \$ _____

NAME _____ Builder _____ Associate _____

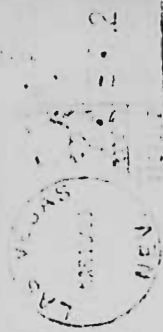
HOME ADDRESS _____ STATE _____ ZIP _____

HOME PHONE NO. () _____ BUS PHONE () _____

SIGNATURE _____ OCCUPATION _____

US CITIZEN YES _____ NO _____ Authorized and paid for by Rocky Mountain Builders Political Action Committee 6115 Clarice Ave Las Vegas NV 89107 John E. (Jack) Kenney, Jr. Chairman. A copy of our report is filed with the Federal Election Committee in Washington, D.C. and is available for purchase.

00031510788
0104023048



50 SOUTH JONES BLVD - SUITE 100 • LAS VEGAS, NEVADA 89107

To

Ms. Maura White
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463

BECKER REALTY CORP & BECKER
50 SOUTH JONES BLVD SUITE 101
LAS VEGAS NV 89107

 Mailgram



4-0827978070 03/10/80 ICS IPHMTZZ CSP WSHB
7026783545 MGM TDMT LAS VEGAS NV 103 03-10 0936P EST

MDK
1147

03 MAR 11 12 01

MAURA WHITE
FEDERAL ELECTION COMMISSION
1325 K ST NORTHWEST
WASHINGTON DC 20463

I HAVE JUST NOW RECEIVED THE LAST OF THE 3 LETTERS CONCERNING THE
QUESTIONS BEING ASKED ON THE HAN-PAC, ROCKY MOUNTAIN BUILDERS PAC AND
NEVADA NOW-PAC THE LETTER WILL BE MAILED TO YOU SHORTLY I AM SENDING
YOU THIS MAILGRAM TO NOTIFY YOU THAT I HAVE JUST NOW RECEIVED THEM
AND HOPE THAT THIS WILL BE THE START OF MY 10 DAY ANSWER PERIOD IF I
AM WRONG IN THIS ASSUMPTION PLEASE LET THIS MAILGRAM SERVE AS MY
REQUEST FOR AN EXTENSION OF TIME UNTIL MARCH 20 1980
BARRY W BECKER

21:36 EST

MGMCOMP MGM

10 MAR 11 P2:51

GENERAL
FEDERAL

480



Mailgram®



MAILGRAM POSTAL
CHARGES PAID

4
4
4
4

THIS MAILGRAM WAS TRANSMITTED ELECTRONICALLY BY WESTERN UNION TO A POST OFFICE NEAR YOU FOR DELIVERY

ROUTING SLIP FOR RTB LETTERS

TO: Chairman/Vice Chairman

FROM: Elissa T. Garr
OGC Enforcement Docket

DATE: 2-29-80

6 MUR # 1147

8 Date RTB Found 2-28-80

4 Date Cert. Rec'd in OGC 2-28-80

3 Staff Assigned M. White

2 STAFF CHECK:

0 ✓ Accuracy

4 ✓ Enclosures

0 ✓ Certification

1 Date Rec'd in OGC From Chairman/Vice Chairman

2-29-80



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 29, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Rocky Mountain Builders PAC
50 South Jones Blvd., Suite 101
Las Vegas, Nevada 89107

Re: MUR 1147

Dear Mr. Becker:

The Federal Election Commission notified you in a request for additional information letter dated June 21, 1979, that your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act").

Upon further review of the information available to the Commission, the Commission determined on February 28, 1980, that there is reason to believe that your committee may have violated 2 U.S.C. §§ 441a (a) (1) (A) and 433(b) (2) and 11 C.F.R. § 102.2. A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

Your response to the Commission's initial notification of the possible violation did not provide complete information regarding the matters in question. Please submit answers to the enclosed questions within 10 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred, and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause, if you so desire.

Letter to: B.Becker
Page 2

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) (formerly § 437g(a)(3)(B)) unless you notify the Commission in writing that you wish the matter to be made public.

For your information, we have attached a brief description of the Commission's procedures for the handling of possible violations.

If you have any questions, please contact Maura White, the staff member assigned to this matter, at 202-523-4060.

Sincerely,

Robert O. Tiernan

ROBERT O. TIERNAN
Chairman

Enclosures

1. Summary of reason to believe finding
2. Procedures
3. Interrogatories/Requests for Information

SENDER Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.	
The following service is requested (check one) <input checked="" type="checkbox"/> Show to whom and date delivered <input type="checkbox"/> Show to whom, date, and address of delivery <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom, date, and address of delivery. \$ (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: <i>Barry Becker</i> <i>KMB-PAC</i> <i>54 South Green Blvd, Suite 104</i> <i>Las Vegas, NV 89107</i>	
3. ARTICLE DESCRIPTION: REGISTERED NO. <i>944079</i>	INSURED NO.
I have received the article described above. SIGNATURE <i>[Signature]</i> <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent	
4. DATE OF DELIVERY <i>3-10-80</i>	5. ADDRESS (Complete only if requested)
6. UNABLE TO DELIVER BECAUSE: CARRIER'S INITIALS	

FEDERAL ELECTION COMMISSION

NOTIFICATION OF REASON TO BELIEVE FINDING

DATE _____

MUR NO. 1147
STAFF MEMBER(S) & TEL. NO.
M. White/D. Branch

RESPONDENT Rocky Mountain Builders PAC

202-523-4060

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

BACKGROUND

On January 15, 1980, the Reports Analysis Division ("RAD") referred the name of the Nevada Now PAC ("NN-PAC"), Rocky Mountain Builders PAC ("RMB-PAC"), and Homebuilders Association of the State of Nevada PAC ("HAN-PAC") to the Office of General Counsel for failure to list all affiliated or connected organizations on their Statements of Organization in possible violation of 2 U.S.C. § 433(b)(2). As affiliated committees the three PACs would be subject to the common contribution limitation of 2 U.S.C. § 441a(a)(5), and may have violated 2 U.S.C. § 441a(a)(1)(A) by contributing, during 1978, \$1,475 in excess of the contribution limitation to four candidates.

FACTUAL BASIS AND LEGAL ANALYSIS

On June 21, 1979, RAD mailed a "RFAI" to the RMB-PAC, NN-PAC, and HAN-PAC. The treasurer of RMB-PAC and NN-PAC responded to the RFAI's on June 28, 1979. No response was received from HAN-PAC.

Both the RMB-PAC and NN-PAC state on their Statements of Organization that they have no connected or affiliated organizations. HAN-PAC stated that it is connected with the Homebuilders Association of the State of Nevada. The Constitution and Bylaws of NN-PAC and RMB-PAC are identical. RMB-PAC, NN-PAC, and HAN-PAC all share a common treasurer. In addition, all three PACs share a common address; the Becker Realty Corporation houses the PACs. All three PACs maintain bank accounts in Las Vegas; the accounts of NN-PAC and HAN-PAC are maintained at the same bank.

The campaign contributions of the RMB-PAC, HAN-PAC, and NN-PAC are extremely similar and in the majority of cases virtually identical. As treasurer of both RMB-PAC and NN-PAC, Mr. Becker, and the chairman of each respective PAC, appoint all PAC officers and are members of each PAC's contribution committees.

NN-PAC reported the transfer of \$1,000 and \$1,500 to HAN-PAC and RMB-PAC, respectively, on its 1978 Year-End Report. Both HAN-PAC and RMB-PAC reported the receipt of these transfers on October 22, 1978.

2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 require all political committees to report all affiliated or connected organizations on their Statements of Organization. 11 C.F.R. § 100.14(c)(2) defines affiliated committees to be all committees established, financed, maintained, or controlled by the same corporation, labor organization, person, or groups of persons, including any parent, subsidiary, branch, division, department, or local unit thereof. 11 C.F.R. §§ 100.14(c)(2)(ii)(D) and 100.14(c)(2)(ii)(E) include as indicia of affiliation, similar patterns of contributions, and the transfer of funds which represent a substantial portion of the funds of either the transferor or transferee committee, other than the transfer of funds jointly raised.

2 U.S.C. § 441a(a)(5) provides that all contributions made by political committees which are established or financed or maintained or controlled by a corporation, labor organization, or any other person, including any parent, subsidiary, branch, division, department, or local unit thereof, shall be considered to have been made by a single political committee. 2 U.S.C. § 441a(a)(1)(A) prohibits contributions from a political committee to any candidate with respect to any federal election, which exceed in the aggregate, \$1,000. If RMB-PAC, NN-PAC, and HAN-PAC are affiliated, then they may have violated 2 U.S.C. § 441a(a)(1)(A). (They would not have qualified as multicandidate committees until April 13, 1979.)

As the RMB-PAC, NN-PAC, and HAN-PAC have similar patterns of contributions, have transferred funds which represent a significant portion of the funds of both transferor and transferee, appear to have been established, and appear to be financed, maintained, and controlled by the same person or group of persons, the Office of General Counsel recommends that the Commission determine that there is reason to believe that the RMB-PAC, NN-PAC, and HAN-PAC may have violated 2 U.S.C. §§ 441a(a)(1)(A), 433(b)(2), and 11 C.F.R. § 102.2 .

COMMISSION'S DETERMINATION

Based on the foregoing analysis, the Federal Election Commission has found:

1. Reason to believe that the Rocky Mountain Builders PAC, Nevada Now PAC, and Homebuilders Association of the State of Nevada PAC may have violated 2 U.S.C. §§ 441a(a)(1)(A), 433(b)(2), and 11 C.F.R. § 102.2
2. The Federal Election Commission has approved the attached letter and interrogatories/request for information.

INTERROGATORIES/REQUESTS FOR INFORMATION

1. State the location of RMB-PAC offices.
2. List all employees and officers of RMB-PAC, including their respective duties.
3. Describe the method whereby the officers of RMB-PAC are appointed.
4. List all individuals who administer the financial affairs of RMB-PAC.
5. How are the operating expenses, i.e. rent, telephone, salaries, of RMB-PAC paid for or provided for?
6. What relationship, if any, exists between RMB-PAC and the Becker Realty Corporation?
7. What relationship, if any, exists between RMB-PAC and the Homebuilders Association of the State of Nevada PAC and the Nevada Now PAC?
8. Describe the method whereby the RMB-PAC selects candidates to support for federal office, and include the name and position of all individuals involved, in any way, in those decisions. Include all members of the Contribution Committee and indicate that they are members of this committee.
9. Describe the method whereby funds are solicited for RMB-PAC.
10. Has RMB-PAC ever participated in any fundraising activities, alone, or with either the Homebuilders Association of the State of Nevada PAC or Nevada Now PAC? If the answer is yes, indicate what portion of the costs were incurred by RMB-PAC, and indicate what disposition was made of the proceeds.
11. Provide copies of all solicitation materials used by RMB-PAC during 1978.
12. List all individuals involved in the establishment of RMB-PAC, and describe their role in such establishment.
13. Provide a copy of the most recent Constitution and Bylaws of RMB-PAC.



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 29, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Homebuilders Association of the
State of Nevada PAC
50 South Jones Blvd., Suite 101
Las Vegas, Nevada 89107

Re: MUR 1147

Dear Mr. Becker:

The Federal Election Commission notified you in a request for additional information letter dated June 21, 1979, that your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act").

Upon further review of the information available to the Commission, the Commission determined on February 28, 1980, that there is reason to believe that your committee may have violated 2 U.S.C. §§ 441a (a)(1)(A) and 433(b)(2) and 11 C.F.R. § 102.2. A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

As of this date, we have received no written response from you in connection with this matter. Please submit answers to the enclosed questions within ten days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred, and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe, if you so desire.

Letter to: B.Becker (HAN-PAC)
Page 2

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) (formerly § 437g(a)(3)(B)) unless you notify the Commission in writing that you wish the matter to be made public.

For your information, we have attached a brief description of the Commission's procedures for the handling of possible violations.

If you have any questions, please contact Maura White, the staff member assigned to this matter, at 202-523-4060.

Sincerely,

Robert O. Tiernan

ROBERT O. TIERNAN
Chairman

Enclosures

1. Summary of reason to believe finding
2. Procedures
3. Interrogatories/Requests for Information

PS Form 3811, Aug. 1978

1. The following service is requested (check one): <input checked="" type="checkbox"/> Show to whom and date delivered <input type="checkbox"/> Show to whom, date, and address of delivery <input type="checkbox"/> RESTRICTED DELIVERY Show to whom and date delivered <input type="checkbox"/> RESTRICTED DELIVERY Show to whom, date, and address of delivery \$ (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: <i>HAN-PAC</i> <i>50 South Ohio Blvd, Suite 101</i> <i>San Diego, CA 92107</i>	
3. ARTICLE DESCRIPTION: REGISTERED NO. <i>944080</i>	CERTIFIED NO. INSURED NO.
4. (Always obtain signature of addressee or agent) I have received the article described above: SIGNATURE <i>B. Becker</i> <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent	
5. ADDRESS (Complete only if requested) DATE OF DELIVERY <i>3 3 80</i> POSTMARK <i>MAR 3 1980</i>	
6. UNABLE TO DELIVER BECAUSE CLERK'S INITIALS <i>MW</i>	

MW *MW 1147*

FEDERAL ELECTION COMMISSION

NOTIFICATION OF REASON TO BELIEVE FINDING

DATE _____

MUR NO. 1147

STAFF MEMBER(S) & TEL. NO.
M. White/D. Branch

RESPONDENT Homebuilders Association of the
State of Nevada PAC

202-523-4060

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

BACKGROUND

On January 15, 1980, the Reports Analysis Division ("RAD") referred the name of the Nevada Now PAC ("NN-PAC"), Rocky Mountain Builders PAC ("RMB-PAC"), and Homebuilders Association of the State of Nevada PAC ("HAN-PAC") to the Office of General Counsel for failure to list all affiliated or connected organizations on their Statements of Organization in possible violation of 2 U.S.C. § 433(b)(2). As affiliated committees the three PACs would be subject to the common contribution limitation of 2 U.S.C. § 441a(a)(5), and may have violated 2 U.S.C. § 441a(a)(1)(A) by contributing, during 1978, \$1,475 in excess of the contribution limitation to four candidates.

FACTUAL BASIS AND LEGAL ANALYSIS

On June 21, 1979, RAD mailed a "RFAI" to the RMB-PAC, NN-PAC, and HAN-PAC. The treasurer of RMB-PAC and NN-PAC responded to the RFAI's on June 28, 1979. No response was received from HAN-PAC.

Both the RMB-PAC and NN-PAC state on their Statements of Organization that they have no connected or affiliated organizations. HAN-PAC stated that it is connected with the Homebuilders Association of the State of Nevada. The Constitution and Bylaws of NN-PAC and RMB-PAC are identical. RMB-PAC, NN-PAC, and HAN-PAC all share a common treasurer. In addition, all three PACs share a common address; the Becker Realty Corporation houses the PACs. All three PACs maintain bank accounts in Las Vegas; the accounts of NN-PAC and HAN-PAC are maintained at the same bank.

The campaign contributions of the RMB-PAC, HAN-PAC, and NN-PAC are extremely similar and in the majority of cases virtually identical. As treasurer of both RMB-PAC and NN-PAC, Mr. Becker, and the chairman of each respective PAC, appoint all PAC officers and are members of each PAC's contribution committees.

NN-PAC reported the transfer of \$1,000 and \$1,500 to HAN-PAC and RMB-PAC, respectively, on its 1978 Year-End Report. Both HAN-PAC and RMB-PAC reported the receipt of these transfers on October 22, 1978.

2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 require all political committees to report all affiliated or connected organizations on their Statements of Organization. 11 C.F.R. § 100.14(c)(2) defines affiliated committees to be all committees established, financed, maintained, or controlled by the same corporation, labor organization, person, or groups of persons, including any parent, subsidiary, branch, division, department, or local unit thereof. 11 C.F.R. §§ 100.14(c)(2)(ii)(D) and 100.14(c)(2)(ii)(E) include as indicia of affiliation, similar patterns of contributions, and the transfer of funds which represent a substantial portion of the funds of either the transferor or transferee committee, other than the transfer of funds jointly raised.

7 2 U.S.C. § 441a(a)(5) provides that all contributions made
9 by political committees which are established or financed or
1 maintained or controlled by a corporation, labor organization,
1 or any other person, including any parent, subsidiary, branch,
1 division, department, or local unit thereof, shall be considered
C to have been made by a single political committee. 2 U.S.C.
C § 441a(a)(1)(A) prohibits contributions from a political committee
3 to any candidate with respect to any federal election, which
3 exceed in the aggregate, \$1,000. If RMB-PAC, NN-PAC, and
3 HAN-PAC are affiliated, then they may have violated 2 U.S.C.
3 § 441a(a)(1)(A). (They would not have qualified as multicandidate
C committees until April 13, 1979.)

1 As the RMB-PAC, NN-PAC, and HAN-PAC have similar patterns
C of contributions, have transferred funds which represent a
C significant portion of the funds of both transferor and trans-
1 feree, appear to have been established, and appear to be financed,
1 maintained, and controlled by the same person or group of
1 persons, the Office of General Counsel recommends that the
1 Commission determine that there is reason to believe that the
1 RMB-PAC, NN-PAC, and HAN-PAC may have violated 2 U.S.C. §§ 441a
(a)(1)(A), 433(b)(2), and 11 C.F.R. § 102.2.

COMMISSION'S DETERMINATION

Based on the foregoing analysis, the Federal Election Commission has found:

1. Reason to believe that the Rocky Mountain Builders PAC, Nevada Now PAC, and Homebuilders Association of the State of Nevada PAC may have violated 2 U.S.C. §§ 441a(a)(1)(A), 433(b)(2), and 11 C.F.R. § 102.2
2. The Federal Election Commission has approved the attached letter and interrogatories/request for information.

INTERROGATORIES/REQUESTS FOR INFORMATION

1. State the location of HAN-PAC offices.
2. List all employees and officers of HAN-PAC, including their respective duties.
3. Describe the method whereby the officers of HAN-PAC are appointed.
4. List all individuals who administer the financial affairs of HAN-PAC.
5. How are the operating expenses, i.e. rent, telephone, salaries, of HAN-PAC paid for or provided for?
6. What relationship, if any, exists, between HAN-PAC and the Homebuilders Association of the State of Nevada?
7. What relationship, if any, exists between HAN-PAC and the Becker Realty Corporation?
8. What relationship, if any, exists between HAN-PAC and the Rocky Mountain Builders PAC and the Nevada Now PAC?
9. Describe the method whereby HAN-PAC selects candidates to support for federal office, and include the name and position of all individuals involved, in any way, in those decisions.
10. Describe the method whereby funds are solicited for HAN-PAC.
11. Has HAN-PAC ever participated in any fundraising activities, alone, or with either the Rocky Mountain Builders PAC or Nevada Now PAC? If the answer is yes, indicate what portion of the costs were incurred by HAN-PAC, and what disposition was made of the proceeds.
12. Provide copies of all solicitation materials used by HAN-PAC during 1978.
13. List all individuals involved in the establishment of HAN-PAC, and describe their role in such establishment.
14. Provide copies of all Constitutions and Bylaws of HAN-PAC.



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 29, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Nevada Now PAC
50 South Jones Blvd., Suite 101
Las Vegas, Nevada 89107

Re: MUR 1147

Dear Mr. Becker:

The Federal Election Commission notified you in a request for additional information letter dated June 21, 1979, that your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act").

Upon further review of the information available to the Commission, the Commission determined on February 28, 1980, that there is reason to believe that your committee may have violated 2 U.S.C. §§ 441a (a)(1)(A) and 433(b)(2) and 11 C.F.R. § 102.2. A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

Your response to the Commission's initial notification of the possible violation did not provide complete information regarding the matters in question. Please submit answers to the enclosed questions within 10 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.



Letter to: B.Becker (NN-PAC)
Page 2

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) (formerly § 437g(a)(3)(B)) unless you notify the Commission in writing that you wish the matter to be made public.

For your information, we have attached a brief description of the Commission's procedures for the handling of possible violations.

If you have any questions, please contact Maura White, the staff member assigned to this matter, at 202-523-4060.

Sincerely,

Robert O. Tiernan

ROBERT O. TIERNAN
Chairman

Enclosures

1. Summary of reason to believe finding
2. Procedures
3. Interrogatories/Requests for Information

PS Form 3811, Aug. 1978

1. SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.	
<input checked="" type="checkbox"/> The following service is requested (check type) <input type="checkbox"/> Show to whom and date delivered <input type="checkbox"/> Show to whom, date, and address of delivery <input type="checkbox"/> RESTRICTED DELIVERY Show to whom and date delivered <input type="checkbox"/> RESTRICTED DELIVERY Show to whom, date, and address of delivery \$ (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: Barry Becker NN-PAC 50 South Green Blvd, Suite 101 Las Vegas, NV 89107	
3. ARTICLE DESCRIPTION: REGISTERED NO. 944084 CERTIFIED NO. INSURED NO.	
I have received the article described above: SIGNATURE <input checked="" type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent <i>Deepest</i>	
4. DATE OF DELIVERY 3/27/80 POSTMARK MAH 4 1980	
5. ADDRESS (Complete only if requested)	
6. UNABLE TO DELIVER BECAUSE:	
7. MARKS INITIALS	

ms 1147

FEDERAL ELECTION COMMISSION

NOTIFICATION OF REASON TO BELIEVE FINDING

DATE _____

MUR NO. 1147
STAFF MEMBER(S) & TEL. NO.
M. White/D. Branch

RESPONDENT Nevada Now PAC

202-523-4060

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

BACKGROUND

On January 15, 1980, the Reports Analysis Division ("RAD") referred the name of the Nevada Now PAC ("NN-PAC"), Rocky Mountain Builders PAC ("RMB-PAC"), and Homebuilders Association of the State of Nevada PAC ("HAN-PAC") to the Office of General Counsel for failure to list all affiliated or connected organizations on their Statements of Organization in possible violation of 2 U.S.C. § 433(b)(2). As affiliated committees the three PACs would be subject to the common contribution limitation of 2 U.S.C. § 441a(a)(5), and may have violated 2 U.S.C. § 441a(a)(1)(A) by contributing, during 1978, \$1,475 in excess of the contribution limitation to four candidates.

FACTUAL BASIS AND LEGAL ANALYSIS

On June 21, 1979, RAD mailed a "RFAI" to the RMB-PAC, NN-PAC, and HAN-PAC. The treasurer of RMB-PAC and NN-PAC responded to the RFAI's on June 28, 1979. No response was received from HAN-PAC.

Both the RMB-PAC and NN-PAC state on their Statements of Organization that they have no connected or affiliated organizations. HAN-PAC stated that it is connected with the Homebuilders Association of the State of Nevada. The Constitution and Bylaws of NN-PAC and RMB-PAC are identical. RMB-PAC, NN-PAC, and HAN-PAC all share a common treasurer. In addition, all three PACs share a common address; the Becker Realty Corporation houses the PACs. All three PACs maintain bank accounts in Las Vegas; the accounts of NN-PAC and HAN-PAC are maintained at the same bank.

The campaign contributions of the RMB-PAC, HAN-PAC, and NN-PAC are extremely similar and in the majority of cases virtually identical. As treasurer of both RMB-PAC and NN-PAC, Mr. Becker, and the chairman of each respective PAC, appoint all PAC officers and are members of each PAC's contribution committees.

NN-PAC reported the transfer of \$1,000 and \$1,500 to HAN-PAC and RMB-PAC, respectively, on its 1978 Year-End Report. Both HAN-PAC and RMB-PAC reported the receipt of these transfers on October 22, 1978.

2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 require all political committees to report all affiliated or connected organizations on their Statements of Organization. 11 C.F.R. § 100.14(c)(2) defines affiliated committees to be all committees established, financed, maintained, or controlled by the same corporation, labor organization, person, or groups of persons, including any parent, subsidiary, branch, division, department, or local unit thereof. 11 C.F.R. §§ 100.14(c)(2)(ii)(D) and 100.14(c)(2)(ii)(E) include as indicia of affiliation, similar patterns of contributions, and the transfer of funds which represent a substantial portion of the funds of either the transferor or transferee committee, other than the transfer of funds jointly raised.

2 U.S.C. § 441a(a)(5) provides that all contributions made by political committees which are established or financed or maintained or controlled by a corporation, labor organization, or any other person, including any parent, subsidiary, branch, division, department, or local unit thereof, shall be considered to have been made by a single political committee. 2 U.S.C. § 441a(a)(1)(A) prohibits contributions from a political committee to any candidate with respect to any federal election, which exceed in the aggregate, \$1,000. If RMB-PAC, NN-PAC, and HAN-PAC are affiliated, then they may have violated 2 U.S.C. § 441a(a)(1)(A). (They would not have qualified as multicandidate committees until April 13, 1979.)

As the RMB-PAC, NN-PAC, and HAN-PAC have similar patterns of contributions, have transferred funds which represent a significant portion of the funds of both transferor and transferee, appear to have been established, and appear to be financed, maintained, and controlled by the same person or group of persons, the Office of General Counsel recommends that the Commission determine that there is reason to believe that the RMB-PAC, NN-PAC, and HAN-PAC may have violated 2 U.S.C. §§ 441a(a)(1)(A), 433(b)(2), and 11 C.F.R. § 102.2.

COMMISSION'S DETERMINATION

Based on the foregoing analysis, the Federal Election Commission has found:

1. Reason to believe that the Rocky Mountain Builders PAC, Nevada Now PAC, and Homebuilders Association of the State of Nevada PAC may have violated 2 U.S.C. §§ 441a(a)(1)(A), 433(b)(2), and 11 C.F.R. § 102.2
2. The Federal Election Commission has approved the attached letter and interrogatories/request for information.

INTERROGATORIES/REQUESTS FOR INFORMATION

1. State the location of NN-PAC offices.
2. List all employees and officers of NN-PAC, including their respective duties.
3. Describe the method whereby the officers of NN-PAC are appointed.
4. List all individuals who administer the financial affairs of NN-PAC.
5. How are the operating expenses, i.e. rent, telephone, salaries, of NN-PAC paid for or provided for?
6. What relationship, if any, exists between NN-PAC and the Becker Realty Corporation?
7. What relationship, if any, exists between NN-PAC and the Rocky Mountain Builders PAC and the Homebuilders Association of the State of Nevada PAC?
8. Describe the method whereby NN-PAC selects candidates to support for federal office, and include the name and position of all individuals involved, in any way, in those decisions. Include all members of the Contribution Committee and indicate that they are members of this committee.
9. Describe the method whereby funds are solicited for NN-PAC.
10. Has NN-PAC ever participated in any fundraising activities, alone, or with either the Rocky Mountain Builders PAC or the Homebuilders Association of the State of Nevada PAC? If the answer is yes, indicate what portion of the costs were incurred by NN-PAC, and indicate what disposition was made of the proceeds.
11. Provide copies of all solicitation materials used by NN-PAC during 1978.
12. List all individuals involved in the establishment of NN-PAC, and describe their role in such establishment.
13. Provide a copy of the most recent Constitution and Bylaws of NN-PAC.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1147
Rocky Mountain Builders PAC)
Nevada Now PAC)
Homebuilders Association of)
the State of Nevada PAC)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on February 28, 1980, the Commission decided by a vote of 4-0 to take the following actions regarding MUR 1147:

1. Find REASON TO BELIEVE that the Rocky Mountain Builders PAC (RMB-PAC), Nevada Now PAC (NN-PAC), and the Homebuilders Association of the State of Nevada PAC (HAN-PAC) may have violated 2 U.S.C. §§ 441a(a) (1)(A) and 433(b)(2), and 11 C.F.R. §102.2.
2. Send the letters and interrogatories/requests for information to the Rocky Mountain Builders PAC (RMB-PAC), Nevada Now PAC (NN-PAC), and Homebuilders Association of the State of Nevada PAC (HAN-PAC) as attached to the First General Counsel's Report dated February 25, 1980.

(Continued)

104030504

CERTIFICATION

Page 2

MUR 1147

First General Counsel's Report

Dated February 25, 1980

3. Take no action against the Rocky Mountain Builders PAC (RMB-PAC), R&S Construction, Scurr Messengery Investment Co., Investment Builders, N. H. Norman Construction, and Gendron Homes in regard to possible violations of 2 U.S.C. §441b.

Voting for this determination were Commissioners

Aikens, Harris, McGarry, and Reiche.

Attest:

2/28/80

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Received in Office of the Commission Secretary: 2-26-80, 7:41
Circulated on 48 hour vote basis: 2-26-80, 11:00

11004023050

February 25, 1980

MEMORANDUM TO: Marjorie W. Emons
FROM: Jane Colquhoun
SUBJECT: MUR 1147

Please have the attached First General Counsel's
Report on MUR 1147 distributed to the Commission on a 48
hour tally basis.

Thank you.

81040330506



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

MEMORANDUM TO: COMPLIANCE RECIPIENTS

FROM: MARJORIE W. EMMONS/MARGARET CHANEY *mc*

DATE: FEBRUARY 26, 1980

SUBJECT: OMITTED PAGES FROM FIRST GENERAL
COUNSEL'S REPORT DATED 2-25-80
MUR 1147

The attached pages were omitted during the photocopying of MUR 1147. Please append them to the First General Counsel's Report on MUR 1147 circulated at 11:00, February 26, 1980.

ATTACHMENT:
Omitted Attachments
to 1st GC Rpt - 23 pages

1001030507

ARTICLE XII

Dissolution

Although the duration of the PAC is to be perpetual, it may be dissolved at any time by action of a majority of the Contribution Committee. In the event of such dissolution, all surplus funds of the PAC shall be promptly distributed to candidates or committees in a manner consistent with Article IX hereof and for the purposes set forth in Article IV hereof.

7
R
A
C
I
O
N
A
L
P
A
C

8 1 2 4 0 2 3 7 5 0 2

ATTACHMENT 9: CONTRIBUTIONS MADE BY RMB-PAC,
NN-PAC, HAN-PAC FROM THEIR
ESTABLISHMENT THROUGH DECEMBER
31, 1979

CANDIDATE	DATE OF CONTRIBUTION	AMOUNT
<u>William Armstrong</u> --CO/S		
NN-PAC	10-6-78	\$700
RMB-PAC	10-6-78	\$700
HAN-PAC	10-6-78	\$700
<u>James McClure</u> --ID/S		
NN-PAC	10-6-78	\$375
RMB-PAC	10-6-78	\$375
HAN-PAC	10-6-78	\$375
<u>Alan Simpson</u> --WY/S		
NN-PAC	10-6-78	\$375
RMB-PAC	10-6-78	\$375
HAN-PAC	10-6-78	\$375
<u>Larry Williams</u> --MT/S		
NN-PAC	10-6-78	\$375
RMB-PAC	10-6-78	\$375
HAN-PAC	10-6-78	\$375
<u>Pete Domenici</u> --AZ/S		
NN-PAC	10-6-78	\$100
RMB-PAC	10-6-78	\$300*
HAN-PAC	10-6-78	\$100
<u>Larry Pressler</u> --SD/S		
NN-PAC	10-6-78	\$100
RMB-PAC	10-6-78	\$300*
HAN-PAC	10-6-78	\$100
<u>Jed Richardson</u> --UT/1		
NN-PAC	10-6-78	\$500
RMB-PAC	10-6-78	\$500
<u>Tom Richey</u> --AZ/2		
NN-PAC	10-6-78	\$250
RMB-PAC	10-6-78	\$500
<u>Bob Stump</u> --AZ/3		
NN-PAC	10-6-78	\$250
RMB-PAC	10-6-78	\$250
<u>Eldon Rudd</u> --AZ/4		
RMB-PAC	10-6-78	\$300
<u>Nick Bunick</u> --OR/1		
RMB-PAC	11-1-78	\$500
<u>Jerry Lausman</u> --OR/4		
RMB-PAC	11-1-78	\$500
<u>George Martin</u> --KY/4		
RMB-PAC	11-1-78	\$

***Indicates that the contribution check was not reissued
candidate after having been sent to the wrong address.

ATTACHMENT 9: CONTRIBUTIONS MADE BY RMB-PAC,
NN-PAC, HAN-PAC FROM THEIR
ESTABLISHMENT THROUGH DECEMBER
31, 1979

CANDIDATE	DATE OF CONTRIBUTION	AMOUNT
<u>William Armstrong--CO/S</u>		
NN-PAC	10-6-78	\$700
RMB-PAC	10-6-78	\$700
HAN-PAC	10-6-78	\$700
<u>James McClure--ID/S</u>		
NN-PAC	10-6-78	\$375
RMB-PAC	10-6-78	\$375
HAN-PAC	10-6-78	\$375
<u>Alan Simpson--WY/S</u>		
NN-PAC	10-6-78	\$375
RMB-PAC	10-6-78	\$375
HAN-PAC	10-6-78	\$375
<u>Larry Williams--MT/S</u>		
NN-PAC	10-6-78	\$375
RMB-PAC	10-6-78	\$375
HAN-PAC	10-6-78	\$375
<u>Pete Domenici--AZ/S</u>		
NN-PAC	10-6-78	\$100
RMB-PAC	10-6-78	\$300*
HAN-PAC	10-6-78	\$100
<u>Larry Pressler--SD/S</u>		
NN-PAC	10-6-78	\$100
RMB-PAC	10-6-78	\$300*
HAN-PAC	10-6-78	\$100
<u>Jed Richardson--UT/1</u>		
NN-PAC	10-6-78	\$500
RMB-PAC	10-6-78	\$500
<u>Tom Richey--AZ/2</u>		
NN-PAC	10-6-78	\$250
RMB-PAC	10-6-78	\$500
<u>Bob Stump--AZ/3</u>		
NN-PAC	10-6-78	\$250
RMB-PAC	10-6-78	\$250
<u>Eldon Rudd--AZ/4</u>		
RMB-PAC	10-6-78	\$300
<u>Nick Bunick--OR/1</u>		
RMB-PAC	11-1-78	\$500
<u>Jerry Lausman--OR/4</u>		
RMB-PAC	11-1-78	\$500
<u>George Martin--KY/4</u>		
RMB-PAC	11-1-78	\$500

***Indicates that the contribution check was not reissued to the
candidate after having been sent to the wrong address.

1040230510

ITEMIZED EXPENDITURES
 (Operating, Transfers Out, Contributions In-Kind,
 Loans, Loan Repayments and Refunds Made)
 Supporting Lines 20a, 21a, and 22a, 22b, and 22c
 of FEC FORM 3

Page 1 of 2 for
 Line Number 22 (b)
 (Use Separate Schedules for
 each numbered line)

Name of Candidate or Committee in Full

NEVADA NOW POLITICAL ACTION COMMITTEE

Full Name, Mailing Address and ZIP Code Home Bldrs. Of Nevada Assn. PAC C00081539 6115 Clarice Avenue Las Vegas, Nevada 89107	Particulars of Expenditure Federally Registered PAC Expenditure for: <input checked="" type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other	Date (month, day, year)	Amount of each expendi- ture this period \$1,000.00
Full Name, Mailing Address and ZIP Code Rocky Mountain Bldrs. PAC 6115 Clarice Avenue Las Vegas, Nevada 89107 C00082859	Particulars of Expenditure Federally Registered PAC Expenditure for: <input checked="" type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other	Date (month, day, year)	Amount of each expendi- ture this period \$1,500.00
Full Name, Mailing Address and ZIP Code ARMSTRONG STATE OF COLORADO C00083543	Particulars of Expenditure SENATORIAL Expenditure for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other	Date (month, day, year)	Amount of each expendi- ture this period
Full Name, Mailing Address and ZIP Code McCLURE STATE OF IDAHO C00027300	Particulars of Expenditure SENATORIAL Expenditure for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other	Date (month, day, year) 10/6/78	Amount of each expendi- ture this period \$ 375.00
Full Name, Mailing Address and ZIP Code SIMPSON STATE OF WYOMING C00055191	Particulars of Expenditure SENATORIAL Expenditure for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other	Date (month, day, year) 10/6/78	Amount of each expendi- ture this period \$ 375.00
Full Name, Mailing Address and ZIP Code WILLIAMS STATE OF MONTANA C00087064	Particulars of Expenditure SENATORIAL Expenditure for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other	Date (month, day, year) 10/6/78	Amount of each expendi- ture this period \$ 375.00
Full Name, Mailing Address and ZIP Code DOMENICI STATE OF IDAHO C00076190	Particulars of Expenditure SENATORIAL Expenditure for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other	Date (month, day, year) 10/6/78	Amount of each expendi- ture this period \$ 100.00
Full Name, Mailing Address and ZIP Code PRESSLER STATE OF SOUTH DAKOTA C00082214	Particulars of Expenditure SENATORIAL Expenditure for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other	Date (month, day, year) 10/6/78	Amount of each expendi- ture this period \$ 100.00
SUBTOTAL of expenditures this page (optional)			\$ 4,525.00
TOTAL this period (last page this line number only)			\$



RECEIVED
FEDERAL ELECTION
COMMISSION



- COMMERCIAL
- ACREAGE
- RESIDENTIAL
- INVESTMENT
- PROPERTY MGMT.

78 NOV 5 AM 10:05

October 31, 1971

Mr. Chip Foley
Reports Analysis Division
Federal Election Commission
Washington, D. C. 20463

Dear Mr. Foley:

I am writing this letter in response to the letter of July 2, 1979, from Mr. Orlando B. Potter. Once I received this letter, I discussed some of the items over the phone with Mr. Kevin Kelly and had mentioned that I would send in the corrected forms at the next filing date, as Mr. Kelly had suggested. Since we collected no money again in this Third Quarter and will just be filing by postal card, I am sending you the amended forms with this letter. I also will be answering some of the other questions in this letter.

The fund-raising function that you indicated had inadequate explanations, will be explained in this letter. We had Congressman Kemp, from New York, as a featured speaker on January 22, 1979, at a cocktail party, which was held at the Las Vegas Country Club. The price of admission was \$25.00 per person. The expenses for this consisted of the bill of the Country Club for the cocktails, copy attached. There was one bill only. We paid approximately \$1.80 per drink and that included the facilities, tax and tip.

On page 3, paragraph 2, it was indicated there were possible corporate donations. There were recommendations to return these checks and this has been done, and it will be reflected on my year-end final report. (Copies of refund letters attached.)

I hope this answers all the questions you had and that our Political Action Committee is in good standing and all of these

BECKER ENTERPRISES
A Standard of Excellence Since 1903


ATTACHMENT 11

50 SOUTH JONES BLVD., SUITE 101 ••• LAS VEGAS, NEVADA 89107 ••• 702/870-0212

10051305117

109031401318

Yours truly,


Barry W. Becker
Treasurer

BWB:dr

Enclosures

October 31, 1979

R & S Construction, Ltd.
225 East Cheyenne Mountain Blvd.
Colorado Springs, Colorado 80906

Dear Sirs:

We have been informed by the Federal Election Commission that your organization is a corporation and we are not allowed to receive corporate funds. Therefore, would you please replace this check with a personal check to the Rocky Mountain Builders PAC.

Thank you.

Yours truly,

ROCKY MOUNTAIN BUILDERS PAC

Barry W. Bocker
Treasurer

BWB:dr

ROCKY MOUNTAIN BUILDERS PAC

5115 RIVERVIEW 50 S. Jones Blvd., Suite 101
LAS VEGAS, NEVADA 89107

1026

94-136
1224

10-31 1979

Pay to the
order of

R. & S. Construction

25.00

Twenty-five

and 00/100 Dollars

LAS VEGAS
PIONEER
of Nevada



MAIN BRANCH
CITIZENS BANK
P.O. Box 490
Las Vegas, Nevada 89101

For

71224-01361

404-420 21

October 31, 1979

Scurr-Messenger Investment Co.
Kennicott Building
Salt Lake City, Utah

Dear Sirs:

We have been informed by the Federal Election Commission that your organization is a corporation and we are not allowed to receive corporate funds. Therefore, would you please replace this check with a personal check to the Rocky Mountain Builders PAC.

Thank you.

Yours truly,

ROCKY MOUNTAIN BUILDERS PAC

Darry W. Becker
Treasurer

BWB:dr

ROCKY MOUNTAIN BUILDERS PAC

50 S. Jones Blvd., Suite 101
LAS VEGAS, NEVADA 89107

1025

94.136
1224

Pay to the order of Scurr-Messenger Investment Co. \$1500.00
Dollars

LAS VEGAS MAIN BRANCH
PIONEER CITIZENS BANK
of Nevada P.O. Box 430
Las Vegas, Nevada 89101

For _____

⑆1224⑆0136⑆ 404⑆420 2⑆

10492305152

Dear Sirs:

Thank you.

ROCKY MOUNTAIN BUILDERS PAC

 $B \vdash B : dr$

Dollars

For

1: 2 2 4 0 1 3 6 1: 4 0 4 4 2 0 2 11



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Rocky Mountain Builders PAC
50 South Jones Blvd., Suite 101
Las Vegas, Nevada 89107

Re: MUR 1147

Dear Mr. Becker:

The Federal Election Commission notified you in a request for additional information letter dated June 21, 1979, that your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act").

Upon further review of the information available to the Commission, the Commission determined on , 1980, that there is reason to believe that your committee may have violated 2 U.S.C. §§ 441a (a)(1)(A) and 433(b)(2) and 11 C.F.R. § 102.2. A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

Your response to the Commission's initial notification of the possible violation did not provide complete information regarding the matters in question. Please submit answers to the enclosed questions within 10 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred, and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause, if you so desire.

Letter to: B.Becker
Page 2

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) (formerly § 437g(a)(3)(B)) unless you notify the Commission in writing that you wish the matter to be made public.

For you information, we have attached a brief description of the Commission's procedures for the handling of possible violations.

If you have any questions, please contact Maura White, the staff member assigned to this matter, at 202-523-4060.

Sincerely,

Enclosures

1. Summary of reason to believe finding
2. Procedures
3. Interrogatories/Requests for Information

INTERROGATORIES/REQUESTS FOR INFORMATION

1. State the location of RMB-PAC offices.
2. List all employees and officers of RMB-PAC, including their respective duties.
3. Describe the method whereby the officers of RMB-PAC are appointed.
4. List all individuals who administer the financial affairs of RMB-PAC.
5. How are the operating expenses, i.e. rent, telephone, salaries, of RMB-PAC paid for or provided for?
6. What relationship, if any, exists between RMB-PAC and the Becker Realty Corporation?
7. What relationship, if any, exists between RMB-PAC and the Homebuilders Association of the State of Nevada PAC and the Nevada Now PAC?
8. Describe the method whereby the RMB-PAC selects candidates to support for federal office, and include the name and position of all individuals involved, in any way, in those decisions. Include all members of the Contribution Committee and indicate that they are members of this committee.
9. Describe the method whereby funds are solicited for RMB-PAC.
10. Has RMB-PAC ever participated in any fundraising activities, alone, or with either the Homebuilders Association of the State of Nevada PAC or Nevada Now PAC? If the answer is yes, indicate what portion of the costs were incurred by RMB-PAC, and indicate what disposition was made of the proceeds.
11. Provide copies of all solicitation materials used by RMB-PAC during 1978.
12. List all individuals involved in the establishment of RMB-PAC, and describe their role in such establishment.
13. Provide a copy of the most recent Constitution and Bylaws of RMB-PAC.

FEDERAL ELECTION COMMISSION

NOTIFICATION OF REASON TO BELIEVE FINDING

DATE _____

MUR NO. 1147
STAFF MEMBER(S) & TEL. NO.
M. White/D. Branch

RESPONDENT Rocky Mountain Builders PAC

202-523-4060

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

BACKGROUND

On January 15, 1980, the Reports Analysis Division ("RAD") referred the name of the Nevada Now PAC ("NN-PAC"), Rocky Mountain Builders PAC ("RMB-PAC"), and Homebuilders Association of the State of Nevada PAC ("HAN-PAC") to the Office of General Counsel for failure to list all affiliated or connected organizations on their Statements of Organization in possible violation of 2 U.S.C. § 433(b)(2). As affiliated committees the three PACs would be subject to the common contribution limitation of 2 U.S.C. § 441a(a)(5), and may have violated 2 U.S.C. § 441a(a)(1)(A) by contributing, during 1978, \$1,475 in excess of the contribution limitation to four candidates.

FACTUAL BASIS AND LEGAL ANALYSIS

On June 21, 1979, RAD mailed a "RFAI" to the RMB-PAC, NN-PAC, and HAN-PAC. The treasurer of RMB-PAC and NN-PAC responded to the RFAI's on June 28, 1979. No response was received from HAN-PAC.

Both the RMB-PAC and NN-PAC state on their Statements of Organization that they have no connected or affiliated organizations. HAN-PAC stated that it is connected with the Homebuilders Association of the State of Nevada. The Constitution and Bylaws of NN-PAC and RMB-PAC are identical. RMB-PAC, NN-PAC, and HAN-PAC all share a common treasurer. In addition, all three PACs share a common address; the Becker Realty Corporation houses the PACs. All three PACs maintain bank accounts in Las Vegas; the accounts of NN-PAC and HAN-PAC are maintained at the same bank.

The campaign contributions of the RMB-PAC, HAN-PAC, and NN-PAC are extremely similar and in the majority of cases virtually identical. As treasurer of both RMB-PAC and NN-PAC, Mr. Becker, and the chairman of each respective PAC, appoint all PAC officers and are members of each PAC's contribution committees.

NN-PAC reported the transfer of \$1,000 and \$1,500 to HAN-PAC and RMB-PAC, respectively, on its 1978 Year-End Report. Both HAN-PAC and RMB-PAC reported the receipt of these transfers on October 22, 1978.

2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 require all political committees to report all affiliated or connected organizations on their Statements of Organization. 11 C.F.R. § 100.14(c)(2) defines affiliated committees to be all committees established, financed, maintained, or controlled by the same corporation, labor organization, person, or groups of persons, including any parent, subsidiary, branch, division, department, or local unit thereof. 11 C.F.R. §§ 100.14(c)(2)(ii)(D) and 100.14(c)(2)(ii)(E) include as indicia of affiliation, similar patterns of contributions, and the transfer of funds which represent a substantial portion of the funds of either the transferor or transferee committee, other than the transfer of funds jointly raised.

2 U.S.C. § 441a(a)(5) provides that all contributions made by political committees which are established or financed or maintained or controlled by a corporation, labor organization, or any other person, including any parent, subsidiary, branch, division, department, or local unit thereof, shall be considered to have been made by a single political committee. 2 U.S.C. § 441a(a)(1)(A) prohibits contributions from a political committee to any candidate with respect to any federal election, which exceed in the aggregate, \$1,000. If RMB-PAC, NN-PAC, and HAN-PAC are affiliated, then they may have violated 2 U.S.C. § 441a(a)(1)(A). (They would not have qualified as multicandidate committees until April 13, 1979.)

As the RMB-PAC, NN-PAC, and HAN-PAC have similar patterns of contributions, have transferred funds which represent a significant portion of the funds of both transferor and transferee, appear to have been established, and appear to be financed, maintained, and controlled by the same person or group of persons, the Office of General Counsel recommends that the Commission determine that there is reason to believe that the RMB-PAC, NN-PAC, and HAN-PAC may have violated 2 U.S.C. §§ 441a(a)(1)(A), 433(b)(2), and 11 C.F.R. § 102.2.

COMMISSION'S DETERMINATION

Based on the foregoing analysis, the Federal Election Commission has found:

1. Reason to believe that the Rocky Mountain Builders PAC, Nevada Now PAC, and Homebuilders Association of the State of Nevada PAC may have violated 2 U.S.C. §§ 441a(a)(1)(A), 433(b)(2), and 11 C.F.R. § 102.2
2. The Federal Election Commission has approved the attached letter and interrogatories/request for information.



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Nevada Now PAC
50 South Jones Blvd., Suite 101
Las Vegas, Nevada 89107

Dear Mr. Becker:

Re: MUR 1147

The Federal Election Commission notified you in a request for additional information letter dated June 21, 1979, that your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act").

Upon further review of the information available to the Commission, the Commission determined on , 1980, that there is reason to believe that your committee may have violated 2 U.S.C. §§ 441a (a)(1)(A) and 433(b)(2) and 11 C.F.R. § 102.2. A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

Your response to the Commission's initial notification of the possible violation did not provide complete information regarding the matters in question. Please submit answers to the enclosed questions within 10 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.



Letter to: B.Becker (NN-PAC)
Page 2

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) (formerly § 437g(a)(3)(B)) unless you notify the Commission in writing that you wish the matter to be made public.

For your information, we have attached a brief description of the Commission's procedures for the handling of possible violations.

If you have any questions, please contact Maura White, the staff member assigned to this matter, at 202-523-4060.

Sincerely,

Enclosures

1. Summary of reason to believe finding
2. Procedures
3. Interrogatories/Requests for Information

INTERROGATORIES/REQUESTS FOR INFORMATION

1. State the location of NN-PAC offices.
2. List all employees and officers of NN-PAC, including their respective duties.
3. Describe the method whereby the officers of NN-PAC are appointed.
4. List all individuals who administer the financial affairs of NN-PAC.
5. How are the operating expenses, i.e. rent, telephone, salaries, of NN-PAC paid for or provided for?
6. What relationship, if any, exists between NN-PAC and the Becker Realty Corporation?
7. What relationship, if any, exists between NN-PAC and the Rocky Mountain Builders PAC and the Homebuilders Association of the State of Nevada PAC?
8. Describe the method whereby NN-PAC selects candidates to support for federal office, and include the name and position of all individuals involved, in any way, in those decisions. Include all members of the Contribution Committee and indicate that they are members of this committee.
9. Describe the method whereby funds are solicited for NN-PAC.
10. Has NN-PAC ever participated in any fundraising activities, alone, or with either the Rocky Mountain Builders PAC or the Homebuilders Association of the State of Nevada PAC? If the answer is yes, indicate what portion of the costs were incurred by NN-PAC, and indicate what disposition was made of the proceeds.
11. Provide copies of all solicitation materials used by NN-PAC during 1978.
12. List all individuals involved in the establishment of NN-PAC, and describe their role in such establishment.
13. Provide a copy of the most recent Constitution and Bylaws of NN-PAC.

FEDERAL ELECTION COMMISSION

NOTIFICATION OF REASON TO BELIEVE FINDING

DATE _____

MUR NO. 1147
STAFF MEMBER(S) & TEL. NO.
M. White/D. Branch

RESPONDENT Nevada Now PAC

202-523-4060

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

BACKGROUND

On January 15, 1980, the Reports Analysis Division ("RAD") referred the name of the Nevada Now PAC ("NN-PAC"), Rocky Mountain Builders PAC ("RMB-PAC"), and Homebuilders Association of the State of Nevada PAC ("HAN-PAC") to the Office of General Counsel for failure to list all affiliated or connected organizations on their Statements of Organization in possible violation of 2 U.S.C. § 433(b)(2). As affiliated committees the three PACs would be subject to the common contribution limitation of 2 U.S.C. § 441a(a)(5), and may have violated 2 U.S.C. § 441a(a)(1)(A) by contributing, during 1978, \$1,475 in excess of the contribution limitation to four candidates.

FACTUAL BASIS AND LEGAL ANALYSIS

On June 21, 1979, RAD mailed a "RFAI" to the RMB-PAC, NN-PAC, and HAN-PAC. The treasurer of RMB-PAC and NN-PAC responded to the RFAI's on June 28, 1979. No response was received from HAN-PAC.

Both the RMB-PAC and NN-PAC state on their Statements of Organization that they have no connected or affiliated organizations. HAN-PAC stated that it is connected with the Homebuilders Association of the State of Nevada. The Constitution and Bylaws of NN-PAC and RMB-PAC are identical. RMB-PAC, NN-PAC, and HAN-PAC all share a common treasurer. In addition, all three PACs share a common address; the Becker Realty Corporation houses the PACs. All three PACs maintain bank accounts in Las Vegas; the accounts of NN-PAC and HAN-PAC are maintained at the same bank.

The campaign contributions of the RMB-PAC, HAN-PAC, and NN-PAC are extremely similar and in the majority of cases virtually identical. As treasurer of both RMB-PAC and NN-PAC, Mr. Becker, and the chairman of each respective PAC, appoint all PAC officers and are members of each PAC's contribution committees.

NN-PAC reported the transfer of \$1,000 and \$1,500 to HAN-PAC and RMB-PAC, respectively, on its 1978 Year-End Report. Both HAN-PAC and RMB-PAC reported the receipt of these transfers on October 22, 1978.

2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 require all political committees to report all affiliated or connected organizations on their Statements of Organization. 11 C.F.R. § 100.14(c)(2) defines affiliated committees to be all committees established, financed, maintained, or controlled by the same corporation, labor organization, person, or groups of persons, including any parent, subsidiary, branch, division, department, or local unit thereof. 11 C.F.R. §§ 100.14(c)(2)(ii)(D) and 100.14(c)(2)(ii)(E) include as indicia of affiliation, similar patterns of contributions, and the transfer of funds which represent a substantial portion of the funds of either the transferor or transferee committee, other than the transfer of funds jointly raised.

2 U.S.C. § 441a(a)(5) provides that all contributions made by political committees which are established or financed or maintained or controlled by a corporation, labor organization, or any other person, including any parent, subsidiary, branch, division, department, or local unit thereof, shall be considered to have been made by a single political committee. 2 U.S.C. § 441a(a)(1)(A) prohibits contributions from a political committee to any candidate with respect to any federal election, which exceed in the aggregate, \$1,000. If RMB-PAC, NN-PAC, and HAN-PAC are affiliated, then they may have violated 2 U.S.C. § 441a(a)(1)(A). (They would not have qualified as multicandidate committees until April 13, 1979.)

As the RMB-PAC, NN-PAC, and HAN-PAC have similar patterns of contributions, have transferred funds which represent a significant portion of the funds of both transferor and transferee, appear to have been established, and appear to be financed, maintained, and controlled by the same person or group of persons, the Office of General Counsel recommends that the Commission determine that there is reason to believe that the RMB-PAC, NN-PAC, and HAN-PAC may have violated 2 U.S.C. §§ 441a(a)(1)(A), 433(b)(2), and 11 C.F.R. § 102.2.

COMMISSION'S DETERMINATION

Based on the foregoing analysis, the Federal Election Commission has found:

1. Reason to believe that the Rocky Mountain Builders PAC, Nevada Now PAC, and Homebuilders Association of the State of Nevada PAC may have violated 2 U.S.C. §§ 441a(a)(1)(A), 433(b)(2), and 11 C.F.R. § 102.2
2. The Federal Election Commission has approved the attached letter and interrogatories/request for information.



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry Becker, Treasurer
Homebuilders Association of the
State of Nevada PAC
50 South Jones Blvd., Suite 101
Las Vegas, Nevada 89107

Re: MUR 1147

Dear Mr. Becker:

The Federal Election Commission notified you in a request for additional information letter dated June 21, 1979, that your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act").

Upon further review of the information available to the Commission, the Commission determined on , 1980, that there is reason to believe that your committee may have violated 2 U.S.C. §§ 441a (a)(1)(A) and 433(b)(2) and 11 C.F.R. § 102.2. A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

As of this date, we have received no written response from you in connection with this matter. Please submit answers to the enclosed questions within ten days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred, and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe, if you so desire.

Letter to: B.Becker (HAN-PAC)
Page 2

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) (formerly § 437g(a)(3)(B)) unless you notify the Commission in writing that you wish the matter to be made public.

For your information, we have attached a brief description of the Commission's procedures for the handling of possible violations.

If you have any questions, please contact Maura White, the staff member assigned to this matter, at 202-523-4060.

Sincerely,

Enclosures

1. Summary of reason to believe finding
2. Procedures
3. Interrogatories/Requests for Information

INTERROGATORIES/REQUESTS FOR INFORMATION

1. State the location of HAN-PAC offices.
2. List all employees and officers of HAN-PAC, including their respective duties.
3. Describe the method whereby the officers of HAN-PAC are appointed.
4. List all individuals who administer the financial affairs of HAN-PAC.
5. How are the operating expenses, i.e. rent, telephone, salaries, of HAN-PAC paid for or provided for?
6. What relationship, if any, exists, between HAN-PAC and the Homebuilders Association of the State of Nevada?
7. What relationship, if any, exists between HAN-PAC and the Becker Realty Corporation?
8. What relationship, if any, exists between HAN-PAC and the Rocky Mountain Builders PAC and the Nevada Now PAC?
9. Describe the method whereby HAN-PAC selects candidates to support for federal office, and include the name and position of all individuals involved, in any way, in those decisions.
10. Describe the method whereby funds are solicited for HAN-PAC.
11. Has HAN-PAC ever participated in any fundraising activities, alone, or with either the Rocky Mountain Builders PAC or Nevada Now PAC? If the answer is yes, indicate what portion of the costs were incurred by HAN-PAC, and what disposition was made of the proceeds.
12. Provide copies of all solicitation materials used by HAN-PAC during 1978.
13. List all individuals involved in the establishment of HAN-PAC, and describe their role in such establishment.
14. Provide copies of all Constitutions and Bylaws of HAN-PAC.

FEDERAL ELECTION COMMISSION

NOTIFICATION OF REASON TO BELIEVE FINDING

DATE _____

MUR NO. 1147
STAFF MEMBER(S) & TEL. NO.
M. White/D. Branch

RESPONDENT Homebuilders Association of the
State of Nevada PAC

202-523-4060

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

BACKGROUND

On January 15, 1980, the Reports Analysis Division ("RAD") referred the name of the Nevada Now PAC ("NN-PAC"), Rocky Mountain Builders PAC ("RMB-PAC"), and Homebuilders Association of the State of Nevada PAC ("HAN-PAC") to the Office of General Counsel for failure to list all affiliated or connected organizations on their Statements of Organization in possible violation of 2 U.S.C. § 433(b)(2). As affiliated committees the three PACs would be subject to the common contribution limitation of 2 U.S.C. § 441a(a)(5), and may have violated 2 U.S.C. § 441a(a)(1)(A) by contributing, during 1978, \$1,475 in excess of the contribution limitation to four candidates.

FACTUAL BASIS AND LEGAL ANALYSIS

On June 21, 1979, RAD mailed a "RFAI" to the RMB-PAC, NN-PAC, and HAN-PAC. The treasurer of RMB-PAC and NN-PAC responded to the RFAI's on June 28, 1979. No response was received from HAN-PAC.

Both the RMB-PAC and NN-PAC state on their Statements of Organization that they have no connected or affiliated organizations. HAN-PAC stated that it is connected with the Homebuilders Association of the State of Nevada. The Constitution and Bylaws of NN-PAC and RMB-PAC are identical. RMB-PAC, NN-PAC, and HAN-PAC all share a common treasurer. In addition, all three PACs share a common address; the Becker Realty Corporation houses the PACs. All three PACs maintain bank accounts in Las Vegas; the accounts of NN-PAC and HAN-PAC are maintained at the same bank.

The campaign contributions of the RMB-PAC, HAN-PAC, and NN-PAC are extremely similar and in the majority of cases virtually identical. As treasurer of both RMB-PAC and NN-PAC, Mr. Becker, and the chairman of each respective PAC, appoint all PAC officers and are members of each PAC's contribution committees.

NN-PAC reported the transfer of \$1,000 and \$1,500 to HAN-PAC and RMB-PAC, respectively, on its 1978 Year-End Report. Both HAN-PAC and RMB-PAC reported the receipt of these transfers on October 22, 1978.

2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 require all political committees to report all affiliated or connected organizations on their Statements of Organization. 11 C.F.R. § 100.14(c)(2) defines affiliated committees to be all committees established, financed, maintained, or controlled by the same corporation, labor organization, person, or groups of persons, including any parent, subsidiary, branch, division, department, or local unit thereof. 11 C.F.R. §§ 100.14(c)(2)(ii)(D) and 100.14(c)(2)(ii)(E) include as indicia of affiliation, similar patterns of contributions, and the transfer of funds which represent a substantial portion of the funds of either the transferor or transferee committee, other than the transfer of funds jointly raised.

2 U.S.C. § 441a(a)(5) provides that all contributions made by political committees which are established or financed or maintained or controlled by a corporation, labor organization, or any other person, including any parent, subsidiary, branch, division, department, or local unit thereof, shall be considered to have been made by a single political committee. 2 U.S.C. § 441a(a)(1)(A) prohibits contributions from a political committee to any candidate with respect to any federal election, which exceed in the aggregate, \$1,000. If RMB-PAC, NN-PAC, and HAN-PAC are affiliated, then they may have violated 2 U.S.C. § 441a(a)(1)(A). (They would not have qualified as multicandidate committees until April 13, 1979.)

As the RMB-PAC, NN-PAC, and HAN-PAC have similar patterns of contributions, have transferred funds which represent a significant portion of the funds of both transferor and transferee, appear to have been established, and appear to be financed, maintained, and controlled by the same person or group of persons, the Office of General Counsel recommends that the Commission determine that there is reason to believe that the RMB-PAC, NN-PAC, and HAN-PAC may have violated 2 U.S.C. §§ 441a(a)(1)(A), 433(b)(2), and 11 C.F.R. § 102.2.

COMMISSION'S DETERMINATION

Based on the foregoing analysis, the Federal Election Commission has found:

1. Reason to believe that the Rocky Mountain Builders PAC, Nevada Now PAC, and Homebuilders Association of the State of Nevada PAC may have violated 2 U.S.C. §§ 441a(a)(1)(A), 433(b)(2), and 11 C.F.R. § 102.2
2. The Federal Election Commission has approved the attached letter and interrogatories/request for information.

FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20003

GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION FEB 25 1980

MUR # 1147
STAFF MEMBER(S) M. White/ D. Branch
202-523-4060

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

RESPONDENT'S NAME: Rocky Mountain Builders PAC
Nevada Now PAC
Homebuilders Association of the State of Nevada PAC

RELEVANT STATUTE: 2 U.S.C. §§ 433(b)(2), 441a(a)(1)(A),
441a(a)(5), 441b

INTERNAL REPORTS CHECKED: Committee Reports

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

On January 15, 1980, the Reports Analysis Division ("RAD") referred the names of the Rocky Mountain Builders PAC ("RMB-PAC"), Nevada Now PAC ("NN-PAC"), and the Homebuilders Association of the State of Nevada PAC ("HAN-PAC") to the Office of General Counsel for failure to list all affiliated organizations on their Statements of Organization (Attachments 1, 2, and 3). If these three PACs are affiliated then they would be required to report each other as affiliated committees on their Statements of Organization, and they would be subject to a common contribution limitation. If the PACs are affiliated, then they may have violated 2 U.S.C. § 441a by making excessive contributions to four candidates during 1978.

In addition, the RMB-PAC was referred for a possible violation of 2 U.S.C. § 441b. A review of the April 10, 1979, Quarterly Report filed by RMB-PAC revealed the receipt of five corporate contributions, totaling \$300, during 1979. All five contributions were subsequently refunded to the contributors.

LEGAL AND FACTUAL ANALYSIS

II(a) Affiliation

On June 21, 1979, RAD mailed a "RFAI" to the RMB-PAC, NN-PAC, and HAN-PAC regarding the omission of the names of affiliated or connected organizations on their Statements

of Organization. The treasurer of RMB-PAC and NN-PAC responded to the RFAI's on June 28, 1979, by stating that neither RMB-PAC nor NN-PAC were "an Affiliated Committee or Connected Organization" (Attachments 4 and 5). No response was received from HAN-PAC. In a conversation between RAD and Barry Becker, the treasurer of RMB-PAC, NN-PAC, and HAN-PAC, on July 18, 1979, Mr. Becker reaffirmed his previous position that the three PACs were not affiliated. He further stated that the three PACs were set up at different times by different individuals and that he served as treasurer of the three committees because he felt that one individual could handle the positions more effectively (Attachment 6).

2 1 0 4 0 2 3 0 5 3 3
HAN-PAC, RMB-PAC, and NN-PAC registered with the Commission on October 17, 1977, November 28, 1977, and February 6, 1978, respectively. Both RMB-PAC and NN-PAC state on their Statements of Organization that they have no connected or affiliated organizations. The Constitution and Bylaws of both PACs, however, are identical (Attachments 7 and 8). (HAN-PAC has not filed a copy of their Constitution and Bylaws with the Commission.) It appears that Barry Becker may have played a role in the establishment of the PACs. HAN-PAC stated that it is connected with the Homebuilders Association of the State of Nevada as a "source of membership."

As mentioned above, all three PACs share a common treasurer. In addition, all three PACs share a common address. The Becker Realty Corporation, located in Las Vegas, Nevada, houses the three PACs, and appears to finance and maintain them as well. Although the address of the Homebuilders Association of the State of Nevada is the official address of HAN-PAC, all reports filed with the Commission list the address of the Becker Realty Corporation as the PAC address. Moreover, all three PACs maintain bank accounts in Las Vegas; the accounts of NN-PAC and HAN-PAC are maintained at the same bank.

The campaign contribution patterns of the three PACs are similar and in the majority of cases virtually identical (See Attachment 9). Furthermore, both RMB-PAC and NN-PAC appear to be under the common control of Barry Becker. (Because we do not have a copy of HAN-PAC's Constitution and Bylaws, we are unable to determine Mr. Becker's role in HAN-PAC affairs.) As treasurer of both PACs, Mr. Becker, and the chairman of each respective PAC, appoint all PAC officers (Attachments 7 and 8). Additionally, as an officer of both PACs he is a member of the contribution committees of both. The contribution committees supervise and direct the financial affairs of the PACs, including the making of contributions to candidates (Attachments 7 and 8). The chairman of NN-PAC is Ernest Becker, who is apparently related to Barry Becker, also an employee of the Becker Realty Corporation. The chairmen of RMB-PAC and HAN-PAC are John Kenney and Joseph McDonald, respectively.

Contributions to RMB-PAC, NN-PAC, and HAN-PAC, to date, have been limited. (If the PACs are affiliated they still would not have qualified as multicandidate political committees until April 13, 1979.) The three PACs have not engaged in any joint fundraising activities and reports on file with the Commission do not indicate that any such events occurred. There has been, however, a transfer of funds between the committees. The 1978 Year-End Report of the NN-PAC reported the transfer of \$1,000 and \$1,500 to HAN-PAC and RMB-PAC, respectively (Attachment 10). The transfers represent approximately 38% of the total receipts of NN-PAC during 1978. Both RMB-PAC and HAN-PAC reported the receipt of these transfers on October 22, 1978; they represented 32% and 46.8% of the total 1978 yearly receipts of RMB-PAC and HAN-PAC, respectively.

II(b) Corporate Contributions

On July 2, 1979, RAD mailed a "RFAI" to RMB-PAC regarding the receipt of five corporate contributions during the first quarter of 1979. The contributions were reported as follows:

<u>CORPORATION</u>	<u>DATE OF RECEIPT</u>	<u>AMOUNT</u>
R & S Construction	1-3-79	\$25
Scurr Messengery Investment Co.	1-22-79	\$150
Investment Builders	1-11-79	\$50
H.H. Norman Construction	1-10-79	\$25
Gendron Homes	1-4-79	\$50

The treasurer of RMB-PAC responded to the RFAI on October 31, 1979 (Attachment 11). This response documented the return of three of the five corporate contributions. The final two contributions were reported on the 1979 Year-End Report as having been refunded on July 10, 1979.

II(c) Analysis

2 U.S.C. § 433(b)(2) and 11 C.F.R. § 102.2 require all political committees to report all affiliated or connected organizations on their Statements of Organization.

11 C.F.R. § 100.14(c)(2) defines affiliated committees to be all committees established, financed, maintained, or controlled by the same corporation, labor organization, person, or groups of persons, including any parent, subsidiary, branch, division, department, or local unit thereof. 11 C.F.R. §§ 100.14(c)(2)(ii)(D) and 100.14(c)(2)(ii)(E) include as indicia of affiliation

41040230534

similar patterns of contributions, and the transfer of funds which represent a substantial portion of the funds of either the transferor or transferee committee, other than the transfer of funds jointly raised.

2 U.S.C. § 441a(a)(5) provides that all contributions made by political committees which are established or financed or maintained or controlled by any corporation, labor organization, or any other person, including any parent, subsidiary, branch, division, department, or local unit thereof, shall be considered to have been made by a single political committee.

2 U.S.C. § 441a(a)(1)(A) prohibits contributions from a political committee to any candidate with respect to any federal election, which exceed in the aggregate, \$1,000. If the RMB-PAC, NN-PAC, and HAN-PAC are affiliated, then they may have violated 2 U.S.C. § 441a(a)(1)(A).

2 U.S.C. § 441b(a) renders it unlawful for political committees to accept corporate contributions in connection with federal election activities.

As the RMB-PAC, NN-PAC, and HAN-PAC have similar patterns of contributions, have transferred funds which represent a significant portion of the funds of both transferor and transferee, appear to have been established, and appear to be financed, maintained, and controlled by the same person or groups of persons, the Office of General Counsel recommends that the Commission determine that there is reason to believe that the RMB-PAC, NN-PAC, and HAN-PAC may have violated 2 U.S.C. §§ 441a(a)(1)(A) and 433(b)(2) and 11 C.F.R. § 102.2.

Because the RMB-PAC has returned all corporate contributions, and because they were of minimal amounts, the Office of General Counsel recommends that the Commission take no action against the RMB-PAC and the five corporate contributors in regard to possible violations of 2 U.S.C. § 441b.

RECOMMENDATIONS

1. Find Reason to Believe that the Rocky Mountain Builders PAC (RMB-PAC), Nevada Now PAC (NN-PAC), and Homebuilders Association of the State of Nevada PAC (HAN-PAC) may have violated 2 U.S.C. §§ 441a(a)(1)(A) and 433(b)(2), and 11 C.F.R. § 102.2.
2. Send the attached letters and interrogatories/requests for information to the Rocky Mountain Builders PAC (RMB-PAC), Nevada Now PAC (NN-PAC), and Homebuilders Association of the State of Nevada PAC (HAN-PAC).
3. Take no action against the Rocky Mountain Builders PAC (RMB-PAC), R&S Construction, Scurr Messengery Investment Co., Investment Builders, H.H. Norman Construction, and Gendron Homes in regard to possible violations of 2 U.S.C. § 441b.

Attachments:

1. Referrals from RAD
2. Exhibits(#1-11)
3. Letters to Barry Becker (3)

D 602
RAD 807-2-10
1148

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

REPORTS ANALYSIS REFERRAL SHEET

DATE 1/15/80 ANALYST Mark Kleinman **MK**

TO: OFFICE OF THE GENERAL COUNSEL TEAM CHIEF STEVE MIMS **SM**

THROUGH: STAFF DIRECTOR **JB** COMPLIANCE REVIEW **PS**

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS **JK**

CANDIDATE/COMMITTEE: ROCKY MOUNTAIN BUILDERS PAC

TREASURER: Barry W. Becker

ADDRESS: 50 South Jones Blvd., Suite 101
Las Vegas, NV 89107

AFFILIATE(S): none (as stated by committee)

ALLEGATION(S): Failure to name CITE: 2 U.S.C. 433
affiliated committees; Same treasurer,
address, contributors and contribution
patterns. (See Memorandum - Next page)

ATTACHMENT(S)

3,4

Receipt of 2 U.S.C. 441b
corporate contributions

5

MANNER IN WHICH REVIEW WAS INITIATED if other than normal review, AND DATE:

Normal Review

ATTACHMENT

100530530

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM 7/1/77 TO 9/30/79

TOTAL RECEIPTS \$ 8200 TOTAL EXPENDITURES \$ 7397

CASH ON HAND \$ 802 DEBTS \$ 0

HISTORY:

RESULTS OF REVIEW:

ATTACHMENT

RFAI sent on 6/21/79 --- Affiliation
inadequate response received on 6/28/79

RFAI sent 7-2-79 --- Corporate contributions April 10 Quarterly 1979
Response 10-31-79 --- April 10 Report with refund checks attached

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

ATTACHMENT

Telephone conversation on 7/18/79
Telephone conversation on 10-30-79

REASON(S) FOR REFERRAL:

ATTACHMENT

Failure to name the below mentioned committee as affiliated in accordance with
definition of affiliation. (Section 100.14(d) of the Federal Election Commission Regulations)

OTHER PENDING ACTIONS INITIATED BY RAD:

ATTACHMENT

none pertinent to allegation

OTHER RELEVANT INFORMATION:

Prepared in conjunction with:

HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA POLITICAL ACTION COMMITTEE (HAN/PAC)
NEVADA NOW POLITICAL ACTION COMMITTEE

PREVIOUS OGC/AUDIT REFERRALS FROM RAD:

none pertinent to allegation

RAD Form 1
August 1978

ATTACHMENT 1

MEMORANDUM TO THE REFERRAL:

FROM: MARK KLEINMAN

If the Commission determines that the three committees

ROCKY MOUNTAIN BUILDERS PAC
NEVADA NOW POLITICAL ACTION COMMITTEE
HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA
POLITICAL ACTION COMMITTEE

are affiliated, then there are several 441a violations for excessive contributions to candidates by non-qualified committees (Note: the three committees together would still not be qualified, because they lack more than 50* contributions from individuals together).

1. Simpson(WY) \$1125
2. Armstrong(CO) \$2100
3. Williams(MT) \$1125
4. McClure(ID) \$1125

* There are a total of 12 different contributors combined on their 1978 Reports. There are no unitemized contributors. In 1979, as of the April 10 Quarterly Report filings they would be qualified.

811040230538

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

D
RAD

801-221-10

1149

REPORTS ANALYSIS REFERRAL SHEET

DATE

1/15/80

ANALYST

Mark Kleiman

MK

TO: OFFICE OF THE GENERAL COUNSEL

TEAM CHIEF

STEVE MIMS

SM

THROUGH: STAFF DIRECTOR

COMPLIANCE REVIEW

PS/

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS

JH

CANDIDATE/COMMITTEE: NEVADA NOW POLITICAL ACTION COMMITTEE

TREASURER: Barry W. Becker

ADDRESS: 50 South Jones Blvd., Suite 101
Las Vegas, NV 89107

AFFILIATE(S): none (as stated by committee)

ALLEGATION(S): Failure to name affiliated committees; Same treasurer, address, contributors and contribution patterns. (See Memorandum - Next page)

CITE: 2 U.S.C. 433

ATTACHMENT(S)

3,4

MANNER IN WHICH REVIEW WAS INITIATED if other than normal review, AND DATE:

Normal Review

ATTACHMENT

1040230530

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM 1/31/78 TO 9/30/79

TOTAL RECEIPTS \$ 6800 TOTAL EXPENDITURES \$ 5540

CASH ON HAND \$ 1260 DEBTS \$ 0

HISTORY:

RESULTS OF REVIEW:

ATTACHMENT

RFAI sent on 6/21/79

2

inadequate response received on 6/28/79

3

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

ATTACHMENT

Telephone conversation on 7/18/79

5

REASON(S) FOR REFERRAL:

ATTACHMENT

Failure to name the below mentioned committee as affiliated in accordance with definition of affiliation. (Section 100.14(d) of the Federal Election Commission Regulations)

OTHER PENDING ACTIONS INITIATED BY RAD:

ATTACHMENT

none pertinent to allegation

OTHER RELEVANT INFORMATION:

Prepared in conjunction with:

ROCKY MOUNTAIN BUILDERS PAC

HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA POLITICAL ACTION COMMITTEE (HAN/PAC)

PREVIOUS OGC/AUDIT REFERRALS FROM RAD:

none pertinent to allegation

RAD Form 1

August 1978

ATTACHMENT 2

MEMORANDUM TO THE REFERRAL:

FROM: MARK KLEINMAN

If the Commission determines that the three committees

ROCKY MOUNTAIN BUILDERS PAC
NEVADA NOW POLITICAL ACTION COMMITTEE
HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA
POLITICAL ACTION COMMITTEE

are affiliated, then there are several 441a violations for excessive contributions to candidates by non-qualified committees (Note: the three committees together would still not be qualified, because they lack more than 50* contributions from individuals together).

1. Simpson(WY) \$1125
2. Armstrong(CO) \$2100
3. Williams(MT) \$1125
4. McClure(ID) \$1125

* There are a total of 12 different contributors combined on their 1978 Reports. There are no unitemized contributors. In 1979, as of the April 10 Quarterly Report filings they would be qualified.

104030541

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

U
RAD

801 340

1147

REPORTS ANALYSIS REFERRAL SHEET

Mark Kleinman

MK

DATE 1/15/80

ANALYST _____

TO: OFFICE OF THE GENERAL COUNSEL

TEAM CHIEF STEVE MIMS SM

THROUGH: STAFF DIRECTOR

COMPLIANCE REVIEW PS/

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS [Signature]

CANDIDATE/COMMITTEE:

Homebuilders Association of the State of Nevada Political Action Committee

TREASURER: Barry W. Becker

(HAN/PAC)

ADDRESS: 100 Vassar Street
Reno NV 89502

AFFILIATE(S): none (as stated by committee)

ALLEGATION(S): Failure to name affiliated committees; Same treasurer, address, contributors and contribution patterns. (See Memorandum - Next page)

CITE: 2 U.S.C. 433

ATTACHMENT(S)

3

MANNER IN WHICH REVIEW WAS INITIATED if other than normal review, AND DATE:

Normal Review

ATTACHMENT

104030540

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM 10/1/77 TO 9/30/79

TOTAL RECEIPTS \$ 3935 TOTAL EXPENDITURES \$ 2078

CASH ON HAND \$ 1856 DEBTS \$ 0

HISTORY:

RESULTS OF REVIEW:

RFAI sent 6/21/79
no response received

ATTACHMENT

2

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

Telephone conversation on 7/18/79

ATTACHMENT

4

REASON(S) FOR REFERRAL:

Failure to name the below mentioned committee as affiliated in accordance with definition of affiliation. (Section 100.14(d) of the Federal Election Commission Regulations

ATTACHMENT

OTHER PENDING ACTIONS INITIATED BY RAD:

none pertinent to allegation

ATTACHMENT

OTHER RELEVANT INFORMATION:

Prepared in conjunction with:
ROCKY MOUNTAIN BUILDERS PAC
NEVADA NOW POLITICAL ACTION COMMITTEE

PREVIOUS OGC/AUDIT REFERRALS FROM RAD:

none pertinent to allegation

RAD Form 1
August 1978

ATTACHMENT 3

MEMORANDUM TO THE REFERRAL:

FROM: MARK KLEINMAN

If the Commission determines that the three committees

ROCKY MOUNTAIN BUILDERS PAC
NEVADA NOW POLITICAL ACTION COMMITTEE
HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA
POLITICAL ACTION COMMITTEE

are affiliated, then there are several 441a violations for excessive contributions to candidates by non-qualified committees (Note: the three committees together would still not be qualified, because they lack more than 50* contributions from individuals together).

1. Simpson(WY) \$1125
2. Armstrong(CO) \$2100
3. Williams(MT) \$1125
4. McClure(ID) \$1125

* There are a total of 12 different contributors combined on their 1978 Reports. There are no unitemized contributors. In 1979, as of the April 10 Quarterly Report filings they would be qualified.



RECEIVED
FEDERAL ELECTION
COMMISSION

BECKER REALTY

1150 Glendale, Las Vegas, Nevada • 89107

(702) 878-1000 x 870-0212

50 SOUTH JONES BLVD., SUITE #101

- COMMERCIAL
- RESIDENTIAL
- ACREAGE
- PROPERTY MGMT.

June 28, 1979

Mr. Kevin Kelly
FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

RE: ROCKY MOUNTAIN BUILDERS POLITICAL ACTION COMMITTEE
IDENTIFICATION NUMBER: C00082859

Dear Mr. Kelly:

Per your letter of June 21st, 1979, upon reviewing the Statement of Organization for the above captioned political action committee, I have enclosed herein a copy of our original Statement of Organization which indicates that we are neither an Affiliated Committee or Connected Organization.

Also, please be aware that we have recently changed our mailing address:

50 SOUTH JONES BLVD. SUITE 101
LAS VEGAS, NEVADA 89107

If there is a necessary form for the change of address, please forward one, and I will see that it gets back to you.

Yours truly,

Barry W. Becker
Treasurer

ATTACHMENT 4

190313034054



RECEIVED
FEDERAL ELECTION
COMMISSION

BECKER REALTY 

6118 Clarks, Las Vegas, Nevada • 89107

(702) 878-1986 • 870-0212

50 SOUTH JONES BLVD., SUITE #101

- COMMERCIAL
- RESIDENTIAL
- ACREAGE
- PROPERTY MGMT.

June 28, 1979

Mr. Kevin Kelly
FEDERAL ELECTION COMMISSION
1325 "K" Street, N.W.
Washington, D.C. 20463

RE: NEVADA NOW POLITICAL ACTION COMMITTEE
IDENTIFICATION NUMBER C00086306

Dear Mr. Kelly:

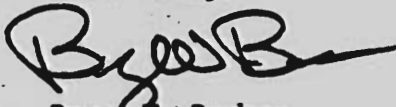
Per your letter of June 21st, 1979, upon reviewing the Statement of Organization for the above captioned political action committee, I have enclosed herein a copy of our original Statement of Organization which indicates that we are neither an Affiliated Committee nor a Connected Organization.

Also, please be aware that we have recently changed our mailing address:

50 SOUTH JONES BLVD., SUITE #101
LAS VEGAS, NEVADA 89107

If there is a necessary form for a change of address, please forward one, and I will see that it gets back to you.

Yours truly,



Barry W. Becker
Treasurer

ATTACHMENT 5

BECKER ENTERPRISES
A STANDARD OF EXCELLENCE SINCE 1903

7903130666

TELECON

TO: Barry W. Becker, Treasurer

FROM: Kevin Kelly

DATE: 7/18/79

RE: Receipt of inadequate response to RFAIs sent to
ROCY MOUNTAIN BUILDERS PAC
NEVADA NOW PAC
HOMEBUILDERS ASSOCIATION OF NEVADA PAC

I called Mr. Becker this afternoon as a part of RAD procedures for inadequate responses received from committees. I explained to Mr. Becker that the responses that he submitted on behalf of the committees were inadequate because of the definition of affiliated committees in the Regulations. I read to Mr. Becker those sections of the regulations that applied:

- a. The PAC's are controlled by the same people
 - b. they received contributions from the same people
 - c. They contributed to the same campaigns
- 100.14 d

Mr. Becker responded by stating that these PACs were set up at different times by completely different individuals. He serves as treasurer because he felt that the forms and duties were so complex that he could do the job better than having three people trying to thrash out through the myriad of regulations. He continued by stating that Rocky MT. was set up for a different purpose than the other PACs. He asked what he should do in order to not qualify as affiliated. I told him that I could not respond to that and that he should determine what course of action he wants to take. He then said that he didn't want the committees to be affiliated. I explained Commission procedures to him, noting that our Office of General Counsel will be the ones to make the final determination on this.

Also, we discussed the RFAI which I sent concerning the reporting problems. He said that he didn't have a copy of the original report and that a letter was on its way asking for a copy. I told him that I will send him a copy plus a copy of the regulations concerning affiliation. He said that if these committees were construed as affiliated then it might be best to terminate and start all over again.

Statement of Organization For a Political Committee

Supporting any candidate(s) for federal office and anticipating contributions or expenditures in excess of \$1,000 in any calendar year in support of such candidate(s).

(See Reverse Side For Instructions.)

RECEIVED
FEDERAL ELECTION
COMMISSION

Note: Committees authorized by a candidate to receive contributions and make expenditures in connection with more than one election must maintain separate records with respect to each election.

1(a) Name of Committee (in full) <input type="checkbox"/> Check if name or address is changed Rocky Mountain Builders PAC	2 Identification Number
(b) Address (number and street) 6115 CLARICE AVE	3 Date 11-19-77
(c) City, State and ZIP code L.V. Nev. 89107	4 Is this an amended statement <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "YES" FILL IN ONLY THOSE LINES ON WHICH THERE HAS BEEN A CHANGE

5 Check one.

☐ (a) This committee has been designated as the principal campaign committee for _____ (Name of Candidate)
a candidate for _____ in the _____ Election
(Federal office sought) (Year of election)
to be held in the State of _____
(State in which election is held)

(THE PRINCIPAL CAMPAIGN COMMITTEE WILL FORWARD TO THE COMMISSION A COPY OF THE STATEMENT OF ORGANIZATION FOR EACH AFFILIATED COMMITTEE REQUIRED TO FILE WITH IT.)

☐ (b) This committee is supporting only one candidate, and is authorized by _____ (Name of Candidate)
to receive contributions and make expenditures with respect to the _____ Election(s)
(General, Primary, Runoff, etc)
held in _____, and will file all reports and statements with the candidate's principal campaign
(Year of election in State)
committee, _____
(Full name of principal campaign committee)

(ATTACH A COPY OF CANDIDATE'S WRITTEN AUTHORIZATION.) (FEC FORM 2a)

☐ (c) This committee supports only one candidate _____ (Name of Candidate) but is not an authorized committee.

☒ (d) This committee supports more than one Federal candidate and is not a party committee.

☒ (e) This committee is a _____ committee of the _____ Party.
(National, State, county, city) (Democratic, Republican, etc.)

6 Names of affiliated and/or connected organizations	Mailing address and ZIP code	Relationship
N/A		

ATTACHMENT 7

If the registering political committee has identified a "connected organization" above, please indicate type of organization:

<input type="checkbox"/> Corporation	<input type="checkbox"/> Labor organization	<input type="checkbox"/> Membership organization	<input checked="" type="checkbox"/> Trade association	<input type="checkbox"/> Cooperative
<input type="checkbox"/> Corporation without capital stock	<input type="checkbox"/> Other (please specify)			

Submit additional information on separate continuation sheets appropriately labeled and attached to this Statement of Organization. Indicate in the appropriate section above when information is continued on separate page(s).

Name of Committee

Rocky Mountain Builders PAC

7 Area, Scope and Jurisdiction of Committee:

- (a) Will this committee operate in more than one State? ☒ Yes ☐ No
(b) Will it operate on a statewide basis in one State? ☐ Yes ☒ No
(c) Will it primarily support candidates seeking State or local office? ☒ Yes ☐ No
(d) Will it support or does it anticipate supporting directly or indirectly, candidates for Federal office in excess of \$1,000 in a calendar year? ☒ Yes ☐ No

8 (a) List by name, address, office sought, and party affiliation, any candidate for Federal office that this committee is supporting:

Full name(s) of candidate(s)	Mailing address and ZIP code	Office sought	Party
Not known At this Time			

(b) List by name, address, office sought, and party affiliation, any candidate(s) for any other public office(s) that this committee is supporting (unless the committee is supporting the entire ticket of a party as indicated in line 9)

Full name(s) of candidate(s)	Mailing address and ZIP code	Office sought	Party
Not known At this Time			

9 If this committee is supporting the entire ticket of a party, give name of party

N/A

10 Identify by name, address and position, the person in possession of committee books and records:

Full name	Mailing address and ZIP code	Title or position
John E. Kenney Jr	2330 Abarth St.	Chairman
Ron J. Causey	L.V. Nev. 89122	Sec.
Barry W Becker	4125 Spring Rd. L.V.	Treas.
***	6115 Clarice Ave L.V.	
	Nev. 89107	

Submit additional information on separate continuation sheets appropriately labeled and attached to this Statement of Organization. Indicate in the appropriate section above when information is continued on separate page(s).

** PETER HERDER 2875 N. Tucson Blvd., Tucson, Arizona 85719 Vice-Chairman
GLADE NEILSEN 2607 W. 4750 South Roy, Utah 84067 Assistant Treasurer

Statement of Organization of a Committee

(Page 3)

Name of Committee

Rocky Mountain Builders P.A.C.

11 List by name, address and position, other principal officers of the committee (include chairman, treasurer, secretary, assistant treasurer, assistant secretary, members of finance committee):

Full name

Mailing address and ZIP code

Title or position

Same as #10

12 Does this committee plan to stay in existence beyond the current calendar year? ☒ Yes ☐ No
If "Yes" for how long? Indefinite

13 In the event of dissolution, what disposition will be made of residual funds?

See By Laws

14 List all banks or other repositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds:

Name of bank, repository, etc.

Mailing address and ZIP code

Pioneer Citizens Bank
of Nevada

P.O. Box 430 L.V. Nev.
89101

15 List all election reports required to be filed by this committee with States and local jurisdictions, together with the names, addresses, and positions of the recipients of the reports (other than reports filed with Secretaries of State pursuant to USC 439(a)):

Report title

Dates required

Name and position of recipient

Mailing address and ZIP code

N/A -

Submit additional information on separate continuation sheets appropriately labeled and attached to this Statement of Organization. Indicate in the appropriate section above when information is continued on separate page(s).

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Wayne B. Baker
(Signature of Treasurer)

11-19-77
(Date)

Note: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. § 437g or § 441 (see instructions)

For further
information
contact:

Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

ARTICLES OF ORGANIZATION

ARTICLE I

Name

There is hereby established in the State of Nevada the ROCKY MOUNTAIN BUILDERS POLITICAL ACTION COMMITTEE.

ARTICLE II

Principal Office and Address

The principal office shall be located at 6115 Clarice Avenue, and its address shall be 6115 Clarice Avenue, Las Vegas, Nevada 89107.

ARTICLE III

Organization

ROCKY MOUNTAIN BUILDERS POLITICAL ACTION COMMITTEE shall be voluntary, non-profit, unincorporated political association composed of its members, who shall be individuals. It shall be independent of any political party, candidate or organization.

ARTICLE IV

Purposes

The purposes of ROCKY MOUNTAIN BUILDERS POLITICAL ACTION COMMITTEE are the protection, preservation and furtherance of the private enterprise system. To achieve these purposes, it is empowered to solicit and accept voluntary contributions from individuals and other political committees and to expend such contributions to influence the nomination for election, and the election of candidates for Federal elective public office. In carrying out the foregoing, it is empowered to make contributions, within limits approved by law, to candidates and to National, State and local committees of National political parties.

61040230551
77240621443

ARTICLE V

Membership

The members of ROCKY MOUNTAIN BUILDERS POLITICAL ACTION COMMITTEE shall consist of its initial organizers and such other individuals as may hereafter be admitted to membership.

ARTICLE VI

Contributions

Section 1. All contributions shall be voluntary and no contributions shall be solicited or secured by job discrimination or financial reprisal or by the threat of job discrimination or financial reprisal.

Section 2. No contribution shall be accepted, and no expenditure shall be made at a time when there is a vacancy in either the office of its Chairman or Treasurer.

Section 3. No member of the PAC, or contributor thereto, if not a member, shall have a right to share personally in any funds or other assets of the PAC upon its dissolution, or at any other time.

Section 4. The expenditure of any funds shall be within the sole discretion of the Contribution Committee.

ARTICLE VII

Seperate Segregated Fund

All contributions shall be maintained as a seperate, segregated fund, and all expenditures in support of any candidate or political committee, shall be made from such fund and from no other source.

ARTICLE VIII

Officers

Section 1. The officers shall be a Chairman, Vice-Chairman, Treasurer, Assistant Treasurer and Secretary and shall be appointed by JACK KENNEY, BARRY W. BECKER. Each officer shall continue to serve in his office until his

7704003055
104003055
7704003055

Successor is appointed and qualified.

Section 2. The Chairman shall be the chief executive officer of the PAC and shall, subject to the determination of the Contribution Committee provided in Section 2 of Article IX hereof, administer the financial affairs of the PAC. The Chairman shall preside at all meetings of the PAC or the Contribution Committee.

Section 3. The Treasurer shall be the chief financial officer of the PAC. The Treasurer, or in his stead, the Assistant Treasurer, subject to the provisions of these Articles of Organization shall have general responsibility for all funds collected and shall cause all funds to be deposited and all books of account to be kept in accordance with the directives and in a manner authorized by the Contribution Committee. The Treasurer shall also prepare, sign, file and maintain copies of all reports required by law.

Section 4. The Secretary shall maintain all minutes of the PAC and the Contribution Committee.

Section 5. During the absence or incapacity of the Chairman, the Vice-Chairman shall assume the duties and exercise the powers of the Chairman. The Vice-Chairman shall perform such other duties as may be assigned to him by these Articles, by the By-Laws or by the Chairman.

Section 6. During the absence or incapacity of the Treasurer, the Assistant Treasurer shall perform the duties and functions and exercise the powers of the Treasurer.

ARTICLE IX

Contribution Committee

Section 1. The financial affairs, including particularly the making of

104023055144
7737362144

any contributions to candidates or political committees, shall be supervised and directed by the Contribution Committee. The Chairman shall serve as a member of the Contribution Committee and as its Chairman. Other members of the Committee shall be the Vice-Chairman and the Treasurer, and such other members as may be designated and appointed annually by the Chairman. If a vacancy shall occur on the Contribution Committee, the Chairman may appoint someone to fill the unexpired term. A quorum of the Contribution Committee for the transaction of business shall consist of a majority of its members.

Section 2. The Contribution Committee may delegate to the Chairman, subject to the over-all direction of the Committee, the responsibility for managing the financial affairs of the PAC, including the power to determine the candidates and/or political committees that the PAC shall support.

ARTICLE X

Meetings

The Contribution Committee may be called into session by any of its members whenever such member or members deem it necessary that a question relating to the affairs of the PAC be considered by the Contribution Committee. Meetings of members may be called by a majority of the members of the Contribution Committee.

ARTICLE XI

Adoption, Amendments and By-Laws

Section 1. These Articles shall be adopted effective November 19th, 1977.

Section 2. These Articles may be amended from time to time by action of a majority of the Contribution Committee, provided, however, that Sections 1, 2 and 3 of Article VI shall not be subject to amendment or repeal so long as

07170400305545

the PAC remains in existence.

Section 3. By-Laws of the PAC may be hereafter adopted, amended and repealed by the Contribution Committee in accordance with procedures established in such By-Laws by such Committee.

ARTICLE XII

Dissolution

Although the duration of the PAC is to be perpetual, it may be dissolved at any time by action of a majority of the Contribution Committee. In the event of such dissolution, all surplus funds of the PAC shall be promptly distributed to candidates or committees in a manner consistent with Article IX hereof and for the purposes set forth in Article IV hereof.

071004003015545

Statement of Organization For a Political Committee

Supporting any candidate(s) for federal office and anticipating contributions or expenditures in excess of \$1,000 in any calendar year in support of such candidate(s).

(See Reverse Side For Instructions.)

RECEIVED
FEDERAL ELECTION
COMMISSION

78 FEB 6 P2:04

Note: Committees authorized by a candidate to receive contributions and make expenditures in connection with more than one election must maintain separate records with respect to each election.

1(a) Name of Committee (in full) <input type="checkbox"/> Check if name or address is changed NEVADA NOW POLITICAL ACTION COMMITTEE	2 Identification Number
(b) Address (number and street) 6115 Clarice Avenue	3 Date December 21, 1977
(c) City, State and ZIP code Las Vegas, Nevada 89107	4 Is this an amended statement <input type="checkbox"/> Yes <input type="checkbox"/> No If "YES" FILL IN ONLY THOSE LINES ON WHICH THERE HAS BEEN A CHANGE

5 Check one:

- ☐ (a) This committee has been designated as the principal campaign committee for _____ (Name of Candidate)
a candidate for _____ in the _____ Election
(Federal office sought) (Year of election)
to be held in the State of _____
(State in which election is held)

(THE PRINCIPAL CAMPAIGN COMMITTEE WILL FORWARD TO THE COMMISSION A COPY OF THE STATEMENT OF ORGANIZATION FOR EACH AFFILIATED COMMITTEE REQUIRED TO FILE WITH IT.)

- ☐ (b) This committee is supporting only one candidate, and is authorized by _____ (Name of Candidate)
to receive contributions and make expenditures with respect to the _____ Election(s)
(General, Primary, Runoff, etc)
held in _____, and will file all reports and statements with the candidate's principal campaign
(Year of election in State)
committee, _____
(Full name of principal campaign committee)

(ATTACH A COPY OF CANDIDATE'S WRITTEN AUTHORIZATION.) (FEC FORM 2a)

- ☐ (c) This committee supports only one candidate _____ (Name of Candidate) but is not an authorized committee.
☒ (d) This committee supports more than one Federal candidate and is not a party committee.
☐ (e) This committee is a _____ committee of the _____ Party.
(National, State, county, city) (Democratic, Republican, etc.)

6 Names of affiliated and/or connected organizations	Mailing address and ZIP code	Relationship
N/A	N/A	N/A

ATTACHMENT 8

If the registering political committee has identified a "connected organization" above, please indicate type of organization:

- ☐ Corporation ☐ Labor organization ☒ Membership organization ☐ Trade association ☐ Cooperative
☐ Corporation without capital stock ☐ Other (please specify)

Submit additional information on separate continuation sheets appropriately labeled and attached to this Statement of Organization. Indicate in the appropriate section above when information is continued on separate page(s).

Name of Committee
NEVADA NOW POLITICAL ACTION COMMITTEE

7 Area, Scope and Jurisdiction of Committee:

- (a) Will this committee operate in more than one State? ☒ Yes ☐ No
(b) Will it operate on a statewide basis in one State? ☐ Yes ☒ No
(c) Will it primarily support candidates seeking State or local office? ☒ Yes ☐ No
(d) Will it support or does it anticipate supporting directly or indirectly, candidates for Federal office in excess of \$1,000 in a calendar year? ☒ Yes ☐ No

8 (a) List by name, address, office sought, and party affiliation, any candidate for Federal office that this committee is supporting:

Full name(s) of candidate(s)	Mailing address and ZIP code	Office sought	Party
NOT KNOWN AT THIS TIME			

(b) List by name, address, office sought, and party affiliation, any candidate(s) for any other public office(s) that this committee is supporting (unless the committee is supporting the entire ticket of a party as indicated in line 9)

Full name(s) of candidate(s)	Mailing address and ZIP code	Office sought	Party
NOT KNOWN AT THIS TIME			

9 If this committee is supporting the entire ticket of a party, give name of party ► N/A

10 Identify by name, address and position, the person in possession of committee books and records:

Full name	Mailing address and ZIP code	Title or position
ERNEST A. BECKER	6115 Clarice Avenue, Las Vegas, NV 89107	Chairman
ANDY SKURSKI	4412 West Charleston Blvd, Las Vegas, Nevada 89102	Co-Chairman
NORMAN BLACKBURN	c/o 6115 Clarice Avenue, Las Vegas, Nevada 89107	Secretary
BARRY W. BECKER	6115 Clarice Avenue, Las Vegas, NV 89107	Treasurer

Submit additional information on separate continuation sheets appropriately labeled and attached to this Statement of Organization. Indicate in the appropriate section above when information is continued on separate page(s).

Statement of Organization for a Committee

(Page 3)

Name of Committee

NEVADA NOW POLITICAL ACTION COMMITTEE

11 List by name, address and position, other principal officers of the committee (include chairman, treasurer, secretary, assistant treasurer, assistant secretary, members of finance committee):

Full name	Mailing address and ZIP code	Title or position
SAME AS ITEM # 10		

12 Does this committee plan to stay in existence beyond the current calendar year? ☒ Yes ☐ No
If "Yes" for how long?Indefinite.....

13 In the event of dissolution, what disposition will be made of residual funds?
See Articles of Organization

14 List all banks or other repositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds:

Name of bank, repository, etc.	Mailing address and ZIP code
NEVADA NATIONAL BANK OF NEVADA Sahara-Rancho Branch	2320 West Sahara Avenue Las Vegas, Nevada 89102

15 List all election reports required to be filed by this committee with States and local jurisdictions, together with the names, addresses, and positions of the recipients of the reports (other than reports filed with Secretaries of State pursuant to USC 439(a)):

Report title	Dates required	Name and position of recipient	Mailing address and ZIP code
N/A	N/A	N/A	N/A

Submit additional information on separate continuation sheets appropriately labeled and attached to this Statement of Organization. Indicate in the appropriate section above when information is continued on separate page(s).

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Barry W. Becker

(Signature of Treasurer)

12/21/77

(Date)

Note: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. § 437g or § 441j (see instructions)

For further
information
contact:

Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

ARTICLES OF ORGANIZATION

ARTICLE I

Name

There is hereby established in the State of NEVADA
the NEVADA NOW Political Action Committee.

ARTICLE II

Principal Office and Address

The principal office shall be located at 6115 Clarice Avenue
Las Vegas, NV and its address shall be 6115 Clarice Avenue, Las Vegas, NV
89107.

ARTICLE III

Organization

NEVADA NOW POLITICAL ACTION COMMITTEE shall be a voluntary, non-profit,
unincorporated political association composed of its members, who shall
be individuals. It shall be independent of any political party, candidate
or organization except that ~~Association shall defray~~
all the costs and expenses incurred in the establishment and administration
~~of, and in the solicitation of contributions.~~

ARTICLE IV

Purposes

The purposes of NEVADA NOW POLITICAL ACTION COMMITTEE are the protection, pre-
servation and furtherance of the private enterprise system. To
achieve these purposes, it is empowered to solicit and accept voluntary

contributions from individuals and other political committees and to expend such contributions to influence the nomination for election, and the election of candidates for Federal elective public office. In carrying out the foregoing, it is empowered to make contributions, within limits approved by law, to candidates and to National, State and local committees of National political parties.

ARTICLE V

Membership

The members of NEVADA NOW POLITICAL ACTION COMMITTEE shall consist of its initial organizers and such other individuals as may hereafter be admitted to membership.

ARTICLE VI

Contributions

Section 1. All contributions shall be voluntary and no contributions shall be solicited or secured by job discrimination or financial reprisal or by the threat of job discrimination or financial reprisal.

Section 2. No contribution shall be accepted, and no expenditure shall be made at a time when there is a vacancy in either the office of its Chairman or Treasurer.

Section 3. No member of the PAC, or contributor thereto, if not a member, shall have a right to share personally in any funds or

other assets of the PAC upon its dissolution, or at any other time.

Section 4. The expenditure of any funds shall be within the sole discretion of the Contribution Committee.

ARTICLE VII

Separate Segregated Fund

All contributions shall be maintained as a separate, segregated fund, and all expenditures in support of any candidate or political committee, shall be made from such fund and from no other source.

ARTICLE VIII

Officers

Section 1. The officers shall be a Chairman, Vice Chairman, Treasurer, Assistant Treasurer and Secretary and shall be appointed by ERNEST A. BECKER and BARRY W. BECKER. Each officer shall continue to serve in his office until his successor is appointed and qualified.

Section 2. The Chairman shall be the chief executive officer of the PAC and shall, subject to the determination of the Contribution Committee provided in Section 2 of Article IX hereof, administer the financial affairs of the PAC. The Chairman shall preside at all meetings of the PAC or the Contribution Committee.

Section 3. The Treasurer shall be the chief financial officer of the PAC. The Treasurer, or in his stead, the Assistant Treasurer, subject to the provisions of these Articles of Organization shall have general responsibility for all funds collected and shall cause all funds

78940305615

to be deposited and all books of account to be kept in accordance with the directives and in a manner authorized by the Contribution Committee. The Treasurer shall also prepare, sign, file and maintain copies of all reports required by law.

Section 4. The Secretary shall maintain all minutes of the PAC and the Contribution Committee.

Section 5. During the absence or incapacity of the Chairman, the Vice Chairman shall assume the duties and exercise the powers of the Chairman. The Vice Chairman shall perform such other duties as may be assigned to him by these Articles, by the By Laws or by the Chairman.

Section 6. During the absence or incapacity of the Treasurer, the Assistant Treasurer shall perform the duties and functions and exercise the powers of the Treasurer.

ARTICLE IX

Contribution Committee

Section 1. The financial affairs, including particularly the making of any contributions to candidates or political committees, shall be supervised and directed by the Contribution Committee. The Chairman shall serve as a member of the Contribution Committee and as its Chairman. Other members of the Committee shall be the Vice Chairman and the Treasurer, and such other members as may be designated and appointed annually by the Chairman. If a vacancy shall occur on the Contribution Committee, the Chairman may appoint someone to fill the unexpired term. A quorum of the Contribution Committee for the transaction of business shall consist of a majority of its members.

7
1
0
0
4
0
0
3
3
0
3
5
0
6
6
3

Section 2. The Contribution Committee may delegate to the Chairman, subject to the over-all direction of the Committee, the responsibility for managing the financial affairs of the PAC, including the power to determine the candidates and/or political committees that the PAC shall support.

ARTICLE X

Meetings

The Contribution Committee may be called into session by any of its members whenever such member or members deem it necessary that a question relating to the affairs of the PAC be considered by the Contribution Committee. Meetings of members may be called by a majority of the members of the Contribution Committee.

ARTICLE XI

Adoption, Amendments and By-Laws

Section 1. These Articles shall be adopted effective _____

December 21st, 1977

Section 2. These Articles may be amended from time to time by action of a majority of the Contribution Committee, provided, however, that Sections 1, 2 and 3 of Article VI shall not be subject to amendment or repeal so long as the PAC remains in existence.

Section 3. By Laws of the PAC may be hereafter adopted, amended and repealed by the Contribution Committee in accordance with procedures established in such By Laws by such Committee.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MURs 1147, 1148, 1149
Homebuilders Association of the)
State of Nevada PAC - MUR 1147)
Rocky Mountain Builders PAC - MUR 1148)
Nevada Now PAC - MUR 1149)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal
Election Commission, do hereby certify that on February 8,
1980, the Commission decided by a vote of 6-0 to consolidate
MURS 1147, 1148, and 1149 into MUR 1147.

Voting for this determination were Commissioners Aikens,
Friedersdorf, Harris, McGarry, Reiche, and Teirnan.

Attest:

2/8/80

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Received in Office of the Commission Secretary: 2-6-80, 12:59
Circulated on 48 hour vote basis: 2-6-80, 4:00

1104030564

February 6, 1980

MEMORANDUM TO: Marjorie W. Emons
FROM: Jane Colgrove
SUBJECT: MURs 1147, 1148, 1149

Please have the attached First General Counsel's Report on MURs 1147, 1148, and 1149 distributed to the Commission on a 48 hour tally basis.

Thank you.

81040230565

FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20003

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION FEB 6 1980

MUR # 1147, 1148, 1149
STAFF MEMBER(S) M. White

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

RESPONDENT'S NAME: MUR 1147--Homebuilders Association of the State
of Nevada PAC
MUR 1148--Rocky Mountain Builders PAC
MUR 1149--Nevada Now PAC

RELEVANT STATUTE:
2 U.S.C. § 433
2 U.S.C. § 441a(a) (5)
2 U.S.C. § 441b

INTERNAL REPORTS CHECKED: Committee Reports

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

On January 15, 1980, the Reports Analysis Division ("RAD") referred the names of the Homebuilders Association of the State of Nevada PAC (MUR 1147), Rocky Mountain Builders PAC (MUR 1148), and, the Nevada NOW PAC (MUR 1149) to the Office of General Counsel for possible violations of 2 U.S.C. § 433. MUR 1148 (Rocky Mountain Builders PAC) also involves a possible violation of 2 U.S.C. § 441b. If these three PACs are affiliated they would be required to report each other as affiliated committees on their statements of organization and they would be subject to a common contribution limitation. (Attachments 1, 2, and 3)

FACTUAL AND LEGAL ANALYSIS

2 U.S.C. § 433(b) (2) requires all political committees to report the name of all affiliated committees on their statements of organization. Under 2 U.S.C. § 441a(a) (5) all contributions made by political committees which are established or financed or maintained or controlled by any corporation, labor organization, or any other person, including any parent, subsidiary, branch, division, department, or local unit of such corporation, labor organization, or any other person, or by any group of such persons, shall be considered to have

80 FEB 6 11:00

been made by a single political committee.

2 U.S.C. § 441b renders it unlawful for political committees to accept corporate contributions in connection with federal election activities.

Considering the fact that these three MURs all involve the same issues and respondents, the General Counsel's Office recommends the consolidation of MURs 1147, 1148, and 1149 into MUR 1147.

RECOMMENDATIONS

1. Consolidate MURs 1147, 1148, and 1149 into MUR 1147.

Attachments

1. Referral from RAD--Homebuilders Association of the State of NV PAC
2. Referral from RAD--Rocky Mountain Builders PAC
3. Referral from RAD--Nevada NOW PAC

01040230567

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

REPORTS ANALYSIS REFERRAL SHEET

D 607
RAD 801340

Mark Kleiman

MK

DATE 1/15/80

ANALYST

TO: OFFICE OF THE GENERAL COUNSEL

TEAM CHIEF STEVE MIMS SM

THROUGH: STAFF DIRECTOR

COMPLIANCE REVIEW PS/

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS

CANDIDATE/COMMITTEE:

HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA POLITICAL ACTION COMMITTEE

TREASURER: Barry W. Becker

(HAN/PAC)

ADDRESS: 100 Vassar Street
Reno NV 89502

AFFILIATE(S): none (as stated by committee)

ALLEGATION(S): Failure to name affiliated committees; Same treasurer, address, contributors and contribution patterns. (See Memorandum - Next page)

CITE: 2 U.S.C. 433

ATTACHMENT(S)

3

MANNER IN WHICH REVIEW WAS INITIATED if other than normal review, AND DATE:

Normal Review

ATTACHMENT

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM 10/1/77 TO 9/30/79

TOTAL RECEIPTS \$ 3935 TOTAL EXPENDITURES \$ 2078

CASH ON HAND \$ 1856 DEBTS \$ 0

HISTORY:

RESULTS OF REVIEW:

RFAI sent 6/21/79
no response received

ATTACHMENT

2

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

Telephone conversation on 7/18/79

ATTACHMENT

4

REASON(S) FOR REFERRAL:

Failure to name the below mentioned committee as affiliated in accordance with definition of affiliation. (Section 100.14(d) of the Federal Election Commission Regulations

ATTACHMENT

OTHER PENDING ACTIONS INITIATED BY RAD:

none pertinent to allegation

ATTACHMENT

OTHER RELEVANT INFORMATION:

Prepared in conjunction with:
ROCKY MOUNTAIN BUILDERS PAC
NEVADA NOW POLITICAL ACTION COMMITTEE

PREVIOUS OGC/AUDIT REFERRALS FROM RAD:

none pertinent to allegation

RAD Form 1
August 1978

MEMORANDUM TO THE REFERRAL:

FROM: MARK KLEINMAN

If the Commission determines that the three committees

ROCKY MOUNTAIN BUILDERS PAC
NEVADA NOW POLITICAL ACTION COMMITTEE
HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA
POLITICAL ACTION COMMITTEE

are affiliated, then there are several 441a violations for excessive contributions to candidates by non-qualified committees (Note: the three committees together would still not be qualified, because they lack more than 50* contributions from individuals together).

1. Simpson(WY) \$1125
2. Armstrong(CO) \$2100
3. Williams(MT) \$1125
4. McClure(ID) \$1125

* There are a total of 12 different contributors combined on their 1978 Reports. There are no unitemized contributors. In 1979, as of the April 10 Quarterly Report filings they would be qualified.

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

REPORTS ANALYSIS REFERRAL SHEET

DATE 1/15/80

ANALYST Mark Kleinman **MK**

TO: OFFICE OF THE GENERAL COUNSEL

TEAM CHIEF STEVE MIMS *SM*

THROUGH: STAFF DIRECTOR *JBH.*

COMPLIANCE REVIEW PS

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS *[Signature]*

CANDIDATE/COMMITTEE: ROCKY MOUNTAIN BUILDERS PAC

TREASURER: Barry W. Becker

ADDRESS: 50 South Jones Blvd., Suite 101
Las Vegas, NV 89107

AFFILIATE(S): none (as stated by committee)

ALLEGATION(S): Failure to name CITE: 2 U.S.C. 433
affiliated committees; Same treasurer,
address, contributors and contribution
patterns. (See Memorandum - Next page)

ATTACHMENT(S)

3,4

Receipt of 2 U.S.C. 441b
corporate contributions

5

MANNER IN WHICH REVIEW WAS INITIATED if other than normal review, AND DATE:

Normal Review

ATTACHMENT

1040030571

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM 7/1/77 TO 9/30/79

TOTAL RECEIPTS \$ 8200 TOTAL EXPENDITURES \$ 7397

CASH ON HAND \$ 802 DEBTS \$ 0

HISTORY:

RESULTS OF REVIEW:

ATTACHMENT

RFAI sent on 6/21/79 --- Affiliation
inadequate response received on 6/28/79

RFAI sent 7-2-79 --- Corporate contributions April 10 Quarterly 1979
Response 10-31-79 --- April 10 Report with refund checks attached

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

ATTACHMENT

Telephone conversation on 7/18/79
Telephone conversation on 10-30-79

REASON(S) FOR REFERRAL:

ATTACHMENT

Failure to name the below mentioned committee as affiliated in accordance with
definition of affiliation. (Section 100.14(d) of the Federal Election Commission Regulations)

OTHER PENDING ACTIONS INITIATED BY RAD:

ATTACHMENT

none pertinent to allegation

OTHER RELEVANT INFORMATION:

Prepared in conjunction with:

HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA POLITICAL ACTION COMMITTEE (HAN/PAC)
NEVADA NOW POLITICAL ACTION COMMITTEE

PREVIOUS OGC/AUDIT REFERRALS FROM RAD:

none pertinent to allegation

RAD Form 1
August 1978

MEMORANDUM TO THE REFERRAL:

FROM: MARK KLEINMAN

If the Commission determines that the three committees

ROCKY MOUNTAIN BUILDERS PAC
NEVADA NOW POLITICAL ACTION COMMITTEE
HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA
POLITICAL ACTION COMMITTEE

are affiliated, then there are several 441a violations for excessive contributions to candidates by non-qualified committees (Note: the three committees together would still not be qualified, because they lack more than 50* contributions from individuals together).

1. Simpson(WY) \$1125
2. Armstrong(CO) \$2100
3. Williams(MT) \$1125
4. McClure(ID) \$1125

* There are a total of 12 different contributors combined on their 1978 Reports. There are no unitemized contributors. In 1979, as of the April 10 Quarterly Report filings they would be qualified.

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

REPORTS ANALYSIS REFERRAL SHEET

DATE 1/15/80ANALYST Mark Kleirman **MK**

TO: OFFICE OF THE GENERAL COUNSEL

TEAM CHIEF STEVE MIMS **sm**

THROUGH: STAFF DIRECTOR

COMPLIANCE REVIEW **PS**FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS **JH**

CANDIDATE/COMMITTEE: NEVADA NOW POLITICAL ACTION COMMITTEE

TREASURER: Barry W. Becker

ADDRESS: 50 South Jones Blvd., Suite 101
Las Vegas, NV 89107

AFFILIATE(S): none (as stated by committee)

ALLEGATION(S): Failure to name CITE: 2 U.S.C. 433
affiliated committees; Same treasurer,
address, contributors and contribution
patterns. (See Memorandum - Next page)

ATTACHMENT(S)

3,4

MANNER IN WHICH REVIEW WAS INITIATED if other than normal review, AND DATE:

Normal Review

ATTACHMENT

104030571

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM 1/31/78 TO 9/30/79

TOTAL RECEIPTS \$ 6800 TOTAL EXPENDITURES \$ 5540

CASH ON HAND \$ 1260 DEBTS \$ 0

HISTORY:

RESULTS OF REVIEW:

ATTACHMENT

RFAI sent on 6/21/79

2

inadequate response received on 6/28/79

3

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

ATTACHMENT

Telephone conversation on 7/18/79

5

REASON(S) FOR REFERRAL:

ATTACHMENT

Failure to name the below mentioned committee as affiliated in accordance with definition of affiliation. (Section 100.14(d) of the Federal Election Commission Regulations)

OTHER PENDING ACTIONS INITIATED BY RAD:

ATTACHMENT

none pertinent to allegation

OTHER RELEVANT INFORMATION:

Prepared in conjunction with:

ROCKY MOUNTAIN BUILDERS PAC

HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA POLITICAL ACTION COMMITTEE (HAN/PAC)

PREVIOUS OGC/AUDIT REFERRALS FROM RAD:

none pertinent to allegation

RAD Form 1
August 1978

MEMORANDUM TO THE REFERRAL:

FROM: MARK KLEINMAN

If the Commission determines that the three committees

ROCKY MOUNTAIN BUILDERS PAC
NEVADA NOW POLITICAL ACTION COMMITTEE
HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA
POLITICAL ACTION COMMITTEE

are affiliated, then there are several 441a violations for excessive contributions to candidates by non-qualified committees (Note: the three committees together would still not be qualified, because they lack more than 50* contributions from individuals together).

1. Simpson(WY) \$1125
2. Armstrong(CO) \$2100
3. Williams(MT) \$1125
4. McClure(ID) \$1125

* There are a total of 12 different contributors combined on their 1978 Reports. There are no unitemized contributors. In 1979, as of the April 10 Quarterly Report filings they would be qualified.

61040030575

1/15/80

MEMORANDUM

TO: Charles Steele
THROUGH: Orlando B. Potter *OBP*
FROM: TOM HASELHORST *TH*
SUBJECT: Referrals for Rocky Mountain Builders PAC, Nevada Now PAC,
and Homebuilders Association of Nevada PAC.

Please note that the attached referrals for the above mentioned committees are concerned with the same transaction and should be reviewed and handled simultaneously.

11040230577

604
801 54C.

MK

ATTACHMENT

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM 10/1/77 TO 9/30/79

TOTAL RECEIPTS \$ 3935 TOTAL EXPENDITURES \$ 2078

CASH ON HAND \$ 1856 DEBTS \$ 0

HISTORY:

RESULTS OF REVIEW:

ATTACHMENT

RFAI sent 6/21/79
no response received

2

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

ATTACHMENT

Telephone conversation on 7/18/79

4

REASON(S) FOR REFERRAL:

ATTACHMENT

Failure to name the below mentioned committee as affiliated in accordance with definition of affiliation. (Section 100.14(d) of the Federal Election Commission Regulations

OTHER PENDING ACTIONS INITIATED BY RAD:

ATTACHMENT

none pertinent to allegation

OTHER RELEVANT INFORMATION:

Prepared in conjunction with:
ROCKY MOUNTAIN BUILDERS PAC
NEVADA NOW POLITICAL ACTION COMMITTEE

PREVIOUS OGC/AUDIT REFERRALS FROM RAD:

none pertinent to allegation

1040030570

MEMORANDUM TO THE REFERRAL:

FROM: MARK KLEINMAN

If the Commission determines that the three committees

ROCKY MOUNTAIN BUILDERS PAC
NEVADA NOW POLITICAL ACTION COMMITTEE
HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA
POLITICAL ACTION COMMITTEE

are affiliated, then there are several 441a violations for excessive contributions to candidates by non-qualified committees (Note: the three committees together would still not be qualified, because they lack more than 50* contributions from individuals together).

1. Simpson(WY) \$1125
2. Armstrong(CO) \$2100
3. Williams(MT) \$1125
4. McClure(ID) \$1125

* There are a total of 12 different contributors combined on their 1978 Reports. There are no unitemized contributors. In 1979, as of the April 10 Quarterly Report filings they would be qualified.

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) 1977-1978

DATE 17DEC79
PAGE

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
		PRIMARY	GENERAL	PRIMARY	GENERAL			
HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA POLITICAL ACTION COMMITTEE (HAN/PAC)								ID# C00081539
CONNECTED ORGANIZATION: HOMEBUILDERS ASS'N OF THE STATE OF NV								
	✓1977 STATEMENT OF ORGANIZATION					13OCT77	4	77FEC/060/4856
	✓ MISCELLANEOUS TRANSACTION TO F.E.C.					30DEC77	5	77FEC/063/0729
	1979 REQUEST FOR ADDITIONAL INFORMATION					21JUN79	3	79FEC/129/1842
	✓1977 YEAR END REPORT	850		0			2	78FEC/066/2714
	REQUEST FOR ADDITIONAL INFORMATION						3	78FEC/066/4865
	REQUEST FOR ADDITIONAL INFORMATION						2	78FEC/075/2442
	✓YEAR END REPORT - AMENDMENT	850		0		1OCT77 -31DEC77	4	78FEC/067/3107
	✓YEAR END REPORT - AMENDMENT	850		0		1OCT77 -31DEC77	4	78FEC/076/2491
	✓1978 APRIL 10 QUARTERLY	0		0		31JAN78 -10APR78	3	78FEC/072/3570
	REQUEST FOR ADDITIONAL INFORMATION					31JAN78 -10APR78	1	78FEC/075/2444
	✓APRIL 10 QUARTERLY - AMENDMENT	0		0		31JAN78 -10APR78	4	78FEC/076/2487
	✓JULY 10 QUARTERLY 3A - POSTCARD					1APR78 -30JUN78	2	78FEC/081/4741
	✓OCTOBER 10 QUARTERLY 3A - POSTCARD					1JUL78 -30SEP78	2	78FEC/086/1937
	✓10 DAY PRE-GENERAL	2,000		2,025		23OCT78	6	78FEC/095/3406
	✓30 DAY POST-GENERAL	135		0		24OCT78 -27NOV78	5	78FEC/099/2619
	✓YEAR END REPORT	2,135		2,025		28NOV78 -31DEC78	6	79FEC/117/3523
	TOTAL	5,120	0	4,050	0		56	TOTAL PAGES

10/1/77 - 12/31/78

Receipts \$ 2985

Expenditures \$ 2025

Cash on hand \$ 960

Debits \$ 0

Basic review completed

1 8 5 0 2 0 0 0 1 9

01040230582

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) 1979-1980

DATE 17DEC79
PAGE

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
		PRIMARY	GENERAL	PRIMARY	GENERAL			
HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA POLITICAL ACTION COMMITTEE (HAN/PAC)								ID# C00081539
CONNECTED ORGANIZATION: HOMEBUILDERS ASS'N OF THE STATE OF NV								
	✓ 1979 APRIL 10 QUARTERLY		950		53	1JAN79 -10APR79	8	79FEC/125/1437
	✓ JULY 10 QUARTERLY	3A - POSTCARD				1APR79 -30JUN79	2	79FEC/133/0095
	✓ OCTOBER 10 QUARTERLY	3A - POSTCARD				1JUL79 -30SEP79	2	79FEC/138/2255
	TOTAL		950	0	53	0	12	TOTAL PAGES

1/1/79 - 9/30/79

Receipts \$ 950

expenditures \$ 53.31

Cash on hand \$ 1856.69

Debts \$ 0

basic review completed



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Mr. Barry W. Becker, Treasurer
HOMEBUILDERS ASSOCIATION OF NEVADA-PAC
6115 Clarice Avenue
Las Vegas, Nevada 89107

June 21, 1979

Dear Mr. Becker:

This letter is prompted by our interest in assisting committees who wish to comply with the Federal Election Campaign Act.

During review of your Statement of Organization, we noted that you omitted certain information. Attached is an itemization of the information requested.

While we recognize the difficulties you may have experienced in filling out the registration forms, we must ask that you supply the Commission with the missing information within fifteen (15) days from the date of this letter. If you have any questions, please do not hesitate to contact Kevin Kelly in our Reports Analysis Division on the toll free number (800)424-9530. Our local number is (202) 357-0026.

Sincerely,

A handwritten signature in cursive script, reading "Orlando B. Potter".

Orlando B. Potter
Staff Director

Attachment
FEC Form 11

79031291858
610403030

TO: HOMEBUILDERS ASSOCIATION OF NEVADA-PAC

DATE: June 21, 1979

I.D. NO.: C00081539

REQUEST FOR ADDITIONAL INFORMATION FOR YOUR STATEMENT OF ORGANIZATION OF A POLITICAL COMMITTEE, PURSUANT TO THE FEDERAL ELECTION CAMPAIGN ACT OF 1971, AS AMENDED.

A review of the statement indicates that additional information is needed in order to be considered complete. Please return a copy of this form with your amended submission(s).

Please provide the required information as indicated below (X):

☐ Signature ☐ omitted ☐ incorrect

11 CFR 104.12(a) requires each person having the responsibility to file a report to sign the original report. Please resubmit a signed copy of your report.

☐ Question 5 - Complete information for: (a) ☐, (b) ☐, (c) ☐, (d) ☐, (e) ☐

11 CFR 102.2(a)(1) requires the identity of not only the name and address of your committee but the type of committee. Please amend your statement accordingly.

☒ Question 6 - Name(s) of Affiliated Committee(s) and/or Connected Organization (IF NONE, SO STATE)

☒ 11 CFR 100.14(c)(2) defines an "Affiliated Committee" as a committee (including a separate segregated fund) established, financed, maintained, or controlled by the same corporation, labor organization, person, or group of persons, including any parent, subsidiary, branch, division, department, or local unit thereof. Please amend your report accordingly.

☒ 11 CFR 100.15 defines "Connected Organization" as any organization which is not a political committee but which directly or indirectly establishes, administers, or financially supports the registrant such as corporation (including one without capital stock), a labor organization, a membership organization, a cooperative, or trade association. Please amend your report accordingly.

Name, address, state and party affiliation of individual candidates supported by the committee.

Name, address and position of the committee's custodian of books and accounts.

Name, address and position of principal officers of the committee ☐ omitted ☐ inadequate.

2 U.S.C. 432(a) requires each political committee to have a Chairman and a Treasurer. 11 CFR 102.7 further stipulates that the Treasurer and Chairman are not to be the same individuals, and that no contributions may be accepted or expenditures made when there is a vacancy in either office. Please amend your statement to identify the appropriate officers.

☐ Name(s), location(s) of bank(s), repository(ies).

2 U.S.C. 433(b)(9) requires a listing of all banks, safety deposit boxes or other repositories used by the committee be disclosed. Please amend your statement to identify all repository(ies) authorized by the candidate for your use.

☐ Other: _____

Your initial submission(s), together with this request for additional information, has been made available for public inspection. The Commission urges you to file the additional submission(s) promptly to the above address. If you have any questions regarding this request, please call the Reports Analysis Division toll free at (800) 424-9530. The local Washington, D.C. telephone number is (202) 523-4048.

(No 79-80 activity)

Home location of the STATE OF NEVADA POLITICAL ACTION COMMITTEE (HAN/PAC),
1978 "G" index

FEDERAL ELECTION COMMISSION

DATE 11DEC79

SELECTED LIST OF RECEIPTS & EXPENDITURES (G)
SECTION I - INDIVIDUALS

PAGE 1

CONTRIBUTOR/LENDER/TRANSFERER FILER	STREET ADDRESS	CITY	STATE ZIP	DATE	ELECTION	AMOUNT
KENNEY, JACK JR HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA POLITICAL ACTION COMMITTEE (HAN/PAC) 78FEC/095/3410 \$398856 CONTRIBUTION	6115 CLARICE AVE	LAS VEGAS 6115 CLARICE AVE, NV	NV 89107	15OCT78	PRIMARY 10 DAY PRE-GENERAL	1,000
KENNEY, JOHN JR. HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA POLITICAL ACTION COMMITTEE (HAN/PAC) 78FEC/067/3109 \$078005 CONTRIBUTION	2330 ABARTH ST.	LAS VEGAS SELF-EMPLOYED	NV 89121	DEC79	PRIMARY YEAR END REPORT	500 AMENDMENT
LULL, LYNN HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA POLITICAL ACTION COMMITTEE (HAN/PAC) 78FEC/067/3109 \$078006 CONTRIBUTION	2771 SOUTH INDUSTRIAL ROAD	LAS VEGAS SELF-EMPLOYED	NV 89109	DEC79	PRIMARY YEAR END REPORT	250 AMENDMENT

High lighted News reflect common contributors,
similar contribution patterns and transfers
between the 3 committees *

1 8 5 0 3 0 4 0 1 9

FEDERAL ELECTION COMMISSION

DATE 11DEC79

SELECTED LIST OF RECEIPTS & EXPENDITURES (G)
SECTION V - CANDIDATE/POLITICAL COMMITTEES

PAGE 2

CONTRIBUTOR/LENDER/TRANSFERER FILER	STREET ADDRESS	CITY	STATE ZIP	DATE	ELECTION	AMOUNT
AL SIMPSON SENATE CAMPAIGN; THE HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA POLITICAL ACTION COMMITTEE (HAN/PAC) 78FEC/095/3409 #401674 TRANSFER OUT NON-AFFILIATED				60CT78 GENERAL 10 DAY PRE-GENERAL		375
ARMSTRONG COMMITTEE; THE HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA POLITICAL ACTION COMMITTEE (HAN/PAC) 78FEC/095/3409 #401664 TRANSFER OUT NON-AFFILIATED				60CT78 GENERAL 10 DAY PRE-GENERAL		700
LARRY PRESSLER FOR U.S. SENATE HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA POLITICAL ACTION COMMITTEE (HAN/PAC) 78FEC/095/3409 #401687 TRANSFER OUT NON-AFFILIATED				60CT78 GENERAL 10 DAY PRE-GENERAL		100
LARRY WILLIAMS FOR U.S. SENATE HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA POLITICAL ACTION COMMITTEE (HAN/PAC) 78FEC/095/3409 #401678 TRANSFER OUT NON-AFFILIATED				60CT78 GENERAL 10 DAY PRE-GENERAL		375
MCCLURE FOR U.S. SENATOR- IDAHOANS FOR JIM MCCLURE HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA POLITICAL ACTION COMMITTEE (HAN/PAC) 78FEC/095/3409 #401669 TRANSFER OUT NON-AFFILIATED				60CT78 GENERAL 10 DAY PRE-GENERAL		375
* NEVADA NOW POLITICAL ACTION COMMITTEE HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA POLITICAL ACTION COMMITTEE (HAN/PAC) 78FEC/095/3410 #398849 TRANSFER IN NON-AFFILIATED				220CT78 PRIMARY 10 DAY PRE-GENERAL		1,000
PEOPLE FOR PETE (PRINCIPAL CAMPAIGN COMMITTEE FOR PETE V. DOMENICI) HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA POLITICAL ACTION COMMITTEE (HAN/PAC) 78FEC/095/3409 #401684 TRANSFER OUT NON-AFFILIATED				60CT78 GENERAL 10 DAY PRE-GENERAL		100

9850220701

81040030587

ITEMIZED TOTALS

TYPE OF TRANSACTION	NUMBER	AMOUNT
CONTRIBUTION	3	1,750
TRANSFER IN NON-AFFILIATED	1	1,000
TRANSFER OUT NON-AFFILIATED	6	2,025
TOTAL	10	4,775

TELECON

TO: Barry W. Becker, Treasurer

FROM: Kevin Kelly

DATE: 7/18/79

RE: Receipt of inadequate response to RFAIs sent to
ROCY MOUNTAIN BUILDERS PAC
NEVADA NOW PAC
HOMEBUILDERS ASSOCIATION OF NEVADA PAC

I called Mr. Becker this afternoon as a part of RAD procedures for inadequate responses received from committees. I explained to Mr. Becker that the responses that he submitted on behalf of the committees were inadequate because of the definition of affiliated committees in the Regulations. I read to Mr. Becker those sections of the regulations that applied:

- a. The PAC's are controlled by the same people
 - b. they received contributions from the same people
 - c. They contributed to the same campaigns
- 100.14 d

Mr. Becker responded by stating that these PACs were set up at different times by completely different individuals. He serves as treasurer because he felt that the forms and duties were so complex that he could do the job better than having three people trying to thrash out through the myriad of regulations. He continued by stating that Rocky MT. was set up for a different purpose than the other PACs. He asked what he should do in order to not qualify as affiliated. I told him that I could not respond to that and that he should determine what course of action he wants to take. He then said that he didn't want the committees to be affiliated. I explained Commission procedures to him, noting that our Office of General Counsel will be the ones to make the final determination on this.

Also, we discussed the RFAI which I sent concerning the reporting problems. He said that he didn't have a copy of the original report and that a letter was on its way asking for a copy. I told him that I will send him a copy plus a copy of the regulations concerning affiliation. He said that if these committees were construed as affiliated then it might be best to terminate and start all over again.

MUR 1148

1/15/80

MEMORANDUM

TO: Charles Steele
THROUGH: Orlando B. Potter *OB.P.*
FROM: TOM HASELHORST *[Signature]*
SUBJECT: Referrals for Rocky Mountain Builders PAC, Nevada Now PAC,
and Homebuilders Association of Nevada PAC.

Please note that the attached referrals for the above mentioned committees are concerned with the same transaction and should be reviewed and handled simultaneously.

11040030580

D
RAD

602
801-240

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

REPORTS ANALYSIS REFERRAL SHEET

DATE 1/15/80

ANALYST Mark Kleirman **MX**

TO: OFFICE OF THE GENERAL COUNSEL

TEAM CHIEF STEVE MIMS **PM**

THROUGH: STAFF DIRECTOR **JBH**

COMPLIANCE REVIEW **PS**

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS **JK**

CANDIDATE/COMMITTEE: ROCKY MOUNTAIN BUILDERS PAC

TREASURER: Barry W. Becker

ADDRESS: 50 South Jones Blvd., Suite 101
Las Vegas, NV 89107

AFFILIATE(S): none (as stated by committee)

ALLEGATION(S): Failure to name CITE: 2 U.S.C. 433
affiliated committees; Same treasurer,
address, contributors and contribution
patterns. (See Memorandum - Next page)

ATTACHMENT(S)

3,4

5

Receipt of 2 U.S.C. 441b
corporate contributions

MANNER IN WHICH REVIEW WAS INITIATED if other than normal review, AND DATE:

Normal Review

ATTACHMENT

0
9
5
3
0
2
4
0
1

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM 7/1/77 TO 9/30/79

TOTAL RECEIPTS \$ 8200 TOTAL EXPENDITURES \$ 7397

CASH ON HAND \$ 802 DEBTS \$ 0

HISTORY:

RESULTS OF REVIEW:

ATTACHMENT

RFAI sent on 6/21/79 --- Affiliation
inadequate response received on 6/28/79

2

3

RFAI sent 7-2-79 --- Corporate contributions April 10 Quarterly 1979

5

Response 10-31-79 --- April 10 Report with refund checks attached

7

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

ATTACHMENT

Telephone conversation on 7/18/79

6

Telephone conversation on 10-30-79

8

REASON(S) FOR REFERRAL:

ATTACHMENT

Failure to name the below mentioned committee as affiliated in accordance with
definition of affiliation. (Section 100.14(d) of the Federal Election Commission Regulations

OTHER PENDING ACTIONS INITIATED BY RAD:

ATTACHMENT

none pertinent to allegation

OTHER RELEVANT INFORMATION:

Prepared in conjunction with:

HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA POLITICAL ACTION COMMITTEE (HAN/PAC)
NEVADA NOW POLITICAL ACTION COMMITTEE

PREVIOUS OGC/AUDIT REFERRALS FROM RAD:

none pertinent to allegation

RAD Form 1
August 1978

MEMORANDUM TO THE REFERRAL:
FROM: MARK KLEINMAN

If the Commission determines that the three committees
ROCKY MOUNTAIN BUILDERS PAC
NEVADA NOW POLITICAL ACTION COMMITTEE
HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA
POLITICAL ACTION COMMITTEE
are affiliated, then there are several 441a violations for
excessive contributions to candidates by non-qualified
committees(Note: the three committees together would
still not be qualified, because they lack more than 50*
contributions from individuals together).

1. Simpson(WY) \$1125
2. Armstrong(CO) \$2100
3. Williams(MT) \$1125
4. McClure(ID) \$1125

* There are a total of 12 different contributors combined on
their 1978 Reports. There are no unitemized contributors.
In 1979, as of the April 10 Quarterly Report filings they
would be qualified.

1104023059

1040230593

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) 1977-1978

DATE 17DEC79
PAGE

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
		PRIMARY	GENERAL	PRIMARY	GENERAL			

ROCKY MOUNTAIN BUILDERS PAC								ID# C00082859
CONNECTED ORGANIZATION: NONE								
✓1977 STATEMENT OF ORGANIZATION						28NOV77	9	77FEC/062/1439
✓1978 MISCELLANEOUS TRANSACTION TO F.E.C.						2NOV78	2	78FEC/094/4716
✓48 HOUR CONTRIBUTION NOTICE						6NOV78	3	78FEC/095/2422
✓1977 YEAR END REPORT		1,600		263			3	78FEC/066/2770
REQUEST FOR ADDITIONAL INFORMATION							3	78FEC/066/4861
✓YEAR END REPORT - AMENDMENT		1,600		263		1JUL77 -31DEC77	5	78FEC/067/3126
✓1978 APRIL 10 QUARTERLY		0		0		31JAN78 -10APR78	3	78FEC/072/3532
REQUEST FOR ADDITIONAL INFORMATION						31JAN78 -10APR78	3	78FEC/074/3343
✓APRIL 10 QUARTERLY - AMENDMENT						1JAN78 -10APR78	4	78FEC/075/2531
✓JULY 10 QUARTERLY 3A - POSTCARD						1APR78 -30JUN78	2	78FEC/081/4737
✓OCTOBER 10 QUARTERLY 3A - POSTCARD						1JUL78 -30SEP78	2	78FEC/086/1941
✓10 DAY PRE-GENERAL		3,000		3,725		23OCT78	6	78FEC/095/3412
✓30 DAY POST-GENERAL		1,600		1,500		27NOV78	5	78FEC/099/3590
✓YEAR END REPORT						31DEC78	6	79FEC/117/4126
	TOTAL	6,200	0	5,488	0		56	TOTAL PAGES

7/1/77

12/31/78

Receipts

\$ 6200

Expenditures

\$ 5488

Cash on hand

\$ 711.35

Debits

\$ 0

BASIC review completed

81040230594

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) 1979-1980DATE 17DEC79
PAGE

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
		PRIMARY	GENERAL	PRIMARY	GENERAL			
ROCKY MOUNTAIN BUILDERS PAC								ID# C00082859
	CONNECTED ORGANIZATION: NONE							
	1979 REQUEST FOR ADDITIONAL INFORMATION					21JUN79	3	79FEC/129/1836
	STATEMENT OF ORGANIZATION- AMENDMENT					5JUL79	6	79FEC/130/1406
	APRIL 10 QUARTERLY	2,000		1,909		1JAN79 -10APR79	8	79FEC/125/1425
	REQUEST FOR ADDITIONAL INFORMATION					1JAN79 -10APR79	4	79FEC/130/0712
	APRIL 10 QUARTERLY - AMENDMENT	2,000		1,909		1JAN79 -10APR79	9	79FEC/141/0147
	JULY 10 QUARTERLY 3A - POSTCARD					1APR79 -30JUN79	2	79FEC/133/0091
	OCTOBER 10 QUARTERLY 3A - POSTCARD					1JUL79 -30SEP79	2	79FEC/138/2253
	TOTAL	2,000	0	1,909	0		34	TOTAL PAGES

1/1/79 9/30/79

Receipts \$ 2000

Expenditures \$ 1909

cash on hand \$ 802.46

Debits \$ 0

basic review completed



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. Barry W. Becker, Treasurer
ROCKY MOUNTAIN BUILDERS-PAC
6115 Clarice Avenue
Las Vegas, Nevada 89107

June 21, 1979

Dear Mr. Becker:

This letter is prompted by our interest in assisting committees who wish to comply with the Federal Election Campaign Act.

During review of your Statement of Organization, we noted that you omitted certain information. Attached is an itemization of the information requested.

While we recognize the difficulties you may have experienced in filling out the registration forms, we must ask that you supply the Commission with the missing information within fifteen (15) days from the date of this letter. If you have any questions, please do not hesitate to contact Kevin Kelly in our Reports Analysis Division on the toll free number (800) 424-9530. Our local number is (202) 357-0026.

Sincerely,

A handwritten signature in cursive script, reading "Orlando B. Potter", is written over the typed name.

Orlando B. Potter
Staff Director

Attachment
FEC Form 11

790312918365
4104030595



RECEIVED
FEDERAL ELECTION
COMMISSION

79 JUN 28 1979
BECKER REALTY REALTOR

6115 Clarice, Las Vegas, Nevada • 89107

(702) 878-1903 870-0212

50 SOUTH JONES BLVD., SUITE #101

- COMMERCIAL
- RESIDENTIAL
- ACREAGE
- PROPERTY MGMT.

June 28, 1979

Mr. Kevin Kelly
FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

RE: ROCKY MOUNTAIN BUILDERS POLITICAL ACTION COMMITTEE
IDENTIFICATION NUMBER: C00082859

Dear Mr. Kelly:

Per your letter of June 21st, 1979, upon reviewing the Statement of Organization for the above captioned political action committee, I have enclosed herein a copy of our original Statement of Organization which indicates that we are neither an Affiliated Committee or Connected Organization.

Also, please be aware that we have recently changed our mailing address:

50 SOUTH JONES BLVD. SUITE 101
LAS VEGAS, NEVADA 89107

If there is a necessary form for the change of address, please forward one, and I will see that it gets back to you.

Yours truly,

Barry W. Becker
Treasurer

7903130340297

Statement of Organization For a Political Committee

Supporting any candidate(s) for federal office and anticipating contributions or expenditures in excess of \$1,000 in any calendar year in support of such candidate(s).

(See Reverse Side For Instructions.)

RECEIVED
FEDERAL ELECTION
COMMISSION

Note: Committees authorized by a candidate to receive contributions and make expenditures in connection with more than one election must maintain separate records with respect to each election.

79 JUL 5 AM 11:58

1(a) Name of Committee (in full) ☐ Check if name or address is changed

2 Identification Number

Rocky Mountain Builders PAC

3 Date

(b) Address (number and street)

6115 CLARICE AVE

11-19-77

(c) City, State and ZIP code

L.V. Nev. 89107

4 Is this an amended statement ☐ Yes ☒ No
If "YES" FILL IN ONLY THOSE LINES ON WHICH THERE HAS BEEN A CHANGE

5 Check one:

☐ (a) This committee has been designated as the principal campaign committee for

(Name of Candidate)

a candidate for _____ in the _____ Election
(Federal office sought) (Year of election)

to be held in the State of _____
(State in which election is held)

(THE PRINCIPAL CAMPAIGN COMMITTEE WILL FORWARD TO THE COMMISSION A COPY OF THE STATEMENT OF ORGANIZATION FOR EACH AFFILIATED COMMITTEE REQUIRED TO FILE WITH IT.)

☐ (b) This committee is supporting only one candidate, and is authorized by

(Name of Candidate)

to receive contributions and make expenditures with respect to the _____ Election(s)
(General, Primary, Runoff, etc)

held in _____, and will file all reports and statements with the candidate's principal campaign
(Year of election in State)

committee, _____
(Full name of principal campaign committee)

(ATTACH A COPY OF CANDIDATE'S WRITTEN AUTHORIZATION.) (FEC FORM 2a)

☐ (c) This committee supports only one candidate _____ but is not an authorized committee.
(Name of Candidate)

☒ (d) This committee supports more than one Federal candidate and is not a party committee.

☐ (e) This committee is a _____ committee of the _____ Party.
(National, State, county, city) (Democratic, Republican, etc.)

6 Names of affiliated and/or connected organizations

Mailing address and ZIP code

Relationship

N/A

If the registering political committee has identified a "connected organization" above, please indicate type of organization:

☐ Corporation ☐ Labor organization ☐ Membership organization ☐ Trade association ☐ Cooperative
☐ Corporation without capital stock ☐ Other (please specify)

Submit additional information on separate continuation sheets appropriately labeled and attached to this Statement of Organization. Indicate in the appropriate section above when information is continued on separate page(s).

Statement of Organization . a Committee

(Page 2)

Name of Committee

Rocky Mountain Builders PAC

7 Area, Scope and Jurisdiction of Committee:

- (a) Will this committee operate in more than one State? ☒ Yes ☐ No
 (b) Will it operate on a statewide basis in one State? ☐ Yes ☒ No
 (c) Will it primarily support candidates seeking State or local office? ☒ Yes ☐ No
 (d) Will it support or does it anticipate supporting directly or indirectly, candidates for Federal office in excess of \$1,000 in a calendar year? ☒ Yes ☐ No

8 (a) List by name, address, office sought, and party affiliation, any candidate for Federal office that this committee is supporting:

Full name(s) of candidate(s)	Mailing address and ZIP code	Office sought	Party
Not known At this Time			

(b) List by name, address, office sought, and party affiliation, any candidate(s) for any other public office(s) that this committee is supporting (unless the committee is supporting the entire ticket of a party as indicated in line 9)

Full name(s) of candidate(s)	Mailing address and ZIP code	Office sought	Party
Not known At this Time			

9 If this committee is supporting the entire ticket of a party, give name of party

N/A

10 Identify by name, address and position, the person in possession of committee books and records

Full name	Mailing address and ZIP code	Title or position
John E. Kenney Jr	2330 Abarth St. L.V. Nev. 89122	Chairman
Ron J. Causey	4125 Spring Rd. L.V.	Sec.
BARRY W Becker	6115 Clarice Ave L.V. Nev. 89107	Treas.

Submit additional information on separate continuation sheets appropriately labeled and attached to this Statement of Organization. Indicate in the appropriate section above when information is continued on separate page(s).

** PETER HERDER 2875 N. Tucson Blvd., Tucson, Arizona 85719 Vice-Chairman
 GLADE NEILSEN 2607 W. 4750 South Roy, Utah 84067 Assistant Treasurer

7903130140599

Statement of Organization or a Committee

(Page 3)

Name of Committee Rocky Mountain Builders P.A.C.

11 List by name, address and position, other principal officers of the committee (include chairman, treasurer, secretary, assistant treasurer, assistant secretary, members of finance committee):

Full name	Mailing address and ZIP code	Title or position
SAME AS #10		

12 Does this committee plan to stay in existence beyond the current calendar year? ☒ Yes ☐ No
If "Yes" for how long? Indefinite

13 In the event of dissolution, what disposition will be made of residual funds?
See By Laws

14 List all banks or other repositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds:

Name of bank, repository, etc.	Mailing address and ZIP code
PIONEER CITIZENS BANK of Nevada	P.O. Box 430 L.V. Nev. 8910

15 List all election reports required to be filed by this committee with States and local jurisdictions, together with the names, addresses, and positions of the recipients of the reports (other than reports filed with Secretaries of State pursuant to USC 439(a)):

Report title	Dates required	Name and position of recipient	Mailing address and ZIP code
N/A -			

Submit additional information on separate continuation sheets appropriately labeled and attached to this Statement of Organization. Indicate in the appropriate section above when information is continued on separate page(s).

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Ray W. Beaton
(Signature of Treasurer)

11-19-77
(Date)

Note: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. § 437g or § 441j (see instructions)

For further
information
contact:



Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

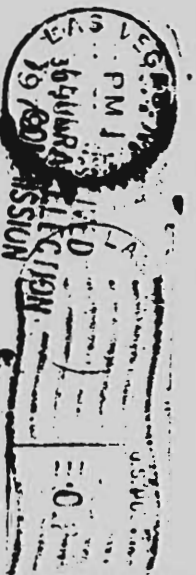


BECKER REALTY

6115 CHURCH • LAS VEGAS, NEVADA

89107

50 SOUTH JONES BLVD., SUITE #101



'79 JUL 5 AM 11:58

- COMMERCIAL
- RESIDENTIAL
- ACREAGE
- PROPERTY MGMT.



REALTOR

Mr. Kevin Kelly
FEDERAL ELECTION COMMISSION
1325 "K" Street, N.W.
Washington, D.C. 20463

A STANDARD OF EXCELLENCE SINCE 1903

79031301411

FEDERAL ELECTION COMMISSION

DATE 11DEC79

SELECTED LIST OF RECEIPTS & EXPENDITURES (G)
SECTION I - INDIVIDUALS

PAGE 1

CONTRIBUTOR/LENDER/TRANSFERER FILER	STREET ADDRESS	CITY	STATE ZIP	DATE ELECTION	AMOUNT
KENNEY, JOHN E. JR. ROCKY MOUNTAIN BUILDERS PAC 78FEC/067/3129 0076303 CONTRIBUTION	2330 ABARTH AVE.	LAS VEGAS SELF-EMPLOYED	NV 89121	DEC79 PRIMARY YEAR END REPORT	1,000 AMENDMENT
KENNY, JACK JR ROCKY MOUNTAIN BUILDERS PAC 78FEC/095/3414 0398907 CONTRIBUTION	2330 ABARTH AVE	LAS VEGAS 2330 ABARTH AVE, NV	NV 89121	15OCT78 PRIMARY 10 DAY PRE-GENERAL	1,500

High Lighted flows reflect common contributors,
similar contribution patterns and transfers between
the 3 committees *

FEDERAL ELECTION COMMISSION

DATE 11DEC79

SELECTED LIST OF RECEIPTS & EXPENDITURES (G)
SECTION V - CANDIDATE/POLITICAL COMMITTEES

PAGE 2

CONTRIBUTOR/LENDER/TRANSFERER FILER	STREET ADDRESS	CITY	STATE ZIP	DATE	ELECTION	AMOUNT
AL SIMPSON SENATE CAMPAIGN; THE ROCKY MOUNTAIN BUILDERS PAC 78FEC/095/3415 0401709 TRANSFER OUT NON-AFFILIATED				60CT78 10 DAY PRE-GENERAL	GENERAL	375
ARMSTRONG COMMITTEE; THE ROCKY MOUNTAIN BUILDERS PAC 78FEC/095/3415 0401704 TRANSFER OUT NON-AFFILIATED				60CT78 10 DAY PRE-GENERAL	GENERAL	700
BOB STUMP FOR CONGRESS ROCKY MOUNTAIN BUILDERS PAC 78FEC/095/3416 0401725 TRANSFER OUT NON-AFFILIATED				60CT78 10 DAY PRE-GENERAL	GENERAL	250
COMMITTEE TO BUILD A BETTER OREGON (FORMERLY BETTER HOMES P-A-C) ROCKY MOUNTAIN BUILDERS PAC 78FEC/099/3592 0442009 TRANSFER IN NON-AFFILIATED				1NOV78 30 DAY POST-GENERAL	PRIMARY	1,000
COMMITTEE TO ELECT MARTIN ROCKY MOUNTAIN BUILDERS PAC 78FEC/099/3593 0443608 TRANSFER OUT NON-AFFILIATED				1NOV78 30 DAY POST-GENERAL	GENERAL	500
FRIENDS OF ELDON RUDD COMMITTEE ROCKY MOUNTAIN BUILDERS PAC 78FEC/095/3416 0401727 TRANSFER OUT NON-AFFILIATED				60CT78 10 DAY PRE-GENERAL	GENERAL	300
LARRY PRESSLER FOR U.S. SENATE ROCKY MOUNTAIN BUILDERS PAC 78FEC/095/3415 0401718 TRANSFER OUT NON-AFFILIATED				60CT78 10 DAY PRE-GENERAL	GENERAL	300
LARRY PRESSLER FOR U.S. SENATE ROCKY MOUNTAIN BUILDERS PAC 78FEC/099/3592 0472842 TRANSFER OUT NON-AFFILIATED				DEC79 30 DAY POST-GENERAL	GENERAL	300-
LARRY WILLIAMS FOR U.S. SENATE ROCKY MOUNTAIN BUILDERS PAC 78FEC/095/3415 0401711 TRANSFER OUT NON-AFFILIATED				60CT78 10 DAY PRE-GENERAL	GENERAL	375
MCCLURE FOR U.S. SENATOR- IDAHOANS FOR JIM MCCLURE ROCKY MOUNTAIN BUILDERS PAC 78FEC/095/3415 0401708 TRANSFER OUT NON-AFFILIATED				60CT78 10 DAY PRE-GENERAL	GENERAL	375
* NEVADA NOW POLITICAL ACTION COMMITTEE ROCKY MOUNTAIN BUILDERS PAC 78FEC/095/3414 0398918 TRANSFER IN NON-AFFILIATED				22OCT78 10 DAY PRE-GENERAL	PRIMARY	1,500

2 0 9 0 2 2 0 1 0 1

FEDERAL ELECTION COMMISSION

DATE 11DEC79

SELECTED LIST OF RECEIPTS & EXPENDITURES (G)
SECTION V - CANDIDATE/POLITICAL COMMITTEES

PAGE 3

CONTRIBUTOR/LENDER/TRANSFERER FILER	STREET ADDRESS	CITY	STATE ZIP	DATE	ELECTION	AMOUNT
NICK DUNICK FOR CONGRESS COMMITTEE ROCKY MOUNTAIN BUILDERS PAC 78FEC/099/3593 0443606 TRANSFER OUT NON-AFFILIATED				1NOV78	GENERAL 30 DAY POST-GENERAL	500
PEOPLE FOR PETE (PRINCIPAL CAMPAIGN COMMITTEE FOR PETE V. DOMENICI) ROCKY MOUNTAIN BUILDERS PAC 78FEC/095/3415 0401715 TRANSFER OUT NON-AFFILIATED				6OCT78	GENERAL 10 DAY PRE-GENERAL	300
PEOPLE FOR PETE (PRINCIPAL CAMPAIGN COMMITTEE FOR PETE V. DOMENICI) ROCKY MOUNTAIN BUILDERS PAC 78FEC/099/3592 0472043 TRANSFER OUT NON-AFFILIATED				DEC79	GENERAL 30 DAY POST-GENERAL	300-
PEOPLE TO ELECT JERRY LAUSHANN ROCKY MOUNTAIN BUILDERS PAC 78FEC/099/3593 0443607 TRANSFER OUT NON-AFFILIATED				1NOV78	GENERAL 30 DAY POST-GENERAL	500
RICHARDSON FOR CONGRESS COMMITTEE ROCKY MOUNTAIN BUILDERS PAC 78FEC/095/3415 0401721 TRANSFER OUT NON-AFFILIATED				6OCT78	GENERAL 10 DAY PRE-GENERAL	500
TOM RICHEY FOR CONGRESS COMMITTEE ROCKY MOUNTAIN BUILDERS PAC 78FEC/095/3415 0401723 TRANSFER OUT NON-AFFILIATED				6OCT78	GENERAL 10 DAY PRE-GENERAL	500

1090200010

ITEMIZED TOTALS

TYPE OF TRANSACTION	NUMBER	AMOUNT
CONTRIBUTION	2	2,500
TRANSFER IN NON-AFFILIATED	2	2,500
TRANSFER OUT NON-AFFILIATED	15	4,875
TOTAL	19	9,875

5 0 9 0 2 0 4 0 1 2

Rocky Mountain Builders PAC 1979-80 "G" index

FEDERAL ELECTION COMMISSION

DATE 11DEC79

SELECTED LIST OF RECEIPTS & EXPENDITURES (G) SECTION I - INDIVIDUALS

PAGE 1

CONTRIBUTOR/LENDER/TRANSFERER FILER	STREET ADDRESS	CITY	STATE ZIP	DATE ELECTION	AMOUNT
KENNEY, JOHN E JR ROCKY MOUNTAIN BUILDERS PAC 79FEC/125/1427 0016812 CONTRIBUTION	2330 ABARTH STREET	LAS VEGAS BUILDER	NV 89122	2FEB79 PRIMARY APRIL 10 QUARTERLY	450
MILLER, BERLYN D ROCKY MOUNTAIN BUILDERS PAC 79FEC/125/1427 0016813 CONTRIBUTION	3373 PROCYON AVENUE	LAS VEGAS BUILDER	NV 89102	22JAN79 PRIMARY APRIL 10 QUARTERLY	150
STEWART, MARION ROCKY MOUNTAIN BUILDERS PAC 79FEC/125/1427 0016814 CONTRIBUTION	446 E JACINTO	TUCSON BUILDER	AZ 85705	16JAN79 PRIMARY APRIL 10 QUARTERLY	150

High lighted items reflect common contributors,
similar contribution patterns and transfers between
the 3 committees *

4090206010

FEDERAL ELECTION COMMISSION

DATE 11DEC79

SELECTED LIST OF RECEIPTS & EXPENDITURES (G)
SECTION III - UNREGISTERED COMMITTEES

PAGE 2

CONTRIBUTOR/LENDER/TRANSFERER FILER	STREET ADDRESS	CITY	STATE	ZIP	DATE	ELECTION	AMOUNT
SCURR-MESSENGERY INVESTMENT CO ROCKY MOUNTAIN BUILDERS PAC 79FEC/125/1429 0040873 TRANSFER IN UNREGISTERED	4-5-74	SALT LAKE CITY	UT		22JAN79	PRIMARY APRIL 10 QUARTERLY	150

7090200010

ITEMIZED TOTALS

TYPE OF TRANSACTION	NUMBER	AMOUNT
CONTRIBUTION	3	750
TRANSFER IN UNREGISTERED	1	150
TOTAL	4	900

8 1 0 4 0 2 3 0 6 0 8

1978
Election Commission
4 Street, N.W.
Washington, D.C. 20463

ITEMIZED RECEIPTS

(Contributions, Transfers, Contribution In-Kind,
Other Income, Loans, Refunds)

Supporting Lines 14a, 15a, 15b, 15c, 16a, 17a, and/or 18a
of FEC FORM 3

Page 3 of 4 for

Line Number 14 (a)

(Use Separate Schedules for
each numbered line)

Name of Candidate or Committee in Full

ROCKY MOUNTAIN BUILDERS POLITICAL ACTION COMMITTEE

Full Name, Mailing Address and ZIP Code Samuel Witt 5648 E. Broadway Tucson, Arizona 85711	Principal Place of Business 5648 E. Broadway Tucson, Arizona 85711	Date (month, day, year) 1/16/79	Amount of each Receipt this Period \$ 25.00
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 25.00		
Full Name, Mailing Address and ZIP Code Scurr-Messengery Investment Co. Salt Lake City, Utah 4-5-74	Principal Place of Business Salt Lake City, Utah	Date (month, day, year) 1/22/79	Amount of each Receipt this Period \$150.00
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 150.00		
Full Name, Mailing Address and ZIP Code R & S Construction 2-25-74 225 East Cheyenne Mtn. Colorado Springs, Colo. 80906	Principal Place of Business 225 East Cheyenne Mtn. Colorado Springs, Colo. 80906	Date (month, day, year) 1/3/79	Amount of each Receipt this Period \$ 25.00
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 25.00		
Full Name, Mailing Address and ZIP Code H. H. Norman Construction 4-15-71 1587 York Road Colorado Springs, Colo. 80906	Principal Place of Business 1587 York Road Colorado Springs, Colo. 80906	Date (month, day, year) 1/10/79	Amount of each Receipt this Period \$ 25.00
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 25.00		
Full Name, Mailing Address and ZIP Code Investment Builders 12-29-75 1401 Potter Drive Colorado Springs, Colo. 80909	Principal Place of Business 1401 Potter Drive Colorado Springs, Colo. 80909	Date (month, day, year) 1/11/79	Amount of each Receipt this Period \$ 50.00
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 50.00		
Full Name, Mailing Address and ZIP Code Gendron Homes 8-31-55 2905 Inspiration Drive Colorado Springs, Colo. 80917	Principal Place of Business 2905 Inspiration Drive Colorado Springs, Colo. 80917	Date (month, day, year) 1/4/79	Amount of each Receipt this Period \$ 50.00
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 50.00		
Full Name, Mailing Address and ZIP Code Omer Shepard 3630 Wade Lane Colorado Springs, Colo. 80907	Principal Place of Business 3630 Wade Lane Colorado Springs, Colo. 80907	Date (month, day, year) 1/10/79	Amount of each Receipt this Period \$ 50.00
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date ... \$ 50.00		
SUBTOTAL of receipts this page (optional).			\$ 375.00
TOTAL this period (last page this line number only).			\$



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 2, 1979

Mr. Barry W. Becker, Treasurer
ROCKY MOUNTAIN BUILDERS-PAC
6115 Clarice Avenue
Las Vegas, Nevada 89107

Dear Mr. Becker:

This letter is prompted by our interest in assisting committees who wish to comply with the Federal Election Campaign Act.

During review of the April 10 Quarterly Report of Receipts and Expenditures, we noted that you omitted certain information or made apparent mathematical errors in certain entries. Attached is an itemization of the information requested.

While we recognize the difficulties you may have experienced in filling out the reporting forms, we must ask that you supply the Commission with the missing information within fifteen (15) days from the date of this letter. If you have any questions, please do not hesitate to contact Kevin Kelly in our Reports Analysis Division on the toll free number (800)424-9530. Our local number is (202)357-0026.

Sincerely,

Orlando B. Potter

Orlando B. Potter
Staff Director

Attachment
FEC Form 12

1040330610

ROCKY MOUNTAIN BUILDERS-PAC

DATE: July 2, 1979

I.D. NO.: C00082859

REQUEST FOR ADDITIONAL INFORMATION FOR THE April 10 Quarterly REPORT OF RECEIPTS
AND EXPENDITURES COVERING THE PERIOD 1/1/79 THROUGH 4/10/79,
PURSUANT TO THE FEDERAL ELECTION CAMPAIGN ACT OF 1971, AS AMENDED.

A review of the report indicates that additional information is needed in order to be considered complete. Please
return a copy of this form with your amended submission(s).

Please provide the required data, as indicated (x):

☒ Coverage Dates: omitted or ☒ incorrect

Summary Page Line(s): omitted Column(s): omitted Totals: omitted or incorrect

☒ Detailed Summary (Page 2) Line(s): 14b Column(s): A Totals: omitted or ☒ incorrect

Schedule Totals: disagree with Detailed Summary (Page 2) or omitted

Date(s): omitted or inadequate for Schedule(s) Line(s)

Full Name(s)/Mailing Address(es): omitted or inadequate for Schedule(s) Line(s)

Occupation/Principal Place(s) of Business: omitted or inadequate for Schedule(s) Line(s)

Election Designation: omitted or inadequate for Schedule(s) Line(s)

Aggregate Year-to-Date Totals: omitted or inadequate for Schedule(s) Line(s)

☒ Nature or Purpose of Expenditure: omitted or ☒ inadequate for Schedule(s) B Line(s) 20a

☒ Nature or Purpose of Receipt: omitted or ☒ inadequate for Schedule(s) A Line(s) 14a

☒ Inadequate Description of: ☒ proceeds ☒ dates ☒ events location of Schedule

Signature: omitted inadequate

*11 CFR 104.12(a) requires each person having the responsibility to file a report to sign the original
report. Please resubmit a signed copy of your report.*

☒ Other: Please see page three.

Your initial submission(s), together with this request for additional information, has been made available for
public inspection. The Commission urges you to file the additional submission(s) promptly to the above address.
If you have any questions regarding this request, please call the Reports Analysis Division toll free at (800) 424-
9530. The local Washington, D.C. telephone numbers are (202) 523-4048 (Senate, Non-Party), 523-4172 (House;
or 523-1474 (Party).

Senate filers should file their submission(s) with the Secretary of the Senate, Office of Public Records, 119 D St.,
N.E., Washington, D.C. 20510. House filers should file their submission(s) with the Clerk of the House, Office of
Records and Registration, 1036 Longworth House Office Building, Washington, D.C. 20515.

REQUEST FOR ADDITIONAL INFORMATION

PAGE THREE

ROCKY MOUNTAIN BUILDERS-PAC

April 10 Quarterly Report

1. Several expenditures itemized on Line 20a of Schedule B indicate a possible fundraising activity sponsored by your committee during the April 10 reporting period. Please be advised that Section 104.2(b)(6) of the Commission's Regulations requires disclosure of all fundraising events to include the total gross proceeds. In addition, the date(s) and location(s) of the event(s) should be provided. This information should be reported on Schedule D and the total entered as a memo entry on Line 14c of the Detailed Summary Page. Any receipt in excess of \$100 must be itemized on separate Schedule A of Line 14a, and included in the total of itemized receipts on Line 14a of the Detailed Summary Page. All contributions from political committees must be reported regardless of the amount on Line 15b and the total included on Column A, Line 15b of the Detailed Summary Page.
2. Your 1979 April 10 report discloses the receipt of possible corporate contributions. Please be advised that corporate contributions are prohibited by the Act, (see 2 U.S.C. 441b(a)) unless the contributions are made by separate segregated funds established by the corporations.
3. The Commission recommends that if you have accepted prohibited contributions that you return the full amounts to the donors. These returns of the contributions should be reported immediately by letter and should be reflected as a contribution refund on your next report of receipts and expenditures. If the identification of the source of these contributions are incomplete or incorrect on the original report, please submit a statement which would clarify these particular matters for the public record. Enforcement action may be initiated by the Commission for: failure to respond within fifteen (15) days; failure to refund any impermissible contributions; and/or acceptance of corporate contributions.
4. For your information, your Year End report reflects financial activity already disclosed on previous reports. For future filings, coverage dates should not overlap and filings should be cumulative as per 2 U.S.C. 434(c). For example, the April 10 Quarterly Report covers the period of January 1 through March 31 in a given year. The following report, the July 10 Quarterly, would begin coverage April 1 and end coverage June 30.
5. In addition, you have reported your beginning cash on hand as an unitemized receipt on the Detailed Summary Page during each reporting period. This amount should be shown on Line 7 only.
6. Finally, please note that transfers in from political committees should be reported on Line 15 and a separate Schedule A, not on Line 14a, receipts from individuals.

TELECON

TO: Barry W. Becker, Treasurer

FROM: Kevin Kelly

DATE: 7/18/79

RE: Receipt of inadequate response to RFAIs sent to
ROCY MOUNTAIN BUILDERS PAC
NEVADA NOW PAC
HOMEBUILDERS' ASSOCIATION OF NEVADA PAC

I called Mr. Becker this afternoon as a part of RAD procedures for inadequate responses received from committees. I explained to Mr. Becker that the responses that he submitted on behalf of the committees were inadequate because of the definition of affiliated committees in the Regulations. I read to Mr. Becker those sections of the regulations that applied:

- a. The PAC's are controlled by the same people
- b. they received contributions from the same people
- c. They contributed to the same campaigns

100.14 d

Mr. Becker responded by stating that these PACs were set up at different times by completely different individuals. He serves as treasurer because he felt that the forms and duties were so complex that he could do the job better than having three people trying to thrash out through the myriad of regulations. He continued by stating that Rocky MT. was set up for a different purpose than the other PACs. He asked what he should do in order to not qualify as affiliated. I told him that I could not respond to that and that he should determine what course of action he wants to take. He then said that he didn't want the committees to be affiliated. I explained Commission procedures to him, noting that our Office of General Counsel will be the ones to make the final determination on this.

Also, we discussed the RFAI which I sent concerning the reporting problems. He said that he didn't have a copy of the original report and that a letter was on its way asking for a copy. I told him that I will send him a copy plus a copy of the regulations concerning affiliation. He said that if these committees were construed as affiliated then it might be best to terminate and start all over again.

01040230613

TELECON to file

TO: Barry W. Becker, Treasurer

FROM: Chip Foley

DATE: 10/30/79

RE: unanswered RFAI to ROCKY MOUNTAIN BUILDERS POLITICAL ACTION COMMITTEE concerning the April 10 Quarterly report for 1979. dated 7/2/79

I called Mr. Becker to check on the status of the response to the above mentioned RFAI. Mr. Becker said that he had sent the amendment. I told him that our records did not indicate any response. After checking with his secretary, he told me that he did not send in the response but would do so today. As a further clarification, I went over the RFAI again with him. Mr. Becker told me that all six (6) points of the RFAI would be answered and the corporate contributions would be returned.

11040230614

020011015
1040230615

Dear Sirs:

Thank you.

ROCKY MOUNTAIN BUILDERS PAC

BWB:dr

19

Dollars

For _____

1: 1 2 2 4 0 1 3 6 1: 4 0 4 4 2 0 2 11

October 31, 1979

R & S Construction, Ltd.
225 East Cheyenne Mountain Blvd.
Colorado Springs, Colorado 80906

Dear Sirs:

We have been informed by the Federal Election Commission that your organization is a corporation and we are not allowed to receive corporate funds. Therefore, would you please replace this check with a personal check to the Rocky Mountain Builders PAC.

Thank you.

Yours truly,

ROCKY MOUNTAIN BUILDERS PAC

Barry W. Bocker
Treasurer

BWB:dr

ROCKY MOUNTAIN BUILDERS PAC

~~5115 RIVINGTON~~ 50 S. Jones Blvd., Suite 101
LAS VEGAS, NEVADA 89107

1026

94-136
1224

10-31-1979

Pay to the order of R & S Construction \$25.00
Barry W. Bocker Dollars

LAS VEGAS MAIN BRANCH
PIONEER CITIZENS BANK
of Nevada P.O. Box 430
Las Vegas, Nevada 89101

For

⑆1224⑆0136⑆

404⑆420 2⑈

October 31, 1979

Investment Builders Corporation
1401 Potter Drive
Colorado Springs, Colorado 80909

Dear Sirs:

We have been informed by the Federal Election Commission that your organization is a corporation and, we are not allowed to receive corporate funds. Therefore, would you please replace this check with a personal check to the Rocky Mountain Builders PAC.

Thank you.

Yours truly,

ROCKY MOUNTAIN BUILDERS PAC

Barry W. Becker
Treasurer

BWB:dr

ROCKY MOUNTAIN BUILDERS PAC

50 S. Jones Blvd., Suite 101
LAS VEGAS, NEVADA 89107

1027

94-136
1224

Pay to the
order of

\$

Dollars

LAS VEGAS MAIN BRANCH
PIONEER CITIZENS BANK
of Nevada P.O. Box 430
Las Vegas, Nevada 89101

For

1224001361 404420 211



- COMMERCIAL
- ACREAGE
- RESIDENTIAL
- INVESTMENT
- PROPERTY MGMT.

79 NOV 5 AM 10: 65

October 31, 1971

Mr. Chip Foley
Reports Analysis Division
Federal Election Commission
Washington, D. C. 20463

Dear Mr. Foley:

I am writing this letter in response to the letter of July 2, 1979, from Mr. Orlando B. Potter. Once I received this letter, I discussed some of the items over the phone with Mr. Kevin Kelly and had mentioned that I would send in the corrected forms at the next filing date, as Mr. Kelly had suggested. Since we collected no money again in this Third Quarter and will just be filing by postal card, I am sending you the amended forms with this letter. I also will be answering some of the other questions in this letter.

The fund-raising function that you indicated had inadequate explanations, will be explained in this letter. We had Congressman Kemp, from New York, as a featured speaker on January 22, 1979, at a cocktail party, which was held at the Las Vegas Country Club. The price of admission was \$25.00 per person. The expenses for this consisted of the bill of the Country Club for the cocktails, copy attached. There was one bill only. We paid approximately \$1.80 per drink and that included the facilities, tax and tip.

On page 3, paragraph 2, it was indicated there were possible corporate donations. There were recommendations to return these checks and this has been done, and it will be reflected on my year-end final report. (Copies of refund letters attached.)

I hope this answers all the questions you had and that our Political Action Committee is in good standing and all of these

BECKER ENTERPRISES
A Standard of Excellence Since 1903

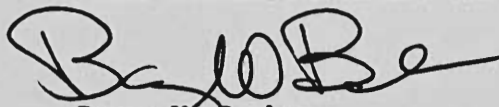
50 SOUTH JONES BLVD., SUITE 101 ••• LAS VEGAS, NEVADA 89107 ••• 702/870-0212

Mr. Chip Foley
Page 2
October 31, 1979

final corrections will be on my year-end report. If there is anything else that needs to be done prior to that time, please let me know as soon as possible.

Yours truly,

ROCKY MOUNTAIN BUILDERS PAC



Barry W. Becker
Treasurer

BWB:dr

Enclosures

790314101419
1040230619

REPORT OF RECEIPTS AND EXPENDITURES
FOR A CANDIDATE OR COMMITTEE
SUPPORTING CANDIDATE(S) FOR
NOMINATION OR ELECTION TO FEDERAL OFFICE

mission

20463

(Except for Candidates or Committees Receiving Federal Matching Funds)

Committees authorized by a candidate to receive contributions and make expenditures in connection with more than one election must maintain separate records with respect to each election.

ROCKY MOUNTAIN BUILDERS PAC

Name of Candidate or Committee (in full)

50 SOUTH JONES BLVD. SUITE #101

Address (number and street)

LAS VEGAS, NEVADA 89107

City, State and ZIP Code

☐ Check if address is different than previously reported.

Year of Election _____

2 I.D. No. **C00082859**

Candidate/Committee

3 **N/A**

Office Sought, State/District (if applicable)

4 Type of Report (check appropriate boxes)

☒ April 10 Quarterly Report

☐ Tenth day report preceding _____ election
(primary, general or convention)

☐ Termination Report

☐ July 10 Quarterly Report

on _____ in the State of _____
(date)

☐ Amendment for:

☐ October 10 Quarterly Report

☐ Thirtieth day report following _____ election
(primary, general or convention)

(which report)

☐ January 31 Annual Report

☐ Monthly Report _____
(month)

on _____ in the State of _____
(date)

This is a report for

☐ Primary Election

☐ General Election

☐ Primary and General

☐ Other (special, runoff, etc.)

SUMMARY OF RECEIPTS AND EXPENDITURES

(Figures may be rounded to nearest dollar.)

5 Covering Period	Column A This Period	Column B Calendar Year-To-Date
1/1/79 Through 4/10/79		
6 Cash on hand January 1, 19 79		\$ 711.35
7 Cash on hand at beginning of reporting period	\$ 711.35	
8 Total receipts (from line 19)	\$ 2,000.31	\$ 2,000.00
(a) Subtotal (Add lines 7 and 8 for Column A and lines 6 and 8 for Column B)	\$ 2,711.35	\$ 2,711.35
9 Total expenditures (from line 25)	\$ 1,909.20	\$ 1,909.20
10 Cash on hand at close of reporting period (Subtract line 9 from line 8a)	\$ 802.46	\$ 802.46
11 Value of contributed items on hand to be liquidated (Attach itemized list)	\$ N/A	
12 Debts and obligations owed to the Committee/Candidate (itemize all on Schedule C)	\$ -0-	
13 Debts and obligations owed by the Committee/Candidate (itemize all on Schedule C)	\$ -0-	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete

4/11/79

BARRY W. BECKER

(Typed Name of Treasurer or Candidate)

(Signature of Treasurer or Candidate)

Barry W. Becker

REVISED **10/08/79**

Note: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. Section 437g, or Section 441j (see reverse side of form).

For further
information,
Contact:

Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

or call 800/424-9530

Approved by GAO
B-187620 (R0506)
Expires 3-31-81

All previous versions of FEC FORM 3 are obsolete and should no longer be used.

Any information reported herein may not be copied for sale or use by any person for purposes of soliciting contributions or for any commercial purpose.

DETAILED SUMMARY OF RECEIPTS AND EXPENDITURES
(Page 2, FEC FORM 3)

DATE OR COMMITTEE
RY MOUNTAIN BUILDERS PAC

REPORT COVERING THE PERIOD
FROM: 1/1/79 TO: 4/10/79

RECEIPTS

Column A
This Period

Column B
Calendar Year-To-Date

Contributions from Individuals (including contributions in-kind):			
(a) Itemized (use Schedule A)	\$ 2,000.00		
(b) Unitemized	\$		
(c) Sales and collections included above:			
List by event on memo Schedule D (\$)			
(d) Subtotal of contributions from individuals	\$ 2,000.00	\$ 2,000.00	
15. Transfers from Political Committees:			
(a) Funds from affiliated/authorized committee (itemize on Schedule A regardless of amount)	\$		
(b) Funds from other committees (itemize on Schedule A regardless of amount)	\$		
(c) Contributions in-kind from political committees (itemize on Schedule A regardless of amount)	\$		
(d) Subtotal of transfers in and contributions in-kind from political committees	\$	\$	
16. Other Income:			
(a) Itemized (use Schedule A) Bank Adjustment	\$.31		
(b) Unitemized	\$		
(c) Subtotal of other income	\$.31	\$.31	
17. Loans and Loan Repayments Received:			
(a) Itemized (use Schedule A)	\$		
(b) Unitemized	\$		
(c) Subtotal of loans and loan repayments received	\$	\$	
18. Refunds, Rebates, Returns of Deposits:			
(a) Itemized (use Schedule A)	\$		
(b) Unitemized	\$		
(c) Subtotal of refunds, rebates, returns of deposits	\$	\$	
19. Total Receipts	\$ 2,000.31	\$ 2,000.31	

EXPENDITURES

20. Operating Expenditures:			
(a) Itemized (use Schedule B) (see attached billing)	\$ 1,909.20		
(b) Unitemized	\$		
(c) Subtotal of operating expenditures	\$	\$ 1,909.20	
21. Loans, Loan Repayments, and Contribution Refunds Made:			
(a) Itemized (use Schedule B)	\$		
(b) Unitemized	\$		
(c) Subtotal of loans and loan repayments made and contribution refunds	\$	\$	
22. Transfers Out to Political Committees:			
(a) To affiliated/authorized committee (itemize on Schedule B regardless of amount)	\$		
(b) To other committees (itemize on Schedule B regardless of amount)	\$		
(c) Contributions in-kind to other committees (itemize on Schedule B regardless of amount)	\$		
(d) Subtotal of transfers out	\$	\$	
23. Independent Expenditures (use Schedule E)	\$	\$	
24. Coordinated Expenditures Made by Political Committees (2 U.S.C. 441a(d)) (itemize on Schedule F)	\$	\$	
25. Total Expenditures	\$ 1,909.20	\$ 1,909.20	

**RECEIPTS AND EXPENDITURES,
NET OF TRANSFERS TO AND FROM AFFILIATED COMMITTEES**

26. Total Receipts (from line 19)	\$ 2,000.31		
27. Transfers in (from line 15(a))	\$		
28. Net Receipts (Subtract line 27 from line 26)	\$ 2,000.31		
29. Total Expenditures (from line 25)	\$ 1,909.20		
30. Transfers Out (from line 22(a))	\$		
31. Net Expenditures (Subtract line 30 from line 29)	\$ 1,909.20		

790510150

THE LAS VEGAS COUNTRY CLUB

3000 Joe W. Brown Drive, Las Vegas, Nevada 89109

Telephone (702) 734-1122

Mr. Barry W. Becker
6115 Clarice Avenue
Las Vegas, Nevada 89107

PLEASE DETACH AND RETURN WITH PAYMENT TO INSURE PROPER CREDIT. TERMS 1/4 ON PRESENTATION

DATE	REFERENCE	CHARGES		CREDITS	ACCUMULATED CHARGES	BALANCE DUE
		AMOUNT	CODE			
FEB-179	31,750	1,909.20	11		1,909.20	1,909.20
FEB1179	32,905	OK 3.70	11			
FEB1179	32,983	OK 3.70	11		1,916.60	1,916.60
FEB1779	33,377	OK 12.40	11		1,929.00	1,929.00
FEB1879	46,391	OK 14.57	10		1,943.57	1,943.57
FEB2279	46,684	OK 120.72	10			
FEB2279	33,725	OK 7.05	11			
FEB2279	33,730	OK 20.10	11		2,091.44	2,091.44
FEB2879		40.79	10		2,130.23	2,130.23

[Handwritten scribbles and signatures over the table data]

[Handwritten signatures and stamps]
MAR - 6 1979
PAY THIS AMOUNT

THE LAS VEGAS COUNTRY CLUB

EXPLANATION OF CODES

- 1 - DUES
- 2 - MISC.
- 3 - HEALTH CLUB

- 4 - GREEN FEES
- 5 - CART RENTAL
- 6 - CLUB RENTAL

- 7 - TENNIS FEES
- 8 - TOURNAMENT FEES
- 9 - PRO SHOP

- 10 - FOOD
- 11 - BEVERAGE
- 12 - DRIVING RANGE
- 13 - PRE-PAID FOOD & BEVERAGE

* REC. BLDG. OR HOLE-IN-ONE OR H/DCAF CHARGES.

19031110191
01740230622

MUR 1149

1/15/80

MEMORANDUM

TO: Charles Steele
THROUGH: Orlando B. Potter *OB.P.*
FROM: TOM HASELHORST
SUBJECT: Referrals for Rocky Mountain Builders PAC, Nevada Now PAC,
and Homebuilders Association of Nevada PAC.

Please note that the attached referrals for the above mentioned committees are concerned with the same transaction and should be reviewed and handled simultaneously.

81040230623

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

REPORTS ANALYSIS REFERRAL SHEET

DATE 1/15/80 ANALYST Mark Kleinman **MK**

TO: OFFICE OF THE GENERAL COUNSEL TEAM CHIEF STEVE MIMS **SM**

THROUGH: STAFF DIRECTOR COMPLIANCE REVIEW **PS**

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS **JH**

CANDIDATE/COMMITTEE: NEVADA NOW POLITICAL ACTION COMMITTEE

TREASURER: Barry W. Becker

ADDRESS: 50 South Jones Blvd., Suite 101
Las Vegas, NV 89107

AFFILIATE(S): none (as stated by committee)

ALLEGATION(S): Failure to name CITE: 2 U.S.C. 433
affiliated committees; Same treasurer,
address, contributors and contribution
patterns. (See Memorandum - Next page)

ATTACHMENT(S)
3,4

MANNER IN WHICH REVIEW WAS INITIATED if other than normal review, AND DATE:

Normal Review

ATTACHMENT

104030624

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM 1/31/78 TO 9/30/79

TOTAL RECEIPTS \$ 6800 TOTAL EXPENDITURES \$ 5540

CASH ON HAND \$ 1260 DEBTS \$ 0

HISTORY:

RESULTS OF REVIEW:

ATTACHMENT

RFAI sent on 6/21/79

2

inadequate response received on 6/28/79

3

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

ATTACHMENT

Telephone conversation on 7/18/79

5

REASON(S) FOR REFERRAL:

ATTACHMENT

Failure to name the below mentioned committee as affiliated in accordance with definition of affiliation. (Section 100.14(d) of the Federal Election Commission Regulations)

OTHER PENDING ACTIONS INITIATED BY RAD:

ATTACHMENT

none pertinent to allegation

OTHER RELEVANT INFORMATION:

Prepared in conjunction with:

ROCKY MOUNTAIN BUILDERS PAC

HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA POLITICAL ACTION COMMITTEE (HAN/PAC)

PREVIOUS OGC/AUDIT REFERRALS FROM RAD:

none pertinent to allegation

MEMORANDUM TO THE REFERRAL:

FROM: MARK KLEINMAN

If the Commission determines that the three committees

ROCKY MOUNTAIN BUILDERS PAC
NEVADA NOW POLITICAL ACTION COMMITTEE
HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA
POLITICAL ACTION COMMITTEE

are affiliated, then there are several 441a violations for excessive contributions to candidates by non-qualified committees (Note: the three committees together would still not be qualified, because they lack more than 50* contributions from individuals together).

1. Simpson(WY) \$1125
2. Armstrong(CO) \$2100
3. Williams(MT) \$1125
4. McClure(ID) \$1125

* There are a total of 12 different contributors combined on their 1978 Reports. There are no unitemized contributors. In 1979, as of the April 10 Quarterly Report filings they would be qualified.

81040230627

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) 1977-1978

DATE 17DEC79
PAGE

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
		PRIMARY	GENERAL	PRIMARY	GENERAL			

NEVADA NOW POLITICAL ACTION COMMITTEE								ID# C00086306
CONNECTED ORGANIZATION: NONE								
✓1978 STATEMENT OF ORGANIZATION						6FEB78	10	78FEC/066/3060
REQUEST FOR ADDITIONAL INFORMATION						10FEB78	2	78FEC/067/1223
✓STATEMENT OF ORGANIZATION- AMENDMENT						24FEB78	4	78FEC/067/3122
1979 REQUEST FOR ADDITIONAL INFORMATION						21JUN79	3	79FEC/129/1839
✓1978 APRIL 10 QUARTERLY						31JAN78	5	78FEC/072/3535
REQUEST FOR ADDITIONAL INFORMATION						31JAN78	3	78FEC/074/3183
✓APRIL 10 QUARTERLY - AMENDMENT						1JAN78	5	78FEC/075/4284
✓JULY 10 QUARTERLY 3A - POSTCARD						1APR78	2	78FEC/081/4739
✓OCTOBER 10 QUARTERLY 3A - POSTCARD						1JUL78	2	78FEC/086/1943
✓10 DAY PRE-GENERAL						23OCT78	6	78FEC/093/3418
✓30 DAY POST-GENERAL						24OCT78	3	78FEC/099/2624
✓YEAR END REPORT						31DEC78	6	79FEC/117/4120
TOTAL							51	TOTAL PAGES
		6,500	0	5,525	0			

1/31/78 - 12/31/78

Receipts \$ 6500

expenditures \$ 5525

cash on hand \$ 975

debts \$ 0

basic review completed

1040230623

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) 1979-1980

DATE 17DEC79
PAGE

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
		PRIMARY	GENERAL	PRIMARY	GENERAL			
NEVADA NOW POLITICAL ACTION COMMITTEE								ID# C00086306
CONNECTED ORGANIZATION: NONE								
✓ 1979 STATEMENT OF ORGANIZATION- AMENDMENT						2JUL79	6	79FEC/130/0666
✓ APRIL 10 QUARTERLY		300		15		1JAN79 -10APR79	4	79FEC/125/1433
✓ JULY 10 QUARTERLY	3A - POSTCARD					1APR79 -30JUN79	2	79FEC/133/0093
✓ OCTOBER 10 QUARTERLY	3A - POSTCARD					1JUL79 -30SEP79	2	79FEC/138/2251
	TOTAL	300	0	15	0		14	TOTAL PAGES

1/1/79 - 9/30/79

Receipts \$ 300

Expenditures \$ 15

Cash on hand \$ 1260

Debits \$ 0

basic review completed



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 21, 1979

Mr. Barry W. Becker, Treasurer
NEVADA NOW PAC
6115 Clarice Avenue
Las Vegas, Nevada 89107

Dear Mr. Becker:

This letter is prompted by our interest in assisting committees who wish to comply with the Federal Election Campaign Act.

During review of your Statement of Organization, we noted that you omitted certain information. Attached is an itemization of the information requested.

While we recognize the difficulties you may have experienced in filling out the registration forms, we must ask that you supply the Commission with the missing information within fifteen (15) days from the date of this letter. If you have any questions, please do not hesitate to contact Kevin Kelly in our Reports Analysis Division on the toll free number (800) 424-9530. Our local number is (202) 357-0026.

Sincerely,

Orlando B. Potter

Orlando B. Potter
Staff Director

Attachment
FEC Form 11

0
2
3
6
8
0
3
3
9
2
3
8
4
8
8
1

TO: NEVADA NOW PAC

DATE: June 21, 1979

I.D. NO.: C00086306

REQUEST FOR ADDITIONAL INFORMATION FOR YOUR STATEMENT OF ORGANIZATION OF A POLITICAL COMMITTEE, PURSUANT TO THE FEDERAL ELECTION CAMPAIGN ACT OF 1971, AS AMENDED.

A review of the statement indicates that additional information is needed in order to be considered complete. Please return a copy of this form with your amended submission(s).

Please provide the required information as indicated below (X):

— Signature — omitted — incorrect

11 CFR 104.12(a) requires each person having the responsibility to file a report to sign the original report. Please resubmit a signed copy of your report.

Question 5 – Complete information for: (a) —, (b) —, (c) —, (d) —, (e) —.

11 CFR 102.2(a)(1) requires the identity of not only the name and address of your committee but the type of committee. Please amend your statement accordingly.

Question 6 – Name(s) of Affiliated Committee(s) and/or Connected Organization (IF NONE, SO STATE)

☒ 11 CFR 100.14(c)(2) defines an "Affiliated Committee" as a committee (including a separate segregated fund) established, financed, maintained, or controlled by the same corporation, labor organization, person, or group of persons, including any parent, subsidiary, branch, division, department, or local unit thereof. Please amend your report accordingly.

☒ 11 CFR 100.15 defines "Connected Organization" as any organization which is not a political committee but which directly or indirectly establishes, administers, or financially supports the registrant such as corporation (including one without capital stock), a labor organization, a membership organization, a cooperative, or trade association. Please amend your report accordingly.

Name, address, state and party affiliation of individual candidates supported by the committee.

Name, address and position of the committee's custodian of books and accounts.

Name, address and position of principal officers of the committee — omitted — inadequate.

2 U.S.C. 432(a) requires each political committee to have a Chairman and a Treasurer. 11 CFR 102.7 further stipulates that the Treasurer and Chairman are not to be the same individuals, and that no contributions may be accepted or expenditures made when there is a vacancy in either office. Please amend your statement to identify the appropriate officers.

Name(s), location(s) of bank(s), repository(ies).

2 U.S.C. 433(b)(9) requires a listing of all banks, safety deposit boxes or other repositories used by the committee be disclosed. Please amend your statement to identify all repository(ies) authorized by the candidate for your use.

Other: _____

Your initial submission(s), together with this request for additional information, has been made available for public inspection. The Commission urges you to file the additional submission(s) promptly to the above address. If you have any questions regarding this request, please call the Reports Analysis Division toll free at (800) 424-9530. The local Washington, D.C. telephone number is (202) 523-4048.



RECEIVED
FEDERAL ELECTION
COMMISSION

BECKER REALTY



6115 Charles, Las Vegas, Nevada • 89107

(702) 878-1900 • 870-0212

50 SOUTH JONES BLVD., SUITE #101

- COMMERCIAL
- RESIDENTIAL
- ACREAGE
- PROPERTY MGMT.

June 28, 1979

Mr. Kevin Kelly
FEDERAL ELECTION COMMISSION
1325 "K" Street, N.W.
Washington, D.C. 20463

RE: NEVADA NOW POLITICAL ACTION COMMITTEE
IDENTIFICATION NUMBER C00086306

Dear Mr. Kelly:

Per your letter of June 21st, 1979, upon reviewing the Statement of Organization for the above captioned political action committee, I have enclosed herein a copy of our original Statement of Organization which indicates that we are neither an Affiliated Committee nor a Connected Organization.

Also, please be aware that we have recently changed our mailing address:

50 SOUTH JONES BLVD., SUITE #101
LAS VEGAS, NEVADA 89107

If there is a necessary form for a change of address, please forward one, and I will see that it gets back to you.

Yours truly,

Barry W. Becker
Treasurer

7903130066631
01010030631

Statement of Organization For a Political Committee

Supporting any candidate(s) for federal office and anticipating contributions or expenditures in excess of \$1,000 in any calendar year in support of such candidate(s).

(See Reverse Side For Instructions.)

RECEIVED
FEDERAL ELECTION
COMMISSION

Note: Committees authorized by a candidate to receive contributions and make expenditures in connection with more than one election must maintain separate records with respect to each election.

79 JUL 2 PM 12:35

1(a) Name of Committee (in full) ☐ Check if name or address is changed

NEVADA NOW POLITICAL ACTION COMMITTEE

2 Identification Number

(b) Address (number and street)

6115 Clarice Avenue

3 Date

December 21, 1977

(c) City, State and ZIP code

Las Vegas, Nevada 89107

4 Is this an amended statement ☐ Yes ☐ No
If "YES" FILL IN ONLY THOSE LINES ON
WHICH THERE HAS BEEN A CHANGE

5 Check one:

☐ (a) This committee has been designated as the principal campaign committee for

(Name of Candidate)

a candidate for _____ in the _____ Election

(Federal office sought)

(Year of election)

to be held in the State of _____

(State in which election is held)

(THE PRINCIPAL CAMPAIGN COMMITTEE WILL FORWARD TO THE COMMISSION A COPY OF THE STATEMENT OF ORGANIZATION FOR EACH AFFILIATED COMMITTEE REQUIRED TO FILE WITH IT.)

☐ (b) This committee is supporting only one candidate, and is authorized by

(Name of Candidate)

to receive contributions and make expenditures with respect to the _____ Election(s)

(General, Primary, Runoff, etc)

held in _____, and will file all reports and statements with the candidate's principal campaign

(Year of election in State)

committee, _____

(Full name of principal campaign committee)

(ATTACH A COPY OF CANDIDATE'S WRITTEN AUTHORIZATION.) (FEC FORM 2a)

☐ (c) This committee supports only one candidate

(Name of Candidate)

but is not an authorized committee.

☒ (d) This committee supports more than one Federal candidate and is not a party committee.

☐ (e) This committee is a

(National, State, county, city)

committee of the

Party.
(Democratic, Republican, etc.)

6 Names of affiliated and/or connected organizations

Mailing address and ZIP code

Relationship

N/A

N/A

N/A

If the registering political committee has identified a "connected organization" above, please indicate type of organization:

☐ Corporation

☐ Labor organization

☐ Membership organization

☐ Trade association

☐ Cooperative

☐ Corporation without capital stock

☐ Other (please specify)

Submit additional information on separate continuation sheets appropriately labeled and attached to this Statement of Organization. Indicate in the appropriate section above when information is continued on separate page(s).

Statement of Organization or a Committee

(Page 2)

Name of Committee
NEVADA NOW POLITICAL ACTION COMMITTEE

7 Area, Scope and Jurisdiction of Committee:

- (a) Will this committee operate in more than one State? ☒ Yes ☐ No
(b) Will it operate on a statewide basis in one State? ☐ Yes ☒ No
(c) Will it primarily support candidates seeking State or local office? ☒ Yes ☐ No
(d) Will it support or does it anticipate supporting directly or indirectly, candidates for Federal office in excess of \$1,000 in a calendar year? ☒ Yes ☐ No

8 (a) List by name, address, office sought, and party affiliation, any candidate for Federal office that this committee is supporting:

Full name(s) of candidate(s)	Mailing address and ZIP code	Office sought	Party
NOT KNOWN AT THIS TIME			

(b) List by name, address, office sought, and party affiliation, any candidate(s) for any other public office(s) that this committee is supporting (unless the committee is supporting the entire ticket of a party as indicated in line 9)

Full name(s) of candidate(s)	Mailing address and ZIP code	Office sought	Party
NOT KNOWN AT THIS TIME			

9 If this committee is supporting the entire ticket of a party, give name of party ► N/A

10 Identify by name, address and position, the person in possession of committee books and records:

Full name	Mailing address and ZIP code	Title or position
ERNEST A. BECKER	6115 Clarice Avenue, Las Vegas, NV 89107	Chairman
ANDY SKURSKI	4412 West Charleston Blvd, Las Vegas, Nevada 89102	Co-Chairman
NORMAN BLACKBURN	c/o 6115 Clarice Avenue, Las Vegas, Nevada 89107	Secretary
BARRY W. BECKER	6115 Clarice Avenue, Las Vegas, NV 89107	Treasurer

Submit additional information on separate continuation sheets appropriately labeled and attached to this Statement of Organization. Indicate in the appropriate section above when information is continued on separate page(s).

79031300669
1040

Statement of Organization or a Committee

(Page 3)

Name of Committee

NEVADA NOW POLITICAL ACTION COMMITTEE

11 List by name, address and position, other principal officers of the committee (include chairman, treasurer, secretary, assistant treasurer, assistant secretary members of finance committee):

Full name	Mailing address and ZIP code	Title or position
SAME AS ITEM # 10		

12 Does this committee plan to stay in existence beyond the current calendar year? ☒ Yes ☐ No
If "Yes" for how long? Indefinite.....

13 In the event of dissolution, what disposition will be made of residual funds?
See Articles of Organization

14 List all banks or other repositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds:


Name of bank, repository, etc.	Mailing address and ZIP code
NEVADA NATIONAL BANK OF NEVADA Sahara-Rancho Branch	2320 West Sahara Avenue Las Vegas, Nevada 89102

15 List all election reports required to be filed by this committee with States and local jurisdictions, together with the names, addresses, and positions of the recipients of the reports (other than reports filed with Secretaries of State pursuant to USC 430(a)):

Report title	Dates required	Name and position of recipient	Mailing address and ZIP code
N/A	N/A	N/A	N/A

Submit additional information on separate continuation sheets appropriately labeled and attached to this Statement of Organization. Indicate in the appropriate section above when information is continued on separate page(s).

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.


Barry W. Becker (Signature of Treasurer)

12/21/77
(Date)

Note: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g or §441j (see instructions)

For further
information
contact:

Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463



BECKER REALTY

8115 CLARICE • LAS VEGAS, NEVADA

89107

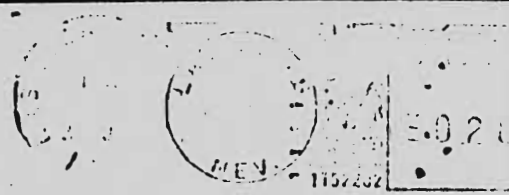
50 SOUTH JONES BLVD., SUITE #101

- COMMERCIAL
- RESIDENTIAL
- ACREAGE
- PROPERTY MGMT.



A STANDARD OF EXCELLENCE SINCE 1903

Mr. Kevin Kelly
FEDERAL ELECTION COMMISSION
1325 "K" Street, N.W.
Washington, D.C. 20463



NEVADA 4th Congressional Committee 1978 "G" Index

FEDERAL ELECTION COMMISSION

DATE 11DEC79

SELECTED LIST OF RECEIPTS & EXPENDITURES (G) SECTION I - INDIVIDUALS

PAGE 1

CONTRIBUTOR/LENDER/TRANSFERER FILER	STREET ADDRESS	CITY	STATE ZIP	DATE	ELECTION	AMOUNT
BECKER, ERNEST A NEVADA NOW POLITICAL ACTION COMMITTEE 78FEC/095/3420 0398722 CONTRIBUTION	66115 CLARICE AVE	LAS VEGAS	NV 89107	28MAR78	PRIMARY 10 DAY PRE-GENERAL	5,000
		SELF-EMPLOYED				
KENNEY, JACK JR NEVADA NOW POLITICAL ACTION COMMITTEE 78FEC/095/3420 0398713 CONTRIBUTION	2330 ABARTH STREET	LAS VEGAS	NV 89121	15OCT78	PRIMARY 10 DAY PRE-GENERAL	1,500
		SELF-EMPLOYED				

High lighted items reflect common contributors,
similar contribution patterns and transfers
between the 3 committees *

01040230637

FEDERAL ELECTION COMMISSION

DATE 11DEC79

SELECTED LIST OF RECEIPTS & EXPENDITURES (8)

PAGE 2

SECTION V - CANDIDATE/POLITICAL COMMITTEES

CONTRIBUTOR/LENDER/TRANSFERER FILER	STREET ADDRESS	CITY	STATE ZIP	DATE	ELECTION	AMOUNT
AL SIMPSON SENATE CAMPAIGN; THE NEVADA NOW POLITICAL ACTION COMMITTEE 78FEC/095/3421 #401581 TRANSFER OUT NON-AFFILIATED				60CT78 GENERAL 10 DAY PRE-GENERAL		375
ARMSTRONG COMMITTEE; THE NEVADA NOW POLITICAL ACTION COMMITTEE 78FEC/095/3421 #401571 TRANSFER OUT NON-AFFILIATED				60CT78 GENERAL 10 DAY PRE-GENERAL		700
BOB STUMP FOR CONGRESS NEVADA NOW POLITICAL ACTION COMMITTEE 78FEC/095/3422 #401608 TRANSFER OUT NON-AFFILIATED				60CT78 GENERAL 10 DAY PRE-GENERAL		250
* HOMEBUILDERS ASSOCIATION OF THE STATE OF NEVADA POLITICAL ACTION COMMITTEE (HAN/PAC) NEVADA NOW POLITICAL ACTION COMMITTEE 78FEC/095/3421 #401561 TRANSFER OUT NON-AFFILIATED				DEC79 GENERAL 10 DAY PRE-GENERAL		1,000
LARRY PRESSLER FOR U.S. SENATE NEVADA NOW POLITICAL ACTION COMMITTEE 78FEC/095/3421 #401587 TRANSFER OUT NON-AFFILIATED				60CT78 GENERAL 10 DAY PRE-GENERAL		100
LARRY WILLIAMS FOR U.S. SENATE NEVADA NOW POLITICAL ACTION COMMITTEE 78FEC/095/3421 #401583 TRANSFER OUT NON-AFFILIATED				60CT78 GENERAL 10 DAY PRE-GENERAL		375
MCCLURE FOR U.S. SENATOR- IDAHOANS FOR JIM MCCLURE NEVADA NOW POLITICAL ACTION COMMITTEE 78FEC/095/3421 #401578 TRANSFER OUT NON-AFFILIATED				60CT78 GENERAL 10 DAY PRE-GENERAL		375
PEOPLE FOR PETE (PRINCIPAL CAMPAIGN COMMITTEE FOR PETE V. DOMENICI) NEVADA NOW POLITICAL ACTION COMMITTEE 78FEC/095/3421 #401584 TRANSFER OUT NON-AFFILIATED				60CT78 GENERAL 10 DAY PRE-GENERAL		100
RICHARDSON FOR CONGRESS COMMITTEE NEVADA NOW POLITICAL ACTION COMMITTEE 78FEC/095/3422 #401596 TRANSFER OUT NON-AFFILIATED				60CT78 GENERAL 10 DAY PRE-GENERAL		500
* ROCKY MOUNTAIN BUILDERS PAC NEVADA NOW POLITICAL ACTION COMMITTEE 78FEC/095/3421 #401568 TRANSFER OUT NON-AFFILIATED				DEC79 GENERAL 10 DAY PRE-GENERAL		1,500
TOM RICHEY FOR CONGRESS COMMITTEE NEVADA NOW POLITICAL ACTION COMMITTEE 78FEC/095/3422 #401603 TRANSFER OUT NON-AFFILIATED				60CT78 GENERAL 10 DAY PRE-GENERAL		250

6 1 0 4 0 2 3 0 6 3 8

ITEMIZED TOTALS

TYPE OF TRANSACTION	NUMBER	AMOUNT
CONTRIBUTION	2	6.500
TRANSFER OUT NON-AFFILIATED	11	5.525
TOTAL	13	12.025

Nevada Now Political Action Committee 1979-80 "G" Index

FEDERAL ELECTION COMMISSION

DATE 11DEC79

SELECTED LIST OF RECEIPTS & EXPENDITURES (G) SECTION I - INDIVIDUALS

PAGE 1

CONTRIBUTOR/LENDER/TRANSFERER FILER	STREET ADDRESS	CITY	STATE ZIP	DATE ELECTION	AMOUNT
--	----------------	------	-----------	---------------	--------

SOMMERS, C J NEVADA NOW POLITICAL ACTION COMMITTEE 79FEC/125/1435 0017674 CONTRIBUTION	6115 CLARICE AVENUE	LAS VEGAS BUILDER	NV 89107	22MAR79 PRIMARY APRIL 10 QUARTERLY	125
--	---------------------	----------------------	----------	---------------------------------------	-----

6 1 0 4 0 2 3 0 6 4 0

ITEMIZED TOTALS

TYPE OF TRANSACTION

NUMBER

AMOUNT

CONTRIBUTION

1

125

TOTAL

1

125

TELECON

TO: Barry W. Becker, Treasurer

FROM: Kevin Kelly

DATE: 7/18/79

RE: Receipt of inadequate response to RFAIs sent to
ROCY MOUNTAIN BUILDERS PAC
NEVADA NOW PAC
HOMEBUILDERS ASSOCIATION OF NEVADA PAC

I called Mr. Becker this afternoon as a part of RAD procedures for inadequate responses received from committees. I explained to Mr. Becker that the responses that he submitted on behalf of the committees were inadequate because of the definition of affiliated committees in the Regulations. I read to Mr. Becker those sections of the regulations that applied:

- 100.14 d
- a. The PAC's are controlled by the same people
 - b. they received contributions from the same people
 - c. They contributed to the same campaigns

Mr. Becker responded by stating that these PACs were set up at different times by completely different individuals. He serves as treasurer because he felt that the forms and duties were so complex that he could do the job better than having three people trying to thrash out through the myriad of regulations. He continued by stating that Rocky MT. was set up for a different purpose than the other PACs. He asked what he should do in order to not qualify as affiliated. I told him that I could not respond to that and that he should determine what course of action he wants to take. He then said that he didn't want the committees to be affiliated. I explained Commission procedures to him, noting that our Office of General Counsel will be the ones to make the final determination on this.

Also, we discussed the RFAI which I sent concerning the reporting problems. He said that he didn't have a copy of the original report and that a letter was on it way asking for a copy. I told him that I will send him a copy plus a copy of the regulations concerning affiliation. He said that if these committees were construed affiliated then it might be best to terminate and start all over again.



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1147, 1148, 1149

Date Filmed 1-9-81 Camera No. --- 2

Cameraman LPC