



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 1599

Date Filmed 2/8/86 Camera No. --- 2

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FEDERAL ELECTION COMMISSION

MAR 15 1979

Consolidation Information

Routing Slips

12 Day Pub Brief Rpts

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):

☐ (1) Classified Information

☐ (6) Personal privacy

☒ (2) Internal rules and practices

☐ (7) Investigatory files

☒ (3) Exempted by other statute (FOIA)

☐ (8) Banking Information

☐ (4) Trade secrets and commercial or financial information

☐ (9) Well Information (geographic or geophysical)

☐ (5) Internal Documents

Signed

date

J. Thaxton
1-24-86

FEC 9-21-77

86040564501



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

November 30, 1984

Peter Mineo, Jr., Esquire
Mineo, Booth & George
305 South Andrews Avenue
Suite 901
Fort Lauderdale, Florida 33301

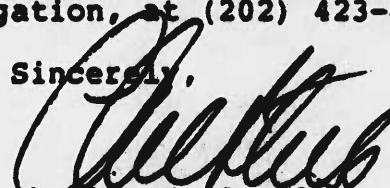
RE: MUR 1599

Dear Mr. Mineo:

As a result of our inability to settle this matter through conciliation within the allowable time period, the Commission has authorized the institution of civil actions for relief in the U.S. District Court.

Should you have any question, or should you wish to settle this matter prior to suit, please contact Richard Bader, Assistant General Counsel for Litigation, at (202) 423-4143.

Sincerely,


Charles N. Steele
General Counsel

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Committee to Return Stack to) MUR 1599
Congress, Pierro C. Johnson,)
Treasurer)
Pierro C. Johnson)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the
Federal Election Commission executive session of November 27,
1984, do hereby certify that the Commission decided by a
vote of 5-1 to take the following actions in MUR 1599:

1. Authorize the Office of General Counsel
to file a civil suit for relief in the
United States District Court against the
Committee to Return Stack to Congress and
its treasurer, Pierro C. Johnson.
2. Authorize the Office of General Counsel to
file a civil suit for relief in the United
States District Court against Pierro C.
Johnson.
3. Send the letter attached to the General
Counsel's report dated November 16, 1984.

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

Attest:

11-29-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

86040564503



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *CA*
DATE: November 16, 1984
SUBJECT: MUR 1599 - General Counsel's Report

The attached is submitted as an Agenda document
for the Commission Meeting of November 27, 1984

Open Session _____

Closed Session XX

CIRCULATIONS

48 Hour Tally Vote []
Sensitive []
Non-Sensitive []

24 Hour No Objection []
Sensitive []
Non-Sensitive []

Information []
Sensitive []
Non-Sensitive []

Other [X]

DISTRIBUTION

Compliance [X]

Audit Matters []

Litigation []

Closed MUR Letters []

Status Sheets []

Advisory Opinions []

Other (see distribution below) []

SENSITIVE

CIRCULATE ON BLUE PAPER

ON AGENDA 11-27-84

86040564504

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

MUR 1599

Committee to Return Stack)
to Congress, Pierro C. Johnson,)
Treasurer)
Pierro C. Johnson)

EXECUTIVE SESSION

GENERAL COUNSEL'S REPORT

27 NOV 1984

I. BACKGROUND:

On August 14, 1984, the Commission found probable cause to believe that the Committee to Return Stack to Congress and its treasurer, Pierro C. Johnson, violated 2 U.S.C. §§ 434 and 441a(f) and Pierro C. Johnson violated 2 U.S.C. § 441a(a)(1)(A). Conciliation was initiated by sending agreements to the respondents.

II. DISCUSSION OF CONCILIATION EFFORTS:

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III. RECOMMENDATIONS

1. Authorize the Office of General Counsel to file a civil suit for relief in the United States District Court against the Committee to Return Stack to Congress and its treasurer, Pierro C. Johnson;
2. Authorize the Office of General Counsel to file a civil suit for relief in the United States District Court against Pierro C. Johnson; and
3. Send the attached letter.

16 November 1964
Date


BY: Charles N. Steele
General Counsel

Attachments:

1. Counterproposal
2. Proposed Letter

36040564506



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 15, 1984

Peter Mineo, Jr.
305 South Andrews Avenue
Suite 901
Fort Lauderdale, Florida 33301

RE: MUR 1599

Dear Mr. Mineo:

On August 14, 1984, the Commission determined that there is probable cause to believe your clients committed violations of 2 U.S.C. §§ 441a and 434(a), provisions of the Federal Election Campaign Act of 1971, as amended, in connection with the making and receipt of excessive contributions and the failure of the Committee to file reports.

The Commission has a duty to attempt to correct such violations for a period of thirty to ninety days by informal methods of conference, conciliation and persuasion, and by entering into a conciliation agreement. If we are unable to reach an agreement during that period, the Commission may institute civil suit in United States District Court and seek payment of a civil penalty.

We enclose conciliation agreements that this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of the enclosed agreements, please sign and return them along with the civil penalties to the Commission within ten days. I will then recommend that the Commission approve the agreements. Please make your check for the civil penalties payable to the U.S. Treasurer.

If you have any questions or suggestions for changes in the enclosed conciliation agreements, please contact Judy Thedford at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

Enclosures
Conciliation Agreements

86040564507



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Peter Mineo, Jr.
305 South Andrews Avenue
Suite 901
Fort Lauderdale, Florida 33301

RE: MUR 1599

Dear Mr. Mineo:

On August , 1984, the Commission determined that there is probable cause to believe your clients committed violations of 2 U.S.C. §§ 441a and 434(a), provisions of the Federal Election Campaign Act of 1971, as amended, in connection with the making and receipt of excessive contributions and the failure of the Committee to file reports.

The Commission has a duty to attempt to correct such violations for a period of thirty to ninety days by informal methods of conference, conciliation and persuasion, and by entering into a conciliation agreement. If we are unable to reach an agreement during that period, the Commission may institute civil suit in United States District Court and seek payment of a civil penalty.

We enclose conciliation agreements that this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of the enclosed agreements, please sign and return them along with the civil penalties to the Commission within ten days. I will then recommend that the Commission approve the agreements. Please make your check for the civil penalties payable to the U.S. Treasurer.

If you have any questions or suggestions for changes in the enclosed conciliation agreements, please contact Judy Thedford at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

Enclosures
Conciliation Agreements

8/15/84

86040564508

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Committee to Return Stack) MUR 1599
to Congress)
Pierro C. Johnson)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the
Federal Election Commission executive session of August 14,
1984, do hereby certify that the Commission decided by a vote
of 5-0 to take the following actions in MUR 1599:

1. Find probable cause to believe that the
Committee to Return Stack to Congress
and Pierro C. Johnson, as treasurer,
violated 2 U.S.C. §§ 441a(f) and 434(a).
2. Find probable cause to believe that
Pierro C. Johnson violated 2 U.S.C.
§ 441a(a)(1)(A).
3. Initiate conciliation by sending the
agreements attached to the General
Counsel's August 6, 1984 report to the
respondents.

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

Attest:

8-14-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *CJ*
DATE: August 6, 1984
SUBJECT: MUR 1599 - General Counsel's Report

The attached is submitted as an Agenda document
for the Commission Meeting of August 14, 1984

Open Session _____

Closed Session XX

CIRCULATIONS

48 Hour Tally Vote []
Sensitive []
Non-Sensitive []
24 Hour No Objection []
Sensitive []
Non-Sensitive []
Information []
Sensitive []
Non-Sensitive []
Other [x]

DISTRIBUTION

Compliance [x]
Audit Matters []
Litigation []
Closed MUR Letters []
Status Sheets []
Advisory Opinions []
Other (see distribution below) []

SENSITIVE

CIRCULATE ON BLUE PAPER

ON AGENDA 8-14-84

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SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Committee to Return Stack
to Congress
Pierro C. Johnson

MUR 1599

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EXECUTIVE SESSION

GENERAL COUNSEL'S REPORT

AUG 14 1984

I. BACKGROUND:

On February 24, 1984, briefs were sent to the respondents notifying them of the General Counsel's intention to recommend to the Commission that probable cause be found that the Committee to Return Stack to Congress and Pierro C. Johnson, as treasurer, violated 2 U.S.C. §§ 441a(f) and 434(a)(2)(B)(i) and that Pierro C. Johnson violated 2 U.S.C. § 441a(a)(1)(A).

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II. LEGAL AND FACTUAL ANALYSIS

See OGC Briefs dated February 24, 1984.

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

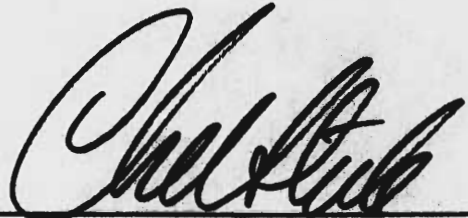
IV. RECOMMENDATIONS

1. Find probable cause to believe that the Committee to Return Stack to Congress and Pierro C. Johnson, as treasurer, violated 2 U.S.C. §§ 441a(f) and 434(a).

2. Find probable cause to believe that Pierro C. Johnson violated 2 U.S.C. § 441a(a)(1)(A).

3. Initiate conciliation by sending the attached agreements to the respondents.

6 August 1984
Date



Charles N. Steele
General Counsel

Attachments:

1. Conciliation Agreements
2. Letter

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Peter Mineo, Jr.
305 South Andrews Avenue
Suite 901
Fort Lauderdale, Florida 33301

RE: MUR 1599

Dear Mr. Mineo:

On August , 1984, the Commission determined that there is probable cause to believe your clients committed violations of 2 U.S.C. §§ 441a and 434(a), provisions of the Federal Election Campaign Act of 1971, as amended, in connection with the making and receipt of excessive contributions and the failure of the Committee to file reports.

The Commission has a duty to attempt to correct such violations for a period of thirty to ninety days by informal methods of conference, conciliation and persuasion, and by entering into a conciliation agreement. If we are unable to reach an agreement during that period, the Commission may institute civil suit in United States District Court and seek payment of a civil penalty.

We enclose conciliation agreements that this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of the enclosed agreements, please sign and return them along with the civil penalties to the Commission within ten days. I will then recommend that the Commission approve the agreements. Please make your check for the civil penalties payable to the U.S. Treasurer.

If you have any questions or suggestions for changes in the enclosed conciliation agreements, please contact Judy Thedford at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

Enclosures
Conciliation Agreements

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STATEMENT OF DESIGNATION OF COUNSEL

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MUR 1599

NAME OF COUNSEL:

Peter Mineo, Jr.

ADDRESS:

305 South Andrews Ave

Suite 901

71. Land. 71A. 33301

TELEPHONE:

(305) 463-0688

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

6/28/84
Date

Pierro C. Johnson
Signature

RESPONDENT'S NAME:

PIERRO C. JOHNSON

ADDRESS:

305 South Andrews Ave.

Suite 901

71. Land. FA. 33301

HOME PHONE:

(305) 564-3315

BUSINESS PHONE:

(305) 463-0688

86040564514

EO, BOOTH & GEORGE

ATTORNEYS AT LAW

SUITE 901

ONE RIVER PLAZA BUILDING

505 SOUTH ANDREWS AVENUE

LAUDERDALE, FLORIDA 33301



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Federal Election Commission
Washington, D.C. 20463

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 18, 1984

Peter Mineo, Jr.
Mineo, Booth & George
Suite 901
One River Plaza Building
305 South Andrews Avenue
Fort Lauderdale, Florida 33301

Re: MUR 1599

Dear Mr. Mineo:

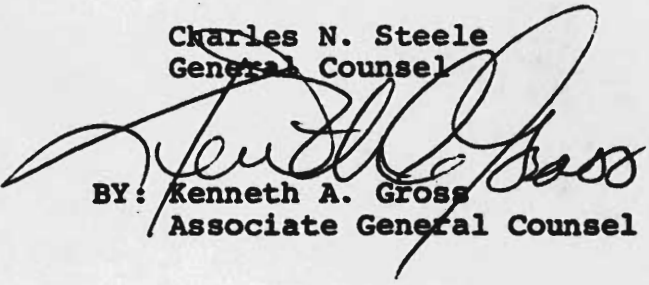
On June 12, 1984, we received the response you filed on behalf of Pierro C. Johnson and the Committee to Return Stack to Congress in connection with the above-captioned matter.

If you intend to represent Mr. Johnson and the Committee in this matter and wish to receive all notifications and other communications from the Commission on your clients' behalf, we request that you have Mr. Johnson and the Committee complete the attached Designation of Counsel Statements and forward the completed forms to the Commission.

If you have any questions, please contact Judy Thedford at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Gross
Associate General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cut*
DATE: February 24, 1984
SUBJECT: MUR 1599 - Memorandum and General Counsel's Briefs

The attached is submitted as an Agenda document
for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

48 Hour Tally Vote []
Sensitive []
Non-Sensitive []
24 Hour No Objection []
Sensitive []
Non-Sensitive []
Information [x]
Sensitive [x]
Non-Sensitive []

Other []

DISTRIBUTION

Compliance [x]
Audit Matters []
Litigation []
Closed MUR Letters []
Status Sheets []
Advisory Opinions []
Other (see distribution below) []

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

OFFICE OF THE
COMMISSION SECRETARY

84 FEB 24 P 1: 30

February 24, 1984

SENSITIVE

MEMORANDUM TO: The Commission

FROM: Charles W. Steele
General Counsel

SUBJECT: MUR 1599

Attached for the Commission's review are briefs stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of these briefs and letters notifying the Respondents of the General Counsel's intent to recommend to the Commission a finding of probable cause to believe were mailed on February 24, 1984. Following receipt of the Respondents' replies to this notice, this Office will make a further report to the Commission.

Attachments

1. Briefs
2. Letters to Respondents

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Pierro C. Johnson

)
)
)
MUR 1599

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE:

The 1982 12 Day Pre-Primary Report filed by Committee to Return Stack to Congress ("the Committee") disclosed the receipt of a loan on July 22, 1982, in the amount of \$500, designated for the primary election from the treasurer of the committee Pierro Johnson. The report also disclosed a loan of \$1,997, designated for the primary election from the treasurer on

July 26, 1982^{1/}. A Request for Additional Information (RFAI) on the 1982 12 Day Pre-Primary Report was mailed, concerning possible receipt of excessive loans. In response to a notification from the Clerk's office, Mr. Johnson submitted a letter explaining that the Committee believed that such loans were permissible if personally guaranteed by the candidate. The letter also advised that the excessive loans had been repaid.

The Committee's 1982 October Quarterly Report, confirmed the repayment of the \$1,997 loan on August 25, 1982. The report also disclosed the receipt of additional loans on September 2, 1982 and September 7, 1982, totalling \$7,000, designated for the primary from Mr. Johnson and the subsequent repayment of

^{1/} The aggregate year-to-date figures for the \$500 and \$1,997 loans indicate receipt of an additional \$100; however, the Committee does not disclose receipt of this amount elsewhere in this report or in previous reports.

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\$2,000 on September 13, 1982. The Committee's 1982 12 Day Pre-General Report disclosed an additional repayment of \$4,600 on October 1, 1982.

An Informational Notice was included in an RFAI for the 1982 October Quarterly Report. The Informational Notice noted the receipt of an apparent excessive contribution from Mr. Johnson and the subsequent refunds.

The Committee's 30 Day Post-General Report disclosed candidate loans received on October 14, 1982 and November 1, 1982, totalling \$9,600 and designated for the general election. An RFAI for the 1982 30 Day Post-General Report requested the source of candidate loans. A Second Notice was mailed because no response had been received. On March 2, 1983, in a letter included with an amendment to the 30 Day Post-General Report, the Committee identified the treasurer, Mr. Johnson, as the source of the candidate loan. The Committee further explained that the loans from the treasurer were guaranteed by the candidate through the assignment of a mortgage on property owned by the candidate.

An RFAI was mailed for the 30 Day Post-General Amendment advising that the "candidate" loan of \$9,600 made by the treasurer and secured by a mortgage constituted an excessive contribution from the treasurer to the extent that the amount received exceeded \$1,000. In a letter from the Committee, the Committee reported that arrangements to repay the loans in full would be complete on or before May 30, 1983. A Second Notice was

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mailed to the Committee which noted receipt of the Committee's response. The notice also advised the Committee to report the excessive loan as an outstanding debt until repaid and to notify the Commission when repayment was made. On May 24, 1983, a letter was received from the Committee treasurer, Mr. Johnson, including a copy of a personal check for \$10,500, written to him from the candidate and dated May 11, 1983.^{2/} The cover letter indicated that the check repaid the loans made by him to the campaign which were referred to in the Second Notice. Attached to the letter was a Schedule C disclosing an outstanding candidate loan of \$10,500 which was received by the Committee on May 11, 1983. The Schedule C did not disclose the original source of the candidate loan which apparently was used to repay the treasurer.

On December 20, 1983, the Commission found reason to believe Mr. Johnson violated 2 U.S.C. § 441a(a)(1)(A).

II. LEGAL ANALYSIS:

Pursuant to 2 U.S.C. § 441a(a)(1)(A) an individual is limited to contributing \$1,000 per election to any candidate and his authorized political committee.

^{2/} This check included repayment of the permissible portion of the loans from the primary and general election. The total excessive contributions received from Mr. Johnson appears to be \$8,497 for the primary election and \$8,600 for the general election, if the \$100 noted in Footnote 1 is excluded.

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In this matter, the treasurer, Mr. Johnson, made excessive contributions in the form of loans to the Committee and the candidate. The excessive loans total \$8,497 for the primary election and \$8,600 for the general election. Below is a table showing the date each loan was incurred, its amount, the amount refunded, and the date of the refund:

Date Incurred	Amt of Loan	Amt of Refund	Date of Refund
7-22-82	\$ 500	\$ 500	5-11-83
7-26-82	1997	1997	8-25-82
9-02-82	5000	4600	10-01-82
		500	5-11-83
9-07-82	2000	2000	9-13-82
10-14-82	5000	5000	5-11-83
11-01-82	4600	4600	5-11-83

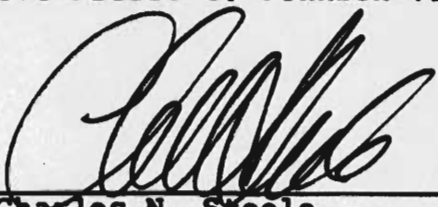
The length of time for refunding the loans varies between 6 days to 10 months.

Accordingly, the Office of General Counsel recommends finding probable cause to believe that Pierro C. Johnson violated 2 U.S.C. § 441a(a) (1) (A).

III. GENERAL COUNSEL'S RECOMMENDATION:

Find probable cause to believe Pierro C. Johnson violated 2 U.S.C. § 441a(a) (1) (A).

24 February 1984
Date


Charles N. Steele
General Counsel

86040564522



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 24, 1984

**Pierro C. Johnson, Treasurer
616 Intracoastal Drive
Fort Lauderdale, Florida 33304**

RE: MUR 1599

Dear Mr. Johnson:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on December 20, 1983, found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A) and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days.

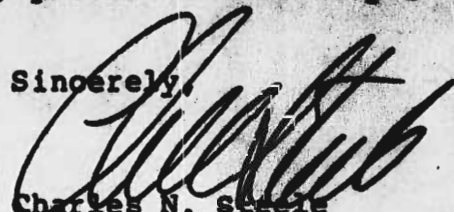
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Pierro C. Johnson, Treasurer
Page 2

A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety, days to settle this matter through a conciliation agreement.

Should you have any questions, please contact Judy Thedford at (202) 523-4529.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

86040564524

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1599
Committee to Return Stack)
to Congress, Pierro C. Johnson,)
as Treasurer)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE:

8 6 0 4 0 5 6 4 5 2 5
The 1982 12 Day Pre-Primary Report filed by Committee to Return Stack to Congress ("the Committee") disclosed the receipt of a loan on July 22, 1982, in the amount of \$500, designated for the primary election from the treasurer of the committee Pierro Johnson. The report also disclosed a loan of \$1,997, designated for the primary election from the treasurer on July 26, 1982^{1/}. A Request for Additional Information (RAI) on the 1982 12 Day Pre-Primary Report was mailed, concerning possible receipt of excessive loans. In response to a notification from the Clerk's office, Mr. Johnson submitted a letter explaining that the Committee believed that such loans were permissible if personally guaranteed by the candidate. The letter also advised that the excessive loans had been repaid.

The Committee's 1982 October Quarterly Report, confirmed the repayment of the \$1,997 loan on August 25, 1982. The report also disclosed the receipt of additional loans on September 2, 1982 and September 7, 1982, totalling \$7,000, designated for the primary from Mr. Johnson and the subsequent repayment of

^{1/} The aggregate year-to-date figures for the \$500 and \$1,997 loans indicate receipt of an additional \$100; however, the Committee does not disclose receipt of this amount elsewhere in this report or in previous reports.

\$2,000 on September 13, 1982. The Committee's 1982 12 Day Pre-General Report disclosed an additional repayment of \$4,600 on October 1, 1982.

An Informational Notice was included in an RFAI for the 1982 October Quarterly Report. The Informational Notice noted the receipt of an apparent excessive contribution from Mr. Johnson and the subsequent refunds.

The Committee's 30 Day Post-General Report disclosed candidate loans received on October 14, 1982 and November 1, 1982, totalling \$9,600 and designated for the general election. An RFAI for the 1982 30 Day Post-General Report requested the source of candidate loans. A Second Notice was mailed because no response had been received. On March 2, 1983, in a letter included with an amendment to the 30 Day Post-General Report, the Committee identified the treasurer, Mr. Johnson, as the source of the candidate loan. The Committee further explained that the loans from the treasurer were guaranteed by the candidate through the assignment of a mortgage on property owned by the candidate.

An RFAI was mailed for the 30 Day Post-General Amendment advising that the "candidate" loan of \$9,600 made by the treasurer and secured by a mortgage constituted an excessive contribution from the treasurer to the extent that the amount received exceeded \$1,000. In a letter from the Committee, the Committee reported that arrangements to repay the loans in full would be complete on or before May 30, 1983. A Second Notice was

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8 6 0 4 0 5 6 4 5 2 7
mailed to the Committee which noted receipt of the Committee's response. The notice also advised the Committee to report the excessive loan as an outstanding debt until repaid and to notify the Commission when repayment was made. On May 24, 1983, a letter was received from the Committee treasurer, Mr. Johnson, including a copy of a personal check for \$10,500, written to him from the candidate and dated May 11, 1983.^{2/} The cover letter indicated that the check repaid the loans made by him to the campaign which were referred to in the Second Notice. Attached to the letter was a Schedule C disclosing an outstanding candidate loan of \$10,500 which was received by the Committee on May 11, 1983. The Schedule C did not disclose the original source of the candidate loan which apparently was used to repay the treasurer.

Additionally, the Committee has failed to file the 1983 Mid-Year Report.

On December 20, 1983, the Commission found reason to believe that the Committee and its treasurer, Pierro C. Johnson violated 2 U.S.C. § 441a(f) and § 434(a)(2)(B)(i) and reason to believe Pierro Johnson violated 2 U.S.C. § 441a(a)(1)(A).

II. LEGAL ANALYSIS:

Pursuant to 2 U.S.C. § 441a(a)(1)(A) an individual is limited to contributing \$1,000 per election to any candidate and his authorized political committee. 2 U.S.C. § 441a(f) prohibits

^{2/} This check included repayment of the permissible portion of the loans from the primary and general election. The total excessive contributions received from Mr. Johnson appears to be \$8,497 for the primary election and \$8,600 for the general election, if the \$100 noted in Footnote 1 is excluded.

a political committee from accepting any contribution in violation of the limits set forth in 2 U.S.C. § 441a.

In this matter, the treasurer, Mr. Johnson, made excessive contributions in the form of loans to the Committee and the candidate. The excessive loans total \$8,497 for the primary election and \$8,600 for the general election. Below is a table showing the date each loan was incurred, its amount, the amount refunded, and the date of the refund:

Date Incurred	Amt of Loan	Amt of Refund	Date of Refund
7-22-82	\$ 500	\$ 500	5-11-83
7-26-82	1997	1997	8-25-82
9-02-82	5000	4600	10-01-82
		500	5-11-83
9-07-82	2000	2000	9-13-82
10-14-82	5000	5000	5-11-83
11-01-82	4600	4600	5-11-83

The length of time for refunding the loans varies between 6 days to 10 months.

2 U.S.C. § 434(a) (2) (B) (i) requires the principal campaign committee of a candidate for the House of Representatives to file a report covering January 1 through June 30. The report is to be filed no later than July 31 in a non-election year.

The Committee failed to file the 1983 Mid-Year report which was due on July 31, 1983. Accordingly, the Office of General Counsel recommends that the Commission find probable cause to believe that the Committee to Return Stack to Congress and its treasurer, Pierro C. Johnson, violated 2 U.S.C. § 441a(f) and § 434(a) (2) (B) (i).

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III. GENERAL COUNSEL'S RECOMMENDATION:

Find probable cause to believe the Committee to Return Stack to Congress and its treasurer, Pierro C. Johnson, violated 2 U.S.C. § 441a(f) and § 434(a)(2)(B)(i).

24 February 1984
Date


Charles M. Steele
General Counsel

86040564529



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 24, 1984

Pierro C. Johnson, Treasurer
Committee to Return Stack to Congress
P.O. Box 2963
Pompano Beach, Florida 33062

RE: MUR 1599

Dear Mr. Johnson:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on December 20, 1983, found reason to believe that the Committee to Return Stack to Congress and you, as treasurer, had violated 2 U.S.C. § 441a(f) and § 434(a)(2)(B)(i) and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days.

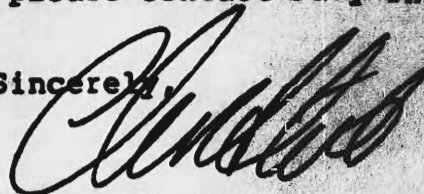
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Pierro C. Johnson, Treasurer
Committee to Return Stack to Congress
Page 2

A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety, days to settle this matter through a conciliation agreement.

Should you have any questions, please contact Judy Thedford at (202) 523-4529.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

86040564531



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 30, 1984

Pierro C. Johnson
616 Intracoastal Drive
Fort Lauderdale, Florida 33304

Re: MUR 1599

Dear Mr. Johnson:

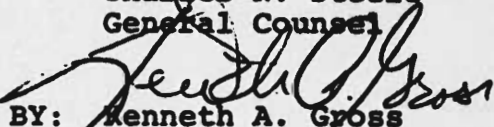
On December 29, 1983, you were sent notification that the Commission had found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). At that time, you were given an opportunity to demonstrate that no further action should be taken against you.

As of this date we have received no response. The Commission intends to conclude its investigation shortly. In the absence of any materials from you, the Commission will have to decide whether to take further action solely on the basis of information available from other sources. If you want to supply any information, please do so within five days of your receipt of this notification.

If you have any questions regarding this matter, please call Judy Thedford, at (202) 523-4529.

Sincerely,

Charles N. Steele
General Counsel

BY: 
Kenneth A. Gross
Associate General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 30, 1984

Pierro C. Johnson
Committee to Return Stack to Congress
P.O. Box 2963
Pompano Beach, Florida 33062

Re: MUR 1599

Dear Mr. Johnson:

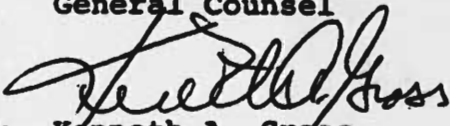
On December 29, 1983, you were sent notification that the Commission had found reason to believe that the Committee to Return Stack to Congress had violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). At that time, you were given an opportunity to demonstrate that no further action should be taken against the Committee.

As of this date we have received no response. The Commission intends to conclude its investigation shortly. In the absence of any materials from you, the Commission will have to decide whether to take further action solely on the basis of information available from other sources. If you want to supply any information, please do so within five days of your receipt of this notification.

If you have any questions regarding this matter, please call Judy Thedford, at (202) 523-4529.

Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Gross
Associate General Counsel

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 29, 1983

Pierro C. Johnson, Treasurer
Committee to Return Stack to Congress
P.O. Box 2963
Pompano Beach, Florida 33062

Re: MUR 1599

Dear Mr. Johnson:

On December 20, 1983, the Federal Election Commission determined that there is reason to believe that the Committee to Return Stack to Congress and you, as treasurer, violated 2 U.S.C. § 441a(f) and § 434(a)(2)(B)(i), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against you and your committee, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if you so desired. See 11 C.F.R. § 111.18(d).

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

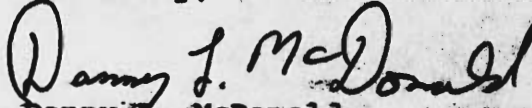
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Pierre C. Johnson, Treasurer
Page 2

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Judy Thedford at (202)523-4529.

Sincerely,


Danny L. McDonald
Chairman

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

86040564535

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. 1599

STAFF MEMBER(S) & TEL. NO.

RESPONDENT: Committee to Return
Stack to Congress
Pierro C. Johnson, Treasurer

Gary Johansen 523-4143
Judy Thedford 523-4529

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

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division on September 6, 1983. On November 18, 1983, the Commission voted to open a MUR.

The committee's 1982 12 Day Pre-Primary Report disclosed the receipt of a loan on July 22, 1982, in the amount of \$500, designated for the primary election from the treasurer of the committee. The report also disclosed a loan of \$1,997, designated for the primary election from the treasurer on July 26, 1982^{1/}. A Request for Additional Information (RFAI) on the 1982 12 Day Pre-Primary Report was mailed, concerning possible receipt of excessive loans. In response to a notification from the Clerk's office, the committee treasurer submitted a letter explaining that the committee believed that such loans were permissible if personally guaranteed by the candidate. The letter also advised that the excessive loans had been repaid.

The committee's 1982 October Quarterly Report, confirmed the repayment of the \$1,997 loan on August 25, 1982. The report also

^{1/} The aggregate year-to-date figures for the \$500 and \$1,997 loans indicate receipt of an additional \$100; however, the committee does not disclose receipt of this amount elsewhere in this report or in previous reports.

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disclosed the receipt of additional loans on September 2, 1982 and September 7, 1982, totalling \$7,000, designated for the primary from the same individual and the subsequent repayment of \$2,000 on September 13, 1982. The committee's 1982 12 Day Pre-General Report disclosed an additional repayment of \$4,600 on October 1, 1982.

An Informational Notice was included in an RFAI for the 1982 October Quarterly Report. The Informational Notice noted the receipt of an apparent excessive contribution from the treasurer and the subsequent refunds.

The committee's 30 Day Post-General Report disclosed candidate loans received on October 14, 1982 and November 1, 1982, totalling \$9,600 and designated for the general election. An RFAI for the 1982 30 Day Post-General Report requested the source of candidate loans. A Second Notice was mailed because no response had been received. On March 2, 1983, in a letter included with an amendment to the 30 Day Post-General Report, the committee identified the treasurer as the source of the candidate loan. The committee further explained that the loans from the treasurer were guaranteed by the candidate through the assignment of a mortgage on property owned by the candidate.

An RFAI was mailed for the 30 Day Post-General Amendment advising that the "candidate" loan of \$9,600 made by the treasurer and secured by a mortgage constituted an excessive contribution from the treasurer to the extent that the amount received exceeded \$1,000. In a letter from the committee, the

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committee reported that arrangements to repay the loans in full would be complete on or before May 30, 1983. A Second Notice was mailed to the committee which noted receipt of the committee's response. The notice also advised the committee to report the excessive loan as an outstanding debt until repaid and to notify the Commission when repayment was made. On May 24, 1983, a letter was received from the committee treasurer including a copy of a personal check for \$10,500, written to him from the candidate and dated May 11, 1983.^{2/} The cover letter indicated that the check repaid the loans made by the treasurer to the campaign which were referred to in the Second Notice. Attached to the letter was a Schedule C disclosing an outstanding candidate loan of \$10,500 which was received by the committee on May 11, 1983. The Schedule C did not disclose the original source of the candidate loan which apparently was used to repay the treasurer.

Additionally, the Committee has failed to file the 1983 Mid-Year Report.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A) an individual is limited to contributing \$1,000 per election to any candidate and his authorized political committee. 2 U.S.C. § 441a(f) prohibits a political committee from accepting any contribution in violation of the limits set forth in 2 U.S.C. § 441a.

^{2/} This check included repayment of the permissible portion of the loans from the primary and general election. The total excessive contributions received from the treasurer appears to be \$8,497 for the primary election and \$8,600 for the general election, if the \$100 noted in Footnote 1 is excluded.

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In this referral, the treasurer made excessive contributions in the form of loans to the committee and the candidate. The excessive loans total \$8,497 for the primary election and \$8,600 for the general election. Below is a table showing the date each loan was incurred, its amount, the amount refunded, and the date of the refund:

Date Incurred	Amt of Loan	Amt of Refund	Date of Refund
7-22-82	\$ 500	\$ 500	5-11-83
7-26-82	1997	1997	8-25-82
9-02-82	5000	4600	10-01-82
		500	5-11-83
9-07-82	2000	2000	9-13-82
10-14-82	5000	5000	5-11-83
11-01-82	4600	4600	5-11-83

The length of time for refunding the loans varies between 6 days to 10 months.

Due to the amount of the excessive contributions, the committee's failure to report the source of the last \$10,500 loan from the candidate; and its failure to file the 1983 Mid-Year Report, the Office of General Counsel recommends find reason to believe that the Committee to Return Stack to Congress and its treasurer, Pierro C. Johnson violated 2 U.S.C. § 441a(f) and § 434(a) (2) (B) (i).

RECOMMENDATION:

1. Find reason to believe the Committee to Return Stack to Congress and its treasurer, Pierro C. Johnson, violated 2 U.S.C. § 441a(f) and § 434(a) (2) (B) (i).

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Pierro C. Johnson, Treasurer
Committee to Return Stack to Congress
P.O. Box 2963
Pompano Beach, Florida 33062

Re: MUR 1599

Dear Mr. Johnson:

On , 1983, the Federal Election Commission determined that there is reason to believe that the Committee to Return Stack to Congress and you, as treasurer, violated 2 U.S.C. § 441a(f) and § 434(a)(2)(B)(i), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against you and your committee, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if you so desired. See 11 C.F.R. § 111.18(d).

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

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Pierro C. Johnson, Treasurer
Page 2

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Judy Thedford at (202)523-4529.

Sincerely,

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

86040564541

JP 12/22/83



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 29, 1983

Pierro C. Johnson
616 Intracoastal Drive
Fort Lauderdale, Florida 33304

Re: MUR 1599

Dear Mr. Johnson:

On December 20, 1983, the Federal Election Commission determined that there is reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if you so desired. See 11 C.F.R. § 111.18(d).

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

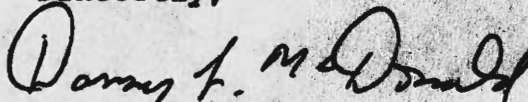
The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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Pierro C. Johnson
Page 2

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Judy Thedford at (202)523-4529.

Sincerely,


Danny L. McDonald,
Chairman

Enclosures

General Counsel's Factual and Legal Analysis
Procedures ~
Designation of Counsel Statement

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Pierro C. Johnson

MUR NO. 1599
STAFF MEMBER(S) & TEL. NO.
Gary Johansen 523-4143
Judy Thedford 523-4529

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

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division on September 6, 1983. On November 18, 1983, the Commission voted to open a MUR.

The committee's 1982 12 Day Pre-Primary Report disclosed the receipt of a loan on July 22, 1982, in the amount of \$500, designated for the primary election from the treasurer of the committee. The report also disclosed a loan of \$1,997, designated for the primary election from the treasurer on July 26, 1982^{1/}. A Request for Additional Information (RAFI) on the 1982 12 Day Pre-Primary Report was mailed, concerning possible receipt of excessive loans. In response to a notification from the Clerk's office, the committee treasurer submitted a letter explaining that the committee believed that such loans were permissible if personally guaranteed by the candidate. The letter also advised that the excessive loans had been repaid.

The committee's 1982 October Quarterly Report, confirmed the repayment of the \$1,997 loan on August 25, 1982. The report also

^{1/} The aggregate year-to-date figures for the \$500 and \$1,997 loans indicate receipt of an additional \$100; however, the committee does not disclose receipt of this amount elsewhere in this report or in previous reports.

disclosed the receipt of additional loans on September 2, 1982 and September 7, 1982, totalling \$7,000, designated for the primary from the same individual and the subsequent repayment of \$2,000 on September 13, 1982. The committee's 1982 12 Day Pre-General Report disclosed an additional repayment of \$4,600 on October 1, 1982.

An Informational Notice was included in an RFAI for the 1982 October Quarterly Report. The Informational Notice noted the receipt of an apparent excessive contribution from the treasurer and the subsequent refunds.

The committee's 30 Day Post-General Report disclosed candidate loans received on October 14, 1982 and November 1, 1982, totalling \$9,600 and designated for the general election. An RFAI for the 1982 30 Day Post-General Report requested the source of candidate loans. A Second Notice was mailed because no response had been received. On March 2, 1983, in a letter included with an amendment to the 30 Day Post-General Report, the committee identified the treasurer as the source of the candidate loan. The committee further explained that the loans from the treasurer were guaranteed by the candidate through the assignment of a mortgage on property owned by the candidate.

An RFAI was mailed for the 30 Day Post-General Amendment advising that the "candidate" loan of \$9,600 made by the treasurer and secured by a mortgage constituted an excessive contribution from the treasurer to the extent that the amount received exceeded \$1,000. In a letter from the committee, the

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committee reported that arrangements to repay the loans in full would be complete on or before May 30, 1983. A Second Notice was mailed to the committee which noted receipt of the committee's response. The notice also advised the committee to report the excessive loan as an outstanding debt until repaid and to notify the Commission when repayment was made. On May 24, 1983, a letter was received from the committee treasurer including a copy of a personal check for \$10,500, written to him from the candidate and dated May 11, 1983.^{2/} The cover letter indicated that the check repaid the loans made by the treasurer to the campaign which were referred to in the Second Notice. Attached to the letter was a Schedule C disclosing an outstanding candidate loan of \$10,500 which was received by the committee on May 11, 1983. The Schedule C did not disclose the original source of the candidate loan which apparently was used to repay the treasurer.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A) an individual is limited to contributing \$1,000 per election to any candidate and his authorized political committee. 2 U.S.C. § 441a(f) prohibits a political committee from accepting any contribution in violation of the limits set forth in 2 U.S.C. § 441a.

^{2/} This check included repayment of the permissible portion of the loans from the primary and general election. The total excessive contributions received from the treasurer appears to be \$8,497 for the primary election and \$8,600 for the general election, if the \$100 noted in Footnote 1 is excluded.

In this referral, the treasurer made excessive contributions in the form of loans to the committee and the candidate. The excessive loans total \$8,497 for the primary election and \$8,600 for the general election. Below is a table showing the date each loan was incurred, its amount, the amount refunded, and the date of the refund:

Date Incurred	Amt of Loan	Amt of Refund	Date of Refund
7-22-82	\$ 500	\$ 500	5-11-83
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9-02-82	5000	4600	10-01-82
		500	5-11-83
9-07-82	2000	2000	9-13-82
10-14-82	5000	5000	5-11-83
11-01-82	4600	4600	5-11-83

The length of time for refunding the loans varies between 6 days to 10 months.

Due to the amount of the excessive contributions, the Office of the General Counsel recommends finding reason to believe that Pierro C. Johnson violated 2 U.S.C. § 441a(a)(1)(A).

RECOMMENDATION:

1. Find reason to believe Pierro C. Johnson violated 2 U.S.C. § 441a(a)(1)(A).



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Pierro C. Johnson
616 Intracoastal Drive
Fort Lauderdale, Florida 33304

Re: MUR 1599

Dear Mr. Johnson:

On April 1, 1983, the Federal Election Commission determined that there is reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if you so desired. See 11 C.F.R. § 111.18(d).

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

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

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Pierro C. Johnson
Page 2

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Judy Thedford at (202)523-4529.

Sincerely,

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

86040564549

OK
12/22/83

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Committee to Return Stack
to Congress

MUR 1599

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 20, 1983, the Commission decided by a vote of 5-0 to take the following actions in MUR 1599:

1. Find reason to believe the Committee to Return Stack to Congress and its treasurer, Pierro C. Johnson, violated 2 U.S.C. § 441a(f) and § 434(a)(2)(B)(i).
2. Find reason to believe Pierro C. Johnson violated 2 U.S.C. § 441a(a)(1)(A).
3. Send the letters and General Counsel's Legal and Factual Analyzes as attached to the First General Counsel's Report signed December 15, 1983.

Commissioners Harris, Elliott, McDonald, McGarry and Reiche voted affirmatively in this matter; Commissioner Aikens did not cast a vote.

Attest:

Dec. 20, 1983

Date

Jedz C. Ransom

for Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:
Circulated on 48 hour tally basis:

12-15-83, 4:42
12-16-83, 2:00

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cot*
DATE: December 15, 1983
SUBJECT: MUR 1599 - First General Counsel's Report

The attached is submitted as an Agenda document
for the Commission Meeting of _____
Open Session _____
Closed Session _____

CIRCULATIONS

48 Hour Tally Vote ☒]
Sensitive ☒]
Non-Sensitive ☐]
24 Hour No Objection ☐]
Sensitive ☐]
Non-Sensitive ☐]
Information ☐]
Sensitive ☐]
Non-Sensitive ☐]
Other ☐]

DISTRIBUTION

Compliance ☒]
Audit Matters ☐]
Litigation ☐]
Closed MUR Letters ☐]
Status Sheets ☐]
Advisory Opinions ☐]
Other (see distribution below) ☐]

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SENSITIVE

**FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463**

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT 83 DEC 15 P 4: 42

**DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION**

**MUR 1599
STAFF MEMBER
Judy Thedford**

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: Committee to Return Stack to Congress

**RELEVANT STATUTE: 2 U.S.C. § 441a(a)(1)(A)
2 U.S.C. § 441a(f)
2 U.S.C. § 434(a)(2)(B)(i)**

FEDERAL AGENCIES CHECKED: N/A

GENERATION OF MATTER

This matter was referred to the Office of General Counsel by the Reports Analysis Division on September 6, 1983. On November 18, 1983, the Commission voted to open a MUR.

SUMMARY OF ALLEGATIONS

The committee's 1982 12 Day Pre-Primary Report disclosed the receipt of a loan on July 22, 1982, in the amount of \$500, designated for the primary election from the treasurer of the committee. The report also disclosed a loan of \$1,997, designated for the primary election from the treasurer on July 26, 1982^{1/}. A Request for Additional Information (RFAI) on the 1982 12 Day Pre-Primary Report was mailed, concerning

^{1/} The aggregate year-to-date figures for the \$500 and \$1,997 loans indicate receipt of an additional \$100; however, the committee does not disclose receipt of this amount elsewhere in this report or in previous reports.

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possible receipt of excessive loans. In response to a notification from the Clerk's office, the committee treasurer submitted a letter explaining that the committee believed that such loans were permissible if personally guaranteed by the candidate. The letter also advised that the excessive loans had been repaid.

The committee's 1982 October Quarterly Report, confirmed the repayment of the \$1,997 loan on August 25, 1982. The report also disclosed the receipt of additional loans on September 2, 1982 and September 7, 1982, totalling \$7,000, designated for the primary from the same individual and the subsequent repayment of \$2,000 on September 13, 1982. The committee's 1982 12 Day Pre-General Report disclosed an additional repayment of \$4,600 on October 1, 1982.

An Informational Notice was included in an RFAI for the 1982 October Quarterly Report. The Informational Notice noted the receipt of an apparent excessive contribution from the treasurer and the subsequent refunds.

The committee's 30 Day Post-General Report disclosed candidate loans received on October 14, 1982 and November 1, 1982, totalling \$9,600 and designated for the general election. An RFAI for the 1982 30 Day Post-General Report requested the source of candidate loans. A Second Notice was mailed because no response had been received. On March 2, 1983, in a letter

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included with an amendment to the 30 Day Post-General Report, the committee identified the treasurer as the source of the candidate loan. The committee further explained that the loans from the treasurer were guaranteed by the candidate through the assignment of a mortgage on property owned by the candidate.

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An RFAI was mailed for the 30 Day Post-General Amendment advising that the "candidate" loan of \$9,600 made by the treasurer and secured by a mortgage constituted an excessive contribution from the treasurer to the extent that the amount received exceeded \$1,000. In a letter from the committee, the committee reported that arrangements to repay the loans in full would be complete on or before May 30, 1983. A Second Notice was mailed to the committee which noted receipt of the committee's response. The notice also advised the committee to report the excessive loan as an outstanding debt until repaid and to notify the Commission when repayment was made. On May 24, 1983, a letter was received from the committee treasurer including a copy of a personal check for \$10,500, written to him from the candidate and dated May 11, 1983.^{2/} The cover letter

^{2/} This check included repayment of the permissible portion of the loans from the primary and general election. The total excessive contributions received from the treasurer appears to be \$8,497 for the primary election and \$8,600 for the general election, if the \$100 noted in Footnote 1 is excluded.

indicated that the check repaid the loans made by the treasurer to the campaign which were referred to in the Second Notice. Attached to the letter was a Schedule C disclosing an outstanding candidate loan of \$10,500 which was received by the committee on May 11, 1983. The Schedule C did not disclose the original source of the candidate loan which apparently was used to repay the treasurer.

Additionally, the committee failed to file the 1983 Mid-Year Report.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A) an individual is limited to contributing \$1,000 per election to any candidate and his authorized political committee. 2 U.S.C. § 441a(f) prohibits a political committee from accepting any contribution in violation of the limits set forth in 2 U.S.C. § 441a.

In this referral, the treasurer made excessive contributions in the form of loans to the committee and the candidate. The excessive loans total \$8,497 for the primary election and \$8,600 for the general election. Below is a table showing the date each loan was incurred, its amount, the amount refunded, and the date of the refund:

Date Incurred	Amt of Loan	Amt of Refund	Date of Refund
7-22-82	\$ 500	\$ 500	5-11-83
7-26-82	1997	1997	8-25-82
9-02-82	5000	4600	10-01-82
		500	5-11-83
9-07-82	2000	2000	9-13-82
10-14-82	5000	5000	5-11-83
11-01-82	4600	4600	5-11-83

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The length of time for refunding the loans varies between 6 days to 10 months.

Due to the amount of the excessive contributions, the committee's failure to report the source of the last \$10,500 loan from the candidate; and its failure to file the 1983 Mid-Year Report, the Office of General Counsel recommends finding reason to believe that the Committee to Return Stack to Congress and its treasurer, Pierro C. Johnson violated 2 U.S.C. § 441a(f) and § 434(a)(2)(B)(i), and reason to believe that Pierro C. Johnson violated 2 U.S.C. § 441a(a)(1)(A).

RECOMMENDATION:

1. Find reason to believe the Committee to Return Stack to Congress and its treasurer, Pierro C. Johnson, violated 2 U.S.C. § 441a(f) and § 434(a)(2)(B)(i).
2. Find reason to believe Pierro C. Johnson violated 2 U.S.C. § 441a(a)(1)(A).
3. Send the attached letters and General Counsel's Legal and Factual Analyzes.

December 15, 1983
Date

Charles N. Steele
General Counsel

Kenneth A. Gross
BY: Kenneth A. Gross
Associate General Counsel

Attachments:

- I - Letters
- II - General Counsel's Legal and Factual Analyzes

86040564556



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Pierro C. Johnson
616 Intracoastal Drive
Fort Lauderdale, Florida 33304

Re: MUR 1599

Dear Mr. Johnson:

On , 1983, the Federal Election Commission determined that there is reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if you so desired. See 11 C.F.R. § 111.18(d).

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

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

ATTACHMENT I pg 1

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Pierro C. Johnson
Page 2

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Judy Thedford at (202)523-4529.

Sincerely,

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

86040564558

I. pg 2



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Pierro C. Johnson, Treasurer
Committee to Return Stack to Congress
P.O. Box 2963
Pompano Beach, Florida 33062

Re: MUR 1599

Dear Mr. Johnson:

On , 1983, the Federal Election Commission determined that there is reason to believe that the Committee to Return Stack to Congress and you, as treasurer, violated 2 U.S.C. § 441a(f) and § 434(a)(2)(B)(i), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against you and your committee, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if you so desired. See 11 C.F.R. § 111.18(d).

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

I. pg 3

Pierro C. Johnson, Treasurer
Page 2

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Judy Thedford at (202)523-4529.

Sincerely,

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

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I pg 4

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Pierro C. Johnson

MUR NO. 1599
STAFF MEMBER(S) & TEL. NO.
Gary Johansen 523-4143
Judy Thedford 523-4529

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

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division on September 6, 1983. On November 18, 1983, the Commission voted to open a MUR.

The committee's 1982 12 Day Pre-Primary Report disclosed the receipt of a loan on July 22, 1982, in the amount of \$500, designated for the primary election from the treasurer of the committee. The report also disclosed a loan of \$1,997, designated for the primary election from the treasurer on July 26, 1982^{1/}. A Request for Additional Information (RAFI) on the 1982 12 Day Pre-Primary Report was mailed, concerning possible receipt of excessive loans. In response to a notification from the Clerk's office, the committee treasurer submitted a letter explaining that the committee believed that such loans were permissible if personally guaranteed by the candidate. The letter also advised that the excessive loans had been repaid.

The committee's 1982 October Quarterly Report, confirmed the repayment of the \$1,997 loan on August 25, 1982. The report also

^{1/} The aggregate year-to-date figures for the \$500 and \$1,997 loans indicate receipt of an additional \$100; however, the committee does not disclose receipt of this amount elsewhere in this report or in previous reports.

disclosed, the receipt of additional loans on September 2, 1982 and September 7, 1982, totalling \$7,000, designated for the primary from the same individual and the subsequent repayment of \$2,000 on September 13, 1982. The committee's 1982 12 Day Pre-General Report disclosed an additional repayment of \$4,600 on October 1, 1982.

An Informational Notice was included in an RFAI for the 1982 October Quarterly Report. The Informational Notice noted the receipt of an apparent excessive contribution from the treasurer and the subsequent refunds.

The committee's 30 Day Post-General Report disclosed candidate loans received on October 14, 1982 and November 1, 1982, totalling \$9,600 and designated for the general election. An RFAI for the 1982 30 Day Post-General Report requested the source of candidate loans. A Second Notice was mailed because no response had been received. On March 2, 1983, in a letter included with an amendment to the 30 Day Post-General Report, the committee identified the treasurer as the source of the candidate loan. The committee further explained that the loans from the treasurer were guaranteed by the candidate through the assignment of a mortgage on property owned by the candidate.

An RFAI was mailed for the 30 Day Post-General Amendment advising that the "candidate" loan of \$9,600 made by the treasurer and secured by a mortgage constituted an excessive contribution from the treasurer to the extent that the amount received exceeded \$1,000. In a letter from the committee, the

committee reported that arrangements to repay the loans in full would be complete on or before May 30, 1983. A Second Notice was mailed to the committee which noted receipt of the committee's response. The notice also advised the committee to report the excessive loan as an outstanding debt until repaid and to notify the Commission when repayment was made. On May 24, 1983, a letter was received from the committee treasurer including a copy of a personal check for \$10,500, written to him from the candidate and dated May 11, 1983.^{2/} The cover letter indicated that the check repaid the loans made by the treasurer to the campaign which were referred to in the Second Notice. Attached to the letter was a Schedule C disclosing an outstanding candidate loan of \$10,500 which was received by the committee on May 11, 1983. The Schedule C did not disclose the original source of the candidate loan which apparently was used to repay the treasurer.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A) an individual is limited to contributing \$1,000 per election to any candidate and his authorized political committee. 2 U.S.C. § 441a(f) prohibits a political committee from accepting any contribution in violation of the limits set forth in 2 U.S.C. § 441a.

^{2/} This check included repayment of the permissible portion of the loans from the primary and general election. The total excessive contributions received from the treasurer appears to be \$8,497 for the primary election and \$8,600 for the general election, if the \$100 noted in Footnote 1 is excluded.

II Pg 7

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In this referral, the treasurer made excessive contributions in the form of loans to the committee and the candidate. The excessive loans total \$8,497 for the primary election and \$8,600 for the general election. Below is a table showing the date each loan was incurred, its amount, the amount refunded, and the date of the refund:

Date Incurred	Amt of Loan	Amt of Refund	Date of Refund
7-22-82	\$ 500	\$ 500	5-11-83
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9-02-82	5000	4600	10-01-82
		500	5-11-83
9-07-82	2000	2000	9-13-82
10-14-82	5000	5000	5-11-83
11-01-82	4600	4600	5-11-83

The length of time for refunding the loans varies between 6 days to 10 months.

Due to the amount of the excessive contributions, the Office of the General Counsel recommends finding reason to believe that Pierro C. Johnson violated 2 U.S.C. § 441a(a)(1)(A).

RECOMMENDATION:

1. Find reason to believe Pierro C. Johnson violated 2 U.S.C. § 441a(a)(1)(A).

II pg 8

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. 1599
STAFF MEMBER(S) & TEL. NO.
RESPONDENT: Committee to Return Gary Johansen 523-4143
Stack to Congress Judy Thedford 523-4529
Pierro C. Johnson, Treasurer

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

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division on September 6, 1983. On November 18, 1983, the Commission voted to open a MUR.

The committee's 1982 12 Day Pre-Primary Report disclosed the receipt of a loan on July 22, 1982, in the amount of \$500, designated for the primary election from the treasurer of the committee. The report also disclosed a loan of \$1,997, designated for the primary election from the treasurer on July 26, 1982^{1/}. A Request for Additional Information (RAFI) on the 1982 12 Day Pre-Primary Report was mailed, concerning possible receipt of excessive loans. In response to a notification from the Clerk's office, the committee treasurer submitted a letter explaining that the committee believed that such loans were permissible if personally guaranteed by the candidate. The letter also advised that the excessive loans had been repaid.

The committee's 1982 October Quarterly Report, confirmed the repayment of the \$1,997 loan on August 25, 1982. The report also

^{1/} The aggregate year-to-date figures for the \$500 and \$1,997 loans indicate receipt of an additional \$100; however, the committee does not disclose receipt of this amount elsewhere in this report or in previous reports.

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disclosed the receipt of additional loans on September 2, 1982 and September 7, 1982, totalling \$7,000, designated for the primary from the same individual and the subsequent repayment of \$2,000 on September 13, 1982. The committee's 1982 12 Day Pre-General Report disclosed an additional repayment of \$4,600 on October 1, 1982.

An Informational Notice was included in an RFAI for the 1982 October Quarterly Report. The Informational Notice noted the receipt of an apparent excessive contribution from the treasurer and the subsequent refunds.

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The committee's 30 Day Post-General Report disclosed candidate loans received on October 14, 1982 and November 1, 1982, totalling \$9,600 and designated for the general election. An RFAI for the 1982 30 Day Post-General Report requested the source of candidate loans. A Second Notice was mailed because no response had been received. On March 2, 1983, in a letter included with an amendment to the 30 Day Post-General Report, the committee identified the treasurer as the source of the candidate loan. The committee further explained that the loans from the treasurer were guaranteed by the candidate through the assignment of a mortgage on property owned by the candidate.

An RFAI was mailed for the 30 Day Post-General Amendment advising that the "candidate" loan of \$9,600 made by the treasurer and secured by a mortgage constituted an excessive contribution from the treasurer to the extent that the amount received exceeded \$1,000. In a letter from the committee, the

committee reported that arrangements to repay the loans in full would be complete on or before May 30, 1983. A Second Notice was mailed to the committee which noted receipt of the committee's response. The notice also advised the committee to report the excessive loan as an outstanding debt until repaid and to notify the Commission when repayment was made. On May 24, 1983, a letter was received from the committee treasurer including a copy of a personal check for \$10,500, written to him from the candidate and dated May 11, 1983.^{2/} The cover letter indicated that the check repaid the loans made by the treasurer to the campaign which were referred to in the Second Notice. Attached to the letter was a Schedule C disclosing an outstanding candidate loan of \$10,500 which was received by the committee on May 11, 1983. The Schedule C did not disclose the original source of the candidate loan which apparently was used to repay the treasurer.

Additionally, the Committee has failed to file the 1983 Mid-Year Report.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A) an individual is limited to contributing \$1,000 per election to any candidate and his authorized political committee. 2 U.S.C. § 441a(f) prohibits a political committee from accepting any contribution in violation of the limits set forth in 2 U.S.C. § 441a.

^{2/} This check included repayment of the permissible portion of the loans from the primary and general election. The total excessive contributions received from the treasurer appears to be \$8,497 for the primary election and \$8,600 for the general election, if the \$100 noted in Footnote 1 is excluded.

II pg 11

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In this referral, the treasurer made excessive contributions in the form of loans to the committee and the candidate. The excessive loans total \$8,497 for the primary election and \$8,600 for the general election. Below is a table showing the date each loan was incurred, its amount, the amount refunded, and the date of the refund:

Date Incurred	Amt of Loan	Amt of Refund	Date of Refund
7-22-82	\$ 500	\$ 500	5-11-83
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		500	5-11-83
9-07-82	2000	2000	9-13-82
10-14-82	5000	5000	5-11-83
11-01-82	4600	4600	5-11-83

The length of time for refunding the loans varies between 6 days to 10 months.

Due to the amount of the excessive contributions, the committee's failure to report the source of the last \$10,500 loan from the candidate; and its failure to file the 1983 Mid-Year Report, the Office of General Counsel recommends find reason to believe that the Committee to Return Stack to Congress and its treasurer, Pierro C. Johnson violated 2 U.S.C. § 441a(f) and § 434(a) (2) (B) (i).

RECOMMENDATION:

1. Find reason to believe the Committee to Return Stack to Congress and its treasurer, Pierro C. Johnson, violated 2 U.S.C. § 441a(f) and § 434(a) (2) (B) (i).

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Committee to Return
Stack to Congress

)
)
)
)
RAD Referral 83L-33

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 18, 1983, the Commission decided by a vote of 6-0 to open a MUR in the above-captioned matter.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

11-18-83

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:
Circulated on 48 hour tally basis:

11-15-83, 9:51
11-16-83, 11:00

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

83 NOV 15 A 9: 51

November 15, 1983

SENSITIVE

MEMORANDUM

TO : The Commission

FROM : Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel *KAG*

SUBJECT: RAD Referral 83L-33
Committee to Return
Stack to Congress

The Office of General Counsel has prepared for Commission review six (6) critiques of referrals from the Reports Analysis Division.

Attached to this referral is a critique prepared by this Office, a copy of the referral from the Reports Analysis Division, and a 48-hour tally vote sheet. The OGC critique summarizes the facts, presents an analysis of the legal issues involved, and makes a recommendation as to the disposition of the referrals. The copy of the RAD referral is attached for informational purposes, and the separate vote sheet provides for a vote on this referral.

Attachments
Critique and Referral

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RAD REFERRAL NUMBER: 83L-33

SUBJECT: Committee to Return Stack to Congress

BACKGROUND

1. Date of referral: 09/6/83

2. Financial background:

- a. Total 1981-1982 receipts: \$99,700.00
- b. Total 1981-1982 disbursements: \$99,138.00
- c. Total 1983 receipts: *
- d. Total 1983 disbursements: *
- e. Cash on hand (12/31/82): \$ 559.89
- f. Debts owed to the committee (12/31/82): \$0
- g. Debts owed by the committee (12/31/82): \$12,055.49

3. Status of candidate:

Edward Stack was unsuccessful in his bid for election to the United States House of Representatives in 1982.

SUMMARY OF RAD ACTIONS

Acceptance of Excessive Contributions

The committee's 1982 12 Day Pre-Primary Report, received August 26, 1982, disclosed the receipt of a loan on July 22, 1982, in the amount of \$500, designated for the primary election from the treasurer of the committee. The report also disclosed a loan of \$1,997, designated for the primary election from the treasurer on July 26, 1982^{1/}. A Request for Additional Information (RFAI) on the 1982 12 Day Pre-Primary Report was

^{1/} The aggregate year-to-date figures for the \$500 and \$1,997 loans indicate receipt of an additional \$100; however, the committee does not disclose receipt of this amount elsewhere in this report or in previous reports.

* The Committee has failed to file the 1983 Mid-Year Report.

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mailed on September 28, 1982, concerning possible receipt of excessive loans. In response to a notification from the Clerk's office, the committee treasurer submitted a letter received on October 4, 1982, explaining that the committee believed that such loans were permissible if personally guaranteed by the candidate. The letter also advised that the excessive loans had been repaid.

The committee's 1982 October Quarterly Report, received October 19, 1982, confirmed the repayment of the \$1,997 loan on August 25, 1982. The report also disclosed the receipt of additional loans on September 2, 1982 and September 7, 1982, totalling \$7,000, designated for the primary from the same individual and the subsequent repayment of \$2,000 on September 13, 1982. The committee's 1982 12 Day Pre-General Report, received October 27, 1982, disclosed an additional repayment of \$4,600 on October 1, 1982.

An Informational Notice was included in an RFAI for the 1982 October Quarterly Report which was mailed on November 23, 1982. The Informational Notice noted the receipt of an apparent excessive contribution from the treasurer and the subsequent refunds.

The committee's 30 Day Post-General Report, received January 11, 1983, disclosed candidate loans received on October 14, 1982 and November 1, 1982, totalling \$9,600 and designated for the general election. An RFAI for the 1982 30 Day Post-General Report was mailed on January 25, 1983, requesting the source of candidate loans. A Second Notice was mailed February 18, 1983, because no response had been received. On

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March 2, 1983, in a letter included with an amendment to the 30 Day Post-General Report, the committee identified the treasurer as the source of the candidate loan. The committee further explained that the loans from the treasurer were guaranteed by the candidate through the assignment of a mortgage on property owned by the candidate.

An RFAI was mailed on April 5, 1983, for the 30 Day Post-General Amendment advising that the "candidate" loan of \$9,600 made by the treasurer and secured by a mortgage constituted an excessive contribution from the treasurer to the extent that the amount received exceeded \$1,000. In a letter from the committee received on April 22, 1983, the committee reported that arrangements to repay the loans in full would be complete on or before May 30, 1983. A Second Notice was mailed to the committee on April 28, 1983, which noted receipt of the committee's response. The notice also advised the committee to report the excessive loan as an outstanding debt until repaid and to notify the Commission when repayment was made. On May 24, 1983, a letter was received from the committee treasurer including a copy of a personal check for \$10,500, written to him from the candidate and dated May 11, 1983.^{2/} The cover letter

^{2/} This check included repayment of the permissible portion of the loans from the primary and general election. The total excessive contributions received from the treasurer appears to be \$8,497 for the primary election and \$8,600 for the general election, if the \$100 noted in Footnote 1 is excluded.

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indicated that the check repaid the loans made by the treasurer to the campaign which were referred to in the Second Notice. Attached to the letter was a Schedule C disclosing an outstanding candidate loan of \$10,500 which was received by the committee on May 11, 1983. The Schedule C did not disclose the original source of the candidate loan which apparently was used to repay the treasurer.

OGC ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A) an individual is limited to contributing \$1,000 per election to any candidate and his authorized political committee. 2 U.S.C. § 441a(f) prohibits a political committee from accepting any contribution in violation of the limits set forth in 2 U.S.C. § 441a.

In this referral, the treasurer made excessive contributions in the form of loans to the committee and the candidate. The excessive loans total \$8,497 for the primary election and \$8,600 for the general election. Below is a table showing the date each loan was incurred, its amount, the amount refunded, and the date of the refund. The length of time for refunding the loans varies

Date Incurred	Amt of Loan	Amt of Refund	Date of Refund
7-22-82	\$ 500	\$ 500	5-11-83
7-26-82	1997	1997	8-25-82
9-02-82	5000	4600	10-01-82
		400	5-11-83
9-07-82	2000	2000	9-13-82
11-01-82	4600	4600	5-11-83
12-14-82	5000	5000	5-11-83

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between 6 days to 10 months

Due to the amount of the excessive contributions, the committee's failure to report the source of the last \$10,500 loan from the candidate; and its failure to file the 1983 Mid-Year Report, the Office of General Counsel recommends opening a MUR

RECOMMENDATION:

Open a MUR.

Staff Assigned: Judith Thedford

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REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: September 6, 1983ANALYST: Suzanne Wilson

- I. COMMITTEE: Committee to Return Stack to Congress
(C00158824) FL/15
Pierro C. Johnson, Treasurer
P.O. Box 2963
Pompano Beach, FL 33062
- II. RELEVANT STATUTE: 2 U.S.C. 441a(f)
- III. BACKGROUND:

Acceptance of Excessive Contributions

The committee's 1982 12 Day Pre-Primary Report, received August 26, 1982, disclosed the receipt of a loan on July 22, 1982, in the amount of \$500, designated for the primary election from the treasurer of the committee (Attachment 2). The report also disclosed a loan of \$1,997, designated for the primary election from the treasurer on July 26, 1982 (Attachment 3).^{1/} A Request for Additional Information (RFAI) on the 1982 12 Day Pre-Primary Report was mailed on September 28, 1982, concerning possible receipt of excessive loans (Attachment 4). In response to a notification from the Clerk's office, the committee treasurer submitted a letter received on October 4, 1982, explaining that the committee believed that such loans were permissible if personally guaranteed by the candidate. The letter also advised that the excessive loans had been repaid (Attachment 5).

The committee's 1982 October Quarterly Report, received October 19, 1982, confirmed the repayment of the \$1,997 loan on August 25, 1982. The report also disclosed the receipt

^{1/} The aggregate year-to-date figures for the \$500 and \$1,997 loans indicate receipt of an additional \$100; however, the committee does not disclose receipt of this amount elsewhere in this report or in previous reports.

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of additional loans on September 2, 1982, and September 7, 1982, totalling \$7,000, designated for the primary from the same individual and the subsequent repayment of \$2,000 on September 13, 1982 (Attachment 6). The committee's 1982 12 Day Pre-General Report, received October 27, 1982, disclosed an additional repayment of \$4,600 on October 1, 1982 (Attachment 7).

An Informational Notice was included in an RFAI for the 1982 October Quarterly Report which was mailed on November 23, 1982. The Informational Notice noted the receipt of an apparent excessive contribution from the treasurer and the subsequent refunds (Attachment 8).

The committee's 30 Day Post-General Report, received January 11, 1983, disclosed candidate loans received on October 14, 1982 and November 1, 1982, totalling \$9,600 and designated for the general election (Attachment 9). An RFAI for the 1982 30 Day Post-General Report was mailed on January 25, 1983, requesting the source of candidate loans (Attachment 10). A Second Notice was mailed February 18, 1983 because no response had been received (Attachment 11). On March 2, 1983, in a letter included with an amendment to the 30 Day Post-General Report, the committee identified the treasurer as the source of the candidate loan. The committee further explained that the loans from the treasurer were guaranteed by the candidate through the assignment of a mortgage on property owned by the candidate (Attachment 12).

An RFAI was mailed on April 5, 1983, for the 30 Day Post-General Amendment advising that the "candidate" loan of \$9,600 made by the treasurer and secured by a mortgage constituted an excessive contribution from the treasurer to the extent that the amount received exceeded \$1,000 (Attachment 13). In a letter from the committee received on April 22, 1983, the committee reported that arrangements to repay the loans in full would be complete on or before May 30, 1983 (Attachment 14). A Second Notice was mailed to the committee on April 28, 1983 which noted receipt of the committee's response. The notice also advised the committee to report the excessive loan as an outstanding debt until repaid and to notify the Commission when repayment was made (Attachment 15). On May 24, 1983, a letter was received from the committee treasurer including a copy of a personal check for \$10,500, written to him from the candidate and dated May 11, 1983 (Attachment 16).^{2/} The cover letter indicated that the check repaid the loans made by the

^{2/} This check included repayment of the permissible portion of the loans from the primary and general election. The total excessive contributions received from the treasurer appears to be \$8,497 for the primary election and \$8,600 for the general election, if the \$100 noted in Footnote 1 is excluded.

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treasurer to the campaign which were referred to in the Second Notice. Attached to the letter was a Schedule C disclosing an outstanding candidate loan of \$10,500 which was received by the committee on May 11, 1983. The Schedule C did not disclose the original source of the candidate loan which apparently was used to repay the treasurer.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

6040564578

FEDERAL ELECTION COMMISSION
1981-1982
CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

DATE 31AUG83

PAGE 1

CANDIDATE/COMMITTEE/DOCUMENT	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
	OFFICE SUGHT/	PARTY	PRIMARY	GENERAL			
ACK, EDWARD J	HOUSE 15 DEMOCRATIC PARTY			FLORIDA	1982 ELECTION	ID#	HHFL12047
1. STATEMENT OF CANDIDATE							
1982 STATEMENT OF CANDIDATE					8JUL82	1	82HSE/218/4216
STATEMENT OF CANDIDATE					12JUL82	1	82HSE/222/1168
STATEMENT OF CANDIDATE - AMENDMENT					12JUL82	1	82HSE/219/1405
2. CANDIDATE REPORTS OF RECEIPTS & EXPENDITURES							
3. PRINCIPAL CAMPAIGN COMMITTEE							
COMMITTEE TO RETURN STACK TO CONGRESS					ID# C00158824	HOUSE	
1982 STATEMENT OF ORGANIZATION					8JUL82	1	82HSE/218/3866
STATEMENT OF ORGANIZATION					12JUL82	1	82HSE/219/1406
STATEMENT OF ORGANIZATION - AMENDMENT					19JUL82	1	82HSE/222/1167
48 HOUR CONTRIBUTION NOTICE					25OCT82	1	82HSE/234/3724
48 HOUR CONTRIBUTION NOTICE					27OCT82	2	82HSE/235/0894
48 HOUR CONTRIBUTION NOTICE					28OCT82	1	82HSE/235/1376
48 HOUR CONTRIBUTION NOTICE					28OCT82	1	82HSE/235/5188
48 HOUR CONTRIBUTION NOTICE					1NOV82	2	82HSE/235/3255
JULY QUARTERLY	1,400			506	1APR82 -30JUN82	5	82HSE/224/3710
PRE-PRIMARY	21,120			13,962	1JUL82 -18AUG82	19	82HSE/224/3632
PRE-PRIMARY - AMENDMENT	-			-	1JUL82 -18AUG82	1	82HSE/226/3388
PRE-PRIMARY - AMENDMENT	21,120			14,595	1JUL82 -18AUG82	22	82HSE/230/4861
REQUEST FOR ADDITIONAL INFORMATION					1JUL82 -18AUG82	4	82FEC/244/4412
OCTOBER QUARTERLY			28,875	33,139	19AUG82 -30SEP82	23	82HSE/230/4838
OCTOBER QUARTERLY - AMENDMENT			28,875	33,139	19AUG82 -30SEP82	23	82HSE/240/3708
REQUEST FOR ADDITIONAL INFORMATION					19AUG82 -30SEP82	4	82FEC/254/2165
REQUEST FOR ADDITIONAL INFORMATION 2ND					19AUG82 -30SEP82	8	82FEC/259/4809
REQUEST FOR ADDITIONAL INFORMATION					19AUG82 -30SEP82	1	83FEC/269/1634
REQUEST FOR ADDITIONAL INFORMATION 2ND					19AUG82 -30SEP82	2	83FEC/271/1950
PRE-GENERAL			11,785	14,656	1OCT82 -13OCT82	13	82HSE/235/0985
PRE-GENERAL - AMENDMENT			11,785	14,656	1OCT82 -13OCT82	13	82HSE/240/3684
REQUEST FOR ADDITIONAL INFORMATION					1OCT82 -13OCT82	3	82FEC/254/2170
REQUEST FOR ADDITIONAL INFORMATION 2ND					1OCT82 -13OCT82	1	82FEC/260/0452
POST-GENERAL			35,695	35,524	14OCT82 -22NOV82	26	83HSE/241/0467
POST-GENERAL - AMENDMENT			-	-	19AUG82 -30SEP82	3	83HSE/246/0335
POST-GENERAL - AMENDMENT			35,695	35,524	14OCT82 -22NOV82	28	83HSE/244/3603
POST-GENERAL - AMENDMENT			-	-	14OCT82 -22NOV82	3	83HSE/245/3694
POST-GENERAL - AMENDMENT			-	-	14OCT82 -22NOV82	3	83HSE/245/4653
POST-GENERAL - AMENDMENT			-	-	14OCT82 -22NOV82	4	83HSE/246/0352
REQUEST FOR ADDITIONAL INFORMATION					14OCT82 -22NOV82	2	83FEC/262/4502
REQUEST FOR ADDITIONAL INFORMATION 2ND					14OCT82 -22NOV82	3	83FEC/266/4088
REQUEST FOR ADDITIONAL INFORMATION					14OCT82 -22NOV82	3	83FEC/269/1626
REQUEST FOR ADDITIONAL INFORMATION					14OCT82 -22NOV82	3	83FEC/269/1630
REQUEST FOR ADDITIONAL INFORMATION 2ND					14OCT82 -22NOV82	2	83FEC/271/1936
REQUEST FOR ADDITIONAL INFORMATION 2ND					14OCT82 -22NOV82	1	83FEC/271/1939
YEAR-END			825	718	23NOV82 -31DEC82	9	83HSE/244/3594
TOTAL			22,520	77,180	15,101	84,037	242 TOTAL PAGES

6 7 5 7 9 5 0 4 0 9 8

FEDERAL ELECTION COMMISSION
1981-1982
CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

DATE 29AUG83

PAGE 2

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
			PRIMARY	GENERAL	PRIMARY	GENERAL			

4. AUTHORIZED COMMITTEES
STACK FOR CONGRESS COMMITTEE
1981 MISCELLANEOUS REPORT

ID# C00097899 HOUSE
3DEC81 FROM FEC 1 01FEC/210/2889
1 TOTAL PAGES
1 AUTH TOT PAGES

4B. TRANSFERS IN FROM JOINT FUNDRAISING COMMITTEES

All reports except the 1982 Year End have received Basic Review.
The 1982 Year End Report has received Condensed Review.

Ending cash-on-hand as of 12-31-82: \$559.89

Outstanding debts and obligations as of 12-31-82: \$12,055.49

0 8 5 4 9 5 0 4 0 6

Page 1 of 1
 Line Number 1
 How many other receipts for each
 category of the Code on
 Summary Page

SCHEDULE A

ITEMIZED RECEIPTS

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

Name of Committee (in Full)

11. 6
 COMMITTEE TO REPEAL STATE FUNDATION

12 Day Pre-Primary

A. Full Name, Mailing Address and ZIP Code

FRANK C. JOHNSON
 616 INDIANAPOLIS DRIVE
 FT. LAUDERDALE, FLORIDA

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

RETIRED

7-22-82

500.00

Aggregate Year-to-Date-\$

600.00

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

B. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

Aggregate Year-to-Date-\$

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

C. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

Aggregate Year-to-Date-\$

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

D. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

Aggregate Year-to-Date-\$

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

E. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

Aggregate Year-to-Date-\$

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

F. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

Aggregate Year-to-Date-\$

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

G. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

Aggregate Year-to-Date-\$

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only)

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For 1982
1981 Return
Read with 1042-82
See page 10, Worksheet

Name of Contributor (in Full)

Contributor To RICHARD STEAK TO LOANERS

12 Day Pmt. Paying

A. Full Name, Mailing Address and ZIP Code of Loan Source

EDWARD J. STARK
P.O. Box 2963
POTOMAC GRASS, FLORIDA

Original Amount of Loan

Estimated Payments To Date

Estimated Outstanding at Close of This Period

1000.00

1000.00

Election: ☒ Primary ☐ General ☐ Other (specify)

Terms: Date Incurred 7-16-82

Date Due 12-15-82

Interest Rate 12% (Specify)

☐ Secured

List All Endorsers or Guarantors (if any) to Item A

1. Full Name, Mailing Address and ZIP Code

Name of Employer

Occupation

Amount Guaranteed Outstanding \$

2. Full Name, Mailing Address and ZIP Code

Name of Employer

Occupation

Amount Guaranteed Outstanding \$

3. Full Name, Mailing Address and ZIP Code

Name of Employer

Occupation

Amount Guaranteed Outstanding \$

B. Full Name, Mailing Address and ZIP Code of Loan Source

PIRRO JOHNSON
LIL INKALIPASTAL JRIKA
FT. LAUDERDALE FLORIDA

Original Amount of Loan

Estimated Payments To Date

Estimated Outstanding at Close of This Period

500.00

500.00

Election: ☒ Primary ☐ General ☐ Other (specify)

Terms: Date Incurred 7-22-82

Date Due 12-15-82

Interest Rate 12% (Specify)

☐ Secured

List All Endorsers or Guarantors (if any) to Item B

1. Full Name, Mailing Address and ZIP Code

Name of Employer

Occupation

Amount Guaranteed Outstanding \$

2. Full Name, Mailing Address and ZIP Code

Name of Employer

Occupation

Amount Guaranteed Outstanding \$

3. Full Name, Mailing Address and ZIP Code

Name of Employer

Occupation

Amount Guaranteed Outstanding \$

SUBTOTALS This Period (This Page (optional))

1500.00

TOTALS This Period (last page in this line only)

87845600200

SCHEDULE A

ITEMIZED RECEIPTS

ATTACHMENT 3 Page 1 of 2

Page 1 of 1
Line Number 1
(Use only the appropriate line number category of the Document Summary Page)

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

Name of Committee (in Full)

COMMITTEE TO RETURN STARK TO CONGRESS

12 Day Pre-Primary

A. Full Name, Mailing Address and ZIP Code

EVANS S. SIMS
P.O. Box 2963
POMPAHO BEACH, FLORIDA 33062

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Receipt For:

☒ Primary

☐ General

☐ Other (specify):

Occupation

CANDIDATE

7-16-82

1000.00

Aggregate Year-to-Date-\$

1000.00

B. Full Name, Mailing Address and ZIP Code

PICARD E. JOHNSON
616 INTERNATIONAL DRIVE
FT. LAUDERDALE, FLORIDA

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

RETIRED

7-26-82

1992.00

Aggregate Year-to-Date-\$

2992.00

Receipt For:

☒ Primary

☐ General

☐ Other (specify):

C. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

Aggregate Year-to-Date-\$

Receipt For:

☐ Primary

☐ General

☐ Other (specify):

D. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

Aggregate Year-to-Date-\$

Receipt For:

☐ Primary

☐ General

☐ Other (specify):

E. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

Aggregate Year-to-Date-\$

Receipt For:

☐ Primary

☐ General

☐ Other (specify):

F. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

Aggregate Year-to-Date-\$

Receipt For:

☐ Primary

☐ General

☐ Other (specify):

G. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

Aggregate Year-to-Date-\$

Receipt For:

☐ Primary

☐ General

☐ Other (specify):

SUBTOTAL of Receipts This Page (optional)

2992.00

TOTAL This Period (last page this line number only)

86040564583
82012213637

Name of Lender (or Full)				12 Day Pre-Payment	
1. Full Name, Mailing Address and ZIP Code of Loan Recipient		Original Amount of Loan	Current Amount Payable To Date	Balance Outstanding at Close of This Period	
PIRAGO JOHNSON 616 INTERNATIONAL BLVD FT. LAUDERDALE, FLORIDA (Check Primary ☒ General ☐ Other (Specify):		1997.00		1997.00	
Terms: Date Incurred <u>1/22/72</u> Date Due <u>12/22/72</u> Interest Rate <u>0%</u> (Specify) ☐ Secured					
List All Endorsers or Guarantors (if any) to Item A					
1. Full Name, Mailing Address and ZIP Code		Name of Employer			
LARRY J. STALK		None			
P.O. Box 2943		Occupation			
POMEROY BEACH, FLORIDA		Self-employed			
2. Full Name, Mailing Address and ZIP Code		Amount Guaranteed Outstanding \$ <u>1997.00</u>			
		Name of Employer			
		Occupation			
		Amount Guaranteed Outstanding \$			
3. Full Name, Mailing Address and ZIP Code		Name of Employer			
		Occupation			
		Amount Guaranteed Outstanding \$			
B Full Name, Mailing Address and ZIP Code of Loan Recipient		Original Amount of Loan	Current Amount Payable To Date	Balance Outstanding at Close of This Period	
Financing: ☐ Primary ☐ General ☐ Other (Specify)		Terms: Date Incurred _____ Date Due _____ Interest Rate _____ (Specify) ☐ Secured			
List All Endorsers or Guarantors (if any) to Item B					
1. Full Name, Mailing Address and ZIP Code		Name of Employer			
		Occupation			
		Amount Guaranteed Outstanding \$			
2. Full Name, Mailing Address and ZIP Code		Name of Employer			
		Occupation			
		Amount Guaranteed Outstanding \$			
3. Full Name, Mailing Address and ZIP Code		Name of Employer			
		Occupation			
		Amount Guaranteed Outstanding \$			
SUBTOTALS This Period This Page (optional)				1997.00	
TOTALS This Period (last page in this line only)				3497.00	

68024001562415386419

RQ-2



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

28 September 1982

Pierro Johnson, Treasurer
Committee to Return Stack
to Congress
P.O. Box 2963
Pompano Beach, FL 33062

Identification Number: C00158824

12F

Reference: 12 Day Pre-Primary Report (7/1/82-8/18/82)

Dear Mr. Johnson:

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

-Line 6(a) of the Summary Page should equal Line 11(e) of the Detailed Summary Page.

-Schedule A of your report (pertinent portion attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. An individual or a political committee, other than a multicandidate committee may not make contributions to a candidate for Federal office in excess of \$1,000 per election. If you have received a contribution(s) which exceeds the limits, the Commission recommends that you refund to the donor(s) the amount in excess of \$1,000. The Commission should be notified in writing if a refund is necessary. In addition, any refund should appear on Line 19 of the Detailed Summary Page of your next report. (2 U.S.C. 441a(a) and (f)).

The term "contribution" includes 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.

If you find the contribution(s) in question was disclosed incompletely or incorrectly, please amend your original report with the clarifying information.

NLF

9/29

WV

10/1/82

86040564585
8203244412

6 0 4 0 5 6 4 5 8 6
8 2 0 3 2 4 4 4 1 3

Although the Commission may take further legal steps concerning the acceptance of an excessive contribution(s), prompt action by you to refund the excessive amount will be taken into consideration by the Commission.

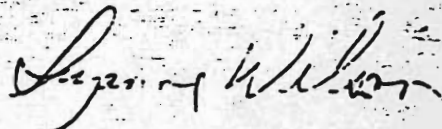
Only loans from the candidate should be reported on Line 13(a).

-When a committee reports receiving a loan from the candidate, it is necessary to clarify whether or not the candidate used his/her personal funds or borrowed the money from a lending institution or other source. If the candidate borrowed funds from a lending institution or any other source, the amount of the loan, the date incurred, the date due, the interest rate, whether or not the loan was secured, and all endorsers' or guarantors' names, addresses, occupations, employers and the amount guaranteed by each, if applicable, should be itemized. If the loan(s) was from personal funds, please acknowledge that fact in an amendment to this report. Further, it is important to note that "personal funds" is strictly defined by Commission regulations and may be found in 11 C.F.R. 110.10. (11 C.F.R. 100.7(a)(1) and 104.3(d))

-Line 10 of the Summary Page of your report disclosed \$3,497 in outstanding debts/loans. The sum of Schedule C loans and Schedule D debts indicates \$4,852 in outstanding loans/debts. Please explain the difference and amend your report accordingly. (11 C.F.R. 104.3(d))

An amendment to your original report(s) correcting the above problem(s) should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515 within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4048.

Sincerely,



Suzanne Wilson
Senior Reports Analyst
Reports Analysis Division

COMMITTEE TO RETURN STACK TO CONGRESS

2671 EAST COMMERCIAL BLVD.
FORT LAUDERDALE, FLORIDA 33304
(305) 771-1040

C00154824

SEP 30 1982

3-A-12P (P) September 28, 1982

7/1/82 - 2/1/82

103578

Edmund L. Henshaw, Jr.
Office of the Clerk
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Henshaw:

Thank you for calling our attention to the provision of the Federal Election Campaign Act relative to loans to a Congressional Campaign Committee, in particular the loans made by the undersigned in excess of \$1,000.00.

We had been incorrectly informed that such loans were permissible if the candidate personally guaranteed the repayment of such loans.

Upon receipt of your letter dated September 9, 1982, the committee repaid the excess of the loan to me.

In the future we will, of course, observe the regulation which you were good enough to call to our attention.

Sincerely,

Piero C. Johnson
Piero C. Johnson
Campaign Treasurer

PCJ/sv

Encl.

AC 10/5
10/13

11-241
F

SCHEDULE B

ITEMIZED DISBURSEMENTS

Full Name, Mailing Address and ZIP Code
 Date (month, day, year)
 Amount of Each Disbursement This Period

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

Name of Committee (in Full)

October Quarterly

Committee To Reopen State To Congress

A. Full Name, Mailing Address and ZIP Code PIRANO C. JOHNSON 616 INTRACOASTAL DR FT. LAUDERDALE, FL	Purpose of Disbursement REPAYMENT OF LOAN Disbursement for: ☒ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 8-25-82	Amount of Each Disbursement This Period 1997.00
B. Full Name, Mailing Address and ZIP Code PIRANO C. JOHNSON 616 INTRACOASTAL DR FT. LAUDERDALE, FL	Purpose of Disbursement REPAYMENT OF LOAN Disbursement for: ☒ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 9-13-82	Amount of Each Disbursement This Period 2020.00
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			3997.00
TOTAL This Period (last page this line number only)			3997.00

820100564597

SCHEDULE A

ITEMIZED RECEIPTS

ATTACHMENT 6 page 2 of 4

See instructions for use
Schedule of the General
Summary Page

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

Name of Committee (in Full) Committee To Repeal State Tax Exemption October Quarterly Report

166 A. Full Name, Mailing Address and ZIP Code PIERCE L. JOHNSON 616 INTRACASTAL DRIVE FT. LAUDERDALE, FLORIDA Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer RARE'S 84500 on 10/14/82 ASTRA LETTER FROM A.B.A. Occupation RARE'S Aggregate Year-to-Date-\$ 5,600.00	Date (month, day, year) 9-02-82 Amount of Each Receipt This Period 5000.00
166 B. Full Name, Mailing Address and ZIP Code PIERCE L. JOHNSON 616 INTRACASTAL DRIVE FT. LAUDERDALE Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer RARE'S 84500 on 9/13/82 Occupation Aggregate Year-to-Date-\$ 5,600.00	Date (month, day, year) 9-02-82 Amount of Each Receipt This Period 1000.00
C. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date-\$	Date (month, day, year) Amount of Each Receipt This Period
D. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date-\$	Date (month, day, year) Amount of Each Receipt This Period
E. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date-\$	Date (month, day, year) Amount of Each Receipt This Period
F. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date-\$	Date (month, day, year) Amount of Each Receipt This Period
G. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date-\$	Date (month, day, year) Amount of Each Receipt This Period
SUBTOTAL of Receipts This Page (optional).....		1000.00
TOTAL This Period (last page this line number only)		

7 SRA ATTACHED LETTERS FROM THE P.B.C. 10000 10/14/82 and CONSUMERS RESPONSE RATIONALE REPORT

82010374945

Name of Committee (in full) Committee To Review State To Endorse				October Quarterly			
Full Name, Mailing Address and ZIP Code of Loan Source PIERCE JOHNSON 616 INTRACOSTAL DRIVE FT. LAUDERDALE, FLORIDA			Original Amount of Loan 1997.00	Cumulative Payments To Date 1,997.00	Balance Outstanding at Close of This Period - - -		
Election: ☐ Primary ☐ General ☐ Other (specify):			Terms: Date Incurred 2/22/82 Date Due Annual Interest Rate 0% (Specify) ☐ Secured				
List All Endorsers or Guarantors (if any) to Item A							
1. Full Name, Mailing Address and ZIP Code EDWARD J. STICK P.O. Box 2943 POMERO BEACH, FLORIDA			Name of Employer None		Occupation Candidate		
			Amount Guaranteed Outstanding \$ 1997.00				
2. Full Name, Mailing Address and ZIP Code			Name of Employer		Occupation		
			Amount Guaranteed Outstanding \$				
3. Full Name, Mailing Address and ZIP Code			Name of Employer		Occupation		
			Amount Guaranteed Outstanding \$				
B. Full Name, Mailing Address and ZIP Code of Loan Source PIERCE C. JOHNSON 616 INTRACOSTAL DRIVE FT. LAUDERDALE, FLORIDA			Original Amount of Loan 5022.00	Cumulative Payments To Date	Balance Outstanding at Close of This Period		
Election: ☐ Primary ☐ General ☐ Other (specify):			Terms: Date Incurred 2-22-82 Date Due Annual Interest Rate 0% (Specify) ☐ Secured				
List All Endorsers or Guarantors (if any) to Item B							
1. Full Name, Mailing Address and ZIP Code EDWARD J. STICK P.O. Box 2943 POMERO BEACH, FLORIDA			Name of Employer		Occupation		
			Amount Guaranteed Outstanding \$				
2. Full Name, Mailing Address and ZIP Code			Name of Employer		Occupation		
			Amount Guaranteed Outstanding \$				
3. Full Name, Mailing Address and ZIP Code			Name of Employer		Occupation		
			Amount Guaranteed Outstanding \$				
SUBTOTALS This Period This Page (optional)					5022.00		
TOTALS This Period (last page in this line only)							

11-11-82 11:00 AM 04051643029

Name of Committee (in full) Committee to Recall State To Leaders		October Quarterly	
Full Name, Mailing Address and ZIP Code of Loan Source PIKAR C. JOHNSON 616 INTERNATIONAL DRIVE FT. LAUDERDALE, FLORIDA (Election: ☐ Primary ☐ General ☐ Other (specify):		Original Amount of Loan 2000.00	Cumulative Payments To Date 2000.00
Terms: Date Incurred 1-27-82 Date Due March Interest Rate 0% (Rate) ☐ Secured		Balance Outstanding at Close of This Period 0.00	
List All Endorsers or Guarantors (if any) to Item A			
1. Full Name, Mailing Address and ZIP Code RONALD J. STARK P.O. Box 2943 POMEROY GARDEN, FLORIDA		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding: \$	
2. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding: \$	
3. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding: \$	
B. Full Name, Mailing Address and ZIP Code of Loan Source		Original Amount of Loan	Cumulative Payments To Date
Election: ☐ Primary ☐ General ☐ Other (specify):			Balance Outstanding at Close of This Period
Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % (Rate) ☐ Secured			
List All Endorsers or Guarantors (if any) to Item B			
1. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding: \$	
2. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding: \$	
3. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding: \$	
SUBTOTALS This Period This Page (optional)			0.00
TOTALS This Period (last page in this line only)			4,522.02

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

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Page 1 of 1
 LINE NUMBER 154
 (Use separate sheets for each category of the Detailed Summary Page)

ITEMIZED DISBURSEMENTS

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

Name of Committee (in Full)

12 Day Pro-General/Am

CONFIDENTIAL TO RETAIL STAFF TO WHOMAS

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
PIERCE L. JOHNSON 616 INTRACASTAL DRIVE FT. LAUDERDALE, FLORIDA	LEAD RESEARCH Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	10-01-82	4600.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			4600.00
TOTAL: This Period (last page this line number only)			4600.00

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LOANS

Page 2 of 2
 (Not a duplicate)
 This schedule is required
 for each numbered item

12 Day Pay-General

1. Full Name, Mailing Address and ZIP Code of Loan Source
PIERCE JOHNSON
616 INTRACOASTAL DRIVE
FT. LAUDERDALE, FLORIDA
 Election: ☐ Primary ☐ General ☐ Other (specify):

Original Amount of Loan: **1997.00**

Cumulative Payments To Date: **6741.00**

Balance Outstanding at Close of This Period: **0.00**

Terms: Date Incurred **7/22/82** Date Due **8/22/82** Interest Rate **0.00** (None) ☐ Secured

List All Endorsers or Guarantors (if any) to Item A

1. Full Name, Mailing Address and ZIP Code	Name of Employer	Occupation	Amount Guaranteed Outstanding:
EDWARD J. SICK P.O. Box 2943 PONFAR BEACH, FLORIDA	WDA	CASHIATA	\$ 1997.00
2. Full Name, Mailing Address and ZIP Code	Name of Employer	Occupation	Amount Guaranteed Outstanding:
			\$
3. Full Name, Mailing Address and ZIP Code	Name of Employer	Occupation	Amount Guaranteed Outstanding:
			\$

2. Full Name, Mailing Address and ZIP Code of Loan Source
PIERCE G. JOHNSON
616 INTRACOASTAL DRIVE
FT. LAUDERDALE, FLORIDA
 Election: ☐ Primary ☐ General ☐ Other (specify):

Original Amount of Loan: **5000.00**

Cumulative Payments To Date: **4600.00**

Balance Outstanding at Close of This Period: **400.00**

Terms: Date Incurred **9-22-82** Date Due **10/22/82** Interest Rate **0.00** (None) ☐ Secured

List All Endorsers or Guarantors (if any) to Item B

1. Full Name, Mailing Address and ZIP Code	Name of Employer	Occupation	Amount Guaranteed Outstanding:
EDWARD J. SICK P.O. Box 2943 PONFAR BEACH, FLORIDA			\$
2. Full Name, Mailing Address and ZIP Code	Name of Employer	Occupation	Amount Guaranteed Outstanding:
			\$
3. Full Name, Mailing Address and ZIP Code	Name of Employer	Occupation	Amount Guaranteed Outstanding:
			\$

SUBTOTALS This Period: This Page (optional) **400.00**

TOTALS This Period (last line, in this line only)

9
2
6
0
4
5
5
6
0
2
8
8
8



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

23 November 1982

Pierro C. Johnson, Treasurer
Committee to Return Stack
to Congress
P.O. Box 2963
Pompano Beach, FL 33062

Identification Number: C00158824

Reference: October Quarterly Report (8/19/82-9/30/82)

Dear Mr. Johnson:

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

-Schedule A of your report (pertinent portion attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. An individual or a political committee, other than a multicandidate committee may not make contributions to a candidate for Federal office in excess of \$1,000 per election. (2 U.S.C. 441a(a) and (f))

The Commission notes your refund(s) of the excessive contribution(s). Although the Commission may take further legal steps concerning the acceptance of an excessive contribution, your prompt action in refunding the excessive amount(s) will be taken into consideration.

-Commission Regulations define the term "purpose" to mean a brief statement or description of why a disbursement was made. Examples are "dinner expense", "media", "salary", "polling", "travel", "party fees", "phone banks", "travel expenses", "travel expense reimbursement" and "catering costs". Unacceptable descriptions include "advance", "election day expense", "expenses", "other expenses", "expense reimbursement", "miscellaneous", "outside services", "get-out-the-vote"

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and "voter registration". (11 CFR 104.3(b)(4)) Please amend Schedule B of your report to clarify the following descriptions which do not meet the requirements of the Regulations:

reimbursement miscellaneous expenses;
miscellaneous expenses

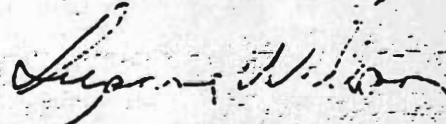
-Your report discloses an apparent contribution(s) from a labor organization (pertinent portion attached). You are advised that contributions from labor organizations are prohibited by the Act, unless they are made from a separate segregated fund established by the labor organization. If you have received a labor contribution(s), the Commission recommends that you refund the full amount to the donor(s). The Commission should be notified in writing if a refund is necessary. In addition, any refund should appear on Line 20(c) of the Detailed Summary Page of your next report. (2 U.S.C. 441b(a))

If you find the contribution(s) in question was disclosed incompletely or incorrectly, please amend your original report with the clarifying information.

Although the Commission may take further legal steps concerning the acceptance of a prohibited contribution, prompt action by you to refund the full amount will be taken into consideration by the Commission.

An amendment to your original report(s) correcting the above problem(s) should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515 within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4048.

Sincerely,



Suzanne Wilson
Senior Reports Analyst
Reports Analysis Division

86040564595
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SCHEDULE A

ITEMIZED RECEIPTS

Form 1001
Line Number 23(a)
Use separate sheets for each category of the Detailed Summary Page.

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

Name of Committee (in Full) **30-Day Post-General**

A. Full Name, Mailing Address and ZIP Code
ELVALE J. STALK
P.O. Box 1943
FORBAND GRASS, FLORIDA
 Receipt For: ☐ Primary ☒ General
☐ Other (specify):

Name of Employer
 Date (month, day, year) **10-19-22**
 Amount of Each Receipt This Period **500.00**

Occupation
 Aggregate Year-to-Date-\$

B. Full Name, Mailing Address and ZIP Code
ELVALE J. STALK
P.O. Box 1943
FORBAND GRASS, FLORIDA
 Receipt For: ☐ Primary ☒ General
☐ Other (specify):

Name of Employer
 Date (month, day, year) **11-01-22**
 Amount of Each Receipt This Period **462.00**

Occupation
 Aggregate Year-to-Date-\$

C. Full Name, Mailing Address and ZIP Code
 Receipt For: ☐ Primary ☒ General
☐ Other (specify):

Name of Employer
 Date (month, day, year)
 Amount of Each Receipt This Period

Occupation
 Aggregate Year-to-Date-\$

D. Full Name, Mailing Address and ZIP Code
 Receipt For: ☐ Primary ☒ General
☐ Other (specify):

Name of Employer
 Date (month, day, year)
 Amount of Each Receipt This Period

Occupation
 Aggregate Year-to-Date-\$

E. Full Name, Mailing Address and ZIP Code
 Receipt For: ☐ Primary ☒ General
☐ Other (specify):

Name of Employer
 Date (month, day, year)
 Amount of Each Receipt This Period

Occupation
 Aggregate Year-to-Date-\$

F. Full Name, Mailing Address and ZIP Code
 Receipt For: ☐ Primary ☒ General
☐ Other (specify):

Name of Employer
 Date (month, day, year)
 Amount of Each Receipt This Period

Occupation
 Aggregate Year-to-Date-\$

G. Full Name, Mailing Address and ZIP Code
 Receipt For: ☐ Primary ☒ General
☐ Other (specify):

Name of Employer
 Date (month, day, year)
 Amount of Each Receipt This Period

Occupation
 Aggregate Year-to-Date-\$

SUBTOTAL of Receipts This Page (optional) **962.00**

TOTAL This Period (last page this line number only) **962.00**

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Name of Contributor (in Full)		30 Day Post-Consolidation	
CONTRIBUTOR TO RAYMOND STARK TO LENDERS PIERCE E. JOHNSON 616 INTERNATIONAL DRIVE FT. LAUDERDALE, FLORIDA Election: ☐ Primary ☐ General ☐ Other (specify):		Original Amount of Loan 2000.00	Cumulative Payments To Date 1222.00
Terms: Date Insured 1-1-72 Date Due 1-1-72 Interest Rate 12% ☐ Secured			
List All Endorsers or Guarantors (if any) to item A			
1. Full Name, Mailing Address and ZIP Code EDWARD J. STARK P.O. Box 2943 POMPANO BEACH, FLORIDA		Name of Employer Occupation Amount Guaranteed Outstanding \$	
2. Full Name, Mailing Address and ZIP Code 		Name of Employer Occupation Amount Guaranteed Outstanding \$	
3. Full Name, Mailing Address and ZIP Code 		Name of Employer Occupation Amount Guaranteed Outstanding \$	
B. Full Name, Mailing Address and ZIP Code EDWARD J. STARK P.O. Box 2943 POMPANO BEACH, FLORIDA Election: ☐ Primary ☐ General ☐ Other (specify):		Original Amount of Loan 5000.00	Cumulative Payments To Date
Terms: Date Insured 1-1-72 Date Due 1-1-72 Interest Rate 12% ☐ Secured			
List All Endorsers or Guarantors (if any) to item B			
1. Full Name, Mailing Address and ZIP Code 		Name of Employer Occupation Amount Guaranteed Outstanding \$	
2. Full Name, Mailing Address and ZIP Code 		Name of Employer Occupation Amount Guaranteed Outstanding \$	
3. Full Name, Mailing Address and ZIP Code 		Name of Employer Occupation Amount Guaranteed Outstanding \$	
SUBTOTALS This Period This Page (continued)		5000.00	
TOTALS This Period (Last Page on this list only)			

Carry outstanding balance only to (104) 3, Schedule D, for this line. If on Schedule D, carry forward to appropriate line of Summary.

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SCHEDULE C
(Revised 3/80)

LOANS

Page 1 of 1 for
Line Number 12
Use separate sheets
for each numbered line

Name of Guarantor (a) (i)		30 Day Post-General	
A. Full Name, Mailing Address and ZIP Code of Loan Source <u>Edward J. Stahl</u> <u>P.O. Box 2943</u> <u>Panama City, Florida</u>		Original Amount of Loan <u>7,000.00</u>	Balance Outstanding at Close of This Period <u>4,600.00</u>
Election: ☐ Primary ☐ General ☐ Other (specify):			
Terms: Date Incurred <u>11/25/82</u> Date Due <u>1/25/83</u> Interest Rate _____ % (per)		☐ Secured	
List All Endorsers or Guarantors (if any) to Item A			
1. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding	
2. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding	
3. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding	
B. Full Name, Mailing Address and ZIP Code of Loan Source		Original Amount of Loan	Balance Outstanding at Close of This Period
Election: ☐ Primary ☐ General ☐ Other (specify):			
Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % (per)		☐ Secured	
List All Endorsers or Guarantors (if any) to Item B			
1. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding	
2. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding	
3. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding	
SUBTOTALS This Period This Page (optional)			<u>4,600.00</u>
TOTALS This Period (next page in this line only)			<u>11,500.00</u>

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

3412
ATTACHMENT 10 page 1 c

RQ-2

25 January 1983

Pierro C. Johnson, Treasurer
Committee to Return Stack
to Congress
P.O. Box 2963
Pompano Beach, FL 33062

Identification Number: C00158824

Reference: 30 Day Post-General Report (10/14/82-11/22/82)

Dear Mr. Johnson:

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

-Line 11(c) Column A of the Detailed Summary Page, discloses receipts from Other Political Committees. The itemization on Schedule A should include the full name of the committee clarifying that it is a Political Action Committee.

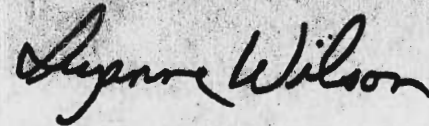
-When a committee reports receiving a loan from the candidate, it is necessary to clarify whether or not the candidate used his/her personal funds or borrowed the money from a lending institution or other source. If the candidate borrowed funds from a lending institution or any other source, the amount of the loan, the date incurred, the date due, the interest rate, whether or not the loan was secured, and all endorsers' or guarantors' names, addresses, occupations, employers and the amount guaranteed by each, if applicable, should be itemized. If the loan(s) was from personal funds, please acknowledge that fact in an amendment to this report. Further, it is important to note that "personal funds" is strictly defined by Commission regulations and may be found in 11 CFR 110.10. (11 CFR 100.7(a)(1) and 104.3(d))

An amendment to your original report(s) correcting the above problem(s) should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building,

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Washington, DC 20515 within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4048.

Sincerely, --



Suzanne Wilson
Senior Reports Analyst
Reports Analysis Division

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FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

R2-3

February 18, 1983

Pierro C. Johnson, Treasurer
Comitted to Return Stack
to Congress
P.O. Box 2903
Poupano Beach, FL 33062

Identification Number: C00158824

Reference: 30 Day Post-General Report (10/14/82-11/22/82)

Dear Mr. Johnson:

This letter is to inform you that as of this date, the Commission has not received your response to our request for additional information, dated January 25, 1983. That notice requested information essential to full public disclosure of your 1982 election financial activity and to ensure compliance with provisions of the Federal Election Campaign Act (the Act). A copy of our original request is enclosed.

If no response is received within fifteen (15) days from the date of this notice, the Commission may choose to initiate audit or legal enforcement action.

If you should have any questions related to this matter, please contact Suzanne Wilson on our toll-free number (800) 424-9530 or our local number (202) 523-4048.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

Enclosure

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CERTIFIED

MAR - 9 1983

February 25, 19

103578

Attention: Ms. Suzanne Wilson

Our procedure in making the loans from Pierro C. Johnson to Edward J. Stack, or to the Committee to Return Stack to Congress, through Pierro C. Johnson as campaign treasurer, was followed unfortunately without a correct understanding by us of Section 11 CFR 110.10

Our enclosed report is an attempt to correct the procedural improprieties and to make full and complete disclosure, with the hope that this will comply in substance with the spirit, if not the letter, of the Commission's requirements.

We thank you for your very generous cooperation and regret any inconvenience to your agency.

COMMITTEE TO RETURN STACK TO CONGRESS

By

Pierro C. Johnson, Treasurer

Enclosures:

Amended report for 11/22/82
Report for 12/31/82
Financial Report with Promissory Note (copy)
Copies of your letters 1/25/83 and 2/18/83

OF THE
COMMITTEE TO RETURN STACK CONGRESS

ATTACHMENT 12 page 2 of 2

This document contains the entire agreement relative to certain funds advanced to the Committee to Return Stack to Congress, made by Pierro C Johnson, the campaign treasurer, either to the Campaign or the Candidate, with the express understanding that the candidate, Edward J. Stack, would reimburse him for the amounts advanced, to be evidenced by a promissory note, secured by the assignment of a First Mortgage owned by Edward J. Stack on a condominium apartment located in the Pine Island Ridge subdivision of the City of Sunrise, Florida. Interest on the loan is to be paid to the payee, Pierro C. Johnson, at the rate of 12% per annum from the date of each installment to the date of repayment of the loan, which is due June 30, 1983.

A schedule of the amounts advanced by Pierro C. Johnson to the candidate for the purposes stated is set forth below, giving the dates on which advances were made and the amounts together with the indicated total:

To the Campaign --

July 22, 1982	\$500.00	
September 2, 1982	\$400.00	
Sub-total		\$900.00

To the Candidate --

October 14, 1982	\$5,000.00	
November 4, 1982	\$4,600.00	
Sub-total		\$9,600.00

Total obligation from Candidate



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

5 April 1983

Pierro C. Johnson, Treasurer
Committee to Return Stack to Congress
P.O. Box 2963
Pompano Beach, FL 33062

Identification Number: C00158824

Reference: 30 Day Post-General Amendment Report (10/14/82-11/22/82)

Dear Mr. Johnson:

306

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

-Your report (pertinent portion attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. An individual or a political committee, other than a multicandidate committee may not make contributions to a candidate for Federal office in excess of \$1,000 per election. If you have received a contribution(s) which exceeds the limits, the Commission recommends that you refund to the donor(s) the amount in excess of \$1,000. The Commission should be notified in writing if a refund is necessary. In addition, any refund should appear on Line 19 of the Detailed Summary Page of your next report. (2 U.S.C. 441a(a) and (f))

The term "contribution" includes 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.

If you find the contribution(s) in question was disclosed incompletely or incorrectly, please amend your original report with the clarifying information.

Although the Commission may take further legal steps concerning the acceptance of an excessive contribution(s), prompt action by you to refund the excessive amount will be taken into consideration by the Commission.

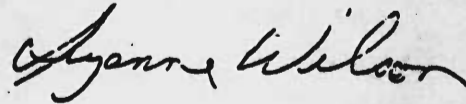
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An amendment to your original report(s) correcting the above problem(s) should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515 within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4048.

Sincerely,



Suzanne Wilson
Senior Reports Analyst
Reports Analysis Division

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REGULAR MAIL

APR 20 1983

ATTACHMENT 14

COMMITTEE TO RETURN STACK TO CONGRESS

2671 EAST COMMERCIAL BLVD.
PORT LAUDERDALE, FLORIDA 33308
(305) 771-1040

April 18

RECEIVED
OFFICE OF THE CLERK OF THE HOUSE OF REPRESENTATIVES
APR 22 PM 9 19

Ms. Suzanne Wilson
Senior Reports Analyst
Reports Analysis Division
Federal Elections Commission
Clerk of the House of Representatives,
1036 Longworth House Office Building,
Washington, D.C. 20505

Identification Number: C00158824

3-A-30G

Reference: 30 Day Post-General Amendment Report (10/14/82-
11/22/82)

~~48 Hour Notice~~ 103578

Dear Ms. Wilson:

This will acknowledge receipt of your
letter of April 5, 1983.

As to the matters which you raise therein,
please be advised that we have arranged to exchange with
Norman M. Coffin, Inc. the amount in question for a person-
al check from Mr. Coffin, in the same amount. Enclosed
you will find copies of my correspondence to Mr. Coffin
in reference to this matter.

Relative to the loans made to the candidate
by me, Mr. Stack has made arrangements to repay the loans
in full, on or before May 30, 1983.

We will advise you promptly when both of
these transactions are completed.

Thank you for your consideration.

Sincerely,

Pierre C. Johnson
Treasurer

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RAD
4/22

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5-10



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

ATTACHMENT 15

20-3

April 28, 1983

Pierro C. Johnson, Treasurer
Committee to Return Stack to Congress
P.O. Box 2963
Pompano Beach, FL 33062

Identification Number: C00158824

Reference: 30 Day Post-General Amendment Report (10/14/82-11/22/82)

Dear Mr. Johnson:

On April 5, 1983 you were notified that a review of the above-referenced report(s) raised questions as to specific contributions and/or expenditures, and the reporting of certain information required by the Federal Election Campaign Act.

Your April 10, 1983 response is incomplete because you have not provided all the requested information. For this response to be considered adequate, the following information is still required.

-You state that Mr. Stack has made arrangements to repay the loans owed by the campaign to you in full on or before May 30, 1983. Until such loans are repaid, they should be shown as an outstanding debt owed by the committee on Schedule D supporting Line 10 of the Summary Page of the 30 Day Post-General Report and all subsequent reports. The Commission should be notified in writing when the loans are repaid. In addition, the repayment should be disclosed on Schedule B supporting Line 19 of the Detailed Summary Page of the committee's next report.

If this information is not received by the Commission within fifteen (15) days from the date of this notice, the Commission may choose to initiate audit or legal enforcement action.

If you should have any questions related to this matter, please contact Suzanne Wilson on our toll-free number (800) 424-9530 or our local number (202) 523-4048.

Sincerely,

John D. Gibson
John D. Gibson
Assistant Staff Director
Reports Analysis Division

REGULAR MAIL
MAY 21 1983

SCHEDULE C
Form 3/80

3-A-03
8/19/82-9/30/82

LOANS

03578

Page 1 of 1
Line 16 of 16
Line 16 of 16
Line 16 of 16

ATTACHMENT 16 PAGE 1

Name of Committee (in Full)

COMMITTEE TO RETURN STACK TO CONGRESS

Full Name, Mailing Address and ZIP Code of Loan Source

Edward J. Stack
518 N. Riverside Dr.
Pompano Beach, FL 33062

Election: ☐ Primary ☐ General ☐ Other (Specify)

Original Amount
of Loan
10,500

Cumulative Payments
To Date
NONE

Balance Outstanding at
End of This Period
10,500

Terms: Date Incurred 5/11/83 Date Due Demand Interest Rate No (Specify)

List All Endorsers or Guarantors (if any) to Item A

1. Full Name, Mailing Address and ZIP Code

Name of Employer

Occupation

Amount Guaranteed Outstanding

2. Full Name, Mailing Address and ZIP Code

Name of Employer

Occupation

Amount Guaranteed Outstanding

3. Full Name, Mailing Address and ZIP Code

Name of Employer

Occupation

Amount Guaranteed Outstanding

Full Name, Mailing Address and ZIP Code of Loan Source

Original Amount
of Loan

Cumulative Payments
To Date

Balance Outstanding at
End of This Period

Election: ☐ Primary ☐ General ☐ Other (Specify)

Terms: Date Incurred Date Due Interest Rate (Specify) C Secured

List All Endorsers or Guarantors (if any) to Item B

1. Full Name, Mailing Address and ZIP Code

Name of Employer

Occupation

Amount Guaranteed Outstanding

2. Full Name, Mailing Address and ZIP Code

Name of Employer

Occupation

Amount Guaranteed Outstanding

3. Full Name, Mailing Address and ZIP Code

Name of Employer

Occupation

Amount Guaranteed Outstanding

SUBTOTAL (Total This Page (optional))

TOTALS This Form (Total Page in this line only)

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

05012460335

MLP
5/25

WD
5/24/83

COMMITTEE TO RETURN STACK TO CONGRESS

2671 EAST COMMERCIAL BLVD.
FORT LAUDERDALE, FLORIDA 33308
(305) 771-1040

MAY 20 1983
REGULAR MAIL

May 20, 1983

RECEIVED
OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES
MAY 24 AM 8:46

Mr. John D. Gibson
Assistant Staff Director
Reports Analysis Division
Clerk of the House of Representatives
1036 Longworth House Office Building
Washington, D. C. 20515

103598

Identification No. C00158824

Dear Mr. Gibson:

This is to inform you that the loans made by me to the campaign, referred to by you in your letter of April 28, 1983, copy of which is enclosed herewith, have been repaid in full by the candidate, Mr. Stack, as evidenced by the photostatic copy of the check enclosed.

Sincerely,

Piero C. Johnson
Piero C. Johnson
Treasurer

8 6 8 3 0 7 9 4 8 0 9 3 6

EDWARD J. STACK

P.O. BOX 7061

POMPANO BEACH, FL 33062

4441

62 33' 000

May 11 1983

PAY TO THE ORDER OF

Pierre C. Johnson

Ten thousand five hundred and

00/100

\$10,500

DOLLAR

Landmark First National Bank

OF FORT LAUDERDALE, FLORIDA

ONE FINANCIAL PLAZA

FOR

Repayment of Loan

430444 100660053110

90 583856 20

[Signature]

05614610

86040564611



FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 1599

Date Filmed 2/8/86 Camera No. --- 2

Cameraman AS