



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1893

Date Filmed 4/26/85 Camera No. --- 4

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FEDERAL ELECTION COMMISSION

All routing slipsCorrespondence control slips12 Day Report and Comment SheetsCopy of letter- signed off

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| ☐ (3) Exempted by other statute | ☐ (8) Banking Information |
| ☐ (4) Trade secrets and commercial or financial information | ☐ (9) Well Information (geographic or geophysical) |
| ☒ (5) Internal Documents | |

Signed

Maybeth Tanant

date

4/23/85

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Jack Valenti)
) MUR 1893

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of April 16, 1985, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1893:

1. Take no further action against Jack Valenti.
2. Close the file.
3. Approve the letter attached to the General Counsel's report dated April 3, 1985.

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

Attest:

4-16-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 22, 1985

Edward S. Knight, Esquire
Fred Slabach, Esquire
Akin, Gump, Strauss, Hauer & Feld
1333 New Hampshire Avenue, N.W.
Suite 400
Washington, D.C. 20036

RE: MUR 1893
Jack Valenti

Dear Messrs. Knight and Slabach:

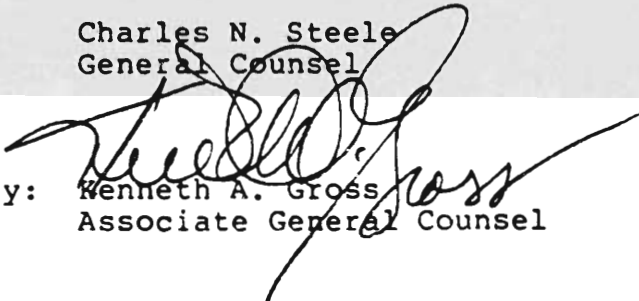
On February 8, 1985, the Commission found reason to believe that your client, Jack Valenti, had violated 2 U.S.C. § 441a(a)(3), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission, on April 16, 1985, determined to take no further action and close its file. Accordingly, the file in this matter will be made part of the public record within 30 days.

The Commission reminds your client that exceeding the limitation set forth at 2 U.S.C. § 441a(a)(3) is nevertheless a violation of the Act and immediate steps should be taken to insure that this activity does not occur in the future.

If you have any questions, please direct them to Marybeth Tarrant, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

85040523269

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
)
)
)

MUR 1893

Jack Valenti

25 APR 4 4 46

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On December 28, 1984, Jack Valenti, through counsel, informed the Commission by letter of his possible violation of 2 U.S.C. § 441a(a)(3) by exceeding the \$25,000 contribution limitation for 1984 by \$3,900. On February 8, 1985, the Commission opened a MUR and found reason to believe that Mr. Valenti had violated 2 U.S.C. § 441a(a)(3). On February 20, 1985, counsel for Mr. Valenti requested an extension of time in order to respond to the Commission's finding which this Office granted. On March 4, 1985, counsel filed a response (see Attachment 1) and on March 19, 1985, an additional response was filed by counsel (see Attachment 2).

II. FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(3), an individual is prohibited from making contributions aggregating more than \$25,000 in any calendar year. For purposes of this section, any contribution made to a candidate in a year other than the calendar year in which the election is held with respect to which such contribution is made, is considered to be made during the calendar year in which such election is held.

Mr. Valenti provided a list of contributions which indicated that he had exceeded the limit by \$3,900. A check of Commission records indicated that an additional \$3,500 in contributions

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attributable to 1984 should have been added to Mr. Valenti's total. A response from counsel now indicates otherwise. See Attachment 1.

First, a \$1,000 contribution made by the Motion Picture Association PAC was incorrectly attributed by the Russo for Congress Committee to Mr. Valenti. The Russo Committee has since corrected its error. Second, a \$1,000 contribution made by Mr. Valenti to the David Pryor for U.S. Senate Committee on May 23, 1983, was refunded by that committee on April 4, 1984. A copy of the refund check was attached. See Attachments 1 and 3. Third, a \$1,000 contribution by Mr. Valenti to the J.J. "Jake" Pickle Re-election Committee on November 21, 1983, was refunded on April 3, 1984.* / A copy of the refund check was attached. See Attachments 1 and 4. Fourth, a \$1,000 contribution to the Re-elect Senator Mark Hatfield Committee was mistakenly reported by that committee as a joint contribution from both Mr. & Mrs. Jack Valenti. The contribution was made solely by Mrs. Valenti (copy of check attached) and, therefore, \$500 should not be attributed to Mr. Valenti. In light of the above, it appears that Mr. Valenti exceeded the \$25,000 limit by \$3,900.

Counsel, in his response, states that Mr. Valenti sought and received a \$3,900 refund, on January 29, 1985, from the Motion Picture Association PAC in order to recover the excess amount.

*/ Neither the Pryor nor the Pickle refund appear to represent a refund of an excessive contribution, although no explanation has been given for why the refunds were made.

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(On June 22, 1984, Mr. Valenti contributed \$5,000 to the Motion Picture Association PAC.) Counsel argues in his response that no further action should be taken against Mr. Valenti based on the following reasons:

1. Mr. Valenti voluntarily contacted the Commission concerning his possible violation of 2 U.S.C. § 441a(a)(3).
2. Mr. Valenti sought and received a refund of the excess amount.
3. The excessive contributions did not significantly affect a federal election.
4. Further action against Mr. Valenti would have a chilling effect upon individuals exercising their First Amendment rights in the future and will reduce the incentive for individuals to report and correct their errors.

In support of his argument that the Commission should take no further action against Mr. Valenti, counsel cited several MURs involving excessive contributions, some of which were resolved through a conciliation agreement and payment of a civil penalty. However, counsel did cite MUR 1526 which involved a respondent who exceeded the \$25,000 limit in two consecutive years by amounts of \$5,000 and \$3,500. In MUR 1526 the Commission determined to take no further action against the respondent and closed the file. As here, the respondent in MUR 1526 voluntarily brought the matter to the Commission's attention. In his supplemental response counsel merely expands somewhat on his previously mentioned arguments. See Attachment 2.

Although it is apparent that Mr. Valenti did violate 2 U.S.C. § 441a(a)(3), the Office of the General Counsel recommends that the Commission take no further action in this

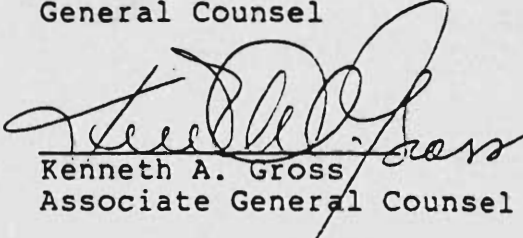
matter and close the file. This recommendation is based on the fact that Mr. Valenti brought this matter to the Commission's attention and obtained a refund of the excess amount. In addition, it is noted that the amount in excess is \$3,900, not \$7,400 as was previously noted.

III. RECOMMENDATIONS

1. Take no further action against Jack Valenti.
2. Close the file.
3. Approve the attached letter.

Charles N. Steele
General Counsel

April 3, 1985
Date

By: 
Kenneth A. Gross
Associate General Counsel

Attachments

1. Response from counsel dated 3/1/85
2. Response from counsel dated 3/19/85
3. Page from report filed by David Pryor for U.S. Senate Committee
4. Page from report filed by J.J. "Jake" Pickle Re-election Committee
5. Proposed letter

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL
FROM: MARJORIE W. ~~BRINSON~~ / JODY C. RANSOM *JCR*
DATE: APRIL 5, 1985
SUBJECT: OBJECTION - MUR 1893 General Counsel's Report
signed April 3, 1985

The above-named document was circulated to the
Commission on Thursday, April 4, 1985 at 4:00.

Objections have been received from the Commissioners
as indicated by the name(s) checked:

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Harris	_____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Reiche	_____X_____

This matter will be placed on the Executive Session
agenda for Tuesday, April 16, 1985.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Out*
DATE: April 4, 1985
SUBJECT: MUR 1893 - 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 [X]
Sensitive [X]
Non-Sensitive []
24 Hour No Objection []
Sensitive []
Non-Sensitive []
Information []
Sensitive []
Non-Sensitive []

Other []

DISTRIBUTION

Compliance [X]
Audit Matters []
Litigation []
Closed MUR Letters []
Status Sheets []
Advisory Opinions []

Other (see distribution below) []

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SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
FEC
COMMISSION SECRETARY

In the Matter of

MUR 1893

Jack Valenti

05 APR 4 A 9: 46

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On December 28, 1984, Jack Valenti, through counsel, informed the Commission by letter of his possible violation of 2 U.S.C. § 441a(a)(3) by exceeding the \$25,000 contribution limitation for 1984 by \$3,900. On February 8, 1985, the Commission opened a MUR and found reason to believe that Mr. Valenti had violated 2 U.S.C. § 441a(a)(3). On February 20, 1985, counsel for Mr. Valenti requested an extension of time in order to respond to the Commission's finding which this Office granted. On March 4, 1985, counsel filed a response (see Attachment 1) and on March 19, 1985, an additional response was filed by counsel (see Attachment 2).

II. FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(3), an individual is prohibited from making contributions aggregating more than \$25,000 in any calendar year. For purposes of this section, any contribution made to a candidate in a year other than the calendar year in which the election is held with respect to which such contribution is made, is considered to be made during the calendar year in which such election is held.

Mr. Valenti provided a list of contributions which indicated that he had exceeded the limit by \$3,900. A check of Commission records indicated that an additional \$3,500 in contributions

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attributable to 1984 should have been added to Mr. Valenti's total. A response from counsel now indicates otherwise. See Attachment 1.

First, a \$1,000 contribution made by the Motion Picture Association PAC was incorrectly attributed by the Russo for Congress Committee to Mr. Valenti. The Russo Committee has since corrected its error. Second, a \$1,000 contribution made by Mr. Valenti to the David Pryor for U.S. Senate Committee on May 23, 1983, was refunded by that committee on April 4, 1984. A copy of the refund check was attached. See Attachments 1 and 3. Third, a \$1,000 contribution by Mr. Valenti to the J.J. "Jake" Pickle Re-election Committee on November 21, 1983, was refunded on April 3, 1984.* / A copy of the refund check was attached. See Attachments 1 and 4. Fourth, a \$1,000 contribution to the Re-elect Senator Mark Hatfield Committee was mistakenly reported by that committee as a joint contribution from both Mr. & Mrs. Jack Valenti. The contribution was made solely by Mrs. Valenti (copy of check attached) and, therefore, \$500 should not be attributed to Mr. Valenti. In light of the above, it appears that Mr. Valenti exceeded the \$25,000 limit by \$3,900.

Counsel, in his response, states that Mr. Valenti sought and received a \$3,900 refund, on January 29, 1985, from the Motion Picture Association PAC in order to recover the excess amount.

*/ Neither the Pryor nor the Pickle refund appear to represent a refund of an excessive contribution, although no explanation has been given for why the refunds were made.

(On June 22, 1984, Mr. Valenti contributed \$5,000 to the Motion Picture Association PAC.) Counsel argues in his response that no further action should be taken against Mr. Valenti based on the following reasons:

1. Mr. Valenti voluntarily contacted the Commission concerning his possible violation of 2 U.S.C. § 441a(a)(3).
2. Mr. Valenti sought and received a refund of the excess amount.
3. The excessive contributions did not significantly affect a federal election.
4. Further action against Mr. Valenti would have a chilling effect upon individuals exercising their First Amendment rights in the future and will reduce the incentive for individuals to report and correct their errors.

In support of his argument that the Commission should take no further action against Mr. Valenti, counsel cited several MURs involving excessive contributions, some of which were resolved through a conciliation agreement and payment of a civil penalty. However, counsel did cite MUR 1526 which involved a respondent who exceeded the \$25,000 limit in two consecutive years by amounts of \$5,000 and \$3,500. In MUR 1526 the Commission determined to take no further action against the respondent and closed the file. As here, the respondent in MUR 1526 voluntarily brought the matter to the Commission's attention. In his supplemental response counsel merely expands somewhat on his previously mentioned arguments. See Attachment 2.

Although it is apparent that Mr. Valenti did violate 2 U.S.C. § 441a(a)(3), the Office of the General Counsel recommends that the Commission take no further action in this

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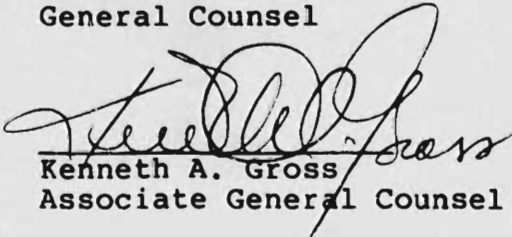
matter and close the file. This recommendation is based on the fact that Mr. Valenti brought this matter to the Commission's attention and obtained a refund of the excess amount. In addition, it is noted that the amount in excess is \$3,900, not \$7,400 as was previously noted.

III. RECOMMENDATIONS

1. Take no further action against Jack Valenti.
2. Close the file.
3. Approve the attached letter.

Charles N. Steele
General Counsel

April 3, 1985
Date

By: 
Kenneth A. Gross
Associate General Counsel

Attachments

1. Response from counsel dated 3/1/85
2. Response from counsel dated 3/19/85
3. Page from report filed by David Pryor for U.S. Senate Committee
4. Page from report filed by J.J. "Jake" Pickle Re-election Committee
5. Proposed letter

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AKIN, GUMP, STRAUSS, HAUER & FELD

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

1333 NEW HAMPSHIRE AVENUE N.W.

SUITE 400

WASHINGTON, D.C. 20036

(202) 887-4000

TELEX NUMBERS:

89-665

440-509

WRITER'S DIRECT DIAL NUMBER 887-_____

March 1, 1985

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

RE: MUR 1893
Jack Valenti

Dear Mr. McGarry:

We have received notice of the Federal Election Commission's (the Commission) finding reason to believe that our client, Jack Valenti, violated 2 U.S.C. § 441a(a)(3) of the Federal Election Campaign Act of 1971, as amended, (the Act) by contributing in excess of the \$25,000 annual limit for 1984. We have reviewed the General Counsel's Factual and Legal Analysis, and respectfully recommend that any further action on the alleged § 441a(a)(3) violation is unwarranted in light of the mitigating circumstances present in this case. In any event, Mr. Valenti intends to cooperate fully and completely with the Commission.

FACTS

As we noted in our correspondence of December 28, 1984 (see attached), Mr. Valenti has made a good faith effort to comply with the Act and the Commission's regulations restricting contributions to candidates for federal office. Specifically, as soon as he discovered a possible violation, he initiated contact with the Commission through counsel. In addition, Mr. Valenti has recovered all contributions in excess of \$25,000 for 1984.

Attached to our correspondence of December 28, 1984, is a list of contributions indicating Mr. Valenti exceeded this limit by \$3,900. The General Counsel's Factual and Legal Analysis identified additional contributions totalling \$3,500 which appeared to be attributable to Mr. Valenti's 1984 limit but did not appear on the December 28, 1984 list.

Attachment 1 ①

Mr. John Warren McGarry
March 1, 1985
Page 2

They were listed as follows:

<u>Date</u>	<u>Amount</u>	<u>Recipient</u>
04/22/83	\$1,000	Russo for Congress Committee
05/23/83	\$1,000	David Pryor for U.S. Senate Committee
11/21/83	\$1,000	J.J. ("Jake") Pickle Re-Election Committee
01/15/84	\$ 500	Re-Elect Senator Mark Hatfield Committee

The General Counsel's office therefore calculated that Mr. Valenti exceeded the \$25,000 limitation by a total of \$7,400 rather than the \$3,900 indicated by Mr. Valenti. However, the additional \$3,500 in contributions are not properly attributable to Mr. Valenti's 1984 contribution total.

First, the \$1,000 contribution to the Russo for Congress Committee was made by the Motion Picture Association PAC and was mistakenly listed on the Russo Committee's FEC Reports as a contribution from Mr. Valenti's personal account. (See Attachment 2). Second, the \$1,000 contributions to both the David Pryor for U.S. Senate Committee and the J.J. "Jake" Pickle Re-election Committee were refunded on April 4, 1984 and April 3, 1984 respectively. (See Attachment 3). And third, the \$1,000 contribution to the Re-elect Senator Mark Hatfield Committee, \$500 of which the General Counsel's office attributed to Mr. Valenti, was made by Mrs. Valenti and mistakenly reported by the recipient committee as a joint contribution from Mr. and Mrs. Valenti. (See Attachment 4).^{1/} Thus, the additional \$3,500 identified by the General Counsel's office is not properly attributable to Mr. Valenti's 1984 contribution limit.

Finally, Mr. Valenti succeeded in recovering \$3,900 from the Motion Picture Association PAC on January 29, 1985. Thus, Mr. Valenti has recovered all excessive contributions.

^{1/} This check was inadvertently dated January 15, 1983 rather than 1984. However, the correct year date appears on the back of the check in the form of the cancellation.

Mr. John Warren McGarry
March 1, 1985
Page 3

We would like to stress the fact that Mr. Valenti alerted the Commission to the possible violation of § 441a(a)(3). He also actively sought to recover the amount in excess of the individual limit prior to Commission action and he was successful in that effort. By any standard, these were exemplary actions.

SUMMARY OF ARGUMENT

Our recommendation that the Commission take no further action against the respondent in this MUR is based upon mitigating factors that have proved to be decisive in previous Commission actions. First, the respondent voluntarily contacted the Commission. Second, he simultaneously sought refunds of contributions in excess of the \$25,000 limit. Third, the excess amount has been recovered. Fourth, the amount in question did not affect to any measurable or significant degree a federal election. Fifth, to impose a fine or take further action against this respondent would serve no useful purpose. In fact a fine in this matter may have a chilling effect upon individuals exercising their First Amendment rights in the future and would reduce the incentive that individuals have to report and to correct errors that they discover.

DISCUSSION

The respondent's voluntary efforts to resolve this matter should be considered by the Commission in determining whether to dismiss this MUR. In previous instances where it has implemented §441a(a)(3), the Commission has treated respondents' voluntary efforts to comply with its regulations as a good faith act. Specifically, in MUR 375, a Commission staff memorandum stated that voluntary compliance as opposed to waiting for FEC action should be viewed as a mitigating factor.^{2/} MUR 375 involved respondents who exceeded the joint contribution limit by \$48,000. They apparently did not obtain refunds before they notified the Commission of a probable violation. Although U.S.C. § 437(a)(5)(A) provides that the respondents in MUR 375 might have been fined \$5,000, the Commission assessed a \$1,000 fine. Consequently, the disposition of MUR 375 provides a basis for substantially reducing the maximum penalty allowed by law when a respondent has acted to alert the Commission to his or her possible violation.

^{2/} FEC staff memorandum dated April 4, 1979.

Mr. John Warren McGarry
March 1, 1985
Page 4

Further, Mr. Valenti not only alerted the Commission of possible violations voluntarily but corrected his mistake immediately. Because he did so, to exact a penalty would be inconsistent with the disposition of prior cases. Specifically, in similar cases involving individual contributors, the fine has been equal to or less than the unrefunded amount of the excessive contribution. For example, MUR 920 concerned a § 441a(a)(3) violation by a respondent who apparently failed to report excessive contributions before the Commission discovered them. The public record reveals that the Commission staff was unable to determine the exact amount of the overage. Nevertheless, the Commission accepted the respondent's figure of \$1,450 in excessive contributions and levied the same amount in settlement of the charge against him. Similarly, the respondent in MUR 530 was found to have violated both § 441a(a)(3) and § 441a(a)(1)(B). Although he also failed to notify the Commission of \$590 in excessive contributions, he was fined \$100. In other words, respondents who did not immediately seek and receive complete refunds were fined either nominal sums or the unrefunded amounts.

More recently, in MUR 1526, the Commission voted to take no action against a respondent who exceeded the § 441a(a)(3) limit by \$5,000 and \$3,500 in two consecutive years. In that MUR, respondent voluntarily brought that information to the attention of the Commission and recovered the excessive amounts prior to Commission action. The General Counsel's Report in MUR 1526 recommended that the Commission not pursue the matter because of these mitigating factors.^{3/} Thus, in a factual situation practically identical to the present MUR, the Commission dismissed without further action a respondent who immediately sought and received complete refunds of excess contributions.

We want to emphasize that the respondent in this matter recovered the excessive contributions before being urged to do so by the Commission staff. This fact should be given weight in the Commission's deliberations on this MUR.

In addition, we also want to emphasize the line of reasoning in previous Commission actions which looks to the impact of a violation on a federal election. Assuming hypothetically that the recipients of Mr. Valenti's excessive contributions received a measureable benefit from them, the economic value of that

^{3/} FEC General Counsel's Report dated April 19, 1983.

Mr. John Warren McGarry
March 1, 1985
Page 5

benefit was clearly de minimis. The \$3,900 excess amount was returned after 7 months. Thus, the recipient benefitted from the use of the funds for a short period of time.^{4/} Therefore, the value received because of the respondent's violation was inevitably less than the amount of his excessive contributions. In this regard, the negligible value of the sums involved in this case did not substantially affect a federal election.

As the Commission is aware, the regulatory provisions applicable to individual contributions are of relatively recent origin and remain largely unfamiliar to the public. In fact, even the most sophisticated among individual contributors generally have only a passing knowledge, if any, that a complex regulatory system exists. When one considers the variety of designated categories of potential recipients of contributions and the difficult aggregation rules, it is likely that inadvertent violations will occur. Consequently, the Commission may properly decline to take an action that would discourage the exercise of an important right and participation in a socially desirable activity.^{5/}

Finally, we wish to emphasize that this MUR suggests that the excessive contributions were inadvertent. There is no evidence of a blatant, intentional violation.

To summarize:

1. the respondent voluntarily contacted the Commission concerning the alleged violations;

^{4/} 26 U.S.C. § 483 proposes a method for computing unstated interest. Alternatively, the prime rate might be used. Under either alternative, the economic benefit of Mr. Valenti's excessive contributions was less than \$300.00.

^{5/} See the statement of Hugh Scott, Senator from Pennsylvania before the Subcommittee on Privileges and Elections, House Committee on Rules and Administration, 92d Congress (May 25, 1961): "The best interests of the United States are not served through restricting the political activities of its citizens. Rather, we should be encouraging the fullest participation of both."



Mr. John Warren McGarry

March 1, 1985

Page 6

2. the respondent sought a refund of his excessive contributions before the Commission advised him to do so;
3. the amount of excessive contributions was recovered;
4. the excessive contributions did not affect a federal election;
5. further action in this MUR may "chill" the future exercise of First Amendment rights.

Viewed as a whole, therefore, the facts in this MUR suggest a violation that is within a category of cases which the Commission has ample discretion to dismiss without further action.

Sincerely,

AKIN, GUMP, STRAUSS, HAUER & FELD

By:



Edward S. Knight
Fred Slabach

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AKIN, GUMP, STRAUSS, HAUER & FELD

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

333 NEW HAMPSHIRE AVENUE, N.W.
SUITE 400

WASHINGTON, D.C. 20036

(202) 887-4000

TELEX NUMBERS:

69-665

440-509

ARTIST'S DIRECT DIAL NUMBER 887-

4135

AUSTIN OFFICE

900 AMERICAN BANK TOWER
AUSTIN, TEXAS 78701
(512) 476-7167

SAN ANTONIO OFFICE

300 ONE RIVERWALK PLACE
700 NORTH ST. MARY'S STREET
SAN ANTONIO, TEXAS 78205
(512) 224-1800

NEW YORK OFFICE

SUITE 2100
445 PARK AVENUE
NEW YORK, NEW YORK 10022
(212) 223-3333

DALLAS OFFICE
2800 REPUBLIC BANK BUILDING
DALLAS, TEXAS 75201
(214) 855-2800

LONDON OFFICE
31 CURRY STREET
LONDON, W.1
(01) 409-1093

December 28, 1984

Kenneth A. Gross, Esquire
Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

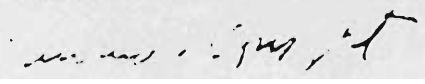
Dear Mr. Gross:

On behalf of our client, Mr. Jack Valenti, we are notifying your office sua sponte of a possible unintentional violation of Federal Election Commission regulation 11 C.F.R. § 110.5, concerning the annual contribution limit. It appears that Mr. Valenti may have inadvertently exceeded the annual contribution limits for 1984. We enclose a list that, according to his records, reflects federal election contributions for that year.

In addition to notifying the Commission sua sponte, Mr. Valenti is taking other mitigating actions. He is endeavoring to have certain 1984 contributions refunded to him.

Mr. Valenti intends to cooperate in every possible way with the Commission on this matter.

Sincerely,


Edward S. Knight

Enclosure



CONTRIBUTIONS GIVEN IN 1983
BUT ATTRIBUTED TO 1984

2/04/83	Cranston For President	\$ 1,000
2/15/83	Mondale for President	1,000
2/23/83	Committee to Re-elect Jack Brooks (D-TX)	1,000
2/23/83	The Simpson Senate Committee (R-WY)	1,000
2/24/83	The Committee to Re-elect Esteban Torres (D-CA)	500
3/16/83	Americans for Hart	1,000
3/16/84	Committee to Re-elect Congressman Joe Moakley (D-MA)	100
4/05/83	The Committee to Re-elect Barney Frank (D-MA)	500
4/13/83	Hollings for President (D-SC)	1,000
4/18/83	Guy Vander Jagt Campaign Committee (R-MI)	200
4/22/83	Friends of Max Baucus (D-MI)	200
5/11/83	Sala Burton for Congress (D-CA)	500
5/19/83	Fields for Congress (R-TX)	300
6/02/83	The William Lehman Campaign Fund (D-FL)	150
6/07/83	Citizens for Minish (D-NJ)	250
6/07/83	James R. Jones Election Committee (D-OK)	1,000
6/13/83	Cohen for Senator (R-ME)	500
6/13/83	Citizens for Downey (D-NY)	500
6/16/83	Friends of Jim Moody (D-WI)	250
6/20/83	McNulty for Congress (D-AZ)	250
7/18/83	John Glenn Presidential Campaign Committee (D-OH)	500
7/18/83	James J. Florio Campaign Fund, Inc. (D-NJ)	250
7/18/83	Committee for Congressman Ronald Dellums (D-CA)	100
7/22/83	The Committee to Re-elect Harold Ford (D-TN)	500
8/24/83	Friends of Senator Carl Levin (D-MI)	500
8/31/83	Conte for Congress Committee (R-MA)	500
9/01/83	Friends of Bob Carr (D-MI)	250
9/13/83	The Committee to Re-elect LaFalce (D-NY)	1,000
9/14/83	Friends of Howell Heflin (D-AL)	500
9/14/83	Mineta for Congress (D-CA)	250
9/20/83	Citizens for Cardiss Collins (D-IL)	250
9/20/83	Leland for Congress (D-TX)	250
9/26/83	Rinaldo for Congress Committee (R-NJ)	250
10/13/83	Torricelli for Congress (D-NJ)	250
10/13/83	People for Pete Committee (R-MN)	1,000
10/25/83	Norman Dicks for Congress Committee (D-WA)	250
10/25/83	Guarini for Congress Committee (D-NJ)	250
10/27/83	Cheney for Congress (D-WY)	500
11/07/83	Keep Kastenmeier in Congress Committee (D-WI)	100
11/07/83	Citizens for U.S. Representative Hal Sawyer (R-MI)	250
11/15/83	Ed Markey for Congress Committee (D-MA)	1,000
11/17/83	New Mexicans for Bill Richardson (D-NM)	250
12/11/83	Friends of Bob Carr (D-MI)	500

TOTAL

\$20,650

CONTRIBUTIONS GIVEN IN AND
ATTRIBUTED TO 1984

1/20/84	Eckart for Congress Committee (D-OH)	\$ 500
1/27/84	Glickman for Congress Committee (D-KS)	500
1/27/84	John D. Dingell for Congress Committee (D-MI)	500
2/16/84	Larry Smith for Congress (D-FL)	250
2/16/84	Sala Burton for Congress (D-CA)	500
2/17/84	The Democratic Congressional Campaign Committee	1,000
6/22/84	MPAA PAC	<u>5,000</u>

TOTAL \$ 8,250

85040523238



P.O. Box 627 ★ Oak Lawn, Illinois 60454-2677

Phone: (312) 891-6200

Co-Chairpersons
LAWRENCE P. GULOTTA
KAREN VOGEL

Campaign Manager
AUSTIN KELLY

Finance Chairman
JOSEPH CARI

February 15, 1985

Ms. Nancy Thompson, Treasurer
Motion Picture Assn. of America
Political Action Committee
1600 Eye Street, N.W.
Washington, D.C. 20006

Dear Ms. Thompson:

Pursuant to your conversation with a member of Marty's staff, I would like to inform you that due to an error in posting, a mistake was made relative to the contribution that was given by the Motion Picture Association PAC in April of 1983. The contribution was mistakenly credited to Mr. Valenti's personal account rather than the PAC.

In an effort to correct this error a letter is being sent to the FEC asking for an amendment to the FEC report for the period January 1, 1983 to June 30, 1983. A copy of this letter will be forthcoming to you from our accountants. You should receive your copy by next Wednesday at the latest.

I regret any inconvenience this may have caused you.

Sincerely,

Carl P. Adducci
CARL P. ADDUCCI
Treasurer

CPA/lg

Carl P. Adducci, Treasurer

Disclosed and reviewed in accordance with the Federal Campaign Act of 1971. A copy of this document is being filed with the Federal Election Commission and is available for public review from The Federal Election Commission, Washington, D.C.

RUSSO FOR CONGRESS COMMITTEE
226 North Rose Avenue
Park Ridge, Illinois 60068

COPY

Clerk of the House
1036 Longworth House Office Building
Washington, D.C. 20515

Dear Sir:

Please be advised that on our Report of Receipts and Disbursements for the period ending June 30, 1983, an inadvertent error was made in reporting a contribution of \$1,000.00 received on April 22, 1983. It was originally shown as received from Jack Valenti. Instead, it should have been reported as a contribution from the Motion Picture Association P.A.C.

A copy of the amended return for that period is enclosed.

Yours truly,

Carl P. Adducci
Treasurer

85040523290

603

April 3 19 84

InterFirst Bank Austin, N.A.
Box 908 • Austin, Texas 78761

\$ 1,000.00

DOLLARS

		Contribution Refund	

J. J. JAKE PICKLE

John M. Barr

1100060311 • 1: 1 14900 1771:

110 106336

002782

81-7/820

April 4 1984

DAY TO THE
ORDER OF

Sack Valente

\$10000

One thousand 4 ND/₁₀₀

DOLLARS



WORTHEN
Bank & Trust Company, N. A.
Little Rock, Arkansas

Graham Smith

00 278 210 4:08 20000731: 890 210 664 111

12



MOTION PICTURE ASSOCIATION
OF AMERICA, INC.
1600 EYE STREET, NORTHWEST
WASHINGTON, D. C. 20006

January 29, 1985

Mr. Jack Valenti
President
Motion Picture Association
of America, Inc.
1600 Eye Street, N.W.
Washington, D.C. 20006

Dear Mr. Valenti:

Enclosed please find a check from the Motion Picture Association Political Action Committee in the amount of \$3,900. This sum represents a complete refund of the amount you requested in your letter to me dated December 26, 1984, to bring your personal 1984 contributions within Federal limits.

Sincerely,

Nancy Thompson
Treasurer
MPA/PAC

Enclosure

bcc: Knight
Slabach

850405223293



MOTION PICTURE ASSOCIATION - PAC
1600 EYE STREET, NORTHWEST
WASHINGTON, D C 20006

326

15-3/540

Jan. 29, 1985

PAY TO THE ORDER OF Jack Valenti \$3,900.00

Three thousand nine hundred-----DOLLARS

The RIGGS NATIONAL BANK
WASHINGTON D C
MAIN OFFICE
100 PENNSYLVANIA AVENUE NW

FOR _____

⑆000326⑆ ⑆054000030⑆ 01⑆08390090⑆

14

HAND DELIVERED

85 MAR 19 P 5: 04

Tarrant

AKIN, GUMP, STRAUSS, HAUER & FELD

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

1333 NEW HAMPSHIRE AVENUE, N.W.

WASHINGTON, D.C. 20036

(202) 887-4000

TELEX NUMBERS:

89-665

440-509

WRITER'S DIRECT DIAL NUMBER 887-4135

DALLAS OFFICE
2900 REPUBLIC BANK BUILDING
DALLAS, TEXAS 75201
(214) 655-2800

LONDON OFFICE
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LONDON W. 1
(01) 409-1093

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SAN ANTONIO, TEXAS 78205
(512) 224-1801

NEW YORK OFFICE
SUITE 2100
445 PARK AVENUE
NEW YORK, NEW YORK 10022
(212) 223-1333

March 19, 1985

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

Re: MUR 1893
Jack Valenti

Dear Mr. McGarry:

On March 1, 1985 we submitted our Response to the Federal Election Commission's (the Commission) finding reason to believe that our client, Jack Valenti, violated 2 U.S.C. § 441a(a)(3) of the Federal Election Campaign Act of 1971, as amended (the Act), by contributing in excess of the \$25,000 annual limit for 1984. We respectfully request this supplemental response be added to the file for consideration by the Commission.

As we noted in our March 1 Response, Mr. Valenti both initiated contact with the Commission through counsel and recovered all contributions in excess of \$25,000 for 1984. Thus, having discovered his error, he did as much as he could do, on his own, to nullify its effect and voluntarily informed the Commission.

Mr. Valenti took this action based on his understanding of Commission precedents which, as a matter of policy, encourage voluntary disclosure of inadvertent violations by taking no action against the violator if the excessive contributions are recovered within a reasonable period of time. We believe this policy should be continued.

The purpose of Commission enforcement proceedings is to identify and remedy violations of the Act and to punish violators. Where violations are unintentional and are voluntarily



Attachment 2 (15)

85040523294

AKIN, GUMP, STRAUSS, HAUER & FELD
Mr. John Warren McGarry
March 19, 1985
Page 2

identified or disclosed to the Commission and the violation remedied, the Commission has made it a policy not to use its punishment powers. We believe this policy serves a very useful purpose. If individuals who voluntarily identify and remedy unintentional violations are punished in the same manner as individuals who intentionally violate the law or who fail to identify and remedy unintentional violations, there will be no incentive for voluntary disclosure.

We believe several salutary results flow from the Commission's policy of taking no action against individuals who voluntarily disclose and remedy unintentional violations within a reasonable time. First, such a policy provides a powerful incentive to persons who discover errors both to report them to the Commission and to correct them without waiting for Commission action. If self-reporting and self-correction lead to punishment by the Commission, the incentive to make a clean breast and to correct errors will be lost or much diminished.

Moreover, we believe that punishment in cases involving voluntary disclosure and remedy of unintentional violation of complex Commission regulations will be a disincentive to people even to participate in the political process. As the Commission is aware, the regulatory provisions applicable to individual contributions remain largely unfamiliar to the public and are so complex that even the most sophisticated contributors have only a passing knowledge of their operation. For this reason it is highly likely that inadvertent violations will occur. If it becomes known that a voluntarily disclosed and remedied unintentional violation will still bring about the obloquy and injury of a penalty, individuals may tend to withdraw from the process rather than take the risk. Or, making political contributions may become like paying taxes -- only done with legal advice. Consequently, we believe the Commission should decline to take an action that would discourage the exercise of an important right and participation in a socially desirable activity.

In sum, the Commission's current policy of taking no action against individuals who voluntarily disclose and remedy unintentional violations of complex commission regulations:

AKIN, GUMP, STRAUSS, HAUER & FELD
Mr. John Warren McGarry
March 19, 1985
Page 3

1. encourages voluntary correction of violations,
2. encourages disclosure of violations to the Commission,
3. avoids chilling the exercise of important political speech rights,
4. encourages participation in the political process.

The Commission should retain this policy.

Sincerely,

AKIN, GUMP, STRAUSS, HAUER & FELD

By: Edward S. Knight
Edward S. Knight
Fred Slabach

ESK:slc

85040523296

SCHEDULE B

ITEMIZED DISBURSEMENTS

LINE NUMBER 17
(Use separate schedule(s) for each category of the Detailed Summary Page)

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)
DAVID PRYOR FOR U.S. SENATE

Page 8 of 17

A. Full Name, Mailing Address and ZIP Code Internal Revenue Service Austin, TX 73301	Purpose of Disbursement Tax Disbursement for: ☒ Primary ☒ General ☐ Other (specify):	Date (month, day, year) 05-17-84	Amount of Each Disbursement This Period 124.74
B. Full Name, Mailing Address and ZIP Code Jack Valente 1600 Eye Street, N.W. Washington, D.C. 20006	Purpose of Disbursement Returned Contribution Disbursement for: ☒ Primary ☒ General ☐ Other (specify):	Date (month, day, year) 04-04-84	Amount of Each Disbursement This Period 1,000.00
C. Full Name, Mailing Address and ZIP Code James F. Goodwin Travel 245 Savers Federal Building Little Rock, AR 72201	Purpose of Disbursement travel Disbursement for: ☒ Primary ☒ General ☐ Other (specify):	Date (month, day, year) 04-11-84 05-10-84 05-23-84	Amount of Each Disbursement This Period 1,032.00 1,768.00 574.00
D. Full Name, Mailing Address and ZIP Code James F. Goodwin Travel 245 Savers Bldg. Little Rock, AR 72201	Purpose of Disbursement travel Disbursement for: ☒ Primary ☒ General ☐ Other (specify):	Date (month, day, year) 06-06-84	Amount of Each Disbursement This Period 1,124.00
E. Full Name, Mailing Address and ZIP Code Jeannette DeLoach 3030 Federal Building Little Rock, AR 72201	Purpose of Disbursement Reimburse Beverage Disbursement for: ☒ Primary ☒ General ☐ Other (specify):	Date (month, day, year) 06-23-84	Amount of Each Disbursement This Period 40.00
F. Full Name, Mailing Address and ZIP Code Jordan Davies Photographies 815 West 14th Little Rock, AR 72202	Purpose of Disbursement Photographies Disbursement for: ☒ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 05-23-84	Amount of Each Disbursement This Period 207.38
G. Full Name, Mailing Address and ZIP Code Judy Robertson 1735 Tower Building Little Rock, AR 72201	Purpose of Disbursement Campaign Salary Disbursement for: ☒ Primary ☒ General ☐ Other (specify):	Date (month, day, year) 04-20-84	Amount of Each Disbursement This Period 50.00
H. Full Name, Mailing Address and ZIP Code Julie Benafield 3030 Federal Building Little Rock, AR 72201	Purpose of Disbursement Reimburse Beverages Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	Date (month, day, year) 06-23-84	Amount of Each Disbursement This Period 5.77
I. Full Name, Mailing Address and ZIP Code Karen R. Guresky 13321 Pompano Little Rock, Arkansas 72211	Purpose of Disbursement Campaign salary Disbursement for: ☒ Primary ☒ General ☐ Other (specify):	Date (month, day, year) 04-11-84 04-30-84 05-15-84	Amount of Each Disbursement This Period 229.93 229.93 229.93
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			4

Attachment 3 (18)

ITEMIZED DISBURSEMENTS

Page 1 of 1 for
LINE NUMBER 2000
(Use a separate schedule 1 for each
category of the Detailed
Summary Page)

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
any other purpose, other than using the name and address of any political committee to solicit contributions from such committee

Name of Committee (in Full)
"Jake" Pickle Re-election Committee

A. Full Name, Mailing Address and ZIP Code Jack Valenti 1000 New Street, N.W. Washington, D.C. 20006	Purpose of Disbursement Contribution Refund Disbursement for: ☒ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 4/3/84	Amount of Each Disbursement This Period \$1,000.00
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)			\$1,000.00
TOTAL This Period (last page this line number only)			\$1,000.00

8,510,405,232,98

Attachment 4

19



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Edward S. Knight, Esquire
Fred Slabach, Esquire
Akin, Gump, Strauss, Hauer & Feld
1333 New Hampshire Avenue, N.W.
Suite 400
Washington, D.C. 20036

RE: MUR 1893
Jack Valenti

Dear Messrs. Knight and Slabach:

On February 8, 1985, the Commission found reason to believe that your client, Jack Valenti, had violated 2 U.S.C. § 441a(a)(3), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission, on April , 1985, determined to take no further action and close its file. Accordingly, the file in this matter will be made part of the public record within 30 days.

The Commission reminds your client that exceeding the limitation set forth at 2 U.S.C. § 441a(a)(3) is nevertheless a violation of the Act and immediate steps should be taken to insure that this activity does not occur in the future.

If you have any questions, please direct them to Marybeth Tarrant, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Attachment 5

20

85040523299

REC'D
HAND DELIVERED

85 MAR 19 P 5: 04

AKIN, GUMP, STRAUSS, HAUER & FELD

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

1333 NEW HAMPSHIRE AVENUE, N.W.

WASHINGTON, D.C. 20036

(202) 887-4000

TELEX NUMBERS:

89-665

440-509

WRITER'S DIRECT DIAL NUMBER 887-4135

AUSTIN OFFICE
900 AMERICAN BANK TOWER
AUSTIN, TEXAS 78701
(512) 476-7167

SAN ANTONIO OFFICE
1100 ONE RIVERWALK PLACE
700 NORTH ST. MARY'S STREET
SAN ANTONIO, TEXAS 78205
(512) 224-1801

NEW YORK OFFICE
SUITE 2100
445 PARK AVENUE
NEW YORK, NEW YORK 10022
(212) 223-1333

DALLAS OFFICE
2800 REPUBLIC BANK BUILDING
DALLAS, TEXAS 75201
(214) 655-2800

LONDON OFFICE
31 CURZON STREET
LONDON, W. 1
(01) 409-1093

March 19, 1985

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

Re: MUR 1893
Jack Valenti

Dear Mr. McGarry:

On March 1, 1985 we submitted our Response to the Federal Election Commission's (the Commission) finding reason to believe that our client, Jack Valenti, violated 2 U.S.C. § 441a(a)(3) of the Federal Election Campaign Act of 1971, as amended (the Act), by contributing in excess of the \$25,000 annual limit for 1984. We respectfully request this supplemental response be added to the file for consideration by the Commission.

As we noted in our March 1 Response, Mr. Valenti both initiated contact with the Commission through counsel and recovered all contributions in excess of \$25,000 for 1984. Thus, having discovered his error, he did as much as he could do, on his own, to nullify its effect and voluntarily informed the Commission.

Mr. Valenti took this action based on his understanding of Commission precedents which, as a matter of policy, encourage voluntary disclosure of inadvertent violations by taking no action against the violator if the excessive contributions are recovered within a reasonable period of time. We believe this policy should be continued.

The purpose of Commission enforcement proceedings is to identify and remedy violations of the Act and to punish violators. Where violations are unintentional and are voluntarily

REC'D
HAND DELIVERED
85 MAR 19 P 5: 04

AKIN, GUMP, STRAUSS, HAUER & FELD

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

1333 NEW HAMPSHIRE AVENUE, N.W.

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March 19, 1985

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

Re: MUR 1893
Jack Valenti

Dear Mr. McGarry:

On March 1, 1985 we submitted our Response to the Federal Election Commission's (the Commission) finding reason to believe that our client, Jack Valenti, violated 2 U.S.C. § 441a(a)(3) of the Federal Election Campaign Act of 1971, as amended (the Act), by contributing in excess of the \$25,000 annual limit for 1984. We respectfully request this supplemental response be added to the file for consideration by the Commission.

As we noted in our March 1 Response, Mr. Valenti both initiated contact with the Commission through counsel and recovered all contributions in excess of \$25,000 for 1984. Thus, having discovered his error, he did as much as he could do, on his own, to nullify its effect and voluntarily informed the Commission.

Mr. Valenti took this action based on his understanding of Commission precedents which, as a matter of policy, encourage voluntary disclosure of inadvertent violations by taking no action against the violator if the excessive contributions are recovered within a reasonable period of time. We believe this policy should be continued.

The purpose of Commission enforcement proceedings is to identify and remedy violations of the Act and to punish violators. Where violations are unintentional and are voluntarily

85040523301

AKIN, GUMP, STRAUSS, HAUER & FELD
Mr. John Warren McGarry
March 19, 1985
Page 2

identified or disclosed to the Commission and the violation remedied, the Commission has made it a policy not to use its punishment powers. We believe this policy serves a very useful purpose. If individuals who voluntarily identify and remedy unintentional violations are punished in the same manner as individuals who intentionally violate the law or who fail to identify and remedy unintentional violations, there will be no incentive for voluntary disclosure.

We believe several salutary results flow from the Commission's policy of taking no action against individuals who voluntarily disclose and remedy unintentional violations within a reasonable time. First, such a policy provides a powerful incentive to persons who discover errors both to report them to the Commission and to correct them without waiting for Commission action. If self-reporting and self-correction lead to punishment by the Commission, the incentive to make a clean breast and to correct errors will be lost or much diminished.

Moreover, we believe that punishment in cases involving voluntary disclosure and remedy of unintentional violation of complex Commission regulations will be a disincentive to people even to participate in the political process. As the Commission is aware, the regulatory provisions applicable to individual contributions remain largely unfamiliar to the public and are so complex that even the most sophisticated contributors have only a passing knowledge of their operation. For this reason it is highly likely that inadvertent violations will occur. If it becomes known that a voluntarily disclosed and remedied unintentional violation will still bring about the obloquy and injury of a penalty, individuals may tend to withdraw from the process rather than take the risk. Or, making political contributions may become like paying taxes -- only done with legal advice. Consequently, we believe the Commission should decline to take an action that would discourage the exercise of an important right and participation in a socially desirable activity.

In sum, the Commission's current policy of taking no action against individuals who voluntarily disclose and remedy unintentional violations of complex commission regulations:

85040523302

AKIN, GUMP, STRAUSS, HAUER & FELD
Mr. John Warren McGarry
March 19, 1985
Page 3

1. encourages voluntary correction of violations,
2. encourages disclosure of violations to the Commission,
3. avoids chilling the exercise of important political speech rights,
4. encourages participation in the political process.

The Commission should retain this policy.

Sincerely,

AKIN, GUMP, STRAUSS, HAUER & FELD

By: Edward S. Knight
Edward S. Knight
Fred Slabach

ESK:slc

AKIN, GUMP, STRAUSS, HAUER & FELD
Mr. John Warren McGarry
March 19, 1985
Page 3

1. encourages voluntary correction of violations,
2. encourages disclosure of violations to the Commission,
3. avoids chilling the exercise of important political speech rights,
4. encourages participation in the political process.

The Commission should retain this policy.

Sincerely,

AKIN, GUMP, STRAUSS, HAUER & FELD

By: Edward S. Knight
Edward S. Knight
Fred Slabach

ESK:slc

85040523304

44-6807

Tarrant

AKIN, GUMP, STRAUSS, HAUER & FELD

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

1333 NEW HAMPSHIRE AVENUE, N.W.

SUITE 400

WASHINGTON, D.C. 20036

(202) 887-4000

TELEX NUMBERS:

89-665

440-509

WRITER'S DIRECT DIAL NUMBER 887-_____

March 1, 1985

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(214) 655-2800

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LONDON, W. 1
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SAN ANTONIO, TEXAS 78205
(512) 224-1801

NEW YORK OFFICE
SUITE 2100
445 PARK AVENUE
NEW YORK, NEW YORK 10022
(212) 223-1333

RECEIVED
GENERAL COUNSEL
AIO: 04

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

RE: MUR 1893
Jack Valenti

Dear Mr. McGarry:

We have received notice of the Federal Election Commission's (the Commission) finding reason to believe that our client, Jack Valenti, violated 2 U.S.C. § 441a(a)(3) of the Federal Election Campaign Act of 1971, as amended, (the Act) by contributing in excess of the \$25,000 annual limit for 1984. We have reviewed the General Counsel's Factual and Legal Analysis, and respectfully recommend that any further action on the alleged § 441a(a)(3) violation is unwarranted in light of the mitigating circumstances present in this case. In any event, Mr. Valenti intends to cooperate fully and completely with the Commission.

FACTS

As we noted in our correspondence of December 28, 1984 (see attached), Mr. Valenti has made a good faith effort to comply with the Act and the Commission's regulations restricting contributions to candidates for federal office. Specifically, as soon as he discovered a possible violation, he initiated contact with the Commission through counsel. In addition, Mr. Valenti has recovered all contributions in excess of \$25,000 for 1984.

Attached to our correspondence of December 28, 1984, is a list of contributions indicating Mr. Valenti exceeded this limit by \$3,900. The General Counsel's Factual and Legal Analysis identified additional contributions totalling \$3,500 which appeared to be attributable to Mr. Valenti's 1984 limit but did not appear on the December 28, 1984 list.

85040523305

Mr. John Warren McGarry
March 1, 1985
Page 2

They were listed as follows:

<u>Date</u>	<u>Amount</u>	<u>Recipient</u>
04/22/83	\$1,000	Russo for Congress Committee
05/23/83	\$1,000	David Pryor for U.S. Senate Committee
11/21/83	\$1,000	J.J. ("Jake") Pickle Re-Election Committee
01/15/84	\$ 500	Re-Elect Senator Mark Hatfield Committee

The General Counsel's office therefore calculated that Mr. Valenti exceeded the \$25,000 limitation by a total of \$7,400 rather than the \$3,900 indicated by Mr. Valenti. However, the additional \$3,500 in contributions are not properly attributable to Mr. Valenti's 1984 contribution total.

First, the \$1,000 contribution to the Russo for Congress Committee was made by the Motion Picture Association PAC and was mistakenly listed on the Russo Committee's FEC Reports as a contribution from Mr. Valenti's personal account. (See Attachment 2). Second, the \$1,000 contributions to both the David Pryor for U.S. Senate Committee and the J.J. "Jake" Pickle Re-election Committee were refunded on April 4, 1984 and April 3, 1984 respectively. (See Attachment 3). And third, the \$1,000 contribution to the Re-elect Senator Mark Hatfield Committee, \$500 of which the General Counsel's office attributed to Mr. Valenti, was made by Mrs. Valenti and mistakenly reported by the recipient committee as a joint contribution from Mr. and Mrs. Valenti. (See Attachment 4).^{1/} Thus, the additional \$3,500 identified by the General Counsel's office is not properly attributable to Mr. Valenti's 1984 contribution limit.

Finally, Mr. Valenti succeeded in recovering \$3,900 from the Motion Picture Association PAC on January 29, 1985. Thus, Mr. Valenti has recovered all excessive contributions.

^{1/} This check was inadvertently dated January 15, 1983 rather than 1984. However, the correct year date appears on the back of the check in the form of the cancellation.

Mr. John Warren McGarry
March 1, 1985
Page 3

We would like to stress the fact that Mr. Valenti alerted the Commission to the possible violation of § 441a(a)(3). He also actively sought to recover the amount in excess of the individual limit prior to Commission action and he was successful in that effort. By any standard, these were exemplary actions.

SUMMARY OF ARGUMENT

Our recommendation that the Commission take no further action against the respondent in this MUR is based upon mitigating factors that have proved to be decisive in previous Commission actions. First, the respondent voluntarily contacted the Commission. Second, he simultaneously sought refunds of contributions in excess of the \$25,000 limit. Third, the excess amount has been recovered. Fourth, the amount in question did not affect to any measurable or significant degree a federal election. Fifth, to impose a fine or take further action against this respondent would serve no useful purpose. In fact a fine in this matter may have a chilling effect upon individuals exercising their First Amendment rights in the future and would reduce the incentive that individuals have to report and to correct errors that they discover.

DISCUSSION

The respondent's voluntary efforts to resolve this matter should be considered by the Commission in determining whether to dismiss this MUR. In previous instances where it has implemented §441a(a)(3), the Commission has treated respondents' voluntary efforts to comply with its regulations as a good faith act. Specifically, in MUR 375, a Commission staff memorandum stated that voluntary compliance as opposed to waiting for FEC action should be viewed as a mitigating factor.^{2/} MUR 375 involved respondents who exceeded the joint contribution limit by \$48,000. They apparently did not obtain refunds before they notified the Commission of a probable violation. Although U.S.C. § 437(a)(5)(A) provides that the respondents in MUR 375 might have been fined \$5,000, the Commission assessed a \$1,000 fine. Consequently, the disposition of MUR 375 provides a basis for substantially reducing the maximum penalty allowed by law when a respondent has acted to alert the Commission to his or her possible violation.

^{2/} FEC staff memorandum dated April 4, 1979.

Mr. John Warren McGarry
March 1, 1985
Page 4

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Further, Mr. Valenti not only alerted the Commission of possible violations voluntarily but corrected his mistake immediately. Because he did so, to exact a penalty would be inconsistent with the disposition of prior cases. Specifically, in similar cases involving individual contributors, the fine has been equal to or less than the unrefunded amount of the excessive contribution. For example, MUR 920 concerned a § 441a(a)(3) violation by a respondent who apparently failed to report excessive contributions before the Commission discovered them. The public record reveals that the Commission staff was unable to determine the exact amount of the overage. Nevertheless, the Commission accepted the respondent's figure of \$1,450 in excessive contributions and levied the same amount in settlement of the charge against him. Similarly, the respondent in MUR 530 was found to have violated both § 441a(a)(3) and § 441a(a)(1)(B). Although he also failed to notify the Commission of \$590 in excessive contributions, he was fined \$100. In other words, respondents who did not immediately seek and receive complete refunds were fined either nominal sums or the unrefunded amounts.

More recently, in MUR 1526, the Commission voted to take no action against a respondent who exceeded the § 441a(a)(3) limit by \$5,000 and \$3,500 in two consecutive years. In that MUR, respondent voluntarily brought that information to the attention of the Commission and recovered the excessive amounts prior to Commission action. The General Counsel's Report in MUR 1526 recommended that the Commission not pursue the matter because of these mitigating factors.^{3/} Thus, in a factual situation practically identical to the present MUR, the Commission dismissed without further action a respondent who immediately sought and received complete refunds of excess contributions.

We want to emphasize that the respondent in this matter recovered the excessive contributions before being urged to do so by the Commission staff. This fact should be given weight in the Commission's deliberations on this MUR.

In addition, we also want to emphasize the line of reasoning in previous Commission actions which looks to the impact of a violation on a federal election. Assuming hypothetically that the recipients of Mr. Valenti's excessive contributions received a measureable benefit from them, the economic value of that

^{3/} FEC General Counsel's Report dated April 19, 1983.

Mr. John Warren McGarry
March 1, 1985
Page 5

benefit was clearly de minimis. The \$3,900 excess amount was returned after 7 months. Thus, the recipient benefitted from the use of the funds for a short period of time.^{4/} Therefore, the value received because of the respondent's violation was inevitably less than the amount of his excessive contributions. In this regard, the negligible value of the sums involved in this case did not substantially affect a federal election.

As the Commission is aware, the regulatory provisions applicable to individual contributions are of relatively recent origin and remain largely unfamiliar to the public. In fact, even the most sophisticated among individual contributors generally have only a passing knowledge, if any, that a complex regulatory system exists. When one considers the variety of designated categories of potential recipients of contributions and the difficult aggregation rules, it is likely that inadvertent violations will occur. Consequently, the Commission may properly decline to take an action that would discourage the exercise of an important right and participation in a socially desirable activity.^{5/}

Finally, we wish to emphasize that this MUR suggests that the excessive contributions were inadvertent. There is no evidence of a blatant, intentional violation.

To summarize:

1. the respondent voluntarily contacted the Commission concerning the alleged violations;

^{4/} 26 U.S.C. § 483 proposes a method for computing unstated interest. Alternatively, the prime rate might be used. Under either alternative, the economic benefit of Mr. Valenti's excessive contributions was less than \$300.00.

^{5/} See the statement of Hugh Scott, Senator from Pennsylvania before the Subcommittee on Privileges and Elections, House Committee on Rules and Administration, 92d Congress (May 25, 1961): "The best interests of the United States are not served through restricting the political activities of its citizens. Rather, we should be encouraging the fullest participation of both."

85040523309

AKIN, GUMP, STRAUSS, HAUER & FELD

Mr. John Warren McGarry

March 1, 1985

Page 6

2. the respondent sought a refund of his excessive contributions before the Commission advised him to do so;
3. the amount of excessive contributions was recovered;
4. the excessive contributions did not affect a federal election;
5. further action in this MUR may "chill" the future exercise of First Amendment rights.

Viewed as a whole, therefore, the facts in this MUR suggest a violation that is within a category of cases which the Commission has ample discretion to dismiss without further action.

Sincerely,

AKIN, GUMP, STRAUSS, HAUER & FELD

By:



Edward S. Knight
Fred Slabach

85040523310

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AKIN, GUMP, STRAUSS, HAUER & FELD

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

1333 NEW HAMPSHIRE AVENUE, N.W.

SUITE 400

WASHINGTON, D.C. 20036

(202) 887-4000

TELEX NUMBERS:

89-665

440-509

WRITERS DIRECT DIAL NUMBER 887: 4135

AUSTIN OFFICE

900 AMERICAN BANK TOWER

AUSTIN, TEXAS 78701

(512) 476-7167

SAN ANTONIO OFFICE

1100 ONE RIVERWALK PLACE

700 NORTH ST. MARY'S STREET

SAN ANTONIO, TEXAS 78205

(512) 224-1801

NEW YORK OFFICE

SUITE 2100

445 PARK AVENUE

NEW YORK, NEW YORK 10022

(212) 223-1333

DALLAS OFFICE
2800 REPUBLIC BANK BUILDING
DALLAS, TEXAS 75201
(214) 655-2800

LONDON OFFICE
31 CURZON STREET
LONDON, W. 1
(01) 409-1093

December 28, 1984

Kenneth A. Gross, Esquire
Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

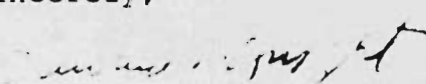
Dear Mr. Gross:

On behalf of our client, Mr. Jack Valenti, we are notifying your office sua sponte of a possible unintentional violation of Federal Election Commission regulation 11 C.F.R. § 110.5, concerning the annual contribution limit. It appears that Mr. Valenti may have inadvertently exceeded the annual contribution limits for 1984. We enclose a list that, according to his records, reflects federal election contributions for that year.

In addition to notifying the Commission sua sponte, Mr. Valenti is taking other mitigating actions. He is endeavoring to have certain 1984 contributions refunded to him.

Mr. Valenti intends to cooperate in every possible way with the Commission on this matter.

Sincerely,


Edward S. Knight

Enclosure

85040523312

**CONTRIBUTIONS GIVEN IN 1983
BUT ATTRIBUTED TO 1984**

2/04/83	Cranston For President	\$ 1,000
2/15/83	Mondale for President	1,000
2/23/83	Committee to Re-elect Jack Brooks (D-TX)	1,000
2/23/83	The Simpson Senate Committee (R-WY)	1,000
2/24/83	The Committee to Re-elect Esteban Torres (D-CA)	500
3/16/83	Americans for Hart	1,000
3/16/84	Committee to Re-elect Congressman Joe Moakley (D-MA)	100
4/05/83	The Committee to Re-elect Barney Frank (D-MA)	500
4/13/83	Hollings for President (D-SC)	1,000
4/18/83	Guy Vander Jagt Campaign Committee (R-MI)	200
4/22/83	Friends of Max Baucus (D-MI)	200
5/11/83	Sala Burton for Congress (D-CA)	500
5/19/83	Fields for Congress (R-TX)	300
6/02/83	The William Lehman Campaign Fund (D-FL)	150
6/07/83	Citizens for Minish (D-NJ)	250
6/07/83	James R. Jones Election Committee (D-OK)	1,000
6/13/83	Cohen for Senator (R-ME)	500
6/13/83	Citizens for Downey (D-NY)	500
6/16/83	Friends of Jim Moody (D-WI)	250
6/20/83	McNulty for Congress (D-AZ)	250
7/18/83	John Glenn Presidential Campaign Committee (D-OH)	500
7/18/83	James J. Florio Campaign Fund, Inc. (D-NJ)	250
7/18/83	Committee for Congressman Ronald Dellums (D-CA)	100
7/22/83	The Committee to Re-elect Harold Ford (D-TN)	500
8/24/83	Friends of Senator Carl Levin (D-MI)	500
8/31/83	Conte for Congress Committee (R-MA)	500
9/01/83	Friends of Bob Carr (D-MI)	250
9/13/83	The Committee to Re-elect LaFalce (D-NY)	1,000
9/14/83	Friends of Howell Heflin (D-AL)	500
9/14/83	Mineta for Congress (D-CA)	250
9/20/83	Citizens for Cardiss Collins (D-IL)	250
9/20/83	Leland for Congress (D-TX)	250
9/26/83	Rinaldo for Congress Committee (R-NJ)	250
10/13/83	Torricelli for Congress (D-NJ)	250
10/13/83	People for Pete Committee (R-MN)	1,000
10/25/83	Norman Dicks for Congress Committee (D-WA)	250
10/25/83	Guarini for Congress Committee (D-NJ)	250
10/27/83	Cheney for Congress (D-WY)	500
11/07/83	Keep Kastenmeier in Congress Committee (D-WI)	100
11/07/83	Citizens for U.S. Representative Hal Sawyer (R-MI)	250
11/15/83	Ed Markey for Congress Committee (D-MA)	1,000
11/17/83	New Mexicans for Bill Richardson (D-NM)	250
12/01/83	Friends of Bob Carr (D-MI)	500
TOTAL		\$20,650

8 5 0 4 0 5 2 3 3 1 3

**CONTRIBUTIONS GIVEN IN AND
ATTRIBUTED TO 1984**

1/20/84	Eckart for Congress Committee (D-OH)	\$ 500
1/27/84	Glickman for Congress Committee (D-KS)	500
1/27/84	John D. Dingell for Congress Committee (D-MI)	500
2/16/84	Larry Smith for Congress (D-FL)	250
2/16/84	Sala Burton for Congress (D-CA)	500
2/17/84	The Democratic Congressional Campaign Committee	1,000
6/22/84	MPAA PAC	<u>5,000</u>

TOTAL \$ 8,250

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8 5 0 4 0 5 2 3 3 1 5



P.O. Box 627 ★ ★ ★ Oak Lawn, Illinois 60454-2677

Phone: (312) 891-6200

Co-Chairpersons
LAWRENCE P. GULOTTA
KAREN VOGEL

Campaign Manager
AUSTIN KELLY

Finance Chairman
JOSEPH CARI

February 15, 1985

Ms. Nancy Thompson, Treasurer
Motion Picture Assn. of America
Political Action Committee
1600 Eye Street, N.W.
Washington, D.C. 20006

Dear Ms. Thompson:

Pursuant to your conversation with a member of Marty's staff, I would like to inform you that due to an error in posting, a mistake was made relative to the contribution that was given by the Motion Picture Association PAC in April of 1983. The contribution was mistakenly credited to Mr. Valenti's personal account rather than the PAC.

In an effort to correct this error a letter is being sent to the FEC asking for an amendment to the FEC report for the period January 1, 1983 to June 30, 1983. A copy of this letter will be forthcoming to you from our accountants. You should receive your copy by next Wednesday at the latest.

I regret any inconvenience this may have caused you.

Sincerely,

Carl P. Adducci
CARL P. ADDUCCI
Treasurer

CPA/1g

Carl P. Adducci, Treasurer

Organized and operates under the rules of the Federal Campaign Act of 1971. A copy of our report is filed with the Federal Election Commission and is available for purchase from The Federal Election Commission, Washington, D.C.

RUSSO FOR CONGRESS COMMITTEE
226 North Rose Avenue
Park Ridge, Illinois 60068

COPY

Clerk of the House
1036 Longworth House Office Building
Washington, D.C. 20515

Dear Sir:

Please be advised that on our Report of Receipts and Disbursements for the period ending June 30, 1983, an inadvertent error was made in reporting a contribution of \$1,000.00 received on April 22, 1983. It was originally shown as received from Jack Valenti. Instead, it should have been reported as a contribution from the Motion Picture Association P.A.C.

A copy of the amended return for that period is enclosed.

Yours truly,

Carl P. Adducci
Treasurer

85040523317

8 5 0 4 0 5 2 3 3 1 8

8 5 0 4 0 5 2 3 3 2 0

PAY TO THE ORDER OF *John J. ...*
 \$1,000.00
 DOLLARS
 MARY MARGARET VALENTI
 433 ASHBY STREET NORTH WEST
 WASHINGTON, D.C. 20007
 FEB 15 1983
 6629
 GREENWAY Bank & Trust
 Houston, Texas 77227
 MARY MARGARET VALENTI

FB 34 06 35 4
 PAY ANY BANK P.E.G.
 FRB HOUSTON
 113000040

02FEB84 002129288126 #000018006957
 PAY ANY BANK P.E.G.
 WESTERN SECURITY BANK
 SALEM, OREGON
 88-104

1.72 FOR DEPOSIT ONLY
 REJECT SENATOR MARK HATFIELD COMMENT
 FEB 15 1984 50
 WESTERN SECURITY BANK
 FOR DEPOSIT ONLY
 American Federal Savings & Loan Assoc

8 5 0 4 0 5 2 3 2 1

8 5 0 4 0 5 2 3 3 2 2



MOTION PICTURE ASSOCIATION
OF AMERICA, INC.
1600 EYE STREET, NORTHWEST
WASHINGTON, D. C. 20006

January 29, 1985

Mr. Jack Valenti
President
Motion Picture Association
of America, Inc.
1600 Eye Street, N.W.
Washington, D.C. 20006

Dear Mr. Valenti:

Enclosed please find a check from the Motion Picture Association Political Action Committee in the amount of \$3,900. This sum represents a complete refund of the amount you requested in your letter to me dated December 26, 1984, to bring your personal 1984 contributions within Federal limits.

Sincerely,

Nancy Thompson
Treasurer
MPA/PAC

Enclosure

bcc: Knight
Slabach

85040523323



MOTION PICTURE ASSOCIATION - PAC
1600 EYE STREET, NORTHWEST
WASHINGTON, D. C. 20006

326

15-3/540

Jan. 29, 1985

PAY
TO THE
ORDER OF

Jack Valenti

\$ 3,900.00

Three thousand nine hundred-----DOLLARS

The RIGGS NATIONAL BANK
of WASHINGTON D. C.
MAIN OFFICE
1303 PENNSYLVANIA AVENUE, N.W.

FOR

⑈000326⑈ ⑆054000030⑆ 01⑈08390090⑈

FIRST CLASS MAIL

HAND DELIVERED TO:

JOHN WARREN MCGARRY
CHAIRMAN
FEDERAL ELECTIONS COMMISSION
1325 K Street, N.W.

85 MAR 1 P4:48

FIRST CLASS

FIRST CLASS

FIRST CLASS

FIRST CLASS

FIRST CLASS

FIRST CLASS

FIRST CLASS

FIRST CLASS

FIRST CLASS



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

ED
LFE
COMMUNICATIONS SECRETARY

25 MAR 4 11:47

March 4, 1985

MEMORANDUM TO: The Commission
FROM: Charles N. Steele
General Counsel
By: Kenneth A. Gross
Associate General Counsel
SUBJECT: Pre-MUR 138

SENSITIVE

On February 8, 1985 the Commission approved the recommendation that Pre-MUR 138 should become a MUR. Therefore, all documents which had previously been contained in Pre-MUR 138 should now become MUR 1893.

Attachment
Copy of Certification

85040523325

M1893✓

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Jack Valenti) Pre-MUR 138

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 8, 1985, the Commission decided by a vote of 6-0 to take the following actions in Pre-MUR 138:

1. Open a MUR.
2. Find reason to believe that Jack Valenti violated 2 U.S.C. § 441a(a)(3).
3. Approve the letter attached to the First General Counsel's Report signed February 6, 1985.

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

Attest:

2-11-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: 2-6-85, 1:00
Circulated on 48 hour tally basis: 2-6-85, 4:00

85040523326



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 25, 1985

Edward S. Knight, Esquire
Fred Slabach, Esquire
Akin, Gump, Strauss, Hauer & Feld
1333 New Hampshire Avenue, N.W.
Suite 400
Washington, D.C. 20036

Re: MUR 1893
Jack Valenti

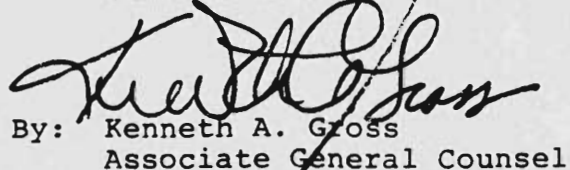
Dear Messrs. Knight and Slabach:

This is in reference to your letter dated February 20, 1985, requesting an extension until March 1, 1985, to respond to the Commission's notice of a reason to believe finding against your client, Jack Valenti. After considering the circumstances presented in your letter, the Office of the General Counsel has determined to grant you your requested extension. Accordingly, your response will be due on or before March 1, 1985.

If you have any questions, please contact Marybeth Tarrant, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

85040523327

#6717
RECEIVED AT THE FEC
HAND DELIVERED
85 FEB 20 P12: 25

AKIN, GUMP, STRAUSS, HAUER & FELD

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

1333 NEW HAMPSHIRE AVENUE, N.W.

SUITE 400

WASHINGTON, D.C. 20036

(202) 887-4000

TELEX NUMBERS:

89-665

440-509

4110

WRITER'S DIRECT DIAL NUMBER 887-

AUSTIN OFFICE
900 AMERICAN BANK TOWER
AUSTIN, TEXAS 78701
(512) 478-7167

SAN ANTONIO OFFICE
1100 ONE RIVERWALK PLACE
700 NORTH ST. MARY'S STREET
SAN ANTONIO, TEXAS 78205
(512) 224-1801

NEW YORK OFFICE
SUITE 2100
445 PARK AVENUE
NEW YORK, NEW YORK 10022
(212) 223-1333

DALLAS OFFICE
2800 REPUBLIC BANK BUILDING
DALLAS, TEXAS 75201
(214) 655-2800

LONDON OFFICE
31 CURZON STREET
LONDON, W. 1
(01) 409-1093

February 20, 1985

Ms. Marybeth Tarrant
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1893

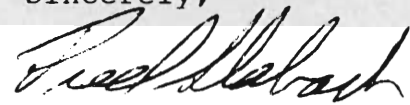
Dear Ms. Tarrant:

We are in receipt of the Federal Election Commission's determination that there is reason to believe our client, Mr. Jack Valenti, violated 2 U.S.C. §441a(a)(3) of the Federal Election Campaign Act of 1971, as amended. Pursuant to our conversation this morning, we respectfully request an extension of time until March 1, 1985 to file a response to that determination.

This extension is necessary to compile additional documentation regarding certain of Mr. Valenti's contributions to candidates for federal office. This information must be compiled from Mr. Valenti's personal files as well as the Motion Picture Association of America Political Action Committee and various candidate campaign committees.

Thank you for your consideration of this request.

Sincerely,



Edward S. Knight
Fred Slabach

/gw

RECEIVED
FEB 20 P 2: 45
GENERAL COUNSEL

8 5 0 4 0 5 2 3 2 8

AKIN, GUMP, STRAUSS, HAUER & FELD

ATTORNEYS AT LAW

SUITE 400

1333 NEW HAMPSHIRE AVENUE, N.W.

WASHINGTON, D.C. 20036

Ms. Marybeth Tarrant
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

85 FEB 20 P12: 25



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

ED
FEC
COMMISSIONARY

25 FEB 13 12:59

February 12, 1985

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

SENSITIVE

By: Kenneth A. Gross
Associate General Counsel

SUBJECT: Pre-MUR 138

On February 8, 1985 the Commission approved the recommendation that the subject Pre-MUR be made a MUR. Therefore, all documents which had previously been identified as Pre-MUR 138 should now become MUR 1893.

Attachment
Copy of Certification

85040523330

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Jack Valenti) Pre-MUR 138

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 8, 1985, the Commission decided by a vote of 6-0 to take the following actions in Pre-MUR 138:

1. Open a MUR.
2. Find reason to believe that Jack Valenti violated 2 U.S.C. § 441a(a)(3).
3. Approve the letter attached to the First General Counsel's Report signed February 6, 1985.

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

Attest:

2-11-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: 2-6-85, 1:00
Circulated on 48 hour tally basis: 2-6-85, 4:00

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Jack Valenti) Pre-MUR 138

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 8, 1985, the Commission decided by a vote of 6-0 to take the following actions in Pre-MUR 138:

1. Open a MUR.
2. Find reason to believe that Jack Valenti violated 2 U.S.C. § 441a(a)(3).
3. Approve the letter attached to the First General Counsel's Report signed February 6, 1985.

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

Attest:

2-11-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: 2-6-85, 1:00
Circulated on 48 hour tally basis: 2-6-85, 4:00



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 12, 1985

Edward S. Knight, Esquire
Akin, Gump, Strauss, Hauer & Feld
1333 New Hampshire Avenue, N.W.
Suite 400
Washington, D.C. 20036

Re: MUR 1893
Jack Valenti

Dear Mr. Knight:

On February 8, 1985, the Federal Election Commission determined that there is reason to believe your client, Jack Valenti, violated 2 U.S.C. § 441a(a)(3), 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 your client. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your client, 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 so desired. See 11 C.F.R. § 111.18(d).

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.

Letter to Edward S. Knight
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 Marybeth Tarrant, the staff member assigned to this matter, at (202)523-4143.

Sincerely,



John Warren McGarry
Chairman

Enclosures

General Counsel's Factual and Legal Analysis
Procedures

8504052334

85040523335

MUR NO. 1893
STAFF MEMBER(S) & TEL. NO.
Marybeth Tarrant
(202) 523-4143

RESPONDENT Jack Valenti

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D
 (Sua Sponte)

SUMMARY OF ALLEGATIONS

It is alleged that Mr. Valenti has violated 2 U.S.C. § 441a(a) (3) by making contributions in excess of the \$25,000 annual limit for 1984.

FACTUAL BASIS AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(3), an individual is prohibited from making contributions aggregating more than \$25,000 in any calendar year. For purposes of this section, any contribution made to a candidate in a year other than the calendar year in which the election is held with respect to which such contribution is made, is considered to be made during the calendar year in which such election is held.

Pursuant to a list of contributions furnished by Mr. Valenti, the Respondent exceeded the limit for 1984 by \$3,900. See Attachment 1. However, according to reports filed with the Commission, there are several more contributions, totalling \$3,500, which should be attributed to the Respondent's 1984 limit

and which were not included on his list. See Attachment 2. They are as follows:

<u>Date</u>	<u>Amount</u>	<u>Recipient</u>
04/22/83	\$1,000	Russo for Congress Cmte.
05/23/83	\$1,000	David Pryor for U.S. Senate Cmte.
11/21/83	\$1,000	J. J. "Jake" Pickle Re-election Cmte.
01/15/84	\$ 500 */	Re-elect Senator Mark Hatfield Cmte.

As it is apparent that Mr. Valenti has exceeded the \$25,000 limitation by \$7,400, the Office of the General Counsel recommends that the Commission open a MUR and find reason to believe that Jack Valenti violated 2 U.S.C. § 441a(a)(3).

Attachments

1. List furnished by Mr. Valenti.
2. Additional contributions

*/ This contribution was listed on the committee's report as a \$1,000 contribution from both Mr. & Mrs. Jack Valenti. Therefore, we are attributing \$500 to Mr. Valenti.

85040523336

**CONTRIBUTIONS GIVEN IN 1983
BUT ATTRIBUTED TO 1984**

2/04/83	Cranston For President	\$ 1,000
2/15/83	Mondale for President	1,000
2/23/83	Committee to Re-elect Jack Brooks (D-TX)	1,000
2/23/83	The Simpson Senate Committee (R-WY)	1,000
2/24/83	The Committee to Re-elect Esteban Torres (D-CA)	500
3/16/83	Americans for Hart	1,000
3/16/83	Committee to Re-elect	
	ESK Congressman Joe Moakley (D-MA)	100
4/05/83	The Committee to Re-elect Barney Frank (D-MA)	500
4/13/83	Hollings for President (D-SC)	1,000
4/18/83	Guy Vander Jagt Campaign Committee (R-MI)	200
4/22/83	Friends of Max Baucus (D-MI)	200
5/11/83	Sala Burton for Congress (D-CA)	500
5/19/83	Fields for Congress (R-TX)	300
6/02/83	The William Lehman Campaign Fund (D-FL)	150
6/07/83	Citizens for Minish (D-NJ)	250
6/07/83	James R. Jones Election Committee (D-OK)	1,000
6/13/83	Cohen for Senator (R-ME)	500
6/13/83	Citizens for Downey (D-NY)	500
6/16/83	Friends of Jim Moody (D-WI)	250
6/20/83	McNulty for Congress (D-AZ)	250
7/18/83	John Glenn Presidential Campaign Committee (D-OH)	500
7/18/83	James J. Florio Campaign Fund, Inc. (D-NJ)	250
7/18/83	Committee for Congressman Ronald Dellums (D-CA)	100
7/22/83	The Committee to Re-elect Harold Ford (D-TN)	500
8/24/83	Friends of Senator Carl Levin (D-MI)	500
8/31/83	Conte for Congress Committee (R-MA)	500
9/01/83	Friends of Bob Carr (D-MI)	250
9/13/83	The Committee to Re-elect LaFalce (D-NY)	1,000
9/14/83	Friends of Howell Heflin (D-AL)	500
9/14/83	Mineta for Congress (D-CA)	250
9/20/83	Citizens for Cardiss Collins (D-IL)	250
9/20/83	Leland for Congress (D-TX)	250
9/26/83	Rinaldo for Congress Committee (R-NJ)	250
10/13/83	Torricelli for Congress (D-NJ)	250
10/13/83	People for Pete Committee (R-MN)	1,000
10/25/83	Norman Dicks for Congress Committee (D-WA)	250
10/25/83	Guarini for Congress Committee (D-NJ)	250
10/27/83	Cheney for Congress (D-WY)	500
11/07/83	Keep Kastenmeier in Congress Committee (D-WI)	100
11/07/83	Citizens for U.S. Representative	
	Hal Sawyer (R-MI)	250
11/15/83	Ed Markey for Congress Committee (D-MA)	1,000
11/17/83	New Mexicans for Bill Richardson (D-NM)	250
12/01/83	Friends of Bob Carr (D-MI)	500

TOTAL \$20,650

Attachment 1

8504052337

CONTRIBUTIONS GIVEN IN AND
ATTRIBUTED TO 1984

1/20/84	Eckart for Congress Committee (D-OH)	\$ 500
1/27/84	Glickman for Congress Committee (D-KS)	500
1/27/84	John D. Dingell for Congress Committee (D-MI)	500
2/16/84	Larry Smith for Congress (D-FL)	250
2/16/84	Sala Burton for Congress (D-CA)	500
2/17/84	The Democratic Congressional Campaign Committee	1,000
6/22/84	MPAA PAC	<u>5,000</u>

TOTAL	<u><u>\$ 8,250</u></u>
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8 5 0 4 0 5 2 3 3 3 8

ITINERARY RECEIPTS

Any information copied from such Receipts or Statements may not be sold or used by any person for the purpose of collecting 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)
RUSCO FOR CONGRESS COMMITTEE

A. Full Name, Mailing Address and ZIP Code Kevin B. McCarthy 1920 South Glenwood Springfield, Illinois 62704	Name of Employer Welfes & Kelly Occupation Attorney	Date (month, day, year) 4-15-83	Amount of Each Receipt This Period 250.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date-\$ 250.00		
B. Full Name, Mailing Address and ZIP Code Paul S. Quinn 1735 New York Avenue, N.W. Washington, D. C. 20006	Name of Employer Wilkinson, Cragun & Barker Occupation Attorney	Date (month, day, year) 4-14-83	Amount of Each Receipt This Period 250.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date-\$ 250.00		
C. Full Name, Mailing Address and ZIP Code Jack J. Valenti 1600 Eye Street, N.W. Washington, D. C. 20006	Name of Employer Motion Picture Assoc. of America, Inc. Occupation President	Date (month, day, year) 4-22-83	Amount of Each Receipt This Period 1,000.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date-\$ 1,000.00		
D. Full Name, Mailing Address and ZIP Code Hector Alcalde 1101 South Arlington Arlington, Virginia 22202	Name of Employer Alcalde, Henderson & O'Bannon Occupation Consultant	Date (month, day, year) 5- 5-83	Amount of Each Receipt This Period 250.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date-\$ 250.00		
E. Full Name, Mailing Address and ZIP Code Carl F. Arnold 1121 Basil Road McLean, Virginia 22101	Name of Employer Self-Employed Occupation Consultant	Date (month, day, year) 5- 5-83	Amount of Each Receipt This Period 250.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date-\$ 250.00		
F. Full Name, Mailing Address and ZIP Code Thomas Hale Boggs, Jr. 2550 "M" Street, N.W. Washington, D. C. 20037	Name of Employer Patton, Boggs, & Blow Occupation Attorney	Date (month, day, year) 5- 5-83	Amount of Each Receipt This Period 250.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date-\$ 250.00		
G. Full Name, Mailing Address and ZIP Code Thomas A. Davis 499 South Capitol Street, Suite 407 Washington, D. C. 20003	Name of Employer Davis & McLeod Occupation Attorney	Date (month, day, year) 5- 5-83	Amount of Each Receipt This Period 250.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date-\$ 250.00		
SUBTOTAL of Receipts This Page (optional)			2,500.00
TOTAL This Period (last page this line number only)			

Attachment 2

SCHEDULE A

ITEMIZED RECEIPTS

LONG FORM
Also attach statement for each
category of the following
Schedule Page

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of collecting 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 **DAVID PRYOR FOR U. S. SENATE COMMITTEE** Page **57** of **59** Pages

A. Full Name, Mailing Address and ZIP Code James E. Smith 5214 Farrington Road Bethesda MD 20816	Name of Employer 	Date (month, day, year) 05-23-83	Amount of Cash Received This Period 250.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation 	Aggregate Year-to-Date—\$	
B. Full Name, Mailing Address and ZIP Code Jack J. Valenti 1600 Eye Street N.W. Washington DC 20007	Name of Employer Motion Picture Ass 	Date (month, day, year) 05-23-83	Amount of Cash Received This Period 1,000.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation 	Aggregate Year-to-Date—\$	
C. Full Name, Mailing Address and ZIP Code Lucille Westbrook 903 N. Main Street Nashville AR 71852	Name of Employer 	Date (month, day, year) 05-23-83	Amount of Cash Received This Period 500.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation 	Aggregate Year-to-Date—\$	
D. Full Name, Mailing Address and ZIP Code Jane E. Stern 2404 West 47th Ave. Pine Bluff AR 71603	Name of Employer 	Date (month, day, year) 06-13-83	Amount of Cash Received This Period 250.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation 	Aggregate Year-to-Date—\$	
E. Full Name, Mailing Address and ZIP Code Edwin C. Cox, Jr. 1908 Oak Court Pocahontas AR 72455	Name of Employer 	Date (month, day, year) 05-23-83	Amount of Cash Received This Period 100.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation 	Aggregate Year-to-Date—\$	
F. Full Name, Mailing Address and ZIP Code Carolyn P. Chiechi 1666 K Street, N. W. Washington DC 20006	Name of Employer 	Date (month, day, year) 06-30-83	Amount of Cash Received This Period 250.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation 	Aggregate Year-to-Date—\$	
G. Full Name, Mailing Address and ZIP Code William S. Cory 1666 K. Street, N. W. Washington DC 20006	Name of Employer 	Date (month, day, year) 06-30-83	Amount of Cash Received This Period 250.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation 	Aggregate Year-to-Date—\$	
Subtotal of Receipts This Campaign Period			

03020052764

SCHEDULE A

ITEMIZED RECEIPTS

Also prepare and file with
Secretary of the United States
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)

J. J. "Jake" Pickle Re-election Committee

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
John D. Munnally P. O. Box 430 Marble Falls, Texas 78654	Self-employed	11/21/83	\$100.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation Real Estate	Aggregate Year-to-Date-\$ 100.00	
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Robert T. Present 2900 Willowbridge Circle Austin, Texas 78703	Texas Bank of Commerce	11/21/83	\$250.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation President	Aggregate Year-to-Date-\$ 250.00	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Gibson Randle 1700 InterFirst Bank Tower Austin, Texas 78701	Self-employed	11/21/83	\$100.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation Attorney	Aggregate Year-to-Date-\$ 100.00	
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Jim A. Smith 602 East 43rd Street Austin, Texas 78751	Tracor	11/21/83	\$250.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation Finance Executive	Aggregate Year-to-Date-\$ 250.00	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Walter Vackar 1711 Rio Grande Austin, Texas 78701	Walter Vackar Associates	11/21/83	\$250.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation President	Aggregate Year-to-Date-\$ 250.00	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Jack Valenti 1600 Eye Street, N.W. Washington, D. C. 20006	Motion Picture Association of America	11/21/83	\$1000.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation Executive Director	Aggregate Year-to-Date-\$ 1000.00	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Pete G. Vescovo 805 West 5th Street Austin, Texas 78703	Austin Toyota	11/21/83	\$250.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation President	Aggregate Year-to-Date-\$ 250.00	
SUBTOTAL of Receipts This Page (optional)			\$2,200.00
TOTAL This Period (last page also this number only)			

SCHEDULE A

ITEMIZED RECEIPTS

Page 1 of 1
 This document is to be used for each receipt of the financial summary page

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

Name of Contributor (in Full)

RE-ELECT SENATOR MARK MATFIELD COMMITTEE

A. Full Name, Mailing Address and ZIP Code Mrs. Donna F. Tuttle 8218 Volta Place, N.W. Washington, D.C. 20007	Name of Employer U.S. Government	Date (month, day, year) 2/13/84	Amount of Cash Received This Period 1,000.00
Receipts Part ☐ Primary ☐ General ☐ Other (specify):	Occupation Undersecretary of Commerce		Aggregate Year-to-Date—\$1,000.00
B. Full Name, Mailing Address and ZIP Code Mr. and Mrs. Jack Valenti 4635 Ashby Street, N.W. Washington, D.C. 20007	Name of Employer Motion Picture Assn. of America	Date (month, day, year) 1/15/84	Amount of Cash Received This Period 1,000.00
Receipts Part ☐ Primary ☐ General ☐ Other (specify):	Occupation President		Aggregate Year-to-Date—\$1,000.00
C. Full Name, Mailing Address and ZIP Code Mr. Burkett Van Kirk 6800 Newbold Drive Bethesda, Maryland 20034	Name of Employer Webster, Chamberlain & Bean	Date (month, day, year) 3/5/84	Amount of Cash Received This Period 1,000.00
Receipts Part ☐ Primary ☐ General ☐ Other (specify):	Occupation Attorney		Aggregate Year-to-Date—\$1,000.00
D. Full Name, Mailing Address and ZIP Code Mr. Frank M. Warren 121 SW Salmon Portland, OR 97204	Name of Employer n/a	Date (month, day, year) 3/26/84	Amount of Cash Received This Period 500.00
Receipts Part ☐ Primary ☐ General ☐ Other (specify):	Occupation Retired		Aggregate Year-to-Date—\$500.00
E. Full Name, Mailing Address and ZIP Code Mr. J. Douglas White, Jr. 6725 Preslyn Drive SW Portland, Oregon 97225	Name of Employer Schwabe, Williamson, Wyatt, Moore & Roberts	Date (month, day, year) 3/2/84	Amount of Cash Received This Period 200.00
Receipts Part ☐ Primary ☐ General ☐ Other (specify):	Occupation Attorney	3/2/84	100.00
Aggregate Year-to-Date—\$300.00			
F. Full Name, Mailing Address and ZIP Code Mr. and Mrs. Homer G. Williams 9717 SE Cambridge Lane Milwaukie, OR 97222	Name of Employer HCN, Inc.	Date (month, day, year) 1/26/84	Amount of Cash Received This Period 2,000.00
Receipts Part ☐ Primary ☐ General ☐ Other (specify):	Occupation President		Aggregate Year-to-Date—\$2,000.00
G. Full Name, Mailing Address and ZIP Code Mr. Wendell Wyatt 2100 SW Crest Drive Lake Oswego, OR 97034	Name of Employer Schwabe, Williamson Wyatt, Moore & Roberts	Date (month, day, year) 3/2/84	Amount of Cash Received This Period 200.00
Receipts Part ☐ Primary ☐ General ☐ Other (specify):	Occupation Attorney		Aggregate Year-to-Date—\$200.00



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cot*
DATE: February 6, 1985
SUBJECT: Pre-MUR 138 - 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 [x]
 Sensitive [x]
 Non-Sensitive []

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

Information []
 Sensitive []
 Non-Sensitive []

Other []

DISTRIBUTION

Compliance [x]

Audit Matters []

Litigation []

Closed MUR Letters []

Status Sheets []

Advisory Opinions []

Other (see distribution below) []

85040523343

SENSITIVE

FEDERAL ELECTION COMMISSION

1325 K Street, N.W.
Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT

6 P1:00

DATE AND TIME OF TRANSMITTAL

BY OGC TO THE COMMISSION 2/6/85 - 1:00

PreMUR 138

STAFF MEMBER(S)

Marybeth Tarrant

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: Jack Valenti

RELEVANT STATUTE: 2 U.S.C. § 441a(a)(3)

INTERNAL REPORTS CHECKED: Reports filed by political committees

FEDERAL AGENCIES CHECKED: None

GENERATION OF MATTER

On December 28, 1984, Mr. Jack Valenti, through counsel, informed the Commission by letter of his possible violation of 2 U.S.C. § 441a(a)(3).

SUMMARY OF ALLEGATIONS

It is alleged that Mr. Valenti has violated 2 U.S.C. § 441a(a)(3) by making contributions in excess of the \$25,000 annual limit for 1984.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(3), an individual is prohibited from making contributions aggregating more than \$25,000 in any calendar year. For purposes of this section, any contribution made to a candidate in a year other than the calendar year in which the election is held with respect to which such contribution is made, is considered to be made during the calendar year in which such election is held.

85040523344

Pursuant to a list of contributions furnished by Mr. Valenti, the Respondent exceeded the limit for 1984 by \$3,900. See Attachment 1. However, according to reports filed with the Commission, there are several more contributions, totalling \$3,500, which should be attributed to the Respondent's 1984 limit and which were not included on his list. See Attachment 2. They are as follows:

<u>Date</u>	<u>Amount</u>	<u>Recipient</u>
04/22/83	\$1,000	Russo for Congress Cmte.
05/23/83	\$1,000	David Pryor for U.S. Senate Cmte.
11/21/83	\$1,000	J. J. "Jake" Pickle Re-election Cmte.
01/15/84	\$ 500 */	Re-elect Senator Mark Hatfield Cmte.

As it is apparent that Mr. Valenti has exceeded the \$25,000 limitation by \$7,400, the Office of the General Counsel recommends that the Commission open a MUR and find reason to believe that Jack Valenti violated 2 U.S.C. § 441a(a)(3).

RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that Jack Valenti violated 2 U.S.C. § 441a(a)(3).

*/ This contribution was listed on the committee's report as a \$1,000 contribution from both Mr. & Mrs. Jack Valenti. Therefore, we are attributing \$500 to Mr. Valenti.

85040523345

3. Approve attached letter.

Charles N. Steele
General Counsel

February 6, 1985
Date

By: Kenneth A. Gross
Associate General Counsel

Attachments

1. Letter from counsel
2. Additional contributions
3. Proposed Letter
4. General Counsel's Factual and Legal Analysis

85040523346

**CONTRIBUTIONS GIVEN IN 1983
BUT ATTRIBUTED TO 1984**

2/04/83	Cranston For President	\$ 1,000
2/15/83	Mondale for President	1,000
2/23/83	Committee to Re-elect Jack Brooks (D-TX)	1,000
2/23/83	The Simpson Senate Committee (R-WY)	1,000
2/24/83	The Committee to Re-elect Esteban Torres (D-CA)	500
3/16/83	Americans for Hart	1,000
3/16/83	Committee to Re-elect	
	<i>ESK</i> Congressman Joe Moakley (D-MA)	100
4/05/83	The Committee to Re-elect Barney Frank (D-MA)	500
4/13/83	Hollings for President (D-SC)	1,000
4/18/83	Guy Vander Jagt Campaign Committee (R-MI)	200
4/22/83	Friends of Max Baucus (D-MI)	200
5/11/83	Sala Burton for Congress (D-CA)	500
5/19/83	Fields for Congress (R-TX)	300
6/02/83	The William Lehman Campaign Fund (D-FL)	150
6/07/83	Citizens for Minish (D-NJ)	250
6/07/83	James R. Jones Election Committee (D-OK)	1,000
6/13/83	Cohen for Senator (R-ME)	500
6/13/83	Citizens for Downey (D-NY)	500
6/16/83	Friends of Jim Moody (D-WI)	250
6/20/83	McNulty for Congress (D-AZ)	250
7/18/83	John Glenn Presidential Campaign Committee (D-OH)	500
7/18/83	James J. Florio Campaign Fund, Inc. (D-NJ)	250
7/18/83	Committee for Congressman Ronald Dellums (D-CA)	100
7/22/83	The Committee to Re-elect Harold Ford (D-TN)	500
8/24/83	Friends of Senator Carl Levin (D-MI)	500
8/31/83	Conte for Congress Committee (R-MA)	500
9/01/83	Friends of Bob Carr (D-MI)	250
9/13/83	The Committee to Re-elect LaFalce (D-NY)	1,000
9/14/83	Friends of Howell Heflin (D-AL)	500
9/14/83	Mineta for Congress (D-CA)	250
9/20/83	Citizens for Cardiss Collins (D-IL)	250
9/20/83	Leland for Congress (D-TX)	250
9/26/83	Rinaldo for Congress Committee (R-NJ)	250
10/13/83	Torricelli for Congress (D-NJ)	250
10/13/83	People for Pete Committee (R-MN)	1,000
10/25/83	Norman Dicks for Congress Committee (D-WA)	250
10/25/83	Guarini for Congress Committee (D-NJ)	250
10/27/83	Cheney for Congress (D-WY)	500
11/07/83	Keep Kastenmeier in Congress Committee (D-WI)	100
11/07/83	Citizens for U.S. Representative	
	Hal Sawyer (R-MI)	250
11/15/83	Ed Markey for Congress Committee (D-MA)	1,000
11/17/83	New Mexicans for Bill Richardson (D-NM)	250
12/01/83	Friends of Bob Carr (D-MI)	500
	TOTAL	\$20,650

Attachment 1 (1)

**CONTRIBUTIONS GIVEN IN AND
ATTRIBUTED TO 1984**

1/20/84	Eckart for Congress Committee (D-OH)	\$ 500
1/27/84	Glickman for Congress Committee (D-KS)	500
1/27/84	John D. Dingell for Congress Committee (D-MI)	500
2/16/84	Larry Smith for Congress (D-FL)	250
2/16/84	Sala Burton for Congress (D-CA)	500
2/17/84	The Democratic Congressional Campaign Committee	1,000
6/22/84	MPAA PAC	<u>5,000</u>
TOTAL		<u><u>\$ 8,250</u></u>

8 5 0 4 0 5 2 3 3 4 8

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 OR FUND
FUND FOR CONGRESS COMMITTEE

A. Full Name, Mailing Address and ZIP Code Kevin S. McCarthy 1980 South Glenwood Springfield, Illinois 62704	Name of Employer McFalls & Kelly Occupation Attorney	Date (month, day, year) 4-15-83	Amount of Each Receipt This Period 250.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date-\$ 250.00		
B. Full Name, Mailing Address and ZIP Code Paul S. Quinn 1735 New York Avenue, N.W. Washington, D. C. 20006	Name of Employer Wilkinson, Oregon & Parker Occupation Attorney	Date (month, day, year) 4-14-83	Amount of Each Receipt This Period 250.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date-\$ 250.00		
C. Full Name, Mailing Address and ZIP Code Jack J. Valenti 1600 Eye Street, N.W. Washington, D. C. 20006	Name of Employer Motion Picture Assoc. of America, Inc. Occupation President	Date (month, day, year) 4-22-83	Amount of Each Receipt This Period 1,000.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date-\$ 1,000.00		
D. Full Name, Mailing Address and ZIP Code Hector Alcalde 1101 South Arlington Arlington, Virginia 22202	Name of Employer Alcalde, Henderson & O'Bannon Occupation Consultant	Date (month, day, year) 5- 5-83	Amount of Each Receipt This Period 250.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date-\$ 250.00		
E. Full Name, Mailing Address and ZIP Code Carl F. Arnold 1121 Basil Road McLean, Virginia 22101	Name of Employer Self-Employed Occupation Consultant	Date (month, day, year) 5- 5-83	Amount of Each Receipt This Period 250.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date-\$ 250.00		
F. Full Name, Mailing Address and ZIP Code Thomas Hale Boggs, Jr. 2550 "M" Street, N.W. Washington, D. C. 20037	Name of Employer Patton, Boggs, & Blow Occupation Attorney	Date (month, day, year) 5- 5-83	Amount of Each Receipt This Period 250.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date-\$ 250.00		
G. Full Name, Mailing Address and ZIP Code Thomas A. Davis 499 South Capitol Street, Suite 407 Washington, D. C. 20003	Name of Employer Davis & McLeod Occupation Attorney	Date (month, day, year) 5- 5-83	Amount of Each Receipt This Period 250.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date-\$ 250.00		
SUBTOTAL of Receipts This Page (optional)			2,500.00
TOTAL This Period (Run page this line number only)			

Attachment 2

(3)

SCHEDULE A

ITEMIZED RECEIPTS

Line Number
Also attach statement for each category of contributions
January Page

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

Name of Recipient (in Full) **DAVID PRIOR FOR U. S. SENATE COMMITTEE** Page **57** of **59** Pages

A. Full Name, Mailing Address and ZIP Code James E. Smith 5214 Farrington Road Bethesda MD 20816	Name of Employer 	Date (month, day, year) 05-23-83	Amount of Cash Received This Period 250.00
 1600 Eye Street N.W. Washington DC 20007	 Motion Picture Ass 	 05-23-83	 1,000.00
Receipt For: ☒ Primary ☐ General ☐ Other Specify:	Occupation 	 	
 	Aggregate Year-to-Date—\$	1,000.00	
C. Full Name, Mailing Address and ZIP Code Lucille Westbrook 903 N. Main Street Nashville AR 71852	Name of Employer 	Date (month, day, year) 05-23-83	Amount of Cash Received This Period 500.00
Receipt For: ☒ Primary ☐ General ☐ Other Specify:	Occupation 	 	
 	Aggregate Year-to-Date—\$	500.00	
D. Full Name, Mailing Address and ZIP Code Jane E. Stern 2404 West 47th Ave. Pine Bluff AR 71603	Name of Employer 	Date (month, day, year) 06-13-83	Amount of Cash Received This Period 250.00
Receipt For: ☒ Primary ☐ General ☐ Other Specify:	Occupation 	 	
 	Aggregate Year-to-Date—\$	250.00	
E. Full Name, Mailing Address and ZIP Code Kevin C. Cox, Jr. 1908 Oak Court Pocahontas AR 72455	Name of Employer 	Date (month, day, year) 05-23-83	Amount of Cash Received This Period 100.00
Receipt For: ☒ Primary ☐ General ☐ Other Specify:	Occupation 	 	
 	Aggregate Year-to-Date—\$	100.00	
F. Full Name, Mailing Address and ZIP Code Carolyn P. Chiechi 1666 K Street, N. W. Washington DC 20006	Name of Employer 	Date (month, day, year) 06-30-83	Amount of Cash Received This Period 250.00
Receipt For: ☒ Primary ☐ General ☐ Other Specify:	Occupation 	 	
 	Aggregate Year-to-Date—\$	250.00	
G. Full Name, Mailing Address and ZIP Code William S. Cory 1666 K Street, N. W. Washington DC 20006	Name of Employer 	Date (month, day, year) 06-30-83	Amount of Cash Received This Period 250.00
Receipt For: ☒ Primary ☐ General ☐ Other Specify:	Occupation 	 	
 	Aggregate Year-to-Date—\$	250.00	

03020052764

(4)

SCHEDULE A

ITEMIZED RECEIPTS

This receipt is to be used by the contributor of the receipt to the committee of the candidate.

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 contributors.

Name of Committee (in Full)
J. J. "Jake" Pickle Re-election Committee

A. Full Name, Mailing Address and ZIP Code John D. Munnally P. O. Box 430 Marble Falls, Texas 78654 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer Self-employed Occupation Real Estate Aggregate Year-to-Date-\$ 100.00	Date (month, day, year) 11/21/83	Amount of Each Receipt This Period \$100.00
B. Full Name, Mailing Address and ZIP Code Robert T. Present 2900 Willowbridge Circle Austin, Texas 78703 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer Texas Bank of Commerce Occupation President Aggregate Year-to-Date-\$ 250.00	Date (month, day, year) 11/21/83	Amount of Each Receipt This Period \$250.00
C. Full Name, Mailing Address and ZIP Code Gibson Kandle 1700 InterFirst Bank Tower Austin, Texas 78701 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer Self-employed Occupation Attorney Aggregate Year-to-Date-\$ 100.00	Date (month, day, year) 11/21/83	Amount of Each Receipt This Period \$100.00
D. Full Name, Mailing Address and ZIP Code Jim A. Smith 602 East 43rd Street Austin, Texas 78751 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer Tracor Occupation Finance Executive Aggregate Year-to-Date-\$ 250.00	Date (month, day, year) 11/21/83	Amount of Each Receipt This Period \$250.00
E. Full Name, Mailing Address and ZIP Code Walter Vackar 1711 Rio Grande Austin, Texas 78701 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer Walter Vackar Associates Occupation President Aggregate Year-to-Date-\$ 250.00	Date (month, day, year) 11/21/83	Amount of Each Receipt This Period \$250.00
F. Full Name, Mailing Address and ZIP Code Jack Valenti 1600 Eye Street, N.W. Washington, D. C. 20006 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer Motion Picture Association of America Occupation Executive Director Aggregate Year-to-Date-\$ 1000.00	Date (month, day, year) 11/21/83	Amount of Each Receipt This Period \$1000.00
G. Full Name, Mailing Address and ZIP Code Pete G. Vescovo 805 West 5th Street Austin, Texas 78703 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer Austin Toyota Occupation President Aggregate Year-to-Date-\$ 250.00	Date (month, day, year) 11/21/83	Amount of Each Receipt This Period \$250.00
SUBTOTAL of Receipts This Page (optional).....			\$2,200.00
TOTAL This Period (last page this line number only)			

(5)



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Edward S. Knight, Esquire
Akin, Gump, Strauss, Hauer & Feld
1333 New Hampshire Avenue, N.W.
Suite 400
Washington, D.C. 20036

Re: MUR
Jack Valenti

Dear Mr. Knight:

On February , 1985, the Federal Election Commission determined that there is reason to believe your client, Jack Valenti, violated 2 U.S.C. § 441a(a)(3), 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 your client. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your client, 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 so desired. See 11 C.F.R. § 111.18(d).

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 3

7

Letter to Edward S. Knight
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 Marybeth Tarrant, the staff member assigned to this matter, at (202)523-4143.

Sincerely,

John Warren McGarry
Chairman

Enclosures

General Counsel's Factual and Legal Analysis
Procedures

85040523354

855040523355

MUR NO. _____
STAFF MEMBER(S) & TEL. NO.
Marybeth Tarrant
(202) 523-4143

RESPONDENT Jack Valenti

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D
 (Sua Sponte)

SUMMARY OF ALLEGATIONS

It is alleged that Mr. Valenti has violated 2 U.S.C. § 441a(a)(3) by making contributions in excess of the \$25,000 annual limit for 1984.

FACTUAL BASIS AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(3), an individual is prohibited from making contributions aggregating more than \$25,000 in any calendar year. For purposes of this section, any contribution made to a candidate in a year other than the calendar year in which the election is held with respect to which such contribution is made, is considered to be made during the calendar year in which such election is held.

Pursuant to a list of contributions furnished by Mr. Valenti, the Respondent exceeded the limit for 1984 by \$3,900. See Attachment 1. However, according to reports filed with the Commission, there are several more contributions, totalling \$3,500, which should be attributed to the Respondent's 1984 limit

and which were not included on his list. See Attachment 2. They are as follows:

<u>Date</u>	<u>Amount</u>	<u>Recipient</u>
04/22/83	\$1,000	Russo for Congress Cmte.
05/23/83	\$1,000	David Pryor for U.S. Senate Cmte.
11/21/83	\$1,000	J. J. "Jake" Pickle Re-election Cmte.
01/15/84	\$ 500 */	Re-elect Senator Mark Hatfield Cmte.

As it is apparent that Mr. Valenti has exceeded the \$25,000 limitation by \$7,400, the Office of the General Counsel recommends that the Commission open a MUR and find reason to believe that Jack Valenti violated 2 U.S.C. § 441a(a)(3).

Attachments

1. List furnished by Mr. Valenti
2. Additional contributions

*/ This contribution was listed on the committee's report as a \$1,000 contribution from both Mr. & Mrs. Jack Valenti. Therefore, we are attributing \$500 to Mr. Valenti.

85040523356



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 4, 1985

Edward S. Knight, Esquire
Akin, Gump, Strauss, Hauer
& Feld
1333 New Hampshire Avenue, N.W.
Suite 400
Washington, D.C. 20036

Pre-MUR 138

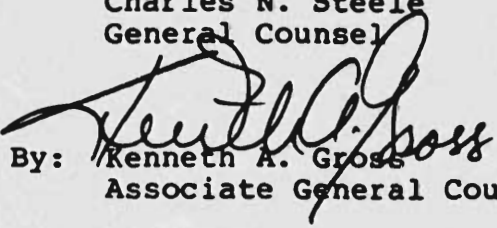
Dear Mr. Knight:

This is to acknowledge receipt of your letter dated December 28, 1984 pertaining to Mr. Jack Valenti. You will be notified as soon as the Commission takes action on your submission.

If you have any questions, please call Marybeth Tarrant, the staff person assigned to this matter, at (202) 523-4143. For your information, we have attached a brief description of the Commission's procedures for handling matters such as this.

Sincerely,

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Enclosure

85040523357

SENSITIVE

AKIN, GUMP, STRAUSS, HAUER & FELD

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

1333 NEW HAMPSHIRE AVENUE, N.W.

SUITE 400

WASHINGTON, D.C. 20036

(202) 887-4000

TELEX NUMBERS:

89-665

440-509

WRITER'S DIRECT DIAL NUMBER 887-

4135

OFFICE OF THE FEC
COMMISSIONER SECRETARY

AUSTIN OFFICE
900 AMERICAN BANK TOWER
AUSTIN, TEXAS 78701
(512) 476-7167

SAN ANTONIO OFFICE
1100 ONE RIVERWALK PLACE
700 NORTH ST. MARY'S STREET
SAN ANTONIO, TEXAS 78205
(512) 224-1801

NEW YORK OFFICE
SUITE 2100
445 PARK AVENUE
NEW YORK, NEW YORK 10022
(212) 223-1333

December 28, 1984

PM
1:38

OFFICE
A10:20

Kenneth A. Gross, Esquire
Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Mr. Gross:

On behalf of our client, Mr. Jack Valenti, we are notifying your office sua sponte of a possible unintentional violation of Federal Election Commission regulation 11 C.F.R. § 110.5, concerning the annual contribution limit. It appears that Mr. Valenti may have inadvertently exceeded the annual contribution limits for 1984. We enclose a list that, according to his records, reflects federal election contributions for that year.

In addition to notifying the Commission sua sponte, Mr. Valenti is taking other mitigating actions. He is endeavoring to have certain 1984 contributions refunded to him.

Mr. Valenti intends to cooperate in every possible way with the Commission on this matter.

Sincerely,

Edward S. Knight

Edward S. Knight

Enclosure

85040523358

CONTRIBUTIONS GIVEN IN 1983
BUT ATTRIBUTED TO 1984

2/04/83	Cranston For President	\$ 1,000
2/15/83	Mondale for President	1,000
2/23/83	Committee to Re-elect Jack Brooks (D-TX)	1,000
2/23/83	The Simpson Senate Committee (R-WY)	1,000
2/24/83	The Committee to Re-elect Esteban Torres (D-CA)	500
3/16/83	Americans for Hart	1,000
3/16/83	Committee to Re-elect	
	<i>Esk</i> Congressman Joe Moakley (D-MA)	100
4/05/83	The Committee to Re-elect Barney Frank (D-MA)	500
4/13/83	Hollings for President (D-SC)	1,000
4/18/83	Guy Vander Jagt Campaign Committee (R-MI)	200
4/22/83	Friends of Max Baucus (D-MI)	200
5/11/83	Sala Burton for Congress (D-CA)	500
5/19/83	Fields for Congress (R-TX)	300
6/02/83	The William Lehman Campaign Fund (D-FL)	150
6/07/83	Citizens for Minish (D-NJ)	250
6/07/83	James R. Jones Election Committee (D-OK)	1,000
6/13/83	Cohen for Senator (R-ME)	500
6/13/83	Citizens for Downey (D-NY)	500
6/16/83	Friends of Jim Moody (D-WI)	250
6/20/83	McNulty for Congress (D-AZ)	250
7/18/83	John Glenn Presidential Campaign Committee (D-OH)	500
7/18/83	James J. Florio Campaign Fund, Inc. (D-NJ)	250
7/18/83	Committee for Congressman Ronald Dellums (D-CA)	100
7/22/83	The Committee to Re-elect Harold Ford (D-TN)	500
8/24/83	Friends of Senator Carl Levin (D-MI)	500
8/31/83	Conte for Congress Committee (R-MA)	500
9/01/83	Friends of Bob Carr (D-MI)	250
9/13/83	The Committee to Re-elect LaFalce (D-NY)	1,000
9/14/83	Friends of Howell Heflin (D-AL)	500
9/14/83	Mineta for Congress (D-CA)	250
9/20/83	Citizens for Cardiss Collins (D-IL)	250
9/20/83	Leland for Congress (D-TX)	250
9/26/83	Rinaldo for Congress Committee (R-NJ)	250
10/13/83	Torricelli for Congress (D-NJ)	250
10/13/83	People for Pete Committee (R-MN)	1,000
10/25/83	Norman Dicks for Congress Committee (D-WA)	250
10/25/83	Guarini for Congress Committee (D-NJ)	250
10/27/83	Cheney for Congress (D-WY)	500
11/07/83	Keep Kastenmeier in Congress Committee (D-WI)	100
11/07/83	Citizens for U.S. Representative	
	Hal Sawyer (R-MI)	250
11/15/83	Ed Markey for Congress Committee (D-MA)	1,000
11/17/83	New Mexicans for Bill Richardson (D-NM)	250
12/01/83	Friends of Bob Carr (D-MI)	500

TOTAL

\$20,650

85040523359

CONTRIBUTIONS GIVEN IN AND
ATTRIBUTED TO 1984

1/20/84	Eckart for Congress Committee (D-OH)	\$ 500
1/27/84	Glickman for Congress Committee (D-KS)	500
1/27/84	John D. Dingell for Congress Committee (D-MI)	500
2/16/84	Larry Smith for Congress (D-FL)	250
2/16/84	Sala Burton for Congress (D-CA)	500
2/17/84	The Democratic Congressional Campaign Committee	1,000
6/22/84	MPAA PAC	<u>5,000</u>

TOTAL	<u>\$ 8,250</u>
-------	-----------------

8 5 0 4 0 5 2 3 3 6 0



MOTION PICTURE ASSOCIATION
OF AMERICA, INC.
1600 EYE STREET, NORTHWEST
WASHINGTON, D. C. 20006

JACK VALENTI
PRESIDENT

December 28, 1984

202-293-1966

Dear Mr. Gross

In accordance with Federal Election Commission regulation 11 C.F.R. Sec. 111.23, this letter notifies the Commission that Edward S. Knight, and other attorneys of the law firm Akin, Gump, Strauss, Hauer and Feld at Mr. Knight's direction, shall represent me in any matters pending before the Commission. I authorize Mr. Knight to receive on my behalf any and all notifications and other communications from the Commission. This notification shall remain in effect until I inform the Commission otherwise in writing.

The address and telephone number of Mr. Knight are listed below:

Edward S. Knight, Esquire
Akin, Gump, Strauss, Hauer & Feld
Suite 400
1333 New Hampshire Avenue, N.W.
Washington, D.C. 20036
(202) 887-4135

Sincerely,

Kenneth A. Gross, Esquire
Associate General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

85040523361

GCC# 6109
PM 138

AKIN, GUMP, STRAUSS, HAUER & FELD

ATTORNEYS AT LAW

DALLAS OFFICE
2800 REPUBLIC BANK BUILDING
DALLAS, TEXAS 75201
(214) 655-2800

LONDON OFFICE
31 CURZON STREET
LONDON, W. 1
(01) 409-1093

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

1333 NEW HAMPSHIRE AVENUE, N.W.

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4135

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700 NORTH ST. MARY'S STREET
SAN ANTONIO, TEXAS 78205
(512) 224-1801

NEW YORK OFFICE
SUITE 2100
445 PARK AVENUE
NEW YORK, NEW YORK 10022
(212) 223-1333

December 28, 1984

Kenneth A. Gross, Esquire
Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

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Mr. Valenti intends to cooperate in every possible way with the Commission on this matter.

Sincerely,

Edward S. Knight

Edward S. Knight

Enclosure

OFFICE
DEC 28
A10:20
GENERAL COUNSEL

85040523362

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BUT ATTRIBUTED TO 1984**

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11/07/83	Keep Kastenmeier in Congress Committee (D-WI)	100
11/07/83	Citizens for U.S. Representative	
	Hal Sawyer (R-MI)	250
11/15/83	Ed Markey for Congress Committee (D-MA)	1,000
11/17/83	New Mexicans for Bill Richardson (D-NM)	250
12/01/83	Friends of Bob Carr (D-MI)	500
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3 6 3 3 2 5 4 0 5 3 5 8

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ATTRIBUTED TO 1984**

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6/22/84	MPAA PAC	<u>5,000</u>

TOTAL \$ 8,250

8 5 0 4 0 5 2 3 3 6 4



MOTION PICTURE ASSOCIATION
OF AMERICA, INC.
1600 EYE STREET, NORTHWEST
WASHINGTON, D. C. 20006

JACK VALENTI
PRESIDENT

December 28, 1984

202-293-1966

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The address and telephone number of Mr. Knight are listed below:

Edward S. Knight, Esquire
Akin, Gump, Strauss, Hauer & Feld
Suite 400
1333 New Hampshire Avenue, N.W.
Washington, D.C. 20036
(202) 887-4135

Sincerely,

Kenneth A. Gross, Esquire
Associate General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

85040523365



FEDERAL ELECTION COMMISSION

1325 K STREET NW
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1893

Date Filmed 4/26/85 Camera No. --- 4

Cameraman AL

85040523366