



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 2081

Date Filmed 2/8/86 Camera No. --- 3

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FEDERAL ELECTION COMMISSION

Routing cards & slips; Assignment slip;
RAD cover memo (re thresholds); 12 Day Report
Comments; Commissioners' objection memos;
Conciliation Correspondence; Conciliation reports

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

- | | |
|--|---|
| ☐ (1) Classified Information | ☐ (6) Personal privacy |
| ☒ (2) Internal rules and practices | ☐ (7) Investigatory files |
| ☒ (3) Exempted by other statute | ☐ (8) Banking Information |
| ☐ (4) Trade secrets and commercial or financial information | ☐ (9) Well Information (geographic or geophysical) |
| ☒ (5) Internal Documents | |

Signed

George Deming

date

7/30/86

FEC 9-21-77

86040510065

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Campaign for Prosperity) MUR 2081
and Stanton D. Anderson,)
as treasurer)
Citizens for Jack Kemp)
and Malcolm K. Buckley,)
as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 14, 1986, the Commission decided by a vote of 6-0 to take the following actions in MUR 2081:

1. Accept the conciliation agreement with Campaign for Prosperity and Stanton D. Anderson, as treasurer, as recommended in the General Counsel's Report signed July 10, 1986.
2. Accept the conciliation agreement with Citizens for Jack Kemp and Malcolm K. Buckley, as treasurer, as recommended in the General Counsel's Report signed July 10, 1986.
3. Approve the proposed letters, as recommended in the General Counsel's Report signed July 10, 1986.
4. Close the file.

Commissioners Aikens, Elliott, Harris, Josefiak, McDonald and McGarry voted affirmatively for this decision.

Attest:

7-15-86

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:	Thurs.,	7-10-86,	11:42
Circulated on 48 hour tally basis:	Thurs.,	7-10-86,	4:00
Deadline for vote:	Mon.,	7-14-86,	4:00

86040510066



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

permanent

July 17, 1986

William J. Olson, Esquire
Smiley, Olson, Gilman & Pangia
1815 H Street, N.W.
Washington, D.C. 20006-3604

RE: MUR 2081
Campaign for
Prosperity and
Stanton D. Anderson,
as treasurer

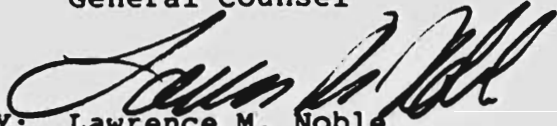
Dear Mr. Olson:

On July 14, 1986, the Commission accepted the conciliation agreement signed by you in settlement of a violation of 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel


BY: Lawrence M. Noble
Deputy General Counsel

Enclosure
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Campaign for Prosperity) MUR 2081
and Stanton D. Anderson,)
as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Campaign for Prosperity and Stanton D. Anderson, as treasurer, ("Respondents") violated 2 U.S.C. § 441a(f) by accepting an excessive contribution from Citizens for Jack Kemp.

NOW, THEREFORE, the Commission and Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

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

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1. Respondent Campaign for Prosperity ("CFP") is a political committee within the meaning of 2 U.S.C. § 431(4)(A).

2. Respondent Stanton D. Anderson is the treasurer of CFP.

3. A \$18,366 debt owed to Citizens for Jack Kemp ("CFJK") was incurred by CFP in August 1984, but not reported on Schedule D with its regular October 15 Quarterly Report.

4. The amended 1984 October Quarterly Report filed by Campaign for Prosperity ("CFP") on January 22, 1985 disclosed the \$18,366 debt owed by CFP to CFJK and a \$5,000 in-kind contribution from CFJK to CFP for books received from CFJK.

5. An additional debt of \$17,119.03 owed by CFP to CFJK was incurred in January 1985 and properly reported. All debts have now been repaid in full.

6. CFP failed to respond in writing to a Request for Additional Information from the FEC dated February 20, 1985.

7. 2 U.S.C. § 431(8)(A) states that a contribution is any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.

8. 11 C.F.R. § 100.7(a)(4) states that the extension of credit by any person for a length of time beyond normal business or trade practice is a contribution, unless the creditor has made a commercially reasonable attempt to collect the debt.

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9. 2 U.S.C. § 441a(a)(1)(C) states that no person shall make any contribution to a political committee, except political committees established and maintained by a national party, in any calendar year which, in the aggregate, exceeds \$5,000.

10. 2 U.S.C. § 441a(f) states that no political committee shall knowingly accept or make any expenditure in violation of the \$5,000 aggregate limitation imposed on contributions under this section.

V. Respondents' acceptance of a \$23,366 contribution from Citizens for Jack Kemp was \$18,366 in excess of contribution limitations and in violation of 2 U.S.C. § 441a(f).

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of Two Thousand Seven Hundred and Fifty Dollars (\$2,750), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and

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implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY:

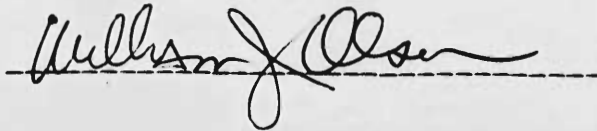


Lawrence M. Noble
Deputy General Counsel

Date

7/17/86

FOR THE RESPONDENT:



Date

June 30, 1986

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

William J. Olson, Esquire
Smiley, Olson, Gilman & Pangia
1815 H Street, N.W.
Washington, D.C. 20006-3604

RE: MUR 2081
Campaign for
Prosperity and
Stanton D. Anderson,
as treasurer

Dear Mr. Olson:

On , 1986, the Commission accepted the conciliation agreement signed by you in settlement of a violation of 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

BY: Lawrence M. Noble
Deputy General Counsel

Enclosure
Conciliation Agreement

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7/16/86
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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 17, 1986

Alan R. Swendiman, Esquire
Jackson & Campbell, P.C.
One Lafayette Centre
Suite 300
1120 20th Street, N.W.
Washington, D.C. 20036-3437

RE: MUR 2081
Citizens for Jack
Kemp and Malcolm K.
Buckley, as treasurer

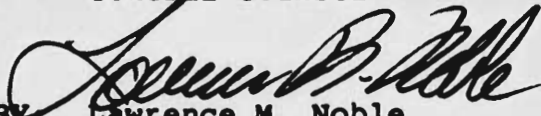
Dear Mr. Swendiman:

On July 14, 1986, the Commission accepted the conciliation agreement signed by the Committee in settlement of violations of 2 U.S.C. § 434(b)(4)(G) and 441a(a)(1)(C), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement of your files.

Sincerely,

Charles N. Steele
General Counsel


BY: Lawrence M. Noble
Deputy General Counsel

Enclosure
Conciliation Agreement

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permanent

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Citizens for Jack Kemp and) MUR 2081
Malcom K. Buckley,)
as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Citizens for Jack Kemp and Malcom K. Buckley, as treasurer, ("Respondents") violated 2 U.S.C. § 441a(a)(1)(C) by making an excessive contribution to Campaign for Prosperity. The Commission also found reason to believe that the Respondents violated 2 U.S.C. § 434(b)(4)(G) by failing to disclose a \$23,366 disbursement to Campaign for Prosperity.

NOW, THEREFORE, the Commission and Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

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

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1. Respondent Citizens for Jack Kemp ("CFJK") is the principal campaign committee of Congressman Jack Kemp.
2. Respondent Malcom K. Buckley is the treasurer of CFJK.
3. The amended 1984 October Quarterly Report filed by Campaign for Prosperity ("CFP") disclosed a \$5,000 in-kind contribution and an \$18,366 debt owed to CFJK for books received from CFJK.
4. The \$18,366 debt owed to CFJK was incurred by CFP in August 1984.
5. An additional debt of \$17,119.03 owed to CFJK was incurred by CFP in January, 1985.
6. CFJK attempted to collect the \$35,485.03 debt and has invoiced CFP for this sum, over a number of months, with interest assessed on the unpaid balance. The total amount plus interest was paid in full as of December, 1985.
7. 2 U.S.C. § 431(8)(A) states that a contribution is any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.
8. 11 C.F.R. § 100.7(a)(4) states that the extension of credit by any person for a length of time beyond normal business or trade practice is a contribution, unless the creditor has made a commercially reasonable attempt to collect the debt.
9. 2 U.S.C. § 441a(a)(1)(C) states that no person shall make any contribution to a political committee,

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except political committees established and maintained by a national party, in any calendar year which, in the aggregate, exceeds \$5,000.

10. 2 U.S.C. § 441a(f) states that no political committee shall knowingly accept or make any expenditure in violation of the \$5,000 aggregate limitation imposed on contributions under this section.

11. 2 U.S.C. § 434(b)(4)(G) states that an authorized committee must disclose all disbursements in excess of \$200.

V. Respondents' failure to report a disbursement of \$23,366 to Campaign for Prosperity was in violation of 2 U.S.C. § 434(b)(4)(G).

VI. Respondents' contribution of \$23,366 to Campaign for Prosperity was \$18,366 in excess of contribution limitations and in violation of 2 U.S.C. § 441a(a)(1)(C).

VII. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of Two Thousand Seven Hundred and Fifty Dollars (\$2,750), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

IX. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

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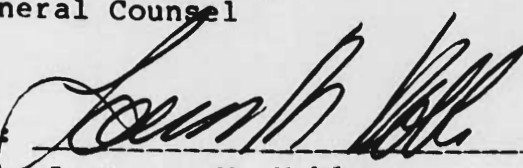
X. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY:

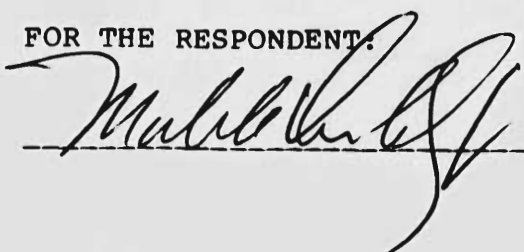


Lawrence M. Noble
Deputy General Counsel

Date

7/17/86

FOR THE RESPONDENT:



Date

June 26, 1986

85040610077



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Alan R. Swendiman, Esquire
Jackson & Campbell, P.C.
One Lafayette Centre
Suite 300
1120 20th Street, N.W.
Washington, D.C. 20036-3437

RE: MUR 2081
Citizens for Jack
Kemp and Malcolm K.
Buckley, as treasurer

Dear Mr. Swendiman:

On , 1986, the Commission accepted the conciliation agreement signed by the Committee in settlement of violations of 2 U.S.C. § 434(b)(4)(G) and 441a(a)(1)(C), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement of your files.

Sincerely,

Charles N. Steele
General Counsel

BY: Lawrence M. Noble
Deputy General Counsel

Enclosure
Conciliation Agreement

7/16/86
RW7

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MEMORANDUM

CCC# 850

TO: Debra A. Reed

TO: Judy Smith

FROM: Judy Smith

FROM: Debra A. Reed

CHECK NO. 6164 (a copy of which is attached) RELATING

TO MUR 2081 AND NAME Citizens For Jack Kemp and Malcom K. Buckley, as treasurer

WAS RECEIVED ON 7/1/86. PLEASE INDICATE THE ACCOUNT INTO

WHICH IT SHOULD BE DEPOSITED:

/ ☒ / BUDGET CLEARING ACCOUNT (#95F3875.163)
/ / CIVIL PENALTIES ACCOUNT (#95-1099.160)
/ / OTHER _____

SIGNATURE Debra A. Reed

DATE 7/2/86

CITIZENS FOR JACK KEMP

6164

June 26 1986

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PAY TO THE ORDER OF Federal Election Commission- - - - - \$ 1,250.00

One thousand, two hundred, fifty and no/100,- - - - - DOLLARS



MARINE
MIDLAND
BANK, N.A.

Marine Midland Center Office
One Marine Midland Center
Buffalo, New York 14240

Robert R. Kelly

FOR

⑈006164⑈⑈022000020⑈750⑈79443⑈7⑈

86040

CITIZENS FOR JACK KEMP

6164

June 26 1986

10-2
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PAY TO THE
ORDER OF

Federal Election Commission- - - - - \$ 1,250.00

One thousand, two hundred, fifty and no/100, - - - - - DOLLARS



MARINE
MIDLAND
BANK, N.A.

Marine Midland Center Office
One Marine Midland Center
Buffalo, New York 14240

FOR

⑈006164⑈ ⑆022000020⑆ 750⑈79443⑈7⑈

[Signature]

MEMORANDUM

CCC# 850

TO: Debra A. Reed

TO: Judy Smith

FROM: Judy Smith

FROM: Debra A. Reed

CHECK NO. 6164 (a copy of which is attached) RELATING

TO MUR 2081 (Demougeot) AND NAME Citizens For Jack Kemp and
Malcom K. Buckley, as treasurer

WAS RECEIVED ON 7/1/86. PLEASE INDICATE THE ACCOUNT INTO
WHICH IT SHOULD BE DEPOSITED:

/ ✓ BUDGET CLEARING ACCOUNT (#95F3875.16)

/ / CIVIL PENALTIES ACCOUNT (#95-1099.160)

/ / OTHER

SIGNATURE Debra A. Reed

DATE 7/2/86



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 18, 1986

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

ATTENTION: GEORGE DEMOUGEOT

FROM: LEE GARRITY
COMPLIANCE ANALYST
COMPLIANCE BRANCH, REPORTS ANALYSIS DIVISION

SUBJECT: MUR 2081

Please review the attached Informational Notice which is to be sent to Campaign for Prosperity for the April Quarterly Report. Any comments which you may have should be forwarded to RAD by 1:00 p.m. on Friday, June 20, 1986. Thank you.

COMMENTS:

Attachment

86040510082



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

RQ-5

Scott B. Mackenzie, Treasurer
Campaign for Prosperity
499 South Capital Street, SW
Suite 417
Washington, DC 20003

Identification Number: C00013490

Reference: April Monthly Report (3/1/86-3/31/86)

Dear Mr. Mackenzie:

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

-Your report discloses an apparent contribution(s) from a corporation(s) (pertinent portion attached). You are advised that a contribution from a corporation is prohibited by the Act, unless made from a separate segregated fund established by the corporation. 2 U.S.C. §441b(a).

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

Any amendment or clarification should be filed with the Federal Election Commission. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,

Ivonne Cotto
Reports Analyst
Reports Analysis Division

330040510083

SCHEDULE B

ITEMIZED DISBURSEMENTS

(None of the expenditures listed hereon were made on behalf of any specifically identifiable federal candidate)

Page 1 of 1 for
LINE NUMBER 26a
(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)

CAMPAIGN FOR PROSPERITY

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Northeast Spa & Pool Association 50 Highway 9, STE 103 Morganville, NJ 07751	Refund of Contribution Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	3/14/86	3,000.00
B. Full Name, Mailing Address and ZIP Code Thomas G. Pownall 6301 Rockledge Drive Bethesda, MD 20817	Refund of Contribution Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	3/23/86	1,000.00
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			4,000.00
TOTAL This Period (last page this line number only)			4,000.00



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 14, 1986

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

ATTENTION: GEORGE DEMOUGEOT

FROM: LEE GARRITY
COMPLIANCE ANALYST
COMPLIANCE BRANCH, REPORTS ANALYSIS DIVISION

SUBJECT: MUR 2081

Please review the attached Informational Notice which is to be sent to the Campaign for Prosperity for the February Monthly Report. Any comments which you may have should be forwarded to RAD by 8:00 a.m. on Wednesday, April 16, 1986. Thank you.

COMMENTS:

Attachment

86040610085



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-5

Stanton Anderson, Treasurer
Campaign for Prosperity
499 South Capitol Street, S.W.
Suite 417
Washington, D.C. 20003

Identification Number: C00013490

Reference: February Monthly Report (1/1/86-1/31/86)

Dear Mr. Anderson:

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

-Please amend your report by providing an explanation of "posting errors," which appears on Schedule D.

Any amendment or clarification should be filed with the Federal Election Commission. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ivonne Cotto", is written over a large, stylized flourish.

Ivonne Cotto
Reports Analyst
Reports Analysis Division

85040510035



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 10, 1986

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

FROM: JOHN D. GIBSON
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

SUBJECT: UPDATE TO RAD REFERRAL #85L-25 (MUR 2081) -
CAMPAIGN FOR PROSPERITY

This update is to provide additional information concerning the referral of Campaign for Prosperity ("CFP").

Schedule B of the 1985 Year End Report for CFP disclosed four (4) payments totalling \$30,739.04 to the Citizens for Jack Kemp ("CFJK") for the "purchase of books", "purchase of 1984 Christmas cards" and "payment for books" (Attachment 1). Schedule D of the 1985 Year End Report for CFJK disclosed an additional four (4) debts totalling \$17,003.12 owed to CFJK by CFP. The purposes of the debts were reported as accounts receivable for "envelopes", "Christmas cards" and the "sale of books" (Attachment 2).

On March 18 and 19, 1986, Requests for Additional Information ("RFAIs") were sent to CFJK and CFP, respectively (Attachments 3 and 4). The RFAIs informed CFJK and CFP that these transactions were possible violations of 2 U.S.C. 441a.

Responses to the RFAIs were hand-delivered by CFJK and CFP on April 2 and 4, 1986, respectively (Attachments 5 and 6). The counsel for CFJK, Mr. Alan R. Swendiman, stated that "The apparent excess contribution . . . was, in fact, an "arm's length" transaction . . . involving the sale of excess copies of a book CFJK has treated this transaction as a bona fide debt owed to CFJK by CFP. CFJK made efforts to collect this debt by submitting invoices to CFP which reflected the amount owed, and charged interest on all balances past due." According to Mr. William J. Olson, CFP's counsel, "This is not an excess contribution, but rather a business transaction involving the purchase by CFP of certain books and Christmas cards. Final payments of principal and interest . . . was made by the end of the reporting period for the 1985 Year End Report."

Attachments

96040610087

SCHEDULE B

ITEMIZED DISBURSEMENTS

1985 YEAR END REPORT

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)			
Campaign For Prosperity			
A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Capstone Lists, Inc. P.O. Box 786 Alexandria, VA 22313	Lists & Shipping charges Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	10/11/85	1198.26
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Citizens for Jack Kemp 3600 Marine Midland Center Buffalo, NY 14203	Payment for Purchase of Books Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	10/11/85	3621.16
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Computer Communications Systems 5487 Safe Harbor Court Fairfax, VA 22032	Computer Services Laser Printer Cartridge Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	10/11/85	964.40
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
C.P.S. 8800 Edgeworth Dr. Capitol Heights, MD 20743	Programming Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	10/11/85	1233.35
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
CWI, Inc. 1050 Seventeenth St., NW #270 Washington, DC 20036	Personnel Services Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	10/11/85	480.00
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Ellis Graphics, Inc. 8603 Springvale Rd. Silver Spring, MD 20910	Fall Newsletter Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	10/11/85	355.00
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Federal Express P.O. Box 727 Memphis, TN 38194-9999	Mail Services Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	10/11/85	44.00
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Ginns P.O. Box 5349 W. Hyattsville, MD 20782	Office Supplies Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	10/11/85	74.41
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
KAM Air, Inc. P.O. Box 19121 Eppley Airfield Omaha, Nebraska 68119	Charter flight Services Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	10/11/85	1538.22
SUBTOTAL of Disbursements This Page (optional)			9,508.80
TOTAL This Period (last page this line number only)			

ITEMIZED DISBURSEMENTS

Campaign For Prosperity

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
The American Conservative Union 38 Ivy Street, SE Washington, DC 20003	Contribution Don Devine Reception Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	10/15/85	150.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Citizens for Jack Kemp 3600 Marine Midland Center Buffalo, NY 14203	Purchase of 1984 Christmas Cards Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	10/28/85	420.60
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Citizens for Jack Kemp 3600 Marine Midland Center Buffalo, NY 14203	Payment for Books Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	12/30/85 12/30/85	10,466.25 16,231.03
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify):		
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify):		
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify):		
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify):		
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify):		
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify):		
SUBTOTAL of Disbursements This Page (optional)			27,267.88

SCHEDULE D
(Required 2003)

DEBTS AND OBLIGATIONS
(Excluding Loans)

ATTACHMENT 2

Page 1 of 1 for
LINE NUMBER 1
(See separate schedule
for each numbered line)

Name of Creditor (in Full)	Outstanding Balance Beginning This Period	Amount Received This Period	Payment This Period	Outstanding Balance at Close of This Period
CITIZENS FOR JACK KEMP				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor Campaign for Prosperity 499 S. Capitol Street, S.W. Suite 417 Washington, D.C. 20003	18,592.95	142.97	18,735.92	None
Nature of Debt (Purpose): Account receivable-sale of books				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor Campaign for Prosperity 499 S. Capitol Street, S.W. Suite 417 Washington, D.C. 20003	419.00	1.60	420.60	None
Nature of Debt (Purpose): Account receivable - Share of cost - envelopes				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor Campaign for Prosperity 499 S. Capitol Street, S.W. Suite 417 Washington, D.C. 20003	2,509.95	19.28	2,529.23	None
Nature of Debt (Purpose): Account receivable - share of cost - Christmas cards				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor Campaign for Prosperity 499 S. Capitol Street, S.W. Suite 417 Washington, D.C. 20003	3,451.03	26.51	3,477.54	None
Nature of Debt (Purpose): Account receivable-sale of books				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor Campaign for Prosperity 499 S. Capitol Street, S.W. Suite 417 Washington, D.C. 20003 *IN-KIND	10,512.10	63.65	5,575.75 *5,000.00	None
Nature of Debt (Purpose): Account receivable-sale of books				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
1) SUBTOTALS This Period This Page (optional)				None
2) TOTAL This Period (last page this line only)				None
3) TOTAL OUTSTANDING LOANS from Schedule C (last page only)				None
4) TOTAL (last page this line only)				None

Handwritten signature/initials



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

RQ-2

MAR 18 1986

Malcolm K. Buckley, Treasurer
Citizens for Jack Kemp
One Marine Midland Center, Suite 3600
Buffalo, NY 14203

Identification Number: C00013565

Reference: Year End Report (7/1/85-12/31/85)

Dear Mr. Buckley:

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

-Schedule D of your report (pertinent portions attached) discloses contributions which appear to exceed the limits established by the Act. The Act precludes an individual or a political committee from making a contribution (including in-kinds) to any other political committee in excess of \$5,000 per calendar year. (2 U.S.C. §441a(a))

The Commission has noted that the payments for the above items were originally reported as disbursements to Automated Graphic Systems and Thomas J. Lankford, Inc. Although the Commission may take further steps concerning the making of an excessive contribution, the payments your committee received as a refund of the excessive amount will be taken into consideration.

-You must provide the occupation and name of employer for each contributor required to be itemized on Schedule A. Please amend your report by supplying the omitted information.

With respect to the occupation and name of employer of the contributor, your committee may demonstrate "best efforts" to obtain the required information. This demonstration should describe your committee's procedures for requesting the information. You may also supply a copy of the solicitation and a statement that all solicitations request the required information. See 11 CFR 104.3(a)(4)(i) and 11 CFR 104.7.

An amendment to your original report(s) correcting the above problem(s) should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515 within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,

Thomas White

Thomas White
Reports Analyst
Reports Analysis Division

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FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

BQ-2

NOV 19 1985

Stanton D. Anderson, Treasurer
Campaign for Prosperity
499 South Capitol Street, S.W.
Suite 417
Washington, D.C. 20003

Identification Number: C00013490

Reference: Year End Report (7/1/85-12/31/85)

Dear Mr. Anderson:

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

-The identification of each contributor, including the person's occupation and name of employer, must be provided if the person has contributed in excess of \$200 in the aggregate during the calendar year. Please amend Schedule A supporting Line 11a for each entry lacking a contributor's occupation and name of employer.

Note: If your committee has made at least one effort per solicitation, either by a written request or by an oral request documented in writing to obtain this information from the contributor, your committee may have exercised "best efforts." If you believe that your committee satisfies the "best efforts" provision, you should provide a copy of your solicitation or an explanation of the method(s) used to obtain contribution information. 11 CFR 104.3(a)(4)(i) and 104.7.

-The total amount of contributions itemized on Schedule A, plus the total amount of unitemized contributions reported on the Detailed Summary Page, should equal the total reported on Line 11(a) of the Detailed Summary Page. Please amend either Schedule A or the Detailed Summary figures to correct this discrepancy. 11 CFR 104.3(a). See page 6 of 31 of Schedule A supporting Line 11(a).

-Schedule A of your report (pertinent portion(s) attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. The Act

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precludes a committee from receiving contributions from another political committee or a person in excess of \$5,000 per calendar year. (2 U.S.C. §441a(f)) If you have received a contribution that exceeds the limits, the Commission recommends that you refund the amount in excess of \$5,000 to the donor in accordance with 11 CFR 103.3(b). If you choose to transfer the funds to an account not used to influence federal elections, the Commission advises that you inform the contributor of your intent and provide the contributor with the option of receiving a refund. Please inform the Commission immediately in writing and provide a photocopy of your check for the refund or transfer-out. In addition, the disbursement of the amount in excess should be disclosed on a supporting Schedule B for Line 26 or 27 of your next report.

If the contribution(s) in question was incorrectly reported and/or you have additional information, you may wish to submit documentation for the public record.

Although the Commission may take further legal steps concerning the acceptance of an excessive contribution(s), your prompt refund or transfer-out of the excessive amount will be taken into consideration.

-Schedule A of your report discloses a receipt of \$2,050.11 from Campaign for Prosperity Escrow (pertinent portion attached). Please clarify whether this transfer is from an account maintained by your committee for non-Federal activity. If so, be advised that such transfer is prohibited by 11 CFR 102.5(a)(1)(i) and the full amount of the transfer should be returned to the non-Federal account. Please inform the Commission immediately in writing and provide a photocopy of your check for the transfer-out. In addition, the transfer-out should be disclosed on a supporting Schedule B for Line 27 of your next report.

If, however, this transaction represents an "internal transfer" of funds from one Federal account to another, and the source(s) of such funds has been identified in previous reports of receipts and disbursements, please note that such transfers should not be itemized as doing so inflates total receipts and cash on hand. If this is the case, please amend your report accordingly.

Although the Commission may take further legal action regarding the acceptance of funds from a non-Federal account, your prompt transfer-out of the funds in question, or clarification of the transaction, will be taken into consideration.

-Your calculations for pages 7 and 42 of Schedule B supporting Line 19 appear to be incorrect. Please amend your report to clarify the discrepancies.

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-Schedule B of your report (pertinent portion(s) attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. The Act precludes a multicandidate committee from making a contribution to a candidate for Federal office in excess of \$5,000 per election. (2 U.S.C. §441a(a)) If you have made an excessive contribution, the Commission recommends that you notify the recipient and request a refund of the amount in excess of \$5,000. Please inform the Commission immediately in writing and provide a photocopy of your refund request sent to the recipient. In addition, any refund should appear on a supporting Schedule A for Line 16 of your next report.

If the contribution(s) in question was incorrectly reported and/or you have additional information, you may wish to submit documentation for the public record.

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

-Your calculations for various debts (CWI Personnel Services, Telephone Access, Inc., Willand & Assoc., and Ann E. W. Stone & Assoc.) seem to be incorrect. Please amend your report to clarify the discrepancies.

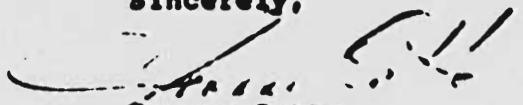
-The debt schedule (Schedule D) discloses a \$9,010.07 payment this period to Capstone Lists, Inc.; however, there are \$7,956.37 in payments reflected on the disbursement schedule (Schedule B). Please clarify this discrepancy.

-The outstanding balance of a debt owed to a creditor at the close of one report should be exactly the same as the beginning outstanding balance of the next report. The Mid-Year Report shows an ending balance to Creative Processing Systems, Inc. of \$6,462.11, while this report shows a beginning balance of \$1,479.65.

-The outstanding balance of a debt owed to a creditor at the close of one report should be exactly the same as the beginning outstanding balance of the next report. The Mid-Year Report shows an ending balance to Fax Marketing Group of \$21,346.40, while this report shows none.

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,


Ivonne Cotto
Reports Analyst
Reports Analysis Division

8 6 7 3 4 0 5 3 3 2 8

LAW OFFICES
JACKSON & CAMPBELL, P.C.
ONE LAFAYETTE CENTRE
SUITE 300 SOUTH
1200 20TH STREET, N.W.
WASHINGTON, D.C. 20006-0487

INT'L TELE: 04700
TELECOPIER (202) 457-4070
(202) 457-1000

April 2, 1986
HAND DELIVER

THOMAS GRANT JACOBSON
JAMES D. CAMPBELL
OF COUNSEL

MARYLAND OFFICE
800 A MONROE STREET
ROCKVILLE, MARYLAND 20850
(301) 540-0400

VERMONT OFFICE
1000 NORTH BARNESLAW STREET
SUITE 100
ARLINGTON, VERMONT 05201
(603) 252-1000

RECEIVED & FILED
APR 3 1986
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

CHARLES E. BARNETT
KIMBERLY BELL
DANIEL W. BRYANT
JAMES E. BURNETT, JR.
JAMES P. CAMPBELL
JO V. CAMPBELL, JR.
JOHN A. CAMPBELL
KATHLEEN D. CAMPBELL
MICHAEL S. CAMPBELL
ALAN S. CAMPBELL
DORIS E. CAMPBELL, JR.
JAMES L. CAMPBELL
JAMES E. CAMPBELL
K. ELEANOR CAMPBELL
DAVID H. CAMPBELL
JOHN J. CAMPBELL, III
RICHARD W. CAMPBELL
CHRISTINE A. CAMPBELL
TIMOTHY D. CAMPBELL
ANTHONY A. CAMPBELL
RICHARD J. CAMPBELL, JR.
* ALSO ADMITTED IN MARYLAND
* ALSO ADMITTED IN VERMONT

Mr. Thomas White
Reports Analyst
Reports Analysis Division
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Dear Mr. White:

Our firm represents Citizens for Jack Kemp (CFJK). In that capacity, we submit CFJK's response to the Federal Election Commission's Request for Additional Information (RAI) dated March 18, 1986 regarding CFJK's 1985 Year End Report.

The apparent excess contribution to which you refer in the first paragraph of the RAI was, in fact, an "arm's length" transaction between CFJK and Campaign for Prosperity (CFP). The reporting of this transaction, involving the sale of excess copies of a book, was in accordance with instructions given by a member of the FEC's Reports Analysis staff. CFJK never intended the sale of the books to CFP to be a contribution. CFJK consistently has reported the payments for the printing of the books to the Commission. As the public record reflects, CFJK paid the cost of printing the books. Its cash on hand always has reflected these costs. CFJK has treated this transaction as a bona fide debt owed to CFJK by CFP. CFJK made efforts to collect this debt by submitting invoices to CFP which reflected the amount owed, and charged interest on all balances past due. CFP made payments on the debt and the receivable was paid in full by the end of December 1985, and was so reported.

With regard to the second paragraph of the RAI, CFJK has no additional occupation and employer information at this time that has not previously been submitted, despite the exercise of its

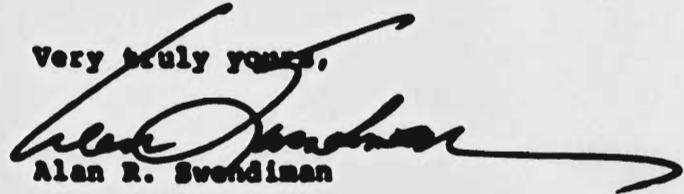
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Mr. Thomas White
April 2, 1986
Page Two

"best efforts" to obtain this information. If and when such information becomes available, it will be provided on amended schedule A's.

Attached is a representative contributor return card used by CFJK in its fund raising solicitations. Each fund raising solicitation of CFJK requests of the contributor such information as is required by law. In addition, in those instances where the necessary information is not received from a contributor a separate first-class letter of request is sent. A copy of the contributor return card sent out with this separate (and second) letter is also enclosed. I trust this information will demonstrate that CFJK has fully complied with the "best efforts" test of the Act.

Very truly yours,



Alan R. Swendiman

Enclosures

cc: Malcolm K. Buckley, Jr., Esq.

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HAND DELIVERED
APR 4 9:04

SMILEY, OLSON, GILMAN & PANOIA

ATTORNEYS AT LAW

1815 K STREET, NORTHWEST

WASHINGTON, D.C. 20006-2004

(202) 462-0200

TELEX 94 0204 ROSEN

TELESCOPE (202) 462-0200

ROBERT R. SMILEY III, P.C. (DC)
WILLIAM J. OLSON, P.C. (DC, MD)
MICHAEL J. GILMAN, P.C. (DC, MD, PA)
MICHAEL J. PANOIA, P.C. (NY)
JOHN J. CARLING (NY)
ROBERT A. HINDS (DC)
WILLIAM P. HARPER, JR. (DC)

DANIEL F. HAYES (DC, NY)
PAUL E. BARR (PA, NY)
NANCY A. CHILES (DC)
ROBERT R. WASHBURN, JR. (FL)

OF COUNSEL
GUY O. FARLEY, JR. (VA)

DATE 03
1000 JENKINS DRIVE
FARMER, VERMONT 05400
(202) 521-0200

100 BROADWAY
NEW YORK, NEW YORK 10003
(202) 462-0200

1017 E 100
1400 WALNUT STREET
PHILADELPHIA, PENNSYLVANIA 19102
(202) 521-0200

130 NORTH CLINTON STREET
RALEIGH, NORTH CAROLINA 27601
(202) 521-0200

20 BROAD STREET
P.O. BOX 67, 29402
CHARLESTON, SOUTH CAROLINA 29401
(202) 722-0200

April 3, 1986
HAND DELIVER

Ms. Ivonne Cotto
Reports Analyst
Reports Analysis Division
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: Campaign for Prosperity
1985 Year End Report
March 19, 1986 RFAI

Dear Ms. Cotto:

We represent Campaign for Prosperity (CFP). This letter is in response to your RFAI dated March 19, 1986 concerning CFP's 1985 Year End Report. Your letter raises a number of questions which are answered below.

1. You ask about the contributor information and whether CFP has exercised its "best efforts" in obtaining this information. CFP believes that it has fully complied with this standard and we are enclosing a representative sample of CFP's fundraising solicitations. When additional information is received by CFP it files amendments to the appropriate Schedule A, and will continue to do so in the future. We trust that this documents that CFP has fully complied with the "best efforts" test.

2. You ask about the discrepancy between Schedule A and the detailed summary sheets. We confirm that there was a discrepancy and we are herewith filing an amendment to the 1985 Year End Report that will correct this arithmetic problem.

3. You ask about a contribution that appears to exceed the contribution limits. This was an excessive contribution and was discovered through CFP's aggregation procedures. The amount in

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excess was refunded. This refund is noted on CFP's January 1986 monthly report. Enclosed is a copy of the front of the refund check. When the check is returned from the bank, CFP will furnish you with a copy of the back of the check.

4. You ask about a transfer from the CFP escrow account. The \$2,050.11 receipt designated as being from "Campaign for Prosperity Escrow" on the report was a reporting error. This transaction represented an internal transfer of funds from one federal account to another. Filed herewith is an amendment to page 2 for line 15 of Schedule A, Detailed Summary Page, and Summary Page applicable to the 1985 Year End Report.

5. You raise a discrepancy between two pages of Schedule B. To correct this problem, CFP is herewith filing an amended Schedule B.

6. You ask about a possible excess contribution by CFP. This is not an excess contribution, but rather a business transaction involving the purchase by CFP of certain books and Christmas cards. (This transaction was the subject the FEC's February 13, 1985 RFAI to which CFP has responded.) This matter was reported in accordance with the instructions received from a member of the FEC's Reports Analysis staff. The public record has always reflected this sale. Final payment of principal and interest on this purchase was made by the end of the reporting period for the 1985 Year End Report.

7, 8, and 9. Three of your questions relate to arithmetic and other discrepancies in reporting debts to creditors. Enclosed are amended Schedule D's pertinent to these discrepancies.

10. You ask about the debt owing to Fax Marketing Group, Inc. (Fax). Some background is important. In March 1985, Fax filed suit against CFP, et al. in the District Court for the 191st Judicial District in Dallas County, Texas. Fax, CFP, and other parties entered into protracted negotiation to determine the proper amount owing to Fax. In June 1985 an agreement was reached between counsel for CFP and Fax that provided for payment by CFP to Fax of \$10,000 and the dismissal of the litigation. This amount was paid to counsel for FAX after all counsel signed the Agreed Order of Dismissal in July and the Court entered the Order in August. This \$10,000 payment was reported to the FEC by an amendment filed to CFP's 1985 Mid-Year Report. A Debt Settlement Agreement is being prepared for submission to the FEC.

Sincerely yours,


William J. Olson

Enclosures
cc: Stanton D. Anderson, Treasurer

86034070943



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 14, 1986

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

ATTENTION: GEORGE DEMOUGEOT

FROM: LEE GARRITY
COMPLIANCE ANALYST
COMPLIANCE BRANCH, REPORTS ANALYSIS DIVISION

SUBJECT: MUR 2081

Please review the attached Informational Notice which is to be sent to the Campaign for Prosperity for the February Monthly Report. Any comments which you may have should be forwarded to RAD by 8:00 a.m. on Wednesday, April 16, 1986. Thank you.

COMMENTS:

OK
4/14/86

Attachment

86040510100



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 10, 1986

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

ATTENTION: JONATHAN LEVIN

FROM: LEE GARRITY
COMPLIANCE ANALYST
COMPLIANCE BRANCH, REPORTS ANALYSIS DIVISION

SUBJECT: MUR 2081: CAMPAIGN FOR PROSPERITY

Please review the attached Request for Additional Information which is to be sent to the Campaign For Prosperity for the 1985 Year-End Report. If no response or an inadequate response is received, a Second Notice will be sent.

Any comments which you may have should be forwarded to RAD by 4:00 p.m. on Wednesday, March 13, 1986. Thank you.

COMMENTS:

Attachment

26040610101



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

RQ-2

Stanton D. Anderson, Treasurer
Campaign for Prosperity
499 South Capitol Street, S.W.
Suite 417
Washington, D.C. 20003

Identification Number: C00013490

Reference: Year End Report (7/1/85-12/31/85)

Dear Mr. Anderson:

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

-The identification of each contributor, including the person's occupation and name of employer, must be provided if the person has contributed in excess of \$200 in the aggregate during the calendar year. Please amend Schedule A supporting Line 11a for each entry lacking a contributor's occupation and name of employer.

Note: If your committee has made at least one effort per solicitation, either by a written request or by an oral request documented in writing to obtain this information from the contributor, your committee may have exercised "best efforts." If you believe that your committee satisfies the "best efforts" provision, you should provide a copy of your solicitation or an explanation of the method(s) used to obtain contribution information. 11 CFR 104.3(a)(4)(i) and 104.7.

-The total amount of contributions itemized on Schedule A, plus the total amount of unitemized contributions reported on the Detailed Summary Page, should equal the total reported on Line 11(a) of the Detailed Summary Page. Please amend either Schedule A or the Detailed Summary figures to correct this discrepancy. 11 CFR 104.3(a). See page 6 of 51 of Schedule A supporting Line 11(a).

-Schedule A of your report (pertinent portion(s) attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. The Act

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precludes a committee from receiving contributions from another political committee or a person in excess of \$5,000 per calendar year. (2 U.S.C. §441a(f)) If you have received a contribution that exceeds the limits, the Commission recommends that you refund the amount in excess of \$5,000 to the donor in accordance with 11 CFR 103.3(b). If you choose to transfer the funds to an account not used to influence federal elections, the Commission advises that you inform the contributor of your intent and provide the contributor with the option of receiving a refund. Please inform the Commission immediately in writing and provide a photocopy of your check for the refund or transfer-out. In addition, the disbursement of the amount in excess should be disclosed on a supporting Schedule B for Line 26 or 27 of your next report.

If the contribution(s) in question was incorrectly reported and/or you have additional information, you may wish to submit documentation for the public record.

Although the Commission may take further legal steps concerning the acceptance of an excessive contribution(s), your prompt refund or transfer-out of the excessive amount will be taken into consideration.

-Schedule A of your report discloses a receipt of \$2,050.11 from Campaign for Prosperity Escrow (pertinent portion attached). Please clarify whether this transfer is from an account maintained by your committee for non-Federal activity. If so, be advised that such transfer is prohibited by 11 CFR 102.5(a)(1)(i) and the full amount of the transfer should be returned to the non-Federal account. Please inform the Commission immediately in writing and provide a photocopy of your check for the transfer-out. In addition, the transfer-out should be disclosed on a supporting Schedule B for Line 27 of your next report.

If, however, this transaction represents an "internal transfer" of funds from one Federal account to another, and the source(s) of such funds has been identified in previous reports of receipts and disbursements, please note that such transfers should not be itemized as doing so inflates total receipts and cash on hand. If this is the case, please amend your report accordingly.

Although the Commission may take further legal action regarding the acceptance of funds from a non-Federal account, your prompt transfer-out of the funds in question, or clarification of the transaction, will be taken into consideration.

-Your calculations for pages 7 and 42 of Schedule B supporting Line 19 appear to be incorrect. Please amend your report to clarify the discrepancies.

85040510103

86040510104

-Schedule B of your report (pertinent portion(s) attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. The Act precludes a multicandidate committee from making a contribution to a candidate for Federal office in excess of \$5,000 per election. (2 U.S.C. §441a(a)) If you have made an excessive contribution, the Commission recommends that you notify the recipient and request a refund of the amount in excess of \$5,000. Please inform the Commission immediately in writing and provide a photocopy of your refund request sent to the recipient. In addition, any refund should appear on a supporting Schedule A for Line 16 of your next report.

If the contribution(s) in question was incorrectly reported and/or you have additional information, you may wish to submit documentation for the public record.

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

-Your calculations for various debts (CWI Personnel Services, Telephone Access, Inc., Willand & Assoc., and Ann E. W. Stone & Assoc.) seem to be incorrect. Please amend your report to clarify the discrepancies.

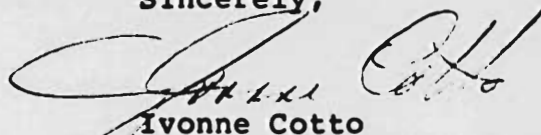
-The debt schedule (Schedule D) discloses a \$9,010.07 payment this period to Capstone Lists, Inc.; however, there are \$7,956.37 in payments reflected on the disbursement schedule (Schedule B). Please clarify this discrepancy.

-The outstanding balance of a debt owed to a creditor at the close of one report should be exactly the same as the beginning outstanding balance of the next report. The Mid-Year Report shows an ending balance to Creative Processing Systems, Inc. of \$6,462.11, while this report shows a beginning balance of \$1,479.65.

-The outstanding balance of a debt owed to a creditor at the close of one report should be exactly the same as the beginning outstanding balance of the next report. The Mid-Year Report shows an ending balance to Fax Marketing Group of \$21,346.40, while this report shows none.

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,



Ivonne Cotto
Reports Analyst
Reports Analysis Division

SCHEDULE A

ITEMIZED RECEIPTS

Page 2 of 2 for
LINE NUMBER 15
 (separate schedule(s) for each
 category of the Detailed
 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)

Campaign For Prosperity

A. Full Name, Mailing Address and ZIP Code Commonwealth of Virginia Department of Taxation P.O. Box 6-L Richmond, VA 23282	Name of Employer Refund - overpayment of taxes for Aug. '85	Date (month, day, year) 11/27/85	Amount of Each Receipt this Period 20.67
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date—\$	
B. Full Name, Mailing Address and ZIP Code John P. Maxwell 5841 Berkshire Ct. Alexandria, VA 22303	Name of Employer Payment for Capitol Hill Club Bill	Date (month, day, year) 12/22/85	Amount of Each Receipt This Period 17.71
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date—\$	
C. Full Name, Mailing Address and ZIP Code Campaign For Prosperity Escrow 8605 Cameron St., Suite M5 Silver Spring, MD 20910	Name of Employer Account closed - Balance transferred to CFP Account	Date (month, day, year) 11/18/85	Amount of Each Receipt This Period 2,050.11
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date—\$	
D. Full Name, Mailing Address and ZIP Code U.S. Treasury Philadelphia, PA	Name of Employer Refund from June Tax Deposit	Date (month, day, year) 12/6/85	Amount of Each Receipt This Period 266.98
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date—\$	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date—\$	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date—\$	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date—\$	

SUBTOTAL of Receipts This Page (optional) **2,355.47**

TOTAL This Period (last page this line number only) **5,687.94**

31 LF 5/ 
LINE NUMBER 11A

TOTAL THIS PERIOD.....	48,304.25
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SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 27 of 58 for
 LINE NUMBER 19
 (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)

Campaign For Prosperity

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Capstone Lists, Inc. P.O. Box 786 Alexandria, VA 22313	<u>Lists & Shipping charges</u> Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	10/11/85	1198.26
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Citizens for Jack Kemp 3600 Marine Midland Center Buffalo, NY 14203	<u>Payment for Purchase of Books</u> Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	10/11/85	3621.16
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Computer Communications Systems 5487 Safe Harbor Court Fairfax, VA 22032	<u>Computer Services Laser Printer Cartridge</u> Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	10/11/85	964.40
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
C.P.S. 8800 Edgeworth Dr. Capitol Heights, MD 20743	<u>Programming</u> Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	10/11/85	1233.35
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
CWI, Inc. 1050 Seventeenth St., NW #270 Washington, DC 20036	<u>Personnel Services</u> Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	10/11/85	480.00
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Ellis Graphics, Inc. 8603 Springvale Rd. Silver Spring, MD 20910	<u>Fall Newsletter</u> Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	10/11/85	355.00
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Federal Express P.O. Box 727 Memphis, TN 38194-9999	<u>Mail Services</u> Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	10/11/85	44.00
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Ginns P.O. Box 5349 W. Hyattsville, MD 20782	<u>Office Supplies</u> Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	10/11/85	74.41
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
KAM Air, Inc. P.O. Box 19121 Eppley Airfield Omaha, Nebraska 68119	<u>Charter flight Services</u> Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	10/11/85	1538.22

SUBTOTAL of Disbursements This Page (optional) 9,508.80

TOTAL This Period (last page this line number only)

SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 1 of 1 for
 LINE NUMBER 19
 (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)

Campaign For Prosperity

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Contribution Don Devine Reception		
The American Conservative Union 38 Ivy Street, SE Washington, DC 20003	Disbursement for: ☐ Primary ☐ General	10/15/85	150.00
	☐ Other (specify):		
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Purchase of 1984 Christmas Cards		
Citizens for Jack Kemp 3600 Marine Midland Center Buffalo, NY 14203	Disbursement for: ☐ Primary ☐ General	10/28/85	420.60
	☐ Other (specify):		
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Payment for Books		
Citizens for Jack Kemp 3600 Marine Midland Center Buffalo, NY 14203	Disbursement for: ☐ Primary ☐ General	12/30/85	10,466.25
	☐ Other (specify):	12/30/85	16,231.03
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General		
	☐ Other (specify):		
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General		
	☐ Other (specify):		
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General		
	☐ Other (specify):		
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General		
	☐ Other (specify):		
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General		
	☐ Other (specify):		
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General		
	☐ Other (specify):		

SUBTOTAL of Disbursements This Page (optional) 27,267.88

TOTAL This Period (last page this line number only)



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 10, 1986

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

ATTENTION: JONATHAN LEVIN

FROM: LEE GARRITY
COMPLIANCE ANALYST
COMPLIANCE BRANCH, REPORTS ANALYSIS DIVISION

SUBJECT: MUR 2081: CAMPAIGN FOR PROSPERITY

Please review the attached Request for Additional Information which is to be sent to the Campaign For Prosperity for the 1985 Year-End Report. If no response or an inadequate response is received, a Second Notice will be sent.

Any comments which you may have should be forwarded to RAD by 4:00 p.m. on Wednesday, March 13, 1986. Thank you.

COMMENTS:

CK
ES
3/12/86

Attachment

85040510109



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 5, 1986

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

ATTENTION: GEORGE DEMOUGEOT

FROM: LEE GARRITY
COMPLIANCE ANALYST
COMPLIANCE BRANCH, REPORTS ANALYSIS DIVISION

SUBJECT: MUR 2081: CAMPAIGN FOR PROSPERITY

Please review the attached Request for Additional Information which is to be sent to the Campaign For Prosperity for the 1985 Mid-Year Report. If no response or an inadequate response is received, a Second Notice will be sent.

Any comments which you may have should be forwarded to RAD by 4:30 p.m. on Friday, March 7, 1986. Thank you.

COMMENTS:

Attachment

95040510110



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

Stanton D. Anderson, Treasurer
Campaign for Prosperity
499 South Capitol Street, S.W.
Suite 417
Washington, D.C. 20003

Identification Number: C00013490

Reference: Mid-Year Report (1/1/85-6/30/85)

Dear Mr. Anderson:

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

-The total amount of contributions itemized on Schedule A, plus the total amount of unitemized contributions reported on the Detailed Summary Page, should equal the total reported on Line 11(a) of the Detailed Summary Page. Please amend either Schedule A or the Detailed Summary figures to correct this discrepancy. (See page 23 of 31 of Schedule A supporting Line 11(a)). 11 CFR 104.3(a).

-Please clarify all expenditures made for postage, mailing, voter registration and direct mail. If a portion or all of these expenditures were made on behalf of specifically identified Federal candidates, they should be disclosed on Schedule B or E for Line 21 or 22 and include the amount, name, address and office sought by each candidate. 11 CFR 104.3(b) and 106.1.

-Your report discloses a loan on Schedule B to Black Political Action Committee which has not been recorded on Schedule C. Loans made by committees must be reflected on Schedule C as well as on Schedule B. 2 U.S.C. §§434(b)(3)(E) and (5)(D).

-Your report discloses payments on Schedule D to several vendors, which have not been recorded on Schedule B. Payments to vendors must be reflected on Schedule B as well as on Schedule D. See the following itemization:

8604051011

Debts and Obligations
Mid-Year Report 1985

<u>Name of Vendor</u>	<u>Payment this Period Schedule D</u>	<u>Amount of Disbursement Schedule B</u>
All In One	\$ 2,131.00	\$ 1,092.00
The Art Department	\$ 478.23	-0-
Computer Dynamics, Inc.	\$ 3,511.33	\$ 1,645.06
Wiland & Associates, Inc.	\$ 8,509.53	\$ 5,675.09
Capstone Lists, Inc.	\$16,266.57	\$15,084.77
Council Press, Inc.	\$13,094.00	\$ 6,294.32
Wayne C. Johnson & Associates	\$35,824.15	\$20,516.83
Skidmore Printing, Inc.	\$ 9,587.70	\$ 8,202.60
Tri-State Envelopes	\$19,334.45	\$14,927.06
Unique Graphics & Designs	\$ 577.20	\$ 311.60

-The identification of each contributor, including the person's occupation and name of employer, must be provided if the person has contributed in excess of \$200 in the aggregate during the calendar year. Please amend Schedule A supporting Line 11a for each entry lacking a contributor's occupation and name of employer.

Note: If your committee has made at least one effort per solicitation, either by a written request or by an oral request documented in writing to obtain this information from the contributor, your committee may have exercised "best efforts." If you believe that your committee satisfies the "best efforts" provision, you should provide a copy of your solicitation or an explanation of the method(s) used to obtain contribution information. 11 CFR 104.3(a)(4)(i) and 104.7.

-Your committee's report includes computerized supporting schedules. Pursuant to 11 CFR 104.2(d), computer produced schedules may be used contingent upon prior approval of the Commission. Please submit a separate request (including an example of the proposed format) for consideration. Until your format has been approved, FEC supporting schedules should be used.

85040510112

86040510113

-Schedule A of your report (pertinent portion(s) attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. The Act precludes a committee from receiving contributions from another political committee or a person in excess of \$5,000 per calendar year. (2 U.S.C. §441a(f)) If you have received a contribution that exceeds the limits, the Commission recommends that you refund the amount in excess of \$5,000 to the donor in accordance with 11 CFR 103.3(b). If you choose to transfer the funds to an account not used to influence federal elections, the Commission advises that you inform the contributor of your intent and provide the contributor with the option of receiving a refund. Please inform the Commission immediately in writing and provide a photocopy of your check for the refund or transfer-out. In addition, the disbursement of the amount in excess should be disclosed on a supporting Schedule B for Line 26 or 27 of your next report.

If the contribution(s) in question was incorrectly reported and/or you have additional information, you may wish to submit documentation for the public record.

Although the Commission may take further legal steps concerning the acceptance of an excessive contribution(s), your prompt refund or transfer-out of the excessive amount will be taken into consideration.

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,



Ivonne Cotto
Reports Analyst
Reports Analysis Division

SCHEDULE A

PERIOD 01/01/85 - 06/28/85

ITEMIZED RECEIPTS--CONTRIBUTIONS, SALES AND COLLECTIONS, LOANS, AND TRANSFERS
Campaign for Prosperity
CFP FEC REPORT 6-85

Page 23 of 31 LINE NO. 11A

DATE	NAME, MAILING ADDRESS, AND ZIP CODE	OCCUPATION AND BUSINESS ADDRESS	AGGR. RECEIPT AM YTD. THIS PERIO
2/13/85	THOMAS G. POWNALL	CHMN OF THE BOARD	1000.00
6/24/85	6801 ROCKLEDGE DRIVE BETHESDA, MD 20817	MARTIN MARIETTA CORP.	5000.00
			6000.00
6/20/85	MICHAEL QUINT 28445 CLARETON DR. LAGUNA NIGUEL, CA 92667	INFORMATION REQUESTED, BUT NOT RECEIVED FROM CONTRIBUTOR	1000.00
4/03/85	MRS. RUSSELL J. RAMSLAND DINERS INCORPORATED GENERAL PARTNER BOX 505 MIDLAND, TX 79702	OIL INDUSTRY SELF EMPLOYED	1000.00
			1000.00
2/26/85	MR. SY REESE		100.00
6/17/85	721 U.S. HIGHWAY ONE, 209 NORTH PALM BEACH, FL 33408	INFORMATION REQUESTED, BUT NOT RECEIVED FROM CONTRIBUTOR	100.00
			200.00
2/20/85	FRANK E. REILLY 210 SOUTH RIDGE LAKE FOREST, IL 60045	RETIRED NONE	5000.00
			5000.00
2/24/85	STEVEN L. RENDA 310 QUIET WATER LANE DUNWOODY, GA 30338	PRESIDENT IDEAL POOL CORP.	5000.00
			5000.00
3/20/85	KIM RICHARDS	BUILDING CONTRACTOR	1000.00
6/23/85	8257 EAST BROADWAY TUCSON, AZ 85710	THE ESTES COMPANY	1000.00
			2000.00
6/03/85	MR. L. RICHARDSON 7 INDIAN SPRING RD. ROWAYTON, CT 06853	INFORMATION REQUESTED, BUT NOT RECEIVED FROM CONTRIBUTOR	200.00
			200.00
5/20/85	CYRUS RICKEL 1860 OLD STAGE RD. COLORADO SPGS., CO 80906	INFORMATION REQUESTED, BUT NOT RECEIVED FROM CONTRIBUTOR	1000.00
			1000.00

TOTAL THIS PERIOD
(LAST PAGE OF THIS PART ONLY)21,400
20,400

PERIOD 01/01/85 - 06/28/85

Page 31 of 31 LINE NO. 11A

950332303108
350406103108

PAGE 00031

344,416.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 5, 1986

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

ATTENTION: GEORGE DEMOUGEOT

FROM: LEE GARRITY
COMPLIANCE ANALYST
COMPLIANCE BRANCH, REPORTS ANALYSIS DIVISION

SUBJECT: MUR 2081: CAMPAIGN FOR PROSPERITY

Please review the attached Request for Additional Information which is to be sent to the Campaign For Prosperity for the 1985 Mid-Year Report. If no response or an inadequate response is received, a Second Notice will be sent.

Any comments which you may have should be forwarded to RAD by 4:30 p.m. on Friday, March 7, 1986. Thank you.

COMMENTS:

OK

GA

3/7/86

Attachment

36040310115



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 24, 1986

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

ATTENTION: GEORGE DEMOUGEOT

FROM: LEE GARRITY
COMPLIANCE ANALYST
COMPLIANCE BRANCH, REPORTS ANALYSIS DIVISION

SUBJECT: MUR 2081: CITIZENS FOR JACK KEMP

Please review the attached Request for Additional Information which is to be sent to the Citizens For Jack Kemp for the 1985 Year-End Report. If no response or an inadequate response is received, a Second Notice will be sent.

Any comments which you may have should be forwarded to RAD by 5:30 p.m. on Wednesday, February 26, 1986. Thank you.

COMMENTS:

CK
2/26/86
ED

Attachment

36040610117



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 24, 1986

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

ATTENTION: GEORGE DEMOUGEOT

FROM: LEE GARRITY
COMPLIANCE ANALYST
COMPLIANCE BRANCH, REPORTS ANALYSIS DIVISION

SUBJECT: MUR 2081: CITIZENS FOR JACK KEMP

Please review the attached Request for Additional Information which is to be sent to the Citizens For Jack Kemp for the 1985 Year-End Report. If no response or an inadequate response is received, a Second Notice will be sent.

Any comments which you may have should be forwarded to RAD by 5:30 p.m. on Wednesday, February 26, 1986. Thank you.

COMMENTS:

Attachment

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

Malcolm K. Buckley, Treasurer
Citizens for Jack Kemp
One Marine Midland Center, Suite 3600
Buffalo, NY 14203

Identification Number: C00013565

Reference: Year End Report (7/1/85-12/31/85)

Dear Mr. Buckley:

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

-Schedule D of your report (pertinent portions attached) discloses contributions which appear to exceed the limits established by the Act. The Act precludes an individual or a political committee from making a contribution (including in-kinds) to any other political committee in excess of \$5,000 per calendar year. (2 U.S.C. §441a(a))

The Commission has noted that the payments for the above items were originally reported as disbursements to Automated Graphic Systems and Thomas J. Lankford, Inc. Although the Commission may take further steps concerning the making of an excessive contribution, the payments your committee received as a refund of the excessive amount will be taken into consideration.

-You must provide the occupation and name of employer for each contributor required to be itemized on Schedule A. Please amend your report by supplying the omitted information.

With respect to the occupation and name of employer of the contributor, your committee may demonstrate "best efforts" to obtain the required information. This demonstration should describe your committee's procedures for requesting the information. You may also supply a copy of the solicitation and a statement that all solicitations request the required information. See 11 CFR 104.3(a)(4)(i) and 11 CFR 104.7.

95040310119

An amendment to your original report(s) correcting the above problem(s) should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515 within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,

Thomas White

Thomas White
Reports Analyst
Reports Analysis Division

95040610120

SCHEDULE D
(Revised 5/83)

DEBTS AND OBLIGATIONS
Excluding Loans

Page 1 of 1 for
LINE NUMBER 9
Also attach schedule
for each numbered line

Name of Debtor (in Full)	Outstanding Balance Beginning This Period	Amount Incurred This Period	Payment This Period	Outstanding Balance at Close of This Period
CITIZENS FOR JACK KEMP				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor Campaign for Prosperity 499 S. Capitol Street, S.W. Suite 417 Washington, D.C. 20003	18,592.95	142.97	18,735.92	None
Nature of Debt (Purpose): Account receivable-sale of books				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor Campaign for Prosperity 499 S. Capitol Street, S.W. Suite 417 Washington, D.C. 20003	419.00	1.60	420.60	None
Nature of Debt (Purpose): Account receivable - Share of cost - envelopes				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor Campaign for Prosperity 499 S. Capitol Street, S.W. Suite 417 Washington, D.C. 20003	2,509.95	19.28	2,529.23	None
Nature of Debt (Purpose): Account receivable - share of cost - Christmas cards				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor Campaign for Prosperity 499 S. Capitol Street, S.W. Suite 417 Washington, D.C. 20003	3,451.03	26.51	3,477.54	None
Nature of Debt (Purpose): Account receivable-sale of books				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor Campaign for Prosperity 499 S. Capitol Street, S.W. Suite 417 Washington, D.C. 20003 *IN-KIND	10,512.10	63.65	5,575.75 *5,000.00	None
Nature of Debt (Purpose): Account receivable-sale of books				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
1) SUBTOTALS This Period This Page (optional)				None
2) TOTAL This Period (last page this line only)				None
3) TOTAL OUTSTANDING LOANS from Schedule C last page only)				None
4) TOTAL (last page this line only)				None

3501120940533

CAMPAIGN FOR PROSPERITY

STANTON D. ANDERSON, TREASURER

1708 NEW HAMPSHIRE AVE., N.W.

WASHINGTON, D.C. 20009

2053

15-155/540

PAY
TO THE
ORDER OF

January 15 19 86

Treasurer of the United States

\$ 1,500.00

Fifteen Hundred and No/100

DOLLARS

THE PALMER NATIONAL BANK

1607 K STREET, N.W.
WASHINGTON, D.C. 20005

FOR

⑈002053⑈ ⑆054001550⑆ 02000547⑈

MEMORANDUM

TO: RETHA DIXON

TO: JOAN HARRIS

FROM: JOAN HARRIS

FROM: RETHA DIXON

CHECK NO. 2053

(a copy of which is attached) RELATING

TO MUR 2081 AND NAME

Campaign for Prosperity,
Stanton D. Anderson,
as treasurer

WAS RECEIVED ON Jan 17, 1986

PLEASE INDICATE THE ACCOUNT INTO

WHICH IT SHOULD BE DEPOSITED:

/ * / BUDGET CLEARING ACCOUNT

(\$95F3875.16)

/ / CIVIL PENALTIES ACCOUNT

(\$95-1099.160)

/ / OTHER

SIGNATURE

Robyn M Bishop

DATE

1-17-86

ACC#9476
Dernougeon36 JAN 17 1986
ALL 27

CITIZENS FOR JACK KEMP

5645

10-2/220

January 8, 1986

PAY TO THE ORDER OF Treasurer of the United States - \$ 1,500.00
One thousand, five hundred and no/100 - DOLLARS



MARINE MIDLAND CENTER OFFICE
MARINE MIDLAND BANK, N.A.
BUFFALO, NEW YORK 14240

FOR

Mehill [Signature]

⑈005645⑈ ⑆022000020⑆ 750⑈79443⑈7⑈

CCC#9410

MEMORANDUM

TO: RETHA DIXON

TO: JOAN HARRIS

FROM: JOAN HARRIS

FROM: RETHA DIXON

CHECK NO. 5645

(a copy of which is attached) RELATING

TO MUR 2081

AND NAME Citizens for Jack

WAS RECEIVED ON January 10, 1986 K. Buckley, as Treasurer

WHICH IT SHOULD BE DEPOSITED:

1* BUDGET CLEARING ACCOUNT

(#95F3875.16)

/ / CIVIL PENALTIES ACCOUNT

(#95-1099.160)

/ / OTHER

SIGNATURE *Robert M Bishop*

DATE 1/13/86

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Campaign for Prosperity) MUR 2081
and Stanton D. Anderson,)
as treasurer)
Citizens for Jack Kemp)
and Malcolm K. Buckley,)
as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 2, 1985, the Commission decided by a vote of 5-0 to take the following actions in MUR 2081:

1. Enter into pre-probable cause conciliation with Campaign for Prosperity and Stanton D. Anderson, as treasurer.
2. Enter into pre-probable cause conciliation with Citizens for Jack Kemp and Malcolm K. Buckley, as treasurer.
3. Approve the conciliation agreement attached to the General Counsel's Report signed November 25, 1985.
4. Approve and send the letter attached to the General Counsel's Report signed November 25, 1985.

Commissioners Aikens, Elliott, Harris, Josefiak and McGarry voted affirmatively for this decision; Commissioner McDonald did not cast a vote.

Attest:

12-2-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

86040510124

CCC#8802

LAW OFFICES

JACKSON & CAMPBELL, P.C.

ONE LAFAYETTE CENTRE

SUITE 300 SOUTH

1120 20TH STREET, N.W.

WASHINGTON, D.C. 20036-3437

INT'L TELEX: 64706

TELECOPIER (202) 457-1678

(202) 457-1600

October 25, 1985

THOMAS SEARING JACKSON*
EDMUND D. CAMPBELL*
OF COUNSEL

MARYLAND OFFICE
200 A MONROE STREET
ROCKVILLE, MARYLAND 20850
(301) 340-0450

VIRGINIA OFFICE
1008 NORTH RANDOLPH STREET
SUITE 104
ARLINGTON, VIRGINIA 22201
(703) 522-1330

DIRECT DIAL NUMBER

457-1646

HAND DELIVERED

BENJAMIN W. DULANY*
KENNETH WELLS PARKINSON
DANIEL WEBSTER COON*
JAMES COBURN EASTMAN**
ARTHUR C. ELGIN, JR.*
JAMES P. SCHALLER*
JO V. MORGAN, JR.*
JOHN A. NEVIUS
PATRICIA D. GURNE
NICHOLAS STILLWELL MCCONNELL**
ALAN R. SWENDIMAN*
SIDNEY C. COUSINS, JR.*
PATRICK L. WOODWARD*
JAMES R. MICHAL*
M. ELIZABETH MEDAGLIA*
DAVID H. COX*
JOHN J. BRENNAN, III**
RICHARD W. BRYAN*
CHRISTINE A. NYKIEL*
TIMOTHY R. DINGILIAN*
ANTOINETTE A. LEBEL
RICHARD J. DEFEO, JR.

* ALSO ADMITTED IN MARYLAND
** ALSO ADMITTED IN VIRGINIA

George Demougeot, Esquire
Office of General Counsel
Federal Election Commission
Seventh Floor
1325 K Street, N.W.
Washington, DC 20463

Re: Citizens for Jack Kemp
MUR2081

Dear Mr. Demougeot:

This firm represents Citizens for Jack Kemp (CFJK). Mr. Malcolm K. Buckley, treasurer of CFJK, has asked us to respond to the Commission's letter to him dated October 2, 1985.

At the outset, please be advised that the first that CFJK learned of your letter was last week when Mr. Buckley received a copy from Congressman Kemp's Washington, DC office, to whom the Chairman had sent a courtesy copy. We certainly would have been in contact with you sooner had CFJK received the original correspondence.

In response to your request, CFJK would like to pursue pre-probable cause conciliation with the Commission. I have been in contact with counsel for the Campaign for Prosperity (CFP), William J. Olson, who advises me that you have a parallel inquiry pending with CFP.

25 OCT 25 1985

25 OCT 25 1985

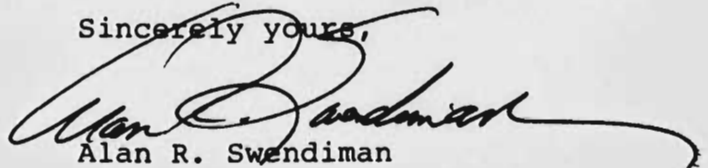
George Demougeot, Esquire
Page 2
October 25, 1985

To the best of our knowledge, this MUR is the first communication received by CFJK from the Commission on this subject. Consequently, CFJK has not had a prior opportunity to deal with any objections which you might have with the sale of books. The three-page summary of allegations would appear to pertain more with the Campaign for Prosperity than CFJK.

Our client believes that the steps which it has taken in billing CFP and charging interest constitutes an extension of credit under 11 CFR §100.7(a)(4), but we would very much like to get your views during this period of pre-probable cause reconciliation. Our objective is to insure that CFJK is in full compliance with the Federal Election Law.

Please contact me as to when I may be able to meet with you in person.

Sincerely yours,


Alan R. Swendiman

ARS:clb

86040610126

RECEIVED AT THE FEC
GCC# 8761
85 OCT 18 P4:34

SMILEY, OLSON, GILMAN & PANGIA

ATTORNEYS AT LAW

1815 H STREET, NORTHWEST
WASHINGTON, D.C. 20006-3604

(202) 466-8100

TELEX WU 64174 ROGER

TELECOPIER (202) 463-6233

ROBERT R. SMILEY III, P. C. (DC)
WILLIAM J. OLSON, P. C. (DC, VA)
NICHOLAS GILMAN, P. C. (DC, MD, PA)
MICHAEL J. PANGIA (DC, NY)

ROBERT A. MINEO (NC)
DANIEL F. HAYES (DC, NY)
PAUL E. ZAHN (PA, NY)
WILLIAM P. HARPER, JR. (NC)

OF COUNSEL
GUY O. FARLEY, JR. (VA)

SUITE 310
10821 JUDICIAL DRIVE
FAIRFAX, VIRGINIA 22030
(703) 881-8200

10TH FLOOR
20 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
(301) 727-8330

SUITE 800
1480 WALNUT STREET
PHILADELPHIA, PENNSYLVANIA 19102
(215) 546-1430

530 NORTH BLOUNT STREET
RALEIGH, NORTH CAROLINA 27604
(919) 834-9965

October 18, 1985

HAND DELIVER

George Demougeot, Esquire
General Counsel's Office
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Subject: MUR 2081
Campaign for Prosperity

Dear Mr. Demougeot:

We represent Campaign for Prosperity. Stanton D. Anderson, Treasurer of Campaign for Prosperity, received Chairman McGarry's letter of October 2, 1985 and this response is being made within fifteen days of its receipt, as it specified. We are enclosing a signed Statement of Designation of Counsel from Campaign for Prosperity.

On behalf of CFP, we are interested in pursuing pre-probable cause conciliation pursuant to 11 C.F.R. §111.18(d).

Your General Counsel's Factual and Legal Analysis ("Analysis") which was sent to CFP correctly states that a February 20, 1985 request for additional information was mailed to CFP and that it was responded to the next day (verbally) by CFP. This Analysis correctly states that counsel for CFP called the Reports Analysis Division analyst to discuss the matter in March, with our records showing conversations with Pamela C. Brown on March 15 and March 27, 1985. At no time was CFP advised specifically as to why such a sale could not be made on a commercial basis between CFJK and CFP, nor how to deal with it since the books had been distributed by CFP prior to CFP having received any notice of a problem from the FEC.

36040610127

RECEIVED
OCT 18 1985
P4:41
GENERAL COUNSEL
FEDERAL ELECTION COMMISSION

CFP wrote to the FEC on March 18, 1985, but this letter is not mentioned in your Analysis. On April 9, 1985 counsel for CFP wrote to Pamela C. Brown and requested further information, and this letter was also not mentioned in your memorandum. The April 9 letter from counsel for CFP stated, in part:

we are unable to determine whether or how CFP has allegedly violated the applicable law or regulations.

If you are saying that this transaction for the purchase of \$18,366 worth of books is illegal or is not reported correctly, please advise us of the specific nature of the violation, with citations to the United States Code and/or CFR. If the problem is something else, we would welcome a similar explanation. In any event, we would be eager to meet with you or your legal staff to discuss the matter, as our client is anxious to resolve this promptly and amicably.

This April 9, 1985 letter was never responded to by the FEC. The next communication we received was approximately six months later in the form of the October 2 letter from Chairman McGarry. In the accompanying Analysis, CFP is criticized for not having fully paid this obligation in the first half of 1985 and reporting this in the 1985 mid-year report. If the FEC had responded to CFP counsel's letter of April 9 it could have set out the standard by which CFP was to be judged prospectively rather than now, retroactively. (N.B. I believe that the date in the first sentence of the third paragraph of the Analysis should be June 30, not July 31, according to 11 CFR §104.5(c)(2).)

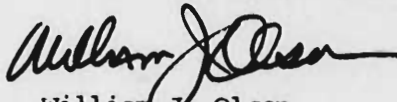
Your Analysis states that "there is no evidence of any efforts by CFJK to attempt to collect the debt. Since this extension of credit for over 10 months is considered a contribution...." (at 3). Again, had the FEC answered counsel's letter of April 9 CFP could have taken steps during the past six months, based on your instructions. Not knowing the nature of your problem with the transaction, and having no guidance from the FEC other than the suggestion of the then impossible return of the books, and having received no response to counsel's letter of April 9, CFP made no repayments to CFJK until it received your October 2, 1985 letter. Moreover, the argument in your Analysis that the essence of the problem is the passage of 10 months is difficult to understand as your February 20, 1985 letter appears to allege that the mere sale of these books from CFJK to CFP on a basis other than 100 percent cash was illegal. Your argument previously was not based on the passage of time.

85040510138

Both CFP and CFJK have treated this as a bona fide debt and CFJK has sought payment from CFP. CFJK transmitted to CFP invoices dated July 31, 1985, August 30, 1985, and October 1, 1985. Interest at the rate of 1 1/2 percent per month has been added by CFJK to the balance due. Since CFP received your letter of October 2 which criticizes the failure to make prompt payment, a partial payment was made from CFP to CFJK of \$3,621.16 (check no. 1745, dated October 11, 1985). Other payments will be made shortly. All FEC reports have consistently treated this as an extension of credit. (It is possible that CFJK may shortly make a permissible 1985 \$5,000 contribution to CFP in the form of a reduction of this indebtedness.)

It continues to be CFP's earnest desire to obtain clear instruction from the FEC as to what standard is being applied and what should be done at this time. We would like to resolve this matter with you through conciliation as informally and quickly as possible.

Sincerely yours,


William J. Olson

cc. Stanton D. Anderson, Treasurer
John Maxwell, Director

36040310129

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2081

NAME OF COUNSEL: ALAN R. SWENDIMAN

ADDRESS: JACKSON & CAMPBELL, P.C.

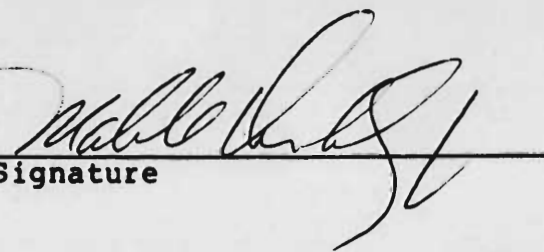
1120 20th Street, N.W., Suite 300 S

Washington, DC 20036

TELEPHONE: (202) 457-1600

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

October 23, 1985
Date


Signature

RESPONDENT'S NAME: Citizens for Jack Kemp

ADDRESS: 3600 Marine Midland Center

Buffalo, NY 14203

HOME PHONE: None

BUSINESS PHONE: (716) 856-5500

86040310130

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2081

NAME OF COUNSEL: William J. Olson

ADDRESS: Smiley, Olson, Gilman & Pangia
1815 H Street, N.W., Suite 600
Washington, D.C. 20006

TELEPHONE: (202) 466-5100

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

10/17/85
Date

[Signature]
Signature

RESPONDENT'S NAME: Campaign for Prosperity

ADDRESS: Suite 417
499 South Capitol Street, S.W.
Washington, D.C. 20003

HOME PHONE: None

BUSINESS PHONE: (202) 488-3547

36040510131



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 25, 1985

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

ATTENTION: GEORGE DEMOUGEOT

FROM: SHAWN WOODHEAD
SENIOR COMPLIANCE ANALYST
COMPLIANCE BRANCH, REPORTS ANALYSIS DIVISION

SUBJECT: MUR 2081: CITIZENS FOR JACK KEMP

Please review the attached Informational Notice which is to be sent to the Citizens for Jack Kemp for the 1985 Mid-Year report. Any comments which you may have should be forwarded to RAD by 12:00 noon on Tuesday, October 29, 1985. Thank you.

COMMENTS:

Attachment

36040610132



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

RQ-5

Malcolm K. Buckley, Treasurer
Citizens for Jack Kemp
Suite 3600
One Marine Midland Center
Buffalo, NY 14203

Identification Number: C00013565

Reference: Mid-Year Report (1/1/85-6/30/85)

Dear Mr. Buckley:

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

-On the Detailed Summary Page, Line 11(a) Column A minus the unitemized receipts should equal \$87,700. The total of all entries itemized on Schedule A for Line 11(a) equals \$87,200. These totals should be the same. Please explain the discrepancy and amend your report(s) accordingly. (11 CFR 104.3(a))

Any amendment or clarification should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4048.

Sincerely,

Thomas White

Thomas White
Reports Analyst
Reports Analysis Division

25040510133



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 2, 1985

Stanton D. Anderson, Treasurer
Campaign for Prosperity
499 South Capitol Street, S.W.
Suite 417
Washington, D.C. 20003

RE: MUR 2081

Dear Mr. Anderson:

On September 27, 1985, the Federal Election Commission determined that there is reason to believe Campaign for Prosperity and you, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. 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 fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

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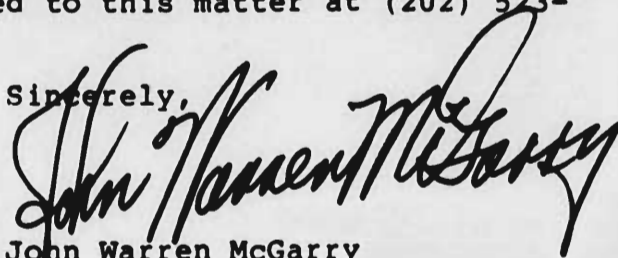
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

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

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

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 George Demougeot, the staff member assigned to this matter at (202) 523-4000.

Sincerely,



John Warren McGarry
Chairman

Enclosures

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

85040310135

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. 2081
STAFF MEMBER:
George Demougeot

RESPONDENTS Campaign For Prosperity
Stanton D. Anderson, as treasurer

SUMMARY OF ALLEGATIONS

8 6 0 4 0 5 1 0 1 3 6
The 1984 October Quarterly Amended Report filed by Campaign for Prosperity ("CFP") disclosed a \$5,000 in-kind contribution for books received from Citizens for Jack Kemp ("CFJK") in September of 1984 and a \$18,366 debt owed to CFJK for the purchase of the same item by CFP. 1/ A letter accompanying the amended report explained that CFP had received books owned by CFJK, which were later dispensed to other Federal candidate campaign committees as in-kind contributions to the candidates campaigns. The letter stated the value of the books (\$23,366) was shown as an in-kind contribution from CFJK to CFP for \$5,000, with the remainder, \$18,336 as "an Accounts Payable by Campaign for Prosperity to Citizens for Jack Kemp." A request for Additional Information ("RAI") for the 1984 Amended October Quarterly and 30 Day Post-General Reports was mailed on February 20, 1985, advising CFP that it had received an excessive contribution and recommending that CFP reverse the transaction by returning the books.

1/ Congressman Jack Kemp is Honorary Chairman of CFP.

CFP's Assistant Director called the Reports Analysis Division ("RAD") analyst on February 21, 1985, to explain that it was impossible to retrieve the books. In addition, Counsel for CFP called the RAD analyst on March 14, 1985, to discuss the problem. Since no written response was received to the RFAI a Second Notice was mailed on March 14, 1985. CFP continues to report the debt owed to CFJK.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 431(8)(A), a contribution is any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.

Pursuant to 11 C.F.R. § 100.7(a)(4), the extension of credit by any person for a length of time beyond normal business or trade practice is a contribution, unless the creditor has made a commercially reasonable attempt to collect the debt.

Pursuant to 2 U.S.C. § 441a(a)(1)(C), no person shall make any contribution to a political committee, except political committees established and maintained by a national party, in any calendar year which, in the aggregate, exceeds \$5,000. Pursuant to 2 U.S.C. § 441a(f), no political committee shall knowingly accept or make any expenditure in violation of the \$5,000 aggregate limitation imposed on contributions under this section. Finally, pursuant to 2 U.S.C. § 434(b)(4)(G), an authorized committee must disclose all disbursements in excess of \$200.

96040510137

A review of CFJK's 1984 12 Day Pre-Primary Report indicates that on August 2, 1984, and August 9, 1984, payments were made to Automated Graphic Systems totalling \$23,336. In the report the purpose of the disbursement was stated to be "Printing - book of speeches".

A review of CFP's amended 1984 October Quarterly Report indicates that in September of 1984 CFP received \$23,336 worth of books from CFJK. This transaction was reported by CFP as a \$5,000 in-kind contribution from CFJK and an \$18,336 obligation owed to CFJK. CFJK did not report the transaction until it submitted amended 1984 12 Day Pre-Primary Report on July 22, 1985.

As of the 1985 Mid-Year Report, covering through July 31, 1985, CFP and CFJK continue to report that the obligation remains unpaid. In addition, there is no evidence of any efforts by CFJK to attempt to collect the debt. Since this extension of credit for over 10 months is considered a contribution pursuant to 11 C.F.R. § 100.7(a)(4), the Office of General Counsel recommends that the Commission find reason to believe that Citizens for Prosperity and Stanton D. Anderson, as treasurer, violated 2 U.S.C. § 441a(f) by accepting a contribution from CFJK \$18,336 in excess of limits.

86040510138



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 2, 1985

Malcom K. Buckley, Treasurer
Citizens for Jack Kemp
One Marine Midland Center, #3600
Buffalo, NY 14203

RE: MUR 2081

Dear Mr. Buckley:

On September 27, 1985, the Federal Election Commission determined that there is reason to believe Citizens for Jack Kemp and you, as treasurer, violated 2 U.S.C. §§ 441a(a)(1)(C) and 434(b)(4)(G), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. 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 fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

86040610139

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

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

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

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 George Demougeot, the staff member assigned to this matter at (202) 523-4000.

Sincerely,



John Warren McGarry
Chairman

Enclosures

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

cc: Congressman Jack Kemp

36040510140

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. 2081
STAFF MEMBER:
George Demougeot

RESPONDENTS Citizens for Jack Kemp
Malcom K. Buckley, as treasurer

SUMMARY OF ALLEGATIONS

8 6 0 4 0 5 1 0 1 4 1

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1/ Congressman Jack Kemp is Honorary Chairman of CFP.

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Pursuant to 11 C.F.R. § 100.7(a)(4), the extension of credit by any person for a length of time beyond normal business or trade practice is a contribution, unless the creditor has made a commercially reasonable attempt to collect the debt.

Pursuant to 2 U.S.C. § 441a(a)(1)(C), no person shall make any contribution to a political committee, except political committees established and maintained by a national party, in any calendar year which, in the aggregate, exceeds \$5,000. Pursuant to 2 U.S.C. § 441a(f), no political committee shall knowingly accept or make any expenditure in violation of the \$5,000 aggregate limitation imposed on contributions under this section. Finally, pursuant to 2 U.S.C. § 434(b)(4)(G), an authorized committee must disclose all disbursements in excess of \$200.

25040310142

A review of CFJK's 1984 12 Day Pre-Primary Report indicates that on August 2, 1984, and August 9, 1984, payments were made to Automated Graphic Systems totalling \$23,336. In the report the purpose of the disbursement was stated to be "Printing - book of speeches".

A review of CFP's amended 1984 October Quarterly Report indicates that in September of 1984 CFP received \$23,336 worth of books from CFJK. This transaction was reported by CFP as a \$5,000 in-kind contribution from CFJK and an \$18,336 obligation owed to CFJK. CFJK did not report the transaction until it submitted amended 1984 12 Day Pre-Primary Report on July 22, 1985.

As of the 1985 Mid-Year Report, covering through July 31, 1985, CFP and CFJK continue to report that the obligation remains unpaid. In addition, there is no evidence of any efforts by CFJK to attempt to collect the debt. Since this extension of credit for over 10 months is considered a contribution pursuant to 11 C.F.R. § 100.7(a)(4), the Office of General Counsel recommends that the Commission find reason to believe that Citizens for Jack Kemp and Malcom K. Buckley, as treasurer, violated 2 U.S.C. § 441a(a)(1)(c) by making a contribution to CFP \$18,336 in excess of limits. Further, since CFJK failed to disclose the transaction until July 22, 1985, the Office of General Counsel recommends that the Commission find reason to believe that Citizens for Jack Kemp and Malcom K. Buckley, as treasurer, violated 2 U.S.C. § 434(b)(4)(G).

86040310143



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Stanton D. Anderson, Treasurer
Campaign for Prosperity
499 South Capitol Street, S.W.
Suite 417
Washington, D.C. 20003

RE: MUR 2081

Dear Mr. Anderson:

On September 27, 1985, the Federal Election Commission determined that there is reason to believe Campaign for Prosperity and you, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. 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 fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

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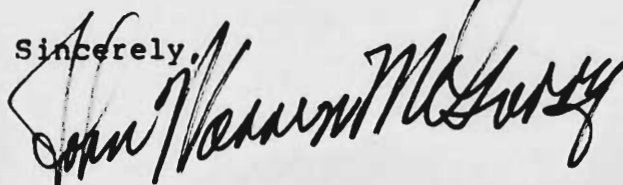
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

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

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

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 George Demougeot, the staff member assigned to this matter at (202) 523-4000.

Sincerely,



John Warren McGarry
Chairman

Enclosures

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

26040510145

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. _____
STAFF MEMBER:
George Demougeot

RESPONDENTS Campaign For Prosperity
Stanton D. Anderson, as treasurer

SUMMARY OF ALLEGATIONS

86040510146

The 1984 October Quarterly Amended Report filed by Campaign for Prosperity ("CFP") disclosed a \$5,000 in-kind contribution for books received from Citizens for Jack Kemp ("CFJK") in September of 1984 and a \$18,366 debt owed to CFJK for the purchase of the same item by CFP. 1/ A letter accompanying the amended report explained that CFP had received books owned by CFJK, which were later dispensed to other Federal candidate campaign committees as in-kind contributions to the candidates campaigns. The letter stated the value of the books (\$23,366) was shown as an in-kind contribution from CFJK to CFP for \$5,000, with the remainder, \$18,336 as "an Accounts Payable by Campaign for Prosperity to Citizens for Jack Kemp." A request for Additional Information ("RAI") for the 1984 Amended October Quarterly and 30 Day Post-General Reports was mailed on February 20, 1985, advising CFP that it had received an excessive contribution and recommending that CFP reverse the transaction by returning the books.

1/ Congressman Jack Kemp is Honorary Chairman of CFP.

CFP's Assistant Director called the Reports Analysis Division ("RAD") analyst on February 21, 1985, to explain that it was impossible to retrieve the books. In addition, Counsel for CFP called the RAD analyst on March 14, 1985, to discuss the problem. Since no written response was received to the RFAI a Second Notice was mailed on March 14, 1985. CFP continues to report the debt owed to CFJK.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 431(8)(A), a contribution is any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.

Pursuant to 11 C.F.R. § 100.7(a)(4), the extension of credit by any person for a length of time beyond normal business or trade practice is a contribution, unless the creditor has made a commercially reasonable attempt to collect the debt.

Pursuant to 2 U.S.C. § 441a(a)(1)(C), no person shall make any contribution to a political committee, except political committees established and maintained by a national party, in any calendar year which, in the aggregate, exceeds \$5,000. Pursuant to 2 U.S.C. § 441a(f), no political committee shall knowingly accept or make any expenditure in violation of the \$5,000 aggregate limitation imposed on contributions under this section. Finally, pursuant to 2 U.S.C. § 434(b)(4)(G), an authorized committee must disclose all disbursements in excess of \$200.

85040510147

A review of CFJK's 1984 12 Day Pre-Primary Report indicates that on August 2, 1984, and August 9, 1984, payments were made to Automated Graphic Systems totalling \$23,336. In the report the purpose of the disbursement was stated to be "Printing - book of speeches".

A review of CFP's amended 1984 October Quarterly Report indicates that in September of 1984 CFP received \$23,336 worth of books from CFJK. This transaction was reported by CFP as a \$5,000 in-kind contribution from CFJK and an \$18,336 obligation owed to CFJK. CFJK did not report the transaction until it submitted amended 1984 12 Day Pre-Primary Report on July 22, 1985.

As of the 1985 Mid-Year Report, covering through July 31, 1985, CFP and CFJK continue to report that the obligation remains unpaid. In addition, there is no evidence of any efforts by CFJK to attempt to collect the debt. Since this extension of credit for over 10 months is considered a contribution pursuant to 11 C.F.R. § 100.7(a)(4), the Office of General Counsel recommends that the Commission find reason to believe that Citizens for Prosperity and Stanton D. Anderson, as treasurer, violated 2 U.S.C. § 441a(f) by accepting a contribution from CFJK \$18,336 in excess of limits.

85040510148



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Malcom K. Buckley, Treasurer
Citizens for Jack Kemp
One Marine Midland Center, #3600
Buffalo, NY 14203

RE: MUR

Dear Mr. Buckley:

On , 1985, the Federal Election Commission determined that there is reason to believe Citizens for Jack Kemp and you, as treasurer, violated 2 U.S.C. §§ 441a(a)(1)(C) and 434(b)(4)(G), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. 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 fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

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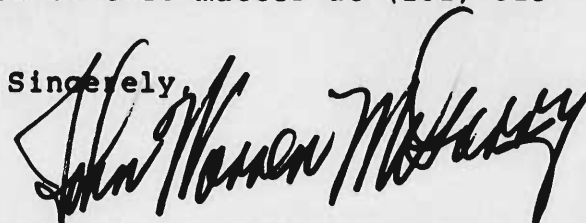
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

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

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

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 George Demougeot, the staff member assigned to this matter at (202) 523-4000.

Sincerely,



John Warren McGarry
Chairman

Enclosures

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

cc: Congressman Jack Kemp

35040510150

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. _____
STAFF MEMBER:
George Demougeot

RESPONDENTS Citizens for Jack Kemp
Malcom K. Buckley, as treasurer

SUMMARY OF ALLEGATIONS

8 6 0 4 0 5 1 0 1 5 1

The 1984 October Quarterly Amended Report filed by Campaign for Prosperity ("CFP") disclosed a \$5,000 in-kind contribution for books received from Citizens for Jack Kemp ("CFJK") in September of 1984 and a \$18,366 debt owed to CFJK for the purchase of the same item by CFP. 1/ A letter accompanying the amended report explained that CFP had received books owned by CFJK, which were later dispensed to other Federal candidate campaign committees as in-kind contributions to the candidates campaigns. The letter stated the value of the books (\$23,366) was shown as an in-kind contribution from CFJK to CFP for \$5,000, with the remainder, \$18,336 as "an Accounts Payable by Campaign for Prosperity to Citizens for Jack Kemp." A request for Additional Information ("RFAI") for the 1984 Amended October Quarterly and 30 Day Post-General Reports was mailed on February 20, 1985, advising CFP that it had received an excessive contribution and recommending that CFP reverse the transaction by returning the books.

1/ Congressman Jack Kemp is Honorary Chairman of CFP.

CFP's Assistant Director called the Reports Analysis Division ("RAD") analyst on February 21, 1985, to explain that it was impossible to retrieve the books. In addition, Counsel for CFP called the RAD analyst on March 14, 1985, to discuss the problem. Since no written response was received to the RFAI a Second Notice was mailed on March 14, 1985. CFP continues to report the debt owed to CFJK.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 431(8)(A), a contribution is any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.

Pursuant to 11 C.F.R. § 100.7(a)(4), the extension of credit by any person for a length of time beyond normal business or trade practice is a contribution, unless the creditor has made a commercially reasonable attempt to collect the debt.

Pursuant to 2 U.S.C. § 441a(a)(1)(C), no person shall make any contribution to a political committee, except political committees established and maintained by a national party, in any calendar year which, in the aggregate, exceeds \$5,000. Pursuant to 2 U.S.C. § 441a(f), no political committee shall knowingly accept or make any expenditure in violation of the \$5,000 aggregate limitation imposed on contributions under this section. Finally, pursuant to 2 U.S.C. § 434(b)(4)(G), an authorized committee must disclose all disbursements in excess of \$200.

36040510152

A review of CFJK's 1984 12 Day Pre-Primary Report indicates that on August 2, 1984, and August 9, 1984, payments were made to Automated Graphic Systems totalling \$23,336. In the report the purpose of the disbursement was stated to be "Printing - book of speeches".

A review of CFP's amended 1984 October Quarterly Report indicates that in September of 1984 CFP received \$23,336 worth of books from CFJK. This transaction was reported by CFP as a \$5,000 in-kind contribution from CFJK and an \$18,336 obligation owed to CFJK. CFJK did not report the transaction until it submitted amended 1984 12 Day Pre-Primary Report on July 22, 1985.

As of the 1985 Mid-Year Report, covering through July 31, 1985, CFP and CFJK continue to report that the obligation remains unpaid. In addition, there is no evidence of any efforts by CFJK to attempt to collect the debt. Since this extension of credit for over 10 months is considered a contribution pursuant to 11 C.F.R. § 100.7(a)(4), the Office of General Counsel recommends that the Commission find reason to believe that Citizens for Jack Kemp and Malcom K. Buckley, as treasurer, violated 2 U.S.C. § 441a(a)(1)(c) by making a contribution to CFP \$18,336 in excess of limits. Further, since CFJK failed to disclose the transaction until July 22, 1985, the Office of General Counsel recommends that the Commission find reason to believe that Citizens for Jack Kemp and Malcom K. Buckley, as treasurer, violated 2 U.S.C. § 434(b)(4)(G).

36040510153

BEFORE THE FEDERAL ELECTION COMMISSION

M2081

In the Matter of)
) RAD Referral 85L-25
Campaign for Prosperity)
Stanton D. Anderson, as treasurer)
Citizens for Jack Kemp)
Malcom K. Buckley, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 27, 1985, the Commission decided by a vote of 5-0 to take the following actions in RAD Referral 85L-25:

1. Open a MUR.
2. Find reason to believe that Campaign for Prosperity and Stanton D. Anderson, as treasurer, violated 2 U.S.C. § 441a(f).
3. Find reason to believe that Citizens for Jack Kemp and Malcom K. Buckley, as treasurer, violated 2 U.S.C. § 441a(a)(1)(C) and 2 U.S.C. § 434(b)(4)(G).
4. Approve the letters and factual and legal analyses attached to the First General Counsel's Report signed September 23, 1985.

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

Attest:

9-27-85

Date

Marjorie W. Emmons

for Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:	Tues., 9-24-85, 3:37
Circulated on 48 hour tally basis:	Wed., 9-25-85, 11:00
Deadline for votes:	Fri., 9-27-85, 11:00

86040510154



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *RD*
DATE: September 24, 1985
SUBJECT: RAD Ref. 85L-25: 1st General Counsel's Report

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

CIRCULATIONS

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

DISTRIBUTION

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

36040610155

• SENSITIVE •

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

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT 5 SEP 24 P 3:37

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION _____

RAD # 85L-25
STAFF MEMBER
George Demougeot

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: Campaign for Prosperity
Stanton D. Anderson, as treasurer
Citizens for Jack Kemp
Malcom K. Buckley, as treasurer

RELEVANT STATUTE: 2 U.S.C. § 441a(a)(1)(C)
2 U.S.C. § 441a(f)
2 U.S.C. § 434(b)(4)(G)
11 C.F.R. § 100.7(a)(4)

INTERNAL REPORTS CHECKED: Committee Reports

FEDERAL AGENCIES CHECKED: None

GENERATION OF MATTER

Based on information obtained in the normal course of its supervisory duties under the Federal Election Campaign Act of 1971, as amended (the "Act"), the Reports Analysis Division ("RAD") referred this matter to the Office of General Counsel on June 24, 1985.

SUMMARY OF ALLEGATIONS

The 1984 October Quarterly Amended Report filed by Campaign for Prosperity ("CFP") disclosed a \$5,000 in-kind contribution for books received from Citizens for Jack Kemp ("CFJK") in September of 1984 and a \$18,366 debt owed to CFJK for the purchase of the same item by CFP. 1/ A letter accompanying the amended report explained that CFP had received books owned by

1/ Congressman Jack Kemp is Honorary Chairman of CFP.

86040510155

CFJK, which were later dispensed to other Federal candidate campaign committees as in-kind contributions to the candidates campaigns. The letter stated the value of the books (\$23,366) was shown as an in-kind contribution from CFJK to CFP for \$5,000, with the remainder, \$18,336 as "an Accounts Payable by Campaign for Prosperity to Citizens for Jack Kemp." A request for Additional Information ("RFAI") for the 1984 Amended October Quarterly and 30 Day Post-General Reports was mailed on February 20, 1985, advising CFP that it had received an excessive contribution and recommending that CFP reverse the transaction by returning the books.

CFP's Assistant Director called the Reports Analysis Division ("RAD") analyst on February 21, 1985, to explain that it was impossible to retrieve the books. In addition, Counsel for CFP called the RAD analyst on March 14, 1985, to discuss the problem. Since no written response was received to the RFAI a Second Notice was mailed on March 14, 1985. CFP continues to report the debt owed to CFJK.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 431(8)(A), a contribution is any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.

86040510157

Pursuant to 11 C.F.R. § 100.7(a)(4), the extension of credit by any person for a length of time beyond normal business or trade practice is a contribution, unless the creditor has made a commercially reasonable attempt to collect the debt.

Pursuant to 2 U.S.C. § 441a(a)(1)(C), no person shall make any contribution to a political committee, except political committees established and maintained by a national party, in any calendar year which, in the aggregate, exceeds \$5,000. Pursuant to 2 U.S.C. § 441a(f), no political committee shall knowingly accept or make any expenditure in violation of the \$5,000 aggregate limitation imposed on contributions under this section. Finally, pursuant to 2 U.S.C. § 434(b)(4)(G), an authorized committee must disclose all disbursements in excess of \$200.

A review of CFJK's 1984 12 Day Pre-Primary Report indicates that on August 2, 1984, and August 9, 1984, payments were made to the Automated Graphic Systems totalling \$23,336. The purpose of the disbursement was reported to be "Printing-book of speeches".

A review of CFP's amended 1984 October Quarterly Report indicates that in September of 1984 CFP received \$23,336 worth of books from CFJK. This transaction was reported by CFP as a \$5,000 in-kind contribution from CFJK and an \$18,336 obligation owed to CFJK. CFJK did not report the transaction until it submitted amended 1984 12 Day Pre-Primary Report on July 22, 1985.

As of the 1985 Mid-Year Report, covering through July 31, 1985, CFP and CFJK continue to report that the obligation remains unpaid. In addition, there is no evidence of any effort by CFJK to attempt to collect the debt. Since the extension of credit for over 10 months is considered a contribution pursuant to 11 C.F.R. § 100.7(a)(4), the Office of General Counsel recommends that the Commission find reason to believe that Citizens for Prosperity and Stanton D. Anderson, as treasurer, violated 2 U.S.C. § 441a(f) by accepting a contribution from CFJK \$18,336 in excess of limits. Further, the Office of General Counsel recommends that the Commission find reason to believe that Citizens for Jack Kemp and Malcom K. Buckley, as treasurer, violated 2 U.S.C. § 441a(a)(1)(C) by making a contribution to CFP \$18,336 in excess of limits. Finally, since CFJK failed to disclose the transaction until July 22, 1985, the Office of General Counsel recommends that the Commission find reason to believe that Citizens for Jack Kemp and Malcom K. Buckley, as treasurer, violated 2 U.S.C. § 434(b)(4)(G).

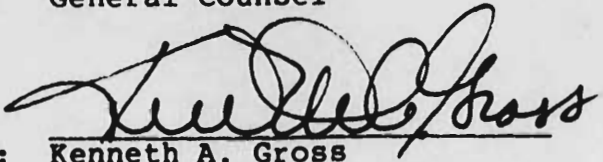
RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that Campaign for Prosperity and Stanton D. Anderson, as treasurer, violated 2 U.S.C. § 441a(f).

3. Find reason to believe that Citizens for Jack Kemp and Malcom K. Buckley, as treasurer, violated 2 U.S.C. § 441a(a)(1)(C) and 2 U.S.C. § 434(b)(4)(G).
4. Approve the attached letters and factual and legal analyses.

Charles N. Steele
General Counsel

86040510160
September 23, 1985
Date


BY: Kenneth A. Gross
Associate General Counsel

Attachments

- I. RAD Referral
- II. Proposed letters
- III. Proposed factual and legal analyses

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Campaign for Prosperity)
Stanton D. Anderson, as treasurer)
Citizens for Jack Kemp)
Malcom K. Buckley, as treasurer)

RAD #85L-25

2081
(M2101)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of September 5, 1985, do hereby certify that the Commission decided by a vote of 6-0 to return the General Counsel's August 12, 1985 report on the above-captioned matter to the Office of General Counsel for revision in line with Commissioner Josefiak's statement of reasons, eliminating reference to the purchase of books by the campaign.

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

Attest:

9-6-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

86040510161

SENSITIVE

Submitted Late



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE FEC
COMMISSIONER SECRETARY

DGC
Secret
#1

85 SEP 5 A10:22

EXECUTIVE SESSION

SEP 5 1985

COMMISSIONER JOSEFIK'S STATEMENT OF REASONS
FOR OPENING A MATTER UNDER REVIEW
WITH RESPECT TO RAD REFERRAL #85-25

1

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Although I support the Office of General Counsel's recommendation that the Commission open a MUR and find reason to believe that the Campaign for Prosperity and Stanton D. Anderson, as treasurer, violated 2 U.S.C. §441a(f), for receiving excessive contributions and although I have no dispute with the facts of the case, I cannot support the accompanying legal analysis of the Office of General Counsel. The underlying premise of that analysis is that the purchase of books by the Campaign for Prosperity from the Citizens for Jack Kemp is illegal. I do not support that conclusion. In my view, the purchase of another political committee's assets is a legitimate transaction under the F.E.C.A. As a matter of fact, the Commission has on a number of occasions sanctioned such transactions. In AO 79-18, AO 81-46, AO 81-53 and AO 82-41, for example, the Commission approved the sale or exchange of mailing lists by and among political committees, including transactions with incorporated entities, as long as the purchase price was the normal and usual charge for such lists or the lists exchanged were of equal value. From the facts of this case, I see no distinction between the purchase of a committee's mailing list and the purchase of these books by the Citizens for Prosperity. Therefore, I am not willing to find a violation of the F.E.C.A. based on the transaction itself.

However, Citizens for Prosperity reported that the transaction took place in September of 1984 and has been reporting a debt of \$18,336 to the Citizens for Jack Kemp since then. This continued extension of credit is beyond what I would consider reasonable, resulting in the receipt of an excessive contribution by the Campaign for Prosperity. It is for that reason I support opening a MUR and finding of reason to believe that the Campaign for Prosperity violated 2 U.S.C. §441a(f).



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Rmg*
DATE: August 14, 1985
SUBJECT: RAD Referral#85L-25 - First General Counsel's Report

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

CIRCULATIONS

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

DISTRIBUTION

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

86040510163

SENSITIVE

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

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT 85 AUG 14 P 4: 52

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION _____

RAD # 85L-25
STAFF MEMBER
George Demougeot

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:

Campaign for Prosperity
Stanton D. Anderson, as treasurer
Citizens for Jack Kemp
Malcom K. Buckley, as treasurer

RELEVANT STATUTE:

2 U.S.C. § 441a(a)(1)(C)
2 U.S.C. § 441a(f)
2 U.S.C. § 434(b)(4)(G)

INTERNAL REPORTS CHECKED:

Committee Reports

FEDERAL AGENCIES CHECKED:

None

GENERATION OF MATTER

Based on information obtained in the normal course of its supervisory duties under the Federal Election Campaign Act of 1971, as amended (the "Act"), the Reports Analysis Division ("RAD") referred this matter to the Office of General Counsel on June 24, 1985.

SUMMARY OF ALLEGATIONS

The 1984 October Quarterly Amended Report filed by Campaign for Prosperity ("CFP") disclosed a \$5,000 in-kind contribution for books received from Citizens for Jack Kemp ("CFJK") in September of 1984 and a \$18,366 debt owed to CFJK for the purchase of the same item by CFP. 1/ A letter accompanying the amended report explained that CFP had received books owned by

1/ Congressman Jack Kemp is Honorary Chairman of CFP.

36040510164

CFJK, which were later dispensed to other Federal candidate campaign committees as in-kind contributions to the candidates campaigns. The letter stated the value of the books (\$23,366) was shown as an in-kind contribution from CFJK to CFP for \$5,000, with the remainder, \$18,336 as "an Accounts Payable by Campaign for Prosperity to Citizens for Jack Kemp." A request for Additional Information ("RFAI") for the 1984 Amended October Quarterly and 30 Day Post-General Reports was mailed on February 20, 1985 advising CFP that it had received an excessive contribution, and recommending that CFP reverse the transaction by returning the books.

CFP's Assistant Director, Ms. Trisha O'Keefe, called the analyst in the Reports Analysis Division ("RAD") on February 21, 1985 in response to the Commission's letter. The RAD analyst explained that the receipt of the books was considered to be a contribution, and that reimbursement to CFJK may be considered to be a contribution from CFP to CFJK. She explained that the return of the books as a remedy would be feasible. Ms. O'Keefe stated that the books were gone, and she had no way to retrieve them. The RAD analyst stated that she was unable to suggest another remedy.

On March 14, 1985, Counsel for CFP, Mr. Tedd Williams, contacted the RAD analyst by phone. He stated that he had been unaware that a written response was necessary since Ms. O'Keefe and the RAD analyst had been unable to resolve the problem. The RAD analyst briefed the attorney on the problem and Commission action to date. Mr. Williams asked if it would be acceptable for CFP to pay the fair market value to CFJK for the books as a commercial transaction without the transaction being considered a contribution. The RAD analyst stated that the FEC had recently gone to court in an analogous "vendor" issue, and would obtain the information for the attorney. The Second Notice was mailed on March 14, 1985 for failure to respond to the initial request.

The RAD analyst attempted to contact Mr. Williams on the afternoon of March 14, 1985, however, he was unavailable. On March 15, 1985, Mr. Williams contacted the analyst and was given the information he had previously requested. In a letter received on March 20, 1985, Ms. O'Keefe stated that it was CFP's belief that the problem would be best handled between CFP's counsel and FEC attorneys.

Mr. Williams called the RAD analyst on March 27, 1985 to see what action CFP might take to clear up the problem. Mr. Williams stated that he did not want it to appear that CFP was not responding to the FEC requests. He stated that he would talk to CFP officials to ascertain if CFP would provide further clarification.

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A letter received on April 10, 1985, from Mr. Williams on behalf of CFP stated, in part, that, "[a]t this point then, we are unable to determine whether or how CFP has allegedly violated the applicable law or regulations." CFP continues to report the debt owed to CFJK.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 431(8)(A), a contribution is any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.

Pursuant to 2 U.S.C. § 431(8)(A), a loan is a contribution. Pursuant 11 C.F.R. § 100.7(a)(1)(A), a loan that exceeds the contribution limitations is unlawful whether or not the loan is repaid.

Pursuant to 2 U.S.C. § 441a(a)(1)(C), no person shall make any contribution to a political committee, except political committees established and maintained by a national party, in any calendar year which, in the aggregate, exceeds \$5,000. Pursuant to 2 U.S.C. § 441a(f), no political committee shall knowingly accept or make any expenditure in violation of the \$5,000 aggregate limitation imposed on contributions under this section.

Finally, pursuant to 2 U.S.C. § 434(b)(4)(G), an authorized committee must disclose all disbursements in excess of \$200.

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A loan is considered a contribution at the time the loan is given. CFP has reported the receipt of \$23,336 worth of books from CFJK as a \$5,000 in-kind contribution from CFJK and an \$18,336 obligation owed to CFJK. Since the obligation is a contribution pursuant to 2 U.S.C. § 431(8)(A), the Office of General Counsel recommends that Commission find reason to believe that Citizens for Prosperity and Stanton D. Anderson, as treasurer, violated 2 U.S.C. § 441a(f) for accepting a contribution \$18,336 in excess of limits. Also, since Citizens for Jack Kemp made a contribution \$18,336 in excess of limits, the Office of General Counsel recommends that the Commission find reason to believe that Citizens for Jack Kemp and Malcom K. Buckley, as treasurer, violated 2 U.S.C. § 441a(a)(1)(C). Further, since CFJK failed to report the contribution to CFP, the Office of General Counsel recommends that the Commission find reason to believe that Citizens for Jack Kemp and Malcom K. Buckley, as treasurer, violated 2 U.S.C. § 434(b)(4)(G).

RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that Campaign for Prosperity and Stanton D. Anderson, as treasurer, violated 2 U.S.C. § 441a(f).
3. Find reason to believe that Citizens for Jack Kemp and Malcom K. Buckley, as treasurer, violated 2 U.S.C. § 441a(a)(2)(C) and 2 U.S.C. § 434(b)(4)(G).
4. Approve the attached letters and factual and legal analysis.

Charles N. Steele
General Counsel

August 12, 1985
Date

BY: Kenneth A. Gross
Associate General Counsel

Attachments

- I. RAD Referral
- II. Proposed letters
- III. Proposed factual and legal analysis

36040610159

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: June 24, 1985

ANALYST: Pamela Brown

I. COMMITTEE: Campaign for Prosperity
(C00013490)
Stanton D. Anderson, Treasurer
499 South Capitol Street, SW, Suite 417
Washington, DC 20003

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

III. BACKGROUND:

Receipt of an Excessive Contribution

The 1984 October Quarterly Amended Report filed by Campaign for Prosperity ("CFP") disclosed a \$5,000 in-kind contribution (books) received from Citizens For Jack Kemp ("CFJK") in September of 1984 and a \$18,366 debt owed to CFJK for the purchase of the same item by CFP.^{1/} A letter accompanying the amended report explained that CFP had received books owned by CFJK, which were later dispensed to other Federal candidate campaign committees as in-kind contributions to the candidates campaigns (Attachment 2). The letter stated that the value of the books (\$23,366) was shown as an in-kind contribution from CFJK to CFP for \$5,000, with the remainder, \$18,366 as "an Accounts Payable by Campaign for Prosperity to Citizens for Jack Kemp." A Request for Additional Information ("RFAI") for the 1984 Amended October Quarterly and 30 Day Post-General Reports was mailed on February 20, 1985 advising CFP that it had received an excessive contribution, and recommending that CFP reverse the transaction by returning the books (Attachment 3).

CFP's Assistant Director, Ms. Trisha O'Keefe, called the analyst in the Reports Analysis Division ("RAD") on February 21, 1985 in response to the Commission's letter (Attachment 4). The RAD analyst explained that the receipt of the books was considered to be a contribution, and that reimbursement to CFJK may be considered to be a contribution from CFP to CFJK. She explained that the return of the books as a remedy would not be feasible. Ms. O'Keefe stated that the books were gone, and she had no way to retrieve them. The RAD analyst stated that she was unable to suggest another remedy.

^{1/} Congressman Jack Kemp is Honorary Chairman of CFP.

Attachment T
(2)

85040510170

CAMPAIGN FOR PROSPERITY
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

On March 14, 1985, Counsel for CFP, Mr. Tedd Williams, contacted the RAD analyst by phone. He stated that he had been unaware that a written response was necessary since Ms. O'Keefe and the RAD analyst had been unable to resolve the problem (Attachment 5). The RAD analyst briefed the attorney on the problem and Commission action to date. Mr. Williams asked if it would be acceptable for CFP to pay the fair market value to CFJK for the books as a commercial transaction without the transaction being considered a contribution. The RAD analyst stated that the FEC had recently gone to court in an analogous "vendor" issue, and would obtain the information for the attorney.

The Second Notice was mailed on March 14, 1985 for failure to respond to the initial request (Attachment 6).

The RAD analyst attempted to contact Mr. Williams on the afternoon of March 14, 1985; however, he was unavailable. On March 15, 1985, Mr. Williams contacted the analyst and was given the information he had previously requested (Attachment 7). In a letter received on March 20, 1985, Ms. O'Keefe stated that it was CFP's belief that the problem would be best handled between CFP's counsel and FEC attorneys (Attachment 8).

Mr. Williams called the RAD analyst on March 27, 1985 to see what action CFP might take at this point (Attachment 9). Mr. Williams was concerned as he did not want it to appear that CFP was not responding to the FEC requests. He stated that he would talk to CFP officials to ascertain if CFP would provide further clarification.

A letter was received on April 10, 1985, from Mr. Williams on behalf of CFP, which stated in part that "At this point then, we are unable to determine whether or how CFP has allegedly violated the applicable law or regulations" (Attachment 10). Until this issue is resolved, CFP continues to report the debt owed to CFJK (Attachment 11).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

Attachment I
③

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FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (83-84)

DATE 18JUN85
PAGE 1

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
CAMPAIGN FOR PROSPERITY CONNECTED ORGANIZATION: NONE				NON-PARTY QUALIFIED		ID #C00013490
1983	STATEMENT OF ORGANIZATION - AMENDMENT			22FEB83	3	83FEC/266/4907
	STATEMENT OF ORGANIZATION - AMENDMENT			8AUG83	2	83FEC/281/0173
	REQUEST FOR ADDITIONAL INFORMATION 2ND			31MAR84 - 31MAR83	3	84FEC/316/0883
	MID-YEAR REPORT	268,845	153,222	1JAN83 - 30JUN83	47	83FEC/281/0175
	MID-YEAR REPORT - AMENDMENT	265,711	153,291	1JAN83 - 30JUN83	3	84FEC/357/2462
	YEAR-END	343,803	389,199	1JUL83 - 31DEC83	51	84FEC/295/0
	YEAR-END - AMENDMENT	-	-	1JUL83 - 31DEC83	5	84FEC/312/0111
	YEAR-END - AMENDMENT	314,505	288,121	1JUL83 - 31DEC83	4	84FEC/342/0174
	YEAR-END - AMENDMENT	-	-	1JUL83 - 31DEC83	2	84FEC/357/246
	REQUEST FOR ADDITIONAL INFORMATION			1JUL83 - 31DEC83	6	84FEC/299/2660
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL83 - 31DEC83	7	84FEC/307/1272
	REQUEST FOR ADDITIONAL INFORMATION			1JUL83 - 31DEC83	1	84FEC/348/3290
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL83 - 31DEC83	1	84FEC/350/3379
1984	MISCELLANEOUS REPORT			3DEC84 TO FEC	2	84FEC/350/2400
	APRIL QUARTERLY	311,753	228,116	1JAN84 - 31MAR84	26	84FEC/310/3963
	APRIL QUARTERLY - AMENDMENT	-	-	1JAN84 - 31MAR84	2	84FEC/316/1930
	APRIL QUARTERLY - AMENDMENT	-	-	1JAN84 - 31MAR84	4	84FEC/318/0216
	APRIL QUARTERLY - AMENDMENT	-	-	1JAN84 - 31MAR84	1	84FEC/328/1183
	APRIL QUARTERLY - AMENDMENT	269,848	275,829	1JAN84 - 31MAR84	29	84FEC/341/4578
	REQUEST FOR ADDITIONAL INFORMATION			1JAN84 - 31MAR84	2	84FEC/313/4931
	JULY QUARTERLY	424,427	479,233	1APR84 - 30JUN84	52	84FEC/321/3383
	JULY QUARTERLY - AMENDMENT	424,427	479,233	1APR84 - 30JUN84	5	84FEC/328/0742
	JULY QUARTERLY - AMENDMENT	424,745	478,286	1APR84 - 30JUN84	52	84FEC/341/4607
	JULY QUARTERLY - AMENDMENT	-	-	1APR84 - 30JUN84	5	84FEC/357/2465
	REQUEST FOR ADDITIONAL INFORMATION			1APR84 - 30JUN84	3	84FEC/324/4402
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1APR84 - 30JUN84	4	84FEC/327/0151
	REQUEST FOR ADDITIONAL INFORMATION			1APR84 - 30JUN84	1	84FEC/348/1
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1APR84 - 30JUN84	4	84FEC/349/05
	OCTOBER QUARTERLY	495,774	480,639	1JUL84 - 30SEP84	52	84FEC/340/057
	OCTOBER QUARTERLY - AMENDMENT	495,774	482,139	1JUL84 - 30SEP84	4	84FEC/357/248
	OCTOBER QUARTERLY - AMENDMENT	-	-	1JUL84 - 30SEP84	10	84FEC/357/247
	OCTOBER QUARTERLY - AMENDMENT	500,774	480,139	1JUL84 - 30SEP84	7	85FEC/363/0560
	OCTOBER QUARTERLY - AMENDMENT	-	-	1JUL84 - 30SEP84	1	85FEC/370/0596
	REQUEST FOR ADDITIONAL INFORMATION			1JUL84 - 30SEP84	1	84FEC/348/3286
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL84 - 30SEP84	1	84FEC/350/3364
	REQUEST FOR ADDITIONAL INFORMATION			1JUL84 - 30SEP84	1	85FEC/366/4139
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL84 - 30SEP84	1	85FEC/368/1483
	POST-GENERAL	377,085	349,776	1OCT84 - 27NOV84	62	84FEC/353/2360
	POST-GENERAL - AMENDMENT	-	-	1OCT84 - 26NOV84	3	85FEC/370/0319
	POST-GENERAL - AMENDMENT	377,085	338,968	1OCT84 - 27NOV84	8	85FEC/363/0568
	REQUEST FOR ADDITIONAL INFORMATION			1OCT84 - 26NOV84	3	85FEC/366/3248
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1OCT84 - 26NOV84	4	85FEC/368/1061
	REQUEST FOR ADDITIONAL INFORMATION			1OCT84 - 27NOV84	1	85FEC/360/0026
	YEAR-END	26,905	71,510	18NOV84 - 31DEC84	21	85FEC/363/0577

Attachment I
(4)

8 6 0 4 0 6 1 0 1 7 3
 FEDERAL ELECTION COMMISSION
 COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (83-84)

DATE 18JUN85
 PAGE 2

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
	YEAR-END - AMENDMENT	26.905	71,510	18NOV84 -31DEC84	4	85FEC/366/4058
	REQUEST FOR ADDITIONAL INFORMATION			18NOV84 -31DEC84	3	85FEC/366/0316
	1985 MISCELLANEOUS REPORT			20MAR85 TO FEC	2	85FEC/368/3789
	TOTAL	2,179,573	0 2,186,144	0	516	TOTAL PAGES

All reports have been reviewed.

Ending Cash 12/31/84: \$ 29,681

Debts (by) 12/31/84: \$303,716

Attachment I
 (5)

At
 Page 2 of 2

CAMPAIGN for PROSPERITY

499 S. Capitol Street, S.W. • Suite 417 • Washington, D.C. 20003 • 202/444-3547

Congressman Jack Kemp
Honorary Chairman

James C. Roberts
Director

January 29, 1985

Ms. Pamela Brown
Senior Reports Analyst
Reports Analysis Division
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Ms. Brown:

With regard to your questions about Campaign for Prosperity's report for the period ending November 27, 1984, I believe that the following explanations will clarify any questions you may have.

- Line 19 of our Detailed Summary Page disclosed a total for Schedule B disbursements of \$256,808.22. This was reported in error. It seems that the page total for Page 2, Line Item 19, was inadvertently held over in the calculator when totaling Page 3. This error has been corrected on both Schedule B and the Summary Page, which both now show total disbursements of \$246,000.07.
- Your questions about the original payee for several in-kind contributions Campaign for Prosperity made can be answered with the following explanation and corrections to our FEC reports for the periods July 1-September 30, 1984, and October 1-November 27, 1984.

[These in-kind contributions were books owned by Campaign for Prosperity, and the notation, "books owned by CFP" has been placed next to the appropriate contributions as further explanation.]

Attachment I

⑥

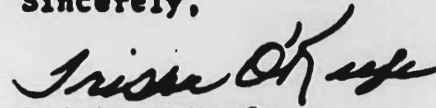
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Ms Pamela Brown
January 29, 1985
Page 2

The books were originally purchased by Citizens for Jack Kemp, and we failed to note on our report an accounting for this transaction. Our report has now been amended to show a \$5,000.00 in-kind contribution from Citizens for Jack Kemp and an Accounts Payable by Campaign for Prosperity to Citizens for Jack Kemp in the amount of \$18,366.00. Schedules A and D have been amended to show these changes.

We apologize for these errors and hope that this explanation satisfies any questions you may have.

Sincerely,



Trisha O'Keefe
Assistant Director

Enclosures

cc: Stanton D. Anderson
Toni Smiley

Attachment I
⑦

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SCHEDULE A

FINANCIAL STATEMENTS

See instructions on the back of the Schedule A form for more information.

Any information on this form from such Reports or Statements may not be sold or used by any person for the purpose of making contributions or for the purpose of 2. 2700, other than using the name and address of the person or persons to which contributions were made.

Name of Campaign (in Full)

Campaign for Prosperity

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Payment This Period
American Land Development Assoc. 1220 L Street, N.W. Washington, D.C. 20005	Political Action Committee	7/5/84	\$2,000.00
Received For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date-\$	
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Payment This Period
Walters ON Political Committee 7951 E. Highland Avenue Englewood, CO 80111	Political Action Committee	8/9/84	\$5,000.00
Received For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date-\$	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Payment This Period
American Security Council PAC Box 8 Boston, VA 22715	Political Action Committee	8/9/84	\$4,277.00
Received For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date-\$	
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Payment This Period
Rockwell International Corporation Good Government Committee 600 Grant Street Pittsburgh, PA 15219	Political Action Committee	8/9/84	\$5,000.00
Received For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date-\$	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Payment This Period
Southern California Savings PAC 9100 Wilshire Boulevard Beverly Hills, CA 90212	Political Action Committee	8/9/84	\$250.00
Received For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date-\$	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Payment This Period
Citizens for Jack Kemp 30 Main Street Saugerties, NY 14075	Primary Campaign Comm. (NY-31) in-line--Zook's Owned by Cit. for J.K.	9/84	\$5,000.00
Received For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date-\$	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Payment This Period
Received For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date-\$	
SUBTOTAL: (See page 1 of this form for details)			\$21,527.00
TOTAL: (See page 1 of this form for details)			\$21,527.00

Attachment I
(8)

Handwritten signature
 The undersigned
 is an employee of

Entity Name or FOL	Debt Balance This Period	Debt Balance This Period	Debt This Period	Debt Balance at End of This Period
Campaign for Prosperity				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor National Conversion Systems 2773 Merland Road Falls Church, VA 22043	-0-	2,558.41	2,558.41	-0-
General Item Payment Mailing Services				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor Omni Direct Mail Services, Ltd. 8330 Old Courthouse Road, #700 Vienna, VA 22180	-0-	834.47	-0-	834.47
General Item Payment: Mailing Services				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor Pride Office Products 480 Meridian Parkway, #400 Meriden, VA 22070	-0-	76.97	-0-	76.97
General Item Payment: Office Supplies				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor Washington Intelligence Bureau, Inc. 2727 Marilee Drive Fairfax, VA 22031	-0-	2,295.87	-0-	2,295.87
General Item Payment: Mailing Production				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor Page Arjet Corporation Washington National Airport Washington, D.C. 20001	-0-	\$6,900.00	-0-	\$6,900.00
General Item Payment: Jet Charter				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor Citizens for Jack Kemp 30 Main Street Simsbury, CT 06065	10,366.00	-0-	-0-	\$18,366.00
General Item Payment: CFT Purchase of Books from JFA				
11 SUBTOTALS This Period This Page (Include)				\$25,355.31
21 TOTAL This Period (All pages this page only)				56
31 TOTAL DUTY AND/OR LOANS from Schedule C (All pages only)				
41 ADD 21 and 31 and carry forward to corresponding line of Summary Page (All pages only)				

Attachment I

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

Stanton D. Anderson, Treasurer
Campaign for Prosperity
499 South Capitol Street, SW
Suite 417
Washington, DC 20003

FEB 20 1985

Identification Number: C00013490

Reference: October Quarterly (7/1/84-9/30/84) and 30 Day Post-General (10/1/84-11/26/84) Amended Reports (dated January 28, 1985)

Dear Mr. Anderson:

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

-The letter accompanying the amended reports clarified the original payee for in-kind contributions reported to Federal candidates, and the amended reports reflected an in-kind contribution received by your committee and subsequent in-kinds made by your committee. The activity should have been reported in the following manner:

- 1) The in-kind contribution received from the Citizens for Jack Kemp Committee should be disclosed as both a receipt and disbursement (Schedule B for Line 21) to reflect that something of value (books) was received rather than a check (see Page 26 of the Campaign Guide for Non-Connected Committees or the back of Schedule A).
- 2) The in-kind contributions made to the Federal candidates and committees (which totalled \$4,644) should have been shown as memo entries and not included in the totals for Schedule B for Line 21, as the inclusion of this amount inflates your disbursement totals.

Attachment I
(10)

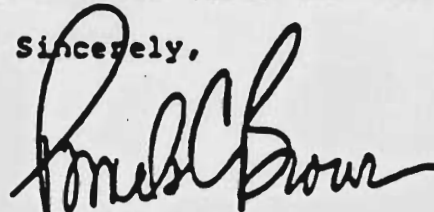
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Additionally, it appears that your committee may have received a contribution which exceeds the limits set forth in the Act (pertinent portion attached). The Act precludes a committee from receiving contributions (including in-kinds) from another political committee in excess of \$5,000 per calendar year. (2 U.S.C. §441a(f)) If you have received in-kind contributions that exceed the limits, the Commission recommends that your committee return the excessive amount of the contribution (\$18,366 in books). Please inform the Commission immediately in writing of your determination in this manner. The return should be disclosed on Schedule D with the appropriate explanation on your next report.

Although the Commission may take further legal steps concerning the acceptance of an excessive contribution, your steps taken to reverse the transaction will be taken into consideration.

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me or our toll-free number, (800) 424-9530. My local number is (202) 523-4048.

Sincerely,



Pamela C. Brown
Reports Analyst
Reports Analysis Division

Attachment I
11

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MEMORANDUM TO THE FILES:

COMMITTEE: Campaign for Prosperity

CONTACT: Trisha O'Keefe (488-3547)

DATE: 2/21/84

ANALYST: Brown

SUBJECT: 441a violation with Kemp Campaign Committee

Ms. O'Keefe called in response to my letter. I explained that the donation of the books from the Kemp campaign to the PAC was regarded as a contribution under the Act. I further explained that by paying the campaign committee, the PAC would be contributing in excess of the limits as well. She explained that the books were already dispersed, and would be impossible to return. I told her that she should correct the reporting problems noted in the letter, and that the 441a issue was one that neither she nor I could resolve on our own. She said that she would call the attorney for the PAC and elicit his aid.

Attachment I

(12)

36040610190

MEMORANDUM TO THE PRES:

COMMITTEE: Campaign for Prosperity
CONTACT: Tedd Williams, Attorney (466-5100)
DATE: 3/14/85
ANALYST: Brown
SUBJECT: 441a violation with Kemp campaign

Mr. Williams contacted me in response to my letter.

Both he and the committee were under the impression that they did not need to respond to the notification because Ms. O'Keefe and I were unable to resolve the matter over the phone on February 20th. I briefed him on the reporting problem that had precipitated the letter, and Commission action to date. He asked me if it would be acceptable for Campaign for Prosperity to pay the Kemp Campaign the fair market value of the books as a commercial transaction. I told him that the Commission had recently filed suit in an analogous "vendor" situation, but that I did not recall the name of the committee. He asked me if I could obtain the information. I told him that I would call him back.

I spoke with Peggy Sims, who told me that the suit was filed against the National Congressional Club and Jefferson Marketing (85-242CIV-5) in U.S. District Court for the Eastern District of North Carolina. I confirmed with Donna Dodenhoff that an announcement of this would be published in the April 1985 Record.

Attachment I

(13)

85040610181



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

RQ-3

March 14, 1985

Stanton D. Anderson, Treasurer
Campaign for Prosperity
499 South Capitol Street, S.W.
Suite 417
Washington, DC 20003

Identification Number: C00013490

Reference: October Quarterly (7/1/84-9/30/84) and 30 Day Post-
General (10/1/84-11/26/84) Amended Reports, dated
January 28, 1985

Dear Mr. Anderson:

This letter is to inform you that as of March 13, 1985, the Commission has not received your response to our request for additional information, dated February 20, 1985. That notice requested information essential to full public disclosure of your Federal election financial activity and to ensure compliance with provisions of the Federal Election Campaign Act (the Act). A copy of our original request is enclosed.

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

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

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

Enclosure

Attachment I
(14)

86040510182

MEMORANDUM TO THE FILES:

COMMITTEE: Campaign for Prosperity

CONTACT: Tedd Williams, Counsel 466-5190

DATE: 3/15/85

ANALYST: Brown

SUBJECT: 441a

I called Mr. Williams back the previous afternoon to give him the information that he had wanted. He was unavailable and called me back this morning. I told him about the April publication and the information pertaining to the case. He said that he would look into it.

86040610183

Attachment I
(15)

CAMPAIGN for PROSPERITY

MAR 20 4 5: 06

499 S. Capitol Street, S.W. • Suite 417 • Washington, D.C. 20013 • 202/494-3547

Congressman Jack Kemp
Honorary Chairman

James C. Roberts
Director

March 18, 1985

Mr. John D. Gibson
Assistant Staff Director
Reports Analysis Division
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

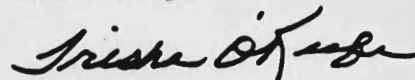
Dear Mr. Gibson: ~

In response to your March 14 letter, let me assure you that we are in the process of clarifying the questions raised regarding our October Quarterly Report, our 30 Day Post-General Report and the amendments to those reports dated January 28, 1985.

After discussing the matter with Pamela Brown, it was our belief that it would be necessary for the CFP attorneys to speak with the FEC legal division to clarify your questions. Our attorneys are now in the process of doing so at this time.

We will keep Ms. Brown posted on our progress and will get the questions resolved as soon as possible.

Sincerely,



Trisha O'Keefe
Assistant Director

cc: Stanton D. Anderson
Pamela Brown
William J. Olson

Attachment I
(16)

36040510184
9:033633799

COMMITTEE: Campaign for Prosperity

CONTACT: Tedd Williams, Attorney 466-5100

DATE: 3/27/85

ANALYST: Brown

SUBJECT: 441a violation

Mr. Williams called to ask me if there were anything further the committee could do to rectify the problem with the Kemp campaign committee and the matter of the books. He asked if he could meet with me or someone else in an attempt to resolve the matter before it escalated. I told him that the matter had not left my division, and I did not know who would be assigned in the Counsel's office. I told him that the only advice I could give him was to attempt to reverse the transaction by getting the books back. I also told him that I understood that this was probably not possible. I stated that if he wished, he could write stating that the committee was not able to get the books back, and that they would not undertake this type of transaction again. Mr. Williams said that he was concerned about the committee appearing not to want to comply with the FEC, and that that was not the case; unfortunately, the committee did not have a remedy. I told him that other than reversing the transaction, I did not have a remedy either. He stated that he would have to talk to his clients to ascertain if another letter would be sent.

36040510185

Attachment I
(17)

85 APR 10 8:47

SMILEY, OLSON, GILMAN & PANGIA

ATTORNEYS AT LAW

1815 H STREET, NORTHWEST
WASHINGTON, D.C. 20006-3604

(202) 466-8100

TELEX WU 84174 ROGER

TELECOPIER (202) 463-6233

ROBERT R. SMILEY III, P. C. (DC)
WILLIAM J. OLSON, P. C. (DC, VA)
NICHOLAS GILMAN, P. C. (DC, MD, PA)
MICHAEL J. PANGIA (DC, NY)ROBERT A. MINEO (NC)
DANIEL F. HAYES (DC, NY)
ROY W. KRIEGER (DC)
PAUL E. ZAHN (PA, NY)
WILLIAM P. HARPER, JR. (NC)OF COUNSEL
GUY O. FARLEY, JR. (VA)SUITE 210
10521 JUDICIAL DRIVE
FAIRFAX, VIRGINIA 22030
(703) 591-880015TH FLOOR
80 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
(301) 757-8330SUITE 800
1450 WALNUT STREET
PHILADELPHIA, PENNSYLVANIA 19102
(215) 546-4330830 NORTH BLOUNT STREET
RALEIGH, NORTH CAROLINA 27604
(919) 834-9865

April 9, 1985

Pamela C. Brown
Reports Analyst
Federal Elections Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: Campaign for Prosperity

Dear Miss Brown:

We have reviewed your letter of February 20, 1985 and are unable to resolve one matter raised therein. As I understand it, all questions mentioned in the letter have been resolved except for a question with respect to the books purchased by CFP from Citizens for Jack Kemp (CFJK).

Your letter mentions that CFP "may have received a contribution which exceeds the limits set forth in the Act..." with reference to these books. You then suggest that if CFP has received "in-kind contributions that exceed the limits", CFP should "return the excessive amount of the contribution (\$18,366 in books)".

This appears to reflect an unwarranted assumption that the books from CFJK were a contribution in their entirety. Admittedly \$5,000 worth of the books were a contribution, and were so reported. However, the remaining \$18,366 worth of books were purchased by CFP from CFJK, as reported by CFP.

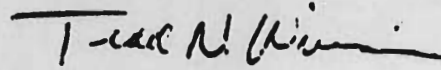
At this point then, we are unable to determine whether or how CFP has allegedly violated the applicable law or regulations.

Attachment I
(18)

85040510185

If you are saying that this transaction for the purchase of \$18,366 worth of books is illegal or is not reported correctly, please advise us of the specific nature of the violation, with citations to the United States Code and/or CFR. If the problem is something else, we would welcome a similar explanation. In any event, we would be eager to meet with you or your legal staff to discuss the matter, as our client is anxious to resolve this promptly and amicably.

Sincerely yours,



Teda N. Williams

TNW:rg

cc: Campaign for Prosperity

86040610187

Attachment I
(19)

Continued from Page 10

Name of Company or Firm	1984	1983	1982	1981
Canadian Air Proximity				
A. Full Name, Mailing Address and Zip Code of Owner or Owner				
Composition Systems, Inc.	-0-	66.50	-0-	66.50
6320 Castle Place				
Falls Church, VA 22046				
Graphics Services				
B. Full Name, Mailing Address and Zip Code of Owner or Owner				
Neuman Graphics Corporation	-0-	1,405.77	-0-	1,405.77
1815 North Hickman Street				
Dallas, TX 75201				
Graphics Services				
C. Full Name, Mailing Address and Zip Code of Owner or Owner				
William J. Olson, P.C.	-0-	1,861.08	-0-	1,861.08
1815 H Street, N.W.				
Washington, D.C. 20006-3004				
Professional Services				
D. Full Name, Mailing Address and Zip Code of Owner or Owner				
Palmer Technical Services	-0-	306.28	-0-	306.28
8605 Cameron Street, NW				
Silver Spring, MD 20910				
Direct Mail Processing				
E. Full Name, Mailing Address and Zip Code of Owner or Owner				
Security Storage Company	-0-	5.75	-0-	5.75
of Washington				
1701 Florida Avenue, N.W.				
Washington, D.C. 20009				
Storage Space				
F. Full Name, Mailing Address and Zip Code of Owner or Owner				
Citizens for Jack Kemp	18,366.00	-0-	-0-	18,366.00
30 Main Street				
Amherst, NY 14075				
CFP Purchase of Books from CFPJ				
11 SUBTOTALS This Period This Page Includes				22,078.38
12 TOTAL This Period This Page (See Note 11)				203,716.68
13 TOTAL OUTSTANDING LOANS FROM BORROWERS & THIS PERIOD ONLY				
14 ADD 12 and 13 and carry forward to Attachment 12 of Summary Page (See Note 11)				

Attachment I



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Stanton D. Anderson, Treasurer
Campaign for Prosperity
499 South Capitol Street, S.W.
Suite 417
Washington, D.C. 20003

RE: MUR 2081

Dear Mr. Anderson:

On September 5, 1985, the Federal Election Commission determined that there is reason to believe Campaign for Prosperity and you, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. 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 fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

Attachment II
(21)

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

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

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

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 George Demougeot, the staff member assigned to this matter at (202) 523-4000.

Sincerely,

Enclosures

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

Attachment II
22

86040510190



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Malcom K. Buckley, Treasurer
Citizens for Jack Kemp
One Marine Midland Center, #3600
Buffalo, NY 14203

RE: MUR

Dear Mr. Buckley:

On , 1985, the Federal Election Commission determined that there is reason to believe Citizens for Jack Kemp and you, as treasurer, violated 2 U.S.C. §§ 441a(a)(1)(C) and 434(b)(4)(G), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. 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 fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

Attachment II
(23)

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

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

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

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 George Demougeot, the staff member assigned to this matter at (202) 523-4000.

Sincerely,

Enclosures

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

cc: Congressman Jack Kemp

Attachment II
(24)

9 5 0 4 0 5 1 0 1 9 2

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. _____
STAFF MEMBER:
George Demougeot

RESPONDENTS Campaign For Prosperity
Stanton D. Anderson, as treasurer

SUMMARY OF ALLEGATIONS

86040610193

The 1984 October Quarterly Amended Report filed by Campaign for Prosperity ("CFP") disclosed a \$5,000 in-kind contribution for books received from Citizens for Jack Kemp ("CFJK") in September of 1984 and a \$18,366 debt owed to CFJK for the purchase of the same item by CFP. 1/ A letter accompanying the amended report explained that CFP had received books owned by CFJK, which were later dispensed to other Federal candidate campaign committees as in-kind contributions to the candidates campaigns. The letter stated the value of the books (\$23,366) was shown as an in-kind contribution from CFJK to CFP for \$5,000, with the remainder, \$18,336 as "an Accounts Payable by Campaign for Prosperity to Citizens for Jack Kemp." A request for Additional Information ("RAI") for the 1984 Amended October Quarterly and 30 Day Post-General Reports was mailed on February 20, 1985, advising CFP that it had received an excessive contribution and recommending that CFP reverse the transaction by returning the books.

1/ Congressman Jack Kemp is Honorary Chairman of CFP.

CFP's Assistant Director called the Reports Analysis Division ("RAD") analyst on February 21, 1985, to explain that it was impossible to retrieve the books. In addition, Counsel for CFP called the RAD analyst on March 14, 1985, to discuss the problem. Since no written response was received to the RFAI a Second Notice was mailed on March 14, 1985. CFP continues to report the debt owed to CFJK.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 431(8)(A), a contribution is any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.

Pursuant to 11 C.F.R. § 100.7(a)(4), the extension of credit by any person for a length of time beyond normal business or trade practice is a contribution, unless the creditor has made a commercially reasonable attempt to collect the debt.

Pursuant to 2 U.S.C. § 441a(a)(1)(C), no person shall make any contribution to a political committee, except political committees established and maintained by a national party, in any calendar year which, in the aggregate, exceeds \$5,000. Pursuant to 2 U.S.C. § 441a(f), no political committee shall knowingly accept or make any expenditure in violation of the \$5,000 aggregate limitation imposed on contributions under this section. Finally, pursuant to 2 U.S.C. § 434(b)(4)(G), an authorized committee must disclose all disbursements in excess of \$200.

Attachment III
(26)

85040610194

A review of CFJK's 1984 12 Day Pre-Primary Report indicates that on August 2, 1984, and August 9, 1984, payments were made to Automated Graphic Systems totalling \$23,336. In the report the purpose of the disbursement was stated to be "Printing - book of speeches".

A review of CFP's amended 1984 October Quarterly Report indicates that in September of 1984 CFP received \$23,336 worth of books from CFJK. This transaction was reported by CFP as a \$5,000 in-kind contribution from CFJK and an \$18,336 obligation owed to CFJK. CFJK did not report the transaction until it submitted amended 1984 12 Day Pre-Primary Report on July 22, 1985.

As of the 1985 Mid-Year Report, covering through July 31, 1985, CFP and CFJK continue to report that the obligation remains unpaid. In addition, there is no evidence of any efforts by CFJK to attempt to collect the debt. Since this extension of credit for over 10 months is considered a contribution pursuant to 11 C.F.R. § 100.7(a)(4), the Office of General Counsel recommends that the Commission find reason to believe that Citizens for Prosperity and Stanton D. Anderson, as treasurer, violated 2 U.S.C. § 441a(f) by accepting a contribution from CFJK \$18,336 in excess of limits.

Attachment III
(27)

25040510195

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. _____

STAFF MEMBER:

George Demougeot

RESPONDENTS Citizens for Jack Kemp
Malcom K. Buckley, as treasurer

SUMMARY OF ALLEGATIONS

The 1984 October Quarterly Amended Report filed by Campaign for Prosperity ("CFP") disclosed a \$5,000 in-kind contribution for books received from Citizens for Jack Kemp ("CFJK") in September of 1984 and a \$18,366 debt owed to CFJK for the purchase of the same item by CFP. 1/ A letter accompanying the amended report explained that CFP had received books owned by CFJK, which were later dispensed to other Federal candidate campaign committees as in-kind contributions to the candidates campaigns. The letter stated the value of the books (\$23,366) was shown as an in-kind contribution from CFJK to CFP for \$5,000, with the remainder, \$18,336 as "an Accounts Payable by Campaign for Prosperity to Citizens for Jack Kemp." A request for Additional Information ("RAFI") for the 1984 Amended October Quarterly and 30 Day Post-General Reports was mailed on February 20, 1985, advising CFP that it had received an excessive contribution and recommending that CFP reverse the transaction by returning the books.

1/ Congressman Jack Kemp is Honorary Chairman of CFP.

CFP's Assistant Director called the Reports Analysis Division ("RAD") analyst on February 21, 1985, to explain that it was impossible to retrieve the books. In addition, Counsel for CFP called the RAD analyst on March 14, 1985, to discuss the problem. Since no written response was received to the RFAI a Second Notice was mailed on March 14, 1985. CFP continues to report the debt owed to CFJK.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 431(8)(A), a contribution is any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.

Pursuant to 11 C.F.R. § 100.7(a)(4), the extension of credit by any person for a length of time beyond normal business or trade practice is a contribution, unless the creditor has made a commercially reasonable attempt to collect the debt.

Pursuant to 2 U.S.C. § 441a(a)(1)(C), no person shall make any contribution to a political committee, except political committees established and maintained by a national party, in any calendar year which, in the aggregate, exceeds \$5,000. Pursuant to 2 U.S.C. § 441a(f), no political committee shall knowingly accept or make any expenditure in violation of the \$5,000 aggregate limitation imposed on contributions under this section. Finally, pursuant to 2 U.S.C. § 434(b)(4)(G), an authorized committee must disclose all disbursements in excess of \$200.

Attachment III
(29)

35040610197

A review of CFJK's 1984 12 Day Pre-Primary Report indicates that on August 2, 1984, and August 9, 1984, payments were made to Automated Graphic Systems totalling \$23,336. In the report the purpose of the disbursement was stated to be "Printing - book of speeches".

A review of CFP's amended 1984 October Quarterly Report indicates that in September of 1984 CFP received \$23,336 worth of books from CFJK. This transaction was reported by CFP as a \$5,000 in-kind contribution from CFJK and an \$18,336 obligation owed to CFJK. CFJK did not report the transaction until it submitted amended 1984 12 Day Pre-Primary Report on July 22, 1985.

As of the 1985 Mid-Year Report, covering through July 31, 1985, CFP and CFJK continue to report that the obligation remains unpaid. In addition, there is no evidence of any efforts by CFJK to attempt to collect the debt. Since this extension of credit for over 10 months is considered a contribution pursuant to 11 C.F.R. § 100.7(a)(4), the Office of General Counsel recommends that the Commission find reason to believe that Citizens for Jack Kemp and Malcom K. Buckley, as treasurer, violated 2 U.S.C. § 441a(a)(1)(c) by making a contribution to CFP \$18,336 in excess of limits. Further, since CFJK failed to disclose the transaction until July 22, 1985, the Office of General Counsel recommends that the Commission find reason to believe that Citizens for Jack Kemp and Malcom K. Buckley, as treasurer, violated 2 U.S.C. § 434(b)(4)(G).

Attachment III
30

89040510198

OFFICE OF GENERAL COUNSEL

ANALYST: Pamela Brown

III. BACKGROUND:

The 1984 October Quarterly Amended Report filed by Campaign for Prosperity ("CFP") disclosed a \$5,000 in-kind contribution (books) received from Citizens For Jack Kemp ("CFJK") in September of 1984 and a \$18,366 debt owed to CFJK for the purchase of the same item by CFP. A letter accompanying the amended report explained that CFP had received books owned by CFJK, which were later dispensed to other Federal candidate campaign committees as in-kind contributions to the candidates campaigns (Attachment 2). The letter stated that the value of the books (\$23,366) was shown as an in-kind contribution from CFJK to CFP for \$5,000, with the remainder, \$18,366 as "an Accounts Payable by Campaign for Prosperity to Citizens for Jack Kemp." A Request for Additional Information ("RAFI") for the 1984 Amended October Quarterly and 30 Day Post-General Reports was mailed on February 20, 1985 advising CFP that it had received an excessive contribution, and recommending that CFP reverse the transaction by returning the books (Attachment 3).

CFP's Assistant Director, Ms. Trisha O'Keefe, called the analyst in the Reports Analysis Division ("RAD") on February 21, 1985 in response to the Commission's letter (Attachment 4). The RAD analyst explained that the receipt of the books was considered to be a contribution, and that reimbursement to CFJK may be considered to be a contribution from CFP to CFJK. She explained that the return of the books as a remedy would not be feasible. Ms. O'Keefe stated that the books were gone, and she had no way to retrieve them. The RAD analyst stated that she was unable to suggest another remedy.

1/ Congressman Jack Kemp is Honorary Chairman of CFP.

CAMPAIGN FOR PROSPERITY
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

On March 14, 1985, Counsel for CFP, Mr. Tedd Williams, contacted the RAD analyst by phone. He stated that he had been unaware that a written response was necessary since Ms. O'Keefe and the RAD analyst had been unable to resolve the problem (Attachment 5). The RAD analyst briefed the attorney on the problem and Commission action to date. Mr. Williams asked if it would be acceptable for CFP to pay the fair market value to CFJK for the books as a commercial transaction without the transaction being considered a contribution. The RAD analyst stated that the FEC had recently gone to court in an analogous "vendor" issue, and would obtain the information for the attorney.

The Second Notice was mailed on March 14, 1985 for failure to respond to the initial request (Attachment 6).

The RAD analyst attempted to contact Mr. Williams on the afternoon of March 14, 1985; however, he was unavailable. On March 15, 1985, Mr. Williams contacted the analyst and was given the information he had previously requested (Attachment 7). In a letter received on March 20, 1985, Ms. O'Keefe stated that it was CFP's belief that the problem would be best handled between CFP's counsel and FEC attorneys (Attachment 8).

Mr. Williams called the RAD analyst on March 27, 1985 to see what action CFP might take at this point (Attachment 9). Mr. Williams was concerned as he did not want it to appear that CFP was not responding to the FEC requests. He stated that he would talk to CFP officials to ascertain if CFP would provide further clarification.

A letter was received on April 10, 1985, from Mr. Williams on behalf of CFP, which stated in part that "At this point then, we are unable to determine whether or how CFP has allegedly violated the applicable law or regulations" (Attachment 10). Until this issue is resolved, CFP continues to report the debt owed to CFJK (Attachment 11).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

8 6 0 4 0 6 1 0 2 0 1

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (83-84)DATE 18JUN85
PAGE 1

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
CAMPAIGN FOR PROSPERITY CONNECTED ORGANIZATION: NONE				NON-PARTY QUALIFIED		ID #C00013490
1983	STATEMENT OF ORGANIZATION - AMENDMENT			22FEB83	3	83FEC/266/4507
	STATEMENT OF ORGANIZATION - AMENDMENT			8AUG83	2	83FEC/281/0173
	REQUEST FOR ADDITIONAL INFORMATION 2ND			31MAR84 - 31MAR83	3	84FEC/316/0883
	MID-YEAR REPORT	268,845	153,222	1JAN83 - 30JUN83	47	83FEC/281/0175
	MID-YEAR REPORT - AMENDMENT	265,711	153,291	1JAN83 - 30JUN83	3	84FEC/357/2462
	YEAR-END	343,803	389,199	1JUL83 - 31DEC83	51	84FEC/295/0310
	YEAR-END - AMENDMENT	-	-	1JUL83 - 31DEC83	5	84FEC/312/0677
	YEAR-END - AMENDMENT	314,505	388,121	1JUL83 - 31DEC83	4	84FEC/341/4574
	YEAR-END - AMENDMENT	-	-	1JUL83 - 31DEC83	2	84FEC/357/2460
	REQUEST FOR ADDITIONAL INFORMATION			1JUL83 - 31DEC83	6	84FEC/299/2660
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL83 - 31DEC83	7	84FEC/307/1272
	REQUEST FOR ADDITIONAL INFORMATION			1JUL83 - 31DEC83	1	84FEC/348/3290
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL83 - 31DEC83	1	84FEC/350/3379
1984	MISCELLANEOUS REPORT			3DEC84 TO FEC	2	84FEC/350/2400
	APRIL QUARTERLY	311,753	228,116	1JAN84 - 31MAR84	26	84FEC/310/3963
	APRIL QUARTERLY - AMENDMENT	-	-	1JAN84 - 31MAR84	2	84FEC/316/1530
	APRIL QUARTERLY - AMENDMENT	-	-	1JAN84 - 31MAR84	4	84FEC/318/0216
	APRIL QUARTERLY - AMENDMENT	-	-	1JAN84 - 31MAR84	1	84FEC/328/1183
	APRIL QUARTERLY - AMENDMENT	269,848	275,829	1JAN84 - 31MAR84	29	84FEC/341/4578
	REQUEST FOR ADDITIONAL INFORMATION			1JAN84 - 31MAR84	2	84FEC/313/4931
	JULY QUARTERLY	424,427	479,233	1APR84 - 30JUN84	52	84FEC/321/3383
	JULY QUARTERLY - AMENDMENT	424,427	479,233	1APR84 - 30JUN84	5	84FEC/328/0742
	JULY QUARTERLY - AMENDMENT	424,745	478,286	1APR84 - 30JUN84	52	84FEC/341/4607
	JULY QUARTERLY - AMENDMENT	-	-	1APR84 - 30JUN84	5	84FEC/357/2465
	REQUEST FOR ADDITIONAL INFORMATION			1APR84 - 30JUN84	3	84FEC/324/4402
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1APR84 - 30JUN84	4	84FEC/327/0151
	REQUEST FOR ADDITIONAL INFORMATION			1APR84 - 30JUN84	1	84FEC/348/3288
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1APR84 - 30JUN84	4	84FEC/349/5285
	OCTOBER QUARTERLY	495,774	480,639	1JUL84 - 30SEP84	52	84FEC/340/1457
	OCTOBER QUARTERLY - AMENDMENT	495,774	482,139	1JUL84 - 30SEP84	4	84FEC/357/2480
	OCTOBER QUARTERLY - AMENDMENT	-	-	1JUL84 - 30SEP84	10	84FEC/357/2470
	OCTOBER QUARTERLY - AMENDMENT	500,774	480,139	1JUL84 - 30SEP84	7	85FEC/363/0560
	OCTOBER QUARTERLY - AMENDMENT	-	-	1JUL84 - 30SEP84	1	85FEC/370/0596
	REQUEST FOR ADDITIONAL INFORMATION			1JUL84 - 30SEP84	1	84FEC/348/3286
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL84 - 30SEP84	1	84FEC/350/3364
	REQUEST FOR ADDITIONAL INFORMATION			1JUL84 - 30SEP84	1	85FEC/366/4139
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL84 - 30SEP84	1	85FEC/368/1483
	POST-GENERAL	377,085	349,776	1OCT84 - 27NOV84	62	84FEC/353/2360
	POST-GENERAL - AMENDMENT	-	-	1OCT84 - 26NOV84	3	85FEC/370/0319
	POST-GENERAL - AMENDMENT	377,085	338,968	1OCT84 - 27NOV84	8	85FEC/363/0568
	REQUEST FOR ADDITIONAL INFORMATION			1OCT84 - 26NOV84	3	85FEC/366/3248
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1OCT84 - 26NOV84	4	85FEC/368/1061
	REQUEST FOR ADDITIONAL INFORMATION			1OCT84 - 27NOV84	1	85FEC/360/0026
	YEAR-END	26,905	71,510	18NOV84 - 31DEC84	21	85FEC/363/0577

8 6 0 4 0 6 1 0 2 0 2

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (83-84)DATE 18JUN85
PAGE 2

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
	YEAR-END - AMENDMENT	26,905	71,510	18NOV84 -31DEC84	4	85FEC/366/4058
	REQUEST FOR ADDITIONAL INFORMATION			18NOV84 -31DEC84	3	85FEC/366/0316
	1985 MISCELLANEOUS REPORT			20MAR85 TO FEC	2	85FEC/368/3789
	TOTAL	2,179,573	0 2,186,144	0	516	TOTAL PAGES

All reports have been reviewed.

Ending Cash 12/31/84: \$ 29,681

Debts (by) 12/31/84: \$303,716

CAMPAIGN for PROSPERITY

499 S. Capitol Street, N.W. • Suite 417 • Washington, D.C. 20003 • 202/488-3547

Congressman Jack Kemp
Honorary Chairman
James C. Roberts
Director

January 29, 1985

Ms. Pamela Brown
Senior Reports Analyst
Reports Analysis Division
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Ms. Brown:

With regard to your questions about Campaign for Prosperity's report for the period ending November 27, 1984, I believe that the following explanations will clarify any questions you may have.

Line 19 of our Detailed Summary Page disclosed a total for Schedule B disbursements of \$256,808.22. This was reported in error. It seems that the page total for Page 2, Line Item 19, was inadvertently held over in the calculator when totaling Page 3. This error has been corrected on both Schedule B and the Summary Page, which both now show total disbursements of \$246,000.07.

Your questions about the original payee for several in-kind contributions Campaign for Prosperity made can be answered with the following explanation and corrections to our FEC reports for the periods July 1-September 30, 1984, and October 1-November 27, 1984.

[These in-kind contributions were books owned by Campaign for Prosperity, and the notation, "books owned by CFP" has been placed next to the appropriate contributions as further explanation.]

36040510203

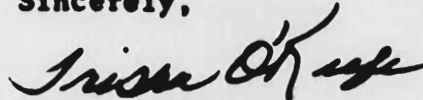
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Ms Pamela Brown
January 29, 1985
Page 2

The books were originally purchased by Citizens for Jack Kemp, and we failed to note on our report an accounting for this transaction. Our report has now been amended to show a \$5,000.00 in-kind contribution from Citizens for Jack Kemp and an Accounts Payable by Campaign for Prosperity to Citizens for Jack Kemp in the amount of \$18,366.00. Schedules A and D have been amended to show these changes.

We apologize for these errors and hope that this explanation satisfies any questions you may have.

Sincerely,



Trisha O'Keefe
Assistant Director

Enclosures

cc: Stanton D. Anderson
Toni Smiley

9503330561

SCHEDULE A

EMPLOYER CONTRIBUTIONS

Any information on this schedule from each employer or contributor may not be used or referred to for the purpose of obtaining contributions or the payment of a fee, or for any other purpose, without the express written consent of the person or persons providing the information.

Name of Employer or Contributor

Committee for Democracy

A. Full Name, Mailing Address and ZIP Code
American Intl Development Assoc.
1230 L Street, N.E.
Washington, D.C. 20005

Name of Employer
Political Action
Committee

Date (month,
day, year)
7/1/84

Amount of Cash
Received This Period
\$2,000.00

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

Occupation

Aggregate Year-to-Date-\$ 2,000.00

B. Full Name, Mailing Address and ZIP Code
Walters of Political Committee
7961 E. Highland Avenue
Englewood, CO 80111

Name of Employer
Political Action
Committee

Date (month,
day, year)
7/1/84

Amount of Cash
Received This Period
\$5,000.00

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

Occupation

Aggregate Year-to-Date-\$ 5,000.00

C. Full Name, Mailing Address and ZIP Code
American Security Council PAC
Box 8
Boston, VA 22715

Name of Employer
Political Action
Committee

Date (month,
day, year)
7/1/84

Amount of Cash
Received This Period
\$4,277.00

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

Occupation

Aggregate Year-to-Date-\$ 5,000.00

D. Full Name, Mailing Address and ZIP Code
Rockwell International Corporation
Good Government Committee
608 Grant Street
Pittsburgh, PA 15219

Name of Employer
Political Action
Committee

Date (month,
day, year)
7/1/84

Amount of Cash
Received This Period
\$5,000.00

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

Occupation

Aggregate Year-to-Date-\$ 5,000.00

E. Full Name, Mailing Address and ZIP Code
Southern California Savings PAC
9100 Wilshire Boulevard
Beverly Hills, CA 90212

Name of Employer
Political Action
Committee

Date (month,
day, year)
8/9/84

Amount of Cash
Received This Period
\$250.00

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

Occupation

Aggregate Year-to-Date-\$

F. Full Name, Mailing Address and ZIP Code
Citizens for Jack Kemp
30 Main Street
Larburg, NY 14075

Name of Employer
Primary Campaign Comm.
(NY-31) In-kind--Books
Owned by Cit. for J.K.
Occupation

Date (month,
day, year)
9/84

Amount of Cash
Received This Period
\$5,000.00

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

Aggregate Year-to-Date-\$

G. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)

Amount of Cash
Received This Period

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

Occupation

Aggregate Year-to-Date-\$

SUBTOTAL: (see page 1 of this page (optional))

\$21,527.00

TOTAL: (see page 1 of this page (mandatory))

\$21,527.00

A 5 03330543005

SCHEDULE D
Debt Sales
DEBTS AND COLLATERATIONS
Excluding Loans

Handwritten signature
 The undersigned
 is an authorized
 officer of the
 Federal Reserve Bank of New York

NAME OF DEBTOR	Outstanding Debt at End of Period	Amount Paid This Period	Payment This Period	Outstanding Debt at End of Period
Campaign for Prosperity				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor National Conversion Systems 2773 Marlboro Road Falls Church, VA 22043	-0-	2,346.41	2,346.41	-0-
Name of Debt Payment: Mailing Services				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor Omni Direct Mail Services, Ltd. 8330 Old Courthouse Road, #700 Vienna, VA 22180	-0-	814.47	-0-	814.47
Name of Debt Payment: Mailing Services				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor Pride Office Products 400 Meridian Parkway, #400 Norwalk, VA 22070	-0-	76.97	-0-	76.97
Name of Debt Payment: Office Supplies				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor Washington Intelligence Bureau, Inc. 2727 Marilee Drive Fairfax, VA 22031	-0-	2,295.87	-0-	2,295.87
Name of Debt Payment: Mailing Production				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor Page Arjet Corporation Washington National Airport Washington, D.C. 20001	-0-	\$6,900.00	-0-	\$6,900.00
Name of Debt Payment: Jet Charter				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor Citizens for Jack Kemp 30 Main Street Simsbury, CT 06065	10,366.00	-0-	-0-	\$18,366.00
Name of Debt Payment: CFT Purchase of Books from JFA				
11 SUBTOTALS This Period This Page (Include 1)				\$28,383.31
21 TOTAL This Period (See page 10b and 10c only)				56
31 TOTAL OUTSTANDING DEBTS from Schedule C (See page 10b only)				
41 ADD 21 and 31 and carry forward to appropriate line of Summary Page (See page 10b only)				

1020510333405



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

Stanton D. Anderson, Treasurer
Campaign for Prosperity
499 South Capitol Street, SW
Suite 417
Washington, DC 20003

FEB 20 1985

Identification Number: C00013490

Reference: October Quarterly (7/1/84-9/30/84) and 30 Day Post-General (10/1/84-11/26/84) Amended Reports (dated January 28, 1985)

Dear Mr. Anderson:

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

-The letter accompanying the amended reports clarified the original payee for in-kind contributions reported to Federal candidates, and the amended reports reflected an in-kind contribution received by your committee and subsequent in-kinds made by your committee. The activity should have been reported in the following manner:

- 1) The in-kind contribution received from the Citizens for Jack Kemp Committee should be disclosed as both a receipt and disbursement (Schedule B for Line 21) to reflect that something of value (books) was received rather than a check (see Page 26 of the Campaign Guide for Non-Connected Committees or the back of Schedule A).
- 2) The in-kind contributions made to the Federal candidates and committees (which totalled \$4,644) should have been shown as memo entries and not included in the totals for Schedule B for Line 21, as the inclusion of this amount inflates your disbursement totals.

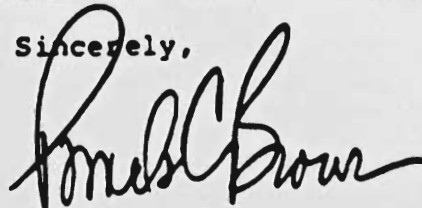
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8 6 0 4 0 3 1 9 2 9 8
? ; 7 3 ; 6 ;
Additionally, it appears that your committee may have received a contribution which exceeds the limits set forth in the Act (pertinent portion attached). The Act precludes a committee from receiving contributions (including in-kinds) from another political committee in excess of \$5,000 per calendar year. (2 U.S.C. §441a(f)) If you have received in-kind contributions that exceed the limits, the Commission recommends that your committee return the excessive amount of the contribution (\$18,366 in books). Please inform the Commission immediately in writing of your determination in this manner. The return should be disclosed on Schedule D with the appropriate explanation on your next report.

Although the Commission may take further legal steps concerning the acceptance of an excessive contribution, your steps taken to reverse the transaction will be taken into consideration.

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me or our toll-free number, (800) 424-9530. My local number is (202) 523-4048.

Sincerely,



Pamela C. Brown
Reports Analyst
Reports Analysis Division

MEMORANDUM TO THE FILES:

COMMITTEE: Campaign for Prosperity
CONTACT: Trisha O'Keefe (488-3547)
DATE: 2/20/84
ANALYST: Brown
SUBJECT: 441a violation with Kemp Campaign Committee

Ms. O'Keefe called in response to my letter. I explained that the donation of the books from the Kemp campaign to the PAC was regarded as a contribution under the Act. I further explained that by paying the campaign committee, the PAC would be contributing in excess of the limits as well. She explained that the books were already dispersed, and would be impossible to return. I told her that she should correct the reporting problems noted in the letter, and that the 441a issue was one that neither she nor I could resolve on our own. She said that she would call the attorney for the PAC and elicit his aid.

86040610209

MEMORANDUM TO THE FILES:

COMMITTEE: Campaign for Prosperity
CONTACT: Tedd Williams, Attorney (466-5100)
DATE: 3/14/85
ANALYST: Brown
SUBJECT: 441a violation with Kemp campaign

Mr. Williams contacted me in response to my letter.

Both he and the committee were under the impression that they did not need to respond to the notification because Ms. O'Keefe and I were unable to resolve the matter over the phone on February 20th. I briefed him on the reporting problem that had precipitated the letter, and Commission action to date. He asked me if it would be acceptable for Campaign for Prosperity to pay the Kemp Campaign the fair market value of the books as a commercial transaction. I told him that the Commission had recently filed suit in an analogous "vendor" situation, but that I did not recall the name of the committee. He asked me if I could obtain the information. I told him that I would call him back.

I spoke with Peggy Sims, who told me that the suit was filed against the National Congressional Club and Jefferson Marketing (85-242CIV-5) in U.S. District Court for the Eastern District of North Carolina. I confirmed with Donna Dodenhoff that an announcement of this would be published in the April 1985 Record.

86040610210



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

RQ-3

March 14, 1985

Stanton D. Anderson, Treasurer
Campaign for Prosperity
499 South Capitol Street, S.W.
Suite 417
Washington, DC 20003

Identification Number: C00013490

Reference: October Quarterly (7/1/84-9/30/84) and 30 Day Post-
General (10/1/84-11/26/84) Amended Reports, dated
January 28, 1985

Dear Mr. Anderson:

This letter is to inform you that as of March 13, 1985, the Commission has not received your response to our request for additional information, dated February 20, 1985. That notice requested information essential to full public disclosure of your Federal election financial activity and to ensure compliance with provisions of the Federal Election Campaign Act (the Act). A copy of our original request is enclosed.

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

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

Sincerely,

A handwritten signature in dark ink, appearing to read "John D. Gibson". The signature is fluid and cursive, with a long horizontal stroke at the end.

John D. Gibson
Assistant Staff Director
Reports Analysis Division

Enclosure

86040310211

MEMORANDUM TO THE FIDELITY:

Attachment 7

COMMITTEE: Campaign for Prosperity

CONTACT: Tedd Williams, Counsel 466-5100

DATE: 3/15/85

ANALYST: Brown

SUBJECT: 441a

I called Mr. Williams back the previous afternoon to give him the information that he had wanted. He was unavailable and called me back this morning. I told him about the April publication and the information pertaining to the case. He said that he would look into it.

86040610212

CAMPAIGN for PROSPERITY

05 MAR 20 09:06

499 S. Capitol Street, S.W. • Suite 417 • Washington, D.C. 20003 • 202/464-3547

Congressman Jack Kemp
Honorary Chairman

James C. Roberts
Director

March 18, 1985

Mr. John D. Gibson
Assistant Staff Director
Reports Analysis Division
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

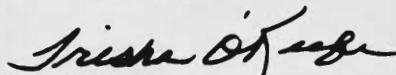
Dear Mr. Gibson:

In response to your March 14 letter, let me assure you that we are in the process of clarifying the questions raised regarding our October Quarterly Report, our 30 Day Post-General Report and the amendments to those reports dated January 28, 1985.

After discussing the matter with Pamela Brown, it was our belief that it would be necessary for the CFP attorneys to speak with the FEC legal division to clarify your questions. Our attorneys are now in the process of doing so at this time.

We will keep Ms. Brown posted on our progress and will get the questions resolved as soon as possible.

Sincerely,



Trisha O'Keefe
Assistant Director

cc: Stanton D. Anderson
Pamela Brown
William J. Olson

85040510213
9503366799

MEMORANDUM TO THE FILES:

Attachment 9

COMMITTEE: Campaign for Prosperity

CONTACT: Tedd Williams, Attorney 466-5100

DATE: 3/27/85

ANALYST: Brown

SUBJECT: 441a vilation

Mr. Williams called to ask me if there were anything further the committee could do to rectify the problem with the Kemp campaign committee and the matter of the books. He asked if he could meet with me or someone else in an attempt to resolve the matter before it escalated. I told him that the matter had not left my division, and I did not know who would be assigned in the Counsel's office. I told him that the only advice I could give him was to attempt to reverse the transaction by getting the books back. I also told him that I understood that this was probably not possible. I stated that if he wished, he could write stating that the committee was not able to get the books back, and that they would not undertake this type of transaction again. Mr. Williams said that he was concerned about the committee appearing not to want to comply with the FEC, and that that was not the case; unfortunately, the committee did not have a remedy. I told him that other than reversing the transaction, I did not have a remedy either. He stated that he would have to talk to his clients to ascertain if another letter would be sent.

86040510214

65 APR 10 8:47

SMILEY, OLSON, GILMAN & PANGIA

ATTORNEYS AT LAW

1815 H STREET, NORTHWEST
WASHINGTON, D.C. 20006-3604

(202) 466-5100

TELEX WU 64174 ROGER

TELECOPIER (202) 463-6233

ROBERT R. SMILEY III, P. C. (DC)
WILLIAM J. OLSON, P. C. (DC, VA)
NICHOLAS GILMAN, P. C. (DC, MD, PA)
MICHAEL J. PANGIA (DC, NY)

ROBERT A. MINEO (NC)
DANIEL F. HAYES (DC, NY)
ROY W. KRIEGER (DC)
PAUL E. ZAHN (PA, NY)
WILLIAM P. HARPER, JR. (NC)

OF COUNSEL
GUY O. FARLEY, JR. (VA)

SUITE 310
10821 JUDICIAL DRIVE
FAIRFAX, VIRGINIA 22030
(703) 591-8200

10TH FLOOR
20 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
(301) 727-8330

SUITE 800
1420 WALNUT STREET
PHILADELPHIA, PENNSYLVANIA 19102
(215) 546-1430

530 NORTH BLOUNT STREET
RALEIGH, NORTH CAROLINA 27604
(919) 834-9965

April 9, 1985

Pamela C. Brown
Reports Analyst
Federal Elections Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: Campaign for Prosperity

Dear Miss Brown:

We have reviewed your letter of February 20, 1985 and are unable to resolve one matter raised therein. As I understand it, all questions mentioned in the letter have been resolved except for a question with respect to the books purchased by CFP from Citizens for Jack Kemp (CFJK).

Your letter mentions that CFP "may have received a contribution which exceeds the limits set forth in the Act..." with reference to these books. You then suggest that if CFP has received "in-kind contributions that exceed the limits", CFP should "return the excessive amount of the contribution (\$18,366 in books)".

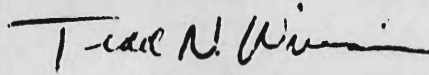
This appears to reflect an unwarranted assumption that the books from CFJK were a contribution in their entirety. Admittedly \$5,000 worth of the books were a contribution, and were so reported. However, the remaining \$18,366 worth of books were purchased by CFP from CFJK, as reported by CFP.

At this point then, we are unable to determine whether or how CFP has allegedly violated the applicable law or regulations.

86040510215

If you are saying that this transaction for the purchase of \$18,366 worth of books is illegal or is not reported correctly, please advise us of the specific nature of the violation, with citations to the United States Code and/or CFR. If the problem is something else, we would welcome a similar explanation. In any event, we would be eager to meet with you or your legal staff to discuss the matter, as our client is anxious to resolve this promptly and amicably.

Sincerely yours,



Tedd N. Williams

TNW:rg

cc: Campaign for Prosperity

86040510216

Name of Debtor	Amount Owed	Amount Paid	Amount Due	Amount Due
Communication Systems, Inc. 6800 Castle Ridge Falls Church, VA 22044	-0-	46.89	-0-	46.89
Hammer Graphics Corporation 1815 North Main Street Dallas, TX 75201	-0-	1,408.77	-0-	1,408.77
William J. Olson, P.C. 1815 N Street, N.W. Washington, D.C. 20005-3804	-0-	1,851.08	-0-	1,851.08
Palmer Technical Services 8805 Cameron Street, NW Silver Spring, MD 20910	-0-	386.28	-0-	386.28
Security Storage Company of Washington 1701 Florida Avenue, N.W. Washington, D.C. 20009	-0-	5.75	-0-	5.75
Citizens for Jack Kemp 30 Main Street Hamburg, NY 14075	13,366.00	-0-	-0-	13,366.00
CFP Purchase of Books from CFJN				-
11 SUBTOTALS This Period This Page (Include)				22,078.38
20 TOTAL This Period (See Page 100 and 101)				203,716.68
21 TOTAL OUTSTANDING LOANS AND DEBTS (See Page 100)				
22 ADD 20 and 21 and carry forward to Attachment 12 of Savings Page 100 (See Page 101)				

 7
 1
 0
 5
 1
 0
 4
 0
 1
 7



FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 2081

Date Filmed 8/8/86 Camera No. --- 3

Cameraman AS

86040610218



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

9-²³~~16~~-86

THE FOLLOWING MATERIAL IS BEING ADDED TO THE
PUBLIC FILE OF CLOSED MUR 2081.

86040513058

BENJAMIN W. DULANEY
KENNETH WELLS PARKINSON
DANIEL WEBSTER COON*
ARTHUR C. ELGIN, JR.*
JAMES P. SCHALLER*
JO V. MORGAN, JR.*
JOHN A. NEVILL
PATRICIA D. BURNE
NICHOLAS STILLWELL MCCONNELL**
ALAN R. SHENDIMAN*
SIDNEY C. COUSINS, JR.*
PATRICK L. WOODWARD*
JAMES R. MICHAL*
M. ELIZABETH MARGALIA*
DAVID H. COX*
JOHN J. BRENNAN, III**
RICHARD W. BRYAN*
CHRISTINE A. NYKIEL*
PAUL S. SCHLEIFMAN*
TIMOTHY R. DINGLIAN*
ANTOINETTE A. LEBEL
RICHARD J. DEFEZ, JR.
MARY LYNN REED*
SUSAN E. HANES

* ALSO ADMITTED IN MARYLAND
** ALSO ADMITTED IN VIRGINIA

LAW OFFICES
JACKSON & CAMPBELL, P.C.
ONE LAFAYETTE CENTRE
SUITE 300 SOUTH
1120 20TH STREET, N.W.
WASHINGTON, D.C. 20036-3437

INT'L TELEX: 64706
TELECOPIER (202) 457-1876
(202) 457-1600

August 13, 1986

THOMAS SEARING JACKSON*
EDMUND S. CAMPBELL*
OF COUNSEL

MARYLAND OFFICE
206 A MONROE STREET
ROCKVILLE, MARYLAND 20850
(301) 340-0450

VIRGINIA OFFICE
1008 NORTH RANDOLPH STREET
SUITE 104
ARLINGTON, VIRGINIA 22201
(703) 822-1330

DIRECT DIAL NUMBER

457-1646

HAND DELIVERED

George Demougeot, Esq.
Associate General Counsel
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2081
Citizens for Jack Kemp

Dear Mr. Demougeot:

On behalf of Citizens for Jack Kemp, I am submitting this letter to be made part of the public record with regard to MUR 2081.

The subject of MUR 2081 is the sale of certain books from Citizens for Jack Kemp ("CFJK") to Campaign for Prosperity ("CFP"). The sale of the books was an "arms length" transaction for which CFP was billed. The sales price to CFP was the amount which CFJK paid to the printer for the books.

CFJK consistently reported the payments for the printing of the books to the Commission. The public record reflects that it paid for the cost of printing the books. CFJK never intended the sale of the books to CFP to be a contribution. Any violation of the Federal Election Campaign Act by CFJK was inadvertent and was not willful as evidenced by the fact that the action initiated by the Commission arose because of the disclosure by CFP to the FEC.

At no time was CFJK ever advised that this arms length sale was improper. CFJK first learned of the Commission's allegations when a courtesy copy of an FEC letter dated October 2, 1985, was

86040513059

George Demougeot, Esq.
August 13, 1986
Page 2

delivered to Congressman Kemp's Washington, D.C. office on October 15. Malcolm K. Buckley, Jr., Esq., Treasurer for CFJK, never directly received a copy of the Commission's letter. Under the Commission's regulations, such a letter was required to be delivered to the committee treasurer.

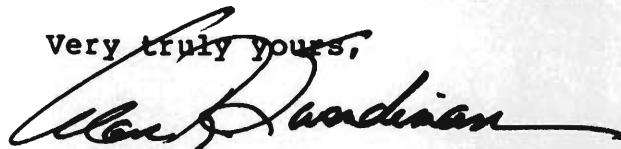
No prior notice of any purported violation was ever received. Yet, the Commission's staff apparently had had continual communications with the counsel for CFP since February, 1985. The summary of allegations transmitted to CFJK stated that a request for additional information was mailed to CFP on February 20, 1985. CFJK never received such a request for additional information, despite an inference in the summary that it had. For nine (9) months, then, the Commission made no effort to contact CFJK with what it regarded as a problem.

CFJK treated the transaction as a bona fide commercial sale. Invoices were submitted to CFP which reflected the amount owed and interest was charged on all balances past due. CFJK made efforts to collect the debt by submitting these invoices periodically, and charging interest at the rate of 1 1/2 percent per month on the unpaid balance. CFP made payments on the debt beginning in October 1985. By December, 1985, CFP paid CFJK in full. The debt, then, was paid within ten (10) months which certainly is commercially reasonable. The Commission subsequently has recognized the realities of the situation for in Advisory Opinion 1986-14, it deemed the sale of a used van by an existing political committee to be an "arms length commercial transaction."

Suffice to say, CFJK has not been enriched by this transaction. It has entered into a Conciliation Agreement with the Commission and has paid a fine of \$2,750.00. In addition, CFJK has incurred legal expenses since October, 1985, over what is a very minor matter.

CFJK has been completely open about the transaction. Its past record with the Commission has been excellent. Its filings have been timely and correct. CFJK believed the sale of the books to be a commercially reasonable transaction well within the law.

Very truly yours,



Alan R. Swendiman

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SMILEY, OLSON, GILMAN & PANGIA

ATTORNEYS AT LAW

1225 H STREET, NORTHWEST

WASHINGTON, D.C. 20006-3604

(202) 462-2100

TELEX WU 64174 ROGER

TELECOPIER (202) 463-6233

ROBERT R. SMILEY III, P. C. (DC)
WILLIAM J. OLSON, P. C. (DC, VA)
NICHOLAS GILMAN, P. C. (DC, MD, PA)
MICHAEL J. PANGIA (DC, NY)
JOHN J. CARLINO (NY)
ROBERT A. MINEO (NC)
WILLIAM P. HARPER, JR. (NC)

DANIEL F. HAYES (DC, NY)
PAUL E. ZAHN (PA, NY)
NANCY A. CHILES (SC)
ROBERT R. WARCHOLA, JR. (FL)

OF COUNSEL
GUY O. FARLEY, JR. (VA)

SUITE 310
10821 JUDICIAL DRIVE
FAIRFAX, VIRGINIA 22030
(703) 561-8800

150 BROADWAY
NEW YORK, NEW YORK 10038
(212) 406-4848

SUITE 900
450 WALNUT STREET
PHILADELPHIA, PENNSYLVANIA 19106
(215) 546-1430

530 NORTH BLOUNT STREET
RALEIGH, NORTH CAROLINA 27604
(919) 834-8888

38 BROAD STREET
P.O. BOX 67, ZIP 29402
CHARLESTON, SOUTH CAROLINA 29401
(803) 723-2323

August 13, 1986

HAND DELIVER

R. Lee Andersen, Esquire
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2081
Campaign for Prosperity

Dear Mr. Andersen:

As you know, the above-referenced MUR was settled by Campaign for Prosperity last month with the Federal Election Commission. It is our understanding that all correspondence from our client and our firm relating to this matter to the FEC prior to the commencement of conciliation will be made public with the public disclosure of the settlement of this MUR. It is our further understanding that these documents will include our firm's letter of October 18, 1985 which set out many essential aspects of the sale of books that gave rise to this MUR.

In order to complete that public record and to make the facts that gave rise to this MUR more understandable, we ask that this letter be made a part of the public record regarding MUR 2081.

This matter arose during 1984 from the purchase of books by our client Campaign for Prosperity (CFP) from Citizens for Jack Kemp (CFJK). The FEC has apparently contended at various times that either the sale itself, or CFP's failure to pay CFJK for these books contemporaneously, resulted in a contribution from CFJK to CFP in excess of the maximum limits. Although it is not

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clear that such sales are prohibited, or if not prohibited when and if a delay in payment beyond some unspecified number of days converts a sale into a contribution, CFP entered into a settlement agreement in order to resolve a complicated matter amicably.

This matter actually came to the attention of the FEC through the regular reports filed by CFP that showed that CFP had made in-kind contributions of some of these books to other political committees.

Indeed, CFP received the books in question from the printer, not from CFJK, which never had possession of these books. Had CFP written its check to the printer rather than to CFJK this transaction would never have been questioned. Had the sale been for less than \$5,000 it would have never been questioned.

This was a straight-forward sale of books between two political committees, for an amount equal to the original purchase price incurred by CFJK, with billing for the balance owed, and the payment of 1 1/2 percent interest each month on the unpaid balance. Payment was made in full during 1985.

When CFP was notified by the FEC reports analyst on January 16, 1985 that the transaction might be considered an excessive contribution, CFP immediately sought guidance from the FEC and was informed that the transaction should be "reversed" if possible. Since the books could not be retrieved and returned to CFJK, this was impossible, as was explained to the FEC. At that time CFP was advised to "do nothing" on March 27, 1985 until further guidance could be obtained from the FEC's General Counsel's office.

CFP heard nothing from the FEC during the next months, until October 1985, despite telephone and written inquiries by CFP to the FEC. Therefore, CFP did not repay the debt during this time period due to the express instructions received from the FEC.

It was originally explained that the FEC considered any sales between political committees (other than mailing lists or upon termination of a committee) would be considered a contribution from the selling committee to the buying committee. Nevertheless, in a recent FEC Advisory Opinion (1986-14) an on-going political committee was authorized to sell personal property in a permissible "arms length commercial transaction." Apparently the FEC-perceived problem later became the failure to pay for the books in full between the sale date until the FEC's instruction to CFP to "do nothing".

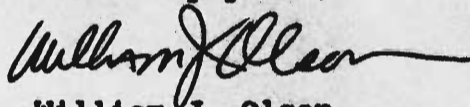
This MUR involved a sale of personal property by one committee to another, which were never physically taken possession of by the selling committee, for the same price paid

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by the selling committee, on commercially reasonable terms (1 1/2 percent interest per month). Neither committee was enriched by the transaction. The FEC's instruction itself to "do nothing" delayed the resolution of the matter by the committees in question.

It is our opinion and the opinion of our client that this constituted a technical violation at best, and was settled in order to put the matter behind them in an amicable fashion.

Sincerely yours,



William J. Olson

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SMILEY, OLSON, GILMAN & PANGIA

ATTORNEYS AT LAW

1815 H STREET, NORTHWEST
WASHINGTON, D.C. 20006

BY HAND

TO: R. Lee Andersen, Esquire
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

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THE FOLLOWING MATERIAL IS BEING ADDED TO THE
PUBLIC FILE OF CLOSED MUR 2081.

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SMILEY, OLSON, GILMAN & PANGIA

ATTORNEYS AT LAW

1815 H STREET, NORTHWEST

WASHINGTON, D.C. 20006-3604

(202) 466-5100

TELEX WU 64174 ROGER

TELECOPIER (202) 463-6233

ROBERT R. SMILEY III, P. C. (DC)
WILLIAM J. OLSON, P. C. (DC, VA)
NICHOLAS GILMAN, P. C. (DC, MD, PA)
MICHAEL J. PANGIA (DC, NY)
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WILLIAM F. HARPER, JR. (NC)

DANIEL F. HAYES (DC, NY)
PAUL E. ZAHN (PA, NY)
NANCY A. CHILES (SC)
ROBERT R. WARCHOLA, JR. (FL)

OF COUNSEL
GUY O. FARLEY, JR. (VA)

SUITE 310
10521 JUDICIAL DRIVE
FAIRFAX, VIRGINIA 22030
(703) 591-9200

150 BROADWAY
NEW YORK, NEW YORK 10038
(212) 406-4949

SUITE 500
1420 WALNUT STREET
PHILADELPHIA, PENNSYLVANIA 19102
(215) 546-1410

530 NORTH BLOUNT STREET
RALEIGH, NORTH CAROLINA 27604
(919) 834-9965

39 BROAD STREET
(P.O. BOX 67, ZIP 29402)
CHARLESTON, SOUTH CAROLINA 29401
(803) 723-2323

July 1, 1986

HAND DELIVER

George Demougeot, Esquire
Associate General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2081
Campaign for Prosperity

Dear Mr. Demougeot:

Following up on our letter of yesterday, we are enclosing our client Campaign for Prosperity's check for \$1,250, the difference between the \$1,500 paid and the \$2,750 fine agreed to under the Conciliation Agreement. We trust this complies with all matters necessary to settle this MUR.

Sincerely yours,



William J. Olson

WJO:rg

Enclosure

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LAW OFFICES

JACKSON & CAMPBELL, P.C.

ONE LAFAYETTE CENTRE

SUITE 300 SOUTH

1120 20TH STREET, N.W.

WASHINGTON, D.C. 20036-3437

INT'L TELEX: 64706

TELECOPIER (202) 457-1678

(202) 457-1600

August 13, 1986

THOMAS SEARING JACKSON*
EDMUND D. CAMPBELL*
OF COUNSEL

MARYLAND OFFICE
200 A MONROE STREET
ROCKVILLE, MARYLAND 20850
(301) 340-0450

VIRGINIA OFFICE
1008 NORTH RANDOLPH STREET
SUITE 104
ARLINGTON, VIRGINIA 22201
(703) 522-1330

DIRECT DIAL NUMBER

457-1646

HAND DELIVERED

BENJAMIN W. DULANY*
KENNETH WELLS PARKINSON
DANIEL WEBSTER COON*
ARTHUR C. ELGIN, JR.*
JAMES P. SCHALLER*
JO V. MORGAN, JR.*
JOHN A. NEVIUS
PATRICIA D. GURNE
NICHOLAS STILLWELL McCONNELL**
ALAN R. SWENDIMAN*
SIDNEY C. COUSINS, JR.*
PATRICK L. WOODWARD*
JAMES R. MICHAL*
M. ELIZABETH MEDAGLIA*
DAVID H. COX*
JOHN J. BRENNAN, III**
RICHARD W. BRYAN*
CHRISTINE A. NYKIEL*
PAUL S. SCHLEIFMAN*
TIMOTHY R. DINGILIAN*
ANTOINETTE A. LABEL
RICHARD J. DEFEO, JR.
MARY LYNN REED*
SUSAN E. HAWES

* ALSO ADMITTED IN MARYLAND
** ALSO ADMITTED IN VIRGINIA

R. Lee Anderson, Esq.
Assistant General Counsel
Federal Election Commission
Room 657
999 E Street, N.W.
Washington, DC 20463

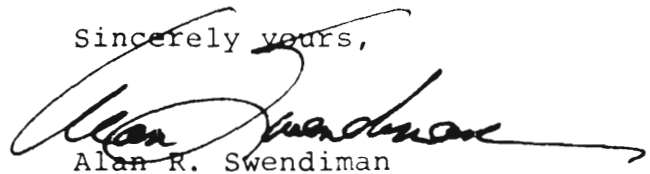
Re: MUR 2081
Citizens for Jack Kemp

Dear Mr. Anderson:

I have been advised that the above matter has been released prematurely to the public.

I would request that the enclosed letter be made a part of the public record and any materials which are disseminated in connection therewith.

Sincerely yours,


Alan R. Swendiman

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GENERAL COUNSEL

JACKSON & CAMPBELL P.C.

WASHINGTON, D.C. 20036-3437

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R. Lee Anderson, Esq.
Assistant General Counsel
Federal Election Commission
Room 657
999 E Street, N.W.
Washington, DC 20463