



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20543

THIS IS THE BEGINNING OF MUR # 3067

DATE FILMED 6/26/91 CAMERA NO. 4

CAMERAMAN AS

91040844980

JOHN WRZESINSKI for CONGRESS
REPUBLICAN

A TRADITION OF CARING
3100-3 E. McClintock, Tampa, FL 33611
(813) 838-2545

RECEIVED
ELECTION COMMISSION
MAIL ROOM

90 MAY 25 PM 2:23

May 21, 1990

MUR 3067

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 MAY 29 PM 3:52

General Counsel Noble
999 "E" St. N.W.
Washington, D.C. 20463

Dear Counsel General Noble:

In reviewing the Federal Election Commission report dated 16 April 1990 for John Jacob Rhodes III I have found a number of possible violations of the Federal Election code.

Under the entry Ahlstrom, Craig M. it shows a contribution of \$1,000 with the date 28 July 86 designated as a Primary contribution. The next entry is a Anlstrom, Craig M. showing a contribution of \$1,000 with the date 27 Nov 85 also designated as a Primary contribution. I believe that Craig Ahlstrom and Craig Anlstrom are one in the same person. This being the case he is over the contribution limit.

In addition under the entry for Farnsworth, Joe I find the same situation only both names are spelled the same. This is particularly interesting in view of the fact that both of these contributors are employed by and are related to Ross N. Farnsworth, Sr. a large aggregate contributor to the Rhodes For Congress Committee.

Ross N. Farnsworth, Sr. and other members of the Farnsworth family, namely Anita Farnsworth, Chad Coons, Craig Ahlstrom, Ross Farnsworth, Jr., Joe Farnsworth, Ruthann Farnsworth and Bonnie Farnsworth donated over \$10,000 in the Primary alone. The proximal means by which this was done so closely resembles the Keating donations that it appears to be a similar bundling of contributions with Ross N. Farnsworth, Sr. being the conduit for these funds.

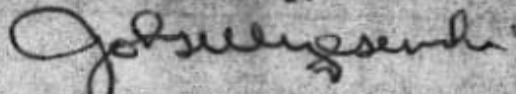
Another irregularity is the contributions of Bonnie and Ruthann Farnsworth both dated 06 Jan 86 and made while both were students at the University.

9104084981

It appears to me that the large amount of money contributed by one family to a single candidate is in direct violation of the intent of the Federal Elections Code which was put into place to prevent undue influence by affluence on candidates for Federal office.

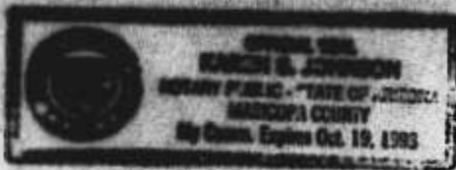
I await your reply.

Sincerely,



Rep. John T. Wrzesinski, M.D.

JTW:dkv



Subscribed and sworn to before me this 21st day
of May, 1990.

Karen S. Johnson
Notary Public

Mesa, Arizona

My commission expires on the 19th day of October, 1993.

91040844982

THOSE WITH TIES TO ROSS FARNSWORTH DONATING TO RHODES 1986 CAMPAIGN

<u>RELATIONSHIP</u>	<u>NAME</u>	<u>COMPANY</u>	<u>DATE</u>	<u>AMOUNT</u>
Father	Ross N. Farnsworth	Farnsworth Development	27 Nov 85	\$1,000
Mother	Anita Farnsworth		27 Nov 85	\$1,000
Son-In-Law	Chad Coons	R&K Bldg Supply	18 Dec 85	\$1,000
Son-In-Law	Craig Ahlstrom	Farnsworth	27 Nov 85	\$1,000
Ahlstrom	Craig	Development	28 July 86	\$1,000
Son-In-Law?	Doug Smith	Farnsworth, Perkinson & Smith	05 July 85	\$1,000
Son	Ross N. Farnsworth, Jr.	Farnsworth, Perkinson & Smith	02 Aug 85	\$1,000
Son	Joe Farnsworth	Farnsworth Realty	27 Nov 85 28 July 86	\$1,000 \$1,000
Daughter	Bonnie Farnsworth	Student	06 Jan 86	\$1,000
Daughter	Ruthann Farnsworth	Student	06 Jan 86	\$1,000

91040844983



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 5, 1990

John T. Wrzesinski, MD
3108-2 S. McClintock
Tempe, AZ 85282

RE: MUR 3067

Dear Dr. Wrzesinski:

This letter acknowledges receipt on May 25, 1990, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by the Rhodes for Congress Committee, Kent Hulkey, as treasurer, Bonnie Farnsworth, Ruthann Farnsworth, Craig M. Ahlstrom, Joe Farnsworth, Chad Coons, Anita Farnsworth, Ross H. Farnsworth, Sr., and Ross H. Farnsworth, Jr. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 3067. Please refer to this number in all future correspondence. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

If you have any questions, please contact Retha Dixon, Docket Chief, at (202) 376-3110.

Sincerely,

Lawrence M. Noble
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

Enclosure
Procedures

91040844984



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 5, 1990

Ross W. Farnsworth, Sr.
460 S. Greenfield Road, Ste. 2
Mesa, AZ 85206

RE: MUR 3067

Dear Mr. Farnsworth:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3067. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain 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 matter to be made public. 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 authorizing such counsel to receive any notifications and other communications from the Commission.

91040844985

If you have any questions, please contact Nicole Corn, the staff member assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

91040844986



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 5, 1990

Ross N. Farnsworth, Jr.
3244 E. Fountain
Mesa, AZ 85203

RE: MUR 3067

Dear Mr. Farnsworth:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3067. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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91040844987

If you have any questions, please contact Nicole Corn, the staff member assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY:


Lois G. Wernner
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

91040844988



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 5, 1990

Anita Farnsworth
460 S. Greenfield
Mesa, AZ 85206

RE: MUR 3067

Dear Ms. Farnsworth:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3067. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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91040344989

If you have any questions, please contact Nicole Corn, the staff member assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

91040344990



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 5, 1990

Joe Farnsworth
609 E. 10th Place
Mesa, AZ 85203

RE: MUR 3067

Dear Mr. Farnsworth:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3067. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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91040344991

If you have any questions, please contact Nicole Corn, the staff member assigned to this matter at (202) 376-6200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

91040344992



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 5, 1990

Chad Coons
1540 E. Hope
Mesa, AZ 85203

RE: MUR 3067

Dear Mr. Coons:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3067. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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21040844993

If you have any questions, please contact Nicole Corn, the staff member assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

91040844994



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 5, 1990

Craig M. Ahlstrom
1117 E. Fairchild
Mesa, AZ 85203

RE: MUR 3067

Dear Mr. Ahlstrom:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3067. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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21040844995

If you have any questions, please contact Nicole Corn, the staff member assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

91040344996



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 5, 1990

Ruthann Farnsworth
716 E. 6th Place
Mesa, AZ 85203

RE: MUR 3067

Dear Ms. Farnsworth:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3067. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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91040844997

If you have any questions, please contact Nicole Corn, the staff member assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence N. Noble
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

91040844998



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 5, 1990

Bonnie Farnsworth
716 E. 6th Place
Mesa, AZ 85203

RE: NUR 3067

Dear Ms. Farnsworth:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter NUR 3067. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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91040844999

If you have any questions, please contact Nicole Corn, the staff member assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

91040845000



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 5, 1990

Rhodes for Congress Committee
Kent Mulkey, Treasurer
P.O. Box 1381
Mesa, AZ 85201

RE: MUR 3067

Dear Mr. Mulkey:

The Federal Election Commission received a complaint which alleges that the Rhodes for Congress Committee and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3067. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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91040845001

If you have any questions, please contact Nicole Corn, the staff member assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY:


Lois G. Berner
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

91040845002

06C 6645

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

90 JUN 19 AM 10:59

June 12, 1990

Federal Election Commission
Office of General Counsel
Washington, D.C. 20463

Re: Matter under review 3067

Attn: Lawrence M. Noble

Dear General Counsel:

After review of your letter dated June 5, 1990 and the related letter from John Wrzesinski, I am somewhat confused about what is to be reviewed.

My husband and I have always been active in city, state and federal politics and do many things to support a free election system. I contributed \$1,000 and my husband contributed \$1,000 in 1985 for the John J. Rhodes III campaign.

If something was done incorrectly on this contribution, you will have to explain. From my understanding of the law, all was done correctly.

Please contact me if there is any additional information needed.

Sincerely,

Anita C. Farnsworth

Anita C. Farnsworth
460 S. Greenfield Road
Mesa, Arizona 85206

91040845003

90 JUN 19 PM 3:07
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

066646
RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM
90 JUN 19 AM 11

June 14, 1990

Federal Election Commission
General Counsel's Office
Washington, D.C. 20463

Attn: Lawrence M. Noble, General Counsel

Re: MUR 3067

Dear General Counsel Noble:

We are writing in response to your letter dated June 5, 1990 regarding case #MUR 3067. It is true that we donated to the campaign of "Rhodes To Congress" - 1985 and 1986. It is our understanding that the campaign laws allow a married couple to donate a maximum amount of \$2,000 for any campaign. This is exactly what we did.

It was our intent that as a married couple to give \$2,000. This decision to give we made jointly, and since all our funds are community property, we thought the way we gave the \$2,000 was OK. It always was our (Craig and Amy) intent to each give \$1,000.

Hopefully, this will clean up any misunderstanding that has arisen. We will be happy to provide any further information that may be helpful.

Sincerely,

Craig M. Ahlstrom
Craig M. Ahlstrom
Amy F. Ahlstrom
Amy F. Ahlstrom
1117 East Fairfield
Mesa, Arizona 85203

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 JUN 19 PM 3:07

91040845004

RECEIVED
FEDERAL ELECTION COMMISSION
ROOM

JUN 19 1990

26% COTTON FIBER
SOUTHWEST U.S.A.
RAINFEST BOND

June 14, 1990

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 JUN 19 PM 3:07

Office of General Counsel
Federal Election Commission
Washington, D.C. 20463

Attn: Lawrence M. Noble

Dear Mr. Noble:

I wish to respond to the "Matter Under Review 3067". In the 1986 campaign for John Jacob Rhodes III, I was on the Campaign Finance Committee. Many people were contacted by me to give to the Rhodes Campaign and when they gave, I would take the checks in to Campaign Headquarters. To my knowledge all contributions were made by adults (18 and up) and they did not violate any laws.

If you have further questions, please contact me.

Sincerely,



Ross N. Farnsworth
460 South Greenfield Road
Suite 2
Mesa, Arizona 85206

91040345005

03-6645

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

90 JUN 19 AM 12

June 12, 1990

Federal Election Commission
General Counsel's Office
Washington D.C. 20463

ATTN: Lawrence M. Noble
RE : MUR 3067

To whom it may concern:

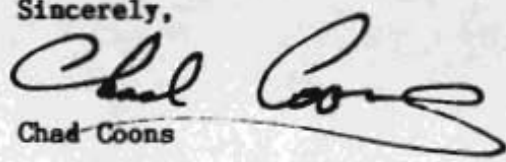
My name is Chad Coons. I live at 1540 E. Hope in Mesa, Az. 85203. I am writing this letter in response to notice # M.U.R. 3067 received June 9, 1990.

I have read the allegation in this notice and frankly, I am puzzled as to why a response is necessary. My wife and I, jointly of our own conviction, supported J. Rhodes in his 1986 campaign and made a \$1,000.00 contribution from our own funds.

I am unaware of any possible violation, or wrong doing in this action. I resent the implications made by Mr. Wrzesinski and do not appreciate this invasion of my privacy.

I trust you will close the matter without futher harassment.

Sincerely,


Chad Coons

91040845006

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 JUN 19 PM 3:07

OGC 6648

90 JUN 19 AM 11:01

June 14, 1990

Lawrence M. Noble
Office of General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 3067

Dear Mr. Noble:

I received your Matter Under Review letter dated June 5, 1990 and the letter written by John T. Wrzesinski, M.D. to you dated May 21, 1990. After reading the letter, it is not clear to me what I have done to be reviewed by the Federal Election Commission. I will respond with some facts that will explain what my situation was in 1986.

Most of my income comes from partnerships that were started for me by my grandfather and father. The value of my interest in these partnerships is substantial.

In the election of Jay Rhodes I contributed \$1,000 of my money for his campaign. I feel that everything was done according to the rules, as I understand them.

Please note that in 1987 I was married and my name was changed from Rath Ann Farnsworth to Ruth Ann Collins. Please contact me if you have questions.

Sincerely,

Ruth Ann Collins

Ruth Ann Collins
2301 East University Drive #479
Mesa, Arizona 85203

91040845007

50 JUN 19 PM 3:07

RECEIVED
FEDERAL ELECTION COMMISSION

RECEIVED
FEDERAL ELECTION COMMISSION

90 JUN 21 AM 11:16

June 14, 1990

Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

I have your letter dated June 5, 1990, reference MUR 3067. I am not sure what John T. Wrzesinski thinks I or my family have done that is a violation of the campaign laws but there was none.

During the Rhodes Campaign in 1986, I was a 21 year old college student. I had my own income that was earned from partnerships, which I used to support myself.

The campaign contribution I made of \$1,000 to the Rhodes Campaign was from my own money. Because of the earnings over the years, I have a substantial net worth, and just because I am a student does not take away my right to make a campaign contribution.

If this is not sufficient to clear up this matter, please contact me.

Yours truly,

Bonnie Farnsworth

Bonnie Farnsworth
716 East Sixth Place
Mesa, Arizona 85203

91040845008

90 JUN 21 PM 3:46

RECEIVED
FEDERAL ELECTION COMMISSION

OBC 6692

LAW OFFICES
MALONEY & BURCH
1100 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036
Phone (202) 293-1414
Fax (202) 293-1702

June 25, 1990

BY HAND

Ms. Nicole Corn
Office of the General Counsel
Federal Election Commission
999 E Street, N.W., Suite 657
Washington, D.C. 20463

RE: MUR 3067

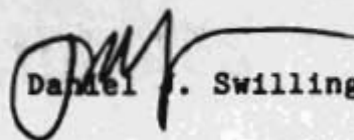
Dear Ms. Corn:

Enclosed is the response of the Rhodes To Congress Committee and its Treasurer in this matter.

Also enclosed is the designation of counsel letter, signed by Rep. Rhodes.

Please call me if you have any questions.

Sincerely,


Daniel J. Swillinger

DJS/dmr

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 JUN 25 PM 1:09

91040845009

Before the
Federal Election Commission
Washington, D.C. 20463
Re: MUR 3067

RESPONSE OF RHODES TO CONGRESS COMMITTEE
AND ITS TREASURER, KENT MULKEY

Now comes the Rhodes To Congress Committee, the principal campaign committee of Rep. John J. Rhodes, III, and its Treasurer, Kent Mulkey, and responds to the Federal Election Commission's letter dated June 5, 1990, received by the Committee on June 11, 1990.

The Commission's letter transmits a complaint filed by John Wrzesinski, Rep. Rhodes' opponent in the 1990 Republican primary election.

The complaint questions several contributions by members of the Farnsworth family made for the 1986 election. Based on Committee records, all of the questioned contributions were proper under the FECA.

Ross Farnsworth was a member of the Rhodes To Congress Finance Committee. He solicited these contributions from the individuals noted, and forwarded the contributions to the Committee within ten days, in compliance with 2 U.S.C. Sec. 432(b)(1).

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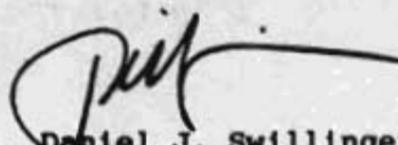
Specifically, the complaint cites Committee reports indicating that Craig Ahlstrom and Joe Farnsworth each contributed \$1,000 on November 27, 1985 and \$1,000 on July 28, 1986. The Committee's report inadvertently noted Mr. Farnsworth's second contribution as a primary election contribution. The Committee will amend this report to change the designation from "primary" to "general."

The July 28, 1986 contribution reported as made by Craig Ahlstrom should have been reported as a contribution from his wife, Amy Ahlstrom. The Committee will amend this report to show Amy Ahlstrom as the contributor.

Finally, the complaint suggests that the contributions by Ruthann and Bonnie Farnsworth were somehow improper because they were students. Each was over 18 years of age in January, 1986, and each used her own funds to contribute.

Based on the foregoing, the Rhodes To Congress Committee and its Treasurer, Kent Mulkey, request the Commission to dismiss this complaint and to take no further action.

Respectfully submitted,



Daniel J. Swillinger
Counsel for the Committee

91040845011

NDR 3067

NAME OF COUNSEL: Daniel J. Swilling

ADDRESS: Maloney & Burch

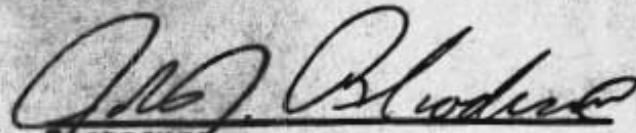
1100 Connecticut Avenue, N.W.

Washington, D.C. 20036

TELEPHONE: 202/293-1414

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.

June 18, 1990
Date


Signature

RESPONDENT'S NAME: John J. Rhodes, III

ADDRESS: for the Rhodes To Congress Committee

412 Cannon HOB

Washington, D.C. 20515

HOME PHONE: 202/362-6461

BUSINESS PHONE: 202/225-2635 =

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RECEIVED
FEDERAL ELECTION COMMISSION
SEARCHWALE

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FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

MUR 3067
DATE COMPLAINT RECEIVED
BY OGC: 6-1-90
DATE ON NOTIFICATION TO
RESPONDENTS: 6-5-90
STAFF MEMBER: MARY ANN BUMGARNER

COMPLAINANT: John T. Wrzesinski, M.D.

RESPONDENTS: Rhodes for Congress Committee
and Kent Mulkey, as treasurer
Ross Farnsworth, Sr.
Ross Farnsworth, Jr.
Anita Farnsworth
Joe Farnsworth
Chad Coons
Craig Ahlstrom
Ruth Ann Farnsworth
Bonnie Farnsworth

RELEVANT STATUTES: 2 U.S.C. § 441a(a)(1)(A)
2 U.S.C. § 441a(f)
2 U.S.C. § 441f
11 C.F.R. § 110.1(b)(5)(ii)(A)
11 C.F.R. § 110.1(b)(5)(ii)(B)
11 C.F.R. § 110.1(k)(3)(ii)(B)
11 C.F.R. § 110.6(c)
11 C.F.R. § 110.6(b)(2)(i)(E)

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

On June 1, 1990 the Commission received a complaint from John Wrzesinski alleging that Rhodes for Congress Committee and Kent Mulkey, as treasurer (the "Committee"), Bonnie Farnsworth, Ruth Ann Farnsworth, Craig Ahlstrom, Joe Farnsworth,

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Chad Coons, Anita Farnsworth, Ross Farnsworth, Sr., and Ross Farnsworth, Jr. violated the Federal Election Campaign Act. The complaint deals with the 1986 campaign and most of the individual respondents are relatives. Two of the individual respondents, Ross Farnsworth and Craig Ahlstrom, are also officers of the Farnsworth Development Company, an Arizona corporation.

The complaint alleges that Craig Ahlstrom, son-in-law of Ross and Anita Farnsworth, made two \$1,000 contributions, one on November 27, 1985 and the other on July 28, 1986, to the Committee. The 1985 Year End Report lists the November 27, 1985 contribution as being for the primary election. Attachment 1 at 3. The 1986 Pre-Primary Report also lists the July 28, 1986 contribution for the primary election. Attachment 2 at 10. Mr. Ahlstrom states in his response to the complaint that one of the \$1,000 contributions was from his wife, Amy. Attachment 3 at 12. Although it is not clearly stated, he apparently is also arguing that, since Arizona is a community property state, half of the money belonged to his wife.¹ Both Mr. Ahlstrom and his wife signed the unsworn response.

Second, the complaint alleges that Joe Farnsworth, who is the son of Ross and Anita Farnsworth and who also works for the Farnsworth Development Company, also made excessive contributions to the Committee. The Committee's 1985 Year End

1. According to Arizona law, community property would entitle him to the whole \$2,000.

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Report shows that Joe Farnsworth made a \$1,000 contribution on November 27, 1985, while the 1986 Pre-Primary Report shows that Joe Farnsworth gave another \$1,000 contribution on July 28, 1986. See Attachments 1 at 3 and 2 at 10. Both were reported as given for the primary election. Id. No response has been received by the Commission from Joe Farnsworth.

Third, the complaint states that Ross Farnsworth, Sr. was a major contributor to the Committee and that his family donated over \$10,000 to the Rhodes campaign for the primary election. The complainant implicitly alleges that contributions were made in the name of another. The complaint suggests inter alia that Ross Farnsworth actually made the contributions, that the family was reimbursed by the Farnsworth Development Company, or that Ross served as the conduit of the contributions, with various legal repercussions arising therefrom.

The complaint specifically cites contributions to the Committee from Ross N. Farnsworth, Sr. ("Ross"), Ross N. Farnsworth, Jr., Anita Farnsworth, Joe Farnsworth, Chad Coons, Craig Ahlstrom, Ruth Ann Farnsworth and Bonnie Farnsworth.² The Committee's 1985 Year End Report shows \$1,000 contributions each from Ross and Anita Farnsworth. Ross Farnsworth, Jr. made a \$1,000 contribution on August 2, 1985. Chad Coons, son-in-law

2. The text of the complaint does not expressly mention Douglas Smith, an individual whose name is listed in a chart provided by the complainant. Attachment 4. According to the Committee's 1985 Year End Report, Mr. Smith, who works for Farnsworth Perkinson & Smith, and who is possibly a son-in-law of Ross and Anita Farnsworth, made a \$1,000 contribution to the Committee for the primary election on July 5, 1985. Therefore, no recommendations have been made against Mr. Smith.

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of Ross and Anita Farnsworth, made a \$1,000 contribution on December 18, 1985. Bonnie and Ruth Ann Farnsworth, daughters of Ross and Anita Farnsworth, each made a \$1,000 contribution on January 1, 1986. The complaint states that Bonnie and Ruth Ann Farnsworth were students when their contributions were made. According to the Rhodes campaign's reports, all contributions were given for the 1986 primary election.

Ross Farnsworth, Sr., in his response, states that he was on the Committee's Campaign Finance Committee. See Attachment 3 at 13. He assertedly contacted people about contributing to the Committee and took checks to campaign headquarters. To his knowledge, all contributions were "made by adults." Mr. Farnsworth does not address the issue of whether he or his company gave contributions in the names of others.

According to Anita Farnsworth, she and her husband each made a \$1,000 contribution, which they thought were within the law. See Attachment 3 at 14. Chad Coons states that he and wife jointly gave \$1,000 to the Committee from their own funds. See Attachment 3 at 15. Ruth Ann Farnsworth, who is now Ruth Ann Collins, states that she was a college student when she made her \$1,000 contribution to the Committee. She asserts that she was 20 years old at the time and provided for most of her support through partnerships started for her by her grandfather and father. The contribution was assertedly from her money. See Attachment 3 at 16. Finally, Bonnie Farnsworth states that she was a 21 year old college student when she made her \$1,000

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contribution to the Committee. She also states that she provided most of her support through two partnerships and that the contribution was from her money. See Attachment 3 at 17. No responses have been received from Ross Farnsworth, Jr. and Joe Farnsworth with regard to the sources of their contributions. Craig Ahlstrom does not address the source issue in his response.

The Committee states that Ross Farnsworth, Sr., solicited contributions as a member of the Rhodes to Congress Finance Committee and forwarded these contributions to the Committee within ten days of receipt in accordance with law. Attachment 5 at 20. The Committee claims that it mistakenly reported Joe Farnsworth's second contribution as being for the primary election and will amend its reports to show that it was for the general election. The Committee also claims it will amend its report to show the July 28, 1986 contribution as being from Amy Ahlstrom rather than from Craig Ahlstrom.³ Also, the Committee argues that Bonnie and Ruth Ann Farnsworth were adults when their contributions were made and that the contributions were from their own funds.

II. FACTUAL AND LEGAL ANALYSIS

A. Excessive Contributions

2 U.S.C. § 441a(a)(1)(A) states that no person shall make contributions to any candidate and his authorized committees with respect to any election for Federal office which exceeds

3. To date, it does not appear that these amendments have been filed.

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\$1,000. 2 U.S.C. § 441a(f) states that no candidate or political committee shall knowingly accept any contribution in violation of the provisions of this section. Pursuant to 11 C.F.R. § 110.1(k)(1), any contribution made by more than one person shall include the signature of each person on the check or on a separate writing. If any such contribution exceeds the contribution limitations, the treasurer of the recipient committee may seek its retribution to additional contributors. 11 C.F.R. § 110.1(k)(3)(i). For reattribution of a contribution to be proper, it must be in writing, signed by each contributor, and received by the treasurer within sixty days of the treasurer's receipt of the contribution. 11 C.F.R. § 110.1(k)(3)(ii)(B).

A contribution is considered designated for a particular election when it is made by check, money order or other negotiable instrument which clearly states the particular election for which the contribution is intended. 11 C.F.R. § 110.1(b)(4)(i). A contribution may be redesignated when on its face, or when aggregated with other contributions from the same contributor for the same election, it exceeds the contribution limits. 11 C.F.R. § 110.1(b)(5)(i)(A). The treasurer of the political committee may seek redesignation of a contribution to another election by requesting that the contributor provide a written redesignation of the contribution, or he or she may inform the contributor that the contribution

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can be refunded in the alternative. 11 C.F.R. § 110.1(b)(5)(ii)(A). However, within sixty days of the treasurer's receipt of the contribution, the contributor must provide the treasurer with the signed written redesignation of the contribution. 11 C.F.R. § 110.1(b)(5)(ii)(B).

Aside from his assertions in the unsworn response to the administrative complaint, Craig Ahlstrom has not provided evidence, such as a check signed by both he and his wife, to establish that the second \$1,000 contribution reported as coming from him on July 20, 1986 was actually from his wife.

Similarly, Joe Farnsworth has not provided any evidence to show he intended his second \$1,000 contribution on July 28, 1986 to be for the general election.

Likewise, the Committee has not provided any substantive evidence to show that the second Craig Ahlstrom contribution was from Amy Ahlstrom or that the second Joe Farnsworth contribution was for the general election; amending reports is not sufficient to show the intent of the contributors in 1986. Also, if the second Ahlstrom contribution was in fact from Amy Ahlstrom and if Joe Farnsworth intended his second contribution to be for the general election, then the treasurer for the Committee should have reattributed or redesignated the funds to the additional contributor or later election within sixty days of receipt of the contributions, but this was not done. Thus, there is reason to believe that Mr. Ahlstrom and Mr. Farnsworth both violated 2 U.S.C. § 441a(a)(1)(A) by making excessive contributions to

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the Committee. There is also reason to believe that the Committee and Kent Mulkey, as treasurer, violated 2 U.S.C. § 441a(f) by accepting the excessive contributions.

B. Failure to Report as Conduit

11 C.F.R. § 110.6(c) requires that persons acting as conduits of earmarked contributions report the original source and recipient committee to the Commission, the Clerk of the House of Representatives or the Secretary of the Senate, and to the intended recipient.

In his response to the complaint (See Attachment 3 at 13), Ross Farnsworth, Sr. states that he was a member of the Rhodes' Campaign Finance Committee and in that capacity he contacted individuals to give to the Rhode's campaign. Upon receipt of a contribution, he would then take it to the Campaign Headquarters. Therefore, as a member of the Campaign Finance Committee presumably authorized to engage in fundraising, it appears that Mr. Farnsworth was acting as an agent, not a conduit, of the Committee.

Indeed, pursuant to 11 C.F.R. § 110.6(b)(2)(i), which was not in effect at the time Mr. Farnsworth was a member of the Campaign Finance Committee, certain persons are exempted from being classified as a conduit or intermediary. In particular, 11 C.F.R. § 110.6(b)(2)(i)(E) provides that an individual who is expressly authorized by the candidate or the candidate's authorized committee to engage in fundraising, and who occupies

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a significant position within the candidate's campaign organization is not a conduit or intermediary provided that the individual is not acting in his or her capacity as a representative of an entity prohibited from making contributions. This supports the conclusion that Mr. Farnsworth is not subject to the conduit reporting requirements. Based on the foregoing, there is no reason to believe that Ross Farnsworth, Sr. violated 11 C.F.R. § 110.6(c) by acting as a conduit and soliciting contributions.

C. Contributions in Names of Others

2 U.S.C. § 441f states that no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

At the time the contributions were made in this matter, Ross Farnsworth, Sr., was a member of the Campaign Finance Committee. The respondents who contributed to the Committee were relatives and most worked for Farnsworth Development Company or another Farnsworth business. In his response, Mr. Farnsworth does not address the issue of whether he or his company gave contributions in the names of others. Further, the responses from Anita Farnsworth and Craig and Amy Ahlstrom do not address the source issue. No responses have been received from Ross Farnsworth, Jr. and Joe Farnsworth. Other of the family members, Chad Coons, Ruth Ann and Bonnie Farnsworth, deny that the contributions were not from anyone else, but were from their own resources; however, these statements were not under

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oath. These statements by the family members that the contributions were from their own resources does not preclude the possibility that they were later reimbursed. Furthermore, several of these responses, specifically those from Craig and Amy Ahlstrom, Ross Farnsworth, Sr. and Anita, Ruth Ann and Bonnie Farnsworth are very similar, thus giving the appearance of coordination among the respondents.

Although the contributions in question were made over a one year time period, most were made on only three dates: November 27, 1985, January 1, 1986 or July 28, 1986.⁴ While not conclusive, this further supports the conclusion that there may have been a reimbursement scheme. Furthermore, at the time the \$1,000 contributions were made by Bonnie and Ruth Ann Farnsworth, both were college students and, according to their responses, the money for these contributions apparently came from income earned from "partnerships" established by their parents and grandparents.

Based on the foregoing reasons, it appears that the money for the contributions at issue ultimately may have come from sources other than the reported contributors. Therefore, there

4. Four of the respondents, Joe Farnsworth, Anita Farnsworth, Ross Farnsworth, Sr. and Craig Ahlstrom, made contributions on November 27, 1985. Bonnie and Ruth Ann Farnsworth both made contributions on January 1, 1986. Joe Farnsworth and Craig Ahlstrom both made contributions on July 28, 1986. The contribution by Ross Farnsworth, Jr. was made on December 12, 1985 and the contribution by Chad Coons was made on August 2, 1985.

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is reason to believe that Ross Farnsworth, Sr., Ross Farnsworth, Jr., Anita Farnsworth, Joe Farnsworth, Chad Coons, Craig Ahlstrom, Ruth Ann Farnsworth and Bonnie Farnsworth violated 2 U.S.C. § 441f.

III. DISCOVERY

If the Commission finds reason to believe as recommended, this Office will request Ross Farnsworth, Sr., Ross Farnsworth, Jr., Anita Farnsworth, Joe Farnsworth, Chad Coons, Craig Ahlstrom, Ruth Ann Farnsworth and Bonnie Farnsworth to provide all writings regarding the contributions made by these individuals to the Committee toward the 1986 primary and general elections.

IV. RECOMMENDATIONS

1. Find reason to believe that Craig Ahlstrom and Joe Farnsworth violated 2 U.S.C. § 441a(a)(1)(A).
2. Find reason to believe that the Rhodes for Congress Committee and Kent Mulkey, as treasurer, violated 2 U.S.C. § 441a(f).
3. Find no reason to believe that Ross Farnsworth Sr., violated 11 C.F.R. § 110.6(c).
4. Find reason to believe that Ross Farnsworth Sr., violated 2 U.S.C. § 441f.
5. Find reason to believe that Ross Farnsworth, Jr., Anita Farnsworth, Joe Farnsworth, Chad Coons, Craig Ahlstrom, Ruth Ann Farnsworth and Bonnie Farnsworth violated 2 U.S.C. § 441f.

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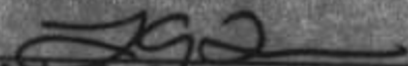
6. Approve the appropriate letters and attached Factual and Legal Analyses.

Lawrence M. Noble
General Counsel

Date

12/7/90

By:


Lois G. Lerner
Associate General Counsel

Attachments

1. 1985 Year End Report
2. 1986 Pre-Primary Report
3. Responses from Individuals
4. Chart
5. Response from Committee
6. Factual and Legal Analyses (9)

Staff Assigned: Mary Ann Bumgarner

91040845024



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20541

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/DELORES HARRIS *DH*
COMMISSION SECRETARY

DATE: DECEMBER 12, 1990

SUBJECT: MUR 3067 - FIRST GENERAL COUNSEL'S REPORT
DATED DECEMBER 7, 1990.

The above-captioned document was circulated to the Commission on MONDAY, DECEMBER 10, 1990 at 11:00 a.m.

Objection(s) have been received from the Commissioner(s) as indicated by the name(s) checked below:

Commissioner Aikens	<u>XXX</u>
Commissioner Elliott	<u>XXX</u>
Commissioner Josefiak	<u>XXX</u>
Commissioner McDonald	<u> </u>
Commissioner McGarry	<u> </u>
Commissioner Thomas	<u>XXX</u>

This matter will be placed on the meeting agenda for TUESDAY, DECEMBER 18, 1990.

Please notify us who will represent your Division before the Commission on this matter.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Rhodes for Congress Committee and) MUR 3067
Kent Mulkey, as treasurer;)
Ross Farnsworth, Sr.;)
Ross Farnsworth, Jr.;)
Anita Farnsworth; Joe Farnsworth;)
Chad Coons; Craig Ahlstrom;)
Ruth Ann Farnsworth; Bonnie Farnsworth.)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on December 18, 1990, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 3067:

1. Find reason to believe that Craig Ahlstrom and Joe Farnsworth violated 2 U.S.C. § 441a(a)(1)(A).
2. Find reason to believe that the Rhodes for Congress Committee and Kent Mulkey, as treasurer, violated 2 U.S.C. § 441a(f).
3. Find no reason to believe that Ross Farnsworth, Sr. violated 11 C.F.R. § 110.6(c).
4. Take no action on recommendations 4 and 5 in the General Counsel's report dated December 7, 1990.

(continued)

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5. Approve appropriate letters and Factual
and Legal Analyses.

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

Attest:

12-24-90
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 10, 1991

Mr. Ross Farnsworth, Sr.
460 South Greenfield Road
Suite 2
Mesa, Arizona 85206

RE: MUR 3067
Ross Farnsworth, Sr.

Dear Mr. Farnsworth:

On June 5, 1990, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On December 18, 1990, the Commission found, on the basis of the information in the complaint, that there is no reason to believe you violated 11 C.F.R. § 110.6. You will be notified of any further action taken by the Commission concerning the complaint in this matter.

If you have any questions, please contact Mary Ann Bungarner, the attorney assigned to this matter at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Berner
Associate General Counsel

91040845028



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 10, 1991

Mr. Craig M. Ahlstrom
1117 East Farfield
Mesa, Arizona 85203

RE: MUR 3067
Craig M. Ahlstrom

Dear Mr. Ahlstrom:

On June 5, 1990, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, the Commission, on December 18, 1990, found that there is reason to believe you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Act. The 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. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

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

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 the 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 the 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.

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Craig M. Ahlstrom
Page 2

Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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 the General Counsel ordinarily will not 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 authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain 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 matter to be made public.

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



John Warren McGarry
Chairman

Enclosures
Designation of Counsel Form
Factual & Legal Analysis

91040845030

FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Craig Ahlstrom NUR: 3067

On June 1, 1990 the Commission received a complaint from John Wrzesinski alleging that Craig Ahlstrom violated the Federal Election Campaign Act. The complaint deals with the 1986 campaign.

The complaint alleges that Craig Ahlstrom made excessive contributions to the Rhodes for Congress Committee (the "Committee"). The Committee's 1985 Year End Report shows that Mr. Ahlstrom made a \$1,000 contribution on November 27, 1985, while the 1986 Pre-Primary Report shows that Mr. Ahlstrom gave another \$1,000 contribution on July 28, 1986. Both were reported as given for the primary election. Mr. Ahlstrom states in his response to the complaint that one of the \$1,000 contributions was from his wife, Amy. Although it is not clearly stated, he apparently is also arguing that, since Arizona is a community property state, half of the money belonged to his wife.

2 U.S.C. § 441a(a)(1)(A) states that no person shall make contributions to any candidate and his authorized committees with respect to any election for Federal office which exceeds \$1,000. Pursuant to 11 C.F.R. § 110.1(k)(1), any contribution made by more than one person shall include the signature of each person on the check or on a separate writing. If any such contribution exceeds the contribution limitations, the treasurer

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of the recipient committee may seek its reattribution to additional contributors. 11 C.F.R. § 110.1(k)(3)(i). For reattribution of a contribution to be proper, it must be in writing, signed by each contributor, and received by the treasurer within sixty days of the treasurer's receipt of the contribution. 11 C.F.R. § 110.1(k)(3)(ii)(B).

Aside from his assertions in the unsworn response to the administrative complaint, Mr. Ahlstrom has not provided any evidence, such as a check signed by both he and his wife, to establish that the second \$1,000 contribution reported as coming from him on July 28, 1986 was actually from his wife. Hence, there is reason to believe that Mr. Ahlstrom violated 2 U.S.C. § 441a(a)(1)(A).

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 10, 1991

Mr. Joe Farnsworth
809 E. 10th Place
Mesa, Arizona 85203

RE: MUR 3067
Joe Farnsworth

Dear Mr. Farnsworth:

On June 5, 1990, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, the Commission, on December 18, 1990, found that there is reason to believe you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Act. The 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. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

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

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 the 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 the 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, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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Joe Farnsworth
Page 2

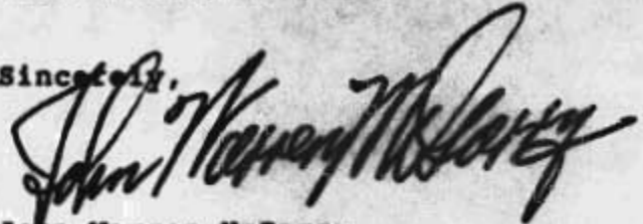
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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 authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain 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 matter to be made public.

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



John Warren McGarry
Chairman

Enclosures
Designation of Counsel Form
Factual & Legal Analysis

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FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Joe Farnsworth NUR: 3067

On June 1, 1990 the Commission received a complaint from John Wrzesinski alleging that Joe Farnsworth violated the Federal Election Campaign Act. The complaint deals with the 1986 campaign.

The complaint alleges that Joe Farnsworth made excessive contributions to the Rhodes for Congress Committee (the "Committee"). The Committee's 1985 Year End Report shows that Mr. Farnsworth made a \$1,000 contribution on November 27, 1985, while the 1986 Pre-Primary Report shows that Mr. Farnsworth gave another \$1,000 contribution on July 28, 1986. Both were reported as given for the primary election.

2 U.S.C. § 441a(a)(1)(A) states that no person shall make contributions to any candidate and his authorized committees with respect to any election for Federal office which exceeds \$1,000. Pursuant to 11 C.F.R. § 110.1(b)(4)(i), a contribution is considered designated for a particular election when it is made by check, money order or other negotiable instrument which clearly states the particular election for which the contribution is intended. A contribution may be redesignated when on its face, or when aggregated with other contributions from the same contributor for the same election, it exceeds the contribution limits. 11 C.F.R. § 110.1(b)(5)(i)(A). The

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treasurer of the political committee may seek redesignation of a contribution to another election by requesting that the contributor provide a written redesignation of the contribution, or he or she may inform the contributor that the contribution can be refunded in the alternative. 11 C.F.R.

§ 110.1(b)(5)(ii)(A). However, within sixty days of the treasurer's receipt of the contribution, the contributor must provide the treasurer with the signed written redesignation of the contribution. 11 C.F.R. § 110.1(b)(5)(ii)(B).

Mr. Farnsworth has not provided any evidence to show he intended his second \$1,000 contribution on July 28, 1986 to be for the general election. Hence, there is reason to believe that Joe Farnsworth violated 2 U.S.C. § 441a(a)(1)(A).

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 10, 1991

Mr. Daniel J. Swillinger, Esquire
Maloney & Burch
1100 Connecticut Avenue, N.W.
Washington, D.C. 20036

RE: MUR 3067
Rhodes for Congress
Committee and Kent Mulkey,
as treasurer

Dear Mr. Swillinger:

On June 5, 1990, the Federal Election Commission notified your clients of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint was forwarded to your clients at that time.

Upon further review of the allegations contained in the complaint, the Commission, on December 18, 1990, found that there is reason to believe the Rhodes for Congress Committee and Kent Mulkey, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Act. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against your clients. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against your clients, 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 the 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 the 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.

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Daniel J. Swillinger
Page 2

Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

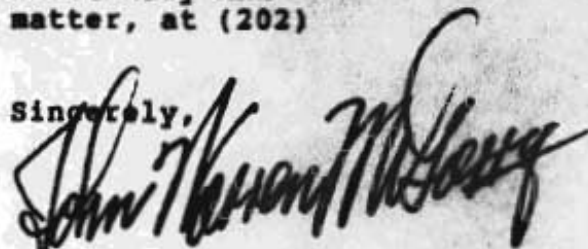
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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 authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain 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 matter to be made public.

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



John Warren McGarry
Chairman

Enclosure
Factual & Legal Analysis

91040845038

FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Rhodes for Congress Committee NUR: 3067
and Kent Mulkey, as treasurer

On June 1, 1990 the Commission received a complaint from John Wrzesinski alleging that the Rhodes for Congress Committee (the "Committee") and Kent Mulkey, as treasurer, violated the Federal Election Campaign Act. The complaint deals with the 1986 campaign.

The complaint alleges that Craig Ahlstrom, son-in-law of Ross and Anita Farnsworth, made two \$1,000 contributions, one on November 27, 1985 and the other on July 28, 1986 to the Committee. The 1985 Year End Report lists the November 27, 1985 contribution as being for the primary election. The 1986 Pre-Primary Report also lists the July 28, 1986 contribution for the primary election. Mr. Ahlstrom, who works for Farnsworth Development Company, states in his response to the complaint that one of the \$1,000 contributions was from his wife, Amy. Although it is not clearly stated, he apparently is also arguing that, since Arizona is a community property state, half of the money belonged to his wife.

Second, the complaint alleges that Joe Farnsworth, who is the son of Ross and Anita Farnsworth and who also works for Farnsworth Development, made excessive contributions to the Committee. The Committee's 1985 Year End Report shows that Joe Farnsworth made a \$1,000 contribution on November 27, 1985,

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while the 1986 Pre-Primary Report shows that Joe Farnsworth gave another \$1,000 contribution on July 28, 1986. Both were reported as given for the primary election. No response has been received by the Commission from Joe Farnsworth.

The Committee states in its response to the complaint that it mistakenly reported Joe Farnsworth's second contribution as being for the primary election and will amend its reports to show that it was for the general election. The Committee also claims it will amend its report to show the July 28, 1986 contribution as being from Amy Ahlstrom rather than from Craig Ahlstrom.

2 U.S.C. § 441a(f) states that no candidate or political committee shall knowingly accept any contribution in violation of the provisions of this section. Pursuant to 11 C.F.R. § 110.2(k)(1), any contribution made by more than one person shall include the signature of each person on the check or on a separate writing. If any such contribution exceeds the contribution limitations, the treasurer of the recipient committee may seek its reattribution to additional contributors. 11 C.F.R. § 110.1(k)(3)(i). For reattribution of a contribution to be proper, it must be in writing, signed by each contributor, and received by the treasurer within sixty days of the treasurer's receipt of the contribution. 11 C.F.R. § 110.1(k)(3)(ii)(B).

A contribution is considered designated for a particular

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election when it is made by check, money order or other negotiable instrument which clearly states the particular election for which the contribution is intended. 11 C.F.R. § 110.1(b)(4)(i). A contribution may be redesignated when on its face, or when aggregated with other contributions from the same contributor for the same election, it exceeds the contribution limits. 11 C.F.R. § 110.1(b)(5)(i)(A). The treasurer of the political committee may seek redesignation of a contribution to another election by requesting that the contributor provide a written redesignation of the contribution, or he or she may inform the contributor that the contribution can be refunded in the alternative. 11 C.F.R. § 110.1(b)(5)(ii)(A). However, within sixty days of the treasurer's receipt of the contribution, the contributor must provide the treasurer with the signed written redesignation of the contribution. 11 C.F.R. § 110.1(b)(5)(ii)(B).

The Committee has not provided any substantive evidence to show that the second Craig Ahlstrom contribution was from Amy Ahlstrom or that the second Joe Farnsworth contribution was for the general election; amending reports is not sufficient to show the intent of the contributors in 1986. Also, if the second Ahlstrom contribution was in fact from Amy Ahlstrom and if Joe Farnsworth intended his second contribution to be for the general election, then the treasurer for the Committee should have reattributed or redesignated the funds to the additional

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contributor or later election within sixty days of receipt of the contributions, but this was not done. Thus, there is reason to believe that the Rhodes for Congress Committee and Kent Mulkey, as treasurer, violated 2 U.S.C. § 441a(f) by accepting the excessive contributions.

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06C 9843

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 JAN 16 AM 10:03

LAW OFFICES
MALONEY & BURCH
1100 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036-4101

(202) 293-1414
FAX (202) 293-1702

January 14, 1991

Ms. Mary Ann Bumgarner
Office of the General Counsel
Federal Election Commission
999 E St., N.W.
Washington, DC 20463

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 JAN 16 PM 12:45

Re: MUR 3067, Rhodes to Congress

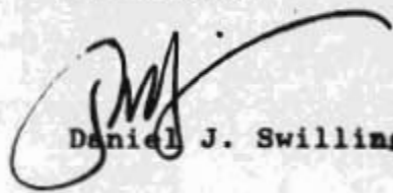
Dear Ms. Bumgarner:

I am in receipt of the Commission's letter dated January 10, 1991, informing my clients that the Commission has found reason to believe in this matter.

In the interests of wrapping up this matter as expeditiously as possible, on behalf of the Committee and its Treasurer I am requesting pre-probable cause conciliation.

Please call me if you have any questions.

Sincerely,



Daniel J. Swillinger

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192
COMMISSION
SOUTH
RICHMOND

January 14, 1991

John Warren McGarry, Chairman
Federal Election Commission
Washington, D. C. 20463

Re: MUR 3067

Dear Mr. McGarry:

On January 14, 1991 we received your letter notifying us that the Commission believes we violated the section of the Federal Election Campaign Act regarding our contributions to the Rhodes for Congress Committee. We firmly believe that we did not violate any provision of the Act and that no action should be taken against us.

It is true that a \$1,000 contribution was made on our behalf in November of 1985 and that another \$1,000 contribution was made in July of 1986. Both contributions were given for the primary election that Mr. Rhodes was then conducting. We were fully aware that the law stated that individuals may only contribute an amount not to exceed \$1,000 for the campaign. With this in mind, we believed that a husband and wife could legally contribute up to \$2,000, so the contributions that we made to the Committee were fully in compliance with the law - \$1,000 contributed on behalf of myself and \$1,000 on behalf of my wife, Amy.

At the time the contributions were given to the Committee, we told them that these contributions were to be given on behalf of the both of us. Obviously, the Rhodes Committee failed to correctly fill out their campaign report showing who the contributions were from.

Also, the Act states that 'if any such contribution exceeds the limitations, the treasurer of the recipient committee may seek its reattribution to the additional contributors'. We believe that the Rhodes Committee should have notified us if there were any questions regarding our contributions before filing their reports to the Commission. I believe if you talk with them about this, they will agree.

RECEIVED
FEDERAL ELECTION COMMISSION
JAN 29 PM 2:42

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It seems to us that the real question here is whether the amount of contribution to the Commission has been reduced by the amount contributed to the Churches of the Commission. The Commission does not believe that any contribution over \$1,000 per capita and that is why we contributed for the Commission in question.

We hope this clarifies our attitude in regard to this matter. We look forward to hearing that no more action will be pursued against us.

Sincerely,

Craig M. Allston
Craig M. Allston

Amy J. Allston
Amy J. Allston

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WILSON BROTHERS
SINCE 1880
RAILROAD BOND



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 21, 1991

POSTMASTER
Mesa, Arizona 85203

RE: MUR 3067
Joe Farnsworth

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265(d)(1), we request that you provide us with the present address of Joe Farnsworth. According to our records, the address of Mr. Farnsworth was 809 E. 10th Place, Mesa, Arizona, 85203 as of January 10, 1991.

Under 39 C.F.R. § 265.8e(8)(iii), we request a waiver of fees. In this connection I hereby certify that the Federal Election Commission, an agency of the U.S. Government, requires the information requested above in the performance of its official duties, and that all other known sources for obtaining it have been exhausted.

A return envelope is enclosed. Should you have any questions or require any further information, please call Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Thank you for your assistance.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure.
Envelope

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OGC 0188

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 FEB 27 PM 4:49



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 21, 1991

POSTMASTER
Mesa, Arizona 85203

RE: MUR 3067
Joe Farnsworth

91 FEB 27 PM 3:16

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265(d)(1), we request that you provide us with the present address of Joe Farnsworth. According to our records, the address of Mr. Farnsworth was 809 E. 10th Place, Mesa, Arizona, 85203 as of January 10, 1991.

Under 39 C.F.R. § 265.8e(8)(iii), we request a waiver of fees. In this connection I hereby certify that the Federal Election Commission, an agency of the U.S. Government, requires the information requested above in the performance of its official duties, and that all other known sources for obtaining it have been exhausted.

A return envelope is enclosed. Should you have any questions or require any further information, please call Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Thank you for your assistance.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Envelope

WE SHOW MOVED, LEFT NO ADDRESS
EFF DATE 01/88

4

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06C0232

JOHN J. RHODES, III
1st DISTRICT
ARIZONA

RECEIVED
FEDERAL ELECTION COMMISSION
MAR ROOM

91 MAR -4 AM 9:31



U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C.
February 28, 1991

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 MAR -4 PM 12:22

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

Re: MUR 3067, Rhodes to Congress

Dear Mr. Chairman:

I am enclosing an affidavit from Ms. Anne Brown Wendell, who was the campaign manager for Rhodes to Congress during the period covered in the above referenced MUR. I believe this affidavit merits your consideration before reaching any final decision regarding the Ahlstrom and Farnsworth contributions.

Thank you for your consideration.

Sincerely,

John J. Rhodes, III
Member of Congress

JJR/js
enclosure

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AFFIDAVIT

1. My name is Anne Brown Wendell. I was the campaign manager for the Rhodes to Congress Committee during the part of the 1986 primary election period, from approximately May, 1986 through early September, 1986.

2. Part of my responsibilities involved general oversight of fundraising activity, and the processing of contributions as they were received.

3. I am aware that the FEC is looking into the handling of contributions to the committee made by Craig and Amy Ahlstrom and by Joe Farnsworth. It is my best recollection that campaign fundraisers solicited the contributions, but that, based on a review of the FEC reports, the committee did not accurately report the contributions.

4. It is clear to me that the committee, and not the contributors, is responsible for any inaccuracies, and that the contributors were relying on the committee's solicitations and disclosure.

Signed under penalties of perjury.

Anne Brown Wendell

Anne Brown Wendell

Date: 2-21-91

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91 MAR -1 PM 3:45

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SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
Rhodes for Congress Committee)	MUR 3067
and Kent Mulkey, as treasurer)	
Craig Ahlstrom)	
Joe Farnsworth)	

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On December 18, 1990, the Federal Election Commission found reason to believe that the Rhodes for Congress Committee and Kent Mulkey, as treasurer (the "Committee"), violated 2 U.S.C. § 441a(f) by accepting contributions \$2,000 in excess of the contribution limits from two (2) contributors. On that same date, the Commission also found reason to believe that Craig Ahlstrom and Joe Farnsworth violated 2 U.S.C. § 441a(a)(1)(A) by making those excessive contributions to the Committee.

By letter dated January 14, 1991, counsel for the Committee requested pre-probable cause conciliation. Attachment 1. In his response dated January 24, 1991, Craig Ahlstrom did not request pre-probable cause conciliation, but instead requested that no further action be taken in this matter. Attachment 2. The reason to believe notification letter sent to Joe Farnsworth was returned to this Office February 8, 1991, due to an incorrect address, See note 1, infra.

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II. ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A), no person shall make contributions to any candidate and his authorized committees with respect to any election for Federal office which exceeds \$1,000. 2 U.S.C. § 441a(f) states that no candidate or political committee shall knowingly accept any contribution in violation of the provisions of this section. Pursuant to 11 C.F.R. § 110.1(k)(1), any contribution made by more than one person shall include the signature of each person on the check or on a separate writing. If any such contribution exceeds the contribution limitations, the treasurer of the recipient committee may seek its reattribution to additional contributors. 11 C.F.R. § 110.1(k)(3)(i). For reattribution of a contribution to be proper, it must be in writing, signed by each contributor, and received by the treasurer within sixty days of the treasurer's receipt of the contribution. 11 C.F.R. § 110.1(k)(3)(ii)(B).

A contribution is considered designated for a particular election when it is made by check, money order or other negotiable instrument which clearly states the particular election for which the contribution is intended. 11 C.F.R. § 110.1(b)(4)(i). A contribution may be redesignated when on its face, or when aggregated with other contributions from the same contributor for the same election, it exceeds the contribution limits. 11 C.F.R. § 110.1(b)(5)(i)(A). The treasurer of the political committee may seek redesignation of a contribution to another election by requesting that the

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contributor provide a written redesignation of the contribution, or he or she may inform the contributor that the contribution can be refunded in the alternative. 11 C.F.R.

§ 110.1(b)(5)(ii)(A). However, within sixty days of the treasurer's receipt of the contribution, the contributor must provide the treasurer with the signed written redesignation of the contribution. 11 C.F.R. § 110.1(b)(5)(ii)(B).

On both November 27, 1985 and July 28, 1986, Craig Ahlstrom made contributions of \$1,000 to the Rhodes committee for the 1986 primary election. In his response to the Commission's reason to believe finding, Mr. Ahlstrom states that one of the contributions was made on behalf of his wife, Amy Ahlstrom. According to Mr. Ahlstrom, at the time both contributions were given, he informed the Committee that the contributions were made on behalf of both himself and his wife, and asserts that the Rhodes committee failed to correctly fill out their campaign reports. Thus, Mr. Ahlstrom states that the problem lies not with the amounts, but with the way the Committee reported the contributions. Therefore, according to Mr. Ahlstrom, no further action should be taken against him in this matter.

On both November 27, 1985 and July 26, 1986, Joe Farnsworth made contributions of \$1,000 to the Rhodes Committee for the 1986 primary election. Mr. Farnsworth did not respond to the complaint, and, as stated above, the reason to believe notification letter sent to him was returned to this Office.

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However, the Committee states in its response to the complaint that it mistakenly reported Joe Farnsworth's second contribution as being for the primary election instead of the general and will amend its reports. Further, the Committee claimed that it would amend its reports to show that the second contribution from Craig Ahlstrom was actually from Amy Ahlstrom. To date, these amendments have not been filed.

On March 4, 1991, this Office received a letter from Congressman Rhodes regarding the contributions made by Mr. Ahlstrom and Mr. Farnsworth. Attachment 3. Attached to the letter is an affidavit of Anne Brown Wendell, campaign manager for the Rhodes for Congress Committee during part of the 1986 primary election period. Attachment 4. According to Ms. Wendell, the Committee did not accurately report the contributions made by Mr. Ahlstrom and Mr. Farnsworth. Therefore, Ms. Wendell states that the Committee, not the contributors, is responsible for the inaccuracies.

Nonetheless, neither Mr. Ahlstrom nor the Committee has provided evidence, such as a check signed by both Mr. Ahlstrom and his wife, to show that a portion of the contributions reported as coming from Mr. Ahlstrom was actually from his wife. Also, no evidence has been provided by Mr. Farnsworth or the Committee to show that his second \$1,000 contribution was for the general election. The amending of the Committee's reports

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is not sufficient to show the intent of the contributors in 1986. Alternatively, if the contributions were in fact excessive (as we must believe in the absence of contrary evidence from respondents), then the treasurer for the Committee could have requested that the contributor reattribute or redesignate the funds to the additional contributor or later election within sixty days of receipt of the contributions, but this was not done. Thus, the Committee and Kent Mulkey, as treasurer, clearly violated 2 U.S.C. § 441a(f) by accepting excessive contributions totaling \$2,000.

As noted previously, the Committee and its treasurer have requested pre-probable cause conciliation. Since the Commission has adequate information regarding the violations, the Office of the General Counsel therefore recommends that the Commission enter into pre-probable cause conciliation with the Rhodes for Congress Committee and Kent Mulkey, as treasurer.

As discussed above, pursuant to 2 U.S.C. § 441a(a)(1)(A) no person shall make contributions to any candidate and his authorized committee with respect to any election for Federal Office which exceeds \$1,000. The Commission found reason to believe that Craig Ahlstrom and Joe Farnsworth violated 2 U.S.C. § 441a(a)(1)(A) by making a \$1,000 excessive contribution to the Committee.

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this Office recommends that the Commission take no further action as to the individual respondents, Craig Ahlstrom and Joe Farnsworth.

III. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

IV. RECOMMENDATIONS

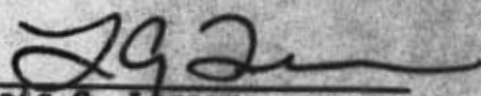
1. Enter into conciliation with the Rhodes for Congress Committee and Kent Mulkey, as treasurer, prior to a finding of probable cause to believe.

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2. Take no further action as to Craig Ahlstrom and Joe Farnsworth, and close the file as to those respondents.
3. Approve the attached proposed conciliation agreement and appropriate letters.

Lawrence M. Noble
General Counsel

3/8/91
Date

By: 
Lois G. Lerner
Associate General Counsel

Attachments

1. Request for conciliation from the Committee dated January 14, 1991.
2. Response from Craig Ahlstrom dated January 24, 1991.
3. Letter from Congressman Rhodes received March 4, 1991.
4. Affidavit of Anne Brown Wendell.
5. Proposed conciliation agreement for the Committee.

Staff Member: Mary Ann Bumgarner

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20461

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/DONNA ROACH *DR*
COMMISSION SECRETARY

DATE: MARCH 13, 1991

SUBJECT: MUR 3067 - GENERAL COUNSEL'S REPORT
DATED MARCH 8, 1991

The above-captioned document was circulated to the
Commission on MONDAY, MARCH 11, 1991 at 12:29 p.m.

Objection(s) have been received from the Commissioner(s)
as indicated by the name(s) checked below:

Commissioner Aikens _____
Commissioner Elliott _____
Commissioner Josefiak XXXXXX
Commissioner McDonald _____
Commissioner McGarry _____
Commissioner Thomas _____

This matter will be placed on the meeting agenda
for TUESDAY, MARCH 19, 1991

Please notify us who will represent your Division before the
Commission on this matter.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Rhodes for Congress Committee) MUR 3067
and Kent Hulkey, as treasurer;)
Craig Ahlstrom; Joe Farnsworth.)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of March 19, 1991, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 3067:

1. Enter into conciliation with the Rhodes for Congress Committee and Kent Hulkey, as treasurer, prior to a finding of probable cause to believe.
2. Take no further action as to Craig Ahlstrom and Joe Farnsworth, and close the file as to those respondents.
3. Approve the proposed conciliation agreement and appropriate letters, as recommended in the General Counsel's report dated March 8, 1991.

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

Attest:

3-20-91
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

91040845058



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 29, 1991

Daniel J. Swillinger, Esquire
Maloney & Burch
1100 Connecticut Avenue, N.W.
Washington, D.C. 20036-4101

RE: MUR 3067
Rhodes for Congress
Committee and Kent Mulkey, as
treasurer

Dear Mr. Swillinger:

On December 18, 1990, the Federal Election Commission found reason to believe that Rhodes for Congress Committee and Kent Mulkey, as treasurer, violated 2 U.S.C. § 441a(f). At your request, on March 19, 1991, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

91040845059



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 29, 1991

Mr. Craig Ahlstrom
1117 East Fairchild
Mesa, Arizona 85203

RE: MUR 3067
Craig Ahlstrom

Dear Mr. Ahlstrom:

On January 10, 1991, you were notified that the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A). On January 24, 1991, you submitted a response to the Commission's reason to believe finding.

After considering the circumstances of the matter, the Commission determined on March 19, 1991, to take no further action against you, and closed the file as it pertains to you. The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

The confidentiality provisions of 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

The Commission reminds you that the two \$1,000 contributions you made to the Rhodes for Congress Committee for the 1986 primary election result in a \$1,000 excessive contribution and appear to be a violation of the Act. You should take immediate steps to insure that this activity does not occur in the future.

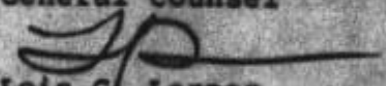
91040845060

Craig Alhstrom
Page 2

If you have any questions, please contact Mary Ann
Bungarner, the attorney assigned to this matter, at (202)
376-5690.

Sincerely,

Lawrence M. Noble
General Counsel


BY: Lois G. Lerner
Associate General Counsel

91040845061



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 29, 1991

Mr. Joe Farnsworth
Farnsworth Realty
460 South Greenfield
Suite 5
Mesa, Arizona 85206

RE: MUR 3067
Joe Farnsworth

Dear Mr. Farnsworth:

On December 18, 1990, the Federal Election Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A). The reason to believe notification letter sent to you on January 10, 1991, as well as the factual and legal analysis and designation of counsel form, were returned to this Office due to an incorrect address. Enclosed please find that letter and accompanying documents.

After considering the circumstances of the matter, the Commission determined on March 19, 1991, to take no further action against you, and closed the file as it pertains to you. The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

The confidentiality provisions of 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

The Commission reminds you that the two \$1,000 contributions you made to the Rhodes for Congress Committee for the 1986 primary election result in a \$1,000 excessive contribution and appear to be a violation of the Act. You should take immediate steps to insure that this activity does not occur in the future.


91040845062

Joe Farnsworth
Page 2

If you have any questions, please contact Mary Ann
Bumgarner, the attorney assigned to this matter, at (202)
376-5690.

Sincerely,

Lawrence M. Noble
General Counsel


BY: Lois S. Lerner
Associate General Counsel

Enclosure
Letter dated January 10, 1991 (with enclosures).

91040845063

91 MAY 17 11:32

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of)	
)	
Rhodes for Congress Committee)	HUR 3067
and Kent Mulkey, as treasurer)	

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a revised conciliation agreement, signed by Daniel J. Swillinger, counsel for the Rhodes for Congress Committee and Kent Mulkey, as treasurer ("Respondents").

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Therefore, this Office recommends that the

Commission accept the attached agreement with the Rhodes for Congress Committee and Kent Mulkey, as treasurer.

II. RECOMMENDATIONS


1. Accept the attached conciliation agreement with the Rhodes for Congress Committee and Kent Mulkey, as treasurer.
2. Approve the appropriate letters.
3. Close the file.

Lawrence M. Noble
General Counsel

Date

5/17/91

BY:


Lois G. Lerner
Associate General Counsel

Attachments

1. Proposed conciliation agreement.

Staff Assigned: Mary Ann Bumgarner

91040845066

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Rhodes for Congress Committee) MUR 3067
and Kent Mulkey, as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 22, 1991, the Commission decided by a vote of 6-0 to take the following actions in MUR 3067:

1. Accept the conciliation agreement with the Rhodes for Congress Committee and Kent Mulkey, as treasurer.
2. Approve the appropriate letters, as recommended in the General Counsel's Report dated May 17, 1991.
3. Close the file.

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

Attest:

5/22/91
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Fri., May 17, 1991 12:32 p.m.
Circulated to the Commission: Mon., May 20, 1991 11:00 a.m.
Deadline for vote: Wed., May 22, 1991 11:00 a.m.

dr

91040845067



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 14, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John T. Wrzesinski, MD
3108-2 S. McClintock
Tempe, AZ 85282

RE: MUR 3067
John T. Wrzesinski, MD

Dear Dr. Wrzesinski:

This is in reference to the complaint you filed with the Federal Election Commission on May 25, 1990, concerning possible violations of the Federal Election Campaign Act of 1971, as amended (the "Act"), by the Rhodes for Congress Committee and Kent Mulkey, as treasurer, Bonnie Farnsworth, Ruthann Farnsworth, Craig M. Ahlstrom, Joe Farnsworth, Chad Coons, Anita Farnsworth, Ross N. Farnsworth, Sr., and Ross N. Farnsworth, Jr.

The Commission found that there was reason to believe that the Rhodes for Congress Committee and Kent Mulkey, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended, and conducted an investigation in this matter. On May 22, 1991, a conciliation agreement signed by these respondents was accepted by the Commission. A copy of this agreement is enclosed for your information.

The Commission also found reason to believe that Craig Ahlstrom and Joe Farnsworth violated 2 U.S.C. § 441a(a)(1)(A) but, in light of the amounts involved, the Commission took no further action as to these respondents.

The Commission found that there was no reason to believe that Ross Farnsworth, Sr. violated 11 C.F.R. § 110.6(c). Further, the Commission determined to take no action as to Bonnie Farnsworth, Ruthann Farnsworth, Chad Coons, Anita Farnsworth and Ross N. Farnsworth, Jr. The Commission will be issuing a Statement of Reasons concerning its determination to take no action as to these respondents and a copy will be forwarded to you. Finally, the Commission closed the entire file in this matter on May 22, 1991.

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's partial dismissal of this action. See 2 U.S.C. § 437g(a)(8).

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Dr. Wrzesinski
Page 2

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement
First General Counsel's Report

91040845069



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 14, 1991

Ross N. Farnsworth, Sr.
460 S. Greenfield Road
Suite 2
Mesa, AZ 85206

RE: MUR 3067
Ross N. Farnsworth, Sr.

Dear Mr. Farnsworth:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

91040845070



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

June 14, 1991

Ross N. Farnsworth, Jr.
3244 E. Fountain
Mesa, AZ 85203

RE: MUR 3067
Ross N. Farnsworth, Jr.

Dear Mr. Farnsworth:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

91040845071



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

June 14, 1991

Anita Farnsworth
460 S. Greenfield
Mesa, AZ 85206

RE: MUR 3067
Anita Farnsworth

Dear Ms. Farnsworth:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

91040845072



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 14, 1991

Joe Farnsworth
460 S. Greenfield Road
Suite 5
Mesa, AZ 85206

RE: MUR 3067
Joe Farnsworth

Dear Mr. Farnsworth:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

A handwritten signature in dark ink, appearing to be "L. Lerner", written over a horizontal line.

BY: Lois G. Lerner
Associate General Counsel

91040845073



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

June 14, 1991

Chad Coons
1540 E. Hope
Mesa, AZ 85203

RE: MUR 3067
Chad Coons

Dear Mr. Coons:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

91040845074



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 14, 1991

Craig M. Ahlstrom
1117 E. Fairchild
Mesa, AZ 85203

RE: MUR 3067
Craig M. Ahlstrom

Dear Mr. Ahlstrom:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

91040845075



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

June 14, 1991

Ruthann Farnsworth
716 E. 6th Place
Mesa, AZ 85203

RE: MUR 3067
Ruthann Farnsworth


Dear Ms. Farnsworth:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel


BY: Lois G. Lerner
Associate General Counsel

21040845076



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20461

June 14, 1991

Bonnie Farnsworth
716 E. 6th Place
Mesa, AZ 85203

RE: MUR 3067
Bonnie Farnsworth

Dear Ms. Farnsworth:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lora G. Lerner
Associate General Counsel

91040845077



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 14, 1991

Daniel J. Swillinger, Esquire
Maloney & Burch
1100 Connecticut Avenue, N.W.
Washington, D.C. 20036-4101

RE: MUR 3067
Rhodes for Congress
Committee and Kent Mulkey,
as treasurer

Dear Mr. Swillinger:

On May 22, 1991, the Federal Election Commission accepted the signed conciliation agreement submitted on your clients' behalf in settlement of a violation of 2 U.S.C. § 441a(f). Accordingly, the file has been closed in this matter.

This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel. Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

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RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 APR 11 PH 3:01

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Rhodes for Congress Committee) MUR 3067
and Kent Mulkey, as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by Rep. John Wrzesinski. The Federal Election Commission ("Commission") found reason to believe that the Rhodes for Congress Committee and Kent Mulkey, as treasurer, ("Respondents") violated 2 U.S.C. § 441a(f).

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 a reasonable opportunity to demonstrate that no action should be taken in this matter.

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

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

1. Rhodes for Congress Committee is a political committee within the meaning of 2 U.S.C. § 431(4).
2. Kent Mulkey is the treasurer of the Rhodes for Congress Committee.
3. Pursuant to 2 U.S.C. § 441a(f), no candidate or political committee shall knowingly accept any contribution in violation of the provisions of 2 U.S.C. § 441a.
4. 2 U.S.C. § 441a(a)(1)(A) limits the contributions a person may make to any candidate and his authorized committee with respect to any election for Federal office to \$1,000.
5. On November 27, 1985 and July 28, 1986, Respondents received two \$1,000 contributions from Craig Ahlstrom for the 1986 primary election, thereby resulting in the acceptance of contributions \$1,000 in excess of the contribution limit for that individual. Respondents contend that the violation was not knowing and willful, and was the result of inaccurate record keeping.
6. On November 27, 1985 and July 28, 1986, Respondents received two \$1,000 contributions from Joe Farnsworth for the 1986 primary election, thereby resulting in the acceptance of contributions \$1,000 in excess of the contribution limit for that individual. Respondents contend that the violation was not knowing and willful, and was the result of inaccurate

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record keeping.

V. Respondents violated 2 U.S.C. § 441a(f) by accepting excessive contributions excessive portions totaling \$2,000 from two contributors.

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Two Hundred Fifty Dollars (\$250) 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 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.

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

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not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY: 
Lois G. Berner
Associate General Counsel

6-14-91
Date

FOR THE RESPONDENTS:


Daniel J. Swillinger
Counsel

4/11/91
Date

91040845082



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3067

DATE FILMED 6/26/91 CAMERA NO. 4

CAMERA MAN AS

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 3067

6/27/91

21040350224



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

MEMORANDUM

TO: COMMISSIONERS
GENERAL COUNSEL NOBLE
STAFF DIRECTOR SURINA
PRESS OFFICER EILAND

FROM: *Marjorie W. Emons* MARJORIE W. EMMONS/DONNA ROACH *DR*
COMMISSION SECRETARY

DATE: JUNE 25, 1991

SUBJECT: STATEMENT OF REASONS: MUR 3067

Attached is a copy of the Statement of Reasons in
MUR 3067 signed by the Commissioners'. This was received in the
Commission Secretary's Office on June 24, 1991 at 4:34 p.m.

91040350225



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

STATEMENT OF REASONS

In the Matter of

Ross N. Farnsworth, Sr.)	
Bonnie Farnsworth)	
Ruthann Farnsworth)	
Craig M. Ahlstrom)	
Joe Farnsworth)	MUR 3067
Chad Coons)	
Anita Farnsworth)	
Ross N. Farnsworth, Jr.)	

On December 18, 1990, the Federal Election Commission voted to take no action on the General Counsel's recommendation to find reason to believe that Ross Farnsworth, Sr. violated 2 U.S.C. § 441f by making contributions in the names of other persons. The Commission also voted to take no action on the General Counsel's recommendations that Bonnie Farnsworth, Ruthann Farnsworth, Craig M. Ahlstrom, Joe Farnsworth, Chad Coons, Anita Farnsworth and Ross N. Farnsworth, Jr. violated 2 U.S.C. §441f by knowingly permitting their names to be used to effect a contribution made in the name of another. On May 22, 1991, the Commission closed the entire file in this matter without taking any further action with respect to these respondents.

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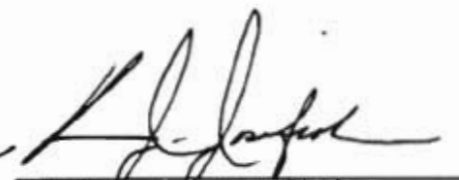
MUR 3067

In voting to take no action on the General Counsel's recommendations, the Commission considered the responses submitted by each respondent and the available facts. The Commission considered the adequacy of the responses and concluded there was insufficient evidence to commence an investigation of the above named individuals. Accordingly, in the exercise of its prosecutorial discretion, see Heckler v. Chaney, 470 U.S. 21 (1985), the Commission determined to take no action on the General Counsel's recommendations against Ross Farnsworth, Sr., Bonnie Farnsworth, Ruthann Farnsworth, Craig M. Ahlstrom, Joe Farnsworth, Chad Coons, Anita Farnsworth and Ross N. Farnsworth, Jr.

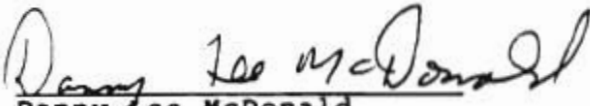
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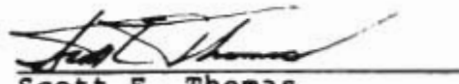

 John Warren McGarry
 Chairman


 Thomas J. Josefiak
 Commissioner


 Joan D. Aikens
 Vice Chairman


 Danny Lee McDonald
 Commissioner


 Lee Ann Elliott
 Commissioner


 Scott E. Thomas
 Commissioner

June 24, 1991



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THE FOLLOWING DOCUMENTATION IS ADDED TO
THE PUBLIC RECORD IN CLOSED MUR 3067.

7/22/91

21J40352332



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 8, 1991

CLOSED

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John T. Wrzesinski, MD
3108-2 S. McClintock
Tempe, AZ 85282

RE: MUR 3067

Dear Dr. Wrzesinski:

By letter dated June 14, 1991, the Office of the General Counsel informed you of determinations made with respect to the complaint filed by you against Bonnie Farnsworth, Ruthann Farnsworth, Craig M. Ahlstrom, Joe Farnsworth, Chad Coons, Anita Farnsworth, Ross N. Farnsworth, Sr. and Ross N. Farnsworth, Jr. Enclosed with that letter were a First General Counsel's Report and a conciliation agreement.

Enclosed please find a Statement of Reasons adopted by the Commission explaining its decision to take no action on the General Counsel's recommendations that Bonnie Farnsworth, Ruthann Farnsworth, Craig M. Ahlstrom, Joe Farnsworth, Chad Coons, Anita Farnsworth, Ross N. Farnsworth, Sr. and Ross N. Farnsworth, Jr., violated 2 U.S.C. § 441f. This document will be placed on the public record as part of the file of MUR 3067.

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John T. Wrzesinski, MD
Page 2

If you have any questions, please contact Mary Ann Bumgarner,
the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosure
Statement of Reasons

21040352334



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 8, 1991

Ross N. Farnsworth, Jr.
3244 E. Fountain
Mesa, AZ 85203

RE: MUR 3067
Ross N. Farnsworth, Jr.

Dear Mr. Farnsworth:

By letter dated June 14, 1991, the Office of the General Counsel informed you that the entire file in this matter had been closed.

Enclosed please find a Statement of Reasons adopted by the Commission explaining its decision to take no action against you. This document will be placed on the public record as part of the file of MUR 3067.

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

A handwritten signature in black ink, appearing to read "L. G. Lerner", written over a horizontal line.

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Statement of Reasons

21040352335



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 8, 1991

Ross N. Farnsworth, Sr.
460 S. Greenfield Road
Suite 2
Mesa AZ 85206

RE: MUR 3067
Ross N. Farnsworth, Sr.

Dear Mr. Farnsworth:

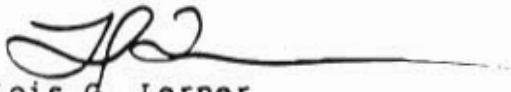
By letter dated June 14, 1991, the Office of the General Counsel informed you that the entire file in this matter had been closed.

Enclosed please find a Statement of Reasons adopted by the Commission explaining its decision to take no action on the General Counsel's recommendation to find reason to believe that you violated 2 U.S.C. § 441f. This document will be placed on the public record as part of the file of MUR 3067.

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel


BY: Lois G. Lerner
Associate General Counsel

Enclosure
Statement of Reasons

71540352336



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

July 8, 1991

Craig M. Ahlstrom
1117 E. Fairchild
Mesa, AZ 85203

RE: MUR 3067
Craig M. Ahlstrom

Dear Mr. Ahlstrom:

By letter dated June 14, 1991, the Office of the General Counsel informed you that the entire file in this matter had been closed.

Enclosed please find a Statement of Reasons adopted by the Commission explaining its decision to take no action on the General Counsel's recommendation to find reason to believe that you violated 2 U.S.C. § 441f. This document will be placed on the public record as part of the file of MUR 3067.

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel


BY: Lois G. Lerner
Associate General Counsel

Enclosure
Statement of Reasons

21040352337



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 8, 1991

Joe Farnsworth
460 S. Greenfield Road
Suite 5
Mesa, AZ 85206

RE: MUR 3067
Joe Farnsworth

Dear Mr. Farnsworth:


By letter dated June 14, 1991, the Office of the General Counsel informed you that the entire file in this matter had been closed.

Enclosed please find a Statement of Reasons adopted by the Commission explaining its decision to take no action on the General Counsel's recommendation to find reason to believe that you violated 2 U.S.C. § 441f. This document will be placed on the public record as part of the file of MUR 3067.

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

Enclosure
Statement of Reasons

21040352338



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 8, 1991

Bonnie Farnsworth
716 E. 6th Place
Mesa, AZ 85203

RE: MUR 3067
Bonnie Farnsworth

Dear Ms. Farnsworth:

By letter dated June 14, 1991, the Office of the General Counsel informed you that the entire file in this matter had been closed.

Enclosed please find a Statement of Reasons adopted by the Commission explaining its decision to take no action against you. This document will be placed on the public record as part of the file of MUR 3067.

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

A handwritten signature in cursive script, appearing to read "Lois G. Lerner".

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Statement of Reasons

21040352339



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 8, 1991

Chad Coons
1540 E. Hope
Mesa, AZ 85203

RE: MUR 3067
Chad Coons

Dear Mr. Coons:

By letter dated June 14, 1991, the Office of the General Counsel informed you that the entire file in this matter had been closed.

Enclosed please find a Statement of Reasons adopted by the Commission explaining its decision to take no action against you. This document will be placed on the public record as part of the file of MUR 3067.

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

A handwritten signature in black ink, appearing to read "L. G. Lerner", written over a horizontal line.

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Statement of Reasons

21040352340



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 8, 1991

Ruthann Farnsworth
716 E. 6th Place
Mesa, AZ 85203

RE: MUR 3067
Ruthann Farnsworth

Dear Ms. Farnsworth:


By letter dated June 14, 1991, the Office of the General Counsel informed you that the entire file in this matter had been closed.

Enclosed please find a Statement of Reasons adopted by the Commission explaining its decision to take no action against you. This document will be placed on the public record as part of the file of MUR 3067.

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel


BY: Lois G. Lerner
Associate General Counsel

Enclosure
Statement of Reasons

21040352341



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

July 8, 1991

Anita Farnsworth
460 S. Greenfield
Mesa, AZ 85206

RE: MUR 3067
Anita Farnsworth

Dear Ms. Farnsworth:

By letter dated June 14, 1991, the Office of the General Counsel informed you that the entire file in this matter had been closed.

Enclosed please find a Statement of Reasons adopted by the Commission explaining its decision to take no action against you. This document will be placed on the public record as part of the file of MUR 3067.

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

A handwritten signature in black ink, appearing to read "L. Lerner", written over a horizontal line.

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Statement of Reasons

21040352342



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THE FOLLOWING DOCUMENTATION IS ADDED TO
THE PUBLIC RECORD IN CLOSED MUR 3067.

9/12/91

1104053017

DEC 2013
RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 JUL 29 PM 2:50

RHODES FOR CONGRESS COMMITTEE
P.O. BOX 1381
MESA, AZ. 85211

CLOSED
91 JUL 30 PM 3:42

July 24, 1991

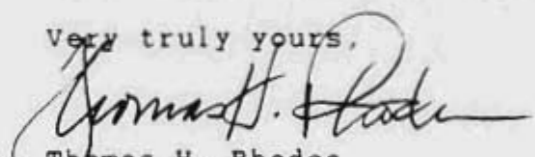
Federal Elections Commission
Attn: Mary Ann Bumgarner
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 3067

Dear Ms. Bumgarner,

Attached herewith is our check for \$250.00, which is in pay-
ment of the fine levied in the above cited matter.

Very truly yours,


Thomas H. Rhodes

010405320



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

7/30/91

TWO WAY MEMORANDUM

TO: Fabrae Brunson
OGC, Docket
Sharon Stewart
FROM: for Philomena Brooks
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Rhodes For Congress
Committee, check number 2490, dated 7-24-91, and in the amount of \$250.00.
Attached is a copy of the check and any correspondence that
was forwarded. Please indicate below the account into which
it should be deposited, and the MUR number and name.

TO: Philomena Brooks
Accounting Technician
FROM: Fabrae Brunson
OGC, Docket

In reference to the above check in the amount of
\$ 250.00, the MUR number is 3114 and in the name of
Rhodes For Congress Committee. The account into
which it should be deposited is indicated below:

- Budget Clearing Account (OGC), 95F3875.16
- Civil Penalties Account, 95-1099.160
- Other: _____

Fabrae Brunson
Signature

July 30 1991
Date

9104056321

RHODES FOR CONGRESS COMMITTEE

1600 W. CHANDLER BLVD., STE. 120
CHANDLER, AZ 85224

2490

91-283/1221

July 24 19 *91*

PAY
TO THE
ORDER OF

Federal Elections Commission

\$ *250⁰⁰*

Two Hundred Fifty + ⁰⁰/₁₀₀

DOLLARS

CITIBANK

Citibank (Arizona)
305 E. Main Street
Mesa, Arizona 85201-7411

Thomas H. Rhodes

FOR *MUR 3067*

⑈002490⑈ ⑆⑆22102831⑆ ⑈6529601073⑈

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4
0
3
3
3
2
2