



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

May 7, 2001

Thomas P. Flavin, Treasurer
Friends of Dave Weldon
P.O. Box 968
Melbourne, FL 32902

RE: MUR 5041

Dear Mr. Flavin:

In the ordinary course of exercising its supervisory responsibilities, the Commission examined a sua sponte submission received from Wuesthoff Memorial Hospital, Inc. ("Wuesthoff"), which states that it made several prohibited corporate contributions to federal committees in the names of officers and employees of the corporation. Based on the information provided by Wuesthoff, the Commission found reason to believe that three officers of the corporation were either advanced or reimbursed funds that they contributed to federal committees in violation of 2 U.S.C. §§ 441b and 441f, and that six other employees were also reimbursed with such funds in violation of § 441f. The Commission subsequently approved conciliation agreements with the corporation and the three officers in settlement of the matter. Three contributions totaling \$1,025 identified by the submission were made by Robert Carman (\$200 on September 5, 1996 and \$625 on October 17, 1997) and Terence Murphy (\$200 on September 6, 1996) to Friends of Dave Weldon.

Federal law prohibits making corporate contributions in connection with federal elections, or the knowing acceptance of such contributions. 2 U.S.C. §441b(a). Further, 2 U.S.C. § 441f prohibits making any contributions in the name of another, or the knowing acceptance of such contributions. In light of the impermissible nature of the above-referenced contribution, the Commission instructs you to disgorge an equivalent amount to the United States Treasury, care of the Federal Election Commission, within 30 days of your receipt of this letter. The Commission is providing this notice for your information, and does not consider you a respondent in this matter.


Mr. Thomas P. Flavin
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If you have any questions, please contact Erica H. McMahon, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

Lois G. Lerner
Acting General Counsel

BY:


Abigail A. Shaine
Acting Associate General Counsel

22-04-405-3963