



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 737

Date Filmed 4/30/79 Camera No. --- 2

Cameraman SPC

79040122822



FEDERAL ELECTION COMMISSION

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

April 3, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Cary P. Carlson
Cottonwood Ranger Station NPS
Chiriaco Summit, California 92201

Re: MUR 737(78)

Dear Ms. Carlson:

Enclosed is a copy of the conciliation agreement in the above-referenced matter. As you have submitted the required reports in accordance with 2 U.S.C. § 434(b)(12), the Commission has voted to take no further action with regard to this particular section of the Act. Also, in accordance with our telephone communication to you, the Commission has amended paragraph IX of the agreement to reflect that the Committee "...has amended its reports..."

The Commission has approved the agreement and I have signed it, and the matter is now closed.

Thank you for your cooperation.

Sincerely,

A handwritten signature in dark ink, appearing to read "W. C. Oldaker", is written over the typed name.

William C. Oldaker
General Counsel

Enclosure

79040122823

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Friends For Margit
Chiriaco-Baldivid

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)
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MUR 737(78)

CONCILIATION AGREEMENT

This matter has been initiated on the basis of information ascertained in the normal course of the Commission's carrying out of its supervisory responsibilities, an investigation has been conducted, and the Commission has found reasonable cause to believe that respondent, Friends For Margit Chiriaco-Baldivid (the "Committee") violated 2 U.S.C. §441a(f) by its knowing acceptance of an excessive contribution from Mr. Joseph L. Chiriaco.

Therefore, the Federal Election Commission and respondent, Friends For Margit Chiriaco-Baldivid, having duly entered into conciliation pursuant to 2 U.S.C. §437g(a)(5), do hereby agree as follows:

I. That the Federal Election Commission has jurisdiction over respondent and the subject of this proceeding.

II. That respondent has had a reasonable opportunity to demonstrate that no action should be taken against it in this matter.

III. That the pertinent facts in this matter are:

A. Respondent is the principal campaign committee for Margit Chiriaco-Baldivid, who was a candidate for the U.S. House of Representatives, in the 1978 primary election.

B. Cary Carlson is Treasurer of Respondent Committee and as such has been responsible for accepting contributions

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and filing reports with the Federal Election Commission.

C. Respondent Committee knowingly accepted loans from Mr. Joseph Chiriaco as follows: \$5,000 on April 13, 1978; \$6,000 on May 1, 1978; and \$9,500 on May 8, 1978.

D. Respondent Committee has failed to report in a continuous manner its debt to Mr. Joseph Chiriaco and the extinguishment of the debt.

IV. That 2 U.S.C. §441a(a)(1)(A) prohibits contributions to any candidate or his or her authorized Committee with respect to any federal election which in the aggregate exceed \$1,000.

V. That 2 U.S.C. §441a(f) prohibits any political committee from knowingly accepting any contribution made in violation of 2 U.S.C. §441a(a)(1)(A).

VI. That pursuant to 2 U.S.C. §431(e), contributions include loans.

VII. That 2 U.S.C. §434(b)(12) requires that a committee report in a continuous manner its debts and obligations and the extinguishment of debts.

WHEREFORE, Respondent Agrees:

VIII. That its knowing acceptance of an excessive contribution from Mr. Joseph Chiriaco was in violation of 2 U.S.C. §441a(f).

IX. That pursuant to 2 U.S.C. §434(b)(12), it has amended its reports to reflect the circumstances and conditions under which the debt to Mr. Joseph Chiriaco was extinguished and the dates on which such extinguishments were made.

X. That it will pay a civil penalty in the amount of \$50.00 pursuant to 2 U.S.C. §437g(a)(6)(B).

XI. That it agrees that it will not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §431, et. seq.

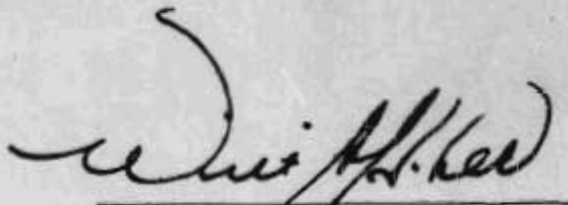
General Conditions

XII. The Commission, on the 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 civil action for relief in the United States District Court for the District of Columbia.

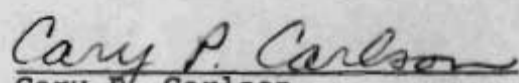
XIII. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

XIV. It is agreed that respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission

4/2/79
Date


William C. Oldaker
General Counsel
Federal Election Commission

2-21-79
Date


Cary P. Carlson
Treasurer
Friends For Margit
Chiriaco-Baldivid

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Friends For Margit)
Chiriaco-Baldivid)
MUR 737

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on March 27, 1979, the Commission determined by a vote of 6-0 to adopt the following recommendations, as set forth in the General Counsel's Memorandum dated March 22, 1979, regarding the above-captioned matter:

1. Approve the proposed change in paragraph IX of the Conciliation Agreement.
2. Accept respondent's signed agreement and penalty check, with the proposed change in paragraph IX incorporated into the agreement.
3. Take no further action with regard to the violation of 2 U.S.C. §434(b)(12).
4. Send the letter attached to the above-named memorandum.
5. Close the file.

Attest:

3/28/79

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Received in Office of Commission Secretary: 3-23-79, 12:15
Circulated on 48 hour vote basis: 3-23-79, 4:30

March 22, 1979

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 737

Please have the attached Memo distributed to the C
Commission on a 48 hour tally basis.

Thank you.

79040122828



FEDERAL ELECTION COMMISSION

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

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

79 MAR 23 PI2: 15

March 22, 1979

MEMORANDUM

TO: The Commission

FROM: William C. Oldaker
General Counsel *[Signature]*

SUBJECT: MUR 737 Signed Conciliation Agreement from
Second Respondent

On January 31, 1979, the Commission found reasonable cause to believe that the Friends for Margit Chiriaco-Baldivid ("the Committee") violated 2 U.S.C. §441a(a)(1)(A) and 441a(f). The Commission also found reason to believe that the Committee violated 2 U.S.C. §434(b)(12).

On February 26, 1979, the Commission received a signed conciliation agreement, a check for the civil penalty of fifty dollars and an amendment to the thirty day post primary report from Cary P. Carlson, Treasurer of the Committee, which was one of two respondents in MUR 737. (See attachment)

In view of the fact that Ms. Carlson sent the amendment to the post primary report reflecting how the debt in question was extinguished, we propose that paragraph IX of the conciliation agreement be changed from "... it will amend its reports..." to "... it has amended its reports..." We have notified Ms. Carlson of this proposed change and we will substitute a new page two of the agreement to be sent to her which reflects this. 1/

Otherwise this is the same conciliation agreement approved by the Commission on January 31, 1979. Since the Commission has received the above mentioned materials we recommend that no further action be taken against the Committee for its violation of 2 U.S.C. §434(b)(12).

1/ As Ms. Carlson does not have a home telephone, we left a message with her neighbor, Joseph Chiriaco, the other respondent in this matter. He has conveyed the message to her.



RECOMMENDATIONS

1. Approve the proposed change in paragraph IX of the Conciliation Agreement.
2. Accept respondent's signed agreement and penalty check, with the proposed change in paragraph IX incorporated into the agreement.
3. Take no further action with regard to the violation of 2 U.S.C. §434(b)(12).
4. Send attached letter.
5. Close the file.

ATTACHMENTS

Signed agreement and check
Letter to respondent

79040122830



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Cary P. Carlson
Cottonwood Ranger Station NPS
Chiriaco Summit, California 92201

Re: MUR 737(78)

Dear Ms. Carlson:

Enclosed is a copy of the conciliation agreement in the above-referenced matter. As you have submitted the required reports in accordance with 2 U.S.C. § 434(b)(12), the Commission has voted to take no further action with regard to this particular section of the Act. Also, in accordance with our telephone communication to you, the Commission has amended paragraph IX of the agreement to reflect that the Committee "...has amended its reports..."

The Commission has approved the agreement and I have signed it, and the matter is now closed.

Thank you for your cooperation.

Sincerely,

William C. Oldaker
General Counsel

Enclosure

Cummins

901028 REC-7 9442

FEDERAL ELECTION
COMMISSION

Cottonwood Ranger Station

Chiriaco Summit

CA 92201

February 21, 1979

79 FEB 26 PM 2:44

William C. Oldaker
General Counsel
Federal Election Commission
1325 K. Street N. W.
Washington, D. C. 20463

Dear Mr. Oldaker:

Enclosed is the conciliation agreement between the Federal Election Commission and the committee, Friends for Margit Chiriaco Baldivid, which I, as treasurer, have signed.

I reiterate that neither I nor the 'committee' knowingly accepted an illegal contribution (V.). Nevertheless, accepting an excessive loan was in violation of FEC regulations (IV.). Thus, I have signed the agreement; I have paid the \$50.00 civil penalty (X.); and I have secured an amendment to the post primary report from the candidate regarding the circumstances under which the loan was extinguished (IX.). (If the Commission wishes any further information on this matter it should deal with Ms. Baldivid and Mr. Chiriaco as this was a personal settlement between them.)

I have fulfilled the articles of this agreement to the best of my ability. I do not plan to file any more reports from this committee. I trust this matter will now be expeditiously settled.

Yours truly,

Cary P. Carlson

Cary P. Carlson

79040122832

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Friends For Margit
Chiriaco-Baldivid

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MUR 737(78)

CONCILIATION AGREEMENT

This matter has been initiated on the basis of information ascertained in the normal course of the Commission's carrying out of its supervisory responsibilities, an investigation has been conducted, and the Commission has found reasonable cause to believe that respondent, Friends For Margit Chiriaco-Baldivid (the "Committee") violated 2 U.S.C. §441a(f) by its knowing acceptance of an excessive contribution from Mr. Joseph L. Chiriaco.

Therefore, the Federal Election Commission and respondent, Friends For Margit Chiriaco-Baldivid, having duly entered into conciliation pursuant to 2 U.S.C. §437g(a)(5), do hereby agree as follows:

I. That the Federal Election Commission has jurisdiction over respondent and the subject of this proceeding.

II. That respondent has had a reasonable opportunity to demonstrate that no action should be taken against it in this matter.

III. That the pertinent facts in this matter are:

A. Respondent is the principal campaign committee for Margit Chiriaco-Baldivid, who was a candidate for the U.S. House of Representatives, in the 1978 primary election.

B. Cary Carlson is Treasurer of Respondent Committee and as such has been responsible for accepting contributions

79040122833

and filing reports with the Federal Election Commission.

C. Respondent Committee knowingly accepted loans from Mr. Joseph Chiriaco as follows: \$5,000 on April 13, 1978; \$6,000 on May 1, 1978; and \$9,500 on May 8, 1978.

D. Respondent Committee has failed to report in a continuous manner its debt to Mr. Joseph Chiriaco and the extinguishment of the debt.

IV. That 2 U.S.C. §441a(a)(1)(A) prohibits contributions to any candidate or his or her authorized Committee with respect to any federal election which in the aggregate exceed \$1,000.

V. That 2 U.S.C. §441a(f) prohibits any political committee from knowingly accepting any contribution made in violation of 2 U.S.C. §441a(a)(1)(A).

VI. That pursuant to 2 U.S.C. §431(e), contributions include loans.

VII. That 2 U.S.C. §434(b)(12) requires that a committee report in a continuous manner its debts and obligations and the extinguishment of debts.

WHEREFORE, Respondent Agrees:

VIII. That its knowing acceptance of an excessive contribution from Mr. Joseph Chiriaco was in violation of 2 U.S.C. §441a(f).

IX. That pursuant to 2 U.S.C. §434(b)(12), it will amend its reports to reflect the circumstances and conditions under which the debt to Mr. Joseph Chiriaco was extinguished and the dates on which such extinguishments were made.

X. That it will pay a civil penalty in the amount of \$50.00 pursuant to 2 U.S.C. §437g(a)(6)(B).

XI. That it agrees that it will not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §431, et. seq.

General Conditions

XII. The Commission, on the 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 civil action for relief in the United States District Court for the District of Columbia.

XIII. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

XIV. It is agreed that respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission

Date

William C. Oldaker
General Counsel
Federal Election Commission

2-21-79
Date

Cary P. Carlson
Cary P. Carlson
Treasurer
Friends For Margit
Chiriaco-Baldivid

7 9 0 4 0 1 2 2 8 3 6

EDWARD R. CARLSON
CARY P. CARLSON
COTTONWOOD RANGER STATION NPS
CHIRIACO SUMMIT, CALIF. 92201

1468

PAY TO THE ORDER OF United States Treasury \$ 50.00
Fifty and no/100 DOLLARS

SECURITY PACIFIC NATIONAL BANK 
Indio Office
45-300 Oasis St., Indio, CA 92201

MEMO Cary P. Carlson

⑆1220⑆0004⑆1468⑆318⑆087973⑆

REPORT OF RECEIPTS AND EXPENDITURES
FOR A CANDIDATE OR COMMITTEE
SUPPORTING CANDIDATE(S) FOR
NOMINATION OR ELECTION TO FEDERAL OFFICE

(Except for Candidates or Committees Receiving Federal Matching Funds)

Note: Committees authorized by a candidate to receive contributions and make expenditures in connection with more than one election must maintain separate records with respect to each election.

1 Friends For Margit Chiriac Baldi
Name of Candidate or Committee (in full)

2 I.D. No. _____
Candidate/Committee

3 Representative - Congress, 37th Dist.
Office Sought, State/District (if applicable)

Address (number and street)
Chiriac Summit, CA 92201
City, State and ZIP Code

☐ Check if address is different than previously reported.

Year of Election 1978

4 Type of Report (check appropriate boxes)

☐ April 10 Quarterly Report

☐ July 10 Quarterly Report

☐ October 10 Quarterly Report

☐ January 31 Annual Report

☐ Monthly Report _____
(month)

☐ Tenth day report preceding _____ election
(primary, general or convention)

on _____ in the State of _____
(date)

☐ Thirtieth day report following _____ election
(primary, general or convention)

on _____ in the State of _____
(date)

☒ Termination Report

☒ Amendment for:

30 day Post Primary
(which report)

This is a report for ☒ Primary Election ☐ General Election ☐ Primary and General ☐ Other (special, runoff, etc.)

SUMMARY OF RECEIPTS AND EXPENDITURES
(Figures may be rounded to nearest dollar.)

*See original Post
Primary Report of July 1978*

5 Covering Period _____ Through _____	Column A This Period	Column B Calendar Year-To-Date
6 Cash on hand January 1, 19		\$
7 Cash on hand at beginning of reporting period	\$	
8 Total receipts (from line 19)	\$	\$
(a) Subtotal (Add lines 7 and 8 for Column A and lines 6 and 8 for Column B)	\$	\$
9 Total expenditures (from line 25)	\$	\$
10 Cash on hand at close of reporting period (Subtract line 9 from line 8a)	\$	\$
11 Value of contributed items on hand to be liquidated (Attach itemized list) \$ _____		
12 Debts and obligations owed to the Committee/Candidate (itemize all on Schedule C) ...	\$ 0	
13 Debts and obligations owed by the Committee/Candidate (itemize all on Schedule C) ...	\$ 0	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

2-21-79
(Date)

MARGIT F CHIRIAC BALDIVI
(Typed Name of Treasurer or Candidate)

Margit F Chiriac Baldi
(Signature of Treasurer or Candidate)

Note: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. Section 437g, or Section 441j (see reverse side of form).

For further
information,
Contact:



Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

or call 800/424-9530

Approved by GAO
B-187620 (R0506)
Expires 3-31-81

All previous versions of FEC FORM 3 are obsolete and should no longer be used.

Any information reported herein may not be copied for sale or use by any person for purposes of soliciting contributions or for any commercial purpose.

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DETAILED SUMMARY OF RECEIPTS AND EXPENDITURES
(Page 2, FEC FORM 3)

*See original
Post Primary
Report of July, 1978*

NAME OF CANDIDATE OR COMMITTEE
Friends For Margit Chiriac Baldivid

REPORT COVERING THE PERIOD
FROM: TO:

RECEIPTS		Column A This Period	Column B Calendar Year-To-Date
14. Contributions from Individuals (including contributions in-kind):			
(a) Itemized (use Schedule A)		\$	
(b) Unitemized		\$	
(c) Sales and collections included above: List by event on memo Schedule D (\$			
(d) Subtotal of contributions from individuals		\$	\$
15. Transfers from Political Committees:			
(a) Funds from affiliated/authorized committee (Itemize on Schedule A regardless of amount)		\$	
(b) Funds from other committees (Itemize on Schedule A regardless of amount)		\$	
(c) Contributions in-kind from political committees (Itemize on Schedule A regardless of amount)		\$	
(d) Subtotal of transfers in and contributions in-kind from political committees		\$	\$
16. Other Income:			
(a) Itemized (use Schedule A)		\$	
(b) Unitemized		\$	
(c) Subtotal of other income		\$	\$
17. Loans and Loan Repayments Received:			
(a) Itemized (use Schedule A)		\$	
(b) Unitemized		\$	
(c) Subtotal of loans and loan repayments received		\$	\$
18. Refunds, Rebates, Returns of Deposits:			
(a) Itemized (use Schedule A)		\$	
(b) Unitemized		\$	
(c) Subtotal of refunds, rebates, returns of deposits		\$	\$
19. Total Receipts		\$	\$
EXPENDITURES			
20. Operating Expenditures:			
(a) Itemized (use Schedule B)		\$	
(b) Unitemized		\$	
(c) Subtotal of operating expenditures		\$	\$
21. Loans, Loan Repayments, and Contribution Refunds Made:			
(a) Itemized (use Schedule B)		\$	
(b) Unitemized		\$	
(c) Subtotal of loans and loan repayments made and contribution refunds		\$	\$
22. Transfers Out to Political Committees:			
(a) To affiliated/authorized committee (Itemize on Schedule B regardless of amount)		\$	
(b) To other committees (Itemize on Schedule B regardless of amount)		\$	
(c) Contributions in-kind to other committees (Itemize on Schedule B regardless of amount)		\$	
(d) Subtotal of transfers out		\$	\$
23. Independent Expenditures (use Schedule E)		\$	\$
24. Coordinated Expenditures Made by Political Committees (2 U.S.C. 441a(d)) (Itemize on Schedule F)		\$	\$
25. Total Expenditures		\$	\$
RECEIPTS AND EXPENDITURES, NET OF TRANSFERS TO AND FROM AFFILIATED COMMITTEES			
26. Total Receipts (from line 19)		\$	
27. Transfers In (from line 15(a))		\$	
28. Net Receipts (Subtract line 27 from line 26)		\$	
29. Total Expenditures (from line 25)		\$	
30. Transfers Out (from line 22(a))		\$	
31. Net Expenditures (Subtract line 30 from line 29)		\$	

79040122838

SCHEDULE C

REVISED

January, 1978

Federal Election Commission

1325 K Street, N.W.

Washington, D.C. 20463

DEBTS AND OBLIGATIONS

**Supporting Line Numbers 12 and 13
of FEC FORM 3**

(Indicate Primary or General Election for each Entry)

Page ____ of ____ for

Line Number ____

(Use Separate Schedules for
each numbered line)

Name of Candidate and Committee in Full

Friends For Margit Chiriac Baldiuid

Full Name, Mailing Address and ZIP Code of Debtor or Creditor

*Mr. Joseph L. Chiriac
Chiriac Summit
CA 92201*

Date (month,
day, year)

6/27/78

Amount of Original
Debt, Contract,
Agreement or
Promise

\$19,500.-

Cumulative
Payment
To Date

\$19,500.

Outstanding
Balance at
Close of
This Period

\$ 0

☒ Primary

☐ General

☐ Other

NATURE OF OBLIGATION (Details of Debt): *The following items of jewelry, antiques, and paintings be-
longing to the candidate were used to repay the loan of \$19,500 to Joseph L. Chiriac:*

*1 ruby ring with diamond \$1000.00
antique jewelry 1000.00
1 emerald ring 600.00
1 gold ring 500.00*

*turquoise & Indian \$6000.00
collection
paintings 3000.00
antiques 4900.00
diamond rings 2500.00*

Full Name, Mailing Address and ZIP Code of Debtor or Creditor

Date (month,
day, year)

Amount of Original
Debt, Contract,
Agreement or
Promise

Cumulative
Payment
To Date

Outstanding
Balance at
Close of
This Period

☐ Primary

☐ General

☐ Other

NATURE OF OBLIGATION (Details of Debt):

Full Name, Mailing Address and ZIP Code of Debtor or Creditor

Date (month,
day, year)

Amount of Original
Debt, Contract,
Agreement or
Promise

Cumulative
Payment
To Date

Outstanding
Balance at
Close of
This Period

☐ Primary

☐ General

☐ Other

NATURE OF OBLIGATION (Details of Debt):

SUBTOTALS this period this page (optional)

\$

\$

\$

TOTAL this period (last page this line number only)

\$

\$

\$

Carry outstanding balance only to appropriate line of summary

79040122839



FEDERAL ELECTION COMMISSION

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

March 14, 1979

Mr. Joseph L. Chiriaco
Chiriaco Summit
California 92201

Re: MUR 737(78)

Dear Mr. Chiriaco:

Enclosed is a copy of the conciliation agreement in the above-referenced matter. As the Commission has approved, and I have signed the agreement, the matter is now closed.

Thank you for your cooperation.

Sincerely,

A handwritten signature in dark ink, appearing to read "William C. Oldaker", is written over the typed name.

William C. Oldaker
General Counsel

Enclosure

79040122840

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9361

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
FEDERAL ELECTION
COMMISSION

In the Matter of
Joseph L. Chiriaco

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MUR 737(78) 16 PM 12 6

CONCILIATION AGREEMENT

This matter has been initiated on the basis of information ascertained in the normal course of the Commission's carrying out of its supervisory responsibilities, an investigation has been conducted, and the Commission has found reasonable cause to believe that respondent, Joseph L. Chiriaco violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution of \$19,500. to the Friends For Margit Chiriaco-Baldivid.

Therefore, the Federal Election Commission and respondent, Joseph L. Chiriaco, having duly entered into conciliation pursuant to 2 U.S.C. §437g(a)(5), do hereby agree as follows:

I. That the Federal Election Commission has jurisdiction over respondent and the subject of this proceeding.

II. That respondent has had a reasonable opportunity to demonstrate that no action should be taken against him in this matter.

III. That the pertinent facts in this matter are that:

A. Respondent withdrew \$20,500 from his personal account, as follows: \$5,000 on April 11, 1978; \$9,500 on May 1, 1978; and \$9,500 on May 8, 1978.

B. Respondent loaned these funds to the Friends for Margit Chiriaco-Baldivid, the principal campaign committee of congressional candidate Margit Chiriaco-Baldivid, for the 1978 primary election, as follows: \$5,000 on April 13, 1978;

79040122841

\$6,000 on May 1, 1978; and \$9,500 on May 8, 1978.

IV. That 2 U.S.C. §441a(a)(1)(A) prohibits contributions to any candidate or his or her authorized committee with respect to any federal election which in the aggregate exceed \$1,000.

V. That pursuant to 2 U.S.C. §431(e), contributions include loans.

WHEREFORE, Respondent Agrees:

VI. That his contribution to the Friends for Margit Chiriaco-Baldivid was in violation of 2 U.S.C. §441a(a)(1)(A).

VII. That he will pay a civil penalty in the amount of \$100 pursuant to 2 U.S.C. §437g(a)(6)(B).

VIII. That he agrees that he will not undertake any activity which is in violation of the Federal Election Campaign Act of 1971 as amended, 2 U.S.C. §431, et seq.

General Conditions

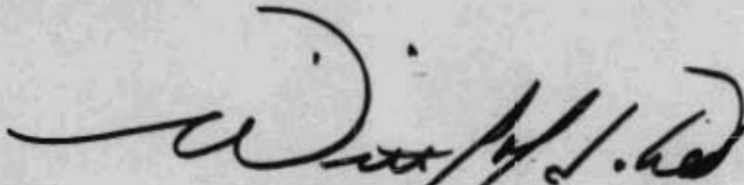
IX. The Commission, on the request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein, or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute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

X. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

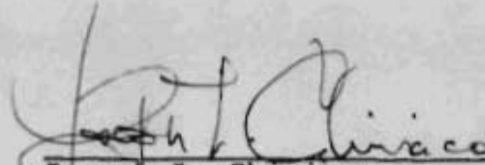
79040122842

XI. It is agreed that respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

3/14/79
Date


William C. Oldaker
General Counsel
Federal Election Commission

2-11-79
Date


Joseph L. Chiriaco
Respondent

79040122843

19 55:25

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Joseph L. Chiriaco)

MUR 737

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on March 8, 1979, the Commission approved by a vote of 6-0 the recommendation, as set forth in the General Counsel's Memorandum dated March 2, 1979, that the file be closed with regard to Mr. Joseph Chiriaco. Attached to the above-named Memorandum was a signed conciliation agreement and a check for \$100 received on February 16, 1979.

Attest:

3/9/79
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

Received in Office of Commission Secretary: 3-2-79, 11:03
Circulated on 48 hour vote basis: 3-2-79, 4:30
Objection filed 3-6-79, 4:42
Placed on agenda for Executive Session of March 8, 1979

79040122844



FEDERAL ELECTION COMMISSION

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

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS

SUBJECT: OBJECTION - Memorandum dated March 2, 1979
With Conciliation Agreement;
Received in OCS 3-2-79, 11:03
MUR 737

mwe

The above-named document was circulated on a 48
hour vote basis at 4:30, March 2, 1979.

Commissioner Tiernan submitted an objection at 4:42,
March 6, 1979, thereby placing MUR 737 on the Amended
Agenda for March 8, 1979.

79040122845

March 2, 1979

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 737

Please have the attached Memo and conciliation agreement distributed to the Commission on a 48 hour tally basis.

Thank you.

19040122846



FEDERAL ELECTION COMMISSION

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

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

79 MAR 2 All: 03

March 2, 1979

MEMORANDUM

TO: The Commission

FROM: William C. Oldaker *WCO*

RE: MUR 737; Signed Conciliation Agreement

On February 16, 1979 the Commission received a signed conciliation agreement and a check for one hundred dollars from Mr. Joseph L. Chiriaco, one of the Respondents in MUR 737. (See Attachment)

In view of this receipt, we recommend that the file be closed with regard to Mr. Joseph Chiriaco.

Attachments

Letter to Respondent
Conciliation Agreement

79040122847



FEDERAL ELECTION COMMISSION

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

Mr. Joseph L. Chiriaco
Chiriaco Summit
California 92201

Re: MUR 737(78)

Dear Mr. Chiriaco:

Enclosed is a copy of the conciliation agreement in the above-referenced matter. As the Commission has approved, and I have signed the agreement, the matter is now closed.

Thank you for your cooperation.

Sincerely,

William C. Oldaker
General Counsel

By:

Charles N. Steele
Associate General Counsel

Enclosure



Learnings

PHONE CHIRIACO SUMMIT NO. 1 THROUGH SAN BERNARDINO TOLL CENTER

JOSEPH L. CHIRIACO, INC.

CHIRIACO SUMMIT
CALIFORNIA, 92201

February 13, 1979

Mr. William C. Oldaker
General Counsel
Federal Election Commission
1325 "K" Street N.W.
Washington, D. C. 20463

Dear Mr. Oldaker: -

I am enclosing herewith my check #182, amount \$100.00, per your letter of February 5, 1979. I would like to thank you for any consideration shown me in this matter, however if I did error it was truly due to ignorance with no mal'ice intended.

I checked with the public relations firm before entering into this transaction with my daughter and was assured it was within the rules. I also had my daughter sign a note for the loan and the money that was transferred from my personal account to her campaign account was that loan. I guess I took the easy way out. I guess I should have made the checks out to her and let her make her own deposits.

I have no desire to contest your conciliation agreement and am returning it to you here with, signed and dated. However, if you, through your expert understanding of these things, know of any way this could harm me in the future, please let me know so that I can get it wiped out as soon as possible.

Sincerely,

Joseph L. Chiriac

JLC/bc

CCC# 9361

FEDERAL ELECTION COMMISSION

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Joseph L. Chiriaco

)
)
)
)
)

MUR 737(78) 16 PM 12 6

CONCILIATION AGREEMENT

This matter has been initiated on the basis of information ascertained in the normal course of the Commission's carrying out of its supervisory responsibilities, an investigation has been conducted, and the Commission has found reasonable cause to believe that respondent, Joseph L. Chiriaco violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution of \$19,500. to the Friends For Margit Chiriaco-Baldivid.

Therefore, the Federal Election Commission and respondent, Joseph L. Chiriaco, having duly entered into conciliation pursuant to 2 U.S.C. §437g(a)(5), do hereby agree as follows:

I. That the Federal Election Commission has jurisdiction over respondent and the subject of this proceeding.

II. That respondent has had a reasonable opportunity to demonstrate that no action should be taken against him in this matter.

III. That the pertinent facts in this matter are that:

A. Respondent withdrew \$20,500 from his personal account, as follows: \$5,000 on April 11, 1978; \$9,500 on May 1, 1978; and \$9,500 on May 8, 1978.

B. Respondent loaned these funds to the Friends for Margit Chiriaco-Baldivid, the principal campaign committee of congressional candidate Margit Chiriaco-Baldivid, for the 1978 primary election, as follows: \$5,000 on April 13, 1978;

79040122830

\$6,000 on May 1, 1978; and \$9,500 on May 8, 1978.

IV. That 2 U.S.C. §441a(a)(1)(A) prohibits contributions to any candidate or his or her authorized committee with respect to any federal election which in the aggregate exceed \$1,000.

V. That pursuant to 2 U.S.C. §431(e), contributions include loans.

WHEREFORE, Respondent Agrees:

VI. That his contribution to the Friends for Margit Chiriaco-Baldivid was in violation of 2 U.S.C. §441a(a)(1)(A).

VII. That he will pay a civil penalty in the amount of \$100 pursuant to 2 U.S.C. §437g(a)(6)(B).

VIII. That he agrees that he will not undertake any activity which is in violation of the Federal Election Campaign Act of 1971 as amended, 2 U.S.C. §431, et seq.

General Conditions

IX. The Commission, on the 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 civil action for relief in the United States District Court for the District of Columbia.

X. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

79040122851

XI. It is agreed that respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date

William C. Oldaker
General Counsel
Federal Election Commission

Date

2 - 11 - 79

Joseph L. Chiriaco
Respondent

79040122852

JOSEPH L. CHIRIACO
RUTH E. CHIRIACO

CHIRIACO SUMMIT, CALIF. 92201

PAY TO THE
ORDER OF

United States of America Two Eight 5 100 47

One Hundred and 00/100 2 DOLLARS

90-767
1222

THE FIRST NATIONAL BANK
in Coachella

COACHELLA, CALIF. 92236

⑆12222⑈0767⑆

Joseph L. Chiriac

Cummins

901828 AGC+ 9442
RECEIVED
FEDERAL ELECTION
COMMISSION

Cottonwood Ranger Station

Chiriaco Summit

CA 92201

February 21, 1979

79 FEB 26 PM 2:44

William C. Oldaker
General Counsel
Federal Election Commission
1325 K. Street N. W.
Washington, D. C. 20463

Dear Mr. Oldaker:

Enclosed is the conciliation agreement between the Federal Election Commission and the committee, Friends for Margit Chiriaco Baldivid, which I, as treasurer, have signed.

I reiterate that neither I nor the 'committee' knowingly accepted an illegal contribution (V.). Nevertheless, accepting an excessive loan was in violation of FEC regulations (IV.). Thus, I have signed the agreement; I have paid the \$50.00 civil penalty (X.); and I have secured an amendment to the post primary report from the candidate regarding the circumstances under which the loan was extinguished (IX.). (If the Commission wishes any further information on this matter it should deal with Ms. Baldivid and Mr. Chiriaco as this was a personal settlement between them.)

I have fulfilled the articles of this agreement to the best of my ability. I do not plan to file any more reports from this committee. I trust this matter will now be expeditiously settled.

Yours truly,

Cary P. Carlson
Cary P. Carlson

79040122854

79040122855

EDWARD R. CARLSON
CARY P. CARLSON

COTTONWOOD RANGER STATION NPS
CHIRICAHUA SUMMIT, CALIF. 92201

1468

Feb 21 1979 16-4
1220

PAY TO THE ORDER OF United States Treasury \$50.00

Fifty and No/100 DOLLARS

SECURITY PACIFIC NATIONAL BANK
Indio Office

45-300 Oasis St., Indio, CA 92201

Cary P. Carlson

⑆ 122000004 ⑆ 1468 ⑆ 3180087973 ⑆

REPORT OF RECEIPTS AND EXPENDITURES
FOR A CANDIDATE OR COMMITTEE
SUPPORTING CANDIDATE(S) FOR
NOMINATION OR ELECTION TO FEDERAL OFFICE
(Except for Candidates or Committees Receiving Federal Matching Funds)

Note: Committees authorized by a candidate to receive contributions and make expenditures in connection with more than one election must maintain separate records with respect to each election.

1 Friends For Margit Chiriaco Baldivid
Name of Candidate or Committee (in full)

2 I.D. No. _____
Candidate/Committee

3 Representative - Congress, 37th Dist.
Office Sought, State/District (if applicable)

Address (number and street)
Chiriaco Summit, CA 92201
City, State and ZIP Code

☐ Check if address is different than previously reported.

Year of Election 1978

4 Type of Report (check appropriate boxes)

☐ April 10 Quarterly Report

☐ Tenth day report preceding _____ election
(primary, general or convention)

☒ Termination Report

☐ July 10 Quarterly Report

on _____ in the State of _____
(date)

☒ Amendment for:

30 day Post Primary
(which report)

☐ October 10 Quarterly Report

☐ Thirtieth day report following _____ election
(primary, general or convention)

☐ January 31 Annual Report

☐ Monthly Report _____
(month)

on _____ in the State of _____
(date)

This is a report for ☒ Primary Election ☐ General Election ☐ Primary and General ☐ Other (special, runoff, etc.)

SUMMARY OF RECEIPTS AND EXPENDITURES
(Figures may be rounded to nearest dollar.)

See original Post
Primary Report of July 1978

5 Covering Period _____ Through _____	Column A This Period	Column B Calendar Year-To-Date
6 Cash on hand January 1, 19		\$
7 Cash on hand at beginning of reporting period	\$	
8 Total receipts (from line 19)	\$	\$
(a) Subtotal (Add lines 7 and 8 for Column A and lines 6 and 8 for Column B)	\$	\$
9 Total expenditures (from line 25)	\$	\$
10 Cash on hand at close of reporting period (Subtract line 9 from line 8a)	\$	\$
11 Value of contributed items on hand to be liquidated (Attach itemized list)	\$	
12 Debts and obligations owed to the Committee/Candidate (itemize all on Schedule C) . . .	\$ 0	
13 Debts and obligations owed by the Committee/Candidate (itemize all on Schedule C) . . .	\$ 0	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

2-21-79
(Date)

MARGIT F. CHIRIACO BALDIVID
(Typed Name of Treasurer or Candidate)

Margit F Chiriaco Baldivid
(Signature of Treasurer or Candidate)

Note: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. Section 437g, or Section 441j (see reverse side of form).

For further
information,
Contact:

Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

or call 800/424-9530

Approved by GAO
B-187620 (R0506)
Expires 3-31-81

All previous versions of FEC FORM 3 are obsolete and should no longer be used.

Any information reported herein may not be copied for sale or use by any person for purposes of soliciting contributions or for any commercial purpose.

79040122856

DETAILED SUMMARY OF RECEIPTS AND EXPENDITURES
(Page 2, FEC FORM 3)

*See original
Post Primary
Report of July, 1978*

NAME OF CANDIDATE OR COMMITTEE

Friends For Margit Chiriac Baldi

REPORT COVERING THE PERIOD

FROM:

TO:

RECEIPTS

**Column A
This Period**

**Column B
Calendar Year-To-Date**

14. Contributions from individuals (including contributions in-kind):

(a) Itemized (use Schedule A)

\$

(b) Unitemized

\$

(c) Sales and collections included above:

List by event on memo Schedule D (\$)

(d) Subtotal of contributions from individuals

\$

\$

15. Transfers from Political Committees:

(a) Funds from affiliated/authorized committee (itemize on Schedule A regardless of amount)

\$

(b) Funds from other committees (itemize on Schedule A regardless of amount)

\$

(c) Contributions in-kind from political committees

(itemize on Schedule A regardless of amount)

\$

(d) Subtotal of transfers in and contributions in-kind from political committees

\$

\$

16. Other Income:

(a) Itemized (use Schedule A)

\$

(b) Unitemized

\$

(c) Subtotal of other income

\$

\$

17. Loans and Loan Repayments Received:

(a) Itemized (use Schedule A)

\$

(b) Unitemized

\$

(c) Subtotal of loans and loan repayments received

\$

\$

18. Refunds, Rebates, Returns of Deposits:

(a) Itemized (use Schedule A)

\$

(b) Unitemized

\$

(c) Subtotal of refunds, rebates, returns of deposits

\$

\$

19. Total Receipts

\$

\$

EXPENDITURES

20. Operating Expenditures:

(a) Itemized (use Schedule B)

\$

(b) Unitemized

\$

(c) Subtotal of operating expenditures

\$

\$

21. Loans, Loan Repayments, and Contribution Refunds Made:

(a) Itemized (use Schedule B)

\$

(b) Unitemized

\$

(c) Subtotal of loans and loan repayments made and contribution refunds

\$

\$

22. Transfers Out to Political Committees:

(a) To affiliated/authorized committee (itemize on Schedule B regardless of amount)

\$

(b) To other committees (itemize on Schedule B regardless of amount)

\$

(c) Contributions in-kind to other committees

(itemize on Schedule B regardless of amount)

\$

(d) Subtotal of transfers out

\$

\$

23. Independent Expenditures (use Schedule E)

\$

\$

24. Coordinated Expenditures Made by Political Committees (2 U.S.C. 441a(d))

(itemize on Schedule F)

\$

\$

25. Total Expenditures

\$

\$

**RECEIPTS AND EXPENDITURES,
NET OF TRANSFERS TO AND FROM AFFILIATED COMMITTEES**

26. Total Receipts (from line 19)

\$

27. Transfers In (from line 15(a))

\$

28. Net Receipts (Subtract line 27 from line 26)

\$

29. Total Expenditures (from line 25)

\$

30. Transfers Out (from line 22(a))

\$

31. Net Expenditures (Subtract line 30 from line 29)

\$

79040122857

**SCHEDULE C
REVISED**

January, 1978
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

DEBTS AND OBLIGATIONS

**Supporting Line Numbers 12 and 13
of FEC FORM 3**

Page ____ of ____ for

Line Number ____

(Use Separate Schedules for
each numbered line)

(Indicate Primary or General Election for each Entry)

Name of Candidate and Committee in Full <i>Friends For Margit Chiriac Baldiuid</i>																				
Full Name, Mailing Address and ZIP Code of Debtor or Creditor <i>Mr. Joseph L. Chiriaco Chiriaco Summit CA 92201</i>	Date (month, day, year) <i>6/27/78</i>	Amount of Original Debt, Contract, Agreement or Promise	Cumulative Payment To Date	Outstanding Balance at Close of This Period																
☒ Primary ☐ General ☐ Other		<i>\$19,500.</i>	<i>\$19,500.</i>	<i>\$0</i>																
NATURE OF OBLIGATION (Details of Debt): <i>The following items of jewelry, antiques, and paintings belonging to the candidate were used to repay the loan of \$19,500 to Joseph L. Chiriaco:</i>																				
<table border="0"> <tr> <td><i>1 ruby ring with diamond</i></td> <td><i>\$1000.00</i></td> <td><i>turquoise + Indian collection</i></td> <td><i>\$6000.00</i></td> </tr> <tr> <td><i>antique jewelry</i></td> <td><i>1000.00</i></td> <td><i>paintings</i></td> <td><i>3000.00</i></td> </tr> <tr> <td><i>1 emerald ring</i></td> <td><i>600.00</i></td> <td><i>antiques</i></td> <td><i>4900.00</i></td> </tr> <tr> <td><i>1 gold ring</i></td> <td><i>500.00</i></td> <td><i>diamond rings</i></td> <td><i>2500.00</i></td> </tr> </table>					<i>1 ruby ring with diamond</i>	<i>\$1000.00</i>	<i>turquoise + Indian collection</i>	<i>\$6000.00</i>	<i>antique jewelry</i>	<i>1000.00</i>	<i>paintings</i>	<i>3000.00</i>	<i>1 emerald ring</i>	<i>600.00</i>	<i>antiques</i>	<i>4900.00</i>	<i>1 gold ring</i>	<i>500.00</i>	<i>diamond rings</i>	<i>2500.00</i>
<i>1 ruby ring with diamond</i>	<i>\$1000.00</i>	<i>turquoise + Indian collection</i>	<i>\$6000.00</i>																	
<i>antique jewelry</i>	<i>1000.00</i>	<i>paintings</i>	<i>3000.00</i>																	
<i>1 emerald ring</i>	<i>600.00</i>	<i>antiques</i>	<i>4900.00</i>																	
<i>1 gold ring</i>	<i>500.00</i>	<i>diamond rings</i>	<i>2500.00</i>																	
Full Name, Mailing Address and ZIP Code of Debtor or Creditor	Date (month, day, year)	Amount of Original Debt, Contract, Agreement or Promise	Cumulative Payment To Date	Outstanding Balance at Close of This Period																
☐ Primary ☐ General ☐ Other		\$	\$	\$																
NATURE OF OBLIGATION (Details of Debt):																				
Full Name, Mailing Address and ZIP Code of Debtor or Creditor	Date (month, day, year)	Amount of Original Debt, Contract, Agreement or Promise	Cumulative Payment To Date	Outstanding Balance at Close of This Period																
☐ Primary ☐ General ☐ Other		\$	\$	\$																
NATURE OF OBLIGATION (Details of Debt):																				
SUBTOTALS this period this page (optional)		\$	\$	\$																
TOTAL this period (last page this line number only)		\$	\$	\$																
Carry outstanding balance only to appropriate line of summary.																				

79040122858

JOSEPH L. CHIRIACO, INC.

CHIRIACO SUMMIT
CALIFORNIA 92201

February 13, 1979

Mr. William C. Oldaker
General Counsel
Federal Election Commission
1325 "K" Street N.W.
Washington, D. C. 20463

Dear Mr. Oldaker:

I am enclosing herewith my check #182, amount \$100.00, per your letter of February 5, 1979. I would like to thank you for any consideration shown me in this matter, however if I did error it was truly due to ignorance with no mal'ice intended.

I checked with the public relations firm before entering into this transaction with my daughter and was assured it was within the rules. I also had my daughter sign a note for the loan and the money that was transferred from my personal account to her campaign account was that loan. I guess I took the easy way out. I guess I should have made the checks out to her and let her make her own deposits.

I have no desire to contest your conciliation agreement and am returning it to you here with, signed and dated. However, if you, through your expert understanding of these things, know of any way this could harm me in the future, please let me know so that I can get it wiped out as soon as possible.

Sincerely,

Joseph L. Chiriac

JLC/bc

790 0122850

182

JOSEPH L. CHIRIACO
RUTH E. CHIRIACO
CHIRIACO SUMMIT, CALIF. 92201

50-767
1222

2 11 1979

PAY TO THE ORDER OF *United States of America Treasury Dept* \$ *100.00*
One Hundred and 00/100 DOLLARS

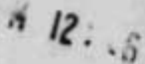
1st FIRST NATIONAL BANK
in Coachella
COACHELLA, CALIF. 92236

Joseph L. Chiriac

MEMO

⑆1222⑈0767⑆

BIRIACO SUMMIT, CALIFORNIA 92201



Mr. William C. Oldaker
General Counsel
Federal Election Commission
1325 "K" Street N.W.
Washington, D. C. 20463





FEDERAL ELECTION COMMISSION

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

February 5, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Cary P. Carlson, Treasurer
Friends for Margit Chiriaco-Baldivid
Chiriaco Summit
California 92201

Re: MUR 737(78)

Dear Ms. Carlson:

On January 31, 1979, the Commission determined there was reasonable cause to believe that your Committee violated 2 U.S.C. §441a(f) of the Federal Election Campaign Act of 1971, as amended, in connection with its acceptance of loans totalling \$20,500 from Joseph Chiriaco. Section 441a(a)(1)(A) of the Act prohibits any person from making a contribution in excess of \$1,000 to any candidate or political committee, and §441a(f) prohibits the knowing acceptance of any such contribution.

The Commission has a duty to attempt to correct such violation for a period of 30 days by informal methods of conference, conciliation and persuasion, and by entering into a conciliation agreement. 2 U.S.C. §437g(a)(5)(B). If we are unable to reach an agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit in United States District Court and seek payment of a civil penalty.

We enclose a conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of the enclosed conciliation agreement, please sign and return it along with the civil penalty to the Commission within ten days. Please make the check payable to the United States Treasury. I will then recommend that the Commission approve the agreement.

79040122862

The Commission also determined there was reason to believe your Committee violated 2 U.S.C. §434(b) (12) by its failure to report in a continuous manner its debt to Mr. Joseph Chiriaco.

While Mrs. Chiriaco-Baldivid attached a letter to the Committee's 30 day post primary report stating that \$19,500 of the loan had been repaid, this information was insufficient as it failed to indicate the specific date(s) and amount(s) of repayment on the form prescribed by the Commission. Enclosed are copies of the appropriate reporting forms.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you regarding this matter and you may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. The Commission is under a duty to investigate this matter expeditiously and your response should be submitted within 10 days after your receipt of this notification.

In view of the Commission's previous investigation of this entire matter, we have included information in the proposed conciliation agreement concerning the §434 (b) (12) issue.

If you have any questions or suggestion for changes in the enclosed conciliation agreement, please contact Marcie Cummings, staff member assigned to this matter, at 202-523-4175.

Sincerely, .

William C. Oldaker

William C. Oldaker

● SENDER: Complete items 1, 2, and 3. Add your address in the RETURN TO space on reverse	
1. The following service is requested (check one). ☐ Show to whom and date delivered ☒ Show to whom, date, and address of delivery ☐ RESTRICTED DELIVERY ☐ Show to whom and date delivered ☐ RESTRICTED DELIVERY ☐ Show to whom, date, and address of delivery. \$ (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: <i>Carly P. Carlisa, Treasurer Fondo for Margaret Chiriaco-Baldivid Chiriaco Summit, Ca. 92201</i>	
3. ARTICLE DESCRIPTION REGISTERED NO. <i>99587</i>	INSURED NO.
(Always obtain signature of addressee or agent) I have received the article described above SIGNATURE ☐ Addressee ☐ Authorized agent <i>Carly P. Carlisa</i>	
4. DATE OF DELIVERY <i>2-12-79</i>	
5. ADDRESS (Complete only if requested) <i>Chiriaco Summit</i>	
6. UNABLE TO DELIVER BECAUSE <i>UNABLE TO DELIVER BECAUSE</i>	

PS Form 3811, Apr 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

Cummings MUE 737

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Friends For Margit
Chiriaco-Baldivid

)
)
)
)
)

MUR 737(78)

CONCILIATION AGREEMENT

This matter has been initiated on the basis of information ascertained in the normal course of the Commission's carrying out of its supervisory responsibilities, an investigation has been conducted, and the Commission has found reasonable cause to believe that respondent, Friends For Margit Chiriaco-Baldivid (the "Committee") violated 2 U.S.C. §441a(f) by its knowing acceptance of an excessive contribution from Mr. Joseph L. Chiriaco.

Therefore, the Federal Election Commission and respondent, Friends For Margit Chiriaco-Baldivid, having duly entered into conciliation pursuant to 2 U.S.C. §437g(a)(5), do hereby agree as follows:

I. That the Federal Election Commission has jurisdiction over respondent and the subject of this proceeding.

II. That respondent has had a reasonable opportunity to demonstrate that no action should be taken against it in this matter.

III. That the pertinent facts in this matter are:

A. Respondent is the principal campaign committee for Margit Chiriaco-Baldivid, who was a candidate for the U.S. House of Representatives, in the 1978 primary election.

B. Cary Carlson is Treasurer of Respondent Committee and as such has been responsible for accepting contributions

79040122864

and filing reports with the Federal Election Commission.

C. Respondent Committee knowingly accepted loans from Mr. Joseph Chiriaco as follows: \$5,000 on April 13, 1978; \$6,000 on May 1, 1978; and \$9,500 on May 8, 1978.

D. Respondent Committee has failed to report in a continuous manner its debt to Mr. Joseph Chiriaco and the extinguishment of the debt.

IV. That 2 U.S.C. §441a(a)(1)(A) prohibits contributions to any candidate or his or her authorized Committee with respect to any federal election which in the aggregate exceed \$1,000.

V. That 2 U.S.C. §441a(f) prohibits any political committee from knowingly accepting any contribution made in violation of 2 U.S.C. §441a(a)(1)(A).

VI. That pursuant to 2 U.S.C. §431(e), contributions include loans.

VII. That 2 U.S.C. §434(b)(12) requires that a committee report in a continuous manner its debts and obligations and the extinguishment of debts.

WHEREFORE, Respondent Agrees:

VIII. That its knowing acceptance of an excessive contribution from Mr. Joseph Chiriaco was in violation of 2 U.S.C. §441a(f).

IX. That pursuant to 2 U.S.C. §434(b)(12), it will amend its reports to reflect the circumstances and conditions under which the debt to Mr. Joseph Chiriaco was extinguished and the dates on which such extinguishments were made.

X. That it will pay a civil penalty in the amount of \$50.00 pursuant to 2 U.S.C. §437g(a)(6)(B).

79040122865

XI. That it agrees that it will not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §431, et. seq.

General Conditions

XII. The Commission, on the 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 civil action for relief in the United States District Court for the District of Columbia.

XIII. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

XIV. It is agreed that respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission

Date

William C. Oldaker
General Counsel
Federal Election Commission

Date

Cary P. Carlson
Treasurer
Friends For Margit
Chiriaco-Baldivid

79040122866



FEDERAL ELECTION COMMISSION

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

February 5, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Margit Chiriaco-Baldivid
Interstate 10
Chiriaco Summit, CA 92201

Re: MUR 737

Dear Ms. Chiriaco-Baldivid:

On January 31, 1979, the Commission found reasonable cause to believe that Joseph L. Chiriaco violated 2 U.S.C. §441a(a)(1)(A) and the Friends of Margit Chiriaco-Baldivid violated 2 U.S.C. §441a(f) in connection with loans totalling \$20,500 from Mr. Chiriaco to your Committee. The Commission also found reason to believe that the Committee violated 2 U.S.C. §434(b)(12) by its failure to report in a continuous manner its debt to Mr. Chiriaco. Attached are copies of the letters and proposed conciliation agreements being sent to Mr. Chiriaco and Ms. Cary Carlson, Treasurer of your Committee.

We believe that you as the candidate, should be made aware of these developments.

If you have any questions, please contact Marcie Cummings, the staff member assigned to this matter, at (202) 523-4175.

Sincerely,

William G. Oldaker
General Counsel

Enclosure

79040122867

89820104067

PS Form 3811, Apr 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
☐ Show to whom and date delivered c
☒ Show to whom, date, and address of delivery c
☐ RESTRICTED DELIVERY
 Show to whom and date delivered c
☐ RESTRICTED DELIVERY
 Show to whom, date, and address of delivery \$
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
 Ms. Margit Chiriaco-Baldwin
 Interstate 10
 Chiriaco Summit, CA. 92201

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	943884	

 (Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE ☐ Addressee ☐ Authorized agent
 Margit F. Chiriaco-Baldwin

DATE OF DELIVERY
 2-12-79

5. ADDRESS (Complete only if requested)
 Chiriaco Summit, CA

6. UNABLE TO DELIVER BECAUSE:
 CUMMINGS

CLERK'S INITIALS
 [Signature]

5010-107-0-249-502



FEDERAL ELECTION COMMISSION

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

February 5, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Joseph L. Chiriaco
Chiriaco Summit
California, 92201

Re: MUR 737(78)

Dear Mr. Chiriaco:

On January 31, 1979, the Commission determined there was reasonable cause to believe that you committed a violation of 2 U.S.C. §441a(a)(1)(A) of the Federal Election Campaign Act of 1971, as amended. Specifically, the Commission found reasonable cause to believe that your loan of \$20,500 to the Friends of Margit Chiriaco-Baldivid exceeded the contribution limitations set forth in §441a(a)(1)(A) by \$19,500.

Although you stated in your letter to the Commission dated December 7, 1978 that the funds from your personal account were transferred to your daughter's account, we note that the account page you provided was that of the campaign committee and it shows the funds being transferred to that account. Next, Commission regulations would consider loans such as yours campaign related and not the personal funds of the candidate, even though you stated they were intended to be personal. See §110.10(b) of the Commission's Regulations, 11 C.F.R. §110.10(b). A copy of the Act and the Regulations is enclosed for your information.

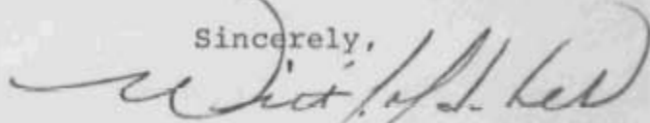
The Commission has a duty to attempt to correct such violations for a period of 30 days by informal methods of conference, conciliation and persuasion, and by entering into a conciliation agreement. 2 U.S.C. §437g(a)(5)(B). If we are unable to reach an agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit in United States District Court and seek payment of a civil penalty.

7904012869

We enclose a conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of the enclosed conciliation agreement, please sign and return it along with the civil penalty to the Commission within ten days. Please make the check payable to the United States Treasury. I will then recommend that the Commission approve the agreement.

If you have any questions or suggestions for changes in the enclosed conciliation agreement, please contact Marcie Cummings, staff member assigned to this matter, at 202-523-4175.

Sincerely,



William C. Oldaker
General Counsel

Enclosure

79040122870

Cummings *MUR-737*

PS Form 3811, Apr. 1977

1. SENDER. Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one):

- ☐ Show to whom and date delivered
- ☒ Show to whom, date, and address of delivery
- ☐ RESTRICTED DELIVERY Show to whom and date delivered
- ☐ RESTRICTED DELIVERY Show to whom, date, and address of delivery \$ (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Joseph L. Chiriac
Chiriac Summit
Ca. 92201

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	<i>943886</i>	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

[Signature]

6. DATE OF DELIVERY *2-10-79*

5. ADDRESS: Complete only if requested

Chiriac Summit

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☆GPO: 1977-0-349-586

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Joseph L. Chiriaco

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)
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MUR 737(78)

CONCILIATION AGREEMENT

This matter has been initiated on the basis of information ascertained in the normal course of the Commission's carrying out of its supervisory responsibilities, an investigation has been conducted, and the Commission has found reasonable cause to believe that respondent, Joseph L. Chiriaco violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution of \$19,500. to the Friends For Margit Chiriaco-Baldivid.

Therefore, the Federal Election Commission and respondent, Joseph L. Chiriaco, having duly entered into conciliation pursuant to 2 U.S.C. §437g(a)(5), do hereby agree as follows:

I. That the Federal Election Commission has jurisdiction over respondent and the subject of this proceeding.

II. That respondent has had a reasonable opportunity to demonstrate that no action should be taken against him in this matter.

III. That the pertinent facts in this matter are that:

A. Respondent withdrew \$20,500 from his personal account, as follows: \$5,000 on April 11, 1978; \$9,500 on May 1, 1978; and \$9,500 on May 8, 1978.

B. Respondent loaned these funds to the Friends for Margit Chiriaco-Baldivid, the principal campaign committee of congressional candidate Margit Chiriaco-Baldivid, for the 1978 primary election, as follows: \$5,000 on April 13, 1978;

79040122871

\$6,000 on May 1, 1978; and \$9,500 on May 8, 1978.

IV. That 2 U.S.C. §441a(a)(1)(A) prohibits contributions to any candidate or his or her authorized committee with respect to any federal election which in the aggregate exceed \$1,000.

V. That pursuant to 2 U.S.C. §431(e), contributions include loans.

WHEREFORE, Respondent Agrees:

VI. That his contribution to the Friends for Margit Chiriaco-Baldivid was in violation of 2 U.S.C. §441a(a)(1)(A).

VII. That he will pay a civil penalty in the amount of \$100 pursuant to 2 U.S.C. §437g(a)(6)(B).

VIII. That he agrees that he will not undertake any activity which is in violation of the Federal Election Campaign Act of 1971 as amended, 2 U.S.C. §431, et seq.

General Conditions

IX. The Commission, on the 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 civil action for relief in the United States District Court for the District of Columbia.

X. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

79040122872

XI. It is agreed that respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

79040122873

Date

William C. Oldaker
General Counsel
Federal Election Commission

Date

Joseph L. Chiriaco
Respondent

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Joseph L. Chiriaco)
Friends for Margit)
Chiriaco-Baldivid)

MUR 737 (78)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, certify that on January 31, 1979, the Commission determined by a vote of 4-1 to adopt the following recommendations contained in the General Counsel's Report dated January 20, 1979, in MUR 737 (78):

1. Find reason to believe that the Friends for Margit Chiriaco-Baldivid violated 2 U.S.C. §434(b)(12) by its failure to report in a continuous manner its debt to Mr. Joseph L. Chiriaco.
2. Find reasonable cause to believe that Mr. Joseph L. Chiriaco violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution to the Friends for Margit Chiriaco-Baldivid.
3. Find reasonable cause to believe that the Friends for Margit Chiriaco-Baldivid violated 2 U.S.C. §441a(f) by its knowing acceptance of an excessive contribution.
4. Send the letters and proposed conciliation agreements attached to the above-named report to the respondents and to the candidate.

Commissioners Aikens, McGarry, Springer, and Tiernan voted affirmatively for the above determinations; Commissioner Thomson dissented. Commissioner Harris was not present at the time of the vote.

Attest:

2/2/79

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

79040122874



FEDERAL ELECTION COMMISSION

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

MEMORANDUM TO: CHARLES STEELE
FROM: MAJRORIE W. EMMONS *mwe*
DATE: JANUARY 23, 1979
SUBJECT: OBJECTION - MUR 737 - General Counsel's
Report dated 1-20-79; Received
in OCS Friday, 1-19-79, 3:43

The above-named report was circulated on a 48
hour vote basis at 11:30, Monday, January 22, 1979.

Commissioner Thomson submitted an objection at
2:17, January 23, 1979, thereby placing MUR 737 on
the Executive Session Agenda for January 31, 1979.

cc: Commissioner Thomson

79040122875

January 19, 1979

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 737

Please have the attached General Counsel's Report
on MUR 737 distributed to the Commission on a 48 hour
tally basis.

Thank you.

79040122876

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Friends For Margit
Chiriaco-Baldivid

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MUR 737(78)

CONCILIATION AGREEMENT

79040122877
This matter has been initiated on the basis of information ascertained in the normal course of the Commission's carrying out of its supervisory responsibilities, an investigation has been conducted, and the Commission has found reasonable cause to believe that respondent, Friends For Margit Chiriaco-Baldivid (the "Committee") violated 2 U.S.C. §441a(f) by its knowing acceptance of an excessive contribution from Mr. Joseph L. Chiriaco.

Therefore, the Federal Election Commission and respondent, Friends For Margit Chiriaco-Baldivid, having duly entered into conciliation pursuant to 2 U.S.C. §437g(a)(5), do hereby agree as follows:

I. That the Federal Election Commission has jurisdiction over respondent and the subject of this proceeding.

II. That respondent has had a reasonable opportunity to demonstrate that no action should be taken against it in this matter.

III. That the pertinent facts in this matter are:

A. Respondent is the principal campaign committee for Margit Chiriaco-Baldivid, who was a candidate for the U.S. House of Representatives, in the 1978 primary election.

B. Cary Carlson is Treasurer of Respondent Committee and as such has been responsible for accepting contributions

and filing reports with the Federal Election Commission.

C. Respondent Committee knowingly accepted loans from Mr. Joseph Chiriaco as follows: \$5,000 on April 13, 1978; \$6,000 on May 1, 1978; and \$9,500 on May 8, 1978.

D. Respondent Committee has failed to report in a continuous manner its debt to Mr. Joseph Chiriaco and the extinguishment of the debt.

IV. That 2 U.S.C. §441a(a)(1)(A) prohibits contributions to any candidate or his or her authorized Committee with respect to any federal election which in the aggregate exceed \$1,000.

V. That 2 U.S.C. §441a(f) prohibits any political committee from knowingly accepting any contribution made in violation of 2 U.S.C. §441a(a)(1)(A).

VI. That pursuant to 2 U.S.C. §431(e), contributions include loans.

VII. That 2 U.S.C. §434(b)(12) requires that a committee report in a continuous manner its debts and obligations and the extinguishment of debts.

WHEREFORE, Respondent Agrees:

VIII. That its knowing acceptance of an excessive contribution from Mr. Joseph Chiriaco was in violation of 2 U.S.C. §441a(f).

IX. That pursuant to 2 U.S.C. §434(b)(12), it will amend its reports to reflect the circumstances and conditions under which the debt to Mr. Joseph Chiriaco was extinguished and the dates on which such extinguishments were made.

X. That it will pay a civil penalty in the amount of \$250 pursuant to 2 U.S.C. §437g(a)(6)(B).

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XI. That it agrees that it will not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §431, et. seq.

General Conditions

XII. The Commission, on the 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 civil action for relief in the United States District Court for the District of Columbia.

XIII. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

XIV. It is agreed that respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission

Date

William C. Oldaker
General Counsel
Federal Election Commission

Date

Cary P. Carlson
Treasurer
Friends For Margit
Chiriaco-Baldivid

79040122879

BEFORE THE FEDERAL ELECTION COMMISSION

79 JAN 19 P 3: 43

In the Matter of
Joseph L. Chiriaco;
Friends For Margit
Chiriaco-Baldivid

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)
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MUR 737 (78)

GENERAL COUNSEL'S REPORT

Background

On October 23, 1978, the Commission found reason to believe that Mr. Joseph L. Chiriaco violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution of \$19,500. to the Friends For Margit Chiriaco-Baldivid, (the "Committee") and that the Committee violated 2 U.S.C. §441a(f) by its knowing acceptance of an excessive contribution.

Ms. Chiriaco-Baldivid, the candidate, Mr. Joseph L. Chiriaco and Ms. Cary P. Carlson, Treasurer of the Committee, responded to the reason to believe notices by letters dated October 27, 1978, November 3, 1978 and November 6, 1978 respectively.

On December 7, 1978, Mr. Chiriaco sent to the Commission the materials originally requested by the office of the General Counsel. (Attachment I)

Evidence

Mr. Chiriaco and the Committee maintained accounts at the same bank. On April 11, 1978 Mr. Chiriaco withdrew \$5,000. from his savings account; on May 1, 1978, \$6,000; and on May 8, 1978 \$9,500. These amounts were subsequently deposited in the Committee's account on April 13, 1978, May 1, 1978 and May 8, 1978, respectively.

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The Committee spent the full amount of the \$20,500. loan. All the loans were designated for the Primary Election. 1/

While the Committee's reports list the loans as from Mr. Chiriaco to the Committee, Mr. Chiriaco stated that the transfers were first made to his daughter, the candidate, who deposited the funds in her account. Mr. Chiriaco provided a copy of the campaign account, however. He further stated that "... this was strictly a personal loan from father to daughter, and in no way was it intended to be a campaign contribution." Mr. Chiriaco did not submit any evidence of this intermediate transaction between himself and the candidate. 2/

Once the excessive contribution was noticed, the Treasurer contacted the Commission and the excessive amount was ultimately repaid. On November 11, 1978, the Treasurer wrote us, pointing out that on approximately May 22, 1978 she had contacted the Commission for advice. 3/ Committee reports show a loan repayment of \$400. to Joseph Chiriaco on June 26, 1978. Furthermore, a letter from the candidate dated July 6, 1978 and attached to the Committee's 30 day post primary report stated that \$19,500 was repaid.

1/ Candidate Chiriaco-Baldivid was defeated in the primary, receiving 7.3% of the vote.

2/ The treasurer and the candidate also referred to the loan as being to the candidate but provided no information on how such transactions occurred.

3/ Ms. Carlson stated: "On approximately May 22, while preparing the Pre-Election Report, I discovered that the personal loan from Mr. Chiriaco might be considered an excessive contribution. I called the FEC for advice on handling the matter and was told the amount of \$19,500. would have to repaid." This representation by Ms. Carlson is consistent with a May 23, 1978 entry in the Information Division's telephone log. (Attachment II)

Dicussion

Section 441a(a)(1)(A) of the Act prohibits contributions to any candidate or his or her authorized committee with respect to any federal election which in the aggregate exceed \$1,000. Section 431(e) includes "loan" as a contribution. Mr. Chiriaco's aggregate loans of \$20,500 to his daughter's committee for the primary election clearly exceeded the \$441a(a)(1)(A) limit.

790401228332
The attempt by the respondents to characterize the loans as personal to the candidate and not campaign related does not serve to remove the loans from the statutory limits. While respondents may be attempting to argue that when the funds were transferred to the Committee they were those of the candidate and not of Mr. Chiriaco, the funds do not meet the "personal funds" definition of §110.10(b) of the regulations. First, the opening of the Committee's account on April 13, 1978 was described by the treasurer as having been done with Mr. Chiriaco's \$5,000 loan to his daughter. Next, the balance of the loan, \$15,500, was made after Ms. Chiriaco-Baldivid had become a candidate. Finally, the loans were listed on Committee reports as from Mr. Chiriaco. The Committee violated §441a(f) by knowingly accepting the excessive contributions. However, the action of the treasurer in contacting the Commission on or about May 22, 1978 serves to mitigate the violation.

While the candidate advised the Clerk of the House on July 6, 1978 that the excessive amount was repaid and then wrote to the Commission to advise that she was the source of the repayment, this information has not fully satisfied the require-

ments of §434(b)(12). This section requires that the "... circumstances and conditions under which ..." loans are extinguished be set out. By failing to include this information on its reports, the Committee is in violation of §434(b)(12).

Considering all the circumstances of this matter we think conciliation agreements with penalties of \$500. for the contributor and \$250 for the Committee would be appropriate.

Recommendation:

1. Find reason to believe that the Friends For Margit Chiriaco-Baldivid violated 2 U.S.C. §434(b)(12) by its failure to report in a continuous manner its debt to Mr. Joseph L. Chiriaco.
2. Find reasonable cause to believe that Mr. Joseph L. Chiriaco violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution to the Friends For Margit Chiriaco-Baldivid.
3. Find reasonable cause to believe that the Friends For Margit Chiriaco-Baldivid violated 2 U.S.C. §441a(f) by its knowing acceptance of an excessive contribution.
4. Send attached letters and proposed Conciliation Agreements to Respondents and to candidate.

Date

1/20/79

William C. Oldaker
General Counsel

ATTACHMENTS:

1. Letter from Mr. Joseph L. Chiriaco
2. Log Entry
3. Letter from candidate
4. Schedule B of 30 day post-primary report
5. Report Analysis Telecon
6. Proposed letters and conciliation agreements

79040122883

Attachment I

PHONE CHIRIACO SUMMIT NO. 1 THROUGH SAN BERNARDINO TOLL CENTER

JOSEPH L. CHIRIACO, INC.

CHIRIACO SUMMIT
CALIFORNIA, 92201

FEDERAL ELECTION
COMMISSION

808331

December 7, 1978

8 DEC 11 PM 1 14

Ms. Marcie Cummings
Federal Election Commission
1325 K Street N. W.
Washington D. C. 21463

MUR 737

Dear Ms. Cummings:

Enclosing herewith photo copies of transfer slips from my bank showing the transfer of funds from my personal savings account to my daughter, Margit Chiriaco Baldivid's account. Also, the full copy of the bank account to which these funds were deposited by my daughter.

I am very sorry we have had to take so long in getting this information for you.

I hope this will conclude this matter and that you will be able to close your file on it. Either way I would deeply appreciate if you would let me know so I can put the matter aside also.

Please bear in mind that this was strictly a personal loan from father to daughter, and in no way was it intended to be a campaign contribution. Please let me know if you will need anything further.

Sincerely,

Joseph L. Chiriaco

JLC/bc

NAME

2 CARY P. CARLS
COTTONWOOD RANGER STATION
CHIRIACO SUMMIT, CA. 92201

FIRST NATIONAL BANK
IN COACHELLA, CALIF.

ADDRESS

ACCOUNT NO. _____

SHEET NO. 1

CHECKS				DEPOSITS	DATE	BALANCE
BALANCE BROUGHT FORWARD				5,000.00	APR13 78	5,000.00
R17	2,000.00-	2,500.00-			APR17 78	500.00
				180.00	APR20 78	680.00
PR27	460.33-	39.00-			APR27 78	180.67
PR20	18.71CC		3.29CC		APR20 78	150.67
				25.00		
				6,000.00	MAY 1 78	6,103.67
				22.00	MAY 4 78	6,205.67
AY 8	10.00-			9,500.00	MAY 8 78	15,695.67
MAY 10	45.00-				MAY10 78	15,650.67
AY11	3,500.00-	2,000.00-			MAY11 78	10,150.67
AY12	405.61-	1,100.00-			MAY12 78	8,645.00
				25.00	MAY15 78	8,670.06
AY22	2.50-	2,900.00-	4,500.00-	190.00	MAY22 78	1,457.56
				352.00	MAY22 78	1,809.56
AY24	15.00-				MAY24 78	1,794.56
AY25	500.00-	1,000.00-		468.20	MAY25 78	762.76
				75.00	MAY26 78	837.76
					MAY31 78	369.56
AY31	468.20DM			25.00	JUN 1 78	394.56
				25.00	JUN14 78	419.56
UN22	21.00-	59.40-			JUN22 78	339.10
UN26	400.57-	3.00-		119.41	JUN26 78	55.00
JUL10	55.00-				JUL10 78	.00

ACCOUNT NO. 5025
THE FIRST NATIONAL BANK
 IN COACHELLA

90-767

SAVINGS DEPARTMENT

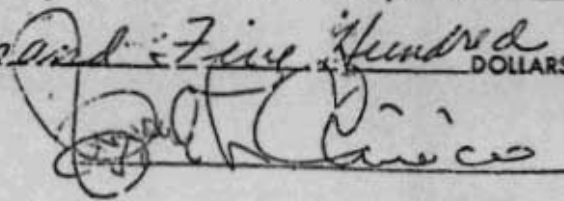
COACHELLA, CALIF., 5-8 1978

RECEIVED FROM

MY SAVINGS ACCOUNT.....

\$9,500⁰⁰Nine Thousand Five Hundred DOLLARS

New Bal. \$ _____



⑈0000950000⑈

ACCOUNT NO. 5025
THE FIRST NATIONAL BANK
 IN COACHELLA

90-767

SAVINGS DEPARTMENT

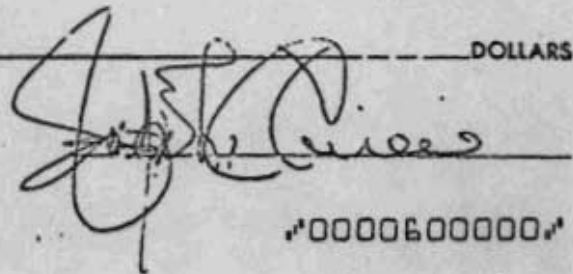
COACHELLA, CALIF., 5-1 1978

RECEIVED FROM

MY SAVINGS ACCOUNT.....

\$6,000.00

New Bal. \$ _____



⑈0000600000⑈

ACCOUNT NO. 5025
THE FIRST NATIONAL BANK
 IN COACHELLA

90-767

SAVINGS DEPARTMENT

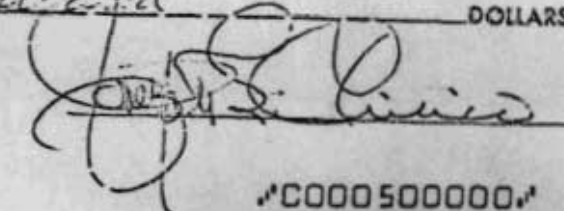
COACHELLA, CALIF., 4-11 1978

RECEIVED FROM

MY SAVINGS ACCOUNT.....

\$5,000⁰⁰Five Thousand DOLLARS

New Bal. \$ _____



⑈C000500000⑈

79040122886

A Contribution from a PAC to a
 candidate comm. which has 250
 of a 500 ^{earmarked} designated from specific
 individuals

Contribution - ^{individual} gives 1,000, may be/she
 also ~~give~~ have a function in their
 home. /es

Candidate has rec'd a contribution
 of 20,000.

Jim Lombert - MS - ~~Did~~ has
 misplaced forms, is aware of filing
 dates, I sent forms, Rush, 1st Class

Walter - Percelli H 77-7

Reporting a critical contribution
 that mentions a fed candidate as
 well as

7-6-78

RECEIVED
OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES

1978 JUL 13 AM 9:00

Attachment

Gentlemen:

Please be advised that the
sum of 19,500 loaned by
Joseph L. Chiriaco to
Margit Chiriaco Baldini
has been repaid - this is
in response to your letter
of June 5-1978 ID# 078531 -

Also please be advised she
is no longer a candidate -
And thank God - no more
forms.

Margit Chiriaco Baldini
Chiriaco Summit
CA 92201

79040122888
7901141301

SCHEDULE B

REVISED

January, 1978

Federal Election Commission

1325 K Street, N.W.

Washington, D.C. 20463

ITEMIZED EXPENDITURES

(Operating, Transfers Out, Contributions In-Kind,
Loans, Loan Repayments and Refunds Made)
Supporting Lines 20a, 21a, and 22a, 22b, and 22c
of FEC FORM 3

Page 2 of 3 forLine Number 20aand 21a(Use Separate Schedules for
each numbered line)*Attachment IV*

Name of Candidate or Committee in Full

Friends for Margt Chiriacs Bolivud

Full Name, Mailing Address and ZIP Code

Postmaster
333 E. Amado Rd.
Palm Springs, Ca. 92262

Particulars of Expenditure

stamps

Expenditure for:

☐ Primary ☐ General ☐ OtherDate (month,
day, year)*5/24/78**5/31/78*Amount of each expendi-
ture this period*12.54**180.15*

Full Name, Mailing Address and ZIP Code

TV Facts
addr

Particulars of Expenditure

Expenditure for:

☐ Primary ☐ General ☐ OtherDate (month,
day, year)*5/26/78*Amount of each expendi-
ture this period*106.00*

Full Name, Mailing Address and ZIP Code

Judie Horberg
1111 N. Palm Canyon Dr.
Palm Springs, Ca. 92262

Particulars of Expenditure

Salary + travel exp.

Expenditure for:

☐ Primary ☐ General ☐ OtherDate (month,
day, year)*5/26/78**6/2/78*Amount of each expendi-
ture this period*390.22**294.24**260.00*

Full Name, Mailing Address and ZIP Code

London Chester Associates
1111 N. Palm Canyon Dr.
Palm Springs, Ca. 92262

Particulars of Expenditure

radio production

Expenditure for:

☐ Primary ☐ General ☐ OtherDate (month,
day, year)*5/30/78*Amount of each expendi-
ture this period*182.50*

Full Name, Mailing Address and ZIP Code

Xerox Corp.
9350 Flair Dr.
El Monte, Ca. 91731

Particulars of Expenditure

Copies + rental

Expenditure for:

☐ Primary ☐ General ☐ OtherDate (month,
day, year)*5/31/78**5/22/78*Amount of each expendi-
ture this period*270.00**252.16*

Full Name, Mailing Address and ZIP Code

London Chester Associates
1111 N. Palm Canyon Dr.
Palm Springs, Ca. 92262

Particulars of Expenditure

office rent + telephone

Expenditure for:

☐ Primary ☐ General ☐ OtherDate (month,
day, year)*5/22/78**6/19/78**5/22/78*Amount of each expendi-
ture this period*238.00**250.00**237.36**1000.00*

Full Name, Mailing Address and ZIP Code

Joseph L. Chiriac
Chiriac Summit
Ca. 92201

Particulars of Expenditure

Loan repayment

Expenditure for:

☒ Primary ☐ General ☐ OtherDate (month,
day, year)*6/24/78*Amount of each expendi-
ture this period*400.00*

Full Name, Mailing Address and ZIP Code

Particulars of Expenditure

Date (month,
day, year)

3425

Cummings

RAD 8L-132

REPORTS ANALYSIS REFERRAL UPDATE

*ORIGIN: INFORMATION

RAD

DATE October 10, 1978

ANALYST Krouse RK

TO: ATTENTION: Marcy Cummings

TEAM CHIEF Kell Gfx

THROUGH: STAFF DIRECTOR AL for O.D.P.

COMPLIANCE REVIEW Bowen CB

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS JH Attachment II

MUR No. 737

DATE OF ORIGINAL REFERRAL 9-28-78

**PURPOSE: INFORMATION

Ms. Baldivid called in response to the RFAI of their 30P report in which they were asked for the source of the funds for the excess contribution refund to Joseph Chiaraco. She said that she was the source of the funds, and thought that was clear from the letter attached to the 30P report. She will send another letter to show that she was the source of the funds. She wanted to know if that will clear everything up "once and for all". She was told that according to Commission procedures, all contributions in excess of \$500 of the limit are referred to our Office of General Counsel for review.

OUTCOME: (if applicable)

*Commission unit which initiated original Referral (e.g. AUDIT/RAD/OCC).

**INFORMATION, or RESULTS OF RAD ACTION, as appropriate.

79040122890



FEDERAL ELECTION COMMISSION

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

Attachment II

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Margit Chiriaco-Baldivid
Interstate 10
Chiriaco Summit, CA 92201

Re: MUR 737

Dear Ms. Chiriaco-Baldivid:

On 1979, the Commission found reasonable cause to believe that Joseph L. Chiriaco violated 2 U.S.C. §441a(a)(1)(A) and the Friends of Margit Chiriaco-Baldivid violated 2 U.S.C. §441a(f) in connection with loans totalling \$20,500 from Mr. Chiriaco to your Committee. The Commission also found reason to believe that the Committee violated 2 U.S.C. §434(b)(12) by its failure to report in a continuous manner its debt to Mr. Chiriaco. Attached are copies of the letters and proposed conciliation agreements being sent to Mr. Chiriaco and Ms. Cary Carlson, Treasurer of your Committee.

We believe that you as the candidate, should be made aware of these developments.

If you have any questions, please contact Marcie Cummings, the staff member assigned to this matter, at (202) 523-4175.

Sincerely

William C. Oldaker
General Counsel

Enclosure



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Cary P. Carlson, Treasurer
Friends for Margit Chiriaco-Baldivid
Chiriaco Summit
California 92201

Re: MUR 737(78)

Dear Ms. Carlson:

On 1979, the Commission determined there was reasonable cause to believe that your Committee violated 2 U.S.C. §441a(f) of the Federal Election Campaign Act of 1971, as amended, in connection with its acceptance of loans totalling \$20,500 from Joseph Chiriaco. Section 441a(a)(1)(A) of the Act prohibits any person from making a contribution in excess of \$1,000 to any candidate or political committee, and §441a(f) prohibits the knowing acceptance of any such contribution.

The Commission has a duty to attempt to correct such violation for a period of 30 days by informal methods of conference, conciliation and persuasion, and by entering into a conciliation agreement. 2 U.S.C. §437g(a)(5)(B). If we are unable to reach an agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit in United States District Court and seek payment of a civil penalty.

We enclose a conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of the enclosed conciliation agreement, please sign and return it along with the civil penalty to the Commission within ten days. Please make the check payable to the United States Treasury. I will then recommend that the Commission approve the agreement.

The Commission also determined there was reason to believe your Committee violated 2 U.S.C. §434(b)(12) by its failure to report in a continuous manner its debt to Mr. Joseph Chiriaco.

While Mrs. Chiriaco-Baldivid attached a letter to the Committee's 30 day post primary report stating that \$19,500 of the loan had been repaid, this information was insufficient as it failed to indicate the specific date(s) and amount(s) of repayment on the form prescribed by the Commission. Enclosed are copies of the appropriate reporting forms.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you regarding this matter and you may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. The Commission is under a duty to investigate this matter expeditiously and your response should be submitted within 10 days after your receipt of this notification.

In view of the Commission's previous investigation of this entire matter, we have included information in the proposed conciliation agreement concerning the §434 (b)(12) issue.

If you have any questions or suggestion for changes in the enclosed conciliation agreement, please contact Marcie Cummings, staff member assigned to this matter, at 202-523-4175.

Sincerely,

William C. Oldaker
General Counsel

Enclosure

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Friends For Margit
Chiriaco-Baldivid

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MUR 737(78)

CONCILIATION AGREEMENT

This matter has been initiated on the basis of information ascertained in the normal course of the Commission's carrying out of its supervisory responsibilities, an investigation has been conducted, and the Commission has found reasonable cause to believe that respondent, Friends For Margit Chiriaco-Baldivid (the "Committee") violated 2 U.S.C. §441a(f) by its knowing acceptance of an excessive contribution from Mr. Joseph L. Chiriaco.

Therefore, the Federal Election Commission and respondent, Friends For Margit Chiriaco-Baldivid, having duly entered into conciliation pursuant to 2 U.S.C. §437g(a)(5), do hereby agree as follows:

I. That the Federal Election Commission has jurisdiction over respondent and the subject of this proceeding.

II. That respondent has had a reasonable opportunity to demonstrate that no action should be taken against it in this matter.

III. That the pertinent facts in this matter are:

A. Respondent is the principal campaign committee for Margit Chiriaco-Baldivid, who was a candidate for the U.S. House of Representatives, in the 1978 primary election.

B. Cary Carlson is Treasurer of Respondent Committee and as such has been responsible for accepting contributions

79040122894

and filing reports with the Federal Election Commission.

C. Respondent Committee knowingly accepted loans from Mr. Joseph Chiriaco as follows: \$5,000 on April 13, 1978; \$6,000 on May 1, 1978; and \$9,500 on May 8, 1978.

D. Respondent Committee has failed to report in a continuous manner its debt to Mr. Joseph Chiriaco and the extinguishment of the debt.

IV. That 2 U.S.C. §441a(a)(1)(A) prohibits contributions to any candidate or his or her authorized Committee with respect to any federal election which in the aggregate exceed \$1,000.

V. That 2 U.S.C. §441a(f) prohibits any political committee from knowingly accepting any contribution made in violation of 2 U.S.C. §441a(a)(1)(A).

VI. That pursuant to 2 U.S.C. §431(e), contributions include loans.

VII. That 2 U.S.C. §434(b)(12) requires that a committee report in a continuous manner its debts and obligations and the extinguishment of debts.

WHEREFORE, Respondent Agrees:

VIII. That its knowing acceptance of an excessive contribution from Mr. Joseph Chiriaco was in violation of 2 U.S.C. §441a(f).

IX. That pursuant to 2 U.S.C. §434(b)(12), it will amend its reports to reflect the circumstances and conditions under which the debt to Mr. Joseph Chiriaco was extinguished and the dates on which such extinguishments were made.

X. That it will pay a civil penalty in the amount of \$250 pursuant to 2 U.S.C. §437g(a)(6)(B).

XI. That it agrees that it will not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §431, et. seq.

General Conditions

XII. The Commission, on the 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 civil action for relief in the United States District Court for the District of Columbia.

XIII. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

XIV. It is agreed that respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission

Date

William C. Oldaker
General Counsel
Federal Election Commission

Date

Cary P. Carlson
Treasurer
Friends For Margit
Chiriaco-Baldivid

79040122896



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Joseph L. Chiriaco
Chiriaco Summit
California, 92201

Re: MUR 737(78)

Dear Mr. Chiriaco:

On 1979, the Commission determined there was reasonable cause to believe that you committed a violation of 2 U.S.C. §441a(a)(1)(A) of the Federal Election Campaign Act of 1971, as amended. Specifically, the Commission found reasonable cause to believe that your loan of \$20,500 to the Friends of Margit Chiriaco-Baldivid exceeded the contribution limitations set forth in §441a(a)(1)(A) by \$19,500.

Although you stated in your letter to the Commission dated December 7, 1978 that the funds from your personal account were transferred to your daughter's account, we note that the account page you provided was that of the campaign committee and it shows the funds being transferred to that account. Next, Commission regulations would consider loans such as yours campaign related and not the personal funds of the candidate, even though you stated they were intended to be personal. See §110.10(b) of the Commission's Regulations, 11 C.F.R. §110.10(b). A copy of the Act and the Regulations is enclosed for your information.

The Commission has a duty to attempt to correct such violations for a period of 30 days by informal methods of conference, conciliation and persuasion, and by entering into a conciliation agreement. 2 U.S.C. §437g(a)(5)(B). If we are unable to reach an agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit in United States District Court and seek payment of a civil penalty.

We enclose a conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of the enclosed conciliation agreement, please sign and return it along with the civil penalty to the Commission within ten days. Please make the check payable to the United States Treasury. I will then recommend that the Commission approve the agreement.

If you have any questions or suggestions for changes in the enclosed conciliation agreement, please contact Marcie Cummings, staff member assigned to this matter, at 202-523-4175.

Sincerely,

William C. Oldaker
General Counsel

Enclosure

7904012398

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Joseph L. Chiriaco

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)
)

MUR 737(78)

CONCILIATION AGREEMENT

This matter has been initiated on the basis of information ascertained in the normal course of the Commission's carrying out of its supervisory responsibilities, an investigation has been conducted, and the Commission has found reasonable cause to believe that respondent, Joseph L. Chiriaco violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution of \$19,500. to the Friends For Margit Chiriaco-Baldivid.

Therefore, the Federal Election Commission and respondent, Joseph L. Chiriaco, having duly entered into conciliation pursuant to 2 U.S.C. §437g(a)(5), do hereby agree as follows:

I. That the Federal Election Commission has jurisdiction over respondent and the subject of this proceeding.

II. That respondent has had a reasonable opportunity to demonstrate that no action should be taken against him in this matter.

III. That the pertinent facts in this matter are that:

A. Respondent withdrew \$20,500 from his personal account, as follows: \$5,000 on April 11, 1978; \$9,500 on May 1, 1978; and \$9,500 on May 8, 1978.

B. Respondent loaned these funds to the Friends for Margit Chiriaco-Baldivid, the principal campaign committee of congressional candidate Margit Chiriaco-Baldivid, for the 1978 primary election, as follows: \$5,000 on April 13, 1978;

\$6,000 on May 1, 1978; and \$9,500 on May 8, 1978.

IV. That 2 U.S.C. §441a(a)(1)(A) prohibits contributions to any candidate or his or her authorized committee with respect to any federal election which in the aggregate exceed \$1,000.

V. That pursuant to 2 U.S.C. §431(e), contributions include loans.

WHEREFORE, Respondent Agrees:

VI. That his contribution to the Friends for Margit Chiriaco-Baldivid was in violation of 2 U.S.C. §441a(a)(1)(A).

VII. That he will pay a civil penalty in the amount of \$500 pursuant to 2 U.S.C. §437g(a)(6)(B).

VIII. That he agrees that he will not undertake any activity which is in violation of the Federal Election Campaign Act of 1971 as amended, 2 U.S.C. §431, et seq.

General Conditions

IX. The Commission, on the 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 civil action for relief in the United States District Court for the District of Columbia.

X. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

79040122900

XI. It is agreed that respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

79040122901

Date

William C. Oldaker
General Counsel
Federal Election Commission

Date

Joseph L. Chiriaco
Respondent

JOSEPH L. CHIRIACO, INC.

CHIRIACO SUMMIT
CALIFORNIA 92201

FEDERAL ELECTION
COMMISSION

808331

December 7, 1978

8 DEC 11 PM 1 14

Ms. Marcie Cummings
Federal Election Commission
1325 K Street N. W.
Washington D. C. 21463

MUR 737

Dear Ms. Cummings:

Enclosing herewith photo copies of transfer slips from my bank showing the transfer of funds from my personal savings account to my daughter, Margit Chiriaco Baldivid's account. Also, the full copy of the bank account to which these funds were deposited by my daughter.

I am very sorry we have had to take so long in getting this information for you.

I hope this will conclude this matter and that you will be able to close your file on it. Either way I would deeply appreciate if you would let me know so I can put the matter aside also.

Please bear in mind that this was strictly a personal loan from father to daughter, and in no way was it intended to be a campaign contribution. Please let me know if you will need anything further.

Sincerely,

Joseph L. Chiriaco

JLC/bc

79040122902

3004
5807

NAME

2 CARY P. CARLSON
COTTONWOOD RANGER STATION
CHIRIACO SUMMIT, CA. 92201

FIRST NATIONAL BANK

IN COACHELLA, CALIF.

ADDRESS

ACCOUNT NO.

SHEET NO. 1

C H E C K S				DEPOSITS	DATE	BALANCE
BALANCE BROUGHT FORWARD				5,000.00	APR13 78	5,000.00*
APR17	2,000.00-	2,500.00-			APR17 78	500.00*
				180.00	APR20 78	680.00*
APR27	460.33-	39.00-			APR27 78	180.67*
APR28	18.71CC		3.29CC		APR28 78	150.67*
				25.00		
				6,000.00	MAY 1 78	6,103.67*
				22.00	MAY 4 78	6,205.67*
MAY 8	10.00-			9,500.00	MAY 8 78	15,695.67*
MAY 10	45.00-				MAY10 78	15,650.67*
MAY11	3,500.00-	2,000.00-			MAY11 78	10,150.67*
MAY12	405.61-	1,100.00-			MAY12 78	8,645.00*
				25.00	MAY15 78	8,670.06*
MAY22	2.50-	2,900.00-	4,500.00-	190.00	MAY22 78	1,457.56*
				352.00	MAY22 78	1,809.56*
MAY24	15.00-				MAY24 78	1,794.56*
MAY25	500.00-	1,000.00-		468.20	MAY25 78	762.76*
				75.00	MAY26 78	837.76*
					MAY31 78	369.56*
MAY31	468.20DM			25.00	JUN 1 78	394.56*
				25.00	JUN14 78	419.56*
JUN22	21.00-	59.40-			JUN22 78	339.16*
JUN26	400.57-	3.00-		119.41	JUN26 78	55.00*
JUL10	55.00-				JUL10 78	.00*

ACCOUNT NO. 5025**THE FIRST NATIONAL BANK**
IN COACHELLA

90-767

SAVINGS DEPARTMENT

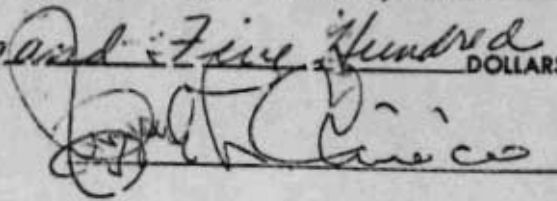
COACHELLA, CALIF., 5-8 1978

RECEIVED FROM

MY SAVINGS ACCOUNT.....

\$9,500⁰⁰Nine Thousand Five Hundred DOLLARS

New Bal. \$ _____



⑈0000950000⑈

ACCOUNT NO. 5025**THE FIRST NATIONAL BANK**
IN COACHELLA

90-767

SAVINGS DEPARTMENT

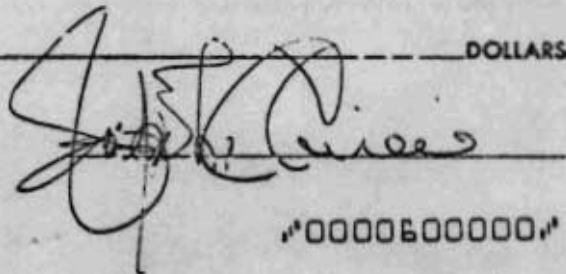
COACHELLA, CALIF., 5-1 1978

RECEIVED FROM

MY SAVINGS ACCOUNT.....

\$6,000.00

New Bal. \$ _____



⑈0000600000⑈

ACCOUNT NO. 5025**THE FIRST NATIONAL BANK**
IN COACHELLA

90-767

SAVINGS DEPARTMENT

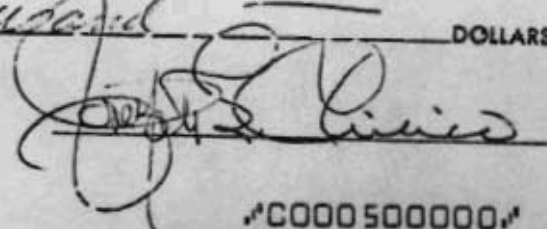
COACHELLA, CALIF., 4-11 1978

RECEIVED FROM

MY SAVINGS ACCOUNT.....

\$5,000⁰⁰Five Thousand DOLLARS

New Bal. \$ _____



⑈C000500000⑈

79040122901

Joseph L. Chiriaco, Inc.

CHIRIACO SUMMIT, CALIFORNIA 92201

SPECIAL DELIVERY



'78 DEC 11 PM 1:14

Ms. Marcie Cummings
Federal Election Commission
1325 K Street N. W.
Washington D. C. 21463





FEDERAL ELECTION COMMISSION

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

MEMORANDUM TO

CHARLES STEELE

FROM:

MARJORIE W. EMMONS

DATE:

DECEMBER 6, 1978

SUBJECT:

MUR 737 (78) - Interim Investigative
Report dated 11-30-78;
Signed: 12-4-78; Received
in OCS 12-4-78, 4:15

mwe

The above-named document was circulated on a 24
hour no-objection basis at 12:00, December 5, 1978.

The Commission Secretary's Office has received
no objections to the Interim Investigative Report as
of 1:00 this date.

79040122906

December 4, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 737

Please have the attached Interim Invest Report on
MUR 737 distributed to the Commission.

Thank you.

79040122907

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION
November 30, 1978

78 DEC 4 P 4: 15

In the Matter of)
)
Mr. Joseph L. Chiriaco) MUR 737(78)
Friends of Margit)
Chiriaco Baldivid)

INTERIM INVESTIGATIVE REPORT

On October 23, 1978, the Commission found reason to believe that Mr. Joseph L. Chiriaco violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution to the Friends of Margit Chiriaco Baldivid, (the "Committee") and that the Committee violated 2 U.S.C. §441a(f) by its knowing acceptance of an excessive contribution.

Ms. Chiriaco Baldivid, Mr. Joseph L. Chiriaco and Ms. Cary P. Carlson responded to the reason to believe notices by letters dated October 27, 1978, November 3, 1978 and November 6, 1978 respectively. (Attachment I)

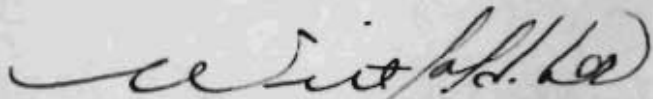
Joseph Chiriaco's response was inadequate and staff members attempted to contact him by phone. On November 28, 1978 his son, Mr. Robert Chiriaco, was reached and he stated that the materials originally requested by the Office of the General Counsel would be submitted as soon as Mr. Joseph Chiriaco returned from a trip, by the week of December 4th.

According to Mr. Robert Chiriaco a letter to this effect was sent to the Commission on November 18, 1978; however we have no record of such a letter.

79040122908

Unless Mr. Joseph L. Chiriaco submits the required materials in a timely fashion, we will recommend that the Commission issue an Order with Questions to Mr. Chiriaco.

12/4/18
Date



William C. Oldaker
General Counsel

ATTACHMENTS

Letters from Respondents

79040122909

737

5426

RECEIVED
FEDERAL ELECTION COMMISSION
OCTOBER 27, 1973

OCT 31 PM 12:25

Attachment 1

807539

Marcie Cummings
Federal Election Commission
1325 K Street N.W.
Washington D.C. 20462

Per our telephone conversation October 27, 1973, I wish to submit an answer to your letter dated October 24, 1973.

The money in question (that is: the money from Joseph L. Chiriac) was paid back in personal effects, such as: jewelry, antiques, paintings; I do not have a cancelled check for these items. Surely, you must have better things to do with your time, then attempt a loan--why don't you check into some of the real biggies that are running? This is all I can tell you, I have sought your advice in the past and followed it, only to lead to this. Today, I believe, when I spoke with Ms. Cummings, that we were on the same wave length--I certainly hope so..

Sincerely,

Margit Chiriac Baldivia
Margit Chiriac Baldivia
Chiriac Summit, California 92201

79040122910

24178

Chiriaco

COURIER CITIZEN CO.

TO WRITE MESSAGE

WRITE MESSAGE IN UPPER HALF. REMOVE CANARY COPY (PART 2) FOR YOUR FILE. PLACE REST OF SET IN OUTGOING MAIL. PART 3 WILL BE RETURNED WITH REPLY.

REPLY LETTER

TO SEND REPLY

WRITE REPLY IN BOTTOM HALF. DESTROY CARBON. RETAIN WHITE COPY FOR YOUR FILE. PLACE PINK COPY (PART 3) IN OUTGOING MAIL.

Joseph L. Chiriaco, Inc. Chevron Dealer
Chiriaco Summit Number One, Chiriaco Summit, CA 92201

GCC# 5534

807705

TO Mr. William C. Oldaker, General Counsel
FROM Federal Election Commission
1325 K Street N.W.
Washington, D. C. 20463

SUBJECT DATE 11/3/78

MESSAGE

I have received your letter dated October 24, 1978, RE: MUR 737.
I spoke to my daughter (Margit Chiriaco Baldivid) about this matter and she informed me she had called and talked to you or someone in your office and that according to her everything was o.k.

However if you need anything further from me, please let me know exactly what you want I will be glad to get it together and mail it at once.

Joseph L. Chiriaco

SIGNED Joseph L. Chiriaco

REPLY

SIGNED

DATE

807728

300*

5552

Chiriaco Summit

NOV 13 9 24 AM '78

November 6, 1978

Mr. William C. Oldaker
Federal Election Commission
1325 K Street N. W.
Washington, D. C. 20463

Dear Mr. Oldaker:

This is in reply to your letter of October 24, 1978 regarding MUR 737. I only received your letter on November 3 because it was sent to the wrong address.

I served as treasurer for the committee 'Friends for Margit Chiriaco Baldivid' for the California primary election on June 6. My duties included handling the committee bank account and filing FEC reports. On April 13 an account was opened with a \$5000. loan that Mr. Joseph L. Chiriaco had made to his daughter, the candidate. During the next four weeks he loaned her an additional \$15,500.

An agreement was negotiated (signed April 17, 1978) between candidate Baldivid and London-Chester Associates to handle her entire campaign for the sum of \$20,000. During April and May I wrote nine checks to London-Chester Associates, totalling \$20,000.

On approximately May 22, while preparing the Pre-Election Report, I discovered that the personal loan from Mr. Chiriaco might be considered an excessive contribution. I called the FEC for advice on handling the matter and was told the amount of \$19,500. would have to be repaid. I also received a letter on June 26 from Edmund Henshaw, Clerk, U. S. House of Representatives, regarding the \$1000. contribution limitation. I responded to this on June 27 and also notified Mr. Chiriaco.

I have acted in good faith in this matter. When I knew the loan was in excess of that allowed I immediately sought to rectify the problem. I feel no action should be taken against me because of the transaction between Margit Chiriaco Baldivid and Joseph L. Chiriaco.

Yours truly,

Cary P. Carlson
Cary P. Carlson

79040122912

7 0 0 4 0 1 2 2 9 1 3

COURIER CITIZEN CO.

TO WRITE MESSAGE

WRITE MESSAGE IN UPPER HALF. REMOVE CARBON COPY
(PART 2) FOR YOUR FILE. PLACE REST OF SET IN
OUTGOING MAIL. PART 3 WILL BE RETURNED WITH REPLY.

REPLY LETTERTO SEND REPLY

WRITE REPLY IN BOTTOM HALF. DESTROY CARBON.
RETAIN WHITE COPY FOR YOUR FILE. PLACE PINK COPY
(PART 3) IN OUTGOING MAIL.

Joseph L. Chiriaco, Inc. Chevron Dealer
Chiriaco Summit Number One, Chiriaco Summit, CA 92201

737

ACC# 5776

TO Ms Marcie Cummings
FROM Federal Election Commission
1325 K Street N. W.
Washington D. C. 21463
SUBJECT
MESSAGE

000226

DATE 11/17/78

Per our telephone conversation the other day, I am unable to find
the necessary papers to send to you regarding the loans to Margit
Chiriaco Baldivid.

As I explained to you on the phone, Mr. and Mrs. Chiriaco are on
vacation, and I guess it will be after Thanksgiving holiday before
they will be back and we can give you the information you have
requested. I will be sure to bring this matter to my dad's attention
as soon as he returns. I am sorry I can not be of more help, I know
you, and my dad would like to clear this up as soon as possible.

SIGNED

J. Robert Chiriaco
J. Robert Chiriaco

REPLY

SIGNED

DATE

807728

300
5552RECEIVED
FEDERAL ELECTION
COMMISSION

Chiriaco Summit

California 92011: 11

November 6, 1978

Mr. William C. Oldaker
Federal Election Commission
1325 K Street N. W.
Washington, D. C. 20463

Dear Mr. Oldaker:

This is in reply to your letter of October 24, 1978 regarding MUR 737. I only received your letter on November 3 because it was sent to the wrong address.

I served as treasurer for the committee 'Friends for Margit Chiriaco Baldivid' for the California primary election on June 6. My duties included handling the committee bank account and filing FEC reports. On April 13 an account was opened with a \$5000. loan that Mr. Joseph L. Chiriaco had made to his daughter, the candidate. During the next four weeks he loaned her an additional \$15,500.

An agreement was negotiated (signed April 17, 1978) between candidate Baldivid and London-Chester Associates to handle her entire campaign for the sum of \$20,000. During April and May I wrote nine checks to London-Chester Associates, totalling \$20,000.

On approximately May 22, while preparing the Pre-Election Report, I discovered that the personal loan from Mr. Chiriaco might be considered an excessive contribution. I called the FEC for advice on handling the matter and was told the amount of \$19,500. would have to be repaid. I also received a letter on June 26 from Edmund Henshaw, Clerk, U. S. House of Representatives, regarding the \$1000. contribution limitation. I responded to this on June 27 and also notified Mr. Chiriaco.

I have acted in good faith in this matter. When I knew the loan was in excess of that allowed I immediately sought to rectify the problem. I feel no action should be taken against me because of the transaction between Margit Chiriaco Baldivid and Joseph L. Chiriaco.

Yours truly,

Cary P. Carlson
Cary P. Carlson

79040122915

79040122916
Mary P. Carlson
Miriacco Summit
D.C. 92201

RECEIVED
FEDERAL ELECTION
COMMISSION



Photography USA 15c

70 NOV 13 AM 11

Mr. William C. Oldaker
Federal Election Commission
1325 K Street N. W.
Washington, D. C. 20463

79040122917

TO WRITE MESSAGE

WRITE MESSAGE IN UPPER HALF. REMOVE COPY (PART 2) FOR YOUR FILE. PLACE REST OF SET IN OUTGOING MAIL. PART 3 WILL BE RETURNED WITH REPLY.

REPLY LETTERTO SEND REPLY

WRITE REPLY IN BOTTOM HALF. DESTROY CARBON. RETAIN WHITE COPY FOR YOUR FILE. PLACE PINK COPY (PART 3) IN OUTGOING MAIL.

Joseph L. Chiriaco, Inc. Chevron Dealer

Chiriaco Summit Number One, Chiriaco Summit, CA 92201

GC04# 5534

807703

TO Mr. William C. Oldaker, General Counsel

FROM Federal Election Commission
1325 K Street N.W.

Washington, D. C. 20463

SUBJECT DATE 11/3/78

MESSAGE

I have received your letter dated October 24, 1978, RE: MUR 737.
I spoke to my daughter (Margit Chiriaco Baldivia) about this matter and she informed me she had called and talked to you or someone in your office and that according to her everything was O.K.

However if you need anything further from me, please let me know exactly what you want I will be glad to get it together and mail it at once.

Joseph L. Chiriaco

SIGNED Joseph L. Chiriaco

REPLY

SIGNED

DATE

JOSEPH L. CHIRIACO, INC.

CHIRIACO SUMMIT
CALIFORNIA 92201



Mr. William C. Oldaker, General Counsel
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

18 NOV 9 P12:16

1 2 3 4 5 6 7 8 9 10 11 12

737
5426

RECEIVED
FEDERAL ELECTION
COMMISSION
OCTOBER 27, 1978

'78 OCT 31 PM 12:25

Marcie Cummings
Federal Election Commission
1325 K Street N.W.
Washington D.C. 21463

807539

Per our telephone conversation October 27, 1978, I wish to submit an answer to your letter dated October 24, 1978.

The money in question (that is: the money from Joseph L. Chiriaco) was paid back in personal effects, such as: jewelry, antiques, paintings; I do not have a cancelled check for these items. Surely, you must have better things to do with your time, then nitpick a loser--why don't you check into some of the real biggies that are running? This is all I can tell you, I have sought your advice in the past and followed it, only to lead to this. Today, I beleive, when I spoke with Ms. Cummings, that we were on the same wave length--I certainly hope so..

Sincerely,

Margit Chiriaco Baldivid
Margit Chiriaco Baldivid
Chiriaco Summit, California 92201

79040122919

79040123920
Margit Chiriaco Caldivid
Chiriaco Summit, California 92201



RECEIVED
FEDERAL ELECTION
COMMISSION



'78 OCT 31 PM 12:25

Marcie Cummings
Federal Election Commission
1325 K Street N.W.
Washington D.C. 20463



FEDERAL ELECTION COMMISSION

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

October 24, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Margit Chiriaco-Baldivid
Interstate 10
Chiriaco Summit, CA 92201

Re: MUR 737

Dear Ms. Chiriaco Baldivid:

Enclosed is a copy of a letter sent to Cary P. Carlson, Treasurer of Friends of Margit Chiriaco-Baldivid, informing him that the Commission has found reason to believe that the Committee is in violation of 2 U.S.C. §441a(f) for accepting excessive contributions from Mr. Joseph L. Chiriaco. Since you had advised a Commission staff member that you were the source of the refund of the excess contribution, we ask that you submit to the Commission copies of both sides of the cancelled checks by which this refund was made. Please submit this information within ten days of your receipt of this letter.

You should be aware of the fact that, under the Act, it is the Committee treasurer's responsibility for filing reports and accepting contributions. Nevertheless, we believe you, as the candidate, should be made aware of these developments.

Should you wish to obtain any additional information, please contact Marcie Cummings, the staff member assigned to this matter, at 202-523-4175.

Sincerely,

William C. Oldaker
General Counsel

Enclosure

79401326222

MUR-737 Cummings

PS Form 3811, Apr. 1977 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one):
☐ Show to whom and date delivered. *C*
☒ Show to whom, date, and address of delivery. *C*
☐ RESTRICTED DELIVERY
Show to whom and date delivered. *C*
☐ RESTRICTED DELIVERY
Show to whom, date, and address of delivery & _____
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Margit Chiriaco-Baldivid
Interstate 18
Chiriaco Summit, CA 92211

3. ARTICLE DESCRIPTION:
REGISTERED NO. _____ CERTIFIED NO. *943751* INSURED NO. _____
(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent

4. DATE OF DELIVERY *10-27-78*

5. ADDRESS (Complete only if requested):
Chiriaco Summit, CA

6. UNABLE TO DELIVER BECAUSE: _____

CLERK'S INITIALS *PL*

U.S. POST OFFICE 750-240-500



FEDERAL ELECTION COMMISSION

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

October 24, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Joseph L. Chiriaco
Chiriaco Summit
California 92201

Re: MUR 737

Dear Mr. Chiriaco:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found reason to believe that you may have violated certain provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically it appears that your three loans totalling \$20,500 to the Friends of Margit Chiriaco-Baldivid were in violation of 2 U.S.C. §441a(a)(1)(A), since they exceeded the contribution limitations set forth in this section by \$19,500. A copy of the Committee's report showing these loans is attached for your information. We have numbered this matter MUR 737.

While we have been informed that the excessive contribution has been returned to you, the Act was violated when the excessive contribution was made. Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Additionally, please state your relationship to Ms. Margit Chiriaco-Baldivid, her position, if any, with the Chiriaco Summit Company, and the date(s) on which the \$19,500 was refunded to you. Also, please provide copies of both sides of the checks with which you made the loans. Where appropriate, statements should be submitted under oath.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification.

79040122923

If you have any questions, please contact Marcie Cummings, the staff member assigned to this matter at 202-523-4175.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public.

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker
William C. Oldaker
General Counsel

79040122924

737 Sentences

PS Form 3811, Apr 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
☐ Show to whom and date delivered.
☒ Show to whom, date, and address of delivery.
☐ RESTRICTED DELIVERY
Show to whom and date delivered.
☐ RESTRICTED DELIVERY
Show to whom, date, and address of delivery. \$
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Joseph L. Chiriaco

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
913752
(Always obtain signature of addressee or agent)
I have received the article described above.
SIGNATURE: [Signature] ☐ Addressee ☐ Authorized agent

4. DATE OF DELIVERY
10-27-78
Chiriaco Summit Co

5. ADDRESS (Complete only if requested)
42201

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☆GPO: 1977-0-249-525

ITEMIZED RECEIPTS

(Contributions, Transfers, Contribution In-Kind,
Other Income, Loans, Refunds)

Supporting Lines 14a, 15a, 15b, 15c, 16a, 17a, and/or 18a
of REC FORM 3

Page 1 of 1 for

Line Number 170

(Use Separate Schedules for
each numbered line)

Name of Candidate or Committee in Full

Friends for Marg, 1 Chiriacco Polivida

Full Name, Mailing Address and ZIP Code

Joseph L. Chiriacco
Chiriacco Summit
Co. 92201

Principal Place of Business

Chiriacco Summit Co

Date (month,

4/14/78

Amount of each Receipt
this Period

5000.00

Occupation

Employer - independent

1/2/78

1/1/78

6000.00

9500.00

Receipt for

☒ Primary ☐ General ☐ Other

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,
day, year)

Amount of each Receipt
this Period

Receipt for

☐ Primary ☐ General ☐ Other

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,
day, year)

Amount of each Receipt
this Period

Receipt for

☐ Primary ☐ General ☐ Other

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,
day, year)

Amount of each Receipt
this Period

Receipt for

☐ Primary ☐ General ☐ Other

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,
day, year)

Amount of each Receipt
this Period

Receipt for

☐ Primary ☐ General ☐ Other

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,
day, year)

Amount of each Receipt
this Period

Receipt for

☐ Primary ☐ General ☐ Other

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,
day, year)

Amount of each Receipt
this Period

Receipt for

☐ Primary ☐ General ☐ Other

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,
day, year)

Amount of each Receipt
this Period

SUBTOTAL of receipts this page (optional)

\$

TOTAL this period (list page this line number only)

\$



FEDERAL ELECTION COMMISSION

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

October 24, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Cary P. Carlson, Treasurer
Friends of Margit Chiriaco-Baldivid
1111 N. Palm Canyon Drive
Palm Springs, CA 92262

Re: MUR 737

Dear Mr. Carlson:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found reason to believe that your Committee may have violated certain provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically it appears that your Committee violated 2 U.S.C. §441a(f) by its knowing acceptance of excessive contributions from Mr. Joseph L. Chiriaco. We have numbered this matter MUR 737.

While we have been informed that the excessive contribution has been returned to Mr. Chiriaco, the Act was violated when the excessive contribution was accepted. Under the Act you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

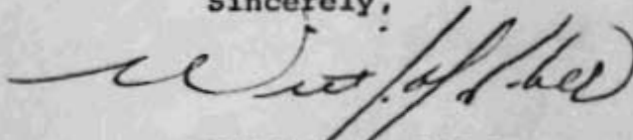
The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification.

If you have any questions, please contact Marcie Cummings, the staff member assigned to this matter at 202-523-4175.

This matter will remain confidential in accordance with 2 U.S.C. Section 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public.

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,



William C. Oldaker
General Counsel

79040122927

MUR-737 Cummings

PS Form 3811 Rev 1977

1. SENDER Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
☐ Show to whom and date delivered c
☒ Show to whom, date, and address of delivery c
☒ RESTRICTED DELIVERY
Show to whom and date delivered c
☐ RESTRICTED DELIVERY
Show to whom, date, and address of delivery c
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Cary P. Carlson
1111 N. Palm Canyon Drive
Palm Springs, CA 92262

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
943750

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☒ Addressee ☐ Authorized agent
[Signature]

DATE OF DELIVERY *NOV 1 1978*

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS *[Initials]*

☆GPO: 1977-0-249-595

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SPRINGS, CA POSTMARK NOV 1 8/18 PALM

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Joseph L. Chiriaco) MUR 737
Friends of Margit Chiriaco-Baldivid)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on October 23, 1978, the Commission determined by a vote of 5-0 to adopt the following recommendations, as set forth in the First General Counsel's Report dated October 19, 1978, regarding the above-captioned matter:

1. Find reason to believe that Mr. Joseph L. Chiriaco violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution to the Friends of Margit Chiriaco-Baldivid.
2. Find reason to believe that the Friends of Margit Chiriaco-Baldivid violated 2 U.S.C. §441a(f) by its knowing acceptance of an excessive contribution.
3. Send the letters, attached to the above-named report, to the respondents and to candidate Chiriaco-Baldivid.

Voting for this determination were Commissioners Harris, Springer, Tiernan, Staebler and Thomson.

Attest:

10/23/78
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

Received in Office of Commission Secretary: 10-19-78, 12:09
Circulated on 48 hour vote basis: 10-19-78, 3:30

pc

79040122928

October 19, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 737

Please have the attached First General Counsel's
Report on MUR 737 distributed to the Commission on a
48 hour tally basis.

Thank you.

79040122929

FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO COMMISSION OCT 19 1978MUR NO. 78-OCT 19 P12: 09
STAFF MEMBER(S) Cummings

SOURCE OF MUR: INTERNALLY GENERATED

RESPONDENT'S NAME: Joseph L. Chiriaco
Friends of Margit Chiriaco-Baldivid

RELEVANT STATUTE: 2 U.S.C. §441a

INTERNAL REPORTS CHECKED: Reports of Receipts and Expenditures

FEDERAL AGENCIES CHECKED: None

GENERATION OF MATTER

This matter was referred to the Office of the General Counsel on September 28, 1978 from the Reports Analysis Division after a records review indicated that Joseph L. Chiriaco contributed \$20,500 to the Friends of Margit Chiriaco-Baldivid ("the Committee") in violation of 2 U.S.C. §441a. (Attachment I)

EVIDENCE

Mr. Joseph L. Chiriaco loaned the Committee \$5,000 on April 14, 1978, \$6,000 on May 2, 1978 and \$9,500 on May 9, 1978. All the loans were designated for the primary election.^{1/} (Attachment II) A surface violation transmittal was prepared on July 5, 1978. The Committee, however, attached a letter to their thirty day post-primary report, which was received by the Commission on July 13, 1978, explaining that the excess contribution of \$19,500 had been refunded. The letter, which was signed by the candidate, stated that the refund was made after the Committee had received a letter dated June 5, 1978 from the Clerk of the House.^{2/} (Attachment III) As a result of this communication from the Committee, the surface violation

^{1/} Candidate Chiriaco-Baldivid was defeated in the Primary, receiving 7.3 per cent of the vote.

^{2/} This June 5, 1978 letter from the Clerk of the House was not included in referral from Reports Analysis.

79040122930

transmittal was dropped on July 18, 1978. An RFAI was sent to the Committee on September 25, 1978, asking for the source of the funds used for the repayment of the excess contribution. (Attachment IV) On September 28, 1978, Ms. Chiriaco-Baldivid, the candidate, called in response to the RFAI and said that she was the source of the funds for the excess contribution refund to Mr. Chiriaco. (Attachment V)

LEGAL ANALYSIS

As set forth in 2 U.S.C. §441a(a)(1)(A), an individual may contribute not more than \$1,000 per election to a Federal candidate or committee. Under §431(e), a loan is a contribution. It appears that Mr. Chiriaco exceeded the contribution limitations set forth in §441a(a)(1)(A) by \$19,500, and that the Committee knowingly accepted a contribution in violation of §441a(f). The excess was a substantial amount and was refunded in about three months only after the Committee had been notified by the Clerk of the House.

RECOMMENDATION

1. Find reason to believe that Mr. Joseph L. Chiriaco violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution to the Friends of Margit Chiriaco Baldivid.
2. Find reason to believe that the Friends of Margit Chiriaco Baldivid violated 2 U.S.C. §441a(f) by its knowing acceptance of an excessive contribution.
3. Send attached letters to Respondents and to candidate Chiriaco-Baldivid.

ATTACHMENTS

1. Referral from Reports Analysis
2. Itemized Receipts of the Friends of Margit Chiriaco-Baldivid Committee
3. Letter from Ms. Chiriaco-Baldivid
4. RFAI of September 25, 1978
5. Reports Analysis Referral Update
6. Letters to Respondents and to Candidate

79040122931

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

D-219

REPORTS ANALYSIS REFERRAL SHEET

MUR 737

9/28/78

ANALYST Ronald Krouse RK

Office of General Counsel

TEAM CHIEF Peter Kell, Jr. PKJ

DATE OF REVIEW

COMPLIANCE REVIEW C. Bowen

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS

CANDIDATE/COMMITTEE: Friends of Margit Chiaraco Baldivid

CA/37

TREASURER: Cary P. Carlson

Attachment I

ADDRESS: 1111 N. Palm Canyon Drive
Palm Springs, CA 92262AFFILIATE(S):
NONEALLEGATION(S): CITE: ATTACHMENT(S)
Committee received contributions 2 U.S.C. 441a
in excess of the limits. #2

MANNER IN WHICH REVIEW WAS INITIATED if other than normal review, AND DATE: 7-5-78

ATTACHMENT

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment I.

PERIOD COVERED FROM 4/1/78 TO 5/22/78

TOTAL RECEIPTS \$ 21,442 TOTAL EXPENDITURES \$ 13,271

CASH ON HAND \$ 8,171 DEBTS \$ 20,500

HISTORY:

RESULTS OF REVIEW:

An S.V. transmittal was prepared on 7/5/78.
The committee, however, attached a letter to
their 30 Day Post-Primary report, received 7/13/78,
which explained that the excess contribution had been refunded.
As a result, the S.V. transmittal was dropped on 7/18/78.

ATTACHMENT

#3

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

ATTACHMENT

NONE

REASON(S) FOR REFERRAL:

RAD memo of 5/25/78 requires that all excessive
contributions over \$500 should be referred to
the Office of General Counsel.

ATTACHMENT

#4

OTHER PENDING ACTIONS INITIATED BY RAD:

RFAI of 9/25/78 asks the committee for the
source of the funds used for the repayment
of the excess contribution. Any response to this
RFAI will be forwarded to your office for review.

ATTACHMENT

#5

OTHER RELEVANT INFORMATION:

The committee has attempted to terminate their
reporting responsibilities.

Previous Referrals:

None

ITEMIZED RECEIPTS

(Contributions, Transfers, Contribution In Kind,
Other Income, Loans, Refunds)Supporting Lines 14a, 15a, 15b, 15c, 16a, 17a, and/or 18a
of FEC FORM 3Page 1 of 1 forLine Number 170Use Separate Schedules for
each numbered line

Name of Candidate or Committee in Full

Friends for Margt. Chiriac Poljivid

Full Name, Mailing Address and ZIP Code

Joseph L. Chiriac
Chiriac Summit
Co. 92401

Principal Place of Business

Chiriac Summit Co.
6752

Date (month,

4/14/73

Amount of each Receipt

this Period

5000 166

Occupation

owner - manager

Date (month,

5/2/73

Amount of each Receipt

this Period

6000 166

Receipt for

☒ Primary☐ General☐ Other☒ Check if Contributor is self-employed

Aggregate Year-To-Date

\$20,500

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,

day, year)

Amount of each Receipt

this Period

Occupation

Receipt for

☐ Primary☐ General☐ Other☐ Check if Contributor is self-employed

Aggregate Year-To-Date

\$

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,

day, year)

Amount of each Receipt

this Period

Occupation

Receipt for

☐ Primary☐ General☐ Other☐ Check if Contributor is self-employed

Aggregate Year-To-Date

\$

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,

day, year)

Amount of each Receipt

this Period

Occupation

Receipt for

☐ Primary☐ General☐ Other☐ Check if Contributor is self-employed

Aggregate Year-To-Date

\$

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,

day, year)

Amount of each Receipt

this Period

Occupation

Receipt for

☐ Primary☐ General☐ Other☐ Check if Contributor is self-employed

Aggregate Year-To-Date

\$

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,

day, year)

Amount of each Receipt

this Period

Occupation

Receipt for

☐ Primary☐ General☐ Other☐ Check if Contributor is self-employed

Aggregate Year-To-Date

\$

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,

day, year)

Amount of each Receipt

this Period

Occupation

Receipt for

☐ Primary☐ General☐ Other☐ Check if Contributor is self-employed

Aggregate Year-To-Date

\$

SUBTOTAL of receipts this page (optional)

\$

TOTAL this period last page this line number only

\$

79040122933

7-6-78

RECEIVED
U.S. DEPT. OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

1978 JUL 13 AM 9:00

Gentlemen:

Please be advised that the
sum of 19,500 loaned by
Joseph L. Chiriaco to
Margit Chiriaco Baldini
has been repaid - this is
in response to your letter
of June 5-1978 ID# 078531 -

Also please be advised she
is no longer a candidate -
And thank God - no more
forms.

Margit Chiriaco Baldini
Chiriaco Summit
CA 92201

9/25/78

RK/4

REQUEST FOR ADDITIONAL INFORMATION
PAGE TWO
FRIENDS FOR MARGIT CHIARACO BALDIVID
30 DAY POST PRIMARY

A letter attached to your 30 Day Post-Primary report indicates that a \$19,500 loan repayment has been made to Mr. Joseph L. Chiaraco. A review of your report, however, shows that there were insufficient funds to make the full loan repayment to Mr. Chiaraco. Please amend your report to disclose the source(s) of the funds for the repayment on an amended Schedule A, Line 14, and the expenditure for the loan repayment on Schedule B, Line 21.

79040122935



FEDERAL ELECTION COMMISSION

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

25 September 1978

Cary P. Carlson, Treasurer
Friends For Margit Chiaraco Baldivid
Chiriaco Summit, CA 92201

Dear Ms. Carlson:

This letter is prompted by our interest in assisting House candidates and committees who wish to comply with the Federal Election Campaign Act.

During review of the 30 Day Post Primary Report of Receipts and Expenditures, we noted that you omitted certain information or made apparent mathematical errors in certain entries. Attached is an itemization of the information requested.

The Federal Election Commission, in connection with its statutory responsibility to enforce the Act, reviews all Federal campaign disclosure documents, including those filed initially with the Clerk of the House. The Office of the Clerk, as an informational service, is notifying filers of the errors and omissions found in their preliminary review of documents filed with the Clerk. This letter and attached documentation constitute official notification by the Commission of errors and omissions found, and require a written response.

While we recognize the difficulties you may have experienced in filling out the reporting forms, we must ask that you supply the Clerk of the House, Office of Records and Registration, 1036 Longworth HOB, Washington, D.C. 20515, with the missing information within fifteen (15) days from the date of this letter. If you have any questions, please do not hesitate to contact Ronald Krouse in our Reports Analysis Division on the toll free number (800)424-9530. Our local number is (202)523-4172.

Sincerely,

Orlando B. Potter

Orlando B. Potter
Staff Director

Attachment
FEC Form 12



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

RK/4

TO: Friends For Margit Chiaraco Balvid

DATE: 25 September 1978

CA/37

I.D. NO.: C00093682

REQUEST FOR ADDITIONAL INFORMATION FOR THE 30 Day Post Primary REPORT OF RECEIPTS
AND EXPENDITURES COVERING THE PERIOD 5/23/78 THROUGH 6/26/78
PURSUANT TO THE FEDERAL ELECTION CAMPAIGN ACT OF 1971, AS AMENDED.

A review of the report indicates that additional information is needed in order to be considered complete. Please return a copy of this form with your amended submission(s).

Please provide the required data, as indicated (x):

☐ Coverage Dates ☐ omitted or ☐ incorrect

☐ Signature ☐ omitted or ☐ incorrect

☐ Summary Page Line(s) ☐ Column(s) ☐ Totals ☐ omitted or ☐ incorrect

☐ Detailed Summary (Page 2) Line(s) ☐ Column(s) ☐ Totals ☐ omitted or ☐ incorrect

☐ Schedule Totals ☐ disagree with Detailed Summary (Page 2) or ☐ omitted

☐ Date(s) ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

☐ Full Name(s) Omitted for Schedule(s) ☐ Line(s) ☐

☐ Mailing Address(es) ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

☐ Occupational Descriptions ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

☐ Principal Place(s) of Business ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

☐ Aggregate Year-to-date Totals ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

☐ Nature or Purpose of Expenditure ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

☐ Nature or Purpose of Receipt ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

☐ Inadequate Description of ☐ proceeds ☐ dates ☐ events ☐ location of Schedule ☐

☐ Other: Please see page two.

Your initial submission(s), together with this request for additional information, has been made available for public inspection. The Commission urges you to file the additional submission(s) promptly to the above address. If you have any questions regarding this request, please call the Disclosure Division toll free at (800) 424-9530. The local Washington, D.C. telephone number is (202) 523-4048.

Senate filers should file their submission(s) with the Secretary of the Senate, Office of Public Records, 119 D St., N.E., Washington, D.C. 20510. House filers should file their submission(s) with the Clerk of the House, Office of Records and Registration, 1036 Longworth House Office Building, Washington, D.C. 20515.

REPORTS ANALYSIS REFERRAL UPDATE

Attachment II

*ORIGIN: INFORMATION

RAD

DATE October 10, 1978

ANALYST Krouse RK

TO: ATTENTION: Marcy Cummings

TEAM CHIEF Kell Jly.

THROUGH: STAFF DIRECTOR

COMPLIANCE REVIEW C. Bowen CB

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS JH

MUR No. 737

DATE OF ORIGINAL REFERRAL 9-28-78

**PURPOSE: INFORMATION

Ms. Baldivid called in response to the RFAI of their 30P report in which they were asked for the source of the funds for the excess contribution refund to Joseph Chiaraco. She said that she was the source of the funds, and thought that was clear from the letter attached to the 30P report. She will send another letter to show that she was the source of the funds. She wanted to know if that will clear everything up "once and for all". She was told that according to Commission procedures, all contributions in excess of \$500 of the limit are referred to our Office of General Counsel for review.

OUTCOME: (if applicable)

*Commission unit which initiated original Referral (e.g. AUDIT/RAD/OGC).

**INFORMATION, or RESULTS OF RAD ACTION, as appropriate.

7904012939

79040122939

Attachment II



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Cary P. Carlson, Treasurer
Friends of Margit Chiriaco-Baldivid
1111 N. Palm Canyon Drive
Palm Springs, CA 92262

Re: MUR 737

Dear Mr. Carlson:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found reason to believe that your Committee may have violated certain provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically it appears that your Committee violated 2 U.S.C. §441a(f) by its knowing acceptance of excessive contributions from Mr. Joseph L. Chiriaco. We have numbered this matter MUR 737.

While we have been informed that the excessive contribution has been returned to Mr. Chiriaco, the Act was violated when the excessive contribution was accepted. Under the Act you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification.

If you have any questions, please contact Marcie Cummings, the staff member assigned to this matter at 202-523-4175.

79040132940

- 2 -

This matter will remain confidential in accordance with 2 U.S.C. Section 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public.

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker
General Counsel

72040122941



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Margit Chiriaco-Baldivid
Interstate 10
Chiriaco Summit, CA 92201

Re: MUR 737

Dear Ms. Chiriaco Baldivid:

Enclosed is a copy of a letter sent to Cary P. Carlson, Treasurer of Friends of Margit Chiriaco-Baldivid, informing him that the Commission has found reason to believe that the Committee is in violation of 2 U.S.C. §441a(f) for accepting excessive contributions from Mr. Joseph L. Chiriaco. Since you had advised a Commission staff member that you were the source of the refund of the excess contribution, we ask that you submit to the Commission copies of both sides of the cancelled checks by which this refund was made. Please submit this information within ten days of your receipt of this letter.

You should be aware of the fact that, under the Act, it is the Committee treasurer's responsibility for filing reports and accepting contributions. Nevertheless, we believe you, as the candidate, should be made aware of these developments.

Should you wish to obtain any additional information, please contact Marcie Cummings, the staff member assigned to this matter, at 202-523-4175.

Sincerely,

William C. Oldaker
General Counsel

Enclosure

7904012942



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Joseph L. Chiriaco
Chiriaco Summit
California 92201

Re: MUR 737

Dear Mr. Chiriaco:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found reason to believe that you may have violated certain provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically it appears that your three loans totalling \$20,500 to the Friends of Margit Chiriaco-Baldivid were in violation of 2 U.S.C. §441a(a)(1)(A), since they exceeded the contribution limitations set forth in this section by \$19,500. A copy of the Committee's report showing these loans is attached for your information. We have numbered this matter MUR 737.

While we have been informed that the excessive contribution has been returned to you, the Act was violated when the excessive contribution was made. Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Additionally, please state your relationship to Ms. Margit Chiriaco-Baldivid, her position, if any, with the Chiriaco Summit Company, and the date(s) on which the \$19,500 was refunded to you. Also, please provide copies of both sides of the checks with which you made the loans. Where appropriate, statements should be submitted under oath.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification.

79040122943

If you have any questions, please contact Marcie Cummings, the staff member assigned to this matter at 202-523-4175.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public.

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker
General Counsel

79040132944

REPORTS ANALYSIS REFERRAL UPDATE

*ORIGIN: RAD

DATE 10/24/78

ANALYST Ron Krouse RK

TO: Office of Genral Counsel
ATTENTION: Marcie Cummings

TEAM CHIEF Peter Kell, Jr. PKJr.

THROUGH: STAFF DIRECTOR AL for O.A.R.

COMPLIANCE REVIEW Carroll Bowen CB

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS AKH

MUR No. 737

DATE OF ORIGINAL REFERRAL 9-28-78

Friends of Margit Chiaraco Baldivid

PURPOSE: **INFORMATION

Attached please find an amendment to the committee's 30 Day Post Primary report. The amendment is in answer to the RFAI of 9/25/78.

OUTCOME: (if applicable)

*Commission unit which initiated original Referral (e.g. AUDIT/RAD/OGC).

**INFORMATION, or RESULTS OF RAD ACTION, as appropriate.

79040122945

FIG
Oct. 16, 1978

18 OCT 23 P3:37

Mr. Ronald Krause
Federal Election Commission
1325 K St N.W.,
Washington D.C. 21463

Dear Mr. Krause:

As per our conversation Oct. 6, 1978, I submit the following statement requested by the Commission for additional information:

I, the candidate, Margit Chiriaco Baldivid, contributed 19,500.00 to my committee in order to refund the excess contribution to Joseph L. Chiriaco.

Signed: *Margit Chiriaco Baldivid*
Margit Chiriaco Baldivid

I trust this will suffice and we will no longer have any more papers to fill out.

Sincerely,

Margit

*Sorry this is late
but we were
detained unexpectedly,
MB.*

79040122946

REPORTS ANALYSIS REFERRAL UPDATE

*ORIGIN: **INFORMATION**

RAD

DATE October 10, 1978

ANALYST Krouse RK

TO:

TEAM CHIEF Kell OK

ATTENTION: Marcy Cummings

COMPLIANCE REVIEW C. Bowen CB

THROUGH: STAFF DIRECTOR for O.B.P.

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS AH

MUR No. 737

DATE OF ORIGINAL REFERRAL 9-28-78

PURPOSE: **INFORMATION

Ms. Baldivid called in response to the RFAI of their 30P report in which they were asked for the source of the funds for the excess contribution refund to Joseph Chiaraco. She said that she was the source of the funds, and thought that was clear from the letter attached to the 30P report. She will send another letter to show that she was the source of the funds. She wanted to know if that will clear everything up "once and for all". She was told that according to Commission procedures, all contributions in excess of \$500 of the limit are referred to our Office of General Counsel for review.

OUTCOME: (if applicable)

*Commission unit which initiated original Referral (e.g. AUDIT/RAD/OGC).

**INFORMATION, or RESULTS OF RAD ACTION, as appropriate.

79040122947

REPORTS ANALYSIS REFERRAL SHEET

MUL 737

DATE 9/28/78

ANALYST Ronald Krouse RK

TO: Office of General Counsel

TEAM CHIEF Peter Kell, Jr. PKJ

THROUGH: STAFF DIRECTOR OPH

COMPLIANCE REVIEW C. Bowen

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS JPH

CANDIDATE/COMMITTEE: Friends of Margit Chiaraco Baldivid

CA/37

TREASURER: Cary P. Carlson

ADDRESS: 1111 N. Palm Canyon Drive
Palm Springs, CA 92262AFFILIATE(S):
NONE

ALLEGATION(S):

CITE:

ATTACHMENT(S)

Committee received contributions in excess of the limits. 2 U.S.C. 441a

#2

MANNER IN WHICH REVIEW WAS INITIATED if other than normal review, AND DATE: 7-5-78

ATTACHMENT

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM 4/1/78 TO 5/22/78

TOTAL RECEIPTS \$ 21,442

TOTAL EXPENDITURES \$ 13,271

CASH ON HAND \$ 8,171

DEBTS \$ 20,500

HISTORY:

RESULTS OF REVIEW:

ATTACHMENT

An S.V. transmittal was prepared on 7/5/78.
The committee, however, attached a letter to their 30 Day Post-Primary report, received 7/13/78, which explained that the excess contribution had been refunded. As a result, the S.V. transmittal was dropped on 7/18/78.

#3

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

ATTACHMENT

NONE

REASON(S) FOR REFERRAL:

ATTACHMENT

RAD memo of 5/25/78 requires that all excessive contributions over \$500 should be referred to the Office of General Counsel.

#4

OTHER PENDING ACTIONS INITIATED BY RAD:

ATTACHMENT

RFAI of 9/25/78 asks the committee for the source of the funds used for the repayment of the excess contribution. Any response to this RFAI will be forwarded to your office for review.

#5

OTHER RELEVANT INFORMATION:

The committee has attempted to terminate their reporting responsibilities.

Previous Referrals:

None

79040122949

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

DATE 21SEP78

PAGE 1

HOUSE

COMMITTEE	DOCUMENT	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
		PRIMARY	GENERAL	PRIMARY	GENERAL			
FRIENDS FOR RABBIT CHRISTOPH BALDIVISIO	1978 STATEMENT OF ORGANIZATION					18APR78		ID# C00093682
	STATEMENT OF ORGANIZATION- AMENDMENT					15MAY78		3 78HSE/134/1916
	STATEMENT OF ORGANIZATION- AMENDMENT					15SEP78		3 78HSE/134/0321
	10 DAY PRE-PRIMARY	21,442		11,271		1APR78 - 22MAY78		3 78HSE/145/4449
	10 DAY PRE-PRIMARY - AMENDMENT							9 78HSE/136/4000
	30 DAY POST-PRIMARY	282		8,453		23MAY78 - 26 JUN78		1 78HSE/139/3852
	JULY 10 QUARTERLY							8 78HSE/141/3006
	MAY 10 QUARTERLY					27JUN78 - 10JUL78		1 78HSE/143/2406
	- TERMINATED	0		0				3 78HSE/145/4421
	TOTAL	21,724	0	21,724	0			31 TOTAL PAGES
TERMINATED								

ALL REPORTS HAVE RECEIVED PRELIMINARY REVIEW

ITEMIZED RECEIPTS

(Contributions, Transfers, Contribution In-Kind,
Other Income, Loans, Refunds)

Supporting Lines 14a, 15a, 15b, 15c, 16a, 17a, and/or 18a
of FEC FORM 3

Page 1 of 1 for

Line Number 17a

(Use Separate Schedules for
each numbered line)

Name of Candidate or Committee in Full

Friends for Margit Chiriac Baldwin

Full Name, Mailing Address and ZIP Code

Joseph L. Chiriac
Chiriac Summit
Co. 92201

Principal Place of Business

Chiriac Summit Co.

Date (month,

4/14/78

Amount of each Receipt
this Period

5000 166

Occupation

owner - manager

5/2/78

6000 166

7/1/78

9500 166

Receipt for

☒ Primary ☐ General ☐ Other

☒ Check if Contributor is self-employed

Aggregate Year-To-Date \$ 20,500

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,
day, year)

Amount of each Receipt
this Period

Occupation

Receipt for

☐ Primary ☐ General ☐ Other

☐ Check if Contributor is self-employed

Aggregate Year-To-Date \$

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,
day, year)

Amount of each Receipt
this Period

Occupation

Receipt for

☐ Primary ☐ General ☐ Other

☐ Check if Contributor is self-employed

Aggregate Year-To-Date \$

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,
day, year)

Amount of each Receipt
this Period

Occupation

Receipt for

☐ Primary ☐ General ☐ Other

☐ Check if Contributor is self-employed

Aggregate Year-To-Date \$

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,
day, year)

Amount of each Receipt
this Period

Occupation

Receipt for

☐ Primary ☐ General ☐ Other

☐ Check if Contributor is self-employed

Aggregate Year-To-Date \$

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,
day, year)

Amount of each Receipt
this Period

Occupation

Receipt for

☐ Primary ☐ General ☐ Other

☐ Check if Contributor is self-employed

Aggregate Year-To-Date \$

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,
day, year)

Amount of each Receipt
this Period

Occupation

Receipt for

☐ Primary ☐ General ☐ Other

☐ Check if Contributor is self-employed

Aggregate Year-To-Date \$

SUBTOTAL of receipts this page (optional)

\$

TOTAL this period (last page this line number only)

\$

7-6-78

RECEIVED
U.S. HOUSE OF REPRESENTATIVES
CLERK

1978 JUL 13 AM 9:00

Gentlemen:

Please be advised that the
sum of 19,500 loaned by
Joseph L. Chiriacco to
Margit Chiriacco Baldini
has been repaid - this is
in response to your letter
of June 5-1978 ID# 078531 -

Also please be advised she
is no longer a candidate -
And thank God - no more
forms.

Margit Chiriacco Baldini
Chiriacco Summit
CA 92201



FEDERAL ELECTION COMMISSION

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

May 25, 1978

MEMORANDUM

TO: RAD STAFF

FROM: TOM HASELHORST *TH*

SUBJECT: REFERRAL OF NON-CORPORATE AND NON-UNION CONTRIBUTIONS
WHICH EXCEED THE LIMITATIONS OF THE ACT

To insure a uniform procedure for referral of contributions in excess of allowable limitations the following procedures will apply. (This does not apply to corporate/union contributions which are presently handled in accordance with the Commission's March 16, 1978 decision).

1. All apparent contributions in excess of the applicable limitations will be processed in our normal compliance track. (Surface violation letter, reason to believe, ~~referral~~).
2. If, during the compliance process, the recipient acknowledges the excessive contribution and corrects the violation, the following procedures will be followed:
 - A. If the excessive contribution is less than \$500, compliance will be considered achieved and the matter closed in accordance with existing Reports Analysis Division procedures.
 - B. If the excessive contribution is \$500 or more, a referral will be made of this specific contribution to the Office of General Counsel for their review and possible consideration for initiation of a MUR.
3. If an adequate response is not received during our present compliance process, the matter would be referred in accordance with our existing procedures.

This procedure does not change existing policies for placing matters on the public record. If you have any questions on these procedures or the implementation of these procedures feel free to contact me.

cc: Staff Director, General Counsel, and Commissioners





FEDERAL ELECTION COMMISSION

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

25 September 1978

Cary P. Carlson, Treasurer
Friends For Margit Chiaraco Baldivid
Chiriaco Summit, CA 92201

Dear Ms. Carlson:

This letter is prompted by our interest in assisting House candidates and committees who wish to comply with the Federal Election Campaign Act.

During review of the 30 Day Post Primary Report of Receipts and Expenditures, we noted that you omitted certain information or made apparent mathematical errors in certain entries. Attached is an itemization of the information requested.

The Federal Election Commission, in connection with its statutory responsibility to enforce the Act, reviews all Federal campaign disclosure documents, including those filed initially with the Clerk of the House. The Office of the Clerk, as an informational service, is notifying filers of the errors and omissions found in their preliminary review of documents filed with the Clerk. This letter and attached documentation constitute official notification by the Commission of errors and omissions found, and require a written response.

While we recognize the difficulties you may have experienced in filling out the reporting forms, we must ask that you supply the Clerk of the House, Office of Records and Registration, 1036 Longworth HOB, Washington, D.C. 20515, with the missing information within fifteen (15) days from the date of this letter. If you have any questions, please do not hesitate to contact Ronald Krouse in our Reports Analysis Division on the toll free number (800)424-9530. Our local number is (202)523-4172.

Sincerely,

Orlando B. Potter

Orlando B. Potter
Staff Director

Attachment
FEC Form 12



FEDERAL ELECTION COMMISSION

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

RK/4

TO: Friends For Margit Chiaraco BaldividDATE: 25 September 1978

CA/37

I.D. NO.: C00093682

REQUEST FOR ADDITIONAL INFORMATION FOR THE 30 Day Post Primary REPORT OF RECEIPTS
AND EXPENDITURES COVERING THE PERIOD 5/23/78 THROUGH 6/26/78,
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☐ Schedule Totals ☐ disagree with Detailed Summary (Page 2) or ☐ omitted

☐ Date(s) ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

☐ Full Name(s) Omitted for Schedule(s) ☐ Line(s) ☐

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☐ Principal Place(s) of Business ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

☐ Aggregate Year-to-date Totals ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

☐ Nature or Purpose of Expenditure ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

☐ Nature or Purpose of Receipt ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

☐ Inadequate Description of ☐ proceeds ☐ dates ☐ events ☐ location of Schedule ☐

☐ Other: Please see page two.

Your initial submission(s), together with this request for additional information, has been made available for public inspection. The Commission urges you to file the additional submission(s) promptly to the above address. If you have any questions regarding this request, please call the Disclosure Division toll free at (800) 424-9530. The local Washington, D.C. telephone number is (202) 523-4048.

Senate filers should file their submission(s) with the Secretary of the Senate, Office of Public Records, 119 D St., N.E., Washington, D.C. 20510. House filers should file their submission(s) with the Clerk of the House, Office of Records and Registration, 1036 Longworth House Office Building, Washington, D.C. 20515.

9/25/78

RX/4

REQUEST FOR ADDITIONAL INFORMATION
PAGE TWO
FRIENDS FOR MARGIT CHIARACO BALDIVID
30 DAY POST PRIMARY

A letter attached to your 30 Day Post-Primary report indicates that a \$19,500 loan repayment has been made to Mr. Joseph L. Chiaraco. A review of your report, however, shows that there were insufficient funds to make the full loan repayment to Mr. Chiaraco. Please amend your report to disclose the source(s) of the funds for the repayment on an amended Schedule A, Line 14, and the expenditure for the loan repayment on Schedule B, Line 21.

79040122955



FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 737

Date Filmed

4/30/79

Camera No. --- 2

Cameraman

bpc

79040122956