

# FEDERAL ELECTION COMMISSION



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FOR IMMEDIATE RELEASE:  
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## FEC RELEASES ONE COMPLIANCE CASE

WASHINGTON -- The Federal Election Commission has made public its final action on one matter previously under review (MUR). This release contains only summary information. Closed files should be thoroughly read for details, including the FEC's legal analysis of the case. (Please see footnote at the end of this release.) Closed MUR files are available in the Public Records Office. The case is as follows:

### MUR NO.

1. 3360

- RESPONDENTS:
- (a) Jack Kemp for President, Scott B. Mackenzie, treasurer (VA)
  - (b) Victory '88, Scott B. Mackenzie, treasurer (VA)
  - (c) The Kemp/Dannemeyer Committee, Scott B. Mackenzie, treasurer (VA)
  - (d) Dannemeyer for Congress, John T. Poortinga, treasurer (CA)
  - (e) Rockingham Toyota-Dodge, Inc. (NH)
  - (f) Braman Management Company/N.B. Motors (FL)
  - (g) L.R.W. Aircraft Sales, Inc. and/or Randolph Williams, Inc. (VA)
  - (h) Dug Garrett (DC)
  - (i) T.C. Skip Anderson (AZ)
  - (j) Ada W. Ausplund (OR)
  - (k) Hilda R. Barton (NY) [deceased]
  - (l) Edward Breen (NJ)
  - (m) Donald W. Brinckman (IL)
  - (n) Pat Cipolla (NJ)
  - (o) Philip W. Clark (NY)
  - (p) Hilda W. Clay (CA)
  - (q) Florence C. Fluhr (NC) [deceased]
  - (r) John S. Gallardo (CA)
  - (s) David J. Harris (IL)
  - (t) William R. Harris (CT)
  - (u) Donald B. Ibach (MD) [deceased]
  - (v) Michael L. Keiser (IL)
  - (w) George H. Lawrence (NY)
  - (x) Michael Z. Matthew (NY)
  - (y) Helen J. Orr (MA)

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- (z) Charles E. Plankey (FL)
- (aa) Leonard Posnock (NJ)
- (bb) Richard C. Redman (WA)
- (cc) C.R. Riley (MI)
- (dd) Betty V. Roberts (FL)
- (ee) Joseph L. Russo (NY)
- (ff) Arch C. Scurlock (VA)
- (gg) James E. Simon (WY)
- (hh) Henry R. Slack (NJ)
- (ii) Roger W. Stone (IL)
- (jj) William R. Tiernay (NY)
- (kk) Mary D. Wappler (CT)
- (ll) Frederick G. Wilson (WI)
- (mm) Herbert J. Youngblood (CA)
- (nn) Bear, Stearns & Co., Inc. (NY)
- (oo) Belgium Tool & Die Co. (VA)
- (pp) Gene Fleming Ranches (KS)
- (qq) Innovative Realty (NY)
- (rr) King O'Rourke Sterling, Ltd. (NY)
- (ss) M&M Properties (MD)
- (tt) Orleans Builders and Developers (PA)
- (uu) The Sinacola Companies (NJ)
- (vv) The Philadelphia Eagles Football Club, Inc. (PA)
- (ww) Chateau Estates (MI)
- (xx) A & A Automotive Maintenance Co., Inc. (NJ)
- (yy) Hilton Hotels Corporation (CA)

COMPLAINANT:  
SUBJECT:

FEC Initiated (1988 Presidential Audit)  
Corporate contributions; prohibited in-kind contributions in the form of air transportation not reimbursed in advance; excessive contributions; excessive in-kind contributions from staff member; expenditures in excess of IA and NH state limitations; failure to follow prescribed method to calculate costs of services provided to media; failure to keep and furnish documents; filing disclosure reports which inaccurately reflected attribution of contributions to joint fundraiser; failure to keep appropriate records of contributions; failure to properly report contribution information; failure to itemize contributions; inaccurate distribution of net proceeds to joint fundraising participants; failure to include proper notifications for joint fundraising event;

(a) Conciliation agreement: \$100,000 civil penalty\*  
Refund excessive contributions totaling \$63,000 either to contributors or to U.S. Treasury;  
Amend disclosure reports to accurately reflect proper attribution of contributions  
Produce evidence of proof of refunds

(b-c) Conciliation agreement: \$ 20,000 civil penalty\*  
Refund outstanding excessive and prohibited contributions totaling \$48,000 either to contributors or to U.S. Treasury;  
Produce evidence of proof of refunds

(d-yy) Reason to believe but took no further action\*

DISPOSITION:

\*There are four administrative stages to the FEC enforcement process:

1. Receipt of proper complaint
2. "Reason to believe" stage
3. "Probable cause" stage
4. Conciliation stage

It takes the votes of at least four of the six Commissioners to take any action. The FEC can close a case at any point after reviewing a complaint. If a violation is found and conciliation cannot be reached, then the FEC can institute a civil court action against a respondent.

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