

FEDERAL ELECTION COMMISSION

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FEC RELEASES 11 COMPLIANCE CASES

WASHINGTON -- The Federal Election Commission has made public its final action on 11 matters previously under review (MURs). 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.

1. MUR 3585

RESPONDENTS:

- (a) Nicholas A. Rizzo, Jr. (MA)
- (b) Tsongas Committee, Inc., George Kobinos, treasurer (MA)
- (c) Elkin McCallum (NH)
- (d) Anastasios Kalogianis (NH)
- (e) Roger Trudeau (MA)
- (f) William Berg (MA)
- (g) Thomas D. Kelley, Jr. (NH)
- (h) Michael Spinelli (MA)
- (i) Peter B. Caloyeras (CA)
- (j) Lawrence Ansin (MA)

COMPLAINANT: FEC Initiated (Audit - 1992 Election)

SUBJECT:

Excessive contributions; corporate contributions; failure to forward contributor information and other recordkeeping information; failure to designate account as campaign depository; commingling committee funds with personal funds; disbursing committee funds without treasurer's authorization; failure to properly report receipts and disbursements

DISPOSITION:

- (a) Probable cause to believe (knowing and willful), but took no further action*
[re: excessive contributions; corporate contributions; failure to forward contributor information and other recordkeeping information; failure to designate account as a campaign depository; commingling committee funds with personal funds; disbursing committee funds without treasurer's authorization]
- (b) Reason to believe, but took no further action*
[re: excessive contributions; corporate contributions; failure to designate account as campaign depository; failure to properly report receipts and disbursements]
- (c) Probable cause to believe, litigation authorized [4/17/96]*
- Final Consent Order and Judgment: December 16, 1996 -
\$50,000 civil penalty*

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- (d) Probable cause to believe, litigation authorized [6/25/96]*
- Final Consent Order and Judgment: March 31, 1997 -
\$37,500 civil penalty*
- (e) Conciliation Agreement: \$40,000 civil penalty*
Because of circumstances surrounding respondent's financial status, the Commission accepted reduced civil penalty of \$6,000.
- (f) Conciliation Agreement: \$30,000 civil penalty*
Because of circumstances surrounding respondent's financial status, the Commission accepted reduced civil penalty of \$2,500.
- (g) Conciliation Agreement: \$12,000 civil penalty*
Because of circumstances surrounding respondent's financial status, the Commission accepted reduced civil penalty of \$4,000.
- (h) Conciliation Agreement: \$6,000 civil penalty*
- (i) Conciliation Agreement: \$5,000 civil penalty*
- (j) Reason to believe, but took no further action*

2. MUR 4176

RESPONDENTS: (a) The Tsongas Committee, Inc., S. George Kokinos, treasurer (MA)
(b) Foley, Hoag & Eliot (MA)
(c) Armenakis & Armenakis (NY)
(d) Dennis Newman (MA)
(e) Andy Paven (MA)
(f) David Goldman (MA)
(g) Bob Krueger (TX)

COMPLAINANT: FEC Initiated (Audit - 1992 Election)

SUBJECT: Excessive contributions/excessive contributions in the form of staff advances; excessive reimbursements from media (overbilling)

DISPOSITION: (a) Reason to believe, but took no further action*
[re: excessive contributions/excessive contributions in the form of staff advances;excessive reimbursements from media (overbilling)]
(b) Conciliation Agreement: \$8,800 civil penalty*
(c) Reason to believe, but took no further action*
[re: excessive contribution]
(d-f) Reason to believe, but took no further action*
[re: excessive contributions/staff advances]
Sent admonishment letters.
(g) Took no action*
See MUR 3758 - News Release dated July 29, 1994.

3. MUR 4209

RESPONDENTS: (a) Fund for Californians Future, Diane M. Stone, treasurer (CA)
(b) Jim Brulte Campaign Committee, Richard Yorke, treasurer (CA)
(c) Jim Brulte (CA)
(d) Diane M. Stone, originally named as treasurer, Jim Brulte Campaign Committee (CA)

COMPLAINANT: FEC Initiated (RAD)

SUBJECT: Contributions in the name of others; use of prohibited funds; failure to register and report

DISPOSITION: (a) Reason to believe (knowing and willful), but took no further action*
[re: contributions in the name of others]
Reason to believe, but took no further action*
[re: use of prohibited funds]

- (b) Reason to believe (knowing and willful), but took no further action*
[re: contributions in the name of others]
Reason to believe, but took no further action*
[re: use of prohibited funds; failure to register and report]
- (c) Reason to believe (knowing and willful), but took no further action*
[re: contributions in the name of others; use of prohibited funds]
- (d) Reason to believe (knowing and willful), but took no further action*
[re: contributions in the name of others]
Reason to believe, but took no further action*
[re: use of prohibited funds; failure to register and report]

4. MUR 4258

RESPONDENTS: (a) National Republican Senatorial Committee, Stan Huckaby, treasurer (DC)
(b) Oregon Republican Party, Barton Delacy, treasurer (OR)

COMPLAINANTS: Kent Cooper, Executive Director, Center for Responsive Politics (DC)
[Complaint filed 9/95 by Ellen S. Miller, former Executive Director, regarding 1992 activity]

SUBJECT: Excessive coordinated expenditures

DISPOSITION: (a-b) Took no action*

5. MUR 4260

RESPONDENTS: (a) Auto Dealers and Drivers for Free Trade PAC, Edward G. Connelly, treasurer (NY)
(b) The Honorable Robert Packwood (OR)
(c) Re-Elect Packwood Committee, Geoffrey D. Brown, treasurer (OR)

COMPLAINANTS: Kent Cooper, Executive Director, Center for Responsive Politics (DC)
[Complaint filed 9/95 by Ellen S. Miller, former Executive Director, regarding 1992 activity]

SUBJECT: Independent expenditures/excessive contributions

DISPOSITION: (a-c) Took no action*

6. MUR 4261

RESPONDENTS: (a) National Rifle Association (Institute for Legislative Action), Tanya K. Metaksa, Executive Director (VA)
(b) The Honorable Robert Packwood (OR)
(c) Re-Elect Packwood Campaign Committee (1992), Geoffrey D. Brown (OR)

COMPLAINANTS: Kent Cooper, Executive Director, Center for Responsive Politics (DC)
[Complaint filed 9/95 by Ellen S. Miller, former Executive Director, regarding 1992 activity]

SUBJECT: Independent expenditures/corporate contributions

DISPOSITION: (a-c) Took no action*

7. MUR 4262

RESPONDENTS: (a) National Republican Senatorial Campaign Committee, Stan Huckaby, treasurer (DC)
(b) Oregon Republican Party, Barton Delacy, treasurer (OR)
(c) The Honorable Phil Gramm (TX)
(d) Re-Elect Packwood Committee, Geoffrey D. Brown, treasurer (OR)

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(e) The Honorable Robert Packwood (OR)
COMPLAINANTS: Kent Cooper, Executive Director, Center for Responsive Politics (DC)
[Complaint filed 9/95 by Ellen S. Miller, former Executive Director,
regarding 1992 activity]
SUBJECT: Use of non-federal funds in connection with federal election
DISPOSITION: (a-e) Took no action*

8. MUR 4265

RESPONDENTS: (a) National Republican Senatorial Campaign Committee, Stan Huckaby, treasurer (DC)
(b) Oregon Republican Party, Barton Delacy, treasurer (OR)
(c) The Honorable Phil Gramm (TX)
(d) Re-Elect Packwood Committee, Geoffrey D. Brown, treasurer (OR)
(e) The Honorable Robert Packwood (OR)
COMPLAINANTS: Robert F. Bauer, Esq., General Counsel, Democratic Senatorial Campaign Committee [Complaint filed 9/95 regarding 1992 activity]
SUBJECT: Use of non-federal funds in connection with federal election
DISPOSITION: (a-e) Took no action*

9. MUR 4279

RESPONDENTS: (a) Zimmer for Senate Committee, Inc., David Millner, treasurer (NJ)
(b) Russ Berrie & Co., Inc. (NJ)
(c) Russ Berrie (NJ)
COMPLAINANTS: Deborah Leux, Executive Director, New Jersey Democratic State Committee (NJ)
SUBJECT: Corporate contributions
DISPOSITION: (a-c) Took no action*

10. MUR 4347

RESPONDENTS: Unkown persons involved in release and distribution of political newsletter
COMPLAINANT: Wesley Roberts (TX)
SUBJECT: Fraudulent release and distribution of newsletter
DISPOSITION: Took no action*

11. MUR 4354

RESPONDENTS: Brian Steel for Congress, Brian K. Weinstein, former treasurer (NY)
COMPLAINANTS: Matthew F. Cooper, individually and as Counsel to Nadler for Congress (NY)
SUBJECT: Failure to file disclosure report
DISPOSITION: Took no action*

*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 requires 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.