



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4673

DATE FILMED 3/11/98 CAMERA NO. 2

CAMERAMAN ESS

98043862933

**PROPOSITION
103
ENFORCEMENT
PROJECT**

1750 Ocean Park Blvd.
Suite 200
Santa Monica, CA 90405
(310) 392-0522
FAX (310) 392-8874

August 29, 1997

Office of the General Counsel
Federal Elections Commission
999 E Street, NW
Washington, DC 20463

MUR 4673

Sent via U.S. Certified Mail (P 094 567 705)

Dear Sir or Madame:

We are writing to ask that the Federal Elections Commission (FEC) conduct an investigation into whether California State Assembly Member Louis J. Papan violated federal law by accepting a campaign contribution from a foreign source.

Sections 110.4(a) and 110.9(a) of Title 11 of the Code of Federal Regulations prohibits the acceptance of contributions from foreign nationals and foreign corporations by candidates in all U.S. federal, state and local elections.

According to campaign disclosure statements, Mr. Papan accepted a \$150 campaign contribution from H.R.A Investments Ltd. of Vancouver, British Columbia, Canada on July 22, 1996. H.R.A. apparently is a diamond and gem distributor with no known offices in the United States.

We have enclosed copies of the relevant pages from Mr. Papan's campaign statements and ask that the FEC conduct an investigation to see if any federal laws were violated. As per instructions from the FEC, this complaint is signed, sworn and notarized.

If we can be of any assistance in the investigation, please do not hesitate to contact us. We would also appreciate it if we could be kept apprised of the investigation.

While we recognize that the amount is minimal, we thought this apparent violation of the law should be brought to your attention.

Sincerely,

Philip Roberto
Philip Roberto

enclosures

STATE OF CALIFORNIA COUNTY OF LOS ANGELES
SUBSCRIBED AND SWORN TO BEFORE ME ON 8/29/97
DATE

KIMBERLY A. ROBERTSON
COMM. #1011677
NOTARY - PUBLIC CALIFORNIA
LOS ANGELES COUNTY
My Comm. Expires Dec. 19, 1997

Officeholder, Candidate,
or Controlled Committee
Campaign Statement — Long Form
(Government Code Sections 84200-84216.5)

SEE INSTRUCTIONS ON REVERSE

Check one of the following boxes to indicate the type of statement being filed:

- ☒ Pre-election Statement First
☐ Supplemental Pre-election Statement (Attach a completed Form 495 to this statement.)
☐ Special Odd-Year Campaign Report
☐ Semi-annual Statement
☐ Termination Statement (Attach a completed Form 415 to this statement.)

Statement covers period from <u>7/1/96</u> through <u>9/30/96</u>	Date Stamp FILED IN THE OFFICE OF COUNTY CLERK OF SANTA MONTE COUNTY, CALIF. OCT - 7 1996 WARREN SLOCUM, County Clerk By <u>[Signature]</u>	CALIFORNIA 1996 FORM 490 Page <u>1</u> of <u>51</u> For Official Use Only
Date of election if applicable: (Month, Day, Year) Nov. 5, 1996		

Officeholder, Candidate, and Controlled Committee
Included in this Statement

NAME OF OFFICEHOLDER OR CANDIDATE

LOUIS J. PAPAN

OFFICE SOUGHT OR HELD (INCLUDE LOCATION AND DISTRICT NUMBER IF APPLICABLE)

Member of the Assembly-19th District

RESIDENTIAL OR BUSINESS ADDRESS

(NO. AND STREET)

440 Green Hills Dr.

CITY STATE ZIP CODE AREA CODE-DAYTIME PHONE

Millbrae, CA 94030 415-871-7440

COMMITTEE NAME

10 NUMBER

PAPAN FOR ASSEMBLY

950131

COMMITTEE ADDRESS

(NO. AND STREET)

215 Loyola Dr.

CITY STATE ZIP CODE AREA CODE-DAYTIME PHONE

Millbrae, CA 94030 415-697-8068

NAME OF TREASURER

VICTOR G. KYRIAKIS

PERMANENT ADDRESS OF TREASURER

(NO. AND STREET)

215 Loyola Dr.

CITY STATE ZIP CODE AREA CODE-DAYTIME PHONE

Millbrae, CA 94030 415-697-8068

II Other Committees Not Included in this Statement: List any other
committees not included in this consolidated statement that are controlled by you and any
committees of which you have knowledge that are primarily formed to receive contributions
or to make expenditures on behalf of your candidacy

COMMITTEE NAME	10 NUMBER
NAME OF TREASURER	
CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO	
COMMITTEE ADDRESS (NO. AND STREET)	
CITY STATE ZIP CODE AREA CODE-DAYTIME PHONE	
COMMITTEE NAME	
10 NUMBER	
NAME OF TREASURER	
CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO	
COMMITTEE ADDRESS (NO. AND STREET)	
CITY STATE ZIP CODE AREA CODE-DAYTIME PHONE	

Attach additional information on appropriately labeled continuation sheets

III Verification

I have used all reasonable diligence in preparing this statement. I have reviewed the statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on Oct. 6, 1996 At Millbrae, CA
DATE CITY AND STATE

By [Signature]
SIGNATURE OF TREASURER

An officeholder or candidate who controls a committee must also verify the campaign statement. I have used all reasonable diligence and to the best of my knowledge the treasurer has used all reasonable diligence in preparing this statement. I have reviewed the statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on Oct. 6, 1996 At Millbrae, CA
DATE CITY AND STATE

By [Signature]
SIGNATURE OF CANDIDATE/OFFICEHOLDER

Executed on _____ At _____
DATE CITY AND STATE

By _____
SIGNATURE OF CANDIDATE/OFFICEHOLDER

Executed on _____ At _____
DATE CITY AND STATE

By _____
SIGNATURE OF CANDIDATE/OFFICEHOLDER

FOR INFORMATION REQUIRED TO BE PROVIDED TO YOU PURSUANT TO THE INFORMATION PRACTICES ACT OF 1977, SEE INFORMATION MANAGEMENT AND CAMPAIGN DISCLOSURE PROVISIONS OF THE POLITICAL REFORM ACT

Schedule A (Continuation Sheet)
Monetary Contributions Received

Type or print in ink.
Amounts may be rounded
to whole dollars.

SCHEDULE A (cont.)

Statement covers period
from July 1, 1996
through Sept. 30, 1996

Page 7 of 51

NAME OF OFFICEHOLDER OR CANDIDATE AND CONTROLLED COMMITTEE

LOUIS J. PAPAN - PAPAN FOR ASSEMBLY

ID NUMBER

950131

DATE RECEIVED	FULL NAME AND ADDRESS OF CONTRIBUTOR (IF COMMITTEE, IN ADDITION TO COMMITTEE'S NAME AND ADDRESS, ENTER ID NUMBER OR, IF NO ID NUMBER HAS BEEN ASSIGNED, ENTER TREASURER'S NAME AND ADDRESS)	OCCUPATION AND EMPLOYER (IF SELF EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN 1-DEC 31)	CUMULATIVE TO DATE OTHER (IF APPLICABLE)
7/22/96	INT'L BROTHERHOOD OF TEAMSTERS 25 LOUISIANA AVE. N.W. WASHINGTON, D.C. 20001		\$1,000.00	\$1,000.00	
7/22/96	H.R.A. INVESTMENTS LTD. 555 WEST GEORGIA ST. # 610 VANCOUVER, B.C. V6B 1Z5		\$ 150.00	\$ 150.00	
7/22/96	BEEB'S SPORTS BAR & GRILL 915 CLUBHOUSE DR. LIVERMORE, CA 94550		\$ 100.00	\$ 100.00	
7/22/96	VICTOR G. MAKRAS 2171 JUNIPERO SERRA	SELF EMPLOYED	\$ 200.00		
8/08/96	DALY CITY, CA 94014	REAL ESTATE BROKER	\$ 100.00	\$ 300.00	
7/22/96	CPIC LIFE P O BOX 3007 LODI, CA 95241		\$1,000.00	\$1,000.00	
7/22/96	CA PHARMACISTS - PAC 1112 I St. #300 SACRAMENTO, CA 95814	I D # 741831	\$ 500.00	\$ 500.00	

SUBTOTAL \$ 3,050.00

DECLARATION OF PHILIP ROBERTO

I, Philip Roberto, declare:

1. I am employed by the Proposition 103 Enforcement Project. I prepared the COMPLAINT AGAINST CALIFORNIA ASSEMBLY MEMBER LOUIS J. PAPAN FOR APPARENT FAILURE TO COMPLY WITH FEDERAL ELECTION COMMISSION REGULATIONS (2 U.S.C. §441e; 11 CFR 110.4(a) and 110.9(a)) PROHIBITING THE ACCEPTANCE OF CAMPAIGN CONTRIBUTIONS FROM FOREIGN NATIONALS.

2. I am personally familiar with the facts alleged in the complaint, and could competently testify thereto.

3. The facts alleged in the complaint in this matter are true of my own personal knowledge.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Executed this 29th day of August, 1997, at Santa Monica, California.

Philip Roberto
Philip Roberto

98043862237

DECLARATION OF SERVICE

[BY FEDERAL EXPRESS, U.S. or INTRA-AGENCY MAIL, FAX TRANSMISSION and/or PERSONAL SERVICE]

State of California, County of Los Angeles

Re: Complaint to the Federal Elections Commission

I am employed in the City of Santa Monica and County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 1750 Ocean Park Blvd., Ste. 200, Santa Monica, California 90405.

On August 29, 1997, I served the following


Complaint against California Assembly Member Louis J. Papan for apparent failure to comply with Federal Elections Commission Regulations (2 U.S.C. §441e; 11 CFR 110.4(a) and 110.9(a)) prohibiting the acceptance of campaign contributions from foreign nationals.

on all persons on the attached Service List, as follows:

1. If marked FAX SERVICE, by facsimile transmission this date to the FAX number stated to the person(s) named.
2. If marked U.S. MAIL or OVERNIGHT, by placing this date for collection for regular or overnight mailing true copies of the within document in sealed envelopes, addressed to each of the persons so listed. I am familiar with this office's practice of collecting and processing documents for mailing of U.S. Mail or sending of Overnight; it would be deposited in the ordinary course of business with the U.S. Postal Service or the Federal Express office on the same day, with mail postage fully prepaid, at Santa Monica, California.

Executed on August 29, 1997, at Santa Monica, California.

I declare under penalty of perjury that the foregoing is true and correct.


Jeannine M. Davis

9304386223

PARTY SERVICE LIST

Re: Complaint to the Federal Elections Commission

Complaint against California Assembly Member Louis J. Papan for apparent failure to comply with Federal Elections Commission Regulations (2 U.S.C. §441e; 11 CFR 110.4(a) and 110.9(a)) prohibiting the acceptance of campaign contributions from foreign nationals.

PERSON SERVED

METHOD OF SERVICE

Office of the General Counsel
Federal Elections Commission
999 E Street, NW
Washington, DC 20463

(Original + 3 Copies)

☐ Overnight Mail

☐ FAX

☒ U.S. Mail

☐ Hand Deliver

The Honorable Louis J. Papan
California Assembly
State Capitol, Room 3173
Sacramento, CA 95814

(One Copy)

☐ Overnight Mail

☐ FAX

☒ U.S. Mail

☐ Hand Deliver

Mr. Ravi Mehta
Chair
CA Fair Political Practices Commission
926 J Street, Suite 800
Sacramento, CA 95814

(One Copy)

☐ Overnight Mail

☐ FAX

☒ U.S. Mail

☐ Hand Deliver



FEDERAL ELECTION COMMISSION
Washington, DC 20463

September 8, 1997

Philip Roberto
Proposition 103 Enforcement Project
1750 Ocean Park Blvd.
Santa Monica, CA 90405

RE: MUR 4673

Dear Mr. Roberto:

This letter acknowledges receipt on September 2, 1997, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended. The respondent(s) will be notified of this complaint within five business days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be notarized and sworn to in the same manner as the original complaint. We have numbered this matter MUR 4673. Please refer to this number in all future communications. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Andrew Turley", is written over a horizontal line.

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosure
Procedures



FEDERAL ELECTION COMMISSION
Washington, DC 20463

September 8, 1997

Victor G. Kyriakis, Treasurer
Papan for Assembly
215 Loyola Drive
Millbrae, CA 94030

RE: MUR 4673

Dear Mr. Kyriakis:

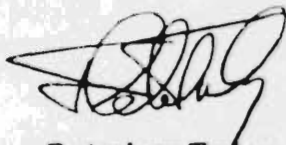
The Federal Election Commission received a complaint which indicates that Papan for Assembly and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4673. Please refer to this number in all future correspondence.

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

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Jennifer Henry at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosures

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

cc: Louis J. Papan

98043362042



FEDERAL ELECTION COMMISSION
Washington, DC 20463

September 8, 1997

Uri Ariel, President
H.R.A. Investments, Ltd.
555 West Georgia Street, #610
Vancouver, BC V6B 1Z5

RE: MUR 4673

Dear Mr. Ariel:

The Federal Election Commission received a complaint which indicates that you and H.R.A. Investments, Ltd. may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4673. Please refer to this number in all future correspondence.

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

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Jennifer Henry at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosures

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

98043862214

Lou Papan

Lou Papan for Assembly Committee, ID#950131
215 Loyola Drive, Milbrae, California 94030

September 15, 1997

SEP 19 1 10 PM '97

Federal Election Commission
999 E Street, N.W.
Washington, D. C. 20463

Attention: F. Andrew Turley
Supervisory Attorney

RE: MUR 4673

Dear Mr. Turley:

I recently received a copy of a letter sent to your office by Philip Roberto dated August 29, 1997 calling your attention to a contribution received by the Papan for Assembly campaign from a Canadian business, H.R.A. Investments, Ltd. of Vancouver, British Columbia, Canada.

This contribution was received by our campaign as a result of a fund raiser. Neither the candidate nor I know the individual or company nor were we aware that our campaign had deposited a check that might not be permitted under Federal Law. The State laws governing campaign contributions we deal with are voluminous and it is a feat to keep up with them. We have had no exposure to the Federal laws on the subject and had we known that this contribution might not be legal, we would have returned it immediately. Our campaign committee raised over \$500,000.00. This contribution of \$150.00 was very small and did not cause anyone handling and accounting for the check to pay particular attention to it. Neither the check nor our campaign statement was scrutinized for possible violation of Federal law.

H. R. A. does business in the State of California and maintain an office at 101 Utah Street, San Francisco, California.

Upon receipt of a copy of Mr. Roberto's letter, I sent a check in the sum of \$150.00 to H.R.A. Investments Ltd. and I am enclosing a copy of our transmittal letter.

In the future we will, of course, scrutinize our contributors more closely to make sure we do not violate Federal law. Under the circumstances as I have stated then, I do not feel that action should be taken against Papan for Assembly or me in this matter.

Sincerely,



VICTOR G. KYRIAKIS

Treasurer

Enclosure

Lou Papan

Fee ID#95
ma 94030

September 5, 1995

Ury Ariel
HRA Investments
555 West Georgia St Suite 610
Vancouver, B.C. V6B 1Z

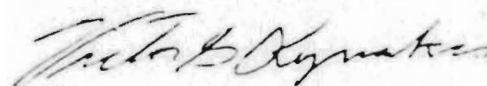
Dear Mr. Ariel

Last year we received a campaign contribution from you in the sum of \$150.00

It has been brought to our attention that our campaign committee may not accept contributions from individuals who are not citizens of the United States or from foreign companies. We are, therefore, returning the contribution to you. Please find enclosed our check for \$150.00.

We very much appreciate your willingness to help our campaign effort. Pardon us for any inconvenience this may have caused you.

Sincerely yours,



Victor G. Kyriakis

PAPAN CAMPAIGN
215 LLOYD DR
MILLBRAE, CA 94030

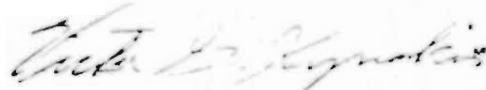
698

Sept. 5, 1995

H. R. A. Investments Ltd. \$150.00
One hundred fifty and 00/100

Peninsula Bank
of Commerce

Deposited



HRA Investments Ltd.
#610-555 West Georgia Street
Vancouver, BC V6B 1Z5
Canada

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL

SEP 23 2 19 PM '97

September 16, 1997

Federal Election Commission
Washington, D C 20463

Re MUR 4673

Dear F Andrew Turley

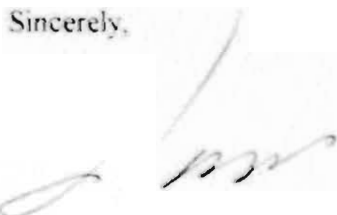
It has come to my attention that our campaign contribution of \$150 00 last year to California State Assembly Member Louis J Papan was a violation of federal law Please be certain that I was unaware at the time that the Federal Regulations prohibits the acceptance of contributions from foreign corporations

We were approached by a campaign representative last year that was collecting funds for Mr Papan and had given her the contribution without being aware that this gift is in breach of Sections 110 4(a) and 110 9(a) of Title 11 of the Code of Federal Regulations Please be aware that HRA Investments Ltd has no association or relation with Mr Louis Papan, my donation to his campaign was a mere gift of courtesy

In addition, please be advised that we recently received a letter from Louis Papan illustrating that he himself was unaware of Sections 110 4(a) and 110 9 (a) and that he was returning, to us, the full amount of the proceeds that we had donated to his campaign on July 22, 1996

In conclusion, I had no intention of violating federal law and hope that this letter will clarify the circumstances of this misunderstanding

Sincerely,



Uri Ariel

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
)
)
)
)

CASE CLOSURES UNDER
ENFORCEMENT PRIORITY

Feb 17 3 10 PM '93

GENERAL COUNSEL'S REPORT

I. INTRODUCTION.

The cases listed below have been identified as either stale or of low priority based upon evaluation under the Enforcement Priority System (EPS). This report is submitted to recommend that the Commission no longer pursue these cases.

II. CASES RECOMMENDED FOR CLOSURE.

A. Cases Not Warranting Further Action Relative to Other Cases Pending Before the Commission

EPS was created to identify pending cases which, due to the length of their pendency in inactive status or the lower priority of the issues raised in the matters relative to others presently pending before the Commission, do not warrant further expenditure of resources. Central Enforcement Docket (CED) evaluates each incoming matter using Commission-approved criteria which results in a numerical rating of each case.

Closing cases permits the

Commission to focus its limited resources on more important cases presently

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pending before it. Based upon this review, we have identified 16 cases that do not warrant further action relative to other pending matters.¹ The attachment to this report contains summaries of each case, the EPS rating, and the factors leading to assignment of a low priority and recommendation not to further pursue the matter.

B. Stale Cases

Effective enforcement relies upon the timely pursuit of complaints and referrals to ensure compliance with the law. Investigations concerning activity more remote in time usually require a greater commitment of resources, primarily due to the fact that the evidence of such activity becomes more difficult to develop as it ages. Focusing investigative efforts on more recent and more significant activity also has a more positive effect on the electoral process and the regulated community. In recognition of this fact, EPS provides us with the means to identify those cases which remained unassigned for a significant period due to a lack of staff resources for effective investigation. The utility of commencing an investigation declines as these cases age, until they reach a point when activation of a case would not be an efficient use of the Commission's resources.

¹ These cases are: MUR 4631 (Petro/McClure); MUR 4661 (Cox and Ampicon, Inc.); MUR 4667 (Specter & Greenwood); MUR 4668 (Schakowsky for Congress); MUR 4672 (Friends of John O'Toole); MUR 4673 (Papan for Assembly); MUR 4676 (Warren County Democratic Committee); MUR 4677 (Patrick Kennedy); MUR 4681 (Jack Block); MUR 4683 (Janice Schakowsky for Congress); MUR 4684 (Spartanburg County Republicans); MUR 4694 (Jan Schakowsky for Congress); MUR 4695 (Schakowsky for Congress); MUR 4696 (Janice Schakowsky for Congress); MUR 4703 (Dumont Institute / Robert M. Gre); and Pre-MUR 356 (Pritzker for Congress).

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We have identified cases which have remained on the Central Enforcement Docket for a sufficient period of time to render them stale. We recommend 27 of these cases be closed.³ Nine of these cases were part of the so-called "Major 96" cases that have not been able to be activated due to a lack of resources to effectively pursue them in a timely fashion.⁴ Since the time period rendering them stale has now passed, we recommend their closure at this time.

We recommend that the Commission exercise its prosecutorial discretion and direct closure of the cases listed below, effective February 24, 1998. Closing

³ These cases are: MUR 4350 (Republican Party of Minnesota), MUR 4355 (Aqua-Leisure Industries, Inc.), MUR 4372 (Nebraska Democratic Party), MUR 4394 (Americans for Term Limits), MUR 4472 (Committee to Elect Winston), MUR 4483 (Nebraska Democratic State Central Committee), MUR 4504 (NH Democratic State Party Committee), MUR 4507 (People for Boschunz), MUR 4509 (Wellstone for Senate), MUR 4565 (Bell for Congress), MUR 4570 (Congresswoman Andrea Seastrand), MUR 4571 (Subert for Congress Committee), MUR 4572 (Friends of Dick B. Durkin), MUR 4575 (Dana Corrington), MUR 4585 (Hughes for Congress Committee), MUR 4589 (Congressman Bart Gordon), MUR 4592 (Iowa Public Television), MUR 4593 (Public Interest Institute), MUR 4599 (Bruce W. Happonen), MUR 4601 (Christian Nation of Oklahoma), MUR 4602 (WFSB-TV Channel 3), MUR 4604 (Dana Corrington), MUR 4605 (Christian Coalition), Pre-MUR 346 (Coalition of Politically Active Christians), RAD 96NF-09 (O'Sullivan for Congress), RAD 96L-12 (Alaska Democratic Party), and RAD 97NF-02 (Zien for Congress).

⁴ These cases are: MUR 4350 (Republican Party of Minnesota), MUR 4372 (Nebraska Democratic Party), MUR 4394 (Americans for Term Limits), MUR 4472 (Committee to Elect Winston), MUR 4483 (Nebraska Democratic State Central Committee), MUR 4504 (NH Democratic State Party Committee), MUR 4507 (People for Boschunz), MUR 4509 (Wellstone for Senate), and MUR 4565 (Bell for Congress).

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these cases as of this date will permit CED and the Legal Review Team the necessary time to prepare closing letters and case files for the public record.

III. RECOMMENDATIONS.

A. Decline to open a MUR, close the file effective February 24, 1998, and approve the appropriate letters in the following matters:

- | | | |
|----------------|----------------|----------------|
| 1. RAD 96NF-09 | 3. RAD 97NF-02 | 5. Pre-MUR 356 |
| 2. RAD 96L-12 | 4. Pre-MUR 346 | |

B. Take no action, close the file effective March 2, 1998, and approve the appropriate letters in the following matters:

- | | | |
|--------------|--------------|--------------|
| 1. MUR 4350 | 14. MUR 4575 | 27. MUR 4668 |
| 2. MUR 4355 | 15. MUR 4585 | 28. MUR 4672 |
| 3. MUR 4372 | 16. MUR 4589 | 29. MUR 4673 |
| 4. MUR 4394 | 17. MUR 4592 | 30. MUR 4676 |
| 5. MUR 4472 | 18. MUR 4593 | 31. MUR 4677 |
| 6. MUR 4483 | 19. MUR 4599 | 32. MUR 4681 |
| 7. MUR 4504 | 20. MUR 4601 | 33. MUR 4683 |
| 8. MUR 4507 | 21. MUR 4602 | 34. MUR 4684 |
| 9. MUR 4509 | 22. MUR 4604 | 35. MUR 4694 |
| 10. MUR 4565 | 23. MUR 4605 | 36. MUR 4695 |
| 11. MUR 4570 | 24. MUR 4631 | 37. MUR 4696 |
| 12. MUR 4571 | 25. MUR 4661 | 38. MUR 4703 |
| 13. MUR 4572 | 26. MUR 4667 | |

2/1/98
Date

Lawrence M. Noble
General Counsel

98043862051

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) Agenda Document
Case Closures Under) No. X98-13
Enforcement Priority)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for
the Federal Election Commission executive session on
February 24, 1998, do hereby certify that the Commission
took the following actions with respect to Agenda
Document No. X98-13:

1. Failed in a vote of 3-2 to pass a motion to approve the General Counsel's recommendations, subject to amendment of the closing date in recommendation A to read March 2, 1998, and subject to deletion of those cases listed in footnote 4 on Page 3 of the staff report.

Commissioners McDonald, McGarry, and Thomas voted affirmatively for the motion. Commissioners Aikens and Elliott dissented.

2. Decided by a vote of 5-0 to

A. Decline to open a MUR, close the file effective March 2, 1998, and approve the appropriate letters in the following matters:

- | | |
|----------------|----------------|
| 1. RAD 96NF-09 | 4. Pre-MUR 346 |
| 2. RAD 96L-12 | 5. Pre-MUR 356 |
| 3. RAD 97NF-02 | |

(continued)

93043362252

- B. Take no action, close the file effective March 2, 1998, and approve the appropriate letters in the following matters:

1. MUR 4350	20. MUR 4601
2. MUR 4355	21. MUR 4602
3. MUR 4372	22. MUR 4604
4. MUR 4394	23. MUR 4605
5. MUR 4472	24. MUR 4631
6. MUR 4483	25. MUR 4661
7. MUR 4504	26. MUR 4667
8. MUR 4507	27. MUR 4668
9. MUR 4509	28. MUR 4672
10. MUR 4565	29. MUR 4673
11. MUR 4570	30. MUR 4676
12. MUR 4571	31. MUR 4677
13. MUR 4572	32. MUR 4681
14. MUR 4575	33. MUR 4683
15. MUR 4585	34. MUR 4684
16. MUR 4589	35. MUR 4694
17. MUR 4592	36. MUR 4695
18. MUR 4593	37. MUR 4696
19. MUR 4599	38. MUR 4703

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

Attest:

2-25-98
Date

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

98043862953



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 2, 1998

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Philip Roberto
Proposition 103 Enforcement Project
1750 Ocean Park Blvd.
Santa Monica, CA 90405

RE: MUR 4673

Dear Mr. Roberto

On September 2, 1997, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the respondents. See attached narrative. Accordingly, the Commission closed its file in this matter on March 2, 1998. This matter will become part of the public record within 30 days.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

A handwritten signature in black ink, appearing to read "F. Andrew Turley".

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

MUR 4673

PAPAN FOR ASSEMBLY

Mr. Philip Roberto alleges that H.R.A. Investments, Ltd. ("H.R.A."), a Canadian corporation, unlawfully contributed \$150 to the Papan for Assembly state committee (the "Committee") on July 22, 1996.

The Committee responds that it had no knowledge of the illegality of the contribution, but upon notification of the complaint refunded \$150 to H.R.A. The Committee submitted a copy of the refund check with its response to demonstrate the remedial action taken.

H.R.A. claims it did not know that its \$150 contribution was impermissible until the complaint was received. The respondent acknowledged its understanding and expectation of a refund by Papan for Assembly.

This matter is less significant relative to other matters pending before the Commission.

98043362255



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 2, 1998

Victor G. Kyriakis, Treasurer
Papan for Assembly
215 Loyola Drive
Millbrae, CA 94030

RE: MUR 4673

Dear Mr. Kyriakis:

On September 8, 1997, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against Papan for Assembly and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter on March 2, 1998.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Jennifer H. Boyd on our toll-free number, (800)-424-9530. Our local number is (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Andrew Turley".

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

cc: Louis J. Papan

MUR 4673

PAPAN FOR ASSEMBLY

Mr. Philip Roberto alleges that H.R.A. Investments, Ltd. ("H.R.A."), a Canadian corporation, unlawfully contributed \$150 to the Papan for Assembly state committee (the "Committee") on July 22, 1996.

The Committee responds that it had no knowledge of the illegality of the contribution, but upon notification of the complaint refunded \$150 to H.R.A. The Committee submitted a copy of the refund check with its response to demonstrate the remedial action taken.

H.R.A. claims it did not know that its \$150 contribution was impermissible until the complaint was received. The respondent acknowledged its understanding and expectation of a refund by Papan for Assembly.

This matter is less significant relative to other matters pending before the Commission.

98043362057



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 2, 1998

Uri Ariel, President
H.R.A. Investments, Ltd.
555 West Georgia Street, #610
Vancouver, BC V6B 1Z5

RE: MUR 4673

Dear Mr. Ariel:

On September 8, 1997, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter on March 2, 1998.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Jennifer H. Boyd on our toll-free number, (800)-424-9530. Our local number is (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Andrew Turley".

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

MUR 4673
PAPAN FOR ASSEMBLY

Mr. Philip Roberto alleges that H.R.A. Investments, Ltd. ("H.R.A."), a Canadian corporation, unlawfully contributed \$150 to the Papan for Assembly state committee (the "Committee") on July 22, 1996.

The Committee responds that it had no knowledge of the illegality of the contribution, but upon notification of the complaint refunded \$150 to H.R.A. The Committee submitted a copy of the refund check with its response to demonstrate the remedial action taken.

H.R.A. claims it did not know that its \$150 contribution was impermissible until the complaint was received. The respondent acknowledged its understanding and expectation of a refund by Papan for Assembly.

This matter is less significant relative to other matters pending before the Commission.

93043362252



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

THIS IS THE END OF MUR # 4673

DATE FILMED 3/11/98 CAMERA NO. 2

CAMERAMAN EES

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