



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2609

DATE FILMED 3/3/89 CAMERA NO. 3

CAMERAMAN AS

89040733595

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 15 April 1988

ANALYST: Linda Tangney

I. COMMITTEE: Babbitt for President Committee
(C00213017)
Ronnie Lopez, Treasurer
2525 East Arizona Biltmore Circle^{1/}
Phoenix, AZ 85016

II. RELEVANT STATUTE: 2 U.S.C. §434(a)(3)(A)(i)
11 CFR 104.5(b)(1)(i)

III. BACKGROUND:

Failure to Timely File Reports

The Babbitt for President Committee (the "Committee") has failed to file the 1988 February Monthly Report and the 1988 March Monthly Report in a timely manner.

The Committee was notified on December 18, 1987 that the 1988 February Monthly Report was due February 20, 1988 (Attachment 2). On February 19, 1988, Ms. Kotler from the Committee telephoned the Reports Analysis Division ("RAD") analyst and requested a two (2) week extension to file the 1988 February Monthly Report. The analyst explained that the Commission would not grant extensions in this case, and that it was important for this report to be filed as timely as possible. Ms. Kotler stated that they could not file this report on time for several reasons, and a letter would be filed explaining this (Attachment 3).

On February 19, 1988, a letter from the Committee was received which requested an extension of time to file the 1988 February Monthly Report, and stated that the report would be filed by March 7, 1988 (Attachment 4). A mailgram was sent to the Committee on February 26, 1988, for failure

^{1/} The former street address for the Committee was 2095 East Camelback Road. The mailgrams were sent to the former address.

BABBITT FOR PRESIDENT COMMITTEE
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

to file the 1988 February Monthly Report (Attachment 5). The mailgram informed the Committee that failure to file this report immediately may result in publication, audit, or legal enforcement action. The name of the Committee was published for failure to file the 1988 February Monthly Report on March 4, 1988 (Attachment 6). On March 21, 1988, the analyst telephoned Ms. Kotler and asked if the 1988 February Monthly Report had been filed. Ms. Kotler stated that the report would be filed by March 28, 1988 (Attachment 7). On March 28, 1988, Ms. Kotler telephoned the analyst and stated that she had filed an amendment to the 1987 Year End Report, and would be "federal expressing" the 1988 February Monthly Report. Ms. Kotler also stated that the 1988 March Monthly Report would be filed the following week (Attachment 8).

The Committee was notified on December 18, 1987 that the 1988 March Monthly Report was due on March 20, 1988 (Attachment 2). A mailgram was sent to the Committee on March 25, 1988 for failure to file the 1988 March Monthly Report (Attachment 9). The mailgram informed the Committee that failure to file this report immediately may result in publication, audit, or legal enforcement action. The name of the Committee was published for failure to file the 1988 March Monthly Report on April 1, 1988 (Attachment 10).

On March 31, 1988 the Committee filed the 1988 February Monthly Report (Attachment 11). On April 11, 1988 the Committee filed the 1988 March Monthly Report (Attachment 12).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

A Request for Additional Information ("RFAI") will be sent to the Committee requesting additional information on the 1988 February Monthly Report. The Committee may be referred to the General Counsel's Office for failing to correct mathematical discrepancies in their aggregate year-to-date totals on Schedule A, and for failure to clarify whether there are any endorser for a \$75,000 bank loan.

FEDERAL ELECTION COMMISSION
1987-1988
CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

DATE 13APR88

PAGE 1

CANDIDATE/COMMITTEE/DOCUMENT	RECEIPTS		DISBURSEMENTS		# OF PAGES	MICROFILM LOCATION TYPE OF FILER
	OFFICE SOUGHT/ PARTY	PRIMARY GENERAL	PRIMARY GENERAL	COVERAGE DATES		
BABBITT, BRUCE	PRESIDENT DEMOCRATIC PARTY					1988 ELECTION ID# F8000056
1. STATEMENT OF CANDIDATE						
1987 STATEMENT OF CANDIDATE						12JAN87 2 87FEC/425/2653
2. PRINCIPAL CAMPAIGN COMMITTEE						
BABBITT FOR PRESIDENT COMMITTEE						ID #000213017 PRESIDENTIAL
1987 STATEMENT OF ORGANIZATION						7JAN87 1 87FEC/425/2622
MISCELLANEOUS REPORT TO FEC						11MAY87 2 87FEC/470/1844
MISCELLANEOUS REPORT TO FEC						4AUG87 2 87FEC/476/1264
STATEMENT OF ORGANIZATION - AMENDMENT						28SEP87 2 87FEC/476/3493
STATEMENT OF ORGANIZATION - AMENDMENT						28SEP87 2 87FEC/476/3491
STATEMENT OF ORGANIZATION - AMENDMENT						31DEC87 2 88FEC/489/4640
APRIL QUARTERLY 824,777		555,347				7JAN87 -31MAR87 286 87FEC/425/4910
APRIL QUARTERLY - AMENDMENT 824,777		515,959				7JAN87 -31MAR87 57 87FEC/476/1491
REQUEST FOR ADDITIONAL INFORMATION						7JAN87 -31MAR87 1 87FEC/474/3550
REQUEST FOR ADDITIONAL INFORMATION 2ND						7JAN87 -31MAR87 2 87FEC/482/4520
JULY QUARTERLY 547,170		818,544				1APR87 -30JUN87 142 87FEC/475/0080
JULY QUARTERLY - AMENDMENT -		-				1APR87 -30JUN87 2 87FEC/476/2216
OCTOBER QUARTERLY 551,815		536,472				1JUL87 -30SEP87 121 87FEC/488/2045
OCTOBER QUARTERLY - AMENDMENT -		-				1JUL87 -30SEP87 5 87FEC/489/0510
YEAR-END 522,457		471,316				1OCT87 -31DEC87 142 88FEC/505/5395
YEAR-END - AMENDMENT -		-				1OCT87 -31DEC87 5 88FEC/514/4136
YEAR-END - AMENDMENT -		-				1OCT87 -31DEC87 6 88FEC/514/4039
REQUEST FOR ADDITIONAL INFORMATION						1OCT87 -31DEC87 2 88FEC/511/1777
REQUEST FOR ADDITIONAL INFORMATION 2ND						1OCT87 -31DEC87 3 88FEC/514/3780
1988 MISCELLANEOUS REPORT TO FEC						23FEB88 1 88FEC/511/1675
FEBRUAR- MONTHLY 1,125,230		1,035,895				1JAN88 -31JAN88 103 88FEC/514/4154
NOTICE OF FAILURE TO FILE						1JAN88 -31JAN88 1 88FEC/511/2127
MARCH MONTHLY 358,622		287,509				1FEB88 -29FEB88 76 88FEC/517/0056
NOTICE OF FAILURE TO FILE						1FEB88 -29FEB88 1 88FEC/514/4372
TOTAL		3,930,271	0 3,665,695	0		973 TOTAL PAGES
3. AUTHORIZED COMMITTEES						
4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN						

ALL REPORTS EXCEPT THE 1988 MARCH MONTHLY HAVE BEEN REVIEWED.
ENDING CASH-ON-HAND AS OF 2/29/88: \$247,768
DEBTS OWED TO THE COMMITTEE AS OF 2/29/88: \$2,178
DEBTS OWED BY THE COMMITTEE AS OF 2/29/88: \$388,337

YEAR-END REPORT NOTICE

FEDERAL ELECTION COMMISSION

PRESIDENTIAL COMMITTEES

December 18, 1987

WHO MUST FILE

ALL PRINCIPAL CAMPAIGN COMMITTEES OF PRESIDENTIAL "CANDIDATES" must file a Year-End Report in January. To know whether you qualify as a candidate under the election law, please refer to the enclosed brochure for the definition of the term "candidate."

REPORTING DATES

Quarterly. The Year-End Report is due January 31, 1988, and must disclose financial activity that occurred from October 1 through December 31, 1987. Committees which have previously filed 1987 reports should only report activity from the closing date of the last report filed.

Monthly. Committees that choose to file on a monthly basis must file the Year-End Report due January 31, 1988. The report must disclose financial activity from December 1 through December 31, 1987. All other monthly reports are due by the 20th of each month and cover all financial activity of the previous month.

WHAT MUST BE REPORTED

A report must disclose all receipts and disbursements (not previously reported) that occurred during the reporting period. A newly registered committee filing its first report should also include all amounts received and expended prior to the candidate's attaining candidate status.

If the campaign has more than one authorized committee, the principal campaign committee must also file a consolidated report (FEC Form 3P, Page 5). For details, see 11 CFR 104.3(f) and the instructions on the back of the form.

WHERE AND HOW TO FILE

Committees should consult the instructions on the enclosed FEC Form 3P for details. Note State filing requirements also. Affix the peel-off label from the envelope to line 1 of the report. Any corrections in the information should be made directly on the label.

COMPLIANCE

Political committees are responsible for filing all reports required under the Act in a timely fashion. Committees and treasurers who file late reports, or fail to file reports, are subject to enforcement action. Illegible reports and reports submitted on non-FEC forms will not be accepted; committees filing such documents will be required to refile.

(over)

1988 FILING SCHEDULE
PRESIDENTIAL CANDIDATES

ATTACHMENT 2
PAGE 2 of 2

A committee which does not anticipate that its financial activity will exceed \$100,000 as of January 1, 1988, must file quarterly reports. Such a committee must also file a pre-election report for each election in which the candidate is seeking nomination or election. If the candidate is in the general election the committee must also file a Post-General election report. All committees must file a Year-End report.

A committee which receives contributions or makes expenditures aggregating \$100,000 or more (or which anticipates this level of financial activity) as of January 1, 1988, must file monthly reports. A committee participating in the general election does not file monthly reports during the months of November and December 1988. Rather, the committee must file Pre- and Post-General election reports. The committee of a candidate not participating in the general election must continue to file monthly reports, or must file Pre- and Post-General election reports. All committees must file a Year-End report.

If, during the 1988 election year, a committee receives contributions or makes expenditures aggregating \$100,000 or more, it must begin filing monthly reports starting the next reporting period.

MONTHLY FILERS

Report	Period Covered 1/	Reg./Cert. Mailing Date 2/	Filing Date
February	01/01 - 01/31	02/20/88	02/20/88
March	02/01 - 02/29	03/20/88	03/20/88
April	03/01 - 03/31	04/20/88	04/20/88
May	04/01 - 04/30	05/20/88	05/20/88
June	05/01 - 05/31	06/20/88	06/20/88
July	06/01 - 06/30	07/20/88	07/20/88
August	07/01 - 07/31	08/20/88	08/20/88
September	08/01 - 08/31	09/20/88	09/20/88
October	09/01 - 09/30	10/20/88	10/20/88
Pre-General	10/01 - 10/19	10/24/88	10/27/88
Post-General	10/20 - 11/28	12/08/88	12/08/88
Year-End	11/29 - 12/31	01/31/89	01/31/89

QUARTERLY FILERS

Report	Period Covered 1/	Reg./Cert. Mailing Date 2/	Filing Date
April-Quarterly	01/01 - 03/31	04/15/88	04/15/88
July-Quarterly	04/01 - 06/30	07/15/88	07/15/88
October-Quarterly	07/01 - 09/30	10/15/88	10/15/88
Pre-General	10/01 - 10/19	10/24/88	10/27/88
Post-General	10/20 - 11/28	12/08/88	12/08/88
Year-End	11/29 - 12/31	01/31/89	01/31/89

1/Newly registered committees should refer to "WHAT MUST BE REPORTED," reverse side.

2/Reports sent by registered or certified mail must be postmarked by the mailing date. Reports mailed first class or hand delivered must be received by the filing date.

MEMORANDUM TO FILES:

DATE 2/19/88

TELECON X
VISIT

NAME OF COMMITTEE: BABBITT FOR PRESIDENT COMMITTEE

SUBJECT: FILING THE FEBRUARY MONTHLY REPORT

FEC REP: LINDA TANGNEY

COMMITTEE REP: ADRIENNE KOTLER

Ms. Kotler telephoned to request a two week extension to file the February Monthly Report. I explained that the Commission does not grant extensions in this case, and that it was important to file as timely as possible. Ms. Kotler stated that they could not file this report on time for several reasons, and a letter would be sent in explaining this.

89040735501



February 19, 1988

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

Dear Mr. Chairman:

Due to circumstances beyond our control, our January 31, 1988 month end report will not be submitted prior to the February 20th deadline.

It is our intention to file this report by March 7, 1988 and we would like to request an extension for filing until that time.

We look forward to a favorable response to our request.

Sincerely,

Ronnie Lopez
Treasurer

r/
cc: Linda Tagney
Patricia Schering

HAND DELIVERED

RQ-7

(This is a copy of the text of a mailgram sent to the committee listed below on February 26, 1988.)

Ronnie Lopez, Treasurer
Babbitt for President Committee
2095 East Camelback Road
Phoenix, AZ 85016

Identification Number: C00213017

Reference: FEBRUARY MONTHLY REPORT (1/1/88-1/31/88)

3 9 0 4 0 7 3 3 6 7 3
It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced Report of Receipts and Expenditures as required by the Federal Election Campaign Act. You were previously notified of the due date for this report.

You will be allowed four (4) business days from the date of this notice to file the February Monthly Report. The reports should be filed with the Federal Election Commission, 999 E Street, NW, Washington, DC 20463. A copy of the report should also be filed with the appropriate Secretary of State or equivalent state officer (see 11 CFR 108.2).

3 9 0 4 0 7 3 3 6 7 3
If you have filed the report timely by certified or registered mail, please notify us immediately, in writing, of the certified or registered number and the date that the report was sent. The failure to file this report may result in publication, audit or legal enforcement action.

If you have any questions regarding this matter, please contact the Reports Analysis Division on our toll free number (800) 424-9530 or on our local number (202) 376-2480.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

FEDERAL ELECTION COMMISSION

ATTACHMENT 6



Press Office

999 E Street, N.W., Washington, D.C. 20463

Phone: Local 376-3155

Toll Free 800-424-9630

FOR IMMEDIATE RELEASE:
FRIDAY, MARCH 4, 1988

CONTACT: FRED EILAND
SHARON SNYDER
KAREN FINUCAN

1988 PRESIDENTIAL CAMPAIGNS FAIL TO FILE MONTHLY REPORT

WASHINGTON — The Federal Election Commission today cited five 1988 Presidential campaign committees with failure to file the required February monthly financial disclosure report, covering activity from January 1, 1988, through January 31, 1988.

They are:

Babbitt for President Committee...Ronnie Lopez, tres...Bruce Babbitt (Dem)

David Duke for President...Pauline Mackey, tres...David Duke (Dem)

Ben Fernandez for President Committee...Annie Padilla, tres...Ben Fernandez (Rep)

Haig for President...Dominic J. Saraceno, tres...Alexander Maigs Haig, Jr. (Rep)

NE Dem Campaign Cate/Anthony Martin-Trigona...Anthony Martin-Trigona, tres & (Dem)

The report was to have been filed February 20, 1988, and would have detailed financial activity for the month of January. If sent by certified or registered mail, the report should have been postmarked by midnight February 20.

On February 26, the committees were notified by mailgram that the FEC had not yet received their February monthly report. The campaigns had four business days, from the date of the notice, to respond. Failure to file by close of business Thursday, March 3, resulted in this publication. Notification of required filings, during the 1988 calendar year, was sent to committees on December 18, 1987.

During an election year, Presidential campaign committees that anticipate raising or spending over \$100,000 are required to report on a monthly basis. Those reports are due on the 20th of each month, covering financial activity during the prior month. The next report due from Presidential committees is the March monthly report, covering the period February 1 through February 29.

Further Commission action against non-filers and late filers will be decided on a case-by-case basis. The Federal Election Campaign Act gives the Commission broad authority to initiate enforcement actions, including civil court enforcement and the imposition of civil penalties (\$5,000 for "any violation" and \$10,000 for any "knowing and willful" violation) for infractions of the law, including failure to file required disclosure reports.

MEMORANDUM TO FILES:

DATE 3/21/88

TELECON x
VISIT

NAME OF COMMITTEE: BABBITT FOR PRESIDENT COMMITTEE

SUBJECT: FILING THE FEBRUARY MONTHLY REPORT

FEC REP: LINDA TANGNEY

COMMITTEE REP: ADRIENNE KOTLER

I telephoned Ms. Kotler to ask her if the Committee had filed the February Monthly Report yet. Ms. Kotler stated that the report would be filed by March 28, 1988.

89940736605

MEMORANDUM TO FILES:

DATE 3/28/88

TELECON X
VISIT

NAME OF COMMITTEE: BABBITT FOR PRESIDENT COMMITTEE

SUBJECT: FILING THE FEBRUARY MONTHLY REPORT

FEC REP: LINDA TANGNEY

COMMITTEE REP: ADRIENNE KOTLER

Ms. Kotler telephoned to state that an amendment to the 1987 Year-End Report had been filed, and that she was "federal expressing" the February Monthly Report out. Ms. Kotler also stated that she would be filing the March Monthly Report the following week.

8904073600

RQ-7

(This is a copy of the text of a mailgram sent to the committee listed below on March 25, 1988.)

Ronnie Lopez, Treasurer
Babbitt for President Committee
2095 East Camelback Road
Phoenix, AZ 85016

Identification Number: C00213017

Reference: MARCH MONTHLY REPORT (2/1/88-2/29/88)

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced Report of Receipts and Expenditures as required by the Federal Election Campaign Act. You were previously notified of the due date for this report.

You will be allowed four (4) business days from the date of this notice to file the March Monthly Report. The reports should be filed with the Federal Election Commission, 999 E Street, NW, Washington, DC 20463. A copy of the report should also be filed with the appropriate Secretary of State or equivalent state officer (see 11 CFR 108.2).

If you have filed the report timely by certified or registered mail, please notify us immediately, in writing, of the certified or registered number and the date that the report was sent. The failure to file this report may result in publication, audit or legal enforcement action.

If you have any questions regarding this matter, please contact the Reports Analysis Division on our toll free number (800) 424-9530 or on our local number (202) 376-2480.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

FEDERAL ELECTION COMMISSION

Attachment 10



Press Office

999 E Street, N.W., Washington, D.C. 20463

Phone: Local 376-3155

Toll Free 800-424-9530

FOR IMMEDIATE RELEASE:
FRIDAY, APRIL 1, 1988

CONTACT: FRED EILAND
SHARON SNYDER
KAREN FINUCAN

1988 PRESIDENTIAL CAMPAIGNS FAIL TO FILE MONTHLY REPORT

WASHINGTON -- The Federal Election Commission today cited four 1988 Presidential campaign committees with failure to file the required March monthly financial disclosure report, covering activity from February 1, 1988, through February 29, 1988. They are:

[Babbitt for President Committee...Ronnie Lopez, tres...Bruce Babbitt (Dem)] ^{LT}

Pete Du Pont for President...Frank A. Ursomarso, tres...Pete Du Pont (Rep)

Ben Fernandez for President Committee...Annie Padilla, tres...Ben Fernandez (Rep)

NH Dem Campaign Cmte/Anthony Martin-Trigona...Anthony Martin-Trigona, tres & (Dem)

The report was to have been filed March 20, 1988, and would have detailed financial activity for the month of February. If sent by certified or registered mail, the report should have been postmarked by midnight March 20.

On March 25, the committees were notified by mailgram that the FEC had not yet received their February monthly report. The campaigns had four business days, from the date of the notice, to respond. Failure to file by close of business Thursday, March 31, resulted in this publication. Notification of required filings, during the 1988 calendar year, was sent to committees on December 18, 1987.

During an election year, Presidential campaign committees that anticipate raising or spending over \$100,000 are required to report on a monthly basis. Those reports are due on the 20th of each month, covering financial activity during the prior month. The next report due from Presidential committees is the March monthly report, covering the period February 1 through February 29.

Further Commission action against non-filers and late filers will be decided on a case-by-case basis. The Federal Election Campaign Act gives the Commission broad authority to initiate enforcement actions, including civil court enforcement and the imposition of civil penalties (\$5,000 for "any violation" and \$10,000 for any "knowing and willful" violation) for infractions of the law, including failure to file required disclosure reports.

#

HAND DELIVERED

FEC FORM 3P, Page 1
Federal Election Commission
500 E Street, N.W.
Washington, D.C. 20463

**REPORT OF RECEIPTS AND DISBURSEMENTS
BY AN AUTHORIZED COMMITTEE OF A
CANDIDATE FOR THE OFFICE OF PRESIDENT**

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

88 MAR 31 AM 9:41

NOTE: This report is to be used by an authorized committee of a candidate seeking nomination or election to the Office of President or Vice President of the United States whether or not public funds are used.

USE PRE-MAILING LABEL OR TYPE ON POST	1. NAME OF COMMITTEE (in full) Babbitt for President	2. IDENTIFICATION NUMBER C00213017
	ADDRESS (number and street) <input type="checkbox"/> Check if different than previously reported 2525 E. Arizona Biltmore Circle	3. IS THIS REPORT OF RECEIPTS AND DISBURSEMENTS FOR:
	CITY, STATE and ZIP CODE Phoenix, AZ 85016	<input checked="" type="checkbox"/> Primary <input type="checkbox"/> General
4. TYPE OF REPORT ("X" appropriate box and complete, if applicable)	<input type="checkbox"/> Amendment for (Report)	<input checked="" type="checkbox"/> Monthly Report (month) January
	<input type="checkbox"/> April 15 Quarterly Report	<input type="checkbox"/> January 31 Year-end Report
	<input type="checkbox"/> July 15 Quarterly Report	<input type="checkbox"/> Termination Report
	<input type="checkbox"/> October 15 Quarterly Report	
	<input type="checkbox"/> Twelfth Day Before Election	<input type="checkbox"/> Thirtieth Day After Election
	TYPE OF ELECTION Presidential	
	STATE	ELECTION DATE

COMMITTEE SUMMARY OF RECEIPTS AND DISBURSEMENTS

5. COVERING PERIOD	FROM January 1, 1988	THROUGH January 31, 1988
SUMMARY	6. CASH ON HAND AT BEGINNING OF THE REPORTING PERIOD	87,114
	7. TOTAL RECEIPTS THIS PERIOD (From Line 22 Column A)	1,125,230
	8. SUBTOTAL (Add Line 6 and 7)	1,212,344
	9. TOTAL DISBURSEMENTS THIS PERIOD (From Line 30 Column A)	1,035,895
	10. CASH ON HAND AT CLOSE OF THE REPORTING PERIOD (Subtract Line 9 from 8)	176,449
	11. DEBTS AND OBLIGATIONS OWED TO THE COMMITTEE (Itemize All on Schedule C or Schedule D)	2,178
	12. DEBTS AND OBLIGATIONS OWED BY THE COMMITTEE (Itemize All on Schedule C or Schedule D)	340,061
	13. EXPENDITURES SUBJECT TO LIMITATION (From FEC Form 3P, Page 4)	2,070,653
NET YEAR-TO-DATE CONTRIBUTIONS AND EXPENDITURES	14. NET CONTRIBUTIONS (Other than Loans) (Subtract Line 28d Column B from 17e Column B)	252,665
	15. NET OPERATING EXPENDITURES (Subtract Line 20a Column B from 23 Column B)	346,206

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

TYPE OR PRINT NAME OF TREASURER
Ronnie Lopez

SIGNATURE OF TREASURER

DATE

March 29, 1988

For further information, contact:

Federal Election Commission
Toll Free 800-424-9630
Local 376-3120

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. § 437g.

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

FEC FORM 3P (2/83)

REPORT RECEIPT DISBURSEMENTS
BY AUTHORIZ. COMMITTEE OF A
CANDIDATE FOR THE OFFICE OF PRESIDENT

HAND DELIVERED

FEDERAL ELECTION COMMISSION

ATTACHMENT 12

83 APR 11 21 9:01

NOTE: This report is to be used by an authorized committee of a candidate seeking nomination or election to the Office of President or Vice President of the United States whether or not public funds are used.

USE FEC MAILING LABEL OR TYPE OR PRINT	1. NAME OF COMMITTEE (in full) BABBITT FOR PRESIDENT	2. IDENTIFICATION NUMBER 000213017
	ADDRESS (number and street) <input type="checkbox"/> Check if different than previously reported 2525 E. Arizona Biltmore Circle	3. IS THIS REPORT OF RECEIPTS AND DISBURSEMENTS FOR: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General
	CITY, STATE and ZIP CODE Phoenix, AZ 85016	

4. TYPE OF REPORT ("X" appropriate box and complete, if applicable)	<input type="checkbox"/> Amendment for (Report)	<input type="checkbox"/> Monthly Report (month) February, 1988	<input type="checkbox"/> Twelfth Day Before Election
	<input type="checkbox"/> April 15 Quarterly Report	<input type="checkbox"/> January 31 Year-end Report	<input type="checkbox"/> Thirtieth Day After Election
	<input type="checkbox"/> July 15 Quarterly Report	<input type="checkbox"/> Termination Report	TYPE OF ELECTION Primary
	<input type="checkbox"/> October 15 Quarterly Report		STATE ELECTION DATE

COMMITTEE SUMMARY OF RECEIPTS AND DISBURSEMENTS

5. COVERING PERIOD	FROM 02-01-88	THROUGH 02-29-88
SUMMARY	6. CASH ON HAND AT BEGINNING OF THE REPORTING PERIOD	176,449
	7. TOTAL RECEIPTS THIS PERIOD (From Line 22 Column A)	358,822
	8. SUBTOTAL (Add Line 6 and 7)	535,271
	9. TOTAL DISBURSEMENTS THIS PERIOD (From Line 30 Column A)	287,509
	10. CASH ON HAND AT CLOSE OF THE REPORTING PERIOD (Subtract Line 9 from 8)	247,768
	11. DEBTS AND OBLIGATIONS OWED TO THE COMMITTEE (Itemize All on Schedule C or Schedule D)	2,178
	12. DEBTS AND OBLIGATIONS OWED BY THE COMMITTEE (Itemize All on Schedule C or Schedule D)	388,337
	13. EXPENDITURES SUBJECT TO LIMITATION (From FEC Form 3P, Page 4)	2,199,139
	14. NET CONTRIBUTIONS (Other than Loans) (Subtract Line 28d Column B from 17e Column B)	419,623
	15. NET OPERATING EXPENDITURES (Subtract Line 20a Column B from 23 Column B)	474,692

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

TYPE OR PRINT NAME OF TREASURER

Ronnie Lopez

SIGNATURE OF TREASURER

DATE

4-8-88

For further information,
contact:

Federal Election Commission
Toll Free 800-424-9530
Local 376-3120

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. § 437g.

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

FEC FORM 3P (2/83)

FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION

83 MAY -2 PM 12:10

FIRST GENERAL COUNSEL'S REPORT

RAD # 88 NF-14
STAFF MEMBER
Sandra Dunham

SENSITIVE
EXECUTIVE SESSION
MAY 17 1988

SOURCE OF MUR: INTERNALLY GENERATED

RESPONDENTS: Babbitt for President Committee and
Ronnie Lopez, as treasurer

RELEVANT STATUTES: 2 U.S.C. § 434(a)(3)(A)(i)

INTERNAL REPORTS
CHECKED: Public Records

FEDERAL AGENCIES
CHECKED: None

I. GENERATION OF MATTER

This matter was generated by a referral from the Reports
Analysis Division ("RAD").^{1/}

II. FACTUAL AND LEGAL ANALYSIS

The Federal Election Campaign Act of 1971, as amended (the
"Act"), provides that the principal campaign committee of a
candidate for the Office of President shall file monthly reports
if such committee has on January 1, in any calendar year during
which a general election is held to fill such office, received
contributions aggregating \$100,000 or made expenditures

^{1/} This matter was referred as a non-filer. However, both of
the reports which form the basis for the referral have been
filed. Therefore, this Office is treating this matter as a late
filer.

aggregating \$100,000 or anticipates receiving contributions aggregating \$100,000 or more or making expenditures aggregating \$100,000 or more during such year. Such reports shall be filed no later than the 20th day after the last day of each month and shall be complete as of the last day of the month. 2 U.S.C. § 434(a)(3)(A)(i).

The Committee was notified on December 18, 1987 that the 1988 February Monthly Report was due February 20, 1988 and the 1988 March Monthly Report was due on March 20, 1988. On February 19, 1988, Ms. Kotler from the Committee telephoned the RAD analyst and requested a two (2) week extension to file the 1988 February Monthly Report. The analyst explained that the Commission would not grant extensions in this case, and that it was important for this report to be filed as timely as possible. Ms. Kotler stated that they could not file this report on time for several reasons, and a letter would be filed explaining this.

On February 19, 1988, a letter from the Committee was received which requested an extension of time to file the 1988 February Monthly Report, and stated that the report would be filed by March 7, 1988. A mailgram was sent to the Committee on February 26, 1988, for the failure to file the 1988 February Monthly Report. The mailgram informed the Committee that failure to file this report immediately may result in publication, audit, or legal enforcement action. The name of the Committee was

published for the failure to file the 1988 February Monthly Report on March 4, 1988. On March 21, 1988, the analyst telephoned Ms. Kotler and asked if the 1988 February Monthly Report had been filed. Ms. Kotler stated that the report would be filed by March 28, 1988. On March 28, 1988, Ms. Kotler telephoned the analyst and stated that she had filed an amendment to the 1987 Year End Report, and would be "federal expressing" the 1988 February Monthly Report. Ms. Kotler also stated that the 1988 March Monthly Report would be filed the following week.

A mailgram concerning the March Monthly Report was sent to the Committee on March 25, 1988, for the failure to file the 1988 March Monthly Report. On April 1, 1988, the name of the Committee was published for the failure to file the 1988 March Monthly Report.

On March 31, 1988, the Committee filed the 1988 February Monthly Report. It was 40 days late. On April 11, 1988, the Committee filed the 1988 March Monthly Report. It was 22 days late.

Accordingly, the Office of the General Counsel recommends that the Commission open a MUR and find reason to believe that the Committee violated 2 U.S.C. § 434(a)(3)(A)(i).

III. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that Babbitt for President Committee and Ronnie Lopez, as treasurer violated 2 U.S.C. § 434(a)(3)(A)(i).

3. Approve the attached letter and Factual and Legal Analysis.

Lawrence M. Noble
General Counsel

Date

4/29/88

BY:

Lois G. Lerner
Associate General Counsel

Attachments:

- 1-Referral Materials
- 2-Proposed Letter and Factual and Legal Analysis

Staff Person: Sandra Dunham

8904073514

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Babbitt for President Committee and) RAD Referral #88 NF-14
Ronnie Lopez, as treasurer)

(MUR
2609)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of May 17, 1988, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions with respect to the above-captioned matter:

1. Open a Matter Under Review (MUR).
2. Find reason to believe that Babbitt for President Committee and Ronnie Lopez, as treasurer, violated 2 U.S.C. § 434(a)(3)(A)(i).
3. Approve the letter and Factual and Legal Analysis attached to the General Counsel's report dated April 29, 1988.

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

Attest:

5/18/88
Date

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

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 24, 1988

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Ronnie Lopez, Treasurer
Babbitt for President Committee
2525 East Arizona Biltmore Circle
Phoenix, Arizona 85016

RE: MUR 2609
Babbitt for President
Committee and Ronnie
Lopez, as treasurer

Dear Mr. Lopez:

On May 17, 1988, the Federal Election Commission found that there is reason to believe the Babbitt for President Committee ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(3)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Committee and you, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office, within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against the Committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or

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Letter to Ronnie Lopez, Treasurer
Page 2

recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

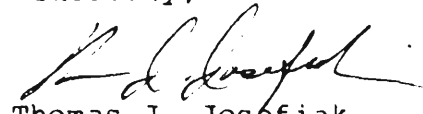
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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.

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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Sandra Dunham, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,


Thomas J. Josefiak
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: **Babbitt for President Committee
and Ronnie Lopez, as treasurer**

MUR: 2609

SUMMARY OF ALLEGATIONS

FACTUAL BASIS AND LEGAL ANALYSIS

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The Federal Election Campaign Act of 1971, as amended (the "Act"), provides that the principal campaign committee of a candidate for the Office of President shall file monthly reports if such committee has on January 1, in any calendar year during which a general election is held to fill such office, received contributions aggregating \$100,000 or made expenditures aggregating \$100,000 or anticipates receiving contributions aggregating \$100,000 or more or making expenditures aggregating \$100,000 or more during such year. Such reports shall be filed no later than the 20th day after the last day of each month and shall be complete as of the last day of the month. 2 U.S.C. § 434(a)(3)(A)(i).

The Committee was notified on December 18, 1987 that the 1988 February Monthly Report was due February 20, 1988 and the 1988 March Monthly Report was due on March 20, 1988. On February 19, 1988, Ms. Kotler from the Committee telephoned the RAD analyst and requested a two (2) week extension to file the 1988 February Monthly Report. The analyst explained that the Commission would not grant extensions in this case, and that it was important for this report to be filed as timely as possible.

Ms. Kotler stated that they could not file this report on time for several reasons, and a letter would be filed explaining this.

On February 19, 1988, a letter from the Committee was received which requested an extension of time to file the 1988 February Monthly Report, and stated that the report would be filed by March 7, 1988. A mailgram was sent to the Committee on February 26, 1988, for failure to file the 1988 February Monthly Report. The mailgram informed the Committee that failure to file this report immediately may result in publication, audit, or legal enforcement action. The name of the Committee was published for failure to file the 1988 February Monthly Report on March 4, 1988. On March 21, 1988, the analyst telephoned Ms. Kotler and asked if the 1988 February Monthly Report had been filed. Ms. Kotler stated that the report would be filed by March 28, 1988. On March 28, 1988, Ms. Kotler telephoned the analyst and stated that she had filed an amendment to the 1987 Year End Report, and would be "federal expressing" the 1988 February Monthly Report. Ms. Kotler also stated that the 1988 March Monthly Report would be filed the following week.

A mailgram was sent to the Committee on March 25, 1988, for the failure to file its 1988 March Monthly Report. On April 1, 1988, the name of the Committee was published for failure to file the 1988 March Monthly Report.

On March 31, 1988, the Committee filed the 1988 February Monthly Report. It was 40 days late. On April 11, 1988, the Committee filed the 1988 March Monthly Report. This report was filed 22 days late.

Therefore, there is reason to believe that the Committee violated 2 U.S.C. § 434(a)(3)(A)(i).

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600#9662

RECEIVED
FEDERAL ELECTION COMMISSION
ADMINISTRATIVE DIVISION

88 JUN 30 PM 4:31

PIPER & MARBURY

1200 NINETEENTH STREET, N.W.
WASHINGTON, D. C. 20036
202-861-3900
TELECOPIER 202-223-2085
CABLE PIPERMAR WSH
TELEX 904246

JOHN J. DUFFY
DIRECT DIAL NUMBER
202 861 3938

1100 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
301-539-2530

June 30, 1988

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

Re: MUR 2609
Babbitt for President Committee and
Ronnie Lopez, as treasurer

Dear Ms. Dunham:

I enclose a copy of a Designation of Counsel authorizing me to represent the Babbitt for President Committee in connection with MUR 2609. In addition, on behalf of the Committee, I request pre-probable cause conciliation.

If you have any questions concerning this matter, please give me a call.

Sincerely,

John J. Duffy

JJD:dp

RECEIVED
FEDERAL ELECTION COMMISSION
88 JUL -1 AM 11:52

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STATEMENT OF DESIGNATION OF COUNSEL

MUR 2609
NAME OF COUNSEL: John Duffy
ADDRESS: Piper, Marbury
1200 19th Stree, NW
Washington, DC 20036
TELEPHONE: 202-861-3938

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

June 7, 1988
Date


Signature

RESPONDENT'S NAME: Ronnie Lopez
ADDRESS: Babbitt for President
2525 E. Arizona Biltmore Circle
Phoenix, AZ 85016
HOME PHONE: 602-242-1856
BUSINESS PHONE: 602-956-6611

33740733622

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Babbitt for President Committee)
and Ronnie Lopez, as treasurer)

MUR 2609

GENERAL COUNSEL'S REPORT

03/01/12 11:02
SENSITIVE
EXECUTIVE SESSION

AUG 02 1988

I. BACKGROUND

On May 17, 1988, the Commission found reason to believe that the Babbitt for President Committee and Ronnie Lopez, as treasurer, violated 2 U.S.C. § 434(a)(3)(A)(i) by failing to file their 1988 February and March Monthly Reports in a timely manner. By letter dated June 30, 1988, respondents requested to settle this matter prior to a finding of probable cause to believe (Attachment 1).

II. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

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III. RECOMMENDATIONS

1. Enter into conciliation with the Babbitt for President Committee and Ronnie Lopez, as treasurer, prior to a finding of probable cause to believe.
2. Approve the attached proposed conciliation agreement and letter.

Lawrence M. Noble
General Counsel

July 18, 1988
Date

BY:

Lois G. Lerner
Associate General Counsel

Attachments

1. Request for conciliation
2. Proposed Conciliation Agreement and letter

Staff Assigned: Sandra Dunham

33740733625



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

MEMORANDUM TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS / JOSHUA MCFADDEN *JM*

DATE: JULY 28, 1988

SUBJECT: OBJECTIONS TO MUR 2609 - General Counsel's Report
Signed July 18, 1988

The above-captioned document was circulated to the Commission on Wednesday, July 20, 1988 at 4:00 P.M.

Objections have been received from the Commissioners as indicated by the name(s) checked:

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Josefiak	_____
Commissioner McDonald	_____ X _____
Commissioner McGarry	_____
Commissioner Thomas	_____ X _____

This matter will be placed on the Executive Session agenda for August 2, 1988.

Please notify us who will represent your Division before the Commission on this matter.

99040733626



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS / JOSHUA MCFADDEN
COMMISSION SECRETARY

DATE: JULY 25, 1988

SUBJECT: OBJECTION TO MUR 2609 - General Counsel's Report
Signed July 18, 1988

The above-captioned document was circulated to the
Commission on Wednesday, July 20, 1988 at 4:00 P.M..

Objection(s) have been received from the Commissioner(s)
as indicated by the name(s) checked below:

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Josefiak	_____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Thomas	_____ X _____

This matter will be placed on the meeting agenda
for August 2, 1988.

Please notify us who will represent your Division before the
Commission on this matter.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Babbitt for President Committee) MUR 2609
and Ronnie Lopez, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of August 2, 1988, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 2609:

1. Enter into conciliation with the Babbitt for President Committee and Ronnie Lopez, as treasurer, prior to a finding of probable cause to believe.
2. Approve the proposed conciliation agreement and letter attached to the General Counsel's report dated July 18, 1988.

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

Attest:

8/2/88

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 5, 1988

John Duffy, Esquire
Piper & Marbury
1200 19th Street, N.W.
Washington, D.C. 20036

RE: MUR 2609
Babbitt for President Committee and
Ronnie Lopez, as treasurer

Dear Mr. Duffy:


On May 17, 1988, the Federal Election Commission found reason to believe that the Babbitt for President Committee and Ronnie Lopez, as treasurer, violated 2 U.S.C. § 434(a)(3)(A)(i). At your request, on August 2, 1988, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Sandra Dunham, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

By: 
Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 18, 1988

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

John Duffy, Esquire
Piper & Marbury
1200 19th Street, N.W.
Washington, D.C. 20036

RE: MUR 2609
Babbitt for President Committee
and Ronnie Lopez, as treasurer

Dear Mr. Duffy:

On August 2, 1988, you were notified that, at the request of your client, the Federal Election Commission determined to enter into negotiations directed toward reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. On that same date, you were sent a conciliation agreement offered by the Commission in settlement of this matter.

Please note that conciliation negotiations entered into prior to a finding of probable cause to believe are limited to a maximum of 30 days. As discussed with a staff member on the telephone November 16, 1988, you have not responded in writing to the proposed agreement. The 30-day period for negotiations has expired. Unless we receive a written response from you within 5 days, this Office will consider these negotiations terminated and will proceed to the next stage of the enforcement process.

Should you have any questions, please contact Sandra Dunham, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

By: Lois G. Lerner
Associate General Counsel

88 DEC 20 PM 4:41

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Babbitt for President Committee)
and Ronnie Lopez, as treasurer)

MUR 2609

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On May 17, 1988, the Commission found reason to believe that the Babbitt for President Committee and Ronnie Lopez, as treasurer (the "Committee"), violated 2 U.S.C. § 434(a)(3)(A)(i) by failing to file its 1988 February and March Monthly Reports in a timely manner. At the Committee's request, on August 2, 1988, the Commission determined to enter into pre-probable cause conciliation.

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II. DISCUSSION OF CONCILIATION

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III. RECOMMENDATIONS

1. Approve the attached conciliation agreement.
2. Approve and send the attached letter.

Lawrence M. Noble
General Counsel

12/19/88

BY:


Lois G. Lerner
Associate General Counsel

Attachments

1. Proposed Conciliation Agreement and letter

Staff Assigned: Sandra J. Dunham

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Babbitt for President Committee) MUR 2609
and Ronnie Lopez, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 23, 1988, the Commission decided by a vote of 4-0 to take the following actions in MUR 2609:

1. Approve the conciliation agreement, as recommended in the General Counsel's Report signed December 19, 1988.
2. Approve and send the letter, as recommended in the General Counsel's Report signed December 19, 1988.

Commissioners Elliott, Josefiak, McDonald, and Thomas voted affirmatively for the decision. Commissioners Aikens and McGarry did not cast votes.

Attest:

December 23, 1988

Date

Hilda Arnold
for Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Tues., 12-20-88, 4:41
Circulated on 48 hour tally basis: Wed., 12-21-88, 11:00
Deadline for vote: Fri., 12-23-88, 11:00

06 C/695

PIPER & MARBURY

1200 NINETEENTH STREET, N.W.
WASHINGTON, D. C. 20036
202-861-3900
TELECOPIER 202-223-2085
CABLE PIPERMAR WSH
TELEX 904246

JOHN J. DUFFY
DIRECT DIAL NUMBER
202-861-3900

1100 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
301-539-2530

January 30, 1989

Sandra Dunham, Esq.
Office of General Counsel
Federal Election Commission
999 E Street, N.W., 6th Floor
Washington, D.C. 20463

Re: MUR 2609
Babbitt for President Committee and
Ronnie Lopez, as treasurer

Dear Ms. Dunham:

As promised, I enclose the signed Conciliation Agreement from the Babbitt for President Committee. Thank you for your cooperation.

Sincerely,

John J. Duffy

JJD:dp
Enclosure

69 JAN 30 PM 4:56

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BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
FEDERAL ELECTION COMMISSION

In the Matter of)

Babbitt for President Committee)
and Ronnie Lopez, as treasurer)

MUR 2609

89 FEB -8 PM 4:19

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Ronnie Lopez, the treasurer of the Babbitt for President Committee.

The attached agreement contains no changes from the agreement approved by the Commission on December 23, 1988. A check for the civil penalty has not been received.

II. RECOMMENDATIONS

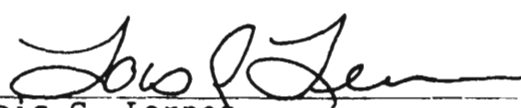
1. Accept the attached conciliation agreement with the Babbitt for President Committee and Ronnie Lopez, as treasurer.
2. Close the file.
3. Approve the attached letter.

Lawrence M. Noble
General Counsel

Date

2/7/89

BY:


Lois G. Lerner
Associate General Counsel

Attachments

1. Conciliation Agreement
2. Letter to Respondent

Staff Assigned: Sandra J. Dunham

93040733636

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Babbitt for President Committee) MUR 2609
and Ronnie Lopez, as treasurer)

CERTIFICATION

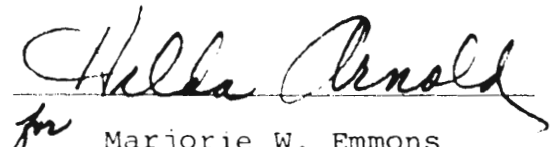
I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 13, 1989, the Commission decided by a vote of 6-0 to take the following actions in MUR 2609:

1. Accept the conciliation agreement with the Babbitt for President Committee and Ronnie Lopez, as treasurer, as recommended in the General Counsel's report signed February 7, 1989.
2. Close the file.
3. Approve the letter, as recommended in the General Counsel's report signed February 7, 1989.

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

Attest:

February 13, 1989
Date


for Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Wed., 2-8-89, 4:19
Circulated on 48 hour tally basis: Thurs., 2-9-89, 11:00
Deadline for vote: Mon., 2-13-89, 11:00

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 16, 1989

John J. Duffy, Esquire
Piper & Marbury
1200 19th Street, N.W.
Washington, D.C. 20036

RE: MUR 2609
Babbitt for President
Committee and
Ronnie Lopez, as treasurer

Dear Mr. Duffy:

On February 13, 1989, the Federal Election Commission accepted the signed conciliation agreement submitted on your client's behalf in settlement of a violation of 2 U.S.C. § 434(a)(3)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter. This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Sandra J. Dunham, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Babbitt for President Committee
and Ronnie Lopez, as treasurer

)
)
) MUR 2609
)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Babbitt for President Committee and Ronnie Lopez, as treasurer ("Respondents") violated 2 U.S.C. § 434(a)(3)(A)(i).

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Babbitt for President Committee is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Ronnie Lopez is the treasurer of the Babbitt for President Committee.

3. Respondent committee is the principal campaign committee of a candidate for the Office of President.

4. Respondent committee received contributions and made expenditures aggregating \$100,000 during a calendar year in which a general election was held.

5. Respondents were therefore required to file monthly reports no later than the 20th day after the last day of each month which were complete as of the last day of the month.

6. Respondents filed the 1988 February Monthly Report on March 31, 1988, 40 days late and filed the 1988 March Monthly Report on April 11, 1988, 22 days late. The total amount of financial activity disclosed in the 1988 February Monthly was \$2,161,125 and the total amount of financial activity disclosed in the 1988 March Monthly was \$646,331.

V. Respondents failed to file their 1988 February and March Monthly Reports in a timely manner, in violation of 2 U.S.C. § 434(a)(3)(A)(i).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Seven Thousand Two Hundred Dollars (\$7,200), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on 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 Section VI of this agreement has been violated, it may institute a civil action

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for relief in the United States District Court for the District of Columbia.

VIII. That all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.


FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

2/16/89
Date

FOR THE RESPONDENTS:


Ronnie Lopez
Treasurer

Jan. 30, 1989
Date

927907641



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

THIS IS THE END OF MUR # 2609

DATE FILMED 3/3/89 CAMERA NO. 3

CAMERAMAN AS

3 3 7 4 0 7 3 3 6 4 2



FEDERAL ELECTION COMMISSION
WASHINGTON D C 20463

4/4/89

THE FOLLOWING MATERIAL IS BEING ADDED TO THE FILE IN

MUR

2609

83040742214

662001
RECEIVED
FEDERAL ELECTION COMMISSION
89 MAR -1 AM 10:14
PIPER & MARBURY

1200 NINETEENTH STREET, N.W.
WASHINGTON, D. C. 20036
202-861-3900
TELECOPIER 202-223-2085
CABLE PIPERMAR WSH
TELEX 904246

JOHN J. DUFFY
DIRECT DIAL NUMBER
202-861-3938

1100 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
301-539-2530

March 1, 1989

By Hand

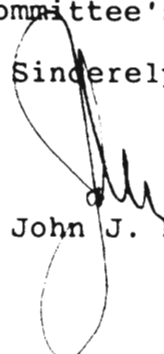
8 0 0 4 0 7 4 1 5
Sandra Dunham, Esq.
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2609
Babbitt for President Committee and
Ronnie Lopez, as treasurer

Dear Sandra:

I enclose, in fulfillment of the obligation placed on
the Babbitt for President Committee by the Conciliation
Agreement in MUR 2609, the Committee's check for \$7200.

Sincerely,


John J. Duffy

JJD:dp
Enclosure

89 MAR -1 PM 3:37

CLOSED

Babbitt Debt Fund

No. 100

February 7 1989

91-283/1221

PAY
TO THE
ORDER OF

Federal Election Commission

\$ 7,200

Seven Thousand & Two Hundred ⁰⁰/₁₀₀

DOLLARS

CITIBANK

Citibank (Arizona)
3300 North Central Avenue
Phoenix, Arizona 85012-2501

FOR Campaign Fines for Babbitt for
President Committee

Christa Babbitt

⑆122102831⑆ ⑈8295501000⑈

0602001

MEMORANDUM

TO: DEBRA A. TRIMIEW

TO: CECILIA LIEBER

FROM: CECILIA LIEBER

FROM: DEBRA A. TRIMIEW

CHECK NO. 100 { A COPY OF WHICH IS ATTACHED } RELATING TO

MUR 2609 AND NAME Babbitt for President Committee

(Dunham)

WAS RECEIVED ON 3/1/89. PLEASE INDICATE THE ACCOUNT INTO

WHICH IT SHOULD BE DEPOSITED:

/	/	BUDGET CLEARING ACCOUNT	{ 95F3875.16 }
/	✓	CIVIL PENALTIES ACCOUNT	{ 95-1099.160 }
/	/	OTHER	

SIGNATURE Debra A. Trimiew

DATE 3/2/89