



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1818

DATE FILMED 11/9/90 CAMERA NO. 4

CAMERAMAN AS

93-40803213

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: March 9, 1984ANALYST: Gregory Swanson

- I. COMMITTEE: Friends of Bob Carr (C00047951)
Dennis M. Ritter, Treasurer
P.O. Box 1552
East Lansing, MI 48823
- II. RELEVANT STATUTE: 2 U.S.C. 441a(f)
11 CFR 110.9(a)
- III. BACKGROUND:
- Receipt of Excessive Contribution from a Non-Qualified Party Committee
- 2 U.S.C. 441a(f); 11 CFR 110.9(a)
- Schedule A of the committee's 1982 October Quarterly report and 1982 30 Day Post-General report disclosed the receipt of four (4) contributions between July 27, 1982 and November 10, 1982 totalling \$10,000 from the Ingham County Democratic Committee, also known as Ingham County Democratic Party Federal Campaign Fund (the "Fund"). The committee designated \$6,000 for the general election and \$4,000 for the primary election; therefore, the committee received excessive contributions totalling \$8,000 from the Fund (Attachments 2 and 3).
- A Request for Additional Information (RFAI) was sent on July 12, 1983 concerning the excessive contributions disclosed in the two (2) reports (Attachment 4). A second notice was sent on August 4, 1983 as the committee failed to respond to the original request (Attachment 5).
- On August 8, 1983 the committee responded by stating that the \$8,000 refund had been made to the Fund on July 12, 1983 and would be disclosed on the next report (Attachment 6). Included in the committee's response was a photocopy of the \$8,000 refund check and a letter from the Fund which indicated that they (the "Fund") qualified as a multi-candidate committee on November 11, 1982 and that the checks issued to the Friends of Bob Carr committee were sent in error (Attachments 7 and 8).

20040803914

FRIENDS OF BOB CARR
OGC REFERRAL
PAGE 2

On January 31, 1984, the committee filed its 1983 Year-End Report, disclosing a contribution refund of \$8,000 to the Fund on July 12, 1983 (Attachment 9). This report also disclosed receipt of an apparent additional excessive contribution of \$8,000 designated for the 1982 General Election from the Fund on July 29, 1983 (Attachment 10).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None

40,000,000

20040303916

FEDERAL ELECTION COMMISSION
1981-1982

DATE 7NOV83

CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

PAGE 1

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
			PRIMARY	GENERAL	PRIMARY	GENERAL			
CARR, M ROBERT	HOUSE 06	DEMOCRATIC PARTY					1982 ELECTION	ID# H6MI06035	
1. STATEMENT OF CANDIDATE									
2. CANDIDATE REPORTS OF RECEIPTS & EXPENDITURES									
3. PRINCIPAL CAMPAIGN COMMITTEE									
FRIENDS OF BOB CARR									
ID# C00047951 HOUSE									
1981 MID-YEAR REPORT			20,848		16,973		1JAN81 -30JUN81	12	81HSE/204/3126
MID-YEAR REPORT - AMENDMENT			20,848		16,973		1JAN81 -30JUN81	4	82HSE/215/0438
REQUEST FOR ADDITIONAL INFORMATION							1JAN81 -30JUN81	1	82FEC/225/5171
YEAR-END			29,007		31,488		1JUL81 -31DEC81	15	82HSE/210/2534
1982 DEBT SETTLEMENT STATEMENT							15APR82	2	82HSE/215/2408
48 HOUR CONTRIBUTION NOTICE							31JUL82	1	82HSE/223/2856
STATEMENT OF ORGANIZATION - AMENDMENT							14SEP82	1	82HSE/226/0044
RFAI: DEBT SETTLEMENT FIRST							21SEP82	1	82FEC/244/1635
RFAI: DEBT SETTLEMENT SECOND							15OCT82	2	82FEC/247/4416
48 HOUR CONTRIBUTION NOTICE							23OCT82	2	82HSE/234/3132
48 HOUR CONTRIBUTION NOTICE							2NOV82	2	82HSE/235/4770
APRIL QUARTERLY			12,964		11,368		1JAN82 -31MAR82	9	82HSE/214/1421
APRIL QUARTERLY - AMENDMENT			-		-		1JAN82 -31MAR82	3	82HSE/236/2045
JULY QUARTERLY			44,057		43,978		1APR82 -30JUN82	20	82HSE/221/2574
PRE-PRIMARY			15,591		12,500		1JUL82 -21JUL82	10	82HSE/223/1937
PRE-PRIMARY - AMENDMENT			15,581		12,106		1JUL82 -21JUL82	4	82HSE/232/0303
PRE-PRIMARY - AMENDMENT			-		-		1JUL82 -21JUL82	1	82HSE/240/1408
PRE-PRIMARY - AMENDMENT			-		-		1JUL82 -21JUL82	1	82HSE/240/2755
REQUEST FOR ADDITIONAL INFORMATION							1JUL82 -21JUL82	4	82FEC/259/1365
OCTOBER QUARTERLY				81,147		74,777	22JUL82 -30SEP82	25	82HSE/232/0018
OCTOBER QUARTERLY - AMENDMENT			-		-		22JUL82 -30SEP82	2	83HSE/242/0671
OCTOBER QUARTERLY - AMENDMENT			-		-		22JUL82 -30SEP82	3	83HSE/249/3668
REQUEST FOR ADDITIONAL INFORMATION							22JUL82 -30SEP82	1	82FEC/259/3754
REQUEST FOR ADDITIONAL INFORMATION 2ND							22JUL82 -30SEP82	3	83FEC/260/4743
REQUEST FOR ADDITIONAL INFORMATION							22JUL82 -30SEP82	4	83FEC/275/2347
REQUEST FOR ADDITIONAL INFORMATION 2ND							22JUL82 -30SEP82	5	83FEC/280/4608
PRE-GENERAL			52,994		36,206		1OCT82 -13OCT82	15	82HSE/234/2134
PRE-GENERAL - AMENDMENT			-		-		1OCT82 -13OCT82	2	83HSE/242/0673
REQUEST FOR ADDITIONAL INFORMATION							1OCT82 -13OCT82	1	82FEC/259/3752
REQUEST FOR ADDITIONAL INFORMATION 2ND							1OCT82 -13OCT82	1	83FEC/261/0699
POST-GENERAL			114,909		143,555		14OCT82 -22NOV82	32	82HSE/238/0724
POST-GENERAL - AMENDMENT			-		-		14OCT82 -22NOV82	13	83HSE/244/2588
POST-GENERAL - AMENDMENT			-		-		14OCT82 -22NOV82	1	83FEC/281/2312
REQUEST FOR ADDITIONAL INFORMATION							14OCT82 -22NOV82	2	82FEC/260/2053
REQUEST FOR ADDITIONAL INFORMATION 2ND							14OCT82 -22NOV82	3	83FEC/262/3588
REQUEST FOR ADDITIONAL INFORMATION							14OCT82 -22NOV82	1	83FEC/275/3123
REQUEST FOR ADDITIONAL INFORMATION 2ND							14OCT82 -22NOV82	1	83FEC/280/5138
YEAR-END				16,125		17,606	23NOV82 -31DEC82	14	83HSE/243/5009
YEAR-END - AMENDMENT			15,125		16,606		23NOV82 -31DEC82	10	83HSE/249/3564
REQUEST FOR ADDITIONAL INFORMATION							23NOV82 -31DEC82	5	83FEC/274/0406
REQUEST FOR ADDITIONAL INFORMATION 2ND							23NOV82 -31DEC82	6	83FEC/275/4446

FEDERAL ELECTION COMMISSION
1981-1982
CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

DATE 18JAN84

PAGE 2

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE	COUNTRY	PARTY	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES TYPE OF FILER	MICROFILM LOCATION
				PRIMARY	GENERAL	PRIMARY	GENERAL			
TOTAL				122,457	264,175	115,913	271,144		245	TOTAL PAGES
4. AUTHORIZED COMMITTEES										
4B. TRANSFERS IN FROM JOINT FUNDRAISING COMMITTEES										

All reports received BASIC review except the 1982 Year End report, which received CONDENSED review.

Total debts owed to the committee \$0.00

Total debts owed by the committee \$115,464.93

Cash on hand as of 12/31/1982 \$1,120.43

Attachment 1
(Page 2 of 3)

4
 FEDERAL ELECTION COMMISSION
 1983-1984
 CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

DATE 7MAR84

PAGE 1

CANDIDATE/COMMITTEE/DOCUMENT	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
	OFFICE SOUGHT/	PARTY	PRIMARY	GENERAL			
CARR, M ROBERT	HOUSE 06	DEMOCRATIC PARTY			MICHIGAN	1982 ELECTION	ID# H6MI06035
1. STATEMENT OF CANDIDATE 2. CANDIDATE REPORTS OF RECEIPTS & EXPENDITURES 3. PRINCIPAL CAMPAIGN COMMITTEE FRIENDS OF BOB CARR							
						ID# C00047951	HOUSE
1983 DEBT SETTLEMENT STATEMENT						31JUL83	1 83HSE/249/1379
DEBT SETTLEMENT STATEMENT AMENDMENT						8SEP83	1 83HSE/250/0380
ACKNOWLEDGEMENT OF RECEIPT OF DEBT SETTLEMENT STATEMENT						10OCT83	1 83FEC/284/3329
DEBT SETTLEMENT STATEMENT						11NOV83	4 83HSE/250/3308
RFAL: DEBT SETTLEMENT FIRST						15DEC83	1 83FEC/289/0620
MID-YEAR REPORT - AMENDMENT						1JAN83	2 84HSE/251/3713
MID-YEAR REPORT			28,915			1JAN83 -30JUN83	15 83HSE/249/136
MID-YEAR REPORT - AMENDMENT						1JAN83 -30JUN83	3 84HSE/255/233
REQUEST FOR ADDITIONAL INFORMATION						1JAN83 -30JUN83	1 84FEC/292/0332
YEAR-END			86,749			1JUL83 -31DEC83	34 84HSE/254/3255
1984 RFAL: DEBT SETTLEMENT SECOND						5JAN84	2 84FEC/290/0963
MISCELLANEOUS REPORT						27JAN84 TO FEC	1 84HSE/251/3829
DEBT SETTLEMENT STATEMENT AMENDMENT						27FEB84	7 84HSE/255/2325
TOTAL			86,749	28,915	56,664	26,277	73 TOTAL PAGES
4. AUTHORIZED COMMITTEES							
4B. TRANSFERS IN FROM JOINT FUNDRAISING COMMITTEES							

The 1983 Mid-Year Report has received Basic Review. The 1983 Year-End Report has not been reviewed.

Total debts owed to the committee: \$0.00
 Total debts owed by the committee: \$62,727.14
 Cash on hand as of 12/31/83: \$33,842.36

Attachment 1
 (Page 1 of 3)

SCHEDULE A

ITEMIZED RECEIPTS

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)			
FRIENDS OF BOB CARR			
A. Full Name, Mailing Address and ZIP Code Lenawee County Democratic Campaign Committee P.O. Box 663 Adrian, MI 49221	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	7-27-82	25.00
	Aggregate Year-to-Date-\$ 25.00		
B. Full Name, Mailing Address and ZIP Code 4th District Democratic Party Federal Account 532 Derwings Rd. N. Adams, MI 49262	Name of Employer Treasurer: Donald Zorn	Date (month, day, year) 7-27-82	Amount of Each Receipt This Period 25.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
	Aggregate Year-to-Date-\$ 25.00		
C. Full Name, Mailing Address and ZIP Code 3rd Congressional District Democratic Committee 1307 Greenwood, Kalamazoo, MI 49007 Treasurer: Marvin Druker	Name of Employer	Date (month, day, year) 8-23-82	Amount of Each Receipt This Period 25.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
	Aggregate Year-to-Date-\$ 25.00		
D. Full Name, Mailing Address and ZIP Code Oakland Democratic Campaign Committee Mary Ryan Taras, County Chair 1411 N. Woodward, Ste 3 Bloomfield Hills, MI 48013	Name of Employer	Date (month, day, year) 8-6-82 9-30	Amount of Each Receipt This Period 25.00 1000.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
	Aggregate Year-to-Date-\$ 1025.00		
E. Full Name, Mailing Address and ZIP Code Kalamazoo Democrats '82 229 E. Michigan Kalamazoo, MI 49007	Name of Employer	Date (month, day, year) 8-23-82	Amount of Each Receipt This Period 25.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
	Aggregate Year-to-Date-\$ 25.00		
F. Full Name, Mailing Address and ZIP Code Ingham County Democratic Committee 5024 S. Cedar St Lansing, MI 48910	Name of Employer	Date (month, day, year) 7-27-82 9-14-82	Amount of Each Receipt This Period 1000.00 1000.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
	Aggregate Year-to-Date-\$ 2000.00		
G. Full Name, Mailing Address and ZIP Code Democrats for the 80s P.O. Box 3797 Washington D.C. 20007	Name of Employer	Date (month, day, year) 8-23-82	Amount of Each Receipt This Period 1000.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		
	Aggregate Year-to-Date-\$ 1100.00		
SUBTOTAL of Receipts This Page (optional)			4125.00
TOTAL This Period (last page this line number only)			

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SCHEDULE A

ITEMIZED RECEIPTS

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committees.

Name of Committee (in Full)			
FRIENDS OF BOB CARR			
A. Full Name, Mailing Address and ZIP Code Clinton County Dem Committee Federal Elections Fund 416 Riverview Dr. DeWitt, MI 48820	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
		10-22-82	400.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
		475.00	
B. Full Name, Mailing Address and ZIP Code Democratic Congressional Campaign Committee 400 N. Capitol St., N.W. Ste. 319 Washington D.C. 20001	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
		10-25-82	2465.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
		10,000	
C. Full Name, Mailing Address and ZIP Code Democratic Congressional Campaign Committee for: Solarz for Congress, '82	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
		10-30-82	500.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
		500.00	
D. Full Name, Mailing Address and ZIP Code Ingham County Democratic Committee 5024 S. Cedar St. Lansing, MI 48910	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
		11-10-82	4000.00
Receipt For: <input checked="" type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
		11-10-82	4000.00
		10,000.00	
E. Full Name, Mailing Address and ZIP Code Kalamazoo Democrats '82 229 E. Michigan Kalamazoo, MI 49007	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
		11-10-82	25.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
		50.00	
F. Full Name, Mailing Address and ZIP Code Oakland Democratic Campaign Committee Mary Ryan Tamas, County Chair 1411 N. Woodward, Ste. 3 Bloomfield Hills, MI 48013	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
		11-10-82	100.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
		125.00	
G. Full Name, Mailing Address and ZIP Code 3rd Congressional District Democratic Committee 1307 Greenwood, Kalamazoo, MI 49007 Treasurer: Marvin Druker	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
		11-10-82	25.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
		50.00	
SUBTOTAL of Receipts This Page (optional)			13,515
TOTAL This Period (last page this line number only)			

3 2 0 1 2 3 8 0 7 3 1
 4 0 3 0 3 9 1 0

115



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RG-2

July 12, 1983

Dennis M. Ritter, Treasurer
Friends of Bob Carr
P.O. Box 1552
East Lansing, MI 48823

Identification Number: C00047951

Reference: October Quarterly (7/22/82-9/30/82) and 30 Day Post-
General (10/14/82-11/22/82) Reports

Dear Mr. Ritter:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A's of your above-mentioned reports (pertinent portions attached) disclose contributions which appear to exceed the limits set forth in the Act. An individual, political committee, or political party committee, other than a multicandidate committee may not make contributions to a candidate for Federal office in excess of \$1,000 per election. If you have received a contribution(s) which exceeds the limits, the Commission recommends that you refund to the donor(s) the amount in excess of \$1,000. The Commission should be notified in writing if a refund is necessary. In addition, any refund should appear on Line 20(b) of the Detailed Summary Page of your next report. (2 U.S.C. 441a(a) and (f))

The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.

If you find the contribution(s) in question was disclosed incompletely or incorrectly, please amend your original report with the clarifying information.

Although the Commission may take further legal steps concerning the acceptance of an excessive contribution(s), prompt action by you to refund the excessive amount will be taken into consideration by the Commission.

An amendment to your original report(s) correcting the above problem(s) should be filed with the Clerk of the House of

030342952347

Representatives, 1036 Longworth House Office Building,
Washington, DC 20515 within fifteen (15) days of the date of
this letter. If you need assistance, please feel free to contact
me on our toll-free number, (800) 424-9530. My local number is
(202) 523-4048.

Sincerely,



Gregory Swanson
Reports Analyst
Reports Analysis Division

83032752348

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

RG-3

August 4, 1983

Dennis M. Ritter, Treasurer
Friends of Bob Carr
P.O. Box 1552
East Lansing, MI 48823

Identification Number: C00047951

Reference: October Quarterly (7/22/82-9/30/82) and 30 Day Post-General (10/14/82-11/22/82) Reports

Dear Mr. Ritter:

This letter is to inform you that as of August 3, 1983, the Commission has not received your response to our request for additional information, dated July 12, 1983. That notice requested information essential to full public disclosure of your Federal election financial activity and to ensure compliance with provisions of the Federal Election Campaign Act (the Act). A copy of our original request is enclosed.

If no response is received within fifteen (15) days from the date of this notice, the Commission may choose to initiate audit or legal enforcement action.

If you should have any questions related to this matter, please contact Gregory Swanson on our toll-free number (800) 424-9530 or our local number (202) 523-4048.

Sincerely,

John D. Gibson
John D. Gibson
Assistant Staff Director
Reports Analysis Division

Enclosure

7 9 0 0 4 0 3 0 3 9 2 3
8 3 0 3 2 8 0 4 6 0 8

RECEIVED AT THE FEC

AUG - 9 1983
REGULAR MAIL

83 AUG 8 P 1: 03

FRIENDS OF BOB CARR
P.O. Box 1552
East Lansing, MI 48823

RECEIVED
OFFICE OF RECORDS & REGISTRATION
83 AUG 10 PM 3:59
U.S. HOUSE OF REPRESENTATIVES
CLERK OF THE HOUSE

August 5, 1983

Mr. Gregory Swanson
Reports Analysis Division
Federal Election Commission
Washington D.C. 20463

017728

REFERENCE: October Quarterly (7/22/82-9/30/82) and 30 Day Post-General (10/14/82-11/22/82) Reports

Identification Number: C00047951

This letter is in response to your question concerning this Committee's receipt of contribution from the Ingham County Democratic Committee, 5024 S. Cedar St., Lansing, MI 48910.

This Committee refunded \$8,000 to the Ingham County Dems (copy of check attached) on July 12, 1983 and will report said refund on our next report.

Also attached is a letter from the Ingham County Democratic Party giving its date of qualification as a multi-candidate committee and FEC number.

If there is further information you require, please let us know.

Sincerely,

Dennis M. Ritter/ce

Dennis M. Ritter, Treasurer

/cc

cc: M. Robert Carr

13012493668
4030334

FRIEND OF BOB CARR
 P.O. BOX 16704
 LANSING, MICH 48201

2464

Eight Thousand and no/100

CHECK NO.	TO THE ORDER OF	DATE	PRINTE AMOUNT	IN FIGURES	CHECK AMOUNT
464	Bob Carr	7-12-83			\$8,000.00

EAST LANSING STATE BANK
 EAST LANSING, MICHIGAN 48823

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 4992500

7 2 J 4 0 3 0 2 9 2 5
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O. Dan Party
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 Lyn Clair



Ingham County Democratic Party

August 2, 1982

Friends of Bob Carr
c/o Ms. Carolyn Cunningham
1218 Burcham
East Lansing, Mi. 48823

Dear Ms. Cunningham:

The Ingham County Democratic Party Federal Campaign Fund qualified as a multi-candidate committee on November 11, 1982. We have contributed to five candidates for Federal office and have received contributions from more than fifty individuals. Our Federal Elections Commission identification number is C00155481.

The check our Committee mistakenly issued to the Friends of Bob Carr Committee on November 5, 1982 has been refunded. We thank you for your promptness.

If you have any further questions, please don't hesitate to call me.

Democratically yours,

Michael Pyne, Chair
Ingham County Democratic Party

RECEIVED
OFFICE OF THE CLERK
1982 AUG 10 PM 5:03

20040003925
13012493670

SCHEDULE B

ITEMIZED DISBURSEMENTS

ATTACHMENT #9

Page 1 of 1
LOIS HURDSON
 (Use separate schedule(s) for each category of the Detailed Summary Page)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full) **FRIENDS OF BOB CARR** 1983 Year-End

A. Full Name, Mailing Address and ZIP Code Ingham County Democrats 5024 S. Cedar St. Lansing, MI 48910	Purpose of Disbursement Refund contribution from '82. See letter of 8/5/83 Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year) 7-12-83	Amount of Each Disbursement This Period 8000.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			8000.00

6
 2
 1
 5
 2
 1
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SCHEDULE A

ITEMIZED RECEIPTS
ATTACHMENT #10

Use separate receipts for each category of the Detailed Summary Page

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full) **FRIENDS OF BOB CARR** 1983 Year-End

A. Full Name, Mailing Address and ZIP Code Ingham County Democrats 5024 S. Cedar St. Lansing, MI 48910	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period 8000.00
	Occupation	7-29-83	
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify): 1982 General		Aggregate Year-to-Date—\$ 8000.00	

B. Full Name, Mailing Address and ZIP Code Sixth District Democrats 1019 Huntington Dr. East Lansing, MI 48823	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period 61.91
	Occupation	9-22-83	
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify):		Aggregate Year-to-Date—\$ 61.91	

C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date—\$	

D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date—\$	

E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date—\$	

F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date—\$	

G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date—\$	

SUBTOTAL of Receipts This Page (optional) 8,061.91

TOTAL This Form (see page 20 of instructions only)

8401254326

Handwritten initials

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: March 9, 1984ANALYST: Eugene LaCroce

I. COMMITTEE: Ingham County Democratic Party
Federal Campaign Fund
(C00155481)
Lawrence D. Owen, Treasurer
5024 South Cedar
Lansing, MI 48910

II. RELEVANT STATUTE: 2 U.S.C. 441a(a)(1)(A)
11 CFR 110.1(a)(1)(i)

III. BACKGROUND:

Excessive Contributions to Federal Candidates
2 U.S.C. 441a(a)(1)(A)
11 CFR 110.1(a)(1)

The 1982 30 Day Post-General Report filed by the Ingham County Democratic Party Federal Campaign Fund (the "Fund"), a non-qualified committee, disclosed \$8,025 in apparent excessive contributions to three (3) Federal candidate committees (Attachment 2). The Fund satisfied the six (6) month registration requirement with the Commission on November 3, 1982 and contributed to the fifth (5) Federal candidate on November 19, 1982. The criterion which did not appear to have been met was the receipt of contributions from more than fifty (50) persons.^{1/}

During the period of November 5 through 19, 1982, the Fund made apparent excessive contributions to the following committees: \$2,000 to Wolpe for Congress, \$25 to Riegle for Senate in '82 and \$6,000 to Friends of Bob Carr.^{2/}

^{1/} It did not appear that the Fund had qualified through affiliation. The Statement of Organization filed by the Fund indicated that it is a subordinate committee of the Michigan Democratic Party; however, the state democratic organization registered with the Commission, listed as the Democratic Campaign Committee discloses no affiliated committees. No other indicia of affiliation have been disclosed.

^{2/} Although the Fund discloses \$8,000 in contributions made to Carr's committee, reports filed by the Friends of Bob Carr disclose the receipt of \$10,000.

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INGHAM COUNTY DEMOCRATIC PARTY FEDERAL
CAMPAIGN FUND
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

A Request for Additional Information ("RFAI") was sent to the Fund on June 23, 1983 (Attachment 3). The RFAI advised the Fund that an individual or political committee, other than a multicandidate committee, is prohibited from making a contribution to a candidate for Federal office in excess of \$1,000 per election. The Fund was asked to notify the recipients and request a refund of the amount in excess of \$1,000.

Mr. Cachey, a Fund representative, telephoned the analyst on June 30, 1983 (Attachment 4). Mr. Cachey stated that the Fund had been registered with the Commission for six (6) months on a date just after the contributions in question were made. He explained that the contributions in question were made on November 5, 1982, but were not cashed by the recipient committees until November 11, 1982. The analyst explained that a committee must meet all three (3) criteria before qualifying as a multicandidate political committee. In addition, the analyst explained that the date the checks are issued is considered the date of the contribution. The analyst recommended that refunds be requested from the committees of the amounts in excess of \$1,000.

A Second Notice was sent to the Fund on July 14, 1983 for failure to respond in writing to the original RFAI (Attachment 5).

The Fund responded in writing on July 28, 1983 and included a copy of a letter sent to The Friends of Bob Carr Committee, which requested a refund of \$8,000 (Attachment 6). Their response indicated that the transaction will be reported as a contribution refund on their 1983 Year End Report. The Fund offered no explanation regarding the apparent excessive contributions given to the Wolpe For Congress and Riegle For Senate in '82 committees.

The analyst telephoned Mr. Cachey on September 1, 1983 to discuss the Fund's most recent response (Attachment 7). Mr. Cachey stated that the contributions to Wolpe and Riegle were permissible because the Fund had attained multicandidate committee status on November 19, 1983. The analyst replied that this was not possible because the Fund had not received contributions from more than fifty (50) persons. Mr. Cachey claimed that transfers received from the Ingham County Democratic Party (a non-Federal account) consisted of small contributions from over fifty (50) individuals, which had been raised through bingo games and small dinners. The analyst explained that under 11 CFR 102.5, transfers from a non-Federal account are not

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INGHAM COUNTY DEMOCRATIC PARTY FEDERAL
CAMPAIGN FUND
REPORTS ANALYSIS OGC REFERRAL
PAGE 3

permissible. Mr. Cachey countered by stating that the contributions received were permissible because they did not include union or corporate funds. The analyst advised Mr. Cachey to either combine and report the activity of the two accounts or to maintain separate Federal and non-Federal accounts.

On September 9, 1983, the Fund provided written confirmation of the September 1st telephone conversation (Attachment 8).

An additional phone contact was made by the analyst on September 26, 1983, to determine if donors to the Ingham County Democratic Party were notified that their contributions were to be used for Federal elections (Attachment 9). Mr. Cachey replied that all contributors were properly notified. He also agreed to confirm this in a letter to the Commission, and to include a description of the Fund's accounts, as well as details about the transfers between the accounts.

On October 11, 1983, a response was received which stated that in the State of Michigan, all bingo proceeds must be placed in a special bingo account. Transfers can then be made to other accounts. "All money going into the Federal Campaign Fund comes from fundraisers or the bingo, and because of its very nature, the bingo account is 'clean' money" (Attachment 10).

On February 3, 1984, the Fund filed its 1983 Year-End Report disclosing receipt of an \$8,000 contribution refund from Friends of Bob Carr on July 20, 1983 (Attachment 11).^{3/}

On March 4, 1984, a representative of the Fund called regarding their multicandidate status. The caller indicated that the Fund should be considered a multicandidate committee and that the Fund would send in information confirming this, including a list of fifty-one contributors to the Fund (Attachment 14). Since this date, no further information has been received.^{4/}

^{3/} This report and the 1983 Mid-Year Report also disclosed apparent excessive contributions to Wolpe For Congress and Friends of Bob Carr totalling \$2,000 and \$6,000, respectively (Attachments 12 and 13).

^{4/} According to Commission procedures, the Fund may have become a multicandidate on December 31, 1983, because the committee's 1983 Year-End Report disclosed receipt of \$11,800 in unitemized contributions.

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INGHAM COUNTY DEMOCRATIC PARTY FEDERAL
CAMPAIGN FUND
REPORTS ANALYSIS OGC REFERRAL
PAGE 4

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None

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FEDERAL ELECTION COMMISSION
 COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (31-82)

DATE 3NOV83
 PAGE 1

PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
INGHAM COUNTY DEMOCRATIC PARTY FEDERAL CAMPAIGN FUND CONNECTED ORGANIZATION: MICHIGAN DEMOCRATIC PARTY				PARTY NON-QUALIFIED		ID #C00155481
	1982 STATEMENT OF ORGANIZATION			3MAY82	3	82FEC/230/0895
	POST-GENERAL	11,300	12,075	4NOV82 -22NOV82	5	82FEC/258/4620
	POST-GENERAL AMENDMENT	12,800	12,075	4NOV82 -22NOV82	9	83FEC/278/3856
	REQUEST FOR ADDITIONAL INFORMATION			4NOV82 -22NOV82	4	83FEC/274/1307
	REQUEST FOR ADDITIONAL INFORMATION 2ND			4NOV82 -22NOV82	5	83FEC/275/4257
	TOTAL	12,800	0	12,075	0	26 TOTAL PAGES

All reports have been reviewed. (Condensed).

Ending cash on hand as of 11/22/82: \$725

Outstanding Debts and Obligations as of 11/22/82: \$30

ATTACHMENT 1
 (Page 1 of 2)

PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
INDIAN COUNTY DEMOCRATIC PARTY	FEDERAL CAMPAIGN FUND			PARTY NON-QUALIFIED		ID #C00155481
CONNECTED ORGANIZATION:	MICHIGAN DEMOCRATIC PARTY					
	1983 MISCELLANEOUS REPORT			9SEP83 TO FEC	2	83FEC/282/4467
	MISCELLANEOUS REPORT			11OCT83 TO FEC	2	83FEC/284/2960
	MID-YEAR REPORT	2,000	2,000	22NOV82 -30JUN83	7	83FEC/278/3797
	YEAR-END	19,800	19,800	1JUL83 -31DEC83	6	84FEC/295/1451
	TOTAL	21,800	0		0	17 TOTAL PAGES

No reports have been reviewed.

Ending cash on hand as of 12/31/83: \$701.90

Outstanding debts and obligations as of 12/31/83: \$120

SCHEDULE B

UNIFORMIZED DISBURSEMENTS

ATTACHMENT 2

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)
LINGHAM COUNTY DEMOCRATIC PARTY FEDERAL CAMPAIGN FUND 1982 30 Day Post-General

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Friends of Bob Carr 2110 E. Michigan Lansing, Mi 48912	Bob Carr - U.S. Rep. 6th District Mich. Disbursement for <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General Other (specify)	11/5/82	\$4000.00
Friends of Bob Carr 2110 E. Michigan Lansing, Mi 48912	Bob Carr U.S. Rep. 6th District Disbursement for <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General Other (specify)	11/5/82	\$4000.00
Riegle For Senate in '82 Committee 24209 Northwestern Hwy Southfield Mi 48075	Donald Riegle U.S. Senate Michigan Disbursement for <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General Other (specify)	11/5/82	25.00
Riegle For Senate in '82 Committee 24209 Northwestern Hwy Southfield Mi 48075	Donald Riegle U.S. Senate Michigan Disbursement for <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General Other (specify)	In Kind Hall use	1000.00
Wolpe For Congress 259 E. Michigan Kalamazoo Mi 49007	Howard Wolpe U.S. Rep. 3rd District - Michigan Disbursement for <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General Other (specify)	11/19/82	\$2000.00
Wolpe For Congress 259 E. Michigan Kalamazoo Mi 49007	Howard Wolpe U.S. Rep. 3rd District Michigan Disbursement for <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General Other (specify)	In Kind Hall use	1000.00
Monsma For Congress 829 N. Kentview Dr. Grand Rapids, Mi 49505	Stephen V. Monsma U.S. Rep. 5th District - Michigan Disbursement for <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General Other (specify)	11/19/82	25.00
Bourland For Congress 151 E. Arch Marquette, Mi 49855	Kent Bourland U.S. Rep. 11th District - Michigan Disbursement for <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General Other (specify)	11/19/82	25.00
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for <input type="checkbox"/> Primary <input type="checkbox"/> General Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL (If Disbursements This Page total over \$1000)			
TOTAL (Total for all pages this schedule number only)			\$12075.00



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

RQ-2

June 23, 1983

Lawrence D. Owen, Treasurer
Ingham County Democratic Party
Federal Campaign Fund
5024 South Cedar
Lansing, MI 48910

Identification Number: C00155481

Reference: 30 Day Post-General Report (11/4/82-11/22/82)

Dear Mr. Owen:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Political committees which have cash on hand at the time of registration must disclose the source of the funds. The balance is assumed to be composed of those contributions most recently received by the committee prior to registration. Please identify the source of these contributions on Schedule A. (11 CFR 104.12)

-Schedule B of your report (pertinent portion(s) attached) discloses a contribution(s) which appears to exceed the limits established by the Act. The Act precludes an individual or a political committee, other than a multicandidate committee, from making a contribution to a candidate for Federal office in excess of \$1,000 per election. (2 U.S.C. 441a(a)) If you have made an excessive contribution, the Commission recommends that you notify the recipient and request a refund of the amount in excess of \$1,000. Please inform the Commission, in writing, of the refund and provide a photocopy of your refund request sent to the recipient. In addition, any refund should appear on Line 16 of Schedule A of your next report.

If you find the contribution(s) in question was disclosed incompletely or incorrectly, please amend your original report with the clarifying information.

Although the Commission may take further legal steps concerning the excessive contribution(s), prompt action by you to obtain a refund will be taken into consideration by the Commission.

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-Schedule A of your report discloses the receipt of \$11,800 from the "Ingham County Democratic Committee." Please clarify whether this transfer is from an account maintained by your committee for non-Federal activity. If so, be advised that such transfer is prohibited by 11 CFR 102.5(a)(1)(i) and the full amount of the transfer should be returned to the non-Federal account.

However, if this transaction represents an "internal transfer" of funds from one Federal account to another, and the source(s) of such funds has been identified in previous reports of receipts and disbursements, please note that such transfers should not be itemized as doing so inflates total receipts and cash on hand. If this is the case, please amend your report accordingly.

Although the Commission may take further legal or audit steps regarding the acceptance of funds from a non-Federal account, your prompt refund of the amount in question, or your clarification of the transaction, will be taken into consideration by the Commission.

-Each committee utilizing separate Federal and non-Federal accounts is required to allocate any administrative expenses between the accounts in proportion to the amount of funds expended on Federal and non-Federal elections or on another reasonable basis. Administrative expenses are those day-to-day costs of operating the committee, including rent, utilities, salaries and other miscellaneous office expenses. The Federal account of the committee must pay its share of such expenses. (11 CFR 106.1(e) and 102.5(a)(1)(i))

If your organization has incurred such administrative costs and your non-Federal account has paid for all such costs, your Federal account must reimburse the non-Federal account for its portion of the expenses. The amount incurred by the Federal account should be disclosed as a debt or obligation owed to the non-Federal account on Schedule D supporting Line 10 of the Summary Page. When payments are made toward the debt, they should be reported on Schedule B supporting Line 19 of the Detailed Summary Page and the debt should be reduced by a corresponding amount.

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission

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within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 357-0026.

Sincerely,



Mike Thompson
Senior Reports Analyst
Reports Analysis Division

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03032741303

TELECONANALYST Mike Thompson
initiated call? TELECON WITH: Joe Cachey
initiated call? yesCandidate/Committee: Ingham County Democratic Party (MI)DATE: June 30, 1983SUBJECT(S): Excessive contributions to candidates

Mr. Cachey phoned regarding a Request for Additional Information (RAFI) which noted possible excessive contributions to Federal candidates. He stated that the committee had been registered for six months on a date just after the contributions were made. He further explained that the contributions in question were made on November 5, but were not cashed until November 11; he wanted to know which date should be used for the date of the contributions, and if this made a difference.

I explained that the date that the checks were sent is considered the date of the contribution. In addition, I explained that the committee must meet all 3 criteria before becoming qualified as a multi-candidate political committee. The fifth Federal candidate supported was not until November 19, so the committee could not have qualified until that date.

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FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

RQ-3

July 14, 1983

Lawrence D. Owen, Treasurer
Ingham County Democratic Party
Federal Campaign Fund
5024 South Cedar
Lansing, MI 48910

Identification Number: C00155481

Reference: 30 Day Post-General Report (11/4/82-11/22/82)

Dear Mr. Owen:

This letter is to inform you that as of July 13, 1983, the Commission has not received your response to our request for additional information, dated June 23, 1983. That notice requested information essential to full public disclosure of your Federal election financial activity and to ensure compliance with provisions of the Federal Election Campaign Act (the Act). A copy of our original request is enclosed.

If no response is received within fifteen (15) days from the date of this notice, the Commission may choose to initiate audit or legal enforcement action.

If you should have any questions related to this matter, please contact Mike Thompson on our toll-free number (800) 424-9530 or our local number (202) 357-0026.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

Enclosure

83032754257



Ingham County Democratic Party: 28

ATTACHMENT 6
(Page 1 of 2)

July 20, 1983

Mr. Mike Thompson
Reports Analysis Division
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Thompson:

Enclosed is a photocopy of the letter sent to the Friends of Bob Carr Committee requesting a refund for \$8000.00. This contribution, which was made on November 5, 1982, has been refunded to the Party and will be reported on our year end report.

Also, please find the committee's amended report for the 1982 General election. On the issue of the \$11,800.00 contribution from the State political committee to the Federal committee, \$5900.00 has already been refunded. We are planning to refund the remaining balance in sixty (60) days. This will also be reported in our next report.

Thank you for your assistance while I was preparing the amendment. Please feel free to contact me if there are any further problems.

Sincerely,

Lawrence D. Owen, Treasurer
Ingham County Democratic Party
FEDERAL CAMPAIGN FUND
517-394-2880

6303270394



Ingham County Democratic Party

RECEIVED AT THE FEC

ATTACHMENT 6
(Page 2 of 2)

July 12, 1983

Dennis Ritter
Friends of Bob Carr
P.O. Box 1552
East Lansing, Mi. 48823

Dear Mr. Ritter:

It has been brought to my attention that the contributions made to the Friends of Bob Carr Committee on November 5, 1982 were done so illegally. To correct this mistake, our Committee will need a refund of \$8000.

I hope that this is not an inconvenience and await your prompt response.

Democratically yours,

Lawrence D. Owen, Treasurer
Ingham County Democratic Party
Federal Campaign Fund

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TELECON WITH: Joe Cachey, committee representative
initiated call?

Candidate/Committee: Ingham County Democratic Party Federal Campaign Fund

DATE: 9/1/83

SUBJECT(S): Contribution refunds to Riegler and Wolpe, and transfers from the
Ingham County Democratic Party to the Federal Fund

I spoke with Mr. Cachey, who is responsible for handling all of the committee's activity.

The committee had the following problems:

- In their letter of July 20, 1983, the committee did not respond to the Commission's inquiries about the excessive contributions to Riegler and Wolpe, and
- The committee's 1982 Amended Post General Report included a transfer from the Ingham County Democratic Party, as did the committee's 1983 Mid-Year Report. Were these contributions from a non-federal account?

Mr. Cachey explained that the committee did not seek contribution refunds because the committee qualified on November 19, 1982, the date the contributions were made. I stated that this was not possible because the committee did not report contributions from over fifty contributors.*/ The committee's only receipt consisted of a transfer from the Ingham County Democratic Party, and such a transfer from a non-federal account is not permitted.

Mr. Cachey claimed that the Ingham County Democratic Party (general fund) transfers consisted of small contributions from over fifty contributors. This money was raised from bingo games and small dinners. Mr. Cachey stated that the contributions received were permissible and did not include union or corporate funds.

The committee has three accounts: the Ingham County Democratic Party (general fund), the Ingham County Democratic Party Federal Campaign Fund, and the Ingham County Democratic Committee (non-federal). I advised Mr. Cachey to restructure his accounts to comply with the Act. He agreed to form either a federal account covering all the committee's activity; or two accounts, one federal and the other non-federal, reporting only the federal activity.

Mr. Cachey planned to discuss this situation with the treasurer to decide on a new account structure. The FEC will receive a written response from the committee detailing their decision, and a written response to our questions about the transfers in relation to qualification date, etc.

*/ The committee has been registered with the Commission for over six months and has given to five federal candidates.

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Ingham County Democratic Party: 20

September 9, 1983

Gene Lacroce, Party Division
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Mr. Lacroce:

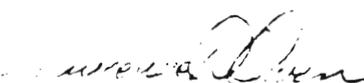
It has been brought to my attention that both the Friends of Bob Carr Committee and the Wolpe for Congress Committee have received letters from your agency stating that the Ingham County Democratic Party Federal Campaign Fund is not a multi-candidate committee.

The Federal Campaign Fund placed its statement of organization on file with you on May 11, 1982. The six month waiting period ended on November 11, 1982. We have received funds from at least fifty individuals, and by November 19, 1982 had contributed to five candidates for federal office. Most of our funds come from our Ingham County Democratic Party account. This account receives money from individuals, and no corporate or labor funds are transmitted into, or through this account.

A mistaken disbursement to the Friends of Bob Carr Committee was made on November 5, 1982. This has already been corrected, and other than this instance, I can find no further violations.

I hope that this letter is helpful in answering the question of the Committee's status. If you have any questions, please do not hesitate to call me at 517-394-2880.

Sincerely,


Lawrence D. Owen, Treasurer
Ingham County Democratic Party
Federal Campaign Fund
FEC ID #C00155481

20040303944

TELECON

ANALYST La Croce
initiated call? X

LA CROCE

TELECON WITH: Joe Cachey, committee representative
initiated call? _____

Candidate/Committee: Ingham County Democratic Party Federal Campaign Fund

DATE: 9/27/83

SUBJECT(S): Questions relating to the Ingham County Democratic Party (general fund),
and donor notification

I telephoned Mr. Cachey in regards to the Ingham County Democratic Party (general fund). I asked the following:

- Does this account serve as an administrative account, or is it primarily a transmittal account?
- Were the contributors to this account aware that their donations were to be used for federal elections, and as such would count against their contribution limits?

Mr. Cachey stated that the account did not serve as an administrative fund for the committee. He was vague about its purpose other than the transfers previously mentioned.

Mr. Cachey added that the account was composed of small individual contributions. I asked Mr. Cachey if this money was raised through bingos and small dinners. He stated that the money was collected from these functions, and the donors were notified that their contributions were to be used for federal elections. Mr. Cachey agreed to state this in a letter to the Commission, and include in that letter a description of the committee's accounts, along with details about the transfers among the accounts.

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Ingham County Democratic Party

RECEIVED AT THE
ATTACHMENT 10
8306111 MI: 07

October 5, 1983

Eugene Lacroce
Federal Elections Commission
Party Analysis Division
1325 K Street, N.W.
Washington, D.C. 20463

Dear Mr. Lacroce:

This letter is in answer to your questions about our accounting system. In the State of Michigan, it is required that all bingo proceeds be placed in a special bingo account. Once deposited, this money can be transferred into a number of other accounts, i.e. office, general fund or campaign. All money going into the Federal Campaign Fund comes from fundraisers or the bingo, and because of its very nature, the bingo account is "clean" money.

We have decided not to merge our state and federal committees because state law allows us to accept labor contributions for state candidates.

I hope that I have answered all of your questions. If you need any further information, please feel free to contact me at 517-394-2880.

Sincerely,

Lawrence D. Owen, Treasurer
Ingham County Democratic Party
Federal Campaign Fund
FEC ID # C00155481

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8 3 0 3 2 9 4 1 9 6 0

SCHEDULE A

ITEMIZED RECEIPTS

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full) **Ingham County Democratic Party Federal Campaign Fund** 1983 Year End Report

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
FRIENDS OF Bob Carr P.O. Box 1552 EAST LANSING, MI 48823	RESPONSE OF contributions given prior to qualification	7/20/83	8,000⁻
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
TOTAL of Receipts This Page (optional)			8,000⁻
TOTAL This Period (last page this line number only)			8,000⁻

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 0 1 0 3 2 7 1 1 5 3

SCHEDULE B

ITEMIZED DISBURSEMENTS

ATTACHMENT 12

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee

Name of Committee (in Full) 1983 Mid-Year Report
Ingham County Democratic Party Federal Campaign Fund

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Wolpe for Congress 246 E. Kilgore Kalamazoo, MI 49007	Wolpe for Congress 3rd District Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	2/15/83	2000
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			2000

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 40103948

MEMORANDUM FOR FILES:TELECON

SUBJECT: Apparent Excessive contributions made by Ingham County Democratic Committee. Multi-Candidate status.

DATE: March 5, 1984

FROM: Mr. Mike Pine, Agent

TO: Greg Swanson, Analyst

NAME OF COMMITTEE: Ingham County Democratic Committee / C00155481

9 0 0 4 0 8 0 3 9 5 0

Mr. Pine phoned the Commission to gain information regarding "multi-candidate" status. Mr. Pine was uncertain as to why the Commission didn't recognize Ingham County Democratic Committee as having multi-candidate status. I described to him the three (3) criteria necessary to achieve multi-candidate status; the committee must have been in existence for at least six months, must have made contributions to at least five (5) Federal candidates, and must have received contributions from more than fifty (50) individuals. He explained that the committee met the first two criteria and that he would send a list of fifty-one contributors to satisfy the third requirement. I emphasized to Mr. Pine that it would be to his committee's advantage if he could determine the actual date the committee achieved multi-candidate status by substantiating each of the three criteria. I indicated that this was important as other contributions made by Ingham County Democrats were still under consideration by the Commission.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

84L-9b

8 May 1984

MEMORANDUM

TO : CHARLES N. STEELE
GENERAL COUNSEL

ATTENTION : CONLEY EDWARDS

THROUGH : JOHN C. SURINA
STAFF DIRECTOR

FROM : JOHN D. GIBSON
ASSISTANT STAFF DIRECTOR, RAD

SUBJECT : REFERRAL UPDATE CONCERNING THE INGHAM COUNTY
DEMOCRATIC PARTY FEDERAL CAMPAIGN FUND

The following information is provided concerning our referral of the Ingham County Democratic Party Federal Campaign Fund (see 84L-9b).

On March 9, 1984, the Commission received a letter from Mike Pyne, Chairman of the Ingham County Democratic Party, which included the names and addresses of contributors to the Party's Federal Fund (Attachment 1). Since no amounts or dates were disclosed, a Request for Additional Information ("RFAI") was sent on April 25, 1984 (Attachment 2). The RFAI also requested that certain other clarifying information be submitted, to assist the Commission in determining whether multicandidate status was achieved. In addition, the RFAI noted a possible excessive contribution to a candidate, because the committee still had not clarified its multicandidate status.

Mr. Pyne telephoned the Reports Analysis Division ("RAD") analyst on May 2, 1984 and stated that he thought the response of March 9th had cleared up the multicandidate issue (Attachment 3). The analyst explained that since the dates were not disclosed, it was difficult to determine when the committee had received contributions from more than 50 persons. Mr. Pyne stated that he would provide the information after conducting the necessary research.

If you have any questions, please contact Tony Raymond or Eugene LaCroce at 523-4048.

Attachments

40303951



Ingham County Democratic Party

March 6, 1984

Anthony Raymond
Federal Elections Commission
1325 K Street
Washington, D.C. 20463

RE: FEC I.D. #C00155481

Dear Mr. Raymond:

Per my conversation with Gregory Swanson on March 5, 1984, I am enclosing lists of contributors to the Ingham County Democratic Party within certain dated periods. I hope this is the material you need to solve the problems with the FEC report.

If you have further questions, please feel free to contact me. I appreciate your help in this matter.

Sincerely yours,

Mike Pyne, Chair
Ingham County Democratic Party

Encl: (3 lists)

rkl

94440313352

Ingham County Democratic Party from March 1, 1982

	533 Albert, E. Lansing, MI 48823
2. Robert Rowe	640 Kensington, E. Lansing, MI 48823
3. Lee Rowe	640 Kensington, E. Lansing, MI 48823
4. Richard Baker	1004 W. Lapeer, Lansing, MI 48915
5. Sandy Firnhaber	1004 W. Lapeer, Lansing, MI 48915
6. James Anderson	968 Roxburgh, E. Lansing, MI 48823
7. Leslie Lokken	1846 Burcham, E. Lansing, MI 48823
8. Martin Fox	1812 Pinecrest, E. Lansing, MI 48823
9. Roger Rapaport	421 Seymour, Lansing, MI 48933
10. Chuck Cox	1908 Hagadorn, Mason, MI 48854
11. Marilyn Cox	1908 Hagadorn, Mason, MI 48854
12. Kirk L. Curtis	204 N. Williams, Stockbridge, MI 49285
13. Donald Novello	325 Creyts Rd., Lansing, MI 48917
14. Jean Thompson	550 Collingwood, E. Lansing, MI 48823
15. Zolton Ferency	P.O. 20, E. Lansing, MI 48823
16. William Sweet	4538 Weswilmar, Holt, MI 48842
17. George Lokken	4114 Tecumseh, Lansing, MI 48906
18. Ed Grobe	203 Mark, Mason, MI 48854
19. Loretta Grobe	203 Mark, Mason, MI 48854
20. Renee Lipson	1401 Roxburgh, E. Lansing, MI 48823
21. Beth Shapiro	2601 Forest, Lansing, MI 48910
22. Maria Velasquez	1614 N. High, Lansing, MI 48906
23. Marie Kingdon	3604 Arbutus, Okemos, MI 48864
24. Jill Pennington	1125 Daisy Ln., E. Lansing, MI 48823
25. Elinor Holbrook	812 Lantern Hill, E. Lansing, MI 48823
26. Marilyn Gehrholz	818 N. Fairview, Lansing, MI 48912
27. Rita Lontz	2803 S. Cambridge, Lansing, MI 48910
28. Valla Nemeth	613 Smith, Lansing, MI 48910
29. Debbie Helfeld	512 Westmoreland, Lansing, MI 48915
30. Rich Coughlan	512 Westmoreland, Lansing, MI 48915

ATTACHMENT #1 (Continued)

continued - Contributions to Ingham County Democratic Party - from March 1, 1982

31. Sue Jones	1811 Nemoke #6, Haslett, MI 48840
32. Alan Barak	711 Shiawassee, Lansing, MI 48915
33. Art Salas	1012 W. Walnut, Lansing, MI 48906
34. Jack Gunther	211 Black Ct., Lansing, MI 48910
35. June Gunther	211 Black Ct., Lansing, MI 48910
36. Ed Boucher	308 Highland, E. Lansing, MI 48823
37. Kathryn Boucher	308 Highalnd, E. Lansing, MI 48823
38. Michael Levine	826 Audubon, E. Lansing, MI 48823
39. Tess Canja	1401 N. Fairview, Lansing, MI 48912
40. Alex Canja	1401 N. Fairview, Lansing, MI 48912
41. Evan Dowling	2111 Lac DuMont, Apt. B-2, Haslett, MI 48840
42. Rox Fox	701-206 Cherry Ln., E. Lansing, MI 48823
43. Winnie Motherwell	1153 Haslett Rd., Haslett, MI 48840
44. Ellen Randall	1706 Springfield, Lansing, MI 48912
45. Tony Randall	1706 Springfield, Lansing, MI 48912
46. Ann Leonard	1626 Shubel, Lansing, MI 48910
47. Gerry Beckwith	428 S. Jenison, Lansing, MI 48915
48. Gladys Beckwith	428 S. Jenison, Lansing, MI 48915
49. Betty Honey	503 Bismark, Williamston, MI 48895
50. Keith Honey	503 Bismark, Williamston, MI 48895
51. Hilda Patricia Curran	1505 Osborn Rd., Lansing, MI 48915
52. Robert S. Kennon	1505 Osborn Rd., Lansing, MI 48915
53. George Griffiths	127 Bessemaur, E. Lansing, MI 48823
54. William Goode	17520 W. 12-Mile, Suite 105, Southfield, MI 48076
55. Dennis Goode	730 W. Ionia, Lansing, MI 48915
56. Jean Rosewig	5775 Bois Ile, Haslett, MI 48840
57. Jane Mikesell	136 Arlington, Dimondale, MI 48821
58. Genevieve Evanoff	601 Pine Forest, Apt. 102, E. Lansing, MI 48823
59. Judith Weaver	3615 Bayview Dr., Apt. 89, Lansing, MI 48910
60. Janice Varney	5550 Mall Dr., Apt. 2126, Lansing, MI 48917

ATTACHMENT #1 (Continued)

continued Contributions to [redacted] County Democratic Party from March 1, 1982

61. Mary Voelker	1444 Roxburgh, E. Lansing, MI 48823
62. Esther McCann	1183 Arbor Dr., Apt. D, E. Lansing, MI 48823
63. Gene Loyd	4200 Brighton, Lansing, MI 48910
64. Laurence Rosen	4344 Stoneycroft, Okemos, MI 48864
65. Liz Driscoll	6060 Carriage Hill Dr., Apt. 31, E. Lansing, MI 48823
66. Charles Jones	1035 Coolidge, Lansing, MI 48912
67. Judy Jones	1035 Coolidge, Lansing, MI 48912
68. Lou Golob	310 Oxford, E. Lansing, MI 48823
69. Mary Golob	310 Oxford, E. Lansing, MI 48823
70. Fred Trofholz	618 W. Jefferson, Grand Ledge, MI 48837
71. Pam Trofholz	613 W. Jefferson, Grand Ledge, MI 48837
72. Mary Holmes	2126 Tecumseh River Rd., Lansing, MI 48906
73. Lynn Jondahl	544 Collingwood, E. Lansing, MI 48823
74. Dona Marie Remus	3501 Bayview Dr., Apt. 1, Lansing, MI 48910
75. Steve Manchester	513 W. Madison, Lansing, MI 48906
76. Peter Kempel	805 Cowley, E. Lansing, MI 48823
77. Kathy Dewsbury	3371 Lake Lansing Road, E. Lansing, MI 48823
78. Gil White	3371 Lake Lansing, E. Lansing, MI 48823
79. Steve Dart	W. Grand River, Lansing, MI 48912
80. Paul Rosenbaum	414 S. Walnut, Lansing, MI 48933
81. David Wiener	1011 Delridge, E. Lansing, MI 48823
82. Ruth Munzel	12075 Nine Mile Rd., South Lyon, MI 48178
83. Don Johnson	3920 Jonquil, Okemos, MI 48864
84. Lois Brennan	1818 Peppertree, Lansing, MI 48912
85. Robert Ellis	819 Ashley, Kalamazoo, MI 49001

CONTRIBUTIONS TO INGHAM COUNTY DEMOCRATIC PARTY from November 3, 1982 to February 16, 1983

1.	Marilynn E. Amsdill	415 W. Ash St., Mason, MI 48854
2.	Alex Azina	P.O. Box 1072, E. Lansing 48823
3.	Thomas Barker	321 E. Cherry, Mason, MI 48854
4.	Joseph Brehler	525 S. Pine, Apt. 306, Lansing 48933
5.	Evelyn Burghdoff	2109 Coolidge, Lansing, 48906
6.	Bertha Coff	717 E. Gier, Lansing 48906
7.	Anthony DeRosa	1959 S. Cedar, Holt 48842
8.	Evan Dowling	2111 Lac Du Mont, Apt. B-2, Haslett, MI 48840
9.	Bette Downs	1200 Prescott, E. Lansing 48823
10,	Henry Elzinga	1408 N. Foster, Lansing, MI 48912
11	William Ewens	1949 Tamarisk, E. Lansing, MI 48823
12.	Duane Gibson	2467 Arrowhead, Okemos, MI 48864
13.	Mark Grebner	Box 187, E. Lansing, MI 48823
14.	John Herrick	2330 Shawnee Tr., Okemos, MI 48864
15.	Helen Jones	P.O. Box 255, Okemos, MI 48864
16.	Beth Katz	434 Butterfield, E. Lansing, MI 48823
17.	Koert, Nancy	6160 Innkeeper #69, E. Lansing, MI 48823
18	Michael Maran	144 Highland, E. Lansing, MI 48823
19.	Janet Rosenfeld	2103 Lamerlane, Haslett, MI 48840
20.	Larry Smith	4444 Sycamore, Apt. C, Holt, MI 48842
21.	Daniel Stephens	308 University, E. Lansing, MI 48823
22.	Sherrri Stine	5932 Annapolis, Lansing, MI 48910
23.	Charles Taylor	1434 Roosevelt, Lansing, MI 48915
24.	Linda Thiel	1231 Clark Street, Lansing 48906
25.	Edna G. Thomason	4511 S. Logan, Lansing, MI 48910
26.	Harry Tift	4643 Laurie Ln., Lansing, MI 48910
27.	Josena Tift	4643 Laurie Ln., Lansing, MI 48910
28.	Jeffrey Uptegraft	4445 Congdon, Williamston, MI 48895

Continued: Contributions to Ingham County Democratic Party from November 5, 1983 - Feb. 16, 1983

29. Roy Warren	1120 Lincoln, Lansing, MI 48910
30. Keith Wilson	922 Blanchette, E. Lansing, MI 48823
31. John Diamond	3312 Ginger Snap Ln., Lansing 48910
32. Robert Henry	628 W. Holmes, Lansing, MI 48910
33. Patricia Jencks	223 Delta, Apt. 113, E. Lansing, MI 48823
34. Constance Knowlton	4017 Alpha, Lansing, MI 48910
35. Roger Rapaport	4675 Ottawa Drive, Okemos, MI 48864
36. Thomas Sanders	1127 Pershing Dr., Lansing, MI 48910
37. Mary Scala	131 W. Yakeley, MSU, E. Lansing 48825
38. Hazel Skoczylas	339-9 E. Edgewood Blvd., Lansing 48910
39. Betty Tableman	1515 Moores River, Lansing, MI 48910
40. Marvin Tableman	1515 Moores River, Lansing, MI 48910
41. Bradford White	2385 Burnt Tree, E. Lansing, MI 48823
42. Frances Barnhart	555 Norman, Lansing, MI 48910
43. Eunice Beck	2783 Brentwood, E. Lansing, MI 48823
44. Maurice Beck	2783 Brentwood, E. Lansing, MI 48823
45. David Cook	727 Princeton, Lansing, MI 48915
46. Elmer Coy	3712 Homewood, Lansing, MI 48910
47. Goldie Gregurek	401 Beaver, Lansing, MI 48906
48. Sherri Gregurek	3601 Ronald, Lansing 48910
49. Terri Gregurek	3601 Ronald, Lansing, MI 48910
50. Ken Hope	2189 D Meadowlawn, Holt, MI 48842
51. Rita Lontz	2803 S. Cambridge, Lansing, MI 48910
52. Hazel Milliken	516 Laurel Ln., Apt. 2, E. Lansing, MI 48823
53. Valla Nemeth	613 Smith, Lansing, MI 48910
54. John Veenstra	1350 Deerpath #22, E. Lansing, MI 48823
55. Jeff Witcher	921 Coolidge #7, Lansing, MI 48912
56. Roland Arnold	1401 North, Lansing, MI 48906
57. Baker, Richard	1004 W. Laporte, Lansing, MI 48915

Continued - Contributions to Ingham County Democratic Party from Nov. 5, 1982 to Feb. 16, 1983

58. Todd Bentley	3925 Hillborn, Lansing, MI 48910
59. Sylvia Escareno	617 Jessop, Lansing, MI 48910
60. Gordon, Brenda	807 Cleveland, Lansing, MI 48906
61. Elinor Holbrook	812 Lantern Hill, E. Lansing, MI 48823
62. Kathy Kempel	805 Cowley, E. Lansing, MI 48823
63. Peter Kempel	805 Cowley, E. Lansing, MI 48823
64. Lawrence Kestenbaum	962 Lilac, E. Lansing, MI 48823
65. Hilary Kloeckner	2829 Hillcrest, Lansing, MI 48910
66. Mildred Kloeckner	2829 Hillcrest, Lansing, MI 48910
67. Tim Nicols	633 Quinlin, Williamston, MI 48895
68. Lucy Phillips	122 LaSalle, Lansing, MI 48912
69. Mike Pyne	6220 Coulson, Lansing, MI 48910
70. Bonnie Rutter	2365 N. Cedar, Holt, MI 48842
71. Brian Rutter	2365 N. Cedar, Holt, MI 48842
72. Dennis Rutter	2365 N. Cedar, Holt, MI 48842
73. Bruce Sneider	6276 Towar, E. Lansing, MI 48823
74. Doris Munro Sneider	6276 Towar, E. Lansing, MI 48823
75. Eddie Sylvester	4077 E. Holt Rd., Lot 45, Holt, MI 48842
76. Lillian Sylvester	4077 E. Holt Rd., Lot 45, Holt, MI 48842
77. Richard Tinney	500 S. Pine, Lansing, MI 48933
78. Mike Yales	719 S. Magnolia, Lansing, MI 48912
79. Maria Velasquez	1614 N. High, Lansing, MI 48906
80. Phil Ballbach	312 Leslie, Lansing, MI 48912
81. Cathy Clarkson	4611 Sandstone, Williamston, MI 48895
82. Len Clarkson	4611 Sandstone, Williamston, MI 48895
83. Cora Dixon	4101 Walton, Lansing, MI 48910
84. Martin Fox	1812 Pinecrest, E. Lansing, MI 48823
85. Ruth Fox	1812 Pinecrest, E. Lansing, MI 48823
86. Dennis Good	730 W. Ionia, Lansing, MI 48915
87. Eileen Hart	1231 Blk., Lansing, MI 48912

continued - Contributions to Ingham County Democratic Party from Nov. 5, 1982 to Feb. 16, 1983

88.	Tim Hughes	1406 E. Mt. Hope, Lansing, MI 48910
89.	Brenda Hull	425 S. Holmes, Lansing, MI 48912
90.	Jennifer Johnson	420 S. Walnut #308, Lansing, MI 48933
91.	William K. Johnson	4715 S. Waverly, Lansing, MI 48910
92.	Julia Jones	5747 Richwood, #49, Lansing, MI 48910
93.	Marie Kingdon	3604 Arbutus, Okemos, MI 48864
94.	Eugene Loyd	4200 Brighton, Lansing, MI 48910
95.	Jane Loyd	4200 Brighton, Lansing, MI 48910
96.	Mary Pollock	1228 Chartwell, N., E. Lansing, MI 48823
97.	Steve Ramey	2900 Beau Jardin, #305, Lansing, MI 48910
98.	Ramon Richards	929 W. Cavanaugh, #7, Lansing, MI 48910
99.	Stuart Shafer,	1414 Glenhaven, E. Lansing, MI 48823
100.	Doria Sutherland	1667 Linden, E. Lansing, MI 48823
101.	Pauline Tunstill	6238 Haag Rd., Lansing, MI 48910
102.	Jed VandeBunte	3604 Arbutus, Okemos, MI 48864
103.	William VandeBunte	3604 Arbutus, Okemos, MI 48864
104.	Roger Winthrop	631 N. Magnolia, Lansing, MI 48912
105.	Sandra Zerkle	2501 Risdale, Lansing, MI 48910

Contributions to Ingham County Democratic Party - after March 1, 1983

1. Daniel Fox	1812 Pinecrest, E. Lansing, MI 48823
2. Sandra Gustafson	963 Marigold, E. Lansing, MI 48823
3. Lucile Ketchum	711 Forest, E. Lansing, MI 48823
4. Joan Miller	1924 Pinecrest, E. Lansing, MI 48823
5. Ed Aho	2228 Marguerite, Lansing, MI 48912
6. Joe Cachey	W551 Owen-MSU, E. Lansing, MI 48825
7. Delmer Carr	4075 E. Dansville, Webberville, MI 48922
8. Suzanne Chura	5825 Haverhill, Lansing, MI 48910
9. Ethel Davis	116 W. Graham, Lansing, MI 48910
10. Cynthia Donnelly	1419 Mark Twain, Lansing, MI 48910
11. Deborah Donnelly	1419 Mark Twain, Lansing, MI 48910
12. Michael Dudley	1900 Rockway, Lansing, MI 48910
13. Zolton Ferency	P.O. 20, E. Lansing, MI 48823
14. Irene Gibbons	803 Banghart, Lansing, MI 48906
15. George Griffiths	127 Bessemaur, E. Lansing, MI 48823
16. Helen Griffiths	127 Bessemaur, E. Lansing, MI 48823
17. Barbara Grosvenor	3726 Stratford, Lansing, MI 48910
18. Robert Grosvenor	3726 Stratford, Lansing, MI 48910
19. Phillip Grow	1110 Farrand, Lansing, MI 48906
20. Gerald Harbowy	536 Abbott Road, E. Lansing, MI 48823
21. Beverly Golloch	1200 Victor, Lansing, MI 48910
22. Audrie Hegmon	2148 Bruce, Lansing, MI 48915
23. Richard Hegmon	2148 Bruce, Lansing, MI 48915
24. Douglas Hoekstra	2380 Kewanee, Okemos, MI 48864
25. Mary Holmes	2126 Tecumseh River, Lansing, MI 48906
26. Michelle Holmes	2126 Tecumseh River, Lansing, MI 48906
27. [Name obscured]	2126 Tecumseh River, Lansing, MI 48906
28. [Name obscured]	2337 Beverly, Lansing, MI 48912
29. Robert Klein	3118 Glenbrook, Lansing, MI 48910

continued - Contributions to Ingham County Democratic Party after March 1, 1983

30.	Rita Klein	3318 Glenbrook, Lansing, MI 48910
31.	Stephen Manchester	513 W. Madison, Lansing, MI 48906
32.	Elisabeth Nicola	6137 Maracot, Lansing, MI 48910
33.	Lorne Nicola	6137 Maracot, Lansing, MI 48910
34.	Jean McDonald	613 Moores River, Lansing, MI 48910
35.	Robert O'Leary	6112 Brookhaven, E. Lansing, MI 48823
36.	Kevin Olson	4633 Krental, Holt, MI 48842
37.	Lawrence Owen	1019 Huntington, E. Lansing, MI 48823
38.	Joyce Potts	3633 Sumpter, Lansing, MI 48910
39.	James H. Ramey	4105 Wabaningo, Okemos, MI 48864
40.	Anthony Randall	1706 Springfield, Lansing, MI 48912
41.	Barbara Reeves	612 W. Barnes, Lansing, MI 48910
42.	Raymond Rostorfer	1436 Centennial Ct., Lansing, MI 48910
43.	Paul Swartz	745 Burcham #64, h. Lansing, MI 48823
44.	Randy Schafer	3381 Skyway, Williamston, MI 48895
45.	Betty Smith	4903 Sugarbush, Holt, MI 48842
46.	Bruce Stark	836 Seymour, Lansing, MI 48906
47.	Ruth Trowbridge	3923 Hunters Ridge #1, Lansing, MI 48910
48.	Mary Jo White	705 W. Kalamazoo #4, Lansing, MI 48915
49.	Neal Wilensky	1604 Alpha, Lansing, MI 48910
50.	Mary Wilkinson	3824 Calvin, Lansing, MI 48910
51.	Ronald Wilson	512 W. Ionia, Lansing, MI 48933
52.	Robert Dreengoski	1134 Old Hickory, E. Lansing, MI 48823
53.	Charles Haynes	305 N. Foster, Lansing, MI 48912
54.	Ed McDonald	1827 Towner Rd., Haslett, MI 48840
55.	Gloria McMeans	223 Jenison, N., Lansing, MI 48915
56.	April Norton	1546-D Spartan Village, E. Lansing, MI 48823
57.	David Sheathelm	3230 Sheathelm Rd., Dansville, MI 48819
58.	David Thayer	4465 Janice Lee Dr., #E-4, Okemos, MI 48864
59.	Larry Widmayer	826 Sunset Lane, E. Lansing, MI 48823

Continued

Contributions to Ingham County Democratic Party after March 1, 1983

60.	Pat Widmayer	826 Sunset Lane, E. Lansing, MI 48823
61.	Margie Wilson	2909 Hillcrest, Lansing, MI 48910
62.	Paula Yensen	1254 Deerpath, E. Lansing, MI 48823
63.	Grace Andrews	3131 S. Cambridge, Lansing, MI 48910
64.	Vernon Andrews	3131 S. Cambridge, Lansing, MI 48910
65.	James Blair	1544 N. Genesee, Lansing, MI 48915
66.	Jannette Fiore	1667 Melrose, E. Lansing, MI 48823
67.	Barry Hawthorne	1145 Abbott, E. Lansing, MI 48823
68.	Rosa Jimenez	6128 Farrington, #1, E. Lansing, MI 48823
69.	Marian Kummerl	1616 Cambria, E. Lansing, MI 48823
70.	Lynne Martinez	1118 N. Walnut, Lansing, MI 48906
71.	Nancy Meyer	1203-H University Vlg., E. Lansing, MI 48823
72.	Sharon Peters	505 Shepard, Lansing, MI 48912
73.	Charles Williams	1935 Mendota, E. Lansing, MI 48823
74.	Robert Canterbury	415 S. Verlinden, Lansing, MI 48915
75.	Ethel Cassel	816 Bancroft Ct., Lansing, MI 48915
76.	Janie Connelly	1419 Mark Twain, Lansing, MI 48915
77.	Leo Ghastin, Jr.	510 Dadson, Lansing, MI 48910
78.	Ellen Louhi-Burton	708 Applegate, E. Lansing, MI 48823
79.	E. Boomie Mikrut	3420 Colchester, Lansing, MI 48906
80.	Ritta Rosenberg	2687 Rampart Path, Holt, MI 48842
81.	Beth Shapiro	2601 Forest, Lansing, MI 48910
82.	Issari Shiddat	1609 N. Hayford, Lansing, MI 48912
83.	Patrick Spyke	2697 Heather Dr., E. Lansing, MI 48823
84.	Frank Stallings	4398 Arbor, Okemos, MI 48864
85.	Alan Suits	609 Belmonte Cir., E. Lansing, MI 48823
86.	John Washington	5181 E. Brookfield, E. Lansing, MI 48823
87.	Helen Barnes	2615 Kuerbitz, Lansing, MI 48906
88.	Sharon Benda	4358 Congdon, Williamston, MI 48895
89.	Ted Benda	4358 Congdon, Williamston, MI 48895

Contributions to Ingham County Democratic Party after March 1, 1983

90.	James Brazier	4039 W. Jolly, Apt. 32, Lansing, MI 48910
91.	Robert Crosby	4101 Pleasant Grove, Lansing, MI 48910
92.	Charles Himelright	1537 Linden, E. Lansing, MI 48823
93.	Linda Himelright	1537 Linden, E. Lansing, MI 48823
94.	Jennie Katz	425 Durand St., E. Lansing, MI 48823
95.	Len Luker	767 Burcham, E. Lansing, MI 48823
96.	Margaret Luker	767 Burcham, E. Lansing, MI 48823
97.	Anna Panzer	201 W. Jolly, #213, Lansing, MI 48910
98.	Albert Stanke	1776 Hillcurve, Haslett, MI 48840
99.	Lauren Swanson	3100 Holiday Dr., #8, Lansing, MI 48912
100.	Jeanne Barker	3809 Stoneleigh, Lansing, MI 48910
101.	Martha Bigelow	223 Cowley, E. Lansing, MI 48823
102.	Becky Fox	446 Everett, Lansing, MI 48915
103.	James Arthur	15849 Greenway Dr., Lansing, MI 48906
104.	Ann Johnstone	1614 Vermont, Lansing, MI 48906
105.	Tim Long	621 E. Jolly, Lansing, MI 48910
106.	Tom Mitchell	3512 Sharon Way, Williamston, MI 48895
107.	Debra Smith	503 E. Grand River, E. Lansing, MI 48823
108.	Victoria Weiler	1214 S. Geneva, DeWitt 48820
109.	Erick Williams	1408 W. Lenevee, Lansing, MI 48915
110.	Joan Hunault	901 Rosewood, E. Lansing, MI 48823
111.	William Hunault	901 Rosewood, E. Lansing, MI 48823
112.	Jon Rehmus	408 Sycamore, Lansing, MI 48933
113.	Ray Totte, Jr.	2704 Fontaine Tr., Holt, MI 48842
114.	Scott Wilensky	1223 N. Capitol, Lansing, MI 48906
115.	Muriel A. Winter	1307 N. Hagadorn, E. Lansing, MI 48823
116.	Barbara Dowling	2111 Lac Du Mont #B-2, Haslett, MI 48840
117.	Stuart Dunnings, III	1704 S. Genesee, Lansing, MI 48915
118.	Tom Durbin	P.O. Box 18072, Lansing, MI 48901
119.	Constance Wright	1029 N. Harrison, E. Lansing, MI 48823



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20461

25 April 1984

RQ-2

Lawrence D. Owen, Treasurer
Ingham County Democratic Party
Federal Campaign Fund
5024 S. Cedar
Lansing, MI 48910

Identification Number: C00155481

Reference: Mid-Year Report (1/1/83-6/30/83)

Dear Mr. Owen:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule B of your report (pertinent portion(s) attached) discloses a contribution(s) which appears to exceed the limits established by the Act. The Act precludes a person or a political committee, other than a multicandidate committee, from making a contribution to a candidate for Federal office in excess of \$1,000 per election. (2 U.S.C. 441a(a)) Your committee's letter of March 6, 1984 includes "lists of contributors to the Ingham County Democratic Party within certain dated periods." The lists, however, fail to identify the receipt dates for the contributions received. In order for the Commission to determine if your committee has satisfied the requirements for multicandidate status and thereby be eligible to contribute up to \$5,000 per election to a Federal candidate, please provide the following clarifying information:

- the receipt dates for the contributions received;
- a statement as to whether the individual contributions were made directly to your committee or through another account of the Party (including whether the account is maintained for Federal and/or non-Federal activity); and
- the exact date that your committee attained multicandidate status.

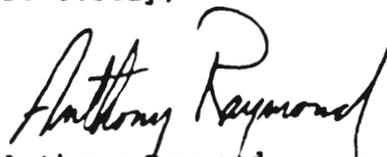
If you have made an excessive contribution, the Commission recommends that you notify the recipient and request a refund of the amount in excess of \$1,000. Please inform the Commission, in writing, of the refund and provide a photocopy of your refund request sent to the recipient. In addition, any refund should appear on Line 16 of Schedule A of your next report.

If you find the contribution(s) in question was disclosed incompletely or incorrectly, please amend your original report with the clarifying information.

Although the Commission may take further legal steps concerning the excessive contribution(s), prompt action by you to obtain a refund will be taken into consideration by the Commission.

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4048.

Sincerely,



Anthony Raymond
Reports Analyst
Reports Analysis Division

040331

SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 1 of 3
 List Number 3
 (See instructions for each category of the Disbursements Summary Page)

Any information copied from such reports and statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee

Name of Committee (in Full) **Ingban County Democratic Party Federal Campaign Fund** Attachment #2 (Continued)

0303312116
 030327A3A00

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Wolpe for Congress 246 E. Kilgore Kalamazoo, MI 49007	Wolpe for Congress 3rd District Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	2/15/83	2000
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			2000

TELECON WITH: Mike Pyne

Candidate/Committee: Ingham County Democratic Party

DATE: 5/2/84

SUBJECT(S): RFAI

Mr. Pyne called today about an RFAI we sent concerning the committee's possible qualified status. Mr. Pyne called because he was confused. He stated that he felt an earlier letter sent by him had cleared up the multi-candidate status issue. I explained to Mr. Pyne that the earlier amendment sent in by his committee was ambiguous with respect to the exact date the committee received its 5^{1st} individual contribution. I told Mr. Pyne that, as the RFAI stated, his earlier amendment gave a range of dates on which contributions were made to his committee, and what we needed is exact dates.

Mr. Pyne said that he now understood what was required, and that he would research the exact dates for the contributions and submit the required amendment.

40003967



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

21 May 1984

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

ATTENTION: CONLEY EDWARDS

THROUGH: JOHN C. SURINA *Chw for*
STAFF DIRECTOR

FROM: JOHN D. GIBSON *JG*
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

SUBJECT: REFERRAL UPDATE CONCERNING THE INGHAM COUNTY
DEMOCRATIC PARTY FEDERAL CAMPAIGN FUND

The following information concerns the referral of the Ingham County Democratic Party Federal Campaign Fund (the "Fund"). For further background, please refer to 84L-9b.

On May 14, 1984, the Commission received the attached letter from Kenneth A. Hope, the treasurer of the Ingham County Democratic Party. The letter was written in response to an April 25, 1984 Request for Additional Information.

Mr. Hope states that on November 5, 1982, the Fund collected contributions from 179 individuals through a bingo event. The contributions were made in small amounts; therefore, the contributors "were not reportable by name."

According to Mr. Hope, Michigan law requires that a separate "bingo account" be maintained for depositing such receipts. The bingo account receipts are then transferred to the Fund ". . . for the purpose of supporting financially those candidates seeking election to Federal office."

It is the Fund's contention that the criteria for multicandidate status was achieved on November 19, 1982, and that, the contributions to the Friends of Bob Carr in 1983 are permissible.

If you have any questions regarding this matter, please contact Eugene LaCroce at 523-4048.

Attachment

0040303268

84 MAY 14 9:24

Ingham County Democratic Party
5024 South Cedar Street
Lansing, Michigan 48910

May 10, 1984

Mr. Anthony Raymond
Reports Analysis Division
Federal Election Commission
Washington, D.C.

RE: ID # C 00 155 481

Dear Mr. Raymond:

The following is in reply to your letter of April 25, 1984, requesting information pertaining to our "Ingham County Democratic Party, Federal Campaign Fund."

A. On November 5, 1982, we received individual contributions from 179 people. These contributions were made in small amounts, not reportable by name. These funds are raised at our bingo. When money from our bingo is to be used for support of federal candidates, we announce to that effect, "the proceeds from tonight's bingo will be used for the support of Democratic candidates seeking election to office at the federal level."

B. Michigan's law governing the depositing of bingo receipts requires that we deposit into a separate "bingo account." We then in turn transfer what ever receipts that are needed from the bingo account to the separate "Ingham County Democratic Party Federal Campaign Fund." The ICDPFCF is maintained solely for the purpose of supporting financially those candidates seeking election to federal office.

It does not contribute to any other "non federal" activity.

The Ingham County Democratic Party Federal Campaign Fund accepts individual contributions and deposits them directly into our federal account.

The Ingham County Democratic Party Federal Campaign Fund doesn't accept any corporate contributions nor does it accept any contributions from Union Treasury funds.

C. In as much as 1. We did exist for 6 months prior to making any contributions, and 2. We did have over 50 individual contributions on November 5, 1982, and 3. We did make contributions to 5 candidates on or before November 19, 1982. We would submit that we attained multi-candidate status on November 19, 1982.

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page - 2
Mr. Anthony Raymond

We would also submit that the contributions made to the Friends of Bob Carr in the amounts of \$4,000 and \$4,000 were corrected on July 20, 1983.

If there is any further information needed, please don't hesitate to contact me at (517) 394-2880.

Sincerely,

Kenneth A. Hope

Kenneth A. Hope

Treasurer

Ingham County Democratic Party Federal Campaign Fund

Enclosures

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SENSITIVE

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

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT 10 OCT 4 11:10

DATE AND TIME OF TRANSMITTAL BY OGC
TO THE COMMISSION 10/4/84 - 1:10

RAD REFERRAL NO. 84L-9a & 9b
STAFF MEMBER
Conley Edwards, Jr.

SOURCE OF REFERRAL: INTERNALLY GENERATED/
Reports Analysis Division

RESPONDENTS' NAMES: Ingham County Democratic Party Federal
Campaign Fund
Lawrence D. Owen, Treasurer
Friends of Bob Carr
Dennis M. Ritter, Treasurer
Riegler for Senate in '82 Committee
M.P. Patten, Treasurer
Howard Wolpe Campaign Committee
Wayne M. Deering, Treasurer

RELEVANT STATUTES: 2 U.S.C. § 441a(a)(1)(A)
2 U.S.C. § 441a(f)
2 U.S.C. § 434(a)
2 U.S.C. § 434(b)(5)(B)(ii)
2 U.S.C. § 434(b)(2)

INTERNAL REPORTS
CHECKED: Committee Reports

FEDERAL AGENCIES
CHECKED: None

GENERATION OF MATTER

This matter was referred to the Office of General Counsel as a result of the Ingham County Democratic Party Federal Campaign Fund's (hereinafter "the Fund") making excessive contributions to three (3) political committees in 1982 and 1983.

SUMMARY OF ALLEGATIONS

According to the Reports Analysis Division (hereinafter "RAD"), the Fund made contributions totalling \$24,025.00 to the Friends of Bob Carr (hereinafter "the Carr Committee"); the Riegler

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for Senate in '82 Committee (hereinafter "the Riegle Committee"); and the Howard Wolpe Campaign Committee (hereinafter "the Wolpe Committee") during the 1982 and 1983 calendar years.

Attachments I and II.

FACTUAL AND LEGAL ANALYSIS

Ingham County Democratic Party
Federal Campaign Fund

During the 1982 election year and the 1983 calendar year, the Fund made contributions totalling \$24,025.00 to the following political committees:

1982 Calendar Year

<u>Cmte.</u>	<u>Cont.</u>	<u>Date of Receipt</u>	<u>Desig.</u>	<u>Date of Fund's Disbursal</u>	<u>Fund's Desig.</u>	<u>Excessive</u>
Friends of Bob Carr	\$ 1,000	7/27/82	General	Not Reported		
	1,000	9/14/82	General	Not Reported		
	4,000	11/10/82	Primary	11/5/82	Primary	
	4,000	11/10/82	General	11/5/82	General	\$ 8,000
	<u>\$10,000</u>					
Riegle for Senate Committee	25	12/10/82		11/5/82	General	
	<u>1,000</u>	11/2/82		undated	General (In-kind Hall Use)	
	\$ 1,025					25
Howard Wolpe Campaign Committee	2,000	11/24/82	General	11/19/82	General	
	<u>1,000</u>	Not Reported		undated	General (In-kind Hall Use)	2,000
	\$ 3,000					
	<u>\$14,025</u>					<u>\$10,025</u>

Additionally, the Fund's 1983 Year End Report, discloses that contributions totalling \$10,000.00 were made to two (2) of the aforesaid political committees during the 1983 calendar year:

1983 Calendar Year

<u>Cmte.</u>	<u>Cont.</u>	<u>Date of Receipt</u>	<u>Desig.</u>	<u>Date of Fund's Disbursal</u>	<u>Fund's Desig.</u>	<u>Excessive</u>
Howard Wolpe Campaign Committee	\$ 2,000	2/19/83	General	2/15/83	General	\$1,000
Friends of Bob Carr	<u>8,000</u> <u>\$10,000</u>	7/29/83	1982 General	7/20/83	1982 Primary (\$4,000) 1982 General (\$4,000)	3,000 <u>3,000</u> \$7,000

Since the Fund qualified as a multicandidate committee on December 31, 1983, it appears that \$17,025.00 of the \$24,025.00 contributed by the Fund before December 31, 1983, were excessive and in violation of 2 U.S.C. § 441a(a)(1)(A). Additionally, it appears that the Fund violated 2 U.S.C. § 434(a) by failing to file certain reports of receipts and disbursements during the 1982 calendar year. The Fund was established on April 28, 1982; however, the first report filed by the Fund was a 1982 Thirty (30) Day Post-General, dated December 1, 1982. The report covered the period November 4, 1982 through November 22, 1982.^{1/} Finally, the Fund appears to have violated 2 U.S.C. § 434(b)(5)(ii) by failing to give the dates of certain disbursements made to the Riegle and the Wolpe Committees.^{2/}

^{1/} The Friends of Bob Carr discloses receipts from the Fund on July 22, 1982, and September 14, 1982.

^{2/} See the 1982 Calendar Year chart for details.

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Friends of Bob Carr

On July 12, 1983, a request for additional information was mailed to the Carr Committee concerning the receipt of excessive contributions from the Fund. A second notice was mailed on August 4, 1983, because the Carr Committee had failed to respond to the first request.

On August 5, 1983, the Carr Committee responded to RAD's request for additional information and stated that \$8,000.00 of the \$10,000.00 it received from the Fund from July 27, 1982 through November 5, 1982, had been refunded on July 12, 1983. The Carr Committee's 1983 Year End Report disclosed an \$8,000.00 refund made to the Fund. Additionally, the report disclosed that on July 29, 1983, the Carr Committee received from the Fund another contribution of \$8,000.00 that was designated by the Carr Committee for the 1982 general election. However, the Fund's 1983 Year End Report designates \$4,000.00 for the 1982 primary election and \$4,000.00 for the 1982 general election.

Riegle for Senate in '82 Committee

On November 5, 1982, the Fund contributed \$25.00 to the Riegle Committee and on an unspecified date^{3/} it discloses that an additional \$1,000.00 "In-kind Hall Use"^{4/} contribution

^{3/} A review of the Fund's 1982 30 Day Post-General Report indicates that the contribution was made between the 5th and 19th day of November.

^{4/} The Fund's report provides no additional information as to what is meant by this term.

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was made; both contributions were designated for the 1982 general election by the Fund. The Riegle Committee gave no designation for the reported receipts.

Howard Wolpe Campaign Committee

On November 19, 1982, the Fund made a contribution of \$2,000.00 to the Wolpe Committee and also made a \$1,000.00 "In-kind Hall Use" contribution to the Wolpe Committee; again, both contributions were designated for the 1982 general election by the Fund. The Wolpe Committee designated the \$2,000.00 contribution for the 1982 general election; however, it failed to report the receipt of the \$1,000.00 "In-Kind Hall Use" contribution the Fund disclosed as an undated disbursement.

CONCLUSION

Based on the above, a compliance action should be instituted since it appears that the Fund and Lawrence D. Owen, as treasurer, violated 2 U.S.C. § 441a(a)(1)(A) by contributing funds in excess of the \$1,000.00 per election limitation as set forth in the Act. Similarly, the Carr Committee and Dennis M. Ritter, as treasurer; the Riegle Committee and M.P. Patten, as treasurer; and the Wolpe Committee and Wayne M. Deering, as treasurer, violated 2 U.S.C. § 441a(f) by receiving and accepting contributions from the Fund in excess of the contribution limitations as set forth in 2 U.S.C. § 441a(a)(1)(A). Additionally, the Fund and Lawrence D. Owen, as treasurer, violated 2 U.S.C. § 434(a) by failing to file certain reports of receipts and disbursements during the 1982 calendar year and

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2 U.S.C. § 434(b)(5)(B)(ii) by failing to state the dates of two (2) disbursements to two (2) separate political committees. Finally, the Wolpe Committee and Wayne M. Deering, as treasurer, violated 2 U.S.C. § 434(b)(2) by failing to report the receipt of a \$1,000.00 contribution from the Fund in November of 1982. Accordingly, we recommend that reason to believe be found against all the political committees involved in this matter. However, because the Riegler Committee received only \$25.00 in excessive contributions from the Fund, we believe no further action beyond the reason to believe finding against the Riegler Committee is warranted.

RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that the Ingham County Democratic Federal Campaign Fund and Lawrence D. Owen, as treasurer, violated 2 U.S.C. § 441a(a)(1)(A).
3. Find reason to believe that the Ingham County Democratic Federal Campaign Fund and Lawrence D. Owen, as treasurer, violated 2 U.S.C. § 434.
4. Find reason to believe that the Ingham County Democratic Federal Campaign Fund and Lawrence D. Owen, as treasurer, violated 2 U.S.C. § 434(b)(5)(B)(ii).
5. Find reason to believe that the Friends of Bob Carr and Dennis M. Ritter, as treasurer, violated 2 U.S.C. § 441a(f).
6. Find reason to believe that the Howard Wolpe Campaign Committee and Wayne M. Deering, as treasurer, violated 2 U.S.C. § 441a(f).
7. Find reason to believe that the Howard Wolpe Campaign Committee and Wayne M. Deering, as treasurer, violated 2 U.S.C. § 434(b)(2).
8. Find reason to believe that the Riegler for Senate in '82 Committee and M.P. Patten, as treasurer, violated 2 U.S.C. § 441a(f) but take no further action.

9 0 0 4 0 1 0 3 2 7 6

9. Approve and send attached notification letters and General Counsel's Factual and Legal Analysis.

Charles N. Steele
General Counsel

Date October 3, 1984

BY: 
Kenneth A. Gross
Associate General Counsel

Attachments

RAD Referrals (2)

Letters (4)

General Counsel 's Factual and Legal Analyses (4)

20040005917

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) RAD Referral 84L-9a and 9b
Ingham County Democratic Party)
Federal Campaign Fund, et. al.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 10, 1984, the Commission decided by a vote of 5-0 to take the following actions in RAD Referral 84L-9a and 9b:

1. Open a MUR.
2. Find reason to believe that the Ingham County Democratic Federal Campaign Fund and Lawrence D. Owen, as treasurer, violated 2 U.S.C. § 441a(a)(1)(A).
3. Find reason to believe that the Ingham County Democratic Federal Campaign Fund and Lawrence D. Owen, as treasurer, violated 2 U.S.C. § 434.
4. Find reason to believe that the Ingham County Democratic Federal Campaign Fund and Lawrence D. Owen, as treasurer, violated 2 U.S.C. § 434(b)(5)(B)(ii).
5. Find reason to believe that the Friends of Bob Carr and Dennis M. Ritter, as treasurer, violated 2 U.S.C. § 441a(f).
6. Find reason to believe that the Howard Wolpe Campaign Committee and Wayne M. Deering, as treasurer, violated 2 U.S.C. § 441a(f).

(Continued)

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- 7. Find reason to believe that the Howard Wolpe Campaign Committee and Wayne M. Deering, as treasurer, violated 2 U.S.C. § 434(b)(2).
- 8. Find reason to believe that the Riegle for Senate in '82 Committee and M.P. Patten, as treasurer, violated 2 U.S.C. § 441a(f) but take no further action.
- 9. Approve and send the notification letters and General Counsel's Factual and Legal Analysis attached to the First General Counsel's Report dated October 4, 1984.

Commissioners Aikens, Elliott, Harris, McGarry and Reiche voted affirmatively in this matter; Commissioner McDonald did not cast a vote.

Attest:

10-11-84
Date

Jody C. Hanson
for Marjorie W. Emmons
Secretary of the Commission

930403979

Received in Office of Commission Secretary:	10-4-84, 1:10
Circulated on 48 hour tally basis:	10-5-84, 2:00



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 12, 1984

Lawrence D. Owen, Treasurer
Ingham County Democratic Party
Federal Campaign Fund
5024 South Cedar
Lansing, Michigan 48910

RE: MUR 1818
Ingham County Democratic Party
Federal Campaign Fund

Dear Mr. Owen:

On October 10, 1984, the Federal Election Commission determined that there is reason to believe that the Ingham County Democratic Party Federal Campaign Fund and you, as treasurer, violated 2 U.S.C. §§ 441a(a)(1)(A), 434(a), and 434(b)(5)(B)(ii), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's 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 you and the Committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against your Committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if you so desire. See 11 C.F.R. § 111.18(d).

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 a statement authorizing such counsel to receive any notifications and other communications from the Commission.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A),

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Lawrence D. Owen, Treasurer
Page 2

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 Conley Edwards, Jr., at (202) 523-4000.

Sincerely,



Lee Ann Elliott
Chairman

Enclosures

- General Counsel's Factual and Legal Analysis
- Procedures
- Designation of Counsel Statement

900400001

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. _____

RESPONDENT Ingham County Democratic
Party Federal Campaign Fund
Lawrence D. Owen, Treasurer

SUMMARY OF ALLEGATIONS

The Ingham County Democratic Party Federal Campaign Fund (hereinafter "the Fund") violated 2 U.S.C. § 441a(a)(1)(A) by contributing funds in excess of the \$1,000.00 per election contribution limitation as set forth in the Act.

FACTUAL BASIS AND LEGAL ANALYSIS

According to the Reports Analysis Division (hereinafter "RAD"), the Fund made contributions totalling \$24,025.00 to the Friends of Bob Carr (hereinafter "the Carr Committee"); the Riegle for Senate in '82 Committee (hereinafter "the Riegle Committee"); and the Howard Wolpe Campaign Committee (hereinafter "the Wolpe Committee") during the 1982 and 1983 calendar years.

Ingham County Democratic Party
Federal Campaign Fund

During the 1982 election year and the 1983 calendar year, the Fund made contributions totalling \$24,025.00 to the following political committees:

During the 1982 election year and the 1983 calendar year, the Fund made contributions totalling \$24,025.00 to the following political committees:

1982 Calendar Year

<u>Cmte.</u>	<u>Cont.</u>	<u>Date of Receipt</u>	<u>Desig.</u>	<u>Date of Fund's Disbursal</u>	<u>Fund's Desig.</u>	<u>Excessive</u>
Friends of Bob Carr	\$ 1,000	7/27/82	General	Not Reported		
	1,000	9/14/82	General	Not Reported		
	4,000	11/10/82	Primary	11/5/82	Primary	
	4,000	11/10/82	General	11/5/82	General	\$ 8,000
	<u>\$10,000</u>					
Riegle for Senate Committee	25	12/10/82		11/5/82	General	
	<u>1,000</u>	11/2/82		undated	General (In-kind Hall Use)	
	\$ 1,025					25
Howard Wolpe Campaign Committee	2,000	11/24/82	General	11/19/82	General	
	<u>1,000</u>	Not Reported		undated	General (In-kind Hall Use)	2,000
	\$ 3,000					
	<u>\$14,025</u>					<u>\$10,025</u>

Additionally, the Fund's 1983 Year End Report, discloses that contributions totalling \$10,000.00 were made to two (2) of the aforesaid political committees during the 1983 calendar year:

1983 Calendar Year

<u>Cmte.</u>	<u>Cont.</u>	<u>Date of Receipt</u>	<u>Desig.</u>	<u>Date of Fund's Disbursal</u>	<u>Fund's Desig.</u>	<u>Excessive</u>
Howard Wolpe Campaign Committee	\$ 2,000	2/19/83	General	2/15/83	General	\$1,000
Friends of Bob Carr	8,000	7/29/83	1982 General	7/20/83	1982 Primary	3,000
	<u>\$10,000</u>				(\$4,000)	
					1982 General	<u>3,000</u>
					(\$4,000)	
						\$7,000

Since the Fund qualified as a multicandidate committee on December 31, 1983, it appears that \$17,025.00 of the \$24,025.00 contributed by the Fund before December 31, 1983, were excessive and in violation of 2 U.S.C. § 441a(a)(1)(A). Additionally, it appears that the Fund violated 2 U.S.C. § 434(a) by failing to file certain reports of receipts and disbursements during the 1982 calendar year. The Fund was established on April 28, 1982; however, the first report filed by the Fund was a 1982 Thirty (30) Day Post-General, dated December 1, 1982. The report covered the period November 4, 1982 through November 22, 1982. Finally, the Fund appears to have violated 2 U.S.C. § 434(b)(5)(ii) by failing to give the date of disbursements to the Riegle and the Wolpe Committees.

Based on the above, a compliance action should be instituted since it appears that the Fund and Lawrence D. Owen, as treasurer, violated 2 U.S.C. § 441a(a)(1)(A) by contributing funds in excess of the \$1,000.00 per election limitation as set forth in the Act to three (3) political entities during the 1982 and 1983 calendar years. Additionally, the Fund and Lawrence D. Owen, as treasurer, violated 2 U.S.C. § 434(a) by failing to file certain reports of receipts and disbursements during the 1982 calendar year and 2 U.S.C. § 434(b)(5)(B)(ii) by failing to give the dates of two (2) disbursements. Therefore, the Office of General Counsel recommends that reason to believe be found against the Ingham County Democratic Party Federal Campaign Fund and Lawrence D. Owen, as treasurer of the Ingham County Democratic Party Federal Campaign Fund.

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Dennis M. Ritter, Treasurer
Page 2

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 Conley Edwards, Jr., at (202) 523-4000.

Sincerely,



Lee Ann Elliott
Chairman

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

40303986

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. _____

RESPONDENT Friends of Bob Carr
Dennis M. Ritter, Treasurer

SUMMARY OF ALLEGATIONS

The Friends of Bob Carr (hereinafter "the Carr Committee") violated 2 U.S.C. § 441a(f) by receiving and accepting contributions in excess of the \$1,000.00 per election contribution limitation as set forth in 2 U.S.C. § 441a(a)(1)(A).

According to the Reports Analysis Division (hereinafter "RAD"), the Carr Committee received and accepted excessive contributions totalling \$15,000.00 from the Ingham County Democratic Party Federal Campaign Fund (hereinafter "the Fund") during the 1982 and 1983 calendar years.

1982 Calendar Year

<u>Cmte.</u>	<u>Cont.</u>	<u>Date of Receipt</u>	<u>Desig.</u>	<u>Date of Fund's Disbursal</u>	<u>Fund's Desig.</u>	<u>Excessive</u>
Friends of Bob Carr	\$ 1,000	7/27/82	General	Not Reported		
	1,000	9/14/82	General	Not Reported		
	4,000	11/10/82	Primary	11/5/82	Primary	
	4,000	11/10/82	General	11/5/82	General	\$ 8,000
	<u>\$10,000</u>					

1983 Calendar Year

<u>Cmte.</u>	<u>Cont.</u>	<u>Date of Receipt</u>	<u>Desig.</u>	<u>Date of Fund's Disbursal</u>	<u>Fund's Desig.</u>	<u>Excessive</u>
Friends of Bob Carr	8,000	7/29/83	1982 General	7/20/83	1982 Primary	3,000
					(\$4,000)	
					1982 General	<u>3,000</u>
					(\$4,000)	
						\$6,000

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On July 12, 1983, a request for additional information was mailed to the Carr Committee concerning the receipt of excessive contributions from the Fund. A second notice was mailed on August 4, 1983, because the Carr Committee had failed to respond to the first request.

On August 5, 1983, the Carr Committee responded to RAD's request for additional information and stated that \$8,000.00 of the \$10,000.00 it received from the Fund from July 27, 1982 through November 5, 1982, had been refunded on July 12, 1983. The Carr Committee's 1983 Year End Report disclosed an \$8,000.00 refund made to the Fund. Additionally, the report disclosed that on July 29, 1983, the Carr Committee received from the Fund another contribution of \$8,000.00 that was designated for the 1982 general election. However, the Fund's 1983 Year End Report designates \$4,000.00 for the 1982 primary election and \$4,000.00 for the 1982 general election.

Since the Fund qualified as a multicandidate committee on December 31, 1983, it appears that \$8,000.00 of the \$10,000.00 received by the Carr Committee from the Fund before December 31, 1983, were excessive and in violation of 2 U.S.C. § 441a(a)(1)(A).

Based on the above, a compliance action should be instituted since it appears that the Friends of Bob Carr and Dennis M. Ritter, as treasurer of the Friends of Bob Carr, violated 2 U.S.C. § 441a(f) by receiving contributions in excess of the \$1,000.00 per election contribution limitation as set forth in

00400333

2 U.S.C. § 441a(a)(1)(A). Therefore, the Office of General Counsel recommends that reason to believe be found against the Friends of Bob Carr and Dennis M. Ritter as treasurer of the Friends of Bob Carr.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 12, 1984

Wayne M. Deering, Treasurer
Howard Wolpe Campaign Committee
246 East Kilgore Road
Kalamazoo, Michigan 49001

RE: MUR 1818
Howard Wolpe Campaign Committee

Dear Mr. Deering: "

On October 10, 1984, the Federal Election Commission determined that there is reason to believe that the Howard Wolpe Campaign Committee and you, as treasurer, violated 2 U.S.C. §§ 441a(f) and 434(b)(2), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's 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 you and the Committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against your Committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if you so desire. See 11 C.F.R. § 111.18(d).

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 a statement authorizing such counsel to receive any notifications and other communications from the Commission.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A),

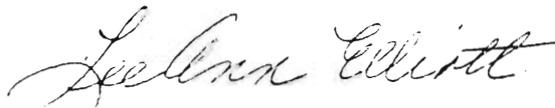
40803990

Wayne M. Deering, Treasurer
Page 2

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 Conley Edwards, Jr., at (202) 523-4000.

Sincerely,



Lee Ann Elliott
Chairman

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

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1982 Calendar Year

<u>Cmte.</u>	<u>Cont.</u>	<u>Date of Receipt</u>	<u>Desig.</u>	<u>Date of Fund's Disbursal</u>	<u>Fund's Desig.</u>	<u>Excessive</u>
Howard Wolpe Campaign Committee	2,000	11/24/82	General	11/19/82	General	
	<u>1,000</u>	Not Reported		undated	General	
	\$ 3,000				(In-kind Hall Use)	2,000

1983 Calendar Year

<u>Cmte.</u>	<u>Cont.</u>	<u>Date of Receipt</u>	<u>Desig.</u>	<u>Date of Fund's Disbursal</u>	<u>Fund's Desig.</u>	<u>Excessive</u>
Howard Wolpe Campaign Committee	\$ 2,000	2/19/83	General	2/15/83	General	\$1,000

Since the Fund qualified as a multicandidate committee on December 31, 1983, it appears that \$3,000.00 of the \$5,000.00 received by the Wolpe Committee from the Fund before December 31, 1983, were excessive and in violation of 2 U.S.C. § 441a(a)(1)(A).

Based on the above, a compliance action should be instituted since it appears that the Wolpe Committee and Wayne M. Deering, as treasurer of the Wolpe Committee, violated 2 U.S.C. § 441a(f) by receiving and accepting contributions from the Fund in excess of the \$1,000.00 per election contribution limitation as set forth in 2 U.S.C. § 441a(a)(1)(A). Additionally, the Wolpe Committee and Wayne M. Deering, as treasurer, violated 2 U.S.C. § 434(b)(2) by failing to report the receipt of \$1,000.00 contribution from the Fund in November of 1982. Therefore, the Office of General Counsel recommends that reason to believe be found against the Howard Wolpe Campaign Committee and Wayne M. Deering, as treasurer of the Howard Wolpe Campaign Committee.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 12, 1984

M. P. Patten, Treasurer
Riegle for Senate '82 Committee
1700 Glenshire Drive
Jackson, Michigan 49201

RE: MUR 1818
Riegle for Senate '82 Committee

Dear Mr. Patten:

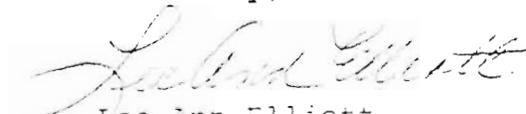
On October 10, 1984, the Federal Election Commission determined that there is reason to believe that the Riegle for Senate '82 Committee and you, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file. The General Counsel's Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds you that the receipt and acceptance of contributions in excess of the \$1,000.00 per election contribution limitation as set forth in 2 U.S.C. § 441a(a)(1)(A) nevertheless appears to be a violation of 2 U.S.C. § 441a(f). You should take immediate steps to ensure that this activity does not occur in the future.

If you have any questions, please contact Conley Edwards, Jr., at (202) 523-4000.

Sincerely,


Lee Ann Elliott
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

40303974

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. _____

RESPONDENT Riegle for Senate '82
Committee
M. P. Patten, Treasurer

SUMMARY OF ALLEGATIONS

The Riegle for Senate '82 Committee (hereinafter "the Riegle Committee") violated 2 U.S.C. § 441a(f) by receiving and accepting contributions in excess of the \$1,000.00 per election contribution limitation as set forth in 2 U.S.C. § 441a(a)(1)(A).

FACTUAL BASIS AND LEGAL ANALYSIS

According to the Reports Analysis Division (hereinafter "RAD"), the Riegle Committee received and accepted excessive contributions totalling \$25.00 from the Ingham County Democratic Party Federal Campaign Fund (hereinafter "the Fund") during the 1982 election year.

On November 5, 1982, the Fund contributed \$25.00 to the Riegle Committee and on an unspecified date it discloses that an additional \$1,000.00 "In-kind Hall Use" contribution was made; both contributions were designated for the 1982 general election.

1982 Calendar Year

<u>Cmte.</u>	<u>Cont.</u>	<u>Date of Receipt</u>	<u>Desig.</u>	<u>Date of Fund's Disbursal</u>	<u>Fund's Desig.</u>	<u>Excessive</u>
Riegle for Senate Committee	25	12/10/82		11/5/82	General	
	<u>1,000</u>	11/2/82		undated	General (In-kind Hall Use)	
	\$ 1,025					25

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On November 5, 1982, the Fund contributed \$25.00 to the Riegle Committee and on an unspecified date it discloses that an additional \$1,000.00 "In-kind Hall Use" contribution was made; both contributions were designated for the 1982 general election by the Fund. The Riegle Committee gave no designation for the reported receipts.

Since the Fund qualified as a multicandidate committee on December 31, 1983, it appears that \$25.00 of the \$1,025.00 received by the Riegle Committee from the Fund before December 31, 1983, were excessive and in violation of 2 U.S.C. § 441a(a)(1)(A).

Based on the above, a compliance action should be instituted since it appears that the Riegle for Senate '82 Committee and M.P. Patten, as treasurer of the Riegle Committee, violated 2 U.S.C. § 441a(f) by receiving and accepting contributions from the Fund in excess of the \$1,000.00 per election contribution limitation as set forth in 2 U.S.C. § 441a(a)(1)(A). Therefore, the Office of General Counsel recommends that reason to believe be found against the Riegle for Senate '82 Committee and M.P. Patten, as treasurer of the Riegle for Senate '82 Committee, but take no further action.

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Wolpe
Our Congressman

RECEIVED AT THE FEC
GCC #5349

Wolpe for Congress
239 East Michigan Avenue
Kalamazoo, Michigan 49007
(616) 349-3113

Toll free from Battle Creek 968-6308.
Toll free from Lansing 371-1132.

October 23, 1984

Conley Edwards, Jr.
Federal Election Commission
Washington, D. C. 20463

RE: Wolpe For Congress MUR 1818

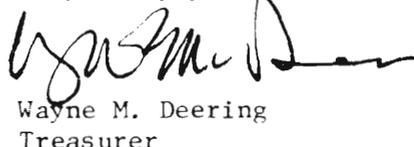
Dear Mr. Edwards:

I have spoken with Ingham County Democratic Party officials over the last several days and they have indicated to me that they believe they were a multi-candidate committee during the period in question.

We would ask until October 31, 1984 to have the opportunity to review this matter further with them. Should this matter not be resolved by that time we will refund the \$3,000.00 in question and then consider what action can be taken to substantiate Ingham County's claim. Of course, we are not in a position at this time to agree or disagree with the allegations or to assess the foundation of Ingham County's claim. It is our intention to make good use of this time and resolve the matter as soon as possible.

Thank you.

Very truly yours,


Wayne M. Deering
Treasurer

WMD:pg1

GCC#5386

LAW OFFICES
O'NEILL AND HAASE
A PROFESSIONAL CORPORATION

RECEIVED
THE FEC
SECRETARY

SUITE 1110
1333 NEW HAMPSHIRE AVENUE, N.W.
WASHINGTON, D.C. 20036-1800
(202) 466-6555

AUSTIN OFFICE
730 LITTLEFIELD BUILDING
AUSTIN, TEXAS 78701
(512) 474-8906

CHRISTOPHER R. O'NEILL
BARRY L. HAASE
REX H. WHITE, JR.
ANDREW ATHY, JR.
ROBERT B. GIESE
JAMES P. GROVE IV
J. CURTIS MOFFATT
BLAINE YAMAGATA
JULIE A. NAUMAN
DAVID W. HUNT
CARLA S. DOYNE
SUSAN M. DUJACK

TENO RONCALIO
WILLIAM M. SMITH†
JEROME E. MURPHY†
OF COUNSEL

* ADMITTED ONLY IN TEXAS
† ADMITTED ONLY IN ILLINOIS

OCT 29 P 4:03

Edwards

OCT 29 P 4:58

OFFICE OF THE
GENERAL COUNSEL

October 26, 1984

Lee Ann Elliot
Chairman
Federal Election Commission
Washington, D.C. 20463

RE: MUR 1818

Dear Chairman Elliot:

Attached is a statement of designation of counsel in MUR 1818.

We are now reviewing your letter of October 12, 1984 so that we may respond fully to the Commission's finding. I trust that after further review and consultation with the respondent that this matter can be resolved. They are, however, for the next week occupied with an intense re-election campaign. Please be assured, however, that this matter has our immediate attention.

Sincerely,

Andrew Athy, Jr.
Andrew Athy, Jr.

AA:jc
encl.

400003

STATEMENT OF DESIGNATION OF COUNSEL

NO: 1818
NAME OF COUNSEL: Christopher R. O'Neill
Andrew Athy, Jr.
ADDRESS: 1333 New Hampshire Ave., N.W.
Suite 1110
Washington, D.C. 20036
TELEPHONE: 202-466-6555

are
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.

Oct. 26, 1984
Date


Signature

ORGANIZATION'S NAME: Friends of Bob Carr
ADDRESS: PO Box 1552
East Lansing Michigan
PHONE NUMBER: _____
TELETYPE NUMBER: _____

GCC# 5854

RECEIVED
FEDERAL ELECTION COMMISSION

34 DEC 3 13:01

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ELECTION COMMISSION
WASHINGTON, D. C.

In the Matter of
the Friends of Bob Carr

Re: MUR 1818

RESPONDENTS REPLY

Pursuant to 2 U.S.C. 4376(a)(1) of the Federal Election Campaign Act of 1971, as amended ("the Act") and 11 CFR 111.6 of the Federal Election Commission regulations, respondent Friends of Bob Carr seeks to demonstrate as set forth more fully below that no action should be taken in this matter or, alternatively, that negotiations should be entered into immediately between the Federal Election Commission ("the Commission") and the respondents so as to preclude the need for further action in this matter by the Commission.

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SUMMARY OF FACTS

1. During calendar 1982 the Friends of Bob Carr received contributions from the Ingham County Democratic Party Federal Campaign Fund ("County Committee") aggregating \$10,000.
2. After a request for additional information was received from the Federal Election Commission ("the Commission") regarding the receipt of the contribution, \$8,000 was returned to the recipient and the Commission was notified of this action.

3. On July 29, 1983 the Committee received \$4,000 in connection with the 1984 primary election and \$4,000 in connection with the 1984 general election.

ARGUMENT

This matter involves four contributions received in 1983 and two contributions received in 1984. In the instance of each of these contributions, the respondent Friends of Bob Carr believed that the limits of § 441a(a)(2)(A) applied because the Friends of Bob Carr believed that the County Committee was a qualified multi-candidate committee. As the Commission inquiry raised a question about those contributions after the 1982 elections, the contributions were returned. The Committee, however, believed that by July of 1983 the County Committee was a multi-candidate committee and that contributions not in excess of \$5,000 could be received from the County Committee in connection with both the primary and general election.

At the time of this response, the respondent Friends of Bob Carr has been assured by the County Committee that it was a qualified multi-candidate committee at the time the contributions were received and that it has records to support this claim. Relying on that claim, we respectfully submit that this matter is without merit. If the Commission, however, disputes the County Committee's claim, then we ask that the Commission immediately enter into conciliation so this matter can be resolved.

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CC # 5863

84 DEC 4 12:40

419 S. Washington
Lansing, MI 48933

November 28, 1984

Conley Edwards, Jr.
Federal Election Commission
Washington, D.C. 20463

RE: Ingham County Democratic Party MUR 1818

Dear Mr. Edwards:

As we discussed today, I am enclosing certain lists of contributors to the Ingham County Democratic Party within certain dated periods. These lists had previously been sent by certified mail on March 6, 1984 to Anthony Raymond at your office.

I look forward to hearing from you.

Sincerely,



Stuart Appelbaum

SA:san
opcin/50aficio

Enc.

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NOV 29 1984 12:37

Contributions to Ingham County Democratic Party from March 1, 198

1. Win Rowe 533 Albert, E. Lansing, MI 48823
2. Robert Rowe 640 Kensington, E. Lansing, MI 48823
3. Lee Rowe 640 Kensington, E. Lansing, MI 48823
4. Richard Baker 1004 W. Lapeer, Lansing, MI 48915
5. Sandy Firnhaber 1004 W. Lapeer, Lansing, MI 48915
6. James Anderson 968 Roxburgh, E. Lansing, MI 48823
7. Leslie Lokken 1846 Burcham, E. Lansing, MI 48823
8. Martin Fox 1812 Pinecrest, E. Lansing, MI 48823
9. Roger Rapaport 421 Seymour, Lansing, MI 48933
10. Chuck Cox 1908 Hagadorn, Mason, MI 48854
11. Marilyn Cox 1908 Hagadorn, Mason, MI 48854
12. Kirk L. Curtis 204 N. Williams, Stockbridge, MI 49285
13. Donald Novello 325 Creyts Rd., Lansing, MI 48917
14. Jean Thompson 550 Collingwood, E. Lansing, MI 48823
15. Zolton Ferency P.O. 20, E. Lansing, MI 48823
16. William Sweet 4538 Weswilmar, Holt, MI 48842
17. George Lokken 4114 Tecumseh, Lansing, MI 48906
18. Ed Grobe 203 Mark, Mason, MI 48854
19. Loretta Grobe 203 Mark, Mason, MI 48854
20. Renee Lipson 1401 Roxburgh, E. Lansing, MI 48823
21. Beth Shapiro 2601 Forest, Lansing, MI 48910
22. Maria Veiasquez 1614 N. High, Lansing, MI 48906
23. Marie Kingdon 3604 Arbutus, Okemos, MI 48864
24. Jill Pennington 1125 Daisy Ln., E. Lansing, MI 48823
25. Elinor Holbrook 812 Lantern Hill, E. Lansing, MI 48823
26. Marilyn Gehrholz 818 N. Fairview, Lansing, MI 48912
27. Rita Lontz 2803 S. Cambridge, Lansing, MI 48910
28. Valla Nemeth 613 Smith, Lansing, MI 48910
29. Debbie Helfeld 512 Westmoreland, Lansing, MI 48915
30. Rich Coughlan 512 Westmoreland, Lansing, MI 48915

continued - Contributions to [redacted] County Democratic Party - from [redacted] March 1, 1982

31. Sue Jones	1811 Nemoke #6, Haslett, MI 48840
32. Alan Barak	711 Shiawassee, Lansing, MI 48915
33. Art Salas	1012 N. Walnut, Lansing, MI 48906
34. Jack Gunther	211 Black Ct., Lansing, MI 48910
35. June Gunther	211 Black Ct., Lansing, MI 48910
36. Ed Boucher	308 Highland, E. Lansing, MI 48823
37. Kathryn Boucher	308 Highalnd, E. Lansing, MI 48823
38. Michael Levine	826 Audubon, E. Lansing, MI 48823
39. Tess Canja	1401 N. Fairview, Lansing, MI 48912
40. Alex Canja	1401 N. Fairview, Lansing, MI 48912
41. Evan Dowling	2111 Lac DuMont, Apt. B-2, Haslett, MI 48840
42. Rox Fox	701-206 Cherry Ln., E. Lansing, MI 48823
43. Winnie Motherwell	1153 Haslett Rd., Haslett, MI 48840
44. Ellen Randall	1706 Springfield, Lansing, MI 48912
45. Tony Randall	1706 Springfield, Lansing, MI 48912
46. Ann Leonard	1626 Shubel, Lansing, MI 48910
47. Gerry Beckwith	428 S. Jenison, Lansing, MI 48915
48. Gladys Beckwith	428 S. Jenison, Lansing, MI 48915
49. Betty Honey	503 Bismark, Williamston, MI 48895
50. Keith Honey	503 Bismark, Williamston, MI 48895
51. Hilda Patricia Curran	1505 Osborn Rd., Lansing, MI 48915
52. Robert S. Kennon	1505 Osborn Rd., Lansing, MI 48915
53. George Griffiths	127 Bessemaur, E. Lansing, MI 48823
54. William Goode	17520 W. 12-Mile, Suite 105, Southfield, MI 48076
55. Dennis Goode	730 W. Ionia, Lansing, MI 48915
56. Jean Rosewig	5775 Bois Ile, Haslett, MI 48840
57. Jane Mikesell	136 Arlington, Dimondale, MI 48821
58. Genevieve Evanoff	601 Pine Forest, Apt. 102, E. Lansing, MI 48823
59. Judith Weaver	3615 Bayview Dr., Apt. 89, Lansing, MI 48910
60. Janice Varney	5550 Mall Dr., Apt. 2126, Lansing, MI 48917

continued - Contributions to Ingham County Democratic Party from March 1, 1982

61. Mary Voelker 1444 Roxburgh, E. Lansing, MI 48823
62. Esther McCann 1183 Arbor Dr., Apt. D, E. Lansing, MI 48823
63. Gene Loyd 4200 Brighton, Lansing, MI 48910
64. Laurence Rosen 4344 Stoneycroft, Okemos, MI 48864
65. Liz Driscoll 6060 Carriage Hill Dr., Apt. 31, E. Lansing, MI 48823
66. Charles Jones 1035 Coolidge, Lansing, MI 48912
67. Judy Jones 1035 Coolidge, Lansing, MI 48912
68. Lou Golob 310 Oxford, E. Lansing, MI 48823
69. Mary Golob 310 Oxford, E. Lansing, MI 48823
70. Fred Trofholz 618 W. Jefferson, Grand Ledge, MI 48837
71. Pam Trofholz 613 W. Jefferson, Grand Ledge, MI 48837
72. Mary Holmes 2126 Tecumseh River Rd., Lansing, MI 48906
73. Lynn Jondahl 544 Collingwood, E. Lansing, MI 48823
74. Dona Marie Remus 3501 Bayview Dr., Apt. 1, Lansing, MI 48910
75. Steve Manchester 513 W. Madison, Lansing, MI 48906
76. Peter Kempel 805 Cowley, E. Lansing, MI 48823
77. Kathy Dewsbury 3371 Lake Lansing Road, E. Lansing, MI 48823
78. Gil White 3371 Lake Lansing, E. Lansing, MI 48823
79. Steve Dart W. Grand River, Lansing, MI 48912
80. Paul Rosenbaum 414 S. Walnut, Lansing, MI 48933
81. David Wiener 1011 Delridge, E. Lansing, MI 48823
82. Ruth Munzel 12075 Nine Mile Rd., South Lyon, MI 48178
83. Don Johnson 3920 Jonquil, Okemos, MI 48864
84. Lois Brennan 1818 Peppertree, Lansing, MI 48912
85. Robert Ells 819 Ashley, Kalamazoo, MI 49001

Contributions to Ingham County Democratic Party - after March 1, 1983

1. Daniel Fox 1812 Pinecrest, E. Lansing, MI 48823
2. Sandra Gustafson 963 Marigold, E. Lansing, MI 48823
3. Lucile Ketchum 711 Forest, E. Lansing, MI 48823
4. Joan Miller 1924 Pinecrest, E. Lansing, MI 48823
5. Ed Aho 2228 Marguerite, Lansing, MI 48912
6. Joe Cachey W551 Owen-MSU, E. Lansing, MI 48825
7. Delmer Carr 4075 E. Dansville, Webberville, MI 48922
8. Suzanne Chura 5825 Haverhill, Lansing, MI 48910
9. Ethel Davis 116 W. Graham, Lansing, MI 48910
10. Cynthia Donnelly 1419 Mark Twain, Lansing, MI 48910
11. Deborah Donnelly 1419 Mark Twain, Lansing, MI 48910
12. Michael Dudley 1900 Rockway, Lansing, MI 48910
13. Zolton Ferency P.O. 20, E. Lansing, MI 48823
14. Irene Gibbons 803 Banghart, Lansing, MI 48906
15. George Griffiths 127 Bessemaur, E. Lansing, MI 48823
16. Helen Griffiths 127 Bessemaur, E. Lansing, MI 48823
17. Barbara Grosvenor 3726 Stratford, Lansing, MI 48910
18. Robert Grosvenor 3726 Stratford, Lansing, MI 48910
19. Phillip Grow 1110 Farrand, Lansing, MI 48906
20. Gerald Harbowy 536 Abbott Road, E. Lansing, MI 48823
21. Beverly Golloch 1200 Victor, Lansing, MI 48910
22. Audrie Hegmon 2148 Bruce, Lansing, MI 48915
23. Richard Hegmon 2148 Bruce, Lansing, MI 48915
24. Douglas Hoekstra 2380 Kewanee, Okemos, MI 48864
25. Mary Holmes 2126 Tecumseh River, Lansing, MI 48906
26. Michelle Holmes 2126 Tecumseh River, Lansing, MI 48906
27. Tim Holmes 2126 Tecumseh River, Lansing, MI 48906
28. Edward Ice 203½ Regent, Lansing, MI 48912
29. Norbert Klein 3318 Glenbrook, Lansing, MI 48910

continued - Contributions to Ingham County Democratic Party after March 1, 1983

30.	Rita Klein	3318 Glenbrook, Lansing, MI 48910
31.	Stephen Manchester	513 W. Madison, Lansing, MI 48906
32.	Elisabeth Nicols	6137 Marscot, Lansing, MI 48910
33.	Lorne Nicols	6137 Marscot, Lansing, MI 48910
34.	Jean McDonald	613 Moores River, Lansing, MI 48910
35.	Robert O'Leary	6112 Brookhaven, E. Lansing, MI 48823
36.	Kevin Olson	4633 Krental, Holt, MI 48842
37.	Lawrence Owen	1019 Huntington, E. Lansing, MI 48823
38.	Joyce Potts	3633 Sumpter, Lansing, MI 48910
39.	James H. Ramey	4105 Wabaningo, Okemos, MI 48864
40.	Anthony Randall	1706 Springfield, Lansing, MI 48912
41.	Barbara Reeves	612 W. Barnes, Lansing, MI 48910
42.	Raymond Rostorfer	1436 Centennial Ct., Lansing, MI 48910
43.	Paul Swartz	745 Burcham #64, h. Lansing, MI 48823
44.	Randy Schafer	3381 Skyway, Williamston, MI 48895
45.	Betty Smith	4903 Sugarbush, Holt, MI 48842
46.	Bruce Stark	836 Seymour, Lansing, MI 48906
47.	Ruth Trowbridge	3923 Hunters Ridge #1, Lansing, MI 48910
48.	Mary Jo White	705 W. Kalamazoo #4, Lansing, MI 48915
49.	Neal Wilensky	1604 Alpha, Lansing, MI 48910
50.	Mary Wilkinson	3824 Calvin, Lansing, MI 48910
51.	Ronald Wilson	512 W. Ionia, Lansing, MI 48933
52.	Robert Dreengoski	1134 Old Hickory, E. Lansing, MI 48823
53.	Charles Haynes	305 N. Foster, Lansing, MI 48912
54.	Ed McDonald	1827 Towner Rd., Haslett, MI 48840
55.	Gloria McMeans	223 Jenison, N., Lansing, MI 48915
56.	April Norton	1546-D Spartan Village, E. Lansing, MI 48823
57.	David Sheathelm	3230 Sheathelm Rd., Dansville, MI 48819
58.	David Thayer	4465 Janice Lee Dr., #F-4, Okemos, MI 48864
59.	Larry Widmayer	826 Sunset Lane, E. Lansing, MI 48823

continued.

Contributions to Ingham County Democratic Party after March 1, 19

60.	Pat Widmayer	826 Sunset Lane, E. Lansing, MI 48823
61.	Maggie Wilson	2909 Hillcrest, Lansing, MI 48910
62.	Paula Yensen	1254 Deerpath, E. Lansing, MI 48823
63.	Grace Andrews	3131 S. Cambridge, Lansing, MI 48910
64.	Vernon Andrews	3131 S. Cambridge, Lansing, MI 48910
65.	James Blair	1544 N. Genesee, Lansing, MI 48915
66.	Jannette Fiore	1667 Melrose, E. Lansing, MI 48823
67.	Barry Hawthorne	1145 Abbott, E. Lansing, MI 48823
68.	Rosa Jimenez	6128 Farrington, #1, E. Lansing, MI 48823
69.	Marian Kummerl	1616 Cambria, E. Lansing, MI 48823
70.	Lynne Martinez	1118 N. Walnut, Lansing, MI 48906
71.	Nancy Meyer	1203-H University Vlg., E. Lansing, MI 48823
72.	Sharon Peters	505 Shepard, Lansing, MI 48912
73.	Charles Williams	1935 Mendota, E. Lansing, MI 48823
74.	Robert Canterbury	415 S. Verlinden, Lansing, MI 48915
75.	Ethel Cassel	816 Bancroft Ct., Lansing, MI 48915
76.	Janie Connelly	1419 Mark Twain, Lansing, MI 48915
77.	Leo Ghastin, Jr.	510 Dadson, Lansing, MI 48910
78.	Ellen Louhi-Burton	708 Applegate, E. Lansing, MI 48823
79.	E. Boomie Mikrut	3420 Colchester, Lansing, MI 48906
80.	Ritta Rosenberg	2687 Ramparte Path, Holt, MI 48842
81.	Beth Shapiro	2601 Forest, Lansing, MI 48910
82.	Issari Shiddat	1609 N. Hayford, Lansing, MI 48912
83.	Patrick Spyke	2697 Heather Dr., E. Lansing, MI 48823
84.	Frank Stallings	4398 Arbor, Okemos, MI 48864
85.	Alan Suits	609 Belmonte Cir., E. Lansing, MI 48823
86.	John Washington	5181 E. Brookfield, E. Lansing, MI 48823
87.	Helen Barnes	2615 Kuerbitz, Lansing, MI 48906
88.	Sharon Benca	4358 Congdon, Williamston, MI 48895
89.	Ted Benca	4358 Congdon, Williamston, MI 48895

continued - Contributions to Ingham County Democratic Party after March 1, 1983

90. James Brazier 4039 W. Jolly, Apt. 32, Lansing, MI 48910

91. Robert Crosby 4101 Pleasant Grove, Lansing, MI 48910

92. Charles Himelright 1537 Linden, E. Lansing, MI 48823

93. Linda Himelright 1537 Linden, E. Lansing, MI 48823

94. Jennie Katz 425 Durand St., E. Lansing, MI 48823

95. Len Luker 767 Burcham, E. Lansing, MI 48823

96. Margarget Luker 767 Burcham, E. Lansing, MI 48823

97. Anna Panzer 201 W. Jolly, #213, Lansing, MI 48910

98. Albert Stanke 1776 Hillcurve, Haslett, MI 48840

99. Lauren Swanson 3100 Holiday Dr., #8, Lansing, MI 48912

00. Jeanne Barker 3809 Stoneleigh, Lansing, MI 48910

01. Martha Bigelow 223 Cowley, E. Lansing, MI 48823

02. Becky Fox 446 Everett, Lansing, MI 48915

03. James Arthur 15849 Greenway Dr., Lansing, MI 48906

04. Ann Johnstone 1614 Vermont, Lansing, MI 48906

05. Tim Long 621 E. Jolly, Lansing, MI 48910

06. Tom Mitchell 3512 Sharon Way, Williamston, MI 48895

07. Debra Smith 503 E. Grand River, E. Lansing, MI 48823

08. Victoria Weiler 1214 S. Geneva, DeWitt 48820

09. Erick Williams 1408 W. Lenewee, Lansing, MI 48915

10. Joan Hunault 901 Rosewood, E. Lansing, MI 48823

11. William Hunault 901 Rosewood, E. Lansing, MI 48823

12. Jon Rehmus 408 Sycamore, Lansing, MI 48933

13. Ray Totte, Jr. 2704 Fontaine Tr., Holt, MI 48842

14. Scott Wilensky 1223 N. Capitol, Lansing, MI 48906

15. Muriel A. Winter 1307 N. Hagadorn, E. Lansing, MI 48823

16. Barbara Dowling 2111 Lac Du Mont #B-2, Haslett, MI 48840

17. Stuart Dunnings, III 1704 S. Genesee, Lansing, MI 48915

18. Tom Durbin P.O. Box 18072, Lansing, MI 48901

19. Georgia Wright 1929 N. Harrison, E. Lansing, MI 48823

CONTRIBUTIONS TO INGHAM COUNTY DEMOCRATIC PARTY from November 5, 1982 to February 16, 1983

1. Marilyn E. Amsdill 415 W. Ash St., Mason, MI 48854
2. Alex Azima P.O. Box 1072, E. Lansing 48823
3. Thomas Barker 321 E. Cherry, Mason, MI 48854
4. Joseph Brehler 525 S. Pine, Apt. 306, Lansing 48933
5. Evelyn Burghdoff 2109 Coolidge, Lansing, 48906
6. Bertha Coff 717 E. Gier, Lansing 48906
7. Anthony DeRosa 1959 S. Cedar, Holt 48842
8. Evan Dowling 2111 Lac Du Mont, Apt. B-2, Haslett, MI 48840
9. Bette Downs 1200 Prescott, E. Lansing 48823
10. Henry Elzinga 1408 N. Foster, Lansing, MI 48912
11. William Ewens 1949 Tamarisk, E. Lansing, MI 48823
12. Duane Gibson 2467 Arrowhead, Okemos, MI 48864
13. Mark Grebner Box 187, E. Lansing, MI 48823
14. John Herrick 2330 Shawnee Tr., Okemos, MI 48864
15. Helen Jones P.O. Box 255, Okemos, MI 48864
16. Beth Katz 434 Butterfield, E. Lansing, MI 48823
17. Koert, Nancy 6160 Innkeeper #69, E. Lansing, MI 48823
18. Michael Maran 144 Highland, E. Lansing, MI 48823
19. Janet Rosenfeld 2103 Lamerlane, Haslett, MI 48840
20. Larry Smith 4444 Sycamore, Apt. C, Holt, MI 48842
21. Daniel Stephens 308 University, E. Lansing, MI 48823
22. Sherri Stine 5932 Annapolis, Lansing, MI 48910
23. Charles Taylor 1434 Roosevelt, Lansing, MI 48915
24. Linda Thiel 1231 Clark Street, Lansing 48906
25. Edna G. Thomason 4511 S. Logan, Lansing, MI 48910
26. Harry Tift 4643 Laurie Ln., Lansing, MI 48910
27. Josena Tift 4643 Laurie Ln., Lansing, MI 48910
28. Jeffrey Uptegraft 4445 Congdon, Williamston, MI 48895

continued - Contributions to In [redacted] County Democratic Party from [redacted] ber 5, 1983 - Feb. 16, 1983

29.	Roy Warren	1120 Lincoln, Lansing, MI 48910
30.	Keith Wilson	922 Blanchette, E. Lansing, MI 48823
31.	John Diamond	3312 Ginger Snap Ln., Lansing 48910
32.	Robert Henry	628 W. Holmes, Lansing, MI 48910
33.	Patricia Jencks	223 Delta, Apt. 113, E. Lansing, MI 48823
34.	Constance Knowlton	4017 Alpha, Lansing, MI 48910
35.	Roger Rapaport	4675 Ottawa Drive, Okemos, MI 48864
36.	Thomas Sanders	1127 Pershing Dr., Lansing, MI 48910
37.	Mary Scala	131 W. Yakeley, MSU, E. Lansing 48825
38.	Hazel Skoczylas	339-9 E. Edgewood Blvd., Lansing 48910
39.	Betty Tableman	1515 Moores River, Lansing, MI 48910
40.	Marvin Tableman	1515 Moores River, Lansing, MI 48910
41.	Bradford White	2385 Burnt Tree, E. Lansing, MI 48823
42.	Frances Barnhart	555 Norman, Lansing, MI 48910
43.	Eunice Beck	2783 Brentwood, E. Lansing, MI 48823
44.	Maurice Beck	2783 Brentwood, E. Lansing, MI 48823
45.	David Cook	727 Princeton, Lansing, MI 48915
46.	Elmer Coy	3712 Homewood, Lansing, MI 48910
47.	Goldie Gregurek	401 Beaver, Lansing, MI 48906
48.	Sherri Gregurek	3601 Ronald, Lansing 48910
49.	Terri Gregurek	3601 Ronald, Lansing, MI 48910
50.	Ken Hope	2189 D Meadowlawn, Holt, MI 48842
51.	Rita Lontz	2803 S. Cambridge, Lansing, MI 48910
52.	Hazel Milliken	516 Laurel Ln., Apt. 2, E. Lansing, MI 48823
53.	Valla Nemeth	613 Smith, Lansing, MI 48910
54.	John Veenstra	1350 Deerpath #22, E. Lansing, MI 48823
55.	Jeff Witcher	921 Coolidge #7, Lansing, MI 48912
56.	Roland Arnold	1401 North, Lansing, MI 48906
57.	Baker, Richard	1004 W. Lapeer, Lansing, MI 48915

Continued - Contributions to Ingham County Democratic Party from Nov. 1, 1982 to Feb. 16, 1983

58.	Todd Bentley	3925 Hillborn, Lansing, MI 48910
59.	Sylvia Escareno	617 Jessop, Lansing, MI 48910
60.	Gordon, Brenda	807 Cleveland, Lansing, MI 48906
61.	Elinor Holbrook	812 Lantern Hill, E. Lansing, MI 48823
62.	Kathy Kempel	805 Cowley, E. Lansing, MI 48823
63.	Peter Kempel	805 Cowley, E. Lansing, MI 48823
64.	Lawrence Kestenbaum	962 Lilac, E. Lansing, MI 48823
65.	Hilary Kloeckner	2829 Hillcrest, Lansing, MI 48910
66.	Mildred Kloeckner	2829 Hillcrest, Lansing, MI 48910
67.	Tim Nicols	633 Quinlin, Williamston, MI 48895
68.	Lucy Phillips	122 LaSalle, Lansing, MI 48912
69.	Mike Pyne	6220 Coulson, Lansing, MI 48910
70.	Bonnie Rutter	2365 N. Cedar, Holt, MI 48842
71.	Brian Rutter	2365 N. Cedar, Holt, MI 48842
72.	Dennis Rutter	2365 N. Cedar, Holt, MI 48842
73.	Bruce Sneider	6276 Towar, E. Lansing, MI 48823
74.	Doris Munro Sneider	6276 Towar, E. Lansing, MI 48823
75.	Eddie Sylvester	4077 E. Holt Rd., Lot 45, Holt, MI 48842
76.	Lillian Sylvester	4077 E. Holt Rd., Lot 45, Holt, MI 48842
77.	Richard Tinney	500 S. Pine, Lansing, MI 48933
78.	Mike Yales	719 S. Magnolia, Lansing, MI 48912
79.	Maria Velasquez	1614 N. High, Lansing, MI 48906
80.	Phil Ballbach	312 Leslie, Lansing, MI 48912
81.	Cathy Clarkson	4611 Sandstone, Williamston, MI 48895
82.	Len Clarkson	4611 Sandstone, Williamston, MI 48895
83.	Cora Dixon	4101 Walton, Lansing, MI 48910
84.	Martin Fox	1812 Pinecrest, E. Lansing, MI 48823
85.	Ruth Fox	1812 Pinecrest, E. Lansing, MI 48823
86.	Dennis Goode	730 W. Ionia, Lansing, MI 48915
87.	Eileen Hatt	1231 Blake, Lansing, MI 48912

nd - Contributions to Ingham County Democratic Party from Nov. 5, 1982 to Feb. 16, 1983

Tim Hughes 1406 E. Mt. Hope, Lansing, MI 48910

89. Brenda Hull 425 S. Holmes, Lansing, MI 48912

90. Jennifer Johnson 420 S. Walnut #308, Lansing, MI 48933

91. William K. Johnson 4715 S. Waverly, Lansing, MI 48910

92. Julia Jones 5747 Richwood, #49, Lansing, MI 48910

93. Marie Kingdon 3604 Arbutus, Okemos, MI 48864

94. Eugene Loyd 4200 Brighton, Lansing, MI 48910

95. Jane Loyd 4200 Brighton, Lansing, MI 48910

96. Mary Pollock 1228 Chartwell, N., E. Lansing, MI 48823

97. Steve Ramey 2900 Beau Jardin, #305, Lansing, MI 48910

98. Ramon Richards 929 W. Cavanaugh, #7, Lansing, MI 48910

99. Stuart Shafer, 1414 Glenhaven, E. Lansing, MI 48823

00. Doris Sutherland 1667 Linden, E. Lansing, MI 48823

01. Pauline Tunstill 6238 Haag Rd., Lansing, MI 48910

02. Jed VandeBunte 3604 Arbutus, Okemos, MI 48864

03. William VandeBunte 3604 Arbutus, Okemos, MI 48864

04. Roger Winthrop 631 N. Magnolia, Lansing, MI 48912

05. Sandra Zerkle 2501 Risdale, Lansing, MI 48910

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
E.F.E.C.
CLERK

In the Matter of)
)
 Ingham County Democratic)
 Party Federal Campaign Fund)
 Lawrence D. Owen, Treasurer)
 Friends of Bob Carr)
 Dennis M. Ritter, Treasurer)
 Riegle for Senate in '82)
 Committee)
 M.P. Patten, Treasurer)

84 DEC 5 A 9: 57

MUR 1818

COMPREHENSIVE INVESTIGATIVE REPORT # 1

On October 10, 1984, the Commission instituted a compliance action and found reason to believe that the Ingham County Democratic Party Federal Campaign Fund ("the Fund") and Lawrence D. Owen, as treasurer, violated 2 U.S.C § 441a(a)(1)(A) by contributing funds in excess of the \$1,000 per election limitation as set forth in the Act. Similarly, the Carr Committee and Dennis M. Ritter, as treasurer; the Riegle Committee and M.P. Patten, as treasurer, and the Wolpe Committee and Wayne M. Deering, as treasurer, violated 2 U.S.C. § 441a(f) by receiving and accepting contributions from the Fund in excess of the contribution limitations as set forth in 2 U.S.C. § 441a(a)(1)(A). Additionally, the Fund and Lawrence D. Owen, as treasurer, violated 2 U.S.C. § 434(a) by failing to file certain reports of receipts and disbursements during the 1982 calendar year and 2 U.S.C. § 434(b)(5)(B)(ii) by failing to give the dates of two (2) disbursements. However, because the Riegle Committee received only \$25 in excessive contributions from the Fund no further action beyond the reason to believe finding against the Riegle Committee was taken.

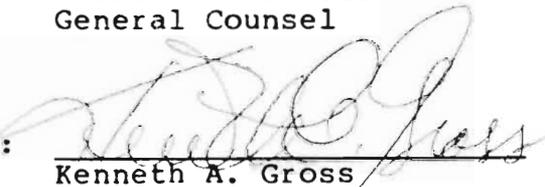
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As of this date, this Office has received acknowledgement concerning the Commission's findings from all the Respondents that needed to respond. However, since the findings in this matter are based on when the Fund actually qualified as a multicandidate committee, the other Respondents are waiting on a formal response from the Fund to determine any action they will take.

A representative of the Fund has promised to have a formal response into this Office by December 5, 1984. Upon receipt of the Fund's response a further report will be prepared with the appropriate recommendations.

Charles N. Steele
General Counsel

Dec. 4, 1984
Date

By: 
Kenneth A. Gross
Associate General Counsel

90040304015



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JODY C. RANSOM *JCR*

DATE: DECEMBER 7, 1984

SUBJECT: MUR 1818 - Comprehensive Investigative
Report #1 signed December 4, 1984

The above-captioned matter was circulated to the Commission on a 24 hour no-objection basis at 4:00, December 5, 1984.

There were no objections to the Comprehensive Investigative Report at the time of the deadline.

2 1 5 4 0 3 0 4 0 1 6

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
 Ingham County Democratic)
 Party Federal Campaign Fund)
 Peter Kempel, Treasurer)
)
 Friends of Bob Carr)
 Dennis M. Ritter, Treasurer)
)
 Howard Wolpe Campaign)
 Committee)
 Wayne M. Deering, Treasurer)

MUR 1818 MAR 21 P12: 55

SENSITIVE

COMPREHENSIVE INVESTIGATIVE REPORT #2

On October 10, 1984, the Commission found reason to believe that the Ingham County Democratic Party Federal Campaign Fund ("the Fund") and Peter Kempel, as treasurer, violated 2 U.S.C. § 441a(a)(1)(A) by contributing in excess of \$1,000 per election to the principal campaign committees in the above styled manner. Correspondingly, the Commission found reason to believe that the Carr Committee and Dennis M. Ritter, as treasurer, and the Wolpe Committee and Wayne M. Deering, as treasurer, violated 2 U.S.C. § 441a(f) by receiving and accepting excessive contributions from the Fund. ^{*}/ Additionally, the Commission found reason to believe that the Fund and Lawrence D. Owen, as treasurer, violated 2 U.S.C. § 434 by failing to file certain reports of receipts and disbursements during the 1982 calendar year and by failing to give the dates of two (2) disbursements.

^{*}/ The Commission also found reason to believe that 2 U.S.C. § 441a(a)(1)(A) and 441a(f) were violated by, respectively, the Fund and the Riegler for Senate Committee and M.P. Patten as treasurer. The Commission determined, however, to take no further action against the Riegler Committee.

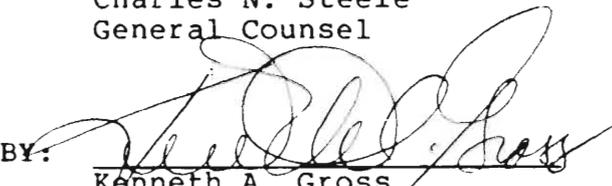
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The fund has changed treasurers twice since Reports Analysis referred this matter to the Office of General Counsel. Mr. Peter Kempel now serves as treasurer. This Office recently contacted Mr. Kempel to discuss this matter and particularly the fact that the Commission has received no formal response from the Fund regarding the Commission's Reason to Believe Notification. Although Mr. Kempel was only slightly familiar with this investigation he has been very cooperative . If he is unable to produce information in the near future, this Office will proceed to formal process.

Charles N. Steele
General Counsel

March 21, 1955
Date

BY:


Kenneth A. Gross
Associate General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JODY C. RANSOM *JCR*

DATE: MARCH 26, 1985

SUBJECT: MUR 1818 - Comprehensive Investigative
Report #2 signed March 21, 1985

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The above-captioned matter was circulated to the Commission on a 24 hour no-objection basis at 2:00, Friday, March 22, 1985.

There were no objections to the Comprehensive Investigative Report at the time of the deadline.



Ingham County Democratic Party

GCC# 7139
REC

8:56

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

April 4, 1985

Dear Mr. Reyes,

Re: MUR 1818

RECEIVED
APR 11 11:00
FEDERAL ELECTION COMMISSION

I understand from our telephone conversations that the Federal Election Commission has questions about the source of funds in the Ingham County Democratic Party Federal Campaign Account for the period April 28, 1982 - November 11, 1982. As I have explained over the phone, the account was initially set up with a \$1,000 deposit from our Ingham County Democratic Party Bingo Account which is regulated by the Michigan Bingo Commission under state statute. Under Michigan Statute to be entitled to a bingo license to operate a bingo game an organization must be a qualified organization. MCLA 432.105; MSA 18.969(105). A qualified organization includes:

...a candidate committee as defined by, and which is organized pursuant to, Act No. 388 of the Public Acts of 1976, as amended, being sections 169.201 to 169.282 the Michigan Compiled Laws.

The cited act is Michigan's Campaign Finance Act. All proceeds of a bingo game must be devoted to the lawful purpose of the licensee MCLA 432.109; MSA 969(109), which in the case of the Ingham County Democratic Party consists of educating the public on political matters and electing state and federal democratic candidates to public office.

The initial \$1,000 deposit was made October 21, 1982 by Check #345 from Ingham County Democratic Party Bingo Account #10-4509-5.

The next two deposits of \$7,400 and \$2,400 were made November 5, 1982 and November 16, 1982 and consisted of the proceeds of an annual Mardi Gras fundraiser held March 13, 1982. I am informed by the ICDP Treasurer at the time that the proceeds from the fundraiser were immediately placed in a special savings accounts at the First of America bank where we keep our accounts and that those funds were transferred from those accounts on November 5 and November 16 to our federal P.A.C account.

97249304020

The names of the contributors to the Mardi Gras were provided the Commission by immediate past Ingham County Democratic Party Chair Michael Pyne on March 6, 1984. It is my understanding from our conversations that the Commission now wishes to receive a list containing the names of contributors which reflects amounts of the contributions and the dates they were made.

You have directed my attention to 11 CFR 102.5(a) providing that "no funds may be deposited in a federal campaign account from any other account(s) maintained by such organization for the purpose of financing activity in connection with non-federal elections."

To my knowledge all funds deposited in our Federal Campaign Account were transferred either from our Party Bingo Account or from special savings accounts set up and maintained to satisfy the requirements of the regulation.

At the time of our 1982 Mardi Gras we kept records in the form of reservations indicating the name, address and contribution of each individual making a contribution - each contribution consisting of a uniform \$20. No particular record was kept of the date each contribution was received since it was not our understanding that such a record was required. However, the names of the contributors were kept in the chronological order in which they were received. This was done to maintain the priority in which reservations were to be honored. This is the order in which those names were transmitted to you by Mr. Pyne. All of these contributions were made between January 15 and March 13, 1982.

We have no means of determining the exact dates of contribution other than to contact each contributor individually to consult his or her check register and give us the date of the contribution. This would be a very burdensome undertaking and an unnecessary one if all the Commission wishes to determine is the order in which the contributions were made or received. As I stated above, the list we have already provided gives the order in which the contributions were made. In support of that list I could have our office manager sign an affidavit to the effect that that is indeed the way her records were kept in the ordinary course of business.

I would greatly appreciate it if you would instruct us whether the foregoing explanation is sufficient. If it is not, would an affidavit from our office manager satisfy the inquiry of

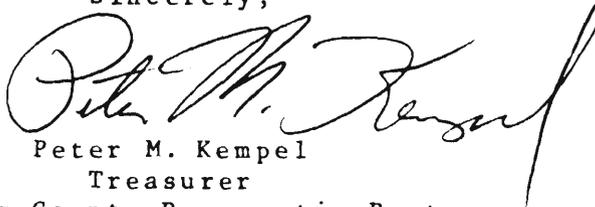
Page Three of Three

the Commission? If that would not prove sufficient, would the Commission assure us that, were we to go to the trouble and expense to contact each contributor for verification of the dates of their contributions, this would satisfy the Commission?

We are doing our best to cooperate with the Commission in answering your questions, however, we would appreciate it if future questions could be conveyed in writing so there is less chance for misunderstanding.

Thank you.

Sincerely,



Peter M. Kempel
Treasurer

Ingham County Democratic Party

cc: Tom Downs

20040001000

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
 Ingham County Democratic)
 Party Federal Campaign Fund)
 Peter Kempel, Treasurer)
)
 Friends of Bob Carr)
 Dennis M. Ritter, Treasurer)
)
 Howard Wolpe Campaign)
 Committee)
 Wayne M. Deering, Treasurer)

MUR 1818'02 12 112: 33

GENERAL COUNSEL'S REPORT

I. Background

On October 10, 1984, the Commission found reason to believe that the Ingham County Democratic Party Federal Campaign Fund and Peter Kempel, as treasurer, violated 2 U.S.C. § 441a(a)(1)(A) by making contributions in excess of \$1,000 to the Friends of Bob Carr Committee and Dennis M. Ritter, as treasurer, and to the Howard Wolpe Campaign Committee and Wayne M. Deering, as treasurer.

The Friends of Bob Carr Committee requested pre-probable cause conciliation in addition to responding to the Commission's notification that it had reason to believe the Carr Committee had violated 2 U.S.C. § 441a(f).

II. Legal Analysis

The Carr Committee has not disputed that it received contributions totaling in excess of \$1,000 from the Ingham County Fund. The Committee's response explains that it believed that the Fund was a qualified multicandidate political committee at the time it received the contributions. Thus, the Carr

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Committee's liability turns on a factual determination of the exact date on which the Fund met all of the relevant criteria for becoming a multicandidate committee, i.e. registration for six months, more than fifty contributors and contributions to five or more federal candidates. See 2 U.S.C. § 441a(a)(4).

Such information that is available to the Fund to demonstrate the exact date on which it received its fifty first contributor has been sought by this Office since November, 1984. The new treasurer of the Fund, Peter Kempel, has recently been given an opportunity to demonstrate the Funds' qualification as multicandidate committee. Since the Fund has not to date been able to sustain its contention that it was qualified as a multicandidate political committee at the time it made contributions to the Carr Committee, the General Counsel recommends that the Commission enter into pre-probable cause conciliation with the Friends of Bob Carr and Dennis M. Ritter, as treasurer.

III. Discussion of Conciliation and Civil Penalty

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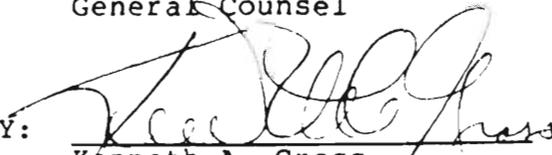
IV. Recommendation

1. Enter into pre-probable cause conciliation with the Friends of Bob Carr Committee and Dennis M. Ritter as treasurer.
2. Approve and send the attached proposed conciliation agreement and letter.

Charles N. Steele
General Counsel

April 11, 1985
Date

BY:


Kenneth A. Gross
Associate General Counsel

Attachments:

Carr Committee Request
Proposed Conciliation Agreement
Letter (1)

20040301025

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	MUR 1818
Ingham County Democratic)	
Party Federal Campaign)	
Fund)	
Peter Kempel, treasurer,)	
<u>et. al.</u>)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 17, 1985, the Commission decided by a vote of 6-0 to take the following actions in MUR 1818:

1. Enter into pre-probable cause conciliation with the Friends of Bob Carr Committee and Dennis M. Ritter as treasurer.
2. Approve and send the proposed conciliation agreement and letter attached to the General Counsel's Report signed April 11, 1985.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

4-17-85
Date

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

Received in Office of Commission Secretary:	4-12-85, 12:33
Circulated on 48 hour tally basis:	4-15-85, 11:00

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 23, 1985

Christopher R. O'Neill, Esquire
Andrew Athy, Jr., Esquire
O'Neill and Haase P.C.
1333 New Hampshire Avenue, N.W.
Washington, D.C. 20036

RE: MUR 1818
Friends of Bob Carr Committee
Dennis M. Ritter, Treasurer

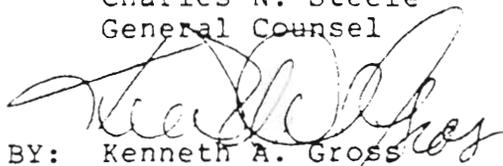
Dear Messrs. O'Neill and Athy:

On October 10, 1984, the Commission found reason to believe that your clients, the Friends of Bob Carr Committee and Dennis M. Ritter, as treasurer, violated 2 U.S.C. § 441a(f). At your request, the Commission determined on April 17, 1985, 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 have it signed 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 Paul Reyes, the staff member assigned to this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Gross
Associate General Counsel

Enclosures

20040304027



Ingham County Democratic Party

OFFICE OF THE FEC
COMMUNICATIONS SECRETARY

OGC

600 #0772

STATEMENT OF DESIGNATION OF COUNSEL

85 JUN 17 AM 1:13

15 JUN 18 10:45

RECEIVED
GENERAL COUNSEL

MUR - 1818

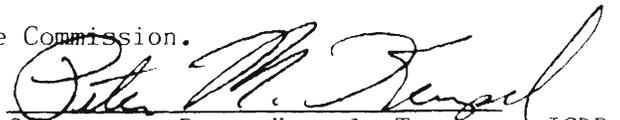
NAME OF COUNSEL: Thomas Downs of Downs, Zagaroli and Downs

ADDRESS: 603 Capitol Savings and Loan Building
Lansing, MI 48933

TELEPHONE: (517) 372-2990

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.

April 4, 1985
Date


Signature--Peter Kempel, Treasurer ICDP

RESPONDENT'S NAME: Ingham County Democratic Party Campaign Fund

ADDRESS: 5024 S. Cedar
Lansing, MI 48910

TELEPHONE: (517) 394-2880

We wish to continue receiving copies of all correspondence at our headquarters address listed below

Thank you.

Sincerely,


Peter M. Kempel, Treasurer

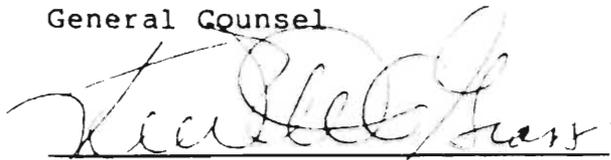
5024 S. Cedar Lansing, MI 48910 (Cedar at Jolly) (517) 394-2880

23040304028

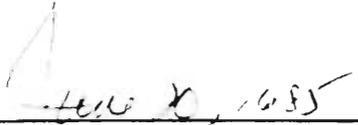
II. RECOMMENDATION

The Office of General Counsel recommends the acceptance of this agreement, the closing of the file as to the Friends of Bob Carr Committee and Dennis M. Ritter, as treasurer, and approval and sending of the attached proposed letter.

Charles N. Steele
General Counsel



Kenneth A. Gross
Associate General Counsel



Date

Attachments
Conciliation Agreement (1)
Letter (1)

90040804030

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1818
Friends of Bob Carr)
Dennis M. Ritter, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 24, 1985, the Commission decided by a vote of 6-0 to take the following actions in MUR 1818:

1. Accept the conciliation agreement attached to the General Counsel's Report signed June 20, 1985.
2. Close the file as to the Friends of Bob Carr Committee and Dennis M. Ritter, as treasurer.
3. Approve and send the proposed letter attached to the General Counsel's Report signed June 20, 1985.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

6/26/85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:
Circulated on 48 hour tally basis:

6-20-85, 3:16
6-21-85, 2:00

200400031



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 1, 1985

Andrew Athy, Jr., Esquire
O'Neill and Haase, P.C.
1333 New Hampshire Avenue, N.W.
Suite 1110
Washington, D.C. 20036

RE: MUR 1818
Friends of Bob Carr
Committee
Dennis M. Ritter,
Treasurer

Dear Mr. Athy:

On June 24, 1985, the Commission accepted the conciliation agreement signed by you on behalf of your clients in settlement of a violation of 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to your clients, and it will become a part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing within 10 days.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. Please be aware that under the terms of section X of this agreement, your clients will have thirty days to submit a check for the civil penalty, made payable to the U.S. Treasurer. The Commission will notify you when the entire file has been closed.

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GCC # 7731

HAND DELIVERED

85 JUN 12 P 5:00

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Friends of Bob Carr Committee)	MUR 1818
Dennis M. Ritter, Treasurer)	

85 JUN 12 P 2:39
 RECEIVED
 CLERK GENERAL

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that The Friends of Bob Carr Committee and Dennis M. Ritter, as treasurer, ("Respondents") violated 2 U.S.C. § 441a(f) by accepting in excess of \$1,000 from a political committee which was not qualified as a multi-candidate committee within the meaning of 2 U.S.C. § 441a(4).

NOW, THEREFORE, the Commission and 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:

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1. Respondent, Friends of Bob Carr Committee (hereinafter, the "Committee") is a political committee within the meaning of 2 U.S.C. § 431(4) and (5).

2. Respondent, Dennis M. Ritter, is the treasurer of the Friends of Bob Carr Committee.

3. The Ingham County Democratic Party Federal Campaign Fund is a political committee within the meaning of 2 U.S.C. § 431(4). (hereinafter, the "Fund").

4. Section 441a(f) of Title 2, United States Code, provides that "no candidate or political committee shall knowingly accept any contribution . . . in violation of the provisions of [Section 441a]"

5. Section 441a(a)(1)(A) of Title 2, United States Code, provides that "[n]o person shall make contributions to any candidate and his authorized political committees with respect to any election for federal office which, in the aggregate, exceed \$1,000."

6. Section 441a(a)(2)(A) of Title 2, United States Code, provides that "[n]o multicandidate political committee shall make contributions to any candidate and his authorized political committees with respect to any election for Federal office which, in the aggregate, exceed \$5,000."

7. On July 27, 1982, the Committee received a contribution of \$1,000 from the Fund and reported it for the 1982 General Election.

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8. The 1982 Michigan Primary election was on August 10, 1982.

9. On September 14, 1982, the Committee received a contribution of \$1,000 from the Fund and reported it for the 1982 General Election.

10. The 1982 General Election was held on November 2, 1982.

11. On November 11, 1982, the Committee received a contribution of \$8,000 from the Fund and reported \$4,000 for the 1982 Primary Election and \$4,000 for the 1982 General Election.

12. On July 29, 1983, the Committee received a contribution of \$8,000 from the Fund and reported it for the 1982 General Election.

13. The Fund qualified as a multicandidate political committee within the meaning of 2 U.S.C. § 441a(a)(4) on November 19, 1982. Therefore, the Fund was not able to contribute in excess of \$1,000 with respect to the 1982 Michigan Primary Election or the 1982 General Election until that time.

14. The Committee contends that it and its agents were of the opinion, at the time it received contributions from the Fund, that the Fund was a qualified multicandidate committee within the meaning of 2 U.S.C. § 441a(a)(4) and that accordingly the contributions were within the limits set forth in 2 U.S.C. 441a(a)(2)(A).

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15. The Committee further contends that it had been assured by the Fund that it had been registered for 6 months, received contributions from more than 50 persons and made contributions to 5 or more candidates.

16. The Committee contends that documentation which could have established that the Fund was a multicandidate committee was not within the control of the Friends of Bob Carr Committee or its agents and the Fund claimed that a large percentage of its contributions, and substantially more than 50, were less than \$200. Although records of contributions not in excess of \$200 must be maintained by the recipient committee, the identification of contributors whose contributions do not aggregate in excess of \$200 need not be disclosed in reports pursuant to §434(b)(3)(A) and thus are not a matter of public record.

V. Respondents Friends of Bob Carr, Dennis M. Ritter, Treasurer, accepted contributions for the 1982 Michigan Primary and General Election which aggregated in excess of the limit established by 2 U.S.C. § 441a(a)(1) from the Ingham County Democratic Party Federal Campaign Fund and Peter Kempel, as treasurer, and as the Fund was not a qualified multicandidate committee, the contributions were received in violation of 2 U.S.C. § 441a(f).

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of two hundred and fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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VII. Respondents agree that they shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

VIII. 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 this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

IX. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

X. Respondent shall have no more than thirty (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.

XI. 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 valid.

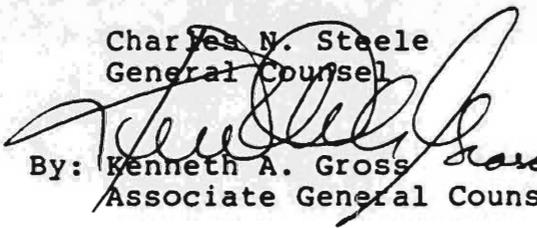
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Andrew Athy, Jr., Esquire
page two

Enclosed you will find a fully executed copy of the final
conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

970408.04033

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Kenneth A. Gross
Associate General Counsel

June 28, 1985
Date

FOR THE RESPONDENT:

Christopher R. O'Neill
Christopher R. O'Neill

May 29, 1985
Date

Andrew Athy
Andrew Athy
Counsel for Respondent
Friends of Bob Carr Committee
Dennis M. Ritter, Treasurer

May 29, 1985
Date

90040301039

SENSITIVE



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 25, 1985

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele *CS*
General Counsel

SUBJECT: MUR #1818

05 JUL 25 A10:19

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying the respondent of the General Counsel's intent to recommend to the Commission a finding of probable cause to believe was mailed on July 25, 1985. Following receipt of the Respondent's reply to this notice, this Office will make a further report to the Commission.

Attachments

1. Brief
2. Letter to Respondent

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 25, 1985

Wayne M. Deering, Treasurer
Howard Wolpe Campaign Committee
535 South Burdick, Suite 2
Kalamazoo, Michigan 49007

RE: MUR 1818

Dear Mr. Deering:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, and information supplied by you, the Federal Election Commission, on October 10, 1984, found reason to believe that the Howard Wolpe Committee and you, as treasurer, had violated 2 U.S.C. §§ 441a(f) and 434(b)(2), provisions of the Act, and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation of 2 U.S.C. §§ 441a(f) and 2 U.S.C. § 434(b)(2) occurred. The Commission may or may not approve the General Counsel's recommendations.

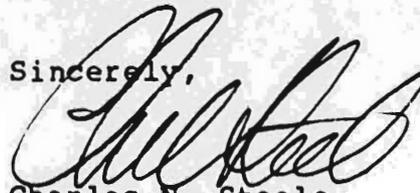
Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. Three copies of such brief should also be forwarded to the Office of General Counsel, if possible. The General Counsel's brief and any brief which you submit will be considered by the Commission before proceeding to a vote of no probable cause to believe a violation has occurred.

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Wayne M. Deering, Treasurer
Page 2

Should you have any questions, please contact Paul Reyes or
Matt Gerson, the staff members assigned to handle this matter, at
(202) 523-4000.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

202540301042

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Howard Wolpe Campaign Committee) MUR 1818
Wayne M. Deering, Treasurer)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On October 10, 1984, the Federal Election Commission (the "Commission") found reason to believe that the Howard Wolpe Campaign Committee (the "Committee"), and Wayne M. Deering, as treasurer, violated 2 U.S.C. §§ 441a(f) and 434(b)(2). The Committee was notified of this determination by letter dated October 12, 1984. The Committee responded to the Commission's notice by letter dated October 23, 1984.

II. LEGAL ANALYSIS

Section 441a(f) of Title 2, United States Code, provides that no candidate or political committee shall knowingly accept contributions made in violation of the Federal Election Campaign Act of 1971, as amended (the "Act"). Section 441a(a)(2)(A) provides that a political committee that has attained multicandidate status under 2 U.S.C. § 441a(4) may contribute \$5,000 per election to a federal candidate.^{1/}

The General Counsel contends that in violation of 2 U.S.C. § 441a(f) the Wolpe for Congress Committee received \$6,000 for

^{1/} A "multicandidate" committee is one that has been registered with the Commission for not less than six months, which has received contributions from more than fifty persons and, except for any State political party organization, has made contributions to five or more candidates for Federal office.

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the 1982 General election from the Ingham Democratic Campaign Fund (the "Fund") which had qualified as a multicandidate committee on November 19, 1982. The Fund's contributions aggregating \$6,000 exceeded the limit of 2 U.S.C. § 441a(a)(2)(A) by \$1,000.

Section 434(b)(2) of Title 2, United States Code, requires the reporting of the receipt of all contributions from political committees. Investigation of the Committee's records on file with the Commission indicates that the Committee failed to report the receipt of a contribution of \$1,000 from the Fund which was reported by the Fund as for the General election. Thus the General Counsel contends that the Committee violated 2 U.S.C. § 434(b)(2) by failing to report the receipt of this contribution from the Fund.

Based on an investigation of Commission records on file, the contributions reported made by the Fund and received by the Committee are summarized as follows:

FUND			WOLPE COMMITTEE	
<u>Election Reported^{2/}</u>	<u>Date Reported Made</u>	<u>Amount</u>	<u>Date Reported Received</u>	<u>Election Reported</u>
(P)	not reported	\$1,000	7/29/82	P
(G)	not reported	1,000	9/8/82	G
G	no date- reported as "In-Kind Hall Use"	1,000	no contribution in-kind reported	

^{2/} "P" indicates the August 10, 1982 Primary election. "G" indicates the November 2, 1982 General election.

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G	11/19/82	2,000	11/24/82	G
G	2/15/83	2,000	2/19/83	G

Total G: \$5,000
reported

Total G: \$5,000
reported

Total G
Apparent: \$6,000

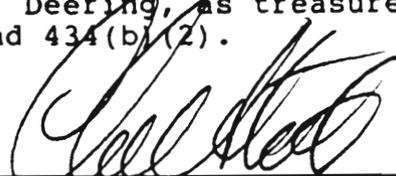
Total G
Apparent: \$6,000

Therefore, the General Counsel recommends that there is probable cause to believe that the Howard Wolpe Campaign Committee, and Wayne M. Deering, violated 2 U.S.C. § 434(b)(2).

III. GENERAL COUNSEL'S RECOMMENDATIONS

1. Find probable cause to believe that the Howard Wolpe Campaign Committee and Wayne M. Deering, as treasurer, violated 2 U.S.C. §§ 441a(f) and 434(b)(2).

14 July 1985
Date

BY: 
Charles N. Steele
General Counsel

93040301045



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 26, 1985

Andrew Athy, Jr., Esquire
O'Neill and Haase, P.C.
1333 New Hampshire Avenue, N.W.
Washington, D.C. 20036

RE: MUR 1818
Friends of Bob Carr
and Dennis M. Ritter,
as treasurer

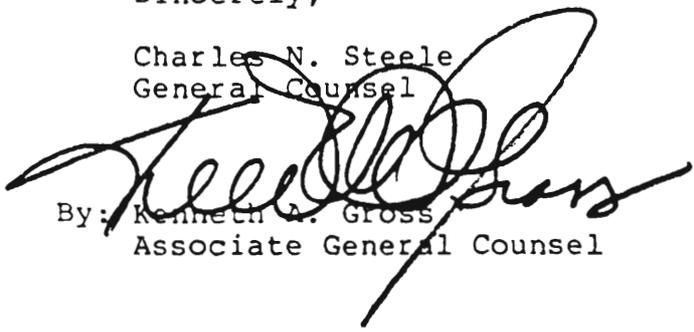
Dear Mr. Athy:

Pursuant to your July 19, 1985 telephone conversation with Matthew Gerson, a member of the General Counsel's staff, enclosed please find a photocopy of the conciliation agreement that the Commission accepted on June 24, 1985 in settlement of your clients' violation of the Federal Election Campaign Act of 1971, as amended. The original copy of the enclosed agreement will become a part of the public record within thirty days after this matter has been closed with respect to all other respondents involved.

Please call Matthew Gerson at 523-4143 if you have any questions.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

93040304046

Wolpe
Our Congressman

Wolpe for Congress
239 East Michigan Avenue
Kalamazoo, Michigan 49007
(616) 349-3113

Toll free from Battle Creek 968-6308.
Toll free from Lansing 371-1132.

REC# 8299
RECEIVED AT THE FEC

85 AUG 14 A7:50

August 9, 1985

Charles W. Steele, General Counsel
Federal Election Commission
Washington, D. C. 20463

RE: MUR 1818

Dear Mr. Steele:

In response to your letter of July 25, 1985, received in my office July 30, 1985, I submit the following for your consideration.

As treasurer of the Howard Wolpe Campaign Committee I do not disagree with your brief which accompanied the above mentioned correspondence as to Statement of Case and Legal Analysis.

I wish to state that I was not aware of the existence of an in-kind contribution from the Ingham Democratic Campaign Fund and had I been aware I would not have allowed our contribution receipts to exceed the \$5,000 limitation.

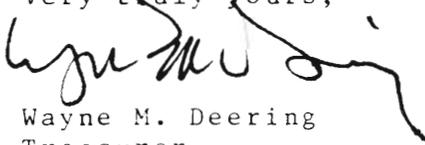
I further state that I have never received any communication from the Fund regarding this contribution and that I have never received any of the filings of the Fund.

My offices are in the City of Kalamazoo and the Fund's in-kind contribution occurred in the Lansing area some eighty miles away. Certainly other members of our organization were probably aware of this possible contribution, however, I do not recall being so advised.

Please note that upon receipt of the findings of your investigation we have refunded the \$1,000 of excess contribution, a copy of our letter to the Fund is attached.

As treasurer of the Committee, I respectfully extend my apologies for this problem and I assure you that procedures will be in place to prevent a reoccurrence.

Thank you.

Very truly yours,

Wayne M. Deering
Treasurer

WMD:pg1

Wolpe for Congress Committee, Bob Ellis, chairperson; Wayne Deering, Treasurer. A copy of our report is filed with and available for purchase from The Federal Elections Commission, Washington, D.C.

90040801047

REC'D
AUG 14
A 8:54





Wolpe for Congress
239 East Michigan Avenue
Kalamazoo, Michigan 49007
(616) 349-3113

Toll free from Battle Creek 968-6308.
Toll free from Lansing 371-1132.

August 9, 1985

Lee Kingdon, Chairperson
Ingham Democratic Campaign Committee
5024 South Cedar
Lansing, Michigan 48910

RE: Excess Contribution

Dear Lee:

Enclosed please find a check in the amount of \$1,000.

We are returning this contribution in response to information received from the Federal Election Commission which indicates that we inadvertently received a total of \$6,000 from your multicandidate committee in 1982.

Our report did not include, nor did my records indicate that we had received \$1,000 of "in-kind" contribution.

In the future should you incur in-kind expenditures on behalf of our campaign please notify me by letter of the amount, date and purpose of the expenditure so I will be able to accurately complete our committee reports.

Thank you.

Very truly yours,

Wayne M. Deering
Treasurer

WMD:pgl
Enclosure

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE REC
COMMISSION SECRETARY

85 SEP 24 P 3:36

September 24, 1985

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele *CS*
General Counsel

SUBJECT: MUR # 1818

SENSITIVE

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying the respondent of the General Counsel's intent to recommend to the Commission a finding of probable cause to believe was mailed on September 23, 1985. Following receipt of the Respondent's reply to this notice, this Office will make a further report to the Commission.

Attachments

1. Briefs
2. Letters to Respondents

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Thomas Downs, Esquire
Downs, Zagaroli and Downs
603 Capitol Savings and Loan Building
Lansing, Michigan 48933

RE: MUR 1818
Ingham County Democratic
Federal Campaign Fund,
Peter Kempel, Treasurer

Dear Mr. Downs:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, and information supplied by your clients, the Federal Election Commission, on October 10, 1984, found reason to believe that your clients had violated 2 U.S.C. §§ 441a(a)(1)(A) and 434(a) and 434(b) and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that violations have occurred. The Commission may or may not approve the General Counsel's Recommendations.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days.

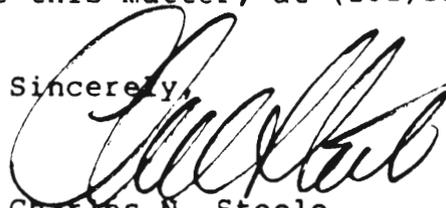
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Thomas Downs, Esquire
Mur 1818
page 2

A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety, days to settle this matter through a conciliation agreement.

Should you have any questions, please contact Paul Reyes, the staff member assigned to handle this matter, at (202)523-4000.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

cc: Peter Kempel, Treasurer
5024 S. Cedar
Lansing, Michigan 48910

20040301051

The General Counsel requested additional evidence demonstrating the date on which the 51st individual contributed to the Fund. On April 11, 1985, the Commission received a letter in which Mr. Kempel established that the Fund had received an aggregate of \$9,800 in small, unitemized contributions from over 100 individual contributors by November 16, 1982.

II. LEGAL ANALYSIS

A. Excess Contributions

Section 441a(a)(4) of Title 2, United States Code, provides that a multicandidate political committee is one which has been registered with the Commission for not less than six months, which has received contributions from more than 50 persons, and except for any State political party organization, has made contributions to five or more candidates for Federal office.

Section 441a(a)(1)(A) of Title 2, United States Code, provides that no political committee which has not qualified for multicandidate status may contribute in excess of \$1,000 per election to a federal candidate. A multicandidate committee, however, may contribute up to \$5,000 per election.

The Fund registered under the Act on May 3, 1982 and met the six month requirement by November 3, 1982. The Fund contributed

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to its fifth Federal candidate, Bourland for Congress, on November 19, 1982.^{2/}

Mr. Kempel's April 4, 1985 letter explained that the Fund met the third criteria by accepting more than 50 unitemized contributions that were transferred through the Ingham County Democratic Party ("County Party"). Specifically, the Fund received \$1,000 from the County Party's Bingo Account and a total of \$9,800 from the County Party's Mardi Gras fundraiser. It is noteworthy that Bingo raises a small amount of money from a number of individual players and that the Mardi Gras fundraiser raised \$20 per contributor from what appears to be well over 50 contributors. Significantly, Michigan law requires the Bingo proceeds to be placed into a separate account and Mr. Kempel explained that the Mardi Gras proceeds were "immediately" placed in special savings account until they were transferred to the Fund's "federal P.A.C. account." Thus, it appears that the Fund did, in fact, become a multicandidate committee on November 19, 1982, the date that it made the contribution to its fifth federal candidate.

^{2/} The Fund maintains that it does not qualify for multicandidate committee status by virtue of affiliation with any other committees related to the Michigan Democratic Party.

90040304054

i. The Friends of Bob Carr

The Fund made the following contributions to the Friends of Bob Carr Committee:

- \$1,000, on July 27, 1982;
- \$1,000 on September 14, 1982;
- \$4,000 on November 5, 1982;
- \$4,000 on November 5, 1982.

It appears that the July and September contributions were not reported by the Fund and not designated via a contemporaneously communicated writing for any election. Because 11 C.F.R. 110.1(a)(2)(ii) provides that contributions that are not designated for a particular election be treated as for the next occurring election, and the primary election was on August 10, 1982, the General Counsel has concluded that the July contribution was for the primary election and the September contribution was for the general election. The two November 1982 contributions were designated and reported in the same manner by both the Carr Committee and the Fund; one for the primary and one for the general election.

Therefore, the Fund contributed \$5,000 to the Carr Committee for the primary and \$5,000 for the general. Because these contributions were made before the Fund attained multicandidate status, the General Counsel recommends that the Commission find probable cause to believe that the Fund and Peter Kempel, as treasurer, violated 2 U.S.C. § 441a(a)(1)(A) with regard to contributions to the Carr Committee.

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ii. Howard Wolpe Campaign Committee

According to the Wolpe Committee's reports, the Fund made the following contributions to the Wolpe Committee:

- \$1,000 on July 29, 1982 for the primary;
- \$1,000 on September 8, 1982 for the general;
- \$2,000 on November 24, 1982 for the general;
- \$2,000 on February 19, 1983 for the general.

While the Fund did not report the July and September 1982 contributions, it did report making a \$1,000 In-Kind Hall Use contribution for the general election that the Wolpe Committee did not report. Thus, by adding the \$5,000 that the Wolpe Committee reported as contributions from the Fund for the Wolpe general election campaign, to the \$1,000 in-kind contribution the Fund reported making to the Wolpe general election campaign, it appears that the Fund gave \$6,000 to Mr. Wolpe's general election campaign. ^{3/} Thus, the Fund made an excessive contribution to the Wolpe general election campaign.

iii. Riegle for Senate Committee

Because the Fund became a multicandidate committee on November 19, 1982, the General Counsel concludes that an

^{3/} The General Counsel's Office acknowledges the relevance of the date on which the Fund extended the \$1,000 in-kind contribution to the Wolpe general election campaign. If the Fund made the contribution prior to November 19, 1982, it was a political committee subject to a \$1,000 limit. See §441a(a)(1)(A). If the Fund made the contribution after November 19, 1985, it was a multicandidate committee subject to a \$5,000 limit. See §441a(a)(2)(A). However, there is no indication that the Fund contributed the hall after it became a multicandidate committee.

aggregate contribution of one thousand and twenty five dollars (\$1,025) by the Fund to the Riegle for Senate Committee on December 10, 1982 was not in excess of the Act's limits of the Act.

B. Reporting Violations

Section 434(a)(4) of Title 2, United States Code, requires the timely filing of Quarterly and Pre-General Election reports of receipts and disbursements. The Fund's Statement of Organization was filed May 3, 1982. Therefore, the Fund should have filed the following reports: a) July Quarterly - covering the period beginning with the Fund's first receipt of contributions or its first expenditures, through June 30, 1982; b) October Quarterly covering July 1 through September 30, 1982; and c) Pre-General covering October 1 through October 13, 1982. The first report filed by the Fund was the 1982 Post-General Election report. The General Counsel concludes, therefore, that there is probable cause to believe that the Fund and Peter Kempel, as treasurer, violated 2 U.S.C. § 434(a)(4).

Section 434(b) of Title 2, United States Code, requires that political committees disclose the names and addresses of any other political committee to whom they contribute as well as the date of the contribution. The Fund's 1982 Post-General election report failed to disclose the dates on which the Fund made in-kind contributions to the Riegle for Senate in '82 Committee and the Wolpe for Congress Committee. The Fund has also not

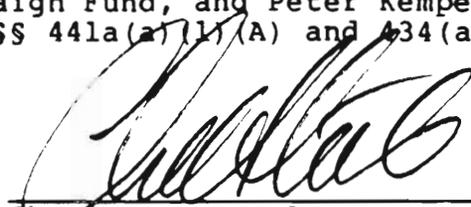
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disclosed two contributions that the Friends of Bob Carr Committee reported receiving from the Fund on July 27, 1982 of \$1,000 and on September 14, 1982 of \$1,000. It further appears that the Fund has not disclosed two other \$1,000 contributions that the Wolpe for Congress Committee reported receiving from it on July 29, 1982 and September 8, 1982. Based on the foregoing, the General Counsel believes that there is probable cause to believe that the Fund and Peter Kempel, as treasurer, violated 2 U.S.C. § 434(b).

III. GENERAL COUNSEL'S RECOMMENDATION

1. Find probable cause to believe that the Ingham County Democratic Party Federal Campaign Fund, and Peter Kempel, as treasurer, violated 2 U.S.C. §§ 441a(a)(1)(A) and 434(a) and 434(b).

20 Sept 1985
Date



Charles N. Steele
General Counsel

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Attorneys at Law

DOWNS and ZAGAROLI

Tom Downs
Michael A. Zagaroli
Roger F. Lane

603 Capitol Savings and Loan Building
Lansing, Michigan 48933
(517) 372-2990

September 30, 1985

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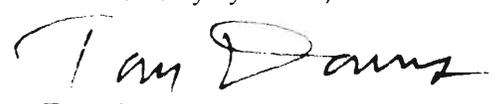
Mr. Charles N. Steele
General Counsel
Federal Elections Commission
Washington, D.C. 20463

Dear Mr. Steele:

RE: MUR 1818
Ingham County Democratic
Federal Campaign Fund,
Peter Kempel, Treasurer

Pursuant to your letter of September 24, 1985 that we received on September 27, 1985, we are respectfully requesting a 20-day extension on the time to file our brief. Thus, it is our understanding that our brief will be due on November 1, 1985.

Sincerely yours,



Tom Downs

TD/wc

91540501059

Attorneys at Law

DOWNNS and ZAGAROLI, P.C.

Tom Downs
Michael A. Zagaroli
Roger F. Lane

603 Capitol Savings and Loan Building
Lansing, Michigan 48933
(517) 372-2990

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October 7, 1985

Mr. Paul Reyes
Staff Member
Federal Elections Commission
Washington D.C. 20463

5 OCT 9 P 1:59

RE: MUR 1818 Ingham County Democratic Federal Campaign Fund,
Peter Kempel, Treasurer

Dear Mr. Reyes:

Pursuant to your phone calls of October 4 and October 7 we are respectfully requesting a 20 day extention of time to file our brief because we have been newly appointed to be counsel for the Ingham County Democratic Party. Consequently, it will take us some time to become familiar with the background of this case.

It is our understanding that our brief will be due on November 1, 1985 if our request is granted.

Thank you for your consideration in this matter.

Sincerely yours,



Tom Downs

TD/cc

93040804060



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 17, 1985

Tom Downs, Esquire
Downs and Zagaroli
603 Capitol Savings and
Loan Building
Lansing, Michigan 48933

Re: MUR 1818
Ingham Co. Democratic
Federal Campaign Fund
Peter Kempel, Treasurer

Dear Mr. Downs:

This is in reference to your letter dated September 30, 1985, requesting an extension of 20 days until November 1, 1985 to respond to the Commission's Brief of September 24, 1985. After considering the circumstances presented in your letter, this Office has determined to grant you your requested extension. Accordingly, your response will be due on November 1, 1985.

If you have any questions, please contact Paul Reyes, the staff member assigned to this matter at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

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The General Counsel's position has not changed since submitting his Brief of July 25, 1985. Therefore, the General Counsel recommends that there is probable cause to believe that the Howard Wolpe Campaign Committee and Wayne M. Deering, as treasurer, violated 2 U.S.C. §§ 441a(f) and 434(b)(2).

III. DISCUSSION OF CONCILIATION PROVISION AND CIVIL PENALTY

IV. RECOMMENDATION

1. Find probable cause to believe that the Howard Wolpe Campaign Committee and Wayne M. Deering, as treasurer, violated 2 U.S.C. §§ 441a(f) and 434(b)(2).
2. Approve and send the attached proposed conciliation agreement and letter.

10/1/85
Date

Charles N. Steele
General Counsel

Attachments

Wolpe Response
Proposed Conciliation Agreement
Proposed letter

40301053

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Howard Wolpe Campaign Committee)	MUR 1818
Wayne M. Deering, Treasurer)	

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of October 8, 1985, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in MUR 1818:

1. Find probable cause to believe that the Howard Wolpe Campaign Committee and Wayne M. Deering, as treasurer, violated 2 U.S.C. §§ 441a(f) and 434(b)(2).
2. Return the proposed conciliation agreement attached to the General Counsel's report dated October 1, 1985, to the General Counsel for revision and circulation to the Commission for approval on a tally vote basis.
3. Direct the Office of General Counsel to send the appropriate letter.

Commissioners Aikens, Elliott, Josefiak, McDonald, and McGarry voted affirmatively for the decision; Commissioner Harris was not present.

Attest:

10-8-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

400004

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Howard Wolpe Campaign Committee) MUR 1818
Wayne M. Deering, Treasurer)

1985 OCT 15 10:51 AM

GENERAL COUNSEL'S REPORT

I. Background

On October 8, 1985, the Commission found probable cause to believe that the Howard Wolpe Campaign Committee and Wayne M. Deering, as treasurer, violated 2 U.S.C. §§ 441a(f) and 434(b)(2).

II. Recommendation

1. Approve and send the attached revised conciliation agreement for Howard Wolpe Campaign Committee and Wayne M. Deering, as treasurer.

Charles N. Steele
General Counsel

October 15, 1985



By: Kenneth A. Gross
Associate General Counsel

Attachment
Conciliation Agreement

PR IV

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Howard Wolpe Campaign Committee)	MUR 1818
Wayne M. Deering, Treasurer)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 21, 1985, the Commission decided by a vote of 5-0 to take the following action in MUR 1818:

Approve and send the revised conciliation agreement for Howard Wolpe Campaign Committee and Wayne M. Deering, as treasurer, as attached to the General Counsel's Report signed October 15, 1985.

Commissioners Aikens, Elliott, Harris, Josefiak and McGarry voted affirmatively for this decision; Commissioner McDonald did not cast a vote.

Attest:

10-21-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:	Wed.,	10-16-85,	10:54
Circulated on 48 hour tally basis:	Thurs.,	10-17-85,	11:00
Deadline for vote:	Mon.,	10-21-85,	11:00

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 23, 1985

Wayne M. Deering, Treasurer
Howard Wolpe Campaign Committee
239 East Michigan Avenue
Kalamazoo, Michigan 49007

RE: MUR 1818
Howard Wolpe Campaign Committee
Wayne M. Deering, Treasurer

Dear Mr. Deering:

On October 8, 1985, the Commission determined that there is probable cause to believe the Howard Wolpe Campaign Committee and you, as treasurer, committed a violation of 2 U.S.C. §§ 441a(f) and 434(b)(2), provisions of the Federal Election Campaign Act of 1971, as amended, in connection with contributions received from the Ingham County Democratic Party Campaign Fund.

The Commission has a duty to attempt to correct such violations for a period of thirty to ninety days by informal methods of conference, conciliation and persuasion, and by entering into a conciliation agreement. If we are unable to reach an agreement during that period, the Commission may institute civil suit in United States District Court and seek payment of a civil penalty.

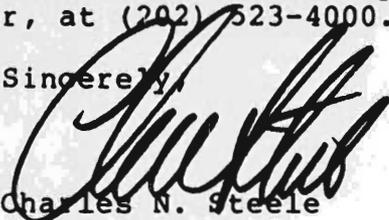
We enclose a conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it along with the civil penalty to the Commission within ten days. I will then recommend that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

40304057

Wayne M. Deering, Treasurer
Page 2

If you have any questions or suggestions for changes in the enclosed conciliation agreement, please contact Paul Reyes, the staff member assigned to this matter, at (202) 523-4000.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

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DOWNS and ZAGAROLI | P. 01 : 37

Attorneys at Law

Tom Downs
Michael A. Zagaroli
Roger F. Lane

603 Capitol Savings and Loan Building
Lansing, Michigan 48933
(517) 372-2990

COO# 8245

October 30, 1985

Mr. Paul Reyes
Staff Member
Federal Elections Commission
Washington D.C. 20463

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RE: MUR 1818 Ingham County Democratic Federal Campaign Fund,
Peter Kempel, Treasurer

Dear Mr. Reyes:

Enclosed is reply brief of Respondents in the above-entitled matter. This is being sent Federal Express so it will arrive on or about November 1, 1985.

Sincerely,


Tom Downs

TD/cc
Enclosure

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1 argue that any failure to file any reports was an honest mis-
2 understanding by the then members of the Fund.

3 The parties agree that Peter Kempel was not the
4 treasurer during the time of the alleged errors.

5 Since the intent of Respondents was to comply fully
6 with the federal act relative to a multicandidate committee and
7 since, at the worst interpretation for Respondents, a technical
8 requirement was not met to comply fully with the act; Respondents
9 are hereafter referred to as the inchoate committee.

10 The inchoate committee argues that any alleged viola-
11 tions were unintentional and caused no harm. The strict
12 interpretation given by the General Counsel of the multicandidate
13 statute and reporting requirements has had and continues to have
14 a chilling effect on the voluntary participation of citizens in a
15 federal election. The net result is that the General Counsel, by
16 straining at the gnat, ignores the fact that on balance his
17 approach is doing more harm than good by discouraging volunteers
18 from participating in campaigns for fear of being in technical
19 violation of the law. The harassing action of the General Counsel
20 is contrary to the intent of the act to encourage voluntary
21 citizen participation.

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1 II. LEGAL ANALYSIS

2 A. The two-fold statutory and case law intent--
3 encourages voluntary participation by citizens, but prevents the
4 buying of elections by secret, excessive campaign funds.

5 1. Congressional intent to encourage voluntary
6 participation by citizens.

7 a. The FECA encourages voluntary participation by
8 citizens. The FECA encourages voluntary activities by citizens
9 as shown by the following:

10 (1) Use of church community rooms or home of an
11 individual for candidates' meetings including food, beverages,
12 etc. (section 431(8)(B)(ii));¹

13 (2) Right of individual to drive a candidate around
14 for political meetings (section 431(8)(B)(iv));²

15 (3) Nonpartisan registration get-out-the-vote campaigns
16 (section 431(9));³

17 (4) Criminal penalties only if an individual "knowingly
18 and wilfully commits the violation of any provision of this act"
19 (section 437(g)(d)(1) and 26 USC § 9012(b));

20 (5) Individuals may contribute up to \$1,000 to a
21 federal candidate (section 441a(a)(1)(A)).

22 b. Case law encourages voluntary participation.

23 See Buckley v Valeo, 46 L Ed 2d 659, 685 (1976).⁴ The
24 United States Supreme Court in Buckley correctly stated that
25 there was a need for "uninhibited robust and wide open 'debate on
26 issues' with the ability for citizens to make informed choices."
27 This includes the right of political association as well as

1 political expression. Voluntary participation by a large number
2 of citizens is essential to implement the language of Buckley.

3 c. Seante debate as shown by Congressional Record to
4 encourage voluntary citizen participation in the FECA of 1971.

5 Senator Dole on August 5, 1971 in debating the Federal
6 Election Commission Act stated that one of the principal purposes
7 was the "increased stimulation of citizen participation in the
8 political process." (page 30074, Congressional Record--Senate).
9 Senator Dole went on in the heading INCREASED CITIZEN PARTICIPATION
10 to quote the 20th century fund report which stated:

11 It would be far healthier if a larger number of
12 individual contributors gave small sums. Small
13 contributors in greater number would not only reduce
14 a candidate's reliance on a few big givers, but also
15 help improve the political climate by increasing
16 direct citizen participation in politics. (page 30075,
17 Congressional Record)

18 Senator Kennedy also supported the concept of
19 increasing citizen participation by simplifying the requirements
20 of registration for voting.

21 Senator Mathias of Maryland called for broader citizen
22 participation when he stated:

23 . . . We have ignored the need to develop tax incentives
24 to broaden the political base by encouraging campaign
25 contributions from small donors. (Congressional Record--
26 Senate, Aug. 5, 1971, pages 30072-30073).

27

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1 d. Congressional intent in the amendments of 1974 to
2 encourage voluntary citizen participation.

3 The legislative history of Federal Election Campaign
4 Act amendments of 1974 has the following language. The Senate
5 Report No. 93-689, stated on page 5593:

6 . . . Your Committee agrees that a vigorous party
7 system is vital to American politics and has given
8 this matter careful study.

9 The Senate Report went on to state on page 5594 as follows:

10 The bill insures that such party assistance
11 actually represents the involvement of many voters and
12 not merely the influence of a wealthy few. It
13 prevents evasion of the individual contribution limits
14 by persons funneling large gifts through party committees;
15 each person's donation to party funds used to assist
16 federal candidates under this special provision must not
17 exceed the maximum amount he could give directly to a
18 candidate.

19 Thus, parties will play an increased role in build-
20 ing strong coalitions of voters and in keeping candidates
21 responsible to the electorate through the party
22 organization.

23 In addition, parties will continue to perform
24 crucial functions in the election apart from fund-
25 raising, such as registration and voter turnout
26 campaigns, providing speakers, organizing volunteer
27 workers and publicizing issues. Indeed, the combina-
tion of substantial public financing with limits on private
gifts to candidates will release large sums presently
committed to individual campaigns and make them available
for donation to the parties, themselves. As a result
our financially hard-pressed parties will have increased
resources not only to conduct party-wide election efforts,
but also to sustain important party operations in between
elections.

 Thus, Congress tried to spur volunteerism and grass
roots party activity and thereby to shun the evil of secret big
money influence by the few--individuals and organizations.

1 The court went on to say:

2 . . . To the extent that large contributions are given to
3 secure political quid pro quo's from current and
4 potential office holders, the integrity of our system
of representative democracy is undermined.

5 --page 692

6 B. Respondents created an inchoate multicandidate
7 campaign committee. A multicandidate committee has three
8 requirements:

- 9 (1) Registration for a period of 6 months;
10 (2) Contributions from more than 50 persons; and
11 (3) Contributions to five or more candidates for
12 federal office (section 441(a)(4)).

13 The facts in this case show that the first two require-
14 ments were clearly met to form a multicandidate political
15 committee. The moment Respondent had met the first two require-
16 ments, an inchoate multicandidate campaign committee was formed.
17 The General Counsel objects because contributions were made in
18 excess of \$1,000 while the committee was still inchoate.

19 The technical argument of General Counsel would have
20 been met if the inchoate multicandidate political committee had
21 made a contribution of \$1 each to five federal congressional
22 candidates and then made a contribution of \$4,999 to five or more
23 candidates. An interesting historical aspect is that the FEC
24 recommended that the minimum contribution to qualify for a
25 multicandidate committee was \$250 or \$100.⁷ This recommendation
26 of the FEC was not accepted by Congress so the example given of
27 contribution of \$1 each to five federal congressional candidates
would still be valid.

1 During the period General Counsel alleges there was
2 violation of the FECA, the Ingham County Democratic Party, as
3 well as its Federal Campaign Fund, were operated entirely by
4 volunteers. There is absolutely no evidence there was any intent
5 by any of these volunteers to violate the law. It would not have
6 made a whit of difference whether the inchoate committee con-
7 tributed \$5,000 to each of five candidates when only the first
8 two requirements were met, or whether \$1 each was sent to five
9 federal candidates and the following day each received \$4,999.

10 C. The advisory opinion 1979-46 allowed retroactive
11 campaign contributions.⁸

12 The advisory opinion held that if a multicandidate
13 committee had given the maximum of \$5,000 to a candidate for the
14 general election, nevertheless the multicandidate committee
15 could retroactively give additional funds up to another \$5,000
16 to the candidate's committee to pay for any deficit in the primary
17 campaign.

18 It is completely illogical for the FEC in an advisory
19 opinion to allow that type of retroactive contribution but still
20 not break down the contributions made in this matter by saying
21 that \$1 each of contributions to the federal candidates could be
22 considered retroactive prior to the contributions in excess of
23 \$1,000 to each federal candidate.

24 By similar logic a return of \$1,000 by the Wolpe
25 Committee referred to in paragraph D as well as the alleged 15
26 day error in the contribution to Friends of Bob Carr referred to
27 in paragraph F could be corrected retroactively just as the

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1 primary contribution was approved in the advisory opinion
2 referred to.

3 D. The failure alleged by General Counsel of Respondents
4 to make timely financial reports.

5 The General Counsel contends that section 434(8)(4)
6 of Total II and 434(b) were violated because of failure to make
7 timely reports. The volunteers involved were
8 under the impression they did not need to file reports until
9 they were a full multicandidate committee. There has been
10 no intentional nondisclosure of pertinent facts.

11 There has been no harm done the electoral process
12 by failing to make financial reports at the time the General
13 Counsel claimed they should have been made.

14 It may very well be--though this is admittedly a
15 subjective question--that the volunteers involved believe
16 that many minor errors in what were really interim reports
17 would be corrected in some kind of final report where the book-
18 keeping would be done with more exactitude.

19 E. Specifics relative to the Howard Wolpe Campaign
20 Committee.

21 General Counsel claims that \$6,000 was given the Wolpe
22 Campaign Committee when the limit by multicandidate committee
23 was \$5,000. One thousand dollars of the \$6,000 was an in-kind
24 contribution.

25 The Wolpe Campaign Committee has returned the \$1,000
26 to respondent.

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1 The facts show there was no intentional violation of
2 the act but at most a technical misunderstanding relative to
3 the in-kind contribution of office space.

4 F. General Counsel is putting form over substance.

5 The United States Court of Appeals for the 8th Circuit
6 held in the case of Frank Lyon Co. v U.S. 435 US 561 (1978) as
7 follows:

8 . . . In applying this doctrine of substance over
9 form, the Court has looked to the objective economic
10 realities of a transaction rather than to the partic-
ular form the parties employed. (page 573)

11 See also, cases cited in Lyons.⁹

12 See also, Commissioner of Internal Revenue v
13 Court Holding Co. 324 US 331, 334 (1945), in which the court
14 held:

15 . . . To permit the true nature of a transaction to
16 be disguised by mere formalisms, which exist solely
17 to alter tax liabilities, would seriously impair the
effective administration of the tax policies of
Congress.

18
19 See also, Nye et al. v Commissioner of Internal
20 Revenue, docket 5333-66 - 5335-66, on page 211, where it was
21 held, in part: ". . . substance, not form, governs."

22 The alleged excess contribution that was made to
23 the Friends of Bob Carr Committee is a perfect example of
24 General Counsel putting substance over form. Respondents agree
25 with General Counsel's analysis that the total amount of
26 contributions given to the Friends of Bob Carr Committee for
27 the primary and general elections respectively was \$5,000. As

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1 Arbitrary lines need to be drawn in a scheme to control
2 contributions. The \$1000 and \$5000 contribution limits and the
3 six months "gestation" period for multicandidate committees are
4 examples of such arbitrary lines. It would have been just as
5 logical to permit the multicandidate committee to come into
6 existence simultaneously with the total \$5000 contribution as
7 to say there first had to be a contribution to five candidates of
8 not more than \$1000 to create a multicandidate committee.

9 It is exalting form over substance to rigidly apply
10 such necessary but arbitrary numerical values if the result is
11 to chill citizen conduct which Congress seeks to encourage, that
12 is, citizen volunteer activity in political campaigns.

13 General Counsel is making the mistake of not being
14 able to see the woods for the trees. The General Counsel
15 apparently fails to recognize that by being so involved with
16 minutia, he is having a chilling effect on one of the main
17 purposes of the FECA, namely, broad citizen participation by
18 volunteers.

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1 G. By exalting form over substance, General Counsel
2 would justify the worst fears of Congress that its election
3 "reforms" would STIFLE RATHER THAN ENCOURAGE citizen participation
4 in electoral campaigns.

5 Fears harbored by many congressmen that over-regulation,
6 in the name of "reform," would quench the spirit of volunteers
7 and literally "drive honest, concerned citizens from participa-
8 tion in the political process" was expressed by Congressman
9 Dickinson of Alabama who said:

10 The sheer length and complexity of this bill will dis-
11 courage citizen participation and involvement perhaps
12 even driving many people right out of politics. There
13 will be ample potential for unintentional violations
14 of the law and many people will worry about going to jail
15 or being fined for inadvertent violation. It would be
ironic indeed, if, in the name of reforming our present
system of campaign financing, we fail to drive out the
special interests and only succeed in driving honest,
concerned citizens from participation in the political
process. (underlining added.)

16 --Congressional Record, House,
17 August 8, 1974, p 27509

18 The prospect that such would be the result troubled
19 Representative Dickinson to the point that he voted against the
20 1974 Campaign Financing Act amendments even while vowing "I
21 certainly will work for true reform in this field."

22 G. All the sections of the FECA must be read in
23 pari materia.

24 The concept of in pari materia is stated in Black's
25 Law Dictionary as follows:
26
27

1 Upon the same matter or subject. Statutes in pari
2 materia are to be construed together. "Statutes in
3 pari materia" are those relating to the same person
4 or thing or having a common purpose. Undercofler v
5 L.C. Robinson & Sons, Inc., 111 GaApp 411, 141 SE2d
6 847, 849.

7 The concept of reading statutes in pari materia is
8 that different statutes even though seemingly in conflict should
9 be read as an entity and if possible found to be harmonious.

10 See Rathbun v State of Michigan, 284 Mich 521 (1938).¹⁰

11 In the instant case, we are looking at what appears to
12 be conflicting parts of the same statute; namely, that portion
13 which encourages voluntary activities by individuals and that
14 portion of the statute which limits the amount of funds that can
15 be contributed by individuals that pool their resources through
16 a multicandidate committee and requires strict accounting and
17 recording procedures.

18 Citizen volunteers in campaigns are often what
19 Psychology 101 would define as extroverts--outgoing people that
20 are more concerned with results than bookkeeping and technical
21 minutia. In contrast, prior to the FECA of 1971, those who
22 wanted to give large sums of money secretly not only to influence
23 the outcome of elections but to assure certain votes by members
24 of Congress, are more likely to be dollar conscious introverts
25 that were very used to working with lawyers and CPAs to find that
26 they operated within the law.

27

1 Thus the two-fold intent of the FECA of encouraging
2 voluntary citizen participation and at the same time discouraging
3 large secret political contributions should recognize different
4 standards for bookkeeping by these two classes of people.

5 The first class being those volunteers that would
6 sponsor political activities that raised modest amounts of
7 money temperamentally were not prepared for the fine bookkeeping
8 that those that had historically made large unreported financial
9 contributions were accustomed to.

10 The General Counsel is trying to apply the same strict
11 reporting standards to the volunteers as applied to those that
12 make substantial contributions. By trying to apply identical
13 standards to the two different classes, the General Counsel is
14 creating a chilling effect on volunteer citizen participation.

15 Thus, looking at the entire FECA as an entity
16 (in pari materia), it can be seen that the objectives of
17 encouraging citizen volunteer activities but requiring strict
18 reporting and limitations on large financial contributions can
19 be simultaneously met by rule of reason even though by first
20 blush it would seem there is an inherent conflict between those
21 two legislative concerns.

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1 III. CONCLUSION

2 The policy of the FEC law is two-fold. The one purpose
3 is to encourage individuals to participate politically by having
4 candidates' meetings in their homes where modest refreshments are
5 provided, driving candidates to campaign meetings using personal
6 cars, arranging meetings in civic buildings, etc. The
7 second purpose is to limit the amount of funds that can be spent
8 and also require public disclosure so the public can learn
9 the amount of money that is being spent by different candidates
10 and campaigns.

11 Volunteers who contributed their time, use of their
12 homes for political meetings, automobiles for driving candidates,
13 and also modest funds to campaign committees were carrying out
14 the intent of having a large number of volunteers work in a
15 political campaign. This is true whether the volunteers work
16 through a single political campaign committee, a multicandidate
17 campaign committee, or through regular party organizations, or
18 through campaigns for specific individual candidates.

19 If in the hectic vitality of an election campaign
20 some of these volunteers did not make timely detailed reports,
21 not only was there no intentional wrong doing, but on balance
22 the vitality of the elective system as envisioned by the FECA
23 was improved and not distorted by the activities of these
24 well meaning volunteers.

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IV. RELIEF

WHEREFORE, the Federal Election Commission is asked to
dismiss this matter, with prejudice, and award actual costs to
Respondent.

Respectfully submitted,
DOWNS AND ZAGAROLI, P.C.

DATED: *October 30, 1985*

By: *Tom Downs*
Tom Downs (P12922)
603 Capitol Savings & Loan Bldg.
Lansing, Michigan 48933
517-372-2990

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FOOTNOTES

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¹Section 431(8)(B)(ii):

(8)(B) The term "contribution" does not include--

(ii) The use of real or personal property, including a church or community room used on a regular basis by members of a community for noncommercial purposes, and the cost of invitations, food, and beverages, voluntarily provided by an individual to any candidate or any political committee of a political party in rendering voluntary personal services on the individual's residential premises or in the church or community room for candidate-related or political party-related activities, to the extent that the cumulative value of such invitations, food and beverages provided by such individual on behalf of any single candidate does not exceed \$1,000 with respect to any single election, and on behalf of all political committees of a political party does not exceed \$2,000 in any calendar year;

²Section 431(8)(B)(iv):

(8)(B) The term "contribution" does not include--

(iv) Any unreimbursed payment for travel expenses made by any individual on behalf of any candidate or any political committee of a political party, to the extent that the cumulative value of such activity by such individual on behalf of any single candidate does not exceed \$1,000 with respect to any single election, and on behalf of all political committees of a political party does not exceed \$2,000 in any calendar year;

³Section 431(9)(B)(ii):

(B) The term "expenditure" does not include--

(ii) nonpartisan activity designed to encourage individuals to vote or to register to vote;

1 ⁴Buckley v Valeo, 46 L Ed 2d 659, 685 (1976), General Principles:

2
3 BUCKLEY v VALEO
424 US 1, 46 L Ed 2d 659, 96 S Ct 612

4 candidates and minor parties in con-
5 travention of the Fifth Amendment.

6 A. General Principles

7 [4] The Act's contribution and ex-
8 penditure limitations operate in an
9 area of the most fundamental First
10 Amendment activities. Discussion of
11 public issues and debate on the qual-
12 ifications of candidates are integral
13 to the operation of the system of
14 government established by our Con-
15 stitution. The First Amendment af-
16 fords the broadest protection to such
17 political expression in order "to as-
18 sure [the] unfettered interchange of
19 ideas for the bringing about of politi-
20 cal and social changes desired by the
21 people." *Roth v United States*, 354
22 US 476, 484, 1 L Ed 2d 1498, 77 S Ct
23 1304, 14 Ohio Ops 2d 331 (1957).
24 Although First Amendment protec-
25 tions are not confined to "the exposi-
26 tion of ideas," *Winters v New York*,
27 333 US 507, 510, 92 L Ed 840, 68 S
Ct 655 (1948); "there is practically
universal agreement that a major
purpose of th[e] Amendment was to
protect the free discussion of govern-
mental affairs, . . . of course includ-
[ing] discussions of candidates . . ."
Mills v Alabama, 384 US 214, 218,
16 L Ed 2d 484, 86 S Ct 1434 (1966).
This no more than reflects our "pro-
found national commitment to the
principle that debate on public is-
sues should be uninhibited, robust,
and wide-open," *New York Times*
Co v Sullivan, 376 US 254, 270, 11 L
Ed 2d 686, 84 S Ct 710, 95 ALR2d
1412 (1964). In a republic where the
people are sovereign, the ability of
the citizenry to make informed
choices among candidates

[424 US 15]

for office
is essential, for the identities of
those who are elected will inevitably
shape the course that we follow as a

nation. As the Court observed in
Monitor Patriot Co. v Roy, 401 US
265, 272, 28 L Ed 2d 35, 91 S Ct 621
(1971), "it can hardly be doubted
that the constitutional guarantee
has its fullest and most urgent appli-
cation precisely to the conduct of
campaigns for political office."

[5] The First Amendment protects
political association as well as politi-
cal expression. The constitutional
right of association explicated in
NAACP v Alabama, 357 US 449,
460, 2 L Ed 2d 1488, 78 S Ct 1163
(1958), stemmed from the Court's
recognition that "[e]ffective advocacy
of both public and private points of
view, particularly controversial ones,
is undeniably enhanced by group
association." Subsequent decisions
have made clear that the First and
Fourteenth Amendments guarantee
"freedom to associate with others
for the common advancement of po-
litical beliefs and ideas," a freedom
that encompasses "[t]he right to
associate with the political party of
one's choice." *Kusper v Pontikes*,
414 US 51, 56, 57, 38 L Ed 2d 260,
94 S Ct 303 (1973), quoted in *Cousins*
v Wigoda, 419 US 477, 487, 42 L Ed
2d 595, 95 S Ct 541 (1975).

[6a] It is with these principles in
mind that we consider the primary
contentions of the parties with re-
spect to the Act's limitations upon
the giving and spending of money in
political campaigns. Those conflict-
ing contentions could not more
sharply define the basic issues before
us. Appellees contend that what the
Act regulates is conduct, and that its
effect on speech and association is
incidental at most. Appellants re-
spond that contributions and ex-
penditures are at the very core of
political speech, and that the Act's
limitations thus constitute restraints

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1 ⁵Section 441a(a) Dollar limits on contributions.

2 (1) No person shall make contributions--

3 (A) to any candidate and his authorized political
4 committees with respect to any election for Federal
office which, in the aggregate, exceed \$1,000.

5

6 (C) to any other political committee in any calendar year,
7 which in the aggregate, exceed \$5,000.

8 (2) No multicandidate political committee shall make
9 contributions--

10 (A) to any candidate and his authorized political committees
11 with respect to any election for Federal office
12 which, in the aggregate, exceed \$5,000;

13 ⁶18 USC § 597.

14 § 597. Expenditures to influence voting

15 Whoever makes or offers to make an expenditure to any
16 person, either to vote or withhold his vote, or to vote for or
17 against any candidate; and

18 Whoever solicits, accepts, or receives any such expenditure
19 in consideration of his vote or the withholding of his vote—

20 Shall be fined not more than \$1,000 or imprisoned not more
21 than one year, or both; and if the violation was willful, shall be
22 fined not more than \$10,000 or imprisoned not more than two
23 years, or both.

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1 7 Legislative History of Federal Election Campaign Act Amendments
2 of 1979, The Federal Election Commission, October 1983

3 Excerpt from Hearing, July 13, 1979 (Senate Committee on Rules
4 and Administration):

5 Contributions and Expenditure Limitations and Role of the
6 Political Party

7 Multicandidate Committee
8 (2 U.S.C. §441a(a)(4))

9 In order to attain qualified multicandidate committee
10 status (i.e., to be eligible to give \$5,000 per election
11 to Federal candidates), political committees could be
12 required to make contributions of \$100 or some other
13 specified sum to five Federal candidates. Under the
14 present Act, a political committee need give as little
15 as \$1 to four candidates in order to be eligible to
16 give \$5,000 to the fifth candidate, provided all other
17 criteria are met.

18 --Legislative History, page 28

19 Excerpt from Report to Accompany S. 1757 (Senate Committee on
20 Rules and Administration--No. 96-319):

21 The bill provides that, in order to qualify as a
22 "multicandidate committee" (eligible for higher contri-
23 bution limits), a political committee must have made
24 contributions to five or more candidates for Federal
25 office which aggregate at least \$250 each with respect
26 to at least five such candidates. This change was made
27 to assure that such committee's activities are directed
toward a large number of candidates. Under present law,
it is possible for a committee to make de minimis con-
tributions to four candidates and \$1,000 to a fifth to
qualify it for the \$5,000 limit available to multicandi-
date committees, although the committee may, in reality,
be contributing to only one candidate.

--Legislative History, page 453

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1 8 AO 1979-46: Supplemental Contributions by Multi-Candidate
2 Committee:

3

4 In response to question number one, the Commission
5 concludes that if Americans contributes \$1,000 to a
6 Federal candidate before that candidate's primary election
7 and subsequent to the primary Americans qualifies as a
8 multicandidate committee; Americans may then contribute
9 up to \$4,000 to that candidate's primary campaign provided
10 the candidate has a primary election debt of at least
11 \$4,000 when the contribution from Americans is received.

12 9 Cases cited in Lyons:

13 Helvering v Lazarus & Co., 308 US 255; Commissioner v
14 P.G. Lake, Inc., 356 US 260, 266-267 (1958); Commissioner
15 v Court Holding Co., 324 US 331, 334 (1945); Commissioner
16 v Duberstein, 363 US 278, 286 (1960).

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1 ¹⁰ Rathbun v State of Michigan, 284 Mich 521, 543-45 (1938):

2 In 59 C. J. p. 1042, it is said:

3 "Statutes *in pari materia* are those which relate
4 to the same person or thing, or to the same class of
5 persons or things, or which have a common pur-
6 pose; and although an act may incidentally refer to
7 the same subject as another act, it is not *in pari*
8 *materia* if its scope and aim are distinct and uncon-
9 nected. It is a well-established rule that in the con-
10 struction of a particular statute, or in the interpre-
11 tation of its provisions, all statutes relating to the
12 same subject, or having the same general purpose,
13 should be read in connection with it, as together
14 constituting one law, although they were enacted at
15 different times, and contain no reference to one an-
16 other. The endeavor should be made, by tracing the
17 history of legislation on the subject, to ascertain the
18 uniform and consistent purpose of the legislature,
19 or to discover how the policy of the legislature with
20 reference to the subject-matter has been changed or
21 modified from time to time. In other words, in de-
22 termining the meaning of a particular statute, resort
23 may be had to the established policy of the legisla-
24 ture as disclosed by a general course of legislation.
25 With this purpose in view therefore it is proper to
26 consider, not only acts passed at the same session

27 of the legislature, but also acts passed at prior and
subsequent sessions."

See, also, *Miles, ex rel. Kamferbeck, v. Fortney*,
223 Mich. 552, 558; *Remus v. City of Grand Rapids*,
274 Mich. 577, 581.

"Statutes *in pari materia*, although in apparent
conflict, should, so far as reasonably possible, be
construed in harmony with each other, so as to give
force and effect to each, as it will not be presumed
that the legislature, in the enactment of a subsequent
statute, intended to repeal an earlier one, unless it
has done so in express terms; nor will it be presumed
that the legislature intended to leave on the statute
books two contradictory enactments." 59 C. J. p.
1051.

"Statutes *in pari materia* are to be construed to-
gether, and repeals by implication are not favored.
The courts will regard all statutes upon the same
general subject-matter as part of one system, and
later statutes should be construed as supplementary
or complementary to those preceding them." *State*
v. Omaha Elevator Co., 75 Neb. 637 (106 N. W. 979,
110 N. W. 874). Quoted with approval in *Wayne*
County v. Auditor General, 250 Mich. 227, 233.

1 "The legal presumption is that the legislature did
2 not intend to keep really contradictory enactments
3 in the statute book, or to effect so important a mea-
4 sure as the repeal of a law without expressing an
5 intention to do so. An interpretation leading to
6 such a result should not be adopted unless it be in-
7 evitable. But the canon of construction in such
8 cases is that if the courts can by any fair, strict or
9 liberal construction find for the two provisions a
10 reasonable field of operation, without destroying
11 their evident intent and meaning, preserving the
12 force of both, and construing them together in har-
13 mony with the whole course of legislation upon the

subject it is their duty to do so." *State, ex rel. Ellis,*
v. *Givens*, 48 Fla. 165, 174 (37 South. 308).

Where a statute embraces only part of a subject
covered comprehensively by a prior law, the two
should be construed together unless a different leg-
islative intent appears; the later being an exception
or qualification of the prior only so far as they are
repugnant. *Stewart v. Deland-Lake Special Road*
and Bridge District in Volusia County, 71 Fla. 158
(71 South. 42).

"The object of the rule *in pari materia* is to carry
into effect the purpose of the legislature as found in
harmonious statutes on a subject." *C. N. Ray Corp.*
v. *Secretary of State*, 241 Mich. 457.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Ingham County Democratic Party)
Federal Campaign Fund and) MUR 1818
Peter Kempel, as Treasurer.)

STATE OF MICHIGAN)
)SS
COUNTY OF INGHAM)

VERIFICATION

MARIE KINGDON states under oath as follows:

1. She is the chair of the Ingham County Democratic Party which formed the Ingham County Democratic Party Federal Campaign Fund and has held this position since January 1, 1985.

2. During the period relative to this matter, she was active in the Ingham County Democratic Party as well as its Federal Campaign Fund.

3. She has read and understands this brief. As to the facts stated therein, she knows them of her own personal knowledge to be true, or if she does not know them of her own personal knowledge, has information and belief they are true.

Marie Kingdon
MARIE KINGDON

Subscribed and sworn to before me this 30th day of December, 1985

Wendy Coleman
Notary Public, ~~Ingham County, MI~~
Commission expires 5/20/88
Eaton County, Acting in Ingham, MI

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Wolpe
Our Congressman

RECEIVED AT THE FED
Gee # 8950
85 NOV 13 A 8: 21
Wolpe for Congress
239 East Michigan Avenue
Kalamazoo, Michigan 49007
(616) 349-3113

Toll free from Battle Creek 968-6308.
Toll free from Lansing 371-1132.

November 1, 1985

Charles N. Steele, General Counsel
Federal Election Commission
Washington, D. C. 20463

RE: MUR 1818
Howard Wolpe Campaign Committee

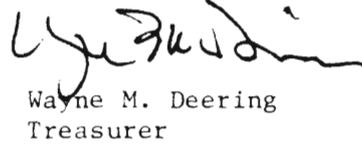
Dear Mr. Steele:

Enclosed please find the executed conciliation agreement and the civil penalty of \$250.

Our amended 1982 year end report is being prepared and will be forwarded prior to November 15, 1985.

My signing of this agreement is based largely on a desire to close the matter, since I believe it was the responsibility of the Ingham County Democratic Committee to inform our committee that it had incurred an expenditure which should be treated as an in-kind contribution. However, we have decided to accept the proposed conciliation agreement.

Very truly yours,


Wayne M. Deering
Treasurer

WMD:pgl
Enclosure

BEFORE THE FEDERAL ELECTION COMMISSION

CONFIDENTIAL
SENSITIVE
85 NOV 29 12:21

In the Matter of)
)
Howard Wolpe Campaign Committee) MUR 1818
Wayne M. Deering, Treasurer)

GENERAL COUNSEL'S REPORT

Background

Attached is a conciliation agreement which has been signed by counsel for the respondent.

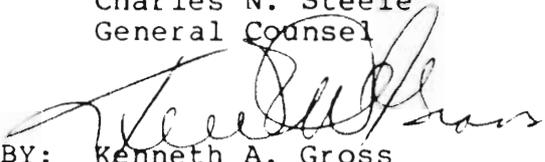
The attached agreement contains no changes from the agreement approved by the Commission. A check for the civil penalty has been received.

Recommendation

The Office of General Counsel recommends the acceptance of this agreement, the closing of the file as to this respondent and approving and sending the attached proposed letter.

Charles N. Steele
General Counsel

November 27, 1985
Date


BY: Kenneth A. Gross
Associate General Counsel

Attachments

- Conciliation agreement
- Photocopy of civil penalty check
- Proposed letter

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1818
Howard Wolpe Campaign Committee)
Wayne M. Deering, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 4, 1985, the Commission decided by a vote of 5-0 to take the following actions in MUR 1818:

1. Accept the conciliation agreement attached to the General Counsel's Report signed November 27, 1985.
2. Close the file as to this respondent.
3. Approve and send the proposed letter attached to the General Counsel's Report signed November 27, 1985.

Commissioners Aikens, Elliott, Harris, Josefiak and McGarry voted affirmatively for this decision; Commissioner McDonald did not cast a vote.

Attest:

12-4-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: Fri., 11-29-85, 12:21
Circulated on 48 hour tally basis: Mon., 12-2-85, 11:00
Deadline for vote: Wed., 12-4-85, 11:00

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 18, 1985

Wayne M. Deering, Treasurer
Wolpe for Congress
239 East Michigan Avenue
Kalamazoo, Michigan 49007

RE: MUR 1818
Howard Wolpe Campaign
Committee
Wayne M. Deering, Treasurer

Dear Mr. Deering:

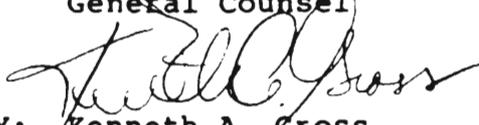
On December 4, 1985, the Commission accepted the conciliation agreement signed by you and a civil penalty in settlement of a violation of 2 U.S.C. §§ 441a(f) and 434(b)(2), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to your client, and it will become a part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing within 10 days.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Gross
Associate General Counsel

Attachment
Conciliation agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1818
Howard Wolpe Campaign Committee)
Wayne M. Deering, Treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found probable cause to believe that the Howard Wolpe Campaign Committee and Wayne M. Deering ("Respondents"), violated 2 U.S.C. §§ 441a(f) and 434(b)(2) by accepting and failing to report the receipt of a contribution.

NOW, THEREFORE, the Commission and Respondents, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(a)(4)(A)(i) do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding.

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. The Howard Wolpe Campaign Committee is a political committee within the meaning of 2 U.S.C. § 431(4) (hereinafter "the Committee").

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2. Wayne M. Deering is the treasurer of the Committee.

3. 2 U.S.C. § 441a(f) prohibits candidates and political committees from knowingly accepting contributions that exceed the limits of the Act.

4. 2 U.S.C. § 441a(a)(2)(A) provides that a multicandidate political committee may contribute up to \$5,000 per election to a Federal candidate.

5. The Committee's 1982 Reports of Receipts and disbursements disclose the following contributions from the Ingham County Democratic Party Federal Campaign fund (hereinafter, "the Fund"):

FUND			WOLPE COMMITTEE	
<u>Election Reported*/</u>	<u>Date Reported Made</u>	<u>Amount</u>	<u>Date Reported Received</u>	<u>Election Reported</u>
(P)	not reported	\$1,000	7/29/82	P
(G)	not reported	\$1,000	9/8/82	G
G	no date reported as "In-Kind Hall Use:	\$1,000	not reported	(G)
G	11/19/82	\$2,000	11/24/82	G
G	2/25/83	\$2,000	2/19/83	G
Total G: \$6,000			Total G: \$6,000	

*/ "P" indicates the August 10, 1982 Primary election. "G" indicates the November 2, 1982 General election.

V. WHEREFORE, the Respondents and Commission agree:

In violation of 2 U.S.C. §§ 441a(f) and 434(b)(2) the Howard Wolpe Campaign Committee accepted \$1,000 over the limit of

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2 U.S.C. § 441a(a)(2)(A) and failed to report the receipt of the Fund's reported \$1,000 in-kind contribution.

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of two hundred and fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

Respondents will amend their 1982 Year End Report to disclose the receipt and refund of a \$1,000 contribution-in-kind from the Ingham County Democratic Campaign Fund.

VII. Respondents agree that they shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

VIII. 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 this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

IX. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

X. Respondents shall have no more than thirty (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.

XI. This Conciliation Agreement constitutes the entire

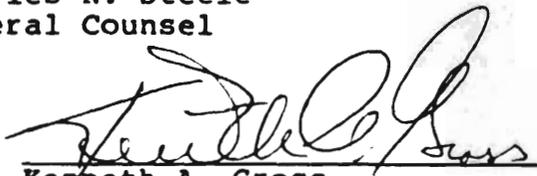
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agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

FOR THE COMMISSION:

Charles N. Steele
General Counsel

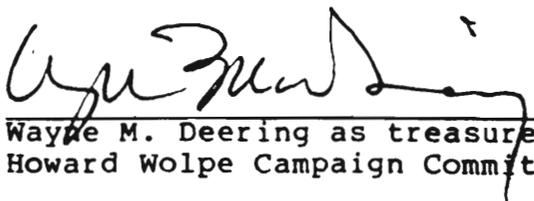
BY:



Kenneth A. Gross
Associate General Counsel

December 18, 1985
Date

FOR THE RESPONDENTS:



Wayne M. Deering as treasurer of
Howard Wolpe Campaign Committee

11/6/85
Date

20040304102

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Ingham County Democratic Party) MUR 1818
Federal Campaign Fund)
Peter Kempel, Treasurer)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On October 10, 1984, the Federal Election Commission found reason to believe that the Ingham County Democratic Party Federal Campaign Fund ("the Fund") and Peter Kempel, as treasurer, violated 2 U.S.C. §§ 441a(a)(1)(A), and 434(a) and (b).^{1/} The Fund made excessive contributions to three federal candidate, failed to report the dates of certain contributions, and failed to file certain reports of receipts and disbursements.

On December 4, 1984, the Commission received the Fund's response. The Fund submitted contributor lists which purportedly demonstrated that it had qualified for multicandidate political committee status prior to making the contributions in question. Therefore, the Fund contended, its contributions were not in violation of the Act.

The General Counsel requested additional evidence demonstrating the date on which the 51st individual contributed to the Fund. On April 11, 1985, the Commission received a letter in which Mr. Kempel established that the Fund had received an

^{1/} Mr. Lawrence D. Owen was the treasurer of record named in the Commission's reason to believe finding. Following Commission practice, Mr. Kempel, the succesor treasurer, was substituted as a respondent in this matter.

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aggregate of \$9,800 in small, unitemized contributions from over 100 individual contributors by November 16, 1982.

The Fund submitted a responsive brief to the General Counsel's Office on November 1, 1985, however, it failed to file the brief with the Secretary's Office. Consequently, respondent's position has not been put before the Commission. We are therefore attaching its brief to this report. In essence, the Fund asserts that because none of the violations were committed intentionally, the matter should be dismissed. Respondents claim that by prosecuting such unintended offenses, the Commission will have a chilling effect on volunteer citizen participation. However, the Fund fails to recognize that intent is not determinative of whether a violation of § 441a or § 434 has occurred. For this reason, the respondent's brief is unpersuasive. Thus, the General Counsel concludes that there is probable cause to believe that the Fund violated 2 U.S.C. §§ 441a(a) (1)(A) and 434(a) and (b).

II. LEGAL ANALYSIS

See OGC Brief of September 24, 1985.

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

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IV. RECOMMENDATION

1. Find probable cause to believe that the Ingham County Democratic Party Federal Campaign Fund and Peter Kempel, as treasurer, violated 2 U.S.C. §§ 441a(a)(1)(A) and 434(a) and (b).
2. Approve the attached proposed conciliation agreement with the Ingham County Democratic Party Federal Campaign Fund and Peter Kempel, as treasurer.
3. Approve the attached letter.

24 December 1981
Date



Charles N. Steele
General Counsel

Attachments:

1. Letter to Respondent
2. Proposed Conciliation Agreement
3. Respondent's Brief

jd/iv

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Ingham County Democratic Party) MUR 1818
Federal Campaign Fund)
Peter Kempel, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the
Federal Election Commission executive session of
January 8, 1986, do hereby certify that the Commission
took the following actions in MUR 1818:

1.

2.

(continued)

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3. Decided by a vote of 6-0 to
- a) Find probable cause to believe that the Ingham County Democratic Party Federal Campaign Fund and Peter Kempel, as treasurer, violated 2 U.S.C. §§ 441a(a)(1)(A) and 434(a) and (b).
 - b) Approve the proposed conciliation agreement attached to the General Counsel's report dated December 24, 1985.
 - c) Direct the General Counsel to send appropriate letters.

Commissioners Aikens, Elliott, Harris, Josefiak, McDonald, and McGarry voted affirmatively for each of the above decisions.

Attest:

1-10-86

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

93040804107



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 27, 1986

Thomas Downs, Esquire
Downs, Zagaroli and Downs
603 Capitol Savings and Loan Building
Lansing, Michigan 48933

RE: MUR 1818
Ingham County Democratic
Federal Campaign Fund,
Peter Kempel, Treasurer

Dear Mr. Downs:

On January 14, 1986, the Commission determined that there is probable cause to believe your clients committed a violation of 2 U.S.C. §§ 441a(a)(1)(A), and 434(a) and (b), provisions of the Federal Election Campaign Act of 1971, as amended.

The Commission has a duty to attempt to correct such violations for a period of thirty to ninety days by informal methods of conference, conciliation and persuasion, and by entering into a conciliation agreement. If we are unable to reach an agreement during that period, the Commission may institute civil suit in United States District Court and seek payment of a civil penalty.

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

If you have any questions or suggestions for changes in the enclosed conciliation agreement, please contact John Drury, the staff member to whom this matter has been assigned, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

403011J8

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
 Ingham County Democratic Party) MUR 18187
 Federal Campaign Fund)
)
 Peter Kempel, Treasurer)
)

E. J. ...
MAY 13 1986

GENERAL COUNSEL'S REPORT

I. BACKGROUND/PREVIOUS COMMISSION ACTION

On September 24, 1985, the Office of the General Counsel sent a copy of its brief in this matter to the respondents, the Ingham County Democratic Party Federal Campaign Fund, and Peter Kempel, treasurer, (hereinafter "the Fund"). The reply brief was received on November 1, 1985. Fashioning itself an "inchoate [multi-candidate] committee," the Fund dismissed 2 U.S.C. § 441a(a)(4) - the section of the Act setting forth the test for multicandidate status - as a technicality, and characterized this Office's conduct in the matter as having "a chilling effect on the voluntary participation of citizens in a federal election." On January 11, 1986, the Commission found probable cause to believe that the respondents violated 2 U.S.C. §§ 434(a), 434(b), and 441a(a)(1)(A).

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II. PROSPECTS OF CONTINUED CONCILIATION

Accordingly, this Office requests that the Commission authorize the Office of General Counsel to file a civil suit against the respondents.

III. RECOMMENDATIONS

1. Reject the respondents' counterproposal.
2. Authorize the Office of General Counsel to file a civil suit for relief in the United States District Court against:
 - a. The Ingham County Democratic Party Federal Campaign Fund, and
 - b. Peter Kempel, Treasurer

90040804111

3. Approve the attached letter.

7 May 1986
Date



Charles N. Steele
General Counsel

Attachments

1. Respondents' letter of February 11, 1986.
2. Respondents' letter of March 24, 1986.
3. Respondents' letter of April 16, 1986.
4. Proposed letter to respondents.

20040304112

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Ingham County Democratic Party)	MUR 1818
Federal Campaign Fund)	
)	
Peter Kempel, Treasurer)	

CERTIFICATION

I, Mary W. Dove, recording secretary for the Federal Election Commission executive session on May 13, 1986, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1818:

1. Reject the respondents' counterproposal.
2. Make counterproposal, if the respondents do not accept the conciliation within ten days, authorize the Office of General Counsel to file a civil suit for relief in the United States District Court against:
 - a. The Ingham County Democratic Party Federal Campaign Fund, and
 - b. Peter Kempel, Treasurer
3. Direct the Office of General Counsel to send appropriate letter pursuant to the above actions.

Commissioners Aikens, Elliott, Harris, Josefiak, McDonald, and McGarry voted affirmatively for this decision.

Attest:

5-14-86
Date

Mary W. Dove
Mary W. Dove
Administrative Assistant

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FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

May 27, 1986

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Thomas Downs, Esquire
603 Capitol Savings and Loan Building
Lansing, Michigan 48933

RE: MUR 1818
Ingham County Democratic
Party Federal Campaign Fund
Peter Kempel, Treasurer

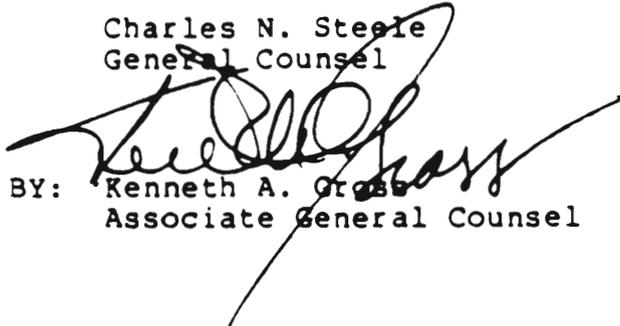
Dear Mr. Downs:

This letter is to confirm the Commission's receipt of your clients' counterproposal.

I am still hopeful that this matter can be settled through a conciliation agreement. The Commission has authorized this Office to file suit against your clients if, within ten days of your receipt of this letter, they do not accept the agreement by signing it and forwarding it with a check to the Federal Election Commission. Should you have any further questions, please call John Drury at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

BY: 
Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

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[Redacted]

*Rec Aikens
5-22-86
GOC 553*

Attorneys at Law

DOWNS and ZAGAROLI, P.C.

Tom Downs
Michael A. Zagaroli
Roger F. Lane

603 Capitol Savings and Loan Building
Lansing, Michigan 48933
(517) 372-2990

MAY 22 04:03

May 20, 1986

Joan D. Aikens
Federal Elections Commission
999 E Street, N.W.
Washington D.C. 20463

Dear Ms. Aikens:

RE: MUR 1818, Ingham County Democratic Party
Federal Campaign Fund

Enclosed is an affidavit which is based on newly discovered evidence in this matter. The affidavit by a past chairperson of the Ingham County Democratic Party demonstrates further that the actions by its members were in good faith and at the instructions of the FEC itself.

I trust this affidavit will completely settle the matter and that it will be subsequently dismissed.

Sincerely yours,

Tom Downs
Tom Downs

TD/cc

cc: John Drury

90040304115

MAY 22 04:29

RECEIVED
GENERAL COUNSEL

STATE OF MICHIGAN)

COUNTY OF INGHAM)

AFFIDAVIT OF MICHAEL IRVING PYNE

I, MICHAEL IRVING PYNE, being duly sworn, state the following statements are true:

1. He is a citizen and registered voter in the County of Ingham, State of Michigan.

2. He was Chairperson of the Ingham County Democratic Party from January 1, 1983 to December 31st 1984

3. During the time of his chairmanship, two checks were allegedly prematurely given to Congressmen Carr and Wolpe.

4. When he became aware of the problem of the alleged premature distribution of checks, he contacted Mr. Johnson at the Federal Election Commission. Mr. Johnson advised Mr. Pyne to retract the contributions that were given to Congressmen Carr and Wolpe because in Mr. Johnson's opinion they were given too soon. Subsequently, Mr. Johnson advised Mr. Pyne that the checks could now be endorsed back to Congressmen Carr and Wolpe and that the transaction was now in complete compliance with the law.

5. If called on to testify before a court or any administrative agency, he would state the same under oath.

Michael Irving Pyne
Michael Irving Pyne

Subscribed and sworn to before
me this 19 day of May, 1986.

Larry J. Hook

Notary Public, Clinton County acting in
Ingham County

Commission expires: 2/17/88

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MURKIN

CCC 716

Attorneys at Law

DOWNS and ZAGARONI, P.C. 07

Tom Downs
Michael A. Zagaroli
Roger F. Lane

603 Capitol Savings and Loan Building
Lansing, Michigan 48933
(517) 372-2990

June 9, 1986

Mr. Kenneth A. Gross
Associate General Counsel
Federal Election Commission
Washington D.C. 20463

Dear Mr. Gross:

This office is in receipt of your letter of May 27, 1986.

This office did on May 20, 1986 send a letter to the Commissioners and a copy to John Drury an attorney in your department.

It may very well be that this affidavit crossed in the mail with your letter of May 27, 1986.

I respectfully request that you check your files to see if this is what happened.

I do believe that if you read this affidavit of then-chairperson Michael Pyne that this should clear the matter up.

Thanking you for your cooperation, I am

Sincerely yours,



Tom Downs

TD/cc

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Attorneys at Law

Tom Downs
Roger F. Lane

TOM DOWNS, P.C.

230 North Washington Square/Suite 306
Lansing, Michigan 48933
(517) 372-2990

New Address: Effective August 1, 1986

July 31, 1986

Mr. Robert Pease
Attorney at Law
Federal Election Commission
1325 K Street NW
Washington D.C. 20463

Dear Mr. Pease:

Mr. Downs will be at the National Conference of Commissioners on Uniform State Laws meeting in Boston and will not return to the office until August 12. I am sure that he would be hopeful that this matter can be resolved by that time.

Sincerely,


Carolyn Cunningham
Secretary to Tom Downs

Enclosure: Motion to Correct Obvious Error of FEC (Copies of this motion are being sent to the Federal Election Commissioners.)

16 AUG 6 11:47

2004050113

Attorneys at Law

TOM DOWNS, P.C.

Tom Downs
Roger F. Lane

230 North Washington Square/Suite 306
Lansing, Michigan 48933
(517) 372-2990

July 31, 1986

Mr. Robert Pease
Attorney at Law
Federal Election Commission
1325 K Street NW
Washington D.C. 20463

Dear Mr. Pease:

Enclosed is check for \$2,000 in the matter of Ingham
County Democratic Federal Campaign Fund, MUR 1818.
This is conditioned on the action on the enclosed motion
which is self-explanatory. I assume that the Board will
make this correction and this is the proper procedure
for having the Board clear up what was an obvious mistake
on their part.

Sincerely yours,

Tom Downs/cc
Tom Downs

TD/cc
Enclosure

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Ingham County Democratic Federal
Campaign Fund

MUR 1818

MOTION TO CORRECT OBVIOUS ERROR OF FEC

Attorney for Respondent states:

1. The named treasurer Peter Kempel was never treasurer at the time of the events referred to.

2. He is a well-known, well-respected attorney in Michigan and is on a law school faculty.

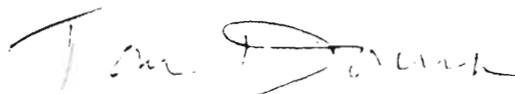
3. Any such reference to his name can cause serious personal damage to him and is absolutely unnecessary.

4. As shown by the attached letter, there apparently has been a serious misunderstanding between the attorney for the FEC and the undersigned.

5. Regardless of what was the aegis or result of the misunderstanding, this commission should not be a party to a conciliation agreement that is so inaccurate factually.

WHEREFORE, the FEC is asked in the above-entitled matter to change the proposed conciliation agreement so there is no reference whatsoever to Peter Kempel.

Respectfully submitted,



DATED: July 31, 1986

Tom Downs (P12922)
603 Capitol Savings & Loan Bldg.
Lansing, Michigan 48933
517-372-2990

20040301120

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Ingham County Democratic)	MUR 1818
Federal Campaign Fund,)	
)	
Peter Kempel, Treasurer)	

RECEIVED
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GENERAL COUNSEL'S REPORT

On May 13, 1986, the Commission authorized the General Counsel, if the respondents failed to accept a revised conciliation agreement within ten days, to file a civil suit for relief in the United States District Court against the Ingham County Democratic Party Federal Campaign Fund (the "Fund"), and Peter Kempel, as treasurer of the Fund. No agreement was reached and the staff prepared to file civil suit.

During this pre-litigation period additional discussions occurred with counsel for the respondents. Despite his earlier reluctance to settle the matter, Mr. Downs, counsel for the respondents, seemed more willing to settle the matter.

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RECOMMENDATION

1. Reject the proposed counter-offer entitled "Motion to Correct Obvious Error of FEC" submitted by the respondents.
2. Approve the revised proposed attached conciliation agreement.

Charles N. Steele
General Counsel

DATE

8/8/86

BY:

Lawrence M. Noble
Deputy General Counsel

Attachments

1. Conciliation Agreement
2. Letter and Motion from Respondents

2 4 0 3 0 1 1 2 3



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL
FROM: MARJORIE W. EMMONS/ CHERYL A. FLEMING
DATE: AUGUST 14, 1986
SUBJECT: OBJECTION TO MUR 1818 - GENERAL COUNSEL'S REPORT
SIGNED AUGUST 8, 1986

The above-named document was circulated to the Commission on Tuesday, August 12, 1986 at 11:00 A.M.

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

Commissioner Aikens	<u> X </u>
Commissioner Elliott	<u> </u>
Commissioner Harris	<u> X </u>
Commissioner Josefiak	<u> </u>
Commissioner McDonald	<u> X </u>
Commissioner McGarry	<u> </u>

This matter will be placed on the Executive Session agenda for Tuesday, August 19, 1986.

93040301124

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Ingham County Democratic) MUR 1818
Federal Campaign Fund,)
)
Peter Kempel, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the
Federal Election Commission executive session of August 19, :
1986, do hereby certify that the Commission decided by a vote
of 6-0 to return the August 8, 1986 report on MUR 1818 to
the Office of General Counsel for revision of the proposed
conciliation agreement as agreed during the meeting and
for circulation of the revised agreement for Commission
approval on tally vote basis.

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

Attest:

8-20-86

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

930040304125



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

COPIES
FED
ADY

20 AUG 20 P 3:30

SENSITIVE

August 20, 1986

MEMORANDUM

TO: The Commission
FROM: Charles N. Steele
General Counsel
By: Lawrence M. Noble *LMN*
Deputy General Counsel
SUBJECT: Revised Conciliation Agreement in MUR 1818

Attached for the Commission's approval is a revised conciliation agreement in MUR 1818. This proposal contains the changes agreed to at the Executive Session of August 19, 1986.

Attachment

93040804126

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1818
Ingham County Democratic Federal)
Campaign Fund)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 25, 1986, the Commission decided by a vote of 6-0 to approve the revised conciliation agreement attached to the General Counsel's Memorandum dated August 20, 1986, in MUR 1818.

Commissioners Aikens, Elliott, Harris, Josefiak, McDonald and McGarry voted affirmatively for this decision.

Attest:

8 25 1986

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

20040304127

Received in Office of Commission Secretary: Wed., 8-20-86, 3:30
Circulated on 48 hour tally basis: Thurs., 8-21-86, 11:00
Deadline for vote: Mon., 8-25-86, 11:00

Attorneys at Law

TOM DOWNS, P.C.

Tom Downs
Roger F. Lane

230 North Washington Square/Suite 306
Lansing, Michigan 48933
(517) 372-2990

September 5, 1986

RECEIVED
GENERAL COUNSEL
16 SEP 10 PM 2:14

Mr. Robert E. Pease
Attorney at Law
Federal Election Commission
999 E N.W.
Washington D.C. 20463

Dear Mr. Pease:

Enclosed is the conciliation agreement that I have signed.
Please forward a copy of the fully executed agreement.

Sincerely,


Tom Downs

TD/cc
Enclosure

20040001123

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Ingham County Democratic) MUR 1818
Federal Campaign Fund)

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY
26 SEP 17 P2:41

GENERAL COUNSEL'S REPORT

Attached is a conciliation agreement previously approved by the Commission and also accepted and signed by counsel for the respondents. The respondents have submitted a check for the full amount of the civil penalty. The General Counsel recommends that the Commission approve the attached conciliation proposal.

RECOMMENDATIONS

- 1. Approve the attached conciliation agreement and letter.
- 2. Close the file in this matter.

Charles N. Steele
General Counsel

9/16/86
Date _____

BY: 
Lawrence M. Noble
Deputy General Counsel

Attachment
1. Conciliation Agreement

90040301129

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY
SEP 18 12:10

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Ingham County Democratic) MUR 1818
Federal Campaign Fund)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 22, 1986, the Commission decided by a vote of 6-0 to take the following actions in MUR 1818:

1. Approve the conciliation agreement and letter, as recommended in the General Counsel's Report signed September 16, 1986.
2. Close the file in this matter.

Commissioners Aikens, Elliott, Harris, Josefiak, McDonald and McGarry voted affirmatively for this decision.

Attest:

9-22-86
Date

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

004030130

Received in Office of Commission Secretary: Wed., 9-17-86, 2:41
Circulated on 48 hour tally basis: Thurs., 9-18-86, 4:00
Deadline for vote: Mon., 9-22-86, 4:00



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 23, 1986

Thomas Downs
230 North Washington Square
Suite 306
Lansing, MI 48933

RE: MUR 1818

Dear Mr. Downs:

On September 22, 1986, the Commission accepted the conciliation agreement signed by your client and a civil penalty in settlement of violations of 2 U.S.C. §§ 434 and 441a, provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

Lawrence M. Noble (L/N)
By: Lawrence M. Noble
Deputy General Counsel

Enclosure
Conciliation Agreement

93040304131

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Ingham County Democratic Federal) MUR 1818
Campaign Fund)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found probable cause to believe that the Ingham County Democratic Federal Campaign Fund, ("the Fund") and its treasurer, ("Respondents") violated 2 U.S.C. §§ 441a(a)(1)(A), 434(a), and 434(b) by making excessive contributions and failing to file reports.

NOW, THEREFORE, the Commission and Respondents, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(a)(4)(A)(i) do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding.

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. The Fund is a political committee within the meaning of 2 U.S.C. § 431(4).

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2. At all times up to November 19, 1982, the Fund lacked multicandidate committee status.

3. Between July 27, and November 5, 1982, the Fund contributed \$10,000 to the Friends of Bob Carr Committee. Lacking multicandidate status, the Fund could lawfully contribute at most \$2,000 to this committee. Accordingly, the Fund violated 2 U.S.C. § 441a(a)(1)(A).

4. Prior to attaining multicandidate status, the Fund contributed \$2,000 to the Howard Wolpe Campaign Committee, in support of a general election, thereby violating 2 U.S.C. § 441a(a)(1)(A) by making a \$1,000 excessive contribution.

5. On July 12, 1983, the the Friends of Bob Carr Committee refunded \$8,000.00 to the Fund. On July 20, 1983, the Fund contributed \$8,000 to the Friends of Bob Carr Committee. The Fund designated half of this contribution for the 1982 primary election, and the other half for the general election of the same year.

6. In 1982, the Fund failed to file the following reports required by 2 U.S.C. § 434(a)(4): a) July Quarterly Report, covering the period beginning with the Fund's first receipt of contributions or its first expenditures, through June 30, 1982; b) October Quarterly Report covering July 1 through September 30, 1982; and c) the Pre-General Report covering October 1 through October 13, 1982. Consequently, the Fund has violated 2 U.S.C. § 434(a)(4).

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7. The Fund's 1982 Post-General Election Report failed to disclose the dates on which the Fund made in-kind contributions to the Riegle for Senate in '82 Committee and the Wolpe for Congress Committee. Further, the Fund has failed to disclose two contributions that the Friends of Bob Carr Committee reported receiving from the Fund in July 27, 1982 (\$1,000) and September 14, 1982 (\$1,000). Moreover, the Fund has not disclosed two other \$1,000 contributions that the Wolpe for Congress Committee reported receiving from it on July 29, 1982 and September 8, 1982. Therefore, the respondents violated 2 U.S.C. § 434(b).

V. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of Two Thousand Dollars (\$2,000), pursuant to 2 U.S.C. § 437g(a)(5)(A). The respondents contend that the violations herein were not knowing or willful.

VI. Respondents shall file the quarterly reports for July and October of 1982 as well as the pre-election report due for that year. Peter Kempel, the current treasurer of the Fund, will be responsible for the implementation of this agreement.

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 this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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VIII. This agreement shall become effective as of the date all parties hereto have executed the same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than thirty (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 valid.

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY: Lawrence M. Noble (LM) 9/22/86
Lawrence M. Noble Date
Deputy General Counsel

FOR THE RESPONDENTS:

Tom Downs Sept, 5, 1986
Date

90040304135



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 1818

DATE FILMED 11/9/90 CAMERA NO. 4

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