



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 15, 1985

MEMORANDUM

TO: CHARLES STEELE
GENERAL COUNSEL

THROUGH: JOHN SURINA
STAFF DIRECTOR

FROM: ROBERT J. COSTA
ASSISTANT STAFF DIRECTOR
AUDIT DIVISION

SUBJECT: REFERRALS RESULTING FROM THE AUDIT OF THE JOHN
GLENN PRESIDENTIAL COMMITTEE, INC.

The final audit report on the John Glenn Presidential Committee, Inc. contained recommendations that three matters (Exhibits I, II, and III), be referred to your office. That report was approved by the Commission on August 14, 1985. Attached for your consideration are copies of the exhibits as they appeared in the final report approved by the Commission.

Should you have any questions concerning these matters please contact Joe Stoltz or Kevin McFadden.

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Exhibit 1

Contributions In Excess of Limitation

Section 441a(a)(1)(A) of Title 2 of the United States Code states that no 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. Section 441a(f) states, in part, that no candidate or political committee shall knowingly accept any contributions in violation of the provisions of this section.

Section 103.3(b)(2) of Title 11 of the Code of Federal Regulations states, in part, that when a contribution cannot be determined to be legal, refunds shall be made within a reasonable time.

1. In the Reports of Receipts and Disbursements filed with the Commission, the Committee disclosed 223 contributions received from persons whose aggregate totals exceeded \$1,000. Eighty-five of these contributions were corrected in a timely manner through refunds and reattributions of the excessive portions. The remaining contributions were not timely corrected:

a. Eighty-five refunds were made of excessive amounts totaling \$45,301. However, on the average, 136 days elapsed from the dates the contributions exceeded the limitation until the excessive portions were refunded;

b. Contributors authorized 49 reattributions of excessive amounts totaling \$27,275. However, on the average, 126 days elapsed from the dates the contributions exceeded the limitation until the reattributions were authorized; and,

c. Four contributions, with excessive portions totaling \$4,000, remained excessive as of October 13, 1984. The Committee has been attempting to resolve these contributions through contacts with the contributors.

2. During the fieldwork review of receipts, the Audit staff noted that the Committee received additional excessive

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contributions from five political committees which did not qualify as multicandidate committees under 11 C.F.R. § 100.5(e)(3). Excessive portions of contributions from these groups totaled \$9,375. Although the Committee refunded the \$9,375 excessive amounts, an average of 282 days elapsed from the dates the contributions exceeded the limitation until the excessive portions were refunded.

The interim audit report contained the Audit staff's recommendation that within 30 days of receipt of the report the Committee demonstrate that the contributions were not in excess of the limitation, or, refund the excessive portions and present to the Audit Division evidence of the refunds (front and back of the refund checks). The interim audit report also noted that further recommendations may be forthcoming after the Committee has had an opportunity to respond.

Analysis of Committee Response

In the response filed February 19, 1985, the Committee described its efforts in correcting the contributions in excess of the limitation. In addition, documentation was submitted clarifying one of the four excessive contributions which remained at the time of the interim report. This reduced the number of excessive contributions remaining unresolved to three with the excessive portions totalling \$3,000.00. In addition, on March 13, 1985, the committee submitted a supplement to their response which contains documentation for two of the remaining contributions with excessive portions totalling \$2,000.00. However, the additional documentation relating to Stephen O. Hewlett attributed \$250 from Mrs. Hewlett to Mr. Hewlett. This raised the amount by which Mr. Hewlett has exceeded the limitation to \$1,250.00. Finally, on March 26, 1984 the Committee submitted documentation for the remaining excessive contribution which resolved the excessive amount via reattribution. Therefore of the four contributions which were excessive at the time of the interim audit report, only one remains with an excessive portion of \$1,250.00.

Recomendation

The Audit staff recommends that this matter be referred to the Office of General Counsel for further review.

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Exhibit II

Failure to Report Disbursements Timely

Section 434(b)(1) and (4) of Title 2 of the United States Code requires that each Report of Receipts and Disbursements shall disclose the amount of cash on hand at the beginning of the reporting period, and the total amount of all disbursements for the reporting period and the calendar year.

In lieu of State office and advance staff checking accounts, the Committee maintained a headquarters draft account. Bank drafts of various denominations were issued to Committee staff for use in making disbursements. Each draft required the name of the payee, the amount (up to the face value), date, and signature of the issuer. In addition, space was provided for the payee's address. All drafts cleared through the Committee's headquarters draft account and were returned with the periodic bank statements for the account.

During the fieldwork, the Audit staff was informed that it was Committee policy not to enter disbursements made from its draft account into the general ledger and, therefore, not to report these disbursements, until supporting documentation was received at Committee headquarters. As a result of this practice, the Committee's general ledger and Reports of Receipts and Disbursements routinely overstated cash on hand and understated disbursements, including expenditures allocable to States.

During the period from April 1983 through March 31, 1984, disbursements in the following amounts were not reported:

<u>Date</u>	<u>Cumulative Amount</u>
December 31, 1983 ^{1/}	\$ 60,096.97
January 31, 1984	146,535.51
February 29, 1984	230,535.74
March 31, 1984	312,495.98

On June 28, 1984, approximately five weeks after the Audit fieldwork commenced, the Committee filed amendments to its Reports of Receipts and Disbursements for the period October 1, 1983 through April 30, 1984 disclosing the disbursements and correcting the cash balance.

^{1/} Although the difference began to accumulate as early as April 1983, only the most significant amounts are presented.

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Although the amended Reports of Receipts and Disbursements were filed in June 1984, the disbursements had been entered into the Committee's automated general ledger in April 1984. Therefore, the State allocation schedule filed with the April monthly report included the Committee's allocations of these yet unreported disbursements. The additional amounts allocated to Iowa and New Hampshire in April 1984 totaled \$101,803.72. The addition of these amounts to previous allocations caused the Committee to report exceeding the expenditure limitations for both States.^{2/}

On January 15, 1985, the Commission approved the Audit staff's recommendation that, within 30 days of receipt of the interim report, the Committee explain their rationale for this practice.

On February 19, 1985, the Committee submitted its response to the interim audit report. In the response, the Committee explained that the major reason for this practice was increased expenditures during the height of the campaign and the inexperience of volunteers in the field in dealing with expenditures documentation. As a result, field offices and advance staff fell behind in sending copies of drafts and supporting documentation to headquarters for recording and reporting. The Committee further explained that frequent telephone calls were made to the field to impress on personnel the necessity of returning the documentation, and that the comptroller made a special trip to a State for the specific purpose of collecting documentation. Finally, the Committee explained that had expenditures been reported before receiving such documentation, they would have compounded the problem by making numerous account distribution and classification errors in its reports to the FEC.

Recommendation

The Audit staff recommends that this matter be referred to the Office of General Counsel for further consideration.

^{2/} In preparing the response to the Commission's Interim Audit Report, the Committee discovered an error in the procedure used to calculate amounts allocated to states. The error caused consistent overstatements in the allocations. Had the allocations been done correctly, the Committee's report covering April 1984 would not have reflected an overage in either state. See II.A.1. above.

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Exhibit III

A. Allocation of Expenditures to States

Sections 441a(b)(1)(A) and 441a(c) of Title 2 of the United States Code provide, in part, that no candidate for the office of President of the United States who is eligible under Section 9033 of Title 26 to receive payments from the Secretary of the Treasury may make expenditures in any one State aggregating in excess of the greater of 16 cents multiplied by the voting age population of the State, or \$200,000, as adjusted by the changes in the Consumer Price Index.

Section 106.2(a)(1) of Title 11 of the Code of Federal Regulations states, in part, that expenditures incurred by a candidate's authorized committee(s) for the purpose of influencing the nomination of that candidate for the office of President with respect to a particular State shall be allocated to that State. An expenditure shall not necessarily be allocated to the State in which the expenditure is incurred or paid.

The Committee maintains its accounting system on an accrual, rather than a cash, basis. The system includes an automated general ledger and accounts payable system which are divided by cost centers representing the various national headquarters departments. The cost centers are subdivided by accounts which describe the nature of the expenses. Further, a cost center and the associated sub-accounts are maintained for each State. Certain of the general ledger accounts are defined by the Committee as subject to a 10% exemption from overall and state limitations for both fundraising and for compliance.

Since the Reports of Receipts and Disbursements must be prepared on a cash basis, the expenses recorded in the accounts payable system are subtracted from the expenses contained on the general ledger to arrive at reportable expenditures. Therefore, (unpaid) expenses which are recognized as allocable to States in the Committee's general ledger are not disclosed on FEC Report Form 3P, page 3 until the debts are paid.

The Audit staff's review of FEC Form 3P, Page 3 filed for the period ending August 31, 1984 revealed that the Committee allocated expenditures totaling \$703,124.62 to the Iowa limitation of \$684,537.50 and allocated \$468,841.70 to the New Hampshire limitation of \$404,000. In addition, the Committee's recordkeeping system contained additional unpaid expenses recognized as allocable to Iowa totaling \$61,625.27 and to New Hampshire totaling \$29,672.78 which would be added to these States' reported allocations when paid (see II.A.4.).

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As a result of statistical sampling and other review procedures performed during the fieldwork and the analysis of the Committee response to the interim audit report, the Audit staff noted the following areas requiring adjustments to the above totals. It should be noted that the amounts discussed below include both amounts paid and debts. Any debts included in the categories discussed in II.A.2. and 3. have not been recognized by the Committee in their general ledger as allocable to Iowa and New Hampshire, while those debts at II.A.4. have been. Copies of the Audit staff's working papers detailing the findings in Sections 2-4 were presented to the Committee prior to the exit conference with Committee officials. Workpapers containing the Audit staff's analysis of the adjustments in Section 1 were presented to the Committee when the work was completed.

1. Procedural Error in the Committee Allocation Calculations

In the February 19, 1985 response to the interim audit report, the Committee indicated that while reviewing its accounting records to prepare its response to one of the adjustments to State allocations recommended in the interim report, a procedural error in the Committee's original allocation calculations was discovered.

The Committee's method for determining amounts allocable to the state expenditure limitations was as follows:

For each report, a worksheet was prepared to calculate expenditures subject to the state limitation. The process began with a cumulative general ledger amount for expenses coded to each state from the automated general ledger. From this figure, accounts payable were subtracted to convert from an accrual to a cash basis figure. Then, fundraising and compliance deductions for state office overhead and for salaries related to the states were manually calculated, posted to the worksheet, and subtracted, resulting in an election-to-date allocation to the State. To determine the charge for the reporting period, the election-to-date allocation total from the preceding report was subtracted.

The procedural error resulted from the Committee's failure to post the manually calculated compliance and fundraising deductions to the automated general ledger. Since the starting point for a given report's state allocation calculations was an unadjusted cumulative general ledger figure, the deductions for compliance and fundraising calculated for all previous reports were negated. Therefore, the allocation of expenditures to states was consistently overstated by the amount of these unrecorded exemptions.

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Since the interim audit report had used the August 31, 1984 reported allocations as the starting point for the calculation of an audited amount allocable to Iowa and New Hampshire (\$703,124.62 and \$468,841.70, respectively), the Committee response contained a reduction to the August 31, 1984 reported figure. The amount of the reductions calculated by the Committee was \$116,641.88 for Iowa and \$84,893.87 for New Hampshire, leaving \$586,482.74 allocated to Iowa and \$383,947.84 to New Hampshire.

However, the Committee's calculations contained a number of errors. The Committee did not use the most recent revision to the general ledger in all cases, accounts payable at December 31, 1983 were not treated properly, and exempt legal and compliance costs were calculated on both amounts paid and accounts payable at August 31, 1984. This procedure duplicates the exclusion for amounts payable at August 31, 1984 calculated in response to Finding II.B.3. of the interim report (see II.A.4. below). In addition, the Committee's general ledger generates two summary totals each month providing different information. The Committee did not consistently use the same total. Adjustments were made to correct this inconsistency and include all appropriate amounts at August 31, 1984. ^{3/}

Considering this information, the Audit staff determined that, prior to the application of the adjustments described below, the FEC Form 32, Page 3 filed for the period ending August 31, 1984 should have contained expenditures allocated to Iowa and New Hampshire totaling \$595,240.69 and \$394,593.05, respectively. Therefore, appropriate adjustments were made to the recap of allocable expenditures on page 23 of this report.

2. Specific Allocation Methods

Section 106.2(b)(2) of Title 11 of the Code of Federal Regulations states that expenditures that fall within the categories listed below shall be allocated based on the following methods. The method used to allocate a category of expenditures shall be based on consistent data for each State to which an allocation is made.

^{3/} Includes the August 31, 1984 balance in the asset accounts Refundable Deposits, Furniture and Fixtures, and Office Equipment contained in the Iowa and New Hampshire General Ledgers

a. Media Expenditures

Section 106.2(b)(2)(i)(B) of Title 11 of the Code of Federal Regulations requires that expenditures for radio, television and similar types of advertisements purchased in a particular media market that covers more than one State shall be allocated to each State in proportion to the estimated audience. This allocation of expenditures, including any commission charged for the purchase of broadcast media, shall be made using industry market data.

The Committee retained the services of a media firm located in New York. The allocation of radio and television broadcasts was based upon total household estimates contained in A. C. Nielsen Company's U.S. Television Household Estimates. The Audit staff analyzed the firm's media time charge allocations and determined that the amounts allocable to Iowa and New Hampshire were reasonable. However, the Audit staff noted that the Committee overstated media expenditures subject to Iowa allocation by \$24,758.13 and understated media expenditures subject to New Hampshire allocation by \$24,193.19. These misstatements resulted from the Committee's use of the media firm's preliminary allocations and its failure to make appropriate corrections when final figures were received.

In the February 19, 1985 response to the interim audit report, the Committee agreed that it did overstate media expenditures allocable to Iowa, but disagreed that it understated media expenditures allocable to New Hampshire by \$24,193.19.

The Committee stated that:

"The Audit staff allocated 100% of the media costs incurred for advertisements shown on WMUR-TV, Manchester, New Hampshire to New Hampshire. The Nielson ratings which were used by Sawyer to allocate other expenditures to states should be used for the WMUR-TV expenditures as well. The Nielson ratings show that 14.6 percent of the New Hampshire audience is reached by Boston/Manchester stations. Therefore, only \$5,102.02 should be allocated to New Hampshire."

First, it is noted that the Audit staff did not allocate the media costs. Rather, as noted above and in the interim audit report, the Audit staff analyzed the time charge allocations determined by the media firm retained by the Committee. Secondly, with the consent of the Committee, the Audit staff discussed the allocation of WMUR-TV with a representative of the media firm. The representative informed

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the Audit staff that due to the limited range of WMUR-TV, the broadcasts should be totally allocated to New Hampshire. However, in light of the argument presented in the Committee's response, the Audit staff contacted the A.C. Neilson Company in order to determine how WMUR should be allocated. It was learned that for some purposes Manchester, New Hampshire is considered a separate market with separate market data. However, it is included in the Boston, Manchester Designated Market Area in the U.S. Television Household Estimates used by the Committee for allocation purposes. Therefore, the amount by which the New Hampshire media allocation was understated has been reduced from the \$24,193.19 contained in the interim audit report to \$5,102.02, or a reduction of \$19,091.17 (Total WMUR Media Buys - [Total WMUR media buys x New Hampshire percentage] or \$22,355.00 - [\$22,355.00 x 14.6%] = \$19,091.17).

b. Salaries, Employer FICA, and Consultant Fees

Section 106.2(b)(2)(ii) of Title 11 of the Code of Federal Regulations requires that except for expenditures exempted under paragraph (c) of this section (relating to compliance costs and fundraising expenditures), salaries paid to persons working in a particular State for five consecutive days or more, including advance staff, shall be allocated to each State in proportion to the amount of time spent in that State during a payroll period.

The Audit staff's review revealed persons incurring expenditures in one State for five or more consecutive days. Their names were traced to payroll records to determine whether the salaries, employer FICA, or consultant fees had been allocated to the State in which the expenditures were incurred.

Based upon this review, the Audit staff determined that additional salaries, employer FICA, and consultant fees totaling \$14,844.57 should be allocated to Iowa and \$8,278.39 to New Hampshire. (These amounts are net of the 10% exclusion for exempt fundraising and compliance.) It appeared that for the most part these persons were assigned to the national headquarters, but were temporarily working within Iowa and New Hampshire.

In the February 19, 1985 response to the interim audit report, the Committee expressed its disagreement with the finding because, "approximately \$3,000 of salary paid to Jerry Vento was allocated to Iowa after he was named National Campaign Manager and returned to Washington." Further, the Committee disagreed with the Audit staff's allocations because they're based on the assumption that "if an advance staff member reserved hotel rooms or executed automobile leases for five or

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more days in a state the particular person was actually working in that state for five or more days. That assumption is incorrect because it was common practice for staff members to base themselves in one state and work from there in other states."

With regard to Jerry Vento, the Audit staff reviewed the documentation and determined that the salary allocation should be reduced by \$2,486.64. This represents Mr. Vento's salary for the period less exemptions for compliance and fundraising which had been allowed. Therefore, a reduction of \$2,486.64 has been made to the amount shown on page 23.

With regard to the other allocations, documentary evidence indicated that the person was in the State to which the allocation adjustments were made for five or more days. Absent further demonstration that the persons were not where the documentation indicates, the adjustment to the totals will remain unchanged.

c. Intra-State Travel and Subsistence Expenditures

Section 106.2(b)(2)(iii) of Title 11 of the Code of Federal Regulations states that travel and subsistence expenditures for persons working in a State for five consecutive days or more shall be allocated to that State in proportion to the amount of time spent in each State during a payroll period. This same allocation method shall apply to intra-state travel and subsistence expenditures of the candidate and his family or the candidate's representatives.

The Audit staff's review of supporting documentation revealed that expenditures for subsistence and intra-state travel had been incurred by persons ordinarily assigned to the Committee's national headquarters, but who were temporarily assigned within Iowa or New Hampshire for 5 or more consecutive days. This review revealed that, in several instances, the expenditures incurred in Iowa and New Hampshire by these persons were applied to national operations and not allocated to these States.

Based upon the review, the Audit staff determined that additional intra-state travel and subsistence expenditures totaling \$11,496.83 should be allocated to Iowa and \$32,951.95 to New Hampshire.

The Committee's position presented in response to this finding and the Audit staff's comments regarding that position are the same as those discussed in Finding II.A.2.b. above. No adjustments to the allocations presented in

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the interim report have been made.

d. Compliance Costs and Fundraising Expenditures

Section 106.2(b)(2)(iv) of Title 11 of the Code of Federal Regulations requires that, except for expenditures exempted under paragraph (c) of this section (relating to national campaign salaries and overhead), overhead expenditures of offices located in a particular State shall be allocated to that State. For purposes of this section, overhead expenditures include, but are not limited to, rent, utilities, office equipment, furniture, supplies, and telephone service base charges.

Section 106.2(c)(5) of Title 11 of the Code of Federal Regulations provides, in part, that an amount equal to 10% of overhead expenditures in a particular State may be excluded from allocation to that State as an exempt compliance cost, and an additional amount equal to 10% of overhead expenditures may be excluded as exempt fundraising expenditures, but this exemption shall not apply within 28 calendar days of the primary election.

The Audit staff determined that it was the Committee's practice to apply compliance and fundraising exemptions to certain categories of expenditures that were classified as overhead expenditures, as well as some non-overhead items. The documentation associated with these expenditures was reviewed to determine whether: (1) certain of these categories were properly classified as overhead and (2) the non-overhead items could reasonably be allocated using the overhead percentages. This review revealed the following:

(i) Media

Media time totaling \$37,405.54 was excluded from the Iowa limitation and \$28,403.74 from the New Hampshire limitation. One half of each of these amounts was applied to exempt compliance and the remainder to exempt fundraising, reducing expenditures subject to the respective State's limitation accordingly.

In support of this practice, the Committee presented a memorandum from an accounting firm dated June 5, 1984, which contained the rationale for including certain costs in the overhead pool.

With respect to media, the memorandum stated:

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"The media advertisements that the campaign ran were compliance, fundraising and political in nature. They were compliance related in that they contained a contribution limitation message, and they were fundraising related in that they advised where contributions could be sent. The political nature of the media advertisements is obvious. These costs were allocated to the various cost centers by means of the overhead pool to avoid a judgmental allocation that would be difficult to support and justify."

(ii) Polling

Employing the practice noted in (i) above, the Committee excluded \$2,333.68 from the Iowa limitation and \$8,432.02 from the New Hampshire limitation. The memorandum from the accounting firm mentioned in (i) above stated:

"The polling costs that the Committee incurred were compliance, fundraising and political in nature. They were compliance related in that a portion of the pollsters' charge was related to the level of detail they were required to disclose to the Committee to support the state allocations required for reporting to the Federal Election Commission. Polling costs were of a fundraising nature in that the result (sic) of polling were used to shape issues, speeches, etc., which, in turn, provided a benefit to the fundraising effort. Again, these costs were allocated to the various cost centers by means of the overhead pool to avoid a judgmental allocation that would be difficult to support and justify."

The interim audit report, approved by the Commission January 15, 1985, stated that the Audit staff does not feel that the rationale stated in the memorandum merits the exclusion of the above noted expenditures from State allocation. Although the accounting firm did not specifically identify these expenditures as overhead, the memorandum indicated that the purpose of allocating by means of the overhead pool was to avoid a judgmental allocation difficult to support and justify; however, these costs by their very nature are not overhead and should not be treated as such. To apply a 20% exclusion across the board for these expenditures, with no support other than that it would be difficult to support and justify a judgemental allocation, is not a reasonable basis for excluding any portion of such costs from State limitations.

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The interim audit report also noted that the provisions of Title 11 of the Code of Federal Regulations other than 11 C.F.R. § 106.2(c)(1) and (2) (concerning national advertising, nationwide polls, and media production costs) are completely silent with respect to exempting any percentage of media and polling from allocation. However, the Audit staff does recognize that it is possible that a certain percentage of such expenditures could be applicable to fundraising and compliance. The Audit staff recommended that in order to exempt any portion from State limitations, the Committee should perform an in-depth analysis of all media and polling expenditures allocable to Iowa and New Hampshire, and prepare detailed records supporting the percentage exempt from these State allocations. This analysis should entail a review of each advertisement placed and each poll conducted to determine what percentage of the content was fundraising and/or compliance in nature. Further, the Committee must consider the 28 day rule on fundraising as referenced at 11 C.F.R. § 106.2(c)(5) in the analysis. Finally, copies of the working papers supporting the analysis should be presented to the Audit Division for review within 30 days of receipt of the interim report.

In the February 19, 1985 response to the media portion of this finding the Committee stated:

"In light of the fact that the regulations allow a 20% allocation of overhead expenditures for fundraising and compliance costs due to the commonly and officially recognized difficulty of allocating such expenditures with any degree of precision, the Committee believes that a 20% exclusion (10% for fundraising and 10% for compliance) for media costs is a reasonable percentage that should be allowed without requiring further supporting documentation."

As explained above, the Audit staff disagrees that these non-overhead expenditures can be allocated using the percentages provided for overhead in 11 C.F.R. § 106.2(c)(5) simply because of the difficulty in determining any other reasonable method. This conclusion is further buttressed by the specific guidance on the allocation of media in 11 C.F.R. § 106.2(b)(2)(i).

However, the Committee did provide specific information concerning an October 1983, 30 minute broadcast in Iowa. The response stated that in the opinion of their media firm "that advertisement was produced and aired exclusively for fundraising purposes." In support of this statement, the Committee notes a more than 300% increase in

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contributions from Iowa, when comparing activity in the period August 12 to October 12, 1983 with October 13 to December 13, 1983. However, the Audit staff believes such a comparison is affected by factors in addition to a single television broadcast, including proximity to the caucus date and overall increases in campaign fundraising efforts.

The Committee also submitted the following description of the broadcast provided by their media firm:

"Five times during the program the following appears on the screen:

Join the Glenn Campaign
1-800-237-1984

At the end of the show the following appears:

Join the Glenn Campaign
1-800-237-1984

or write

John Glenn
507 10th Street
Suite 510
Des Moines, Iowa 50309

Paid for and authorized by the John Glenn
Presidential Committee, Inc.
Robert A. Farmer, Treasurer.

The following voice over is heard:

'John Glenn is taking his campaign to the people and he needs your help. Your organizational help, your financial help and he needs it now. Please call 1-800-237-1984, that's (number) or write (address). You can help America believe in the future again. Become a part of the Glenn Campaign. Call (number) that's (number). Join the John Glenn Campaign today. Call (number) That's (number).'

Based on a review of this material, it appears that the broadcast was for both fundraising and organizational purposes. Therefore, a reduction in the amount of

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media cost attributed to the Iowa expenditure limitation has been made. The amount is \$9,281.10 or 50% of the portion of the cost originally charged to the Iowa limitation.^{4/}

With regard to the polling portion of this finding, the Committee's February 19, 1985 response commented "for the reasons stated above regarding the difficulty, if not impossibility, of quantifying such costs for media expenditures and overhead costs, the Committee believes that a 20% exclusion is a reasonable amount that should be allowed without further supporting documentation."

The Audit staff notes that, synonymous with the comments noted above, there also is no provision which routinely permits a 20% exclusion of polling costs for exempt fundraising and compliance purposes. Moreover, 11 C.F.R. § 106.2(b)(2)(vi) prescribes a specific method of allocating public opinion polling. Therefore, the amounts requiring allocation remain unchanged.

(iii) Telephone

The interim audit report contained the Audit staff's comments that the Committee originally applied the full amounts of expenditures for total telephone service, including interstate service related to Iowa and New Hampshire, to the Iowa and New Hampshire limitations. The Committee also applied to these limitations reimbursements to persons for the use of personal and coin-operated telephones and certain expenditures to non-telephone company vendors in conjunction with major mail and telephone programs.

Twenty percent of these expenditures associated with Iowa and 20% associated with New Hampshire were excluded from the respective State limitations based upon the interpretation of the provisions concerning exempt compliance and fundraising.

After realizing that only base charges and long distance telephone calls within a State (rather than gross charges) required allocation to States, the Committee analyzed invoices associated with telephone companies in Iowa and New Hampshire and reallocated the expenditures. However, the Committee failed to adjust the corresponding amounts charged to exempt categories. The Committee's analysis and reallocation did not encompass the reimbursements to persons for telephone calls or expenditures to non-telephone vendors in conjunction with the major mail and telephone programs.

^{4/} The cost of the broadcast was \$33,275.59. According to the estimates contained in the A. C. Nielson Company's U.S. TV Household Estimates, \$18,562.20 is allocable to Iowa. Fifty percent of that amount is \$9,281.10.

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In view of this situation, the Audit staff analyzed expenditures for telephone service focusing on base charges and determined that an additional amount totaling \$12,848.68 is allocable to Iowa and \$7,655.31 to New Hampshire.

In the February 19, 1985 response, the Committee stated that it has been unable to complete its analysis of the proposed adjustments to telephone expenditures because of limited time and resources, and that relevant factual materials will be submitted when it becomes available.

Since the Committee has not submitted any material to demonstrate that this adjustment should not be applied to State limitations, the dollar amount of the adjustment remains unchanged.

(iv) Fundraising Expenditures - 28 Day Rule

In addition to the expenditures addressed above, the Audit staff reviewed other expenditures included in the overhead pool for which the Committee excluded 10% of the dollar amount from the Iowa and New Hampshire limitations and applied the resulting amount to exempt fundraising. The purpose of the review was to determine whether any expenditures incurred within 28 days of the Iowa and New Hampshire primaries had been improperly excluded from State limitations.

Based upon this review, the Audit staff determined that an additional amount totaling \$5,635.11 should be allocated to Iowa and \$4,448.62 to New Hampshire.

In the February 19, 1985 response the Committee stated that also due to limited time and resources it has been unable to complete its analysis of the proposed adjustments to the exempt overhead fundraising costs, and that relevant factual material will be submitted when it becomes available.

Since the Committee has not submitted any material to demonstrate that this adjustment should not be applied to State limitations, the total dollar amount of this adjustment remains unchanged.

e. Public Opinion Polling Expenditures

Section 106.2(b)(2)(vi) of Title 11 of the Code of Federal Regulations states that expenditures incurred for the taking of a public opinion poll covering only one State shall be allocated to that State. Except for expenditures incurred in conducting a nationwide poll, expenditures incurred for the

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taking of a public opinion poll covering two or more States shall be allocated to those States, based on the number of people interviewed in each State.

Section 106.2(c)(1)(iii) of Title 11 of the Code of Federal Regulations states that expenditures incurred for the taking of a public opinion poll which is conducted on a nationwide basis need not be allocated to any State.

The Committee engaged a Maryland vendor who conducted public opinion polls. Several documents from the vendor contained statements that certain of these polls were national surveys. However, these same documents listed a limited number of States or counties in which the surveys were conducted, thereby indicating that the polls were not conducted on a nationwide basis. Further, in several instances, the documentation did not list the number of people interviewed in each State, thus the Committee did not allocate these particular surveys based upon the number of people interviewed in each State.

The following are specific instances in which the costs of non-nationwide polls, relating exclusively, or in part, to Iowa and New Hampshire were either not allocated or were misallocated with respect to the Iowa and New Hampshire limitations:

- Invoice #2-0002 dated July 28, 1983 contained a statement that the poll was a "National Survey" although the invoice listed Iowa, New Hampshire, Alabama, and "Midwest Counties" as the areas in which the survey was conducted. The invoice listed the total fee for the survey (\$40,150) and the total number of people (1,318). An insertion made on the invoice indicated that the survey was conducted in six States. Therefore, the Committee allocated one-sixth (\$6,691.66) to Iowa and one-sixth to New Hampshire.

On October 24, 1984, the Committee presented a memorandum to the Audit Division which contained a listing of the number of interviewees in each of the six States. It appears that the memorandum was prepared by the Committee after obtaining the information orally from the polling firm.

Based upon the number of people interviewed in Iowa and New Hampshire, as listed in the memorandum, the Audit staff has identified additional polling expenses allocable to Iowa totaling \$2,447.19 [$\$40,150 \times (300/1318)$] - [$\$40,150 \times (1/6)$] and to New Hampshire totaling \$2,599.50 [$\$40,150 \times (305/1318)$] - [$\$40,150 \times (1/6)$].

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- Invoice #2-0005 dated December 13, 1983 also contained a statement that the poll was a "National Survey" although the invoice listed Iowa, New Hampshire, Georgia, Alabama and Florida as the States in which the survey was conducted. The invoice listed one total fee for the survey and one total for the number of people interviewed. Therefore, the Committee allocated one-fifth (\$11,668.40) to Iowa and one-fifth to New Hampshire.

The Committee's memorandum noted above contained a listing of the number of interviewees in each of the five States.

Based upon the number of people interviewed in Iowa and New Hampshire as listed in the memorandum, the Audit staff has determined that the Committee overallocated these polling expenses to Iowa in the amount of \$2,368.94 [$\$62,370 \times (307/2059)$] - [$\$58,342 \times (1/5)$] 5/ and to New Hampshire in the amount of \$1,036.12 [$\$62,370 \times (351/2059)$] - [$\$58,342 \times (1/5)$].

- Invoice #2-0006 for \$5,000 dated December 13, 1983 for a survey conducted in four States contained the number of interviewees in each State as follows:

New Hampshire	150
Florida	100
Alabama	75
Georgia	<u>75</u>
Total	<u>400</u>

The Committee did not allocate any portion of this survey to New Hampshire, although the regulations require that \$1,875 [$\$5,000 \times (150/400)$] be allocated to New Hampshire.

5/ The Committee failed to allocate a portion of this invoice totaling \$4,028.00.

- Invoice #2-00010 dated March 12, 1984 totaling \$36,957.50 contained a statement that the service performed was "For National Research, Inc." The invoice also contained a statement that the fee was for "New Hampshire Voter ID and GOTV (February 6 - February 28, 1984)".

The Committee did not allocate any of the amount to New Hampshire.

- Invoice #2-0008 dated February 20, 1984 contained expenditures allocable to New Hampshire totaling \$13,450 for opinion surveys dated February 12, 19, and 21, 1984. This amount has not been allocated to New Hampshire.

- Invoice #2-0009 dated March 12, 1984 contained expenditures allocable to New Hampshire totaling \$11,020 for opinion surveys dated February 22, 24, and 26, 1984. This amount also has not been allocated to New Hampshire.

<u>Maryland Vendor Recap</u>	<u>New Hampshire</u>
Invoice #2-0002	\$ 2,599.50
Invoice #2-0005	(1,036.12)
Invoice #2-0006	1,875.00
Invoice #2-00010	36,957.50
Invoice #2-0008	13,450.00
Invoice #2-0009	<u>11,020.00</u>
Total	<u>\$64,865.88</u>

Based upon the review of the above noted invoices, and the memorandum received October 24, 1984, the Audit staff has determined that the Committee underallocated polling expenses to Iowa totaling \$78.25 (Invoice 2-0002 \$2,447.19 - Invoice 2-0005 \$2,368.94), and underallocated polling expenses to New Hampshire totaling \$64,865.88.

A New York vendor provided what it termed "Focus Group Surveys" totaling \$20,553.62 to evaluate media placed in Iowa, New Hampshire and Massachusetts. The original documentation supporting these expenditures was deficient for determining the amount required to be allocated to each State in that it did not contain either the number of people interviewed or the dollar amount incurred in each State. The Committee applied the total amount (\$20,553.62) to national headquarters expenditures, and did not allocate any portion of the amount to Iowa or New Hampshire.^{6/}

^{6/} Notwithstanding the amounts of the above noted public opinion polls either not allocated or mis-allocated, the Committee deducted 20% of the amount that was allocated to Iowa and New Hampshire from these respective State limitations as exempt compliance and fundraising. See Finding II.A.2.d.

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On October 24, 1984, the Committee presented additional documentation to the Audit Division from the vendor. This documentation contained the number of "Respondents Interviewed by State".

Since the documentation showed that one fourth of the interviewees were in Iowa and one half were in New Hampshire, the Committee should have allocated \$5,138.41 [$\$20,553.62 \times (20/80)$] to Iowa and \$10,276.81 [$\$20,553.62 \times (40/80)$] to New Hampshire.

The interim audit report contained the Audit staff's recommendation that the Committee should obtain documentation from the vendor to support the information contained in the memorandum presented to the Audit Division regarding invoices #2-0002 and #2-0005 and present copies of this documentation to the Audit Division within 30 days of receipt of the interim report.

In the February 19, 1985 response, the Committee presented the vendor documentation supporting the information contained in their October 24, 1984 memorandum. The Committee also expressed its disagreement with the Audit staff's finding with respect to polls referenced on invoices #2-0002, #2-0005, #2-0006 and the "Focus Group Surveys".

The Committee argues that "those polls are nationwide polls (and so viewed by the polling organization), the costs of which are not allocated to any State under 11 C.F.R. § 106.2(c)(1)(iii). Each poll questioned persons in the several states and areas covered (with the exception of Florida in the poll referenced on invoice number 2-0005) at the same time using the same question. The purpose of those polls was to arrive at a national consensus of early decision makers for planning the national campaign."

The regulatory provisions noted above state that polls covering two or more States are to be allocated to those States based on the number of people interviewed in each state, while polls conducted on a nationwide basis need not be allocated to any State. Given that these polls were all conducted in 6 or fewer States, two of the three were originally allocated by the Committee in some fashion, and that in each case the polls covered one or more early primary States, no adjustment in the interim report allocations have been made for Invoices 2-0002, 0005, and 0006. Further, no adjustments to amounts allocated for the "Focus Group Surveys" has been made.

The Committee also expressed its disagreement that costs incurred for services performed by National Research, Inc. referenced on invoice number 2-00010 are allocable to New Hampshire. The Committee contends that since those costs were

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incurred for a phone bank that was set up in Maryland, those costs are not allocable to any State under 11 C.F.R. § 106.2(c)(1)(iii).^{7/}

As noted above, 11 C.F.R. § 106.2(a)(1) states that expenditures incurred by a candidate's authorized committee for the purpose of influencing the nomination of the candidate with respect to a particular State shall be allocated to that State, and that an expenditure shall not necessarily be allocated to the State in which the expenditure is incurred or paid. In addition, 11 C.F.R. § 106.2(b)(2)(v)(B) states that expenditures for telephone calls between two States need not be allocated to any State.

The Committee appears to be arguing that since the vendor who was paid to provide the New Hampshire voter identification and get-out-the-vote surveys was in Maryland, the interstate telephone exemption should apply to the vendor's telephone expenses. The interstate telephone call exemption applies to expenditures made for telephone calls between two States. This language indicates that the exemption applies to Committee telephone service, in that the expenditures are made by the Committee for telephone calls. In this case, the vendor incurred expenses for telephone service and, presumably, other operating expenses, while providing service to a client. The Committee, on the other hand, made an expenditure for voter identification and get-out-the-vote surveys, not for telephone calls. Therefore, since the location of the vendor is not relevant to the allocation of an expenditure to influence the candidate's nomination in a particular state, and since the exemption for interstate telephone calls does not apply to the vendor's expenses, no adjustment to the allocation in the interim audit report has been made.

The remaining invoices 2-0008 and 2-0009 were not addressed in the Committee response.

^{7/} It is assumed that the Committee intended to cite 11 C.F.R. § 106.2(b)(2)(v) (the interstate telephone service exemption) rather than 11 C.F.R. § 106.2(c)(1)(iii) (the nationwide polling exclusion). This assumption is made given the nature of the charges and the arguments contained in the response. Should this assumption be incorrect, it should be noted that 11 C.F.R. § 106.2(c)(1)(iii) excludes nationwide polls from allocation. This survey was conducted in only one state and is allocable under 11 C.F.R. § 106.2(b)(2)(vi). Therefore, 11 C.F.R. § 106.2(c)(1)(iii) is not applicable.

3. Other Expenditures Requiring Allocation

a. Telephone and Mail Programs

The Audit staff's review of documentation supporting expenditures in Iowa and New Hampshire revealed that the Committee engaged the services of two Washington, D.C. area vendors who conducted telephone and mail programs in Iowa and New Hampshire as follows:

Iowa

According to available documentation the Committee engaged one of the vendors to provide printing and telephone banks related to Iowa totaling \$140,000. The documentation from this firm contained notations that the billings were for time fees and other charges. Other documentation on file contained notations that the services were for an Iowa phone and mail program. The \$140,000 was paid in four installments. The first payment was \$20,000. A copy of this check contained a notation that the payment was for "Iowa Communication". This payment was allocated to Iowa. The remaining three payments were \$40,000 each. One of the \$40,000 checks contained a notation that it was for a "phone bank" and another of the checks indicated that it was for "phone". The Committee applied these three payments to its national headquarters telephone expenditures and did not allocate any portion of the \$120,000 to Iowa.

In the February 19, 1985 response to the interim audit report the Committee stated that:

"The Committee disagrees that the entire \$140,000 paid to Communications Management, Inc. for telephone and mail programs is allocable to Iowa...Of that amount, the cost of the telephone calls, which were made from Kansas City, Missouri and associated supervision and overhead are excludible interstate telephone calls pursuant to 11 C.F.R. Section 106.2(b)(2)(v)...The cost incurred for computer and fee time charges are properly chargeable to headquarters overhead pursuant to 11 C.F.R. Section 106.2(c)(1)(i). Only the charges relating to the mail program are allocable to Iowa."

The interstate telephone call exemption (11 C.F.R. § 106.2(b)(2)(v)(B)) was designed to eliminate the problems of trying to allocate telephone calls between offices of a campaign committee. As noted in 2.e. above, this regulation does not cover telephone expenses of third party vendors.

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The Audit staff also notes that the overhead regulation (11 C.F.R. § 106.2(c)(1)(i)) cited in the response was designed to alleviate the allocation of overhead expenditures incurred by a campaign committee at the national headquarters. This regulation cannot logically be extended to cover vendor overhead expenses. If such an interpretation were followed to its logical conclusion, almost any bill from any vendor could have a portion allocated to Committee overhead.

The allocations in the interim audit report for this expenditure are unchanged.

New Hampshire

The Committee made an expenditure to the same vendor totaling \$10,000 for what the invoice termed "Consulting and Printing New Hampshire". The Committee applied this payment to its national headquarters telephone expenditures and did not allocate any portion of the \$10,000 to New Hampshire.

Documentation from the other Washington, D.C. concern indicated that it printed, prepared, and mailed "letters, self mailers and leader kits" to New Hampshire Independents. The total cost of this service was \$19,628.09. The Committee paid \$7,078.09 toward the total costs and allocated this amount to New Hampshire. A notation on the check indicated that the service was for "New Hampshire Phone Bank-Interstate". However, when the Committee paid the \$12,600 balance, it was applied to its national headquarters telephone expenditures. No portion of this amount was allocated to New Hampshire.

In addition to the expenditures allocable to New Hampshire noted in the two preceding paragraphs, supporting documentation revealed that a Maryland mailing firm prepared and mailed 50,446 letters to persons in New Hampshire. The total expenditure (\$11,347.25) was applied to national political operations, and no portion of this amount was allocated to New Hampshire.

In the February 19, 1985 response to the interim audit report, the Committee provided a copy of additional documentation generated by the vendor which showed that costs totaling \$5,500 for "Consulting and Printing New Hampshire" were actually devoted to New Hampshire. The remaining costs (\$4,500) were devoted to other States. However, the Committee stated that it "has not been able to obtain a breakdown of the total charges for the two other mail programs, but will submit additional factual material as it becomes available".

Based upon the documentation submitted by the Committee, the Audit staff has reduced the amount of expenditures allocable to New Hampshire set forth in the recap on page 23 of this report by \$4,500.

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b. Political Buttons and Bumper Stickers

The Committee engaged the services of a North Carolina vendor to manufacture and ship political buttons and bumper stickers to several states. The Committee applied the entire cost of these items to its national headquarters expenditures. However, the Audit staff determined based upon the number of these items shipped to Iowa and New Hampshire that \$6,415.72 should have been allocated to Iowa and \$814.78 to New Hampshire.

In the February 19, 1985 response, the Committee stated that "since many of those items were picked up from Iowa and New Hampshire and carried south for distribution, the Committee believes that only one-third of those costs should be allocated to their respective States".

The Audit staff notes that the documentary evidence reviewed in conjunction with this finding indicated that these items were routinely shipped from the manufacturer to several States. The Committee has not provided any additional factual evidence that many of these items were picked up from Iowa and New Hampshire and carried south for distribution or that one third of the cost is a reasonable estimate of Iowa and New Hampshire usage. Therefore, the amounts allocated to Iowa (\$6,415.72) and New Hampshire (\$814.78) remain unchanged.

c. Miscellaneous Expenditures

The Audit staff verified other miscellaneous expenditures for video and other rental equipment incurred in Iowa totaling \$1,436.82 which were not allocated to Iowa. These items were not addressed in the Committee's response.

4. Debts and Obligations Requiring Allocation When Paid

The Audit staff noted that as of August 31, 1984, the Committee's recordkeeping system contained unpaid debts and obligations recognized by the Committee as allocable to Iowa totaling \$61,625.27 and New Hampshire totaling \$29,672.78. A review of the vendor invoices supporting these outstanding debts and obligations revealed that the Committee's figure was accurate.

In the interim audit report, the Audit staff commented that the Committee may wish to examine these items to determine if the Compliance and Fundraising exemptions provided for state office overhead are applicable.

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In the February 19, 1985 response, the Committee indicated that \$4,763.04 of the debt allocable to Iowa and \$2,492.74 allocable to New Hampshire should be excluded as exempt fundraising and complinace costs pursuant to 11 C.F.R. § 106.2(c)(5).

The Audit staff reviewed vendor invoices documenting the unpaid debts, and determined that the Committee included certain costs occuring within 28 calendar days of the Iowa caucus and the New Hampshire primary elections in its fundraising exemption. In consideration of the 28 day rule cited at 11 C.F.R. § 106.2(c)(5), the Audit staff determined that the Committee may properly exclude \$4,014.43 from the Iowa limitation and \$2,061.09 from the New Hampshire limitation as exempt fundraising and compliance costs. These adjustments are reflected in the recap of allocable expenditures on page 23 of this report. Copies of the Audit staff's working papers containing these adjustments were presented to the Committee for review.

The following is a recap of expenditures allocable to Iowa and New Hampshire as delineated in Finding II.A.

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Recap of Allocable Expenditures

	<u>Iowa</u>	<u>New Hampshire</u>
Amount Allocated by the Committee as of August 1984 See II.A.1	\$595,240.69	\$394,593.05
<u>Adjustments to Above Reported Totals:</u>		
II.A.2. a. Media Expenditures	(24,758.13)	5,102.02
II.A.2. b. Salaries, Employer FICA, and Consultant Fees	12,357.93	8,278.39
II.A.2. c. Intra-State Travel and Subsistence	11,496.83	32,951.95
II.A.2. d. (i) Compliance Costs and Fundraising Expenditures- Media	28,124.44	28,403.74
II.A.2. d. (ii) Compliance Costs and Fundraising Expenditures- Polling	2,333.68	8,432.02
II.A.2. d. (iii) Compliance Costs and Fundraising Expenditures - Telephone	12,848.68	7,655.31
II.A.2. d. (iv) Fundraising Expendi- tures - 28 day rule	5,635.11	4,448.62
II.A.2. e. Public Opinion Polling Expenditures	5,216.66	75,142.69
II.A.3. a. Telephone and Mail Programs	120,000.00	29,447.25
II.A.3. b. Political Buttons and Bumper Stickers	6,415.72	814.78
II.A.3. c. Miscellaneous Expenditures	1,436.82	-0-
II.A.4. Debts and Obligations	<u>57,610.84</u>	<u>27,611.69</u>
Total	\$833,959.27	\$622,881.51
Less 2 U.S.C. § 441a State Spending Limitation	<u>(684,537.50)</u>	<u>(404,000.00)</u>
Total Expenditures Incurred In Excess of State Limitations	<u>\$149,421.77</u>	<u>\$218,881.51</u>

The interim audit report contained the Audit staff's recommendation that within 30 days of receipt of the report, the Committee show that it had not exceeded the limitations. Further, absent a showing to the contrary, it was recommended that the Committee adjust its accounting records to reflect the expenditures allocable to Iowa and New Hampshire as delineated in the report and, where necessary, file amendments which reflect the correct amounts allocable to these two States.

In the February 19, 1985 response to the interim audit report, the Committee stated that the correct allocation to Iowa is \$586,482.74 and \$383,947.84 to New Hampshire. These amounts are within the statutory state spending limitations. No amendments were filed with the response to reflect changes in the reported allocations.

Recommendation

It is recommended that this matter be referred to the Office of General Counsel for further review.

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

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REC'D
OFFICE OF THE FEDERAL ELECTION COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION _____

MUR # 2072
STAFF: Patty Reilly

SOURCE OF MUR: INTERNALLY GENERATED

RESPONDENT'S NAME: John Glenn, the John Glenn Presidential Committee, Inc. and William R. White, as treasurer, et. al.

RELEVANT STATUTES: 2 U.S.C. § 431(9)(A)(i)
§ 431(9)(A)(ii)
§ 431(11)
§ 434(a)(1)
§ 434(a)(4)
§ 434(b)(1)
§ 434(b)(4)
§ 441a(a)(1)(A)
§ 441a(a)(4)
§ 441a(b)(1)(A)
§ 441a(c)
§ 441a(f)

26 U.S.C. § 9033
11 C.F.R. § 100.5(e)(3)
§ 100.8(b)(21)
§ 103.3(b)(1)
§ 103.3(b)(2)
§ 106.2(a)(1)
§ 106.2(d)
§ 106.2(b)(2)(ii)
§ 106.2(b)(2)(iii)
§ 106.2(b)(2)(iv)
§ 106.2(b)(2)(v)
§ 106.2(b)(2)(vi)
§ 106.2(i)(1)(i)
§ 106.2(c)(1)(iii)
§ 106.2(c)(2)
§ 106.2(c)(6)
§ 106.2(d)
§ 9033.1(a)
§ 9033.1(b)(9)

SENSITIVE

INTERNAL REPORTS CHECKED: The Final Audit Report of the John Glenn Presidential Committee, Inc.

FEDERAL AGENCIES CHECKED: None

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GENERATION OF MATTER

The Audit Division referred John Glenn, the John Glenn Presidential Committee Inc., (the "Committee") and William R. White, as treasurer, to the Office of General Counsel on August 15, 1985. The facts set forth below are based upon an audit conducted by the Commission pursuant to 26 U.S.C. § 9038(a).

SUMMARY OF ALLEGATIONS

No person may make contributions to any candidate and his authorized political committee, with respect to any election for Federal office which, in the aggregate, exceed \$1,000. 2 U.S.C. § 441a(a)(1)(A). For the purposes of the statute, a person includes any individual, partnership, or committee. 2 U.S.C. § 431(11). A review of the Glenn Committee's reports shows that 126 individuals, 7 partnerships, and 5 political committees exceeded the contribution limitation.^{1/} Based upon the Commission's recent decision in MUR 2086, this Office is recommending that reason to believe be found against the individuals, the partnerships, and the political committees for violating 2 U.S.C. § 441a(a)(1)(A) and that no further action be taken.

^{1/} The final audit report referred 143 contributors for making excessive contributions. However, a review of the contributor listed revealed that one individual had been listed 4 times, another individual was listed 2 times, and a partnership was also listed twice. Therefore, this report only contains a discussion of 138 contributors.

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The Act, at 2 U.S.C. § 441a(f), states that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations. The Glenn Committee apparently violated 2 U.S.C. § 441a(f) when it accepted the 138 contributions which exceeded the contribution limitations.

The treasurer of a political committee is required to file reports of receipts and disbursements in accordance with the provisions of the Act. 2 U.S.C. § 434(a)(1). Required information on these reports includes the amount of cash on hand at the beginning of each reporting period, as well as the total amount of all disbursements for the reporting period and the calendar year. 2 U.S.C. §§ 434(b)(1) and (4).

The Committee utilized a draft account from which staff members received bank drafts used in making disbursements. These disbursements were not reported until supporting memoranda were received from staff. As a result, the Committee overstated its cash on hand and understated its expenditures. Therefore, it appears the Committee and its treasurer violated 2 U.S.C. §§ 434(b)(1) and (4).

Candidates receiving matching funds are limited as to the amount of expenditures they may make per state in a campaign for nomination to Office of the President. 2 U.S.C. §§ 441a(b)(1)(A) and 441a(c). The Glenn Committee, since it received federal matching funds, is subject to these limitations. Under Sections 441a(b)(1)(A) and (c), the Committee was permitted to make expenditures during the 1984 nomination campaign totalling

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\$684,537.50 in Iowa and \$404,000.00 in New Hampshire. A review of documentation submitted to the Commission by the Committee reveals that the Committee made expenditures totalling \$833,959.27 in Iowa and \$622,881.51 in New Hampshire.

The principal campaign committee of a candidate for the Office of President is required to file reports in accordance with 2 U.S.C. § 434(a)(4). The Commission's regulations also require that Presidential primary candidates receiving matching funds allocate expenditures consistent with 11 C.F.R. § 106.2. All expenditures allocated under 11 C.F.R. § 106.2 must be reported on FEC Form 3P. 11 C.F.R. § 106.2(d). The "Recap of Allocable Expenditures" at page 25 includes several examples of where the Commission has determined that the Committee has either over- or under-allocated expenditures in Iowa and New Hampshire. Documentation submitted by the Committee reveals other examples, as discussed in the body of the report, where the Committee either under- or over-allocated expenditures. As a result, it appears the Committee did not comply with 2 U.S.C. § 434(a) and 11 C.F.R. § 106.2(a)(1) and (d).

A candidate seeking to become eligible to receive Presidential matching fund payments must agree that he and his authorized committee will comply with the conditions set forth in 11 C.F.R. § 9033.1(b)(9). See 11 C.F.R. § 9033.1(a), See also 26 U.S.C. § 9033. Section 9033.1(b)(9) states the following condition:

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"The candidate and the candidate's authorized committee(s) will comply with the applicable requirements of 2 U.S.C § 431 et seq., 26 U.S.C § 9031 et seq., and the Commission's regulations at 11 C.F.R. Parts 100 through 115 and 9031 through 9039."

This provision makes the candidate, as well as his authorized committee, responsible for compliance with the Federal Election Campaign Act, The Presidential Primary Matching Payment Account Act, and the Commission's regulations. The Glenn Committee did not comply with 2 U.S.C. §§ 441a(f), 434(b)(1), 434(b)(4), 441a(b)(1)(A) & (c), and 434(a). (see above discussion).

Therefore, Senator John Glenn is personally responsible for the Committee's failure to comply with the above cited statutes and regulations. As a result, Senator Glenn may have violated 11 C.F.R. § 9033.1(b)(9), 2 U.S.C §§ 441a(f), 434(b)(1), 434(b)(4), 441(b)(1)(A) and (c), and 434(a), and 11 C.F.R. § 106.2(a)(1) & (d).

FACTUAL AND LEGAL ANALYSIS

EXCESSIVE CONTRIBUTIONS

No person may make contributions to any candidate and his authorized political committee, with respect to any election for Federal office which, in the aggregate, exceed \$1,000. 2 U.S.C. § 441a(a)(1)(A). For purposes of the statute, a person includes any individual, partnership, or committee, other than a multi-candidate committee. 2 U.S.C. § 431(11).

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In the Reports of Receipts and Disbursements filed with the Commission, the Committee disclosed 133 contributions received from individuals and partnerships whose aggregate totals exceeded \$1,000. Contributions which appear to be illegal must, within 10 days, either be returned to the contributor or deposited and reported. 11 C.F.R. 103.3(b)(1). A statement noting that the legality of the contribution is in question must be included in the report. Id. When a contribution cannot be determined to be legal, refunds must be made within a reasonable amount of time. 11 C.F.R. § 103.3(b)(2).

Eighty-one refunds were made of excessive contributions totalling \$45,301. However, on the average, 136 days elapsed from the dates the contributions exceeded the limitations until the excessive portions were refunded. In addition, 51 reattributions of excessive contributions totalling \$30,025 have been authorized by the contributors. However, on the average, 126 days elapsed from the date the contributions exceeded the limitation until the reattributions were authorized. Finally, one excessive contribution totalling \$1,250 remains excessive as of September 24, 1985.

The Committee's reports also disclosed that the Committee received excessive contributions from five political committees that did not qualify as multicandidate committees under 2 U.S.C. § 441a(a)(4). Excessive portions of contributions from these committees totalled \$9,375. Although the Committee refunded the excessive amounts, an average of 282 days elapsed from the dates the contributions exceeded the limitations until the excessive portions were refunded.

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The Act, at 2 U.S.C. § 441a(f), states that no candidate shall knowingly accept any contribution in violation of the contribution limitations. The Glenn Committee apparently violated 2 U.S.C. § 441a(f) when it accepted the 138 contributions which exceeded the contribution limitations.

FAILURE TO REPORT DISBURSEMENTS TIMELY

The treasurer of a political committee is required to file reports of receipts and disbursements in accordance with the provisions of the Act. 2 U.S.C. § 434(a)(1). Information required to be reported includes the amount of cash on hand at the beginning of each reporting period, as well as the total amount of all disbursements for the reporting period and the calendar year. 2 U.S.C. §§ 434(b)(1) and (4).

In lieu of State office and advance staff checking accounts, the Committee maintained a headquarters draft account. Bank drafts of various denominations were issued to Committee staff for use in making disbursements. All drafts cleared through the Committee's headquarters draft account were returned with the periodic bank statements for the account.

Apparently it was Committee policy not to enter disbursements made from its draft account into the general ledger and, therefore, not to report these disbursements until supporting documentation was received at Committee headquarters. According to the audit report, in many instances the supporting

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documentation was not available at the closing date for filing reports. As a result of this practice, the Committee's Reports of Receipts and Disbursements routinely overstated cash on hand and understated disbursements, including expenditures allocable to States.

During the period from April 1983 through March 31, 1984, disbursements in the following amounts were not reported:

<u>Date</u>	<u>Cumulative Amount</u>
December 31, 1983 ^{2/}	\$ 60,096.97
January 31, 1984	146,535.51
February 29, 1984	230,535.74
March 31, 1984	312,495.98

On June 28, 1984, the Committee filed amendments to its Reports of Receipts and Disbursements for the period October 1, 1983 through April 30, 1984 disclosing the disbursements and correcting the cash balance.

The treasurer of a political committee is required to file reports of receipts and disbursements in accordance with the provisions of the Act. 2 U.S.C. § 434(a)(1). Required information on these reports includes the amount of cash on hand at the beginning of each reporting period, as well as the total amount of all disbursements for the reporting period and the calendar year. 2 U.S.C. §§ 434(b)(1) and (4).

^{2/} Although the difference began to accumulate as early as April 1983, only the most significant amounts are presented.

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The Committee utilized a draft account from which staff members received bank drafts used in making disbursements. These disbursements were not reported until supporting memoranda were received from staff. As a result, the Committee overstated its cash on hand and understated its expenditures. Therefore, it appears the Committee and its treasurer violated 2 U.S.C. §§ 434(b)(1) and (4).

STATE-BY-STATE EXPENDITURE LIMITATIONS

Candidates receiving matching payments under the Presidential Primary Matching Payment Account Act are subject to state-by-state expenditure limitations. These limitations provide that eligible candidates may not incur expenditures in any one state that exceed the greater of sixteen cents multiplied by the voting age population of the state or \$200,000, as adjusted by changes in the Consumer Price Index. 2 U.S.C. §§ 441a(b)(1)(A) and 441a(c). For purposes of 2 U.S.C. § 441a(b), the language "may not make expenditures" includes both expenditures made and written contracts, promises, or agreements to make expenditures. See 2 U.S.C. §§ 431(9)(A)(i) & (ii).

Under the Act the Committee was permitted to spend up to \$684,537.00 in Iowa and up to \$404,000.00 in New Hampshire. The Committee's FEC Form 3P, Page 3 filed for the period ending August 31, 1984 contained allocated expenditures totalling

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\$703,124.62 for Iowa and \$468,841.70 for New Hampshire. In addition, the Committee's recordkeeping system contained additional unpaid expenses recognized as allocable to Iowa totalling \$61,625.67 and to New Hampshire totalling \$29,672.70 which would be added to these state reported allocations when paid. The Committee later made adjustments to these figures which reduced the amount allocable to Iowa to \$586,482.74 and the amount allocable to New Hampshire to \$383,947.84.^{3/}

The adjusted figures are within the expenditure limitations for Iowa and New Hampshire. However, a review of documentation submitted by the Committee revealed several areas requiring additional adjustments to the Iowa and New Hampshire expenditure allocation figures. These additional adjustments, detailed below, demonstrate that the Committee has exceeded the expenditure limitations for both Iowa and New Hampshire.

Calculation Errors

In the audit report, the Commission found that the Committee's allocations contained a number of errors. The Committee did not use the most recent revision to the general ledgers in all cases and the Commission also determined that accounts payable at December 31, 1983 were not treated properly. In addition, the Committee's general ledger generates two

^{3/} These adjustments were made in response to the Commission's interim audit report.

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summary totals each month providing different information. The Committee did not consistently add the same total. Adjustments were made to correct this inconsistency and to include all appropriate amounts as of August 31, 1984.

Considering this information, the Commission decided in the final audit report that, prior to the application of the adjustments described below, the FEC Form 3P, Page 3 filed for the period ending August 31, 1984 should have contained expenditures allocated to Iowa and New Hampshire totalling \$595,210.69 and \$394,593.05, respectively.

Media Expenditures

Expenditures for radio, television, and similar types of advertisements purchased in a particular media market that covers more than one state must be allocated to each state in proportion to the estimated audience. 11 C.F.R. § 106.2(b)(2)(i)(B). These allocations must be made using industry market data. Id.

The Committee allocated radio and television broadcasts based upon total household estimates contained in A.C. Nielson Company's U.S. Television Household Estimates. A review of the documentation by the Audit Division uncovered two media expenditure misstatements that resulted from the Committee's use of the media firm's preliminary allocations and its failure to make appropriate corrections when final figures were received.

The Commission-approved audit report noted that the Committee understated its media expenditures in New Hampshire by \$5,102.02. The allocation in question involved media expenditures at WMUR-TV. The Committee did not allocate

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any portion of its \$24,193.19 of expenditures at the station. However, Nielson's U.S. Television Household Estimates states that 14.6% of WMUR-TV's market share is in New Hampshire. Therefore, 14.6% of the \$24,193.19 in media expenditure (\$5,102.02) should be allocated to New Hampshire. The Commission's final audit report also found that the Committee overstated its Iowa media allocation by \$24,758.13.

Salaries, Employee, FICA, etc.

Salaries paid to persons working in a particular state five or more consecutive days, including advance staff, must be allocated to each state in proportion to the amount of time spent in that state during a payroll period. 11 C.F.R. § 106.2(b)(2)(ii). The audit report contained a finding that Committee had staff members incurring expenditures in Iowa and New Hampshire for five or more consecutive days. The physical evidence included hotel bills showing individuals registered at hotels for five or more consecutive days, rental car contracts in individuals' names for five or more consecutive days, expense vouchers showing individuals making expenditures in the same state for five or more consecutive days, and cash advances or per diem requests stating that an individual would be in the same state for five or more consecutive days. Based upon a review of this evidence, it appears that additional salaries, employer FICA, and consultant fees totalling \$12,357.93 should be allocated to Iowa and \$8,278.39 to New Hampshire.

Intra-State Travel and Subsistence

Travel and subsistence expenditures for persons working in a state for five consecutive days or more must be allocated to that

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state in proportion to the amount of time spent in each state during a payroll period. 11 C.F.R. § 106.2(b)(2)(iii). The audit report noted that supporting documentation revealed that expenditures for subsistence and intra-state travel were incurred by persons temporarily assigned within Iowa or New Hampshire for five or more consecutive days; however, these expenditures were not allocated to either Iowa or New Hampshire. The documentation relied upon was the same physical evidence discussed in the above section. Based upon this evidence, the Commission's audit report contained a finding that additional intra-state travel and subsistence expenditures totalling \$11,496.83 should be allocated to Iowa and \$32,951.95 to New Hampshire.

Exemption for Compliance and Fundraising

Of the amounts of media and polling allocated to Iowa and New Hampshire, the Committee apparently excluded a flat 20% across the board, as allocable to exempt fundraising and compliance. Overhead expenditures of offices located in a particular state must be allocated to that state. 11 C.F.R. § 106.2(b)(2)(iv). At 11 C.F.R. § 106.2(c)(5), the Commission's regulations allow an amount equal to 10% of campaign workers' salaries and overhead expenditures in a particular state to be excluded from allocation to that state as an exempt compliance cost. An additional 10% of salaries and overhead may be excluded as an exempt fundraising cost. 11 C.F.R. § 106.2(c)(5). These exemptions apply only to campaign workers' salaries and to overhead expenditures. Id. In response to the interim audit report, the Committee supplied the Commission with a memorandum

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from an accounting firm which stated that "these costs were allocated to the various cost centers by means of the overhead pool to avoid a judgemental allocation...." In the final audit report the Commission rejected the Committee's arguments that 1) media and polling were overhead expenditures and/or 2) that a 20% exemption should be granted for "administrative convenience".

Polling and media expenditures are not included in the examples of overhead expenditures set forth at 11 C.F.R. § 106.2(b)(2)(iv). This subsection includes as examples of overhead expenditures; rent, utilities, office equipment, furniture, supplies, and telephone base charges. While the examples are not exhaustive, they do convey a certain sense of the types of expenditures that should be considered as overhead expenditures. Polling and media expenditures would not appear to come within any traditional definition of "overhead". Polling and media expenditures also would not appear to come within any traditional definition of "salary". 11 C.F.R. § 106.2(c)(6) does not contain authority for the Committee to apply a flat 10% exemption for compliance and fundraising to media and polling expenditures. The Committee, however, did apply the exemptions. Therefore, it appears the Committee misstated its Iowa allocation by \$18,843.34 and its New Hampshire allocation by \$36,835.76.

The Committee also applied a 100% fundraising exemption for a 30 minute broadcast that ran in Iowa during October of 1983.

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See 11 C.F.R. § 100.8(b)(21). Documentation supplied by the Committee shows that the ad contained a voice over which stated "John Glenn ... needs your help ... your financial help." On August 14, 1985 the Commission determined in the Glenn Final Audit Report that based "on a review of this material [Committee documentation], it appears that the broadcast was for both fundraising and organizational purposes." The Commission, in the final audit report, then determined that 50% of the cost of the ad attributable to the Iowa allocation should be exempted as a fundraising cost under 11 C.F.R. § 100.8(b)(21) while the remaining 50% of the cost of the broadcast should be allocated to the Iowa expenditure limitations. The total cost of the broadcast allocable to Iowa was \$18,562.20. The Commission's determination means that 50% of the cost, \$9,281.10, should be allocable to Iowa. The Committee did not allocate any of this amount to Iowa; thus they understated their Iowa allocation by \$9,281.10.

Telephone

The Committee originally applied the full amounts of expenditures for total telephone service, including interstate service related to Iowa and New Hampshire, to the Iowa and New Hampshire limitations. Twenty percent of the expenditures associated with Iowa and with New Hampshire were excluded from the respective state limitations based upon the Committee's interpretation of the provisions concerning exempt compliance and fundraising.

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After realizing that only base charges and long distance calls within a state (rather than gross charges) required allocation to the state, the Committee analyzed invoices associated with telephone companies in Iowa and New Hampshire and reallocated the expenditures. However, the audit report found that the Committee failed to adjust the corresponding amounts charged to exempt categories. As a result, it appears that an additional amount of telephone expenditures totalling \$12,848.68 is allocable to Iowa and \$7,655.31 is allocable to New Hampshire.

Fundraising Expenditures - 28 Day Rule

As part of the audit process, the Audit Division conducted a review to determine whether any fundraising expenditures that incurred within 28 days of the Iowa and New Hampshire primaries had been improperly excluded from state limitations under the 10% rule. See 11 C.F.R. §§ 110.8(c)(2) and 106.2(c)(5). Based upon this review, the audit report contained a finding that an additional amount totalling \$5,635.11 should be allocated to Iowa and \$4,448.62 to New Hampshire.

Public Opinion Polling Expenditures

Expenditures incurred for the taking of a public opinion poll covering two or more states are allocable to those states, 11 C.F.R. § 106.2(b)(2)(vi), except expenditures for a nationwide poll need not be allocated. 11 C.F.R. § 106.2(c)(1)(iii). The regulations state that public opinion polls must be allocated

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according to the number of people interviewed in each state. 11 C.F.R. §106.2(b)(2)(vi). The Committee failed to allocate a number of multi-state public opinion polls. The audit report states that no more than six states were involved in any of the polls and early primary or caucus states were always involved. However, several documents from the vendors contained statements that certain of these polls were national surveys.

The following are specific instances in which the costs of the polls, relating exclusively, or in part, to Iowa and New Hampshire were either not allocated or were misallocated with respect to the Iowa and New Hampshire limitations:

Invoice #2-0002 dated July 28, 1983 contained a statement that the poll was a "National Survey" although the invoice listed Iowa, New Hampshire, Alabama, and "Midwest Counties" as the areas in which the survey was conducted. The invoice listed the total fee for the survey (\$40,150) and the total number of people (1,318). An insertion made on the invoice indicated that the survey was conducted in six states. Therefore, the Committee allocated one-sixth (\$6,691.66) to Iowa and one-sixth to New Hampshire.

On October 24, 1984, the Committee presented a memorandum to the Audit Division which contained a listing of interviewees in each of the six states. It appears that that the memorandum was prepared by the Committee after obtaining the information orally from the polling firm.

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Based upon the number of people interviewed in Iowa and New Hampshire, as listed in the memorandum, the audit report identified, and the Commission approved, additional polling expenses allocable to Iowa totaling \$2,447.19 [$\$40,150 \times (300/1318)$] - [$\$40,150 \times (1/6)$] and to New Hampshire totaling \$2,599.50 [$\$40,150 \times (305/1318)$] - [$\$40,150 \times (1/6)$].

Invoice #2-0005 dated December 13, 1983 also contained a statement that the poll was a "National Survey" although the invoice listed Iowa, New Hampshire, Georgia, Alabama and Florida as the states in which the survey was conducted. The invoice listed one total fee for the survey and one total for the number of people interviewed. Therefore, the Committee allocated one-fifth (\$11,668.40) to Iowa and one-fifth to New Hampshire.

The Committee's memorandum noted above contained a listing of the number of interviewees in each of the five states. Based upon the number of people interviewed in Iowa and New Hampshire, as listed in the memorandum, the Commission determined that the Committee overallocated polling expenses to Iowa in the amount of \$2,368.94 [$\$62,370 \times (307/2059)$] - [$\$58,342 \times (1/5)$]^{4/} and that the Committee overallocated expenditures to New Hampshire in the amount of \$1,036.12 [$\$62,370 \times (351/2059)$] - [$\$58,342 \times (1/5)$].

^{4/} The Committee failed to allocate a portion of this invoice totalling \$4,028.00.

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Invoice #2-0006 for \$5,000 dated December 13, 1983 for a survey conducted in four states contained the number of interviewees in each state as follows:

New Hampshire	150
Florida	100
Alabama	75
Georgia	<u>75</u>

TOTAL 400

The Committee did not allocate any portion of this survey to New Hampshire; however, the Commission in the final audit report determined that the regulations require that \$1,875 [$\$5,000 \times (150/400)$] be allocated to New Hampshire.

Invoice #2-00010 dated March 12, 1984 totaling \$36,957.50 contained a statement that the service performed as "For National Research, Inc." The invoice also contained a statement that the fee was for "New Hampshire Voter ID and GOTV (February 6 - February 28, 1984)".

The Committee did not allocate any of the amount to New Hampshire. The audit report concluded, and the Commission concurred, that the entire amount should be allocated to New Hampshire.

Invoice #2-0008 dated February 20, 1984 contained expenditures that appear to be allocable to New Hampshire totaling \$13,450 for opinion surveys dated February 12, 19, and 21, 1984. The interim audit report concluded that these amounts

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should have been allocated to New Hampshire. The Committee's response to the interim audit report did not discuss the allocation of the polling expenditures referenced by invoice number 2-0008. This amount has not been allocated to New Hampshire. However, after reviewing the documentation it appears that this amount should have been allocated to New Hampshire.

Invoice #2-0009 dated March 12, 1984 contained expenditures allocable to New Hampshire totaling \$11,020 for opinion surveys dated February 22, 24, and 26, 1984. The interim audit report concluded that these amounts should have been allocated to New Hampshire. The Committee did not respond to this finding. It would appear that this amount should have been allocated to New Hampshire.

Focus Group Surveys

A New York vendor provided what it termed "Focus Group Surveys" totalling \$20,553.62 to evaluate media placed in Iowa, New Hampshire, and Massachusetts. The Committee applied the total amount to national headquarters expenditures, and did not allocate any portion of the amount to Iowa or New Hampshire. Since documentation showed that one fourth of the interviewees were in Iowa and one half were in New Hampshire, the Committee should have allocated \$5,138.41 ($\$20,553.62 \times 1/4$) to Iowa and \$10,276.81 ($\$20,553.62 \times 1/2$) to New Hampshire.

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<u>Polling Recap</u>	<u>New Hampshire</u>	<u>Iowa</u>
Invoice #2-0002	\$2,599.50	\$2,447.19
Invoice #2-0005	(1,036.12)	(2,368.94)
Invoice #2-0006	1,875.00	- - -
Invoice #2-0010	36,957.50	- - -
Invoice #2-0008	13,450.00	- - -
Invoice #2-0009	11,020.00	- - -
Focus Group Surveys	<u>10,276.81</u>	<u>5,138.41</u>
Total	<u>\$75,141.69</u>	<u>\$5,216.66</u>

Based upon the review of the above noted invoices, it appears Committee underallocated polling expenses to Iowa totalling \$5,216.66 and underallocated polling expenses to New Hampshire totalling \$75,141.69.

Telephone and Mail Programs

The Committee engaged a vendor to provide printing and telephone banks relating to Iowa totalling \$140,000. The \$140,000 was paid in four installments. The first payment of \$20,000, contained the notation that the payment was for "Iowa Communication." This was originally allocated to Iowa. Two of the three remaining payments of \$40,000, contained notations that the payments were for "phone".

In its response to the interim audit report, the Committee stated that the entire \$140,000 should not be allocable to Iowa. "Of that amount, the cost of the telephone calls, which were made from Kansas City, Missouri, and associated supervision and

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overhead are excludable interstate telephone calls pursuant to 11 C.F.R. § 106.2(b)(2)(v). The cost incurred for computer and fee time charges are properly chargeable to headquarters overhead pursuant to 11 C.F.R. § 106.2(c)(1)(i)."

The plain words of the Regulations, and related Explanations and Justifications, demonstrate that the interstate telephone service exemption was designed to eliminate the problem of allocating campaign committees' interstate telephone calls, not the calls of their vendors. See 11 C.F.R. §§ 106.2(b)(2)(v) and 106.2(b)(2)(iv); see also 48 Fed. Reg. 5225 (1983). The Committee, however, would like to extend this exemption to cover the telephone expenses of third party vendors. What occurred in this particular instance is that the Committee contracted with a vendor to provide a "telephone bank" service. The expenditures made by the Committee, that the Committee argues are exempt from allocation, were in payment of this service. Since it was the vendor, not the Committee, paying for the telephone service, the exemption does not apply.

The operating expenditure exemption at 11 C.F.R. § 106.2(c)(1)(i) does not apply to third party vendors. The language of the Regulation makes it quite clear that the exemption only applies to the national headquarters of the Committee. The Regulation states that "overhead expenditures of the national campaign headquarters need not be allocated to any state". Id. (emphasis added) The Regulation does not speak in terms of the operating expenditures of third party vendors.

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The Committee also incurred a \$10,000 expenditure for what the invoice termed "consulting and printing New Hampshire" and a \$12,600 expenditure for "New Hampshire Phone Bank - Interstate." Both expenditures were applied to national headquarters telephone expenditures. The Committee also had a \$11,347.25 expenditure for a New Hampshire mailing that was applied to national political operations.

The Commission determined that the expenditures for the New Hampshire mailing and for the New Hampshire Phone Bank - Interstate should have been allocated to New Hampshire. In its response to the interim audit report, the Committee provided additional documentation showing that of the \$10,000 for "Consulting and Printing New Hampshire", \$5,500 was actually devoted to New Hampshire and \$4,500 was devoted to other states. This documentation was supplied by the vendor. Based upon this documentation, the final audit report concluded that \$5,500 for "Consulting and Printing New Hampshire, should have been allocated to New Hampshire.

Political Buttons and Bumper Stickers

The Committee engaged the services of a North Carolina vendor to manufacture and ship political buttons and bumper stickers to Iowa and New Hampshire. The Committee initially applied the entire cost of these items to its national headquarters expenditures. The interim audit report, however, concluded that the entire cost of these items should have been

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allocated to Iowa and New Hampshire. In its response to the interim report the Committee argued that although the buttons and stickers were shipped to Iowa and New Hampshire, it was "common knowledge" that they were later delivered to other states. Therefore, the Committee argued that only a portion of the cost (one-third) should be allocated to Iowa and New Hampshire. The Commission, however, concluded that based upon the number of these items shipped to Iowa and New Hampshire \$6,415.72 should have been allocated to Iowa and \$814.78 should have been allocated to New Hampshire.

Miscellaneous Expenditures

The final audit report concluded that miscellaneous expenditures, totalling \$1,436.82 for video and other rental equipment used in Iowa, should have been allocated to Iowa.

The Committee's record keeping system contained unpaid debts and obligations recognized by the Committee as allocable to Iowa totalling \$61,625.27 and to New Hampshire totalling \$29,672.27. A review of the vendor invoices supporting these outstanding debts and obligations revealed that the Committee's figures were accurate. The Committee failed to apply the fundraising and compliance cost exemption of 11 C.F.R. § 106.2(c)(5) to these amounts. After applying the exemption, the Committee remains with debts and obligations allocable to Iowa totalling \$57,610.84 and \$27,611.69 in New Hampshire.

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Recap of Allocable Expenditures

	<u>Iowa</u>	<u>New Hampshire</u>
Amount Allocated by the Committee as of August 1984 See II.A.1	\$586,482.44	\$383,947.84
<u>Adjustments to Above Reported Totals:</u>		
Procedural Errors	8,758.25	10,645.21
Media Expenditures	(24,758.13)	5,102.02
Salaries, Employer FICA, and Consultant Fees	12,357.93	8,278.39
Intra-State Travel and Subsistence	11,496.83	32,951.95
Compliance Costs and Fundraising Expenditures	30,458.12	36,835.76
Telephone	12,848.68	7,655.31
Fundraising Expenditures - 28 day rule	5,635.11	4,448.62
Public Opinion Polling Expenditures	5,216.66	75,142.69
Telephone and Mail Programs	120,000.00	29,447.25
Political Buttons and Bumper Stickers	6,415.72	814.78
Miscellaneous Expenditures	<u>59,047.66</u>	<u>27,611.69</u>
Total	\$833,959.27	\$622,881.51
Less 2 U.S.C. § 441a State Spending Limitation	<u>(684,537.50)</u>	<u>(404,000.00)</u>
Total Expenditures Incurred In Excess of State Limitations	<u>\$149,421.77</u>	<u>\$218,881.51</u>

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Summary

The Commission's regulations at 11 C.F.R. § 106.2(a)(1) state that "[e]xcept for expenditures exempted under 11 C.F.R. 106.2(c), expenditures incurred by a candidates authorized committee(s) for the purpose of influencing the nomination of that candidate for the office of President with respect to a particular state shall be allocated to that state." As discussed above, the final audit report contained several findings that the Committee failed to allocate certain allocable expenditures to Iowa and New Hampshire. Documentation submitted by the Committee reveals other examples where the Committee failed to allocate allocable expenditures to either Iowa or New Hampshire. Apparently the Committee did not comply with 11 C.F.R § 106.2(a)(1)/

A recap of the misallocations shows that the Committee incurred allocable expenditures in Iowa of \$833,959.27 and allocable expenditures of \$522,881.51 in New Hampshire. Candidates receiving matching payments under the Presidential Matching Payments Account Act are subject to state-by-state expenditure limitations. These limitations state that eligible candidates may not incur expenditures in any one state that exceeds the greater of sixteen cents multiplied by the voting age population of the state or \$200,000, as adjusted by the Consumer Price Index. 2 U.S.C. §§ 441a(b)(1)(A) and 441a(c). Under the Act, the Committee was permitted to spend up to \$684,537.50 in Iowa and up to \$404,000.00 in New Hampshire. The Committee

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exceeded the Iowa limitation by \$149,421.77 (833,959.27 - 684,537.50) and the New Hampshire limitation by \$218,881.51 (\$622,881.51 - \$404,000.00) in violation of 2 U.S.C. §§ 441a(b)(1)(A) and 441a(c).

FAILURE TO PROPERLY REPORT STATE ALLOCATIONS

The principal campaign committee of a candidate for the Office of President is required to file reports in accordance with 2 U.S.C. § 434(a)(4). The Commission's regulations also require that Presidential primary candidates receiving matching funds allocate expenditures consistent with 11 C.F.R. § 106.2. All expenditures allocated under 11 C.F.R. § 106.2 must be reported on FEC Form 3P. 11 C.F.R. § 106.2(d). The "Recap of Allocable Expenditures" at page 25 includes several examples of where the Commission has determined that the Committee has either over- or under-allocated expenditures in Iowa and New Hampshire. Documentation submitted by the Committee reveals other examples, as discussed in the body of the report, where the Committee either under- or over-allocated expenditures. As a result, it appears the Committee did not comply with 2 U.S.C. § 434(a) and 11 C.F.R. § 106.2(d).

CANDIDATE'S AGREEMENT

Candidates seeking to become eligible to receive Presidential matching fund payments must agree that he and his authorized committee will comply with the conditions set forth in

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11 C.F.R. § 9033.1(b)(9). See 11 C.F.R. § 9033.1(a). See also
26 U.S.C. § 9033. Section 9033.1(b)(9) states the following
condition:

The candidate and the candidate's authorized
committee(s) will comply with the applicable
requirements of 2 U.S.C § 431 et seq., 26 U.S.C
§ 9031 et seq., and the Commission's regulations
at 11 C.F.R. Parts 100 through 115 and 9031
through 9039.

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This provision makes the candidate, as well as his authorized
committee, responsible for compliance with the Federal Election
Campaign Act, The Presidential Primary Matching Payment Account
Act, and the Commission's regulations. Apparently the Glenn
Committee did not comply with 2 U.S.C. §§ 441a(f), 434(b)(1),
434(b)(4), 441a(b)(1)(A) & (c), and 434(a) and 11 C.F.R.
§§ 106.2(a)(1) & (d). (see above discussion). Therefore,
Senator John Glenn is personally responsible for the Committee's
failure to comply with the above cited statutes and regulations.
As a result, it appears Senator Glenn violated 2 U.S.C
§§ 441a(f), 434(b)(1), 434(b)(4), 441a(b)(1)(A)&(c), and 434(a),
and 11 C.F.R. §§ 106.2(a)(1) & (d).

RECOMMENDATIONS

1. Find reason to believe that the individuals and political
committees listed on attachment 1 violated 2 U.S.C.
§ 441a(a)(1)(A) of the Federal Election Campaign Act of
1971, as amended, and take no further action.
2. Find reason to believe that the John Glenn Presidential
Committee, Inc. and William R. White, as treasurer, violated
2 U.S.C. §§ 441a(f), 434(b)(1), 434(b)(4), 441a(b)(1)(A) &
(c), and 434(a), of the Federal Election Campaign Act of
1971, as amended, and 11 C.F.R §§ 106.2(a)(1) & (d).

3. Find reason to believe that Senator John Glenn violated 2 U.S.C. §§ 441a(f), 434(b)(1), 434(b)(4), 441a(b)(1)(A) & (c), and 434(a) of the Federal Election Campaign Act of 1971, as amended, and 11 C.F.R. §§ 106.2(a)(1) & (d).
4. Approve the attached letters.
5. Approve the attached General Counsel's Factual and Legal Analysis.

Charles N. Steele
General Counsel

October 12, 1985
Date

BY:

Kenneth A. Gross
Associate General Counsel

Attachments

1. List of Respondents
2. Letter (3)
3. Referral Materials
4. General Counsel's Factual and Legal Analysis (3)

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ATTACHMENT I

William C. Bowers
Norman Broad
John J. Coury
Robert J. Craukshank
Sy DeCesare
Robin Chandler Duke
John E. Fisher
J. James Fu
Richard J. Kelley
William Levy
Dennis K. McCormack
Mike McKinney
Gerry E. Pate
Allen L. Patrick
Ralph Peters
Edward I. Rudman
Bonnie Snyder
Karen Spencer
Alex Theriot
David K. Ting
Morton Weisberg
Hansell, Post, Brandon & Dorsey
McDonald and Company
Aaron Aronov
Maria Battaglino
Cathy S. Bernard
Sandra Biller
J.S. Blanton
Howard Brent
William D. Brown
Yvonne P. Brown
Carmen D. Celluci
William O. Cooley
George Fan
Michael V. Forrestal
Robert C. Golden
Karen Gottovi
James F. Graham
Claire M. Hoover
William E. Hunt
Marie S. Jacobs
Irving Kay
Dean Lampros
Robert E. Lowder
James P. McNamara
Christos Papatheodour
Helen Raffel
E. John Rosenwald, Jr.
Steven M. Schrager
Stanley P. Smith
Josiah A. Spaulding, Jr.
George Strike

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Angelo K. Tsakopoulos
Harris, Beach, Wilcox, Rubin & Levy
Robinson & Robinson
Helen B. Abercrombie
Lois Rose Allenices
Truman Arnold
Frank Bessoni
Ray Clymer, Jr.
Allen Finesilver
Oliver S. Heard, Jr.
Gary D. Helf
Alan Himmel
Juanita Jeys
Robert E. Lee
John R. Leone
A. R. Mays
John A. Mazzucco
John C. Mitchell
John W. Peavy, Jr.
Pamela Ray
Lenore G. Schottenstein
George W. Zeluff, II
Sandra Sewell
Babette L. Sirak
A. Visconi, II
Ernest Wallengren
Guilfoil, Petzall and Shoemake
Kee & Lau-Kee
Joseph A. Redfield
Dennis R. Farley
John P. Imlay, Jr.
Bob Lanier
Nathan Levy
George McGuffin
H. E. Rainbolt
John Rossiter
David T. Rubin
Fred J. Brinkman
Geoffrey Brown
James C. Burger
Hugh Calkins
Robert R. Chait
John J. Curran
Raymond H. Eaves
J. A. Elkins, Jr.
Glen B. Evans, Jr.
Gerard A. Fulham

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Robert S. Garek
Virgil Gladieux
T.F. Glass, Jr.
Ran Hettina
I.M. Kay
Hamilton G. Kenner
Chao-Han Lin
John D. Logan
Alexander H. McNeil
Edward L. Merrigan
Charles J. Pilliod, Jr.
William E. Roberts
Charles Schilleci
Leland Schubert
Marvin Schwartz
William D. Sellers
Richard R. Stander
Geraldine J. Torrey
Clifford W. Archer
George F. Baker, III
Benjamin F. Byrd, Jr.
Frederick B. Hegi, Jr.
James Jameson
James E. King
Donald F. Lieb
Charles R. Mathes, Jr.
John W. Osborn
Allan Schaefer
Dwight Owen Schweitzer
Albin W. Smith
Stephen Hewlett
Elaine Miller
RMS Management Account
Paul Durham
Committee to Re-Elect Congressman for Multi-Family Housing
and Sondra Linden, as treasurer
Brickler & Eckler Political Action Committee
and Elisabeth A. Squeglia, as treasurer
L.F. Rothschild Unterberg Towbin PAC-Federal Account
and Andrew Blum, as treasurer
United Employee Political Action Committee
and William Russell Nixon, as treasurer
Vernon, Liipfert, Bernhard, and McPherson Political Action
Committee and John A. Merrigan, as treasurer.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL
FROM: MARJORIE W. EMMONS/JODY C. RANSOM *JCR*
DATE: OCTOBER 11, 1985
SUBJECT: OBJECTION - MUR 2072 General Counsel's
Report signed October 10, 1985

The above-named document was circulated to the
Commission on Friday, October 11, 1985 at 2:00.

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

Commissioner Aikens _____
Commissioner Elliott _____
Commissioner Harris _____
Commissioner Josefiak _____
Commissioner McDonald X (comments attached)
Commissioner McGarry _____

This matter will be placed on the Executive Session
agenda for Thursday, October 17, 1985.

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SENSITIVE



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

11 P 3:27

Date and Time Transmitted: FRIDAY, 10-11-85, 2:00

COMMISSIONER: MCGARRY, AIKENS, McDONALD, ELLIOTT, JOSEFIK, HARRIS

RETURN TO COMMISSION SECRETARY BY WEDNESDAY, 10-16-85, 2:00

SUBJECT: MUR 2072 - General Counsel's Report
signed October 10, 1985

- () I approve the recommendation
- () I object to the recommendation

COMMENTS: For discussion purposes.

Date: 10-11-85 Signature: Downey M. Downey

A DEFINITE VOTE IS REQUIRED. ALL BALLOTS MUST BE SIGNED AND DATED.

PLEASE RETURN ONLY THE BALLOT TO THE COMMISSION SECRETARY.

PLEASE RETURN BALLOT NO LATER THAN THE DATE AND TIME SHOWN ABOVE.

From the Office of the Commission Secretary

88040711739

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
The John Glenn Presidential) MUR 2072
Committee, Inc. and)
William R. White, as)
treasurer, et al.)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of October 17, 1985, do hereby certify that the Commission took the following actions in MUR 2072:

1. Decided by a vote of 6-0 to
 - a) find reason to believe that the following individuals, political committees, and partnership violated 2 U.S.C. § 441a(a) (1) (A) of the Federal Election Campaign Act of 1971, as amended:
 - 1) Brickler & Eckler Political Action Committee and Elisabeth A. Squeglia, as treasurer.
 - 2) United Employee Political Action Committee and William Russell Nixon, as treasurer.
 - 3) Allen L. Patrick.
 - 4) Hansell, Post, Brandon, & Dorsey.
 - 5) John A. Mazzucco.
 - 6) Stephen Hewlett.

(continued)

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- b) find reason to believe that the other individuals and political committees, except for L.F. Rothschild Unterberg Towbin PAC-Federal Account and Andrew Blum, as treasurer, listed on Attachment I of the General Counsel's October 10, 1985 report, have violated 2 U.S.C. § 441a(a)(1)(A) of the Federal Election Campaign Act of 1971, as amended, and take no further action.

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

2. Decided by a vote of 6-0 to find reason to believe that the John Glenn Presidential Committee, Inc. and William R. White, as treasurer, violated 2 U.S.C. §§ 441a(f), 434(b)(1), 434(b)(4), 441a(b)(1)(A) & (c), and 434(a), of the Federal Election Campaign Act of 1971, as amended, and 11 C.F.R. §§ 106.2(a)(1) & (d).

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

3. Decided by a vote of 6-0 to reject recommendation #3 contained on page 29 of the October 10, 1985 report from the Office of General Counsel.

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

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4. Decided by a vote of 6-0 to direct the Office of General Counsel to
- a) Rewrite the Factual and Legal Analysis to conform with the Commission discussion of this date;
 - b) Send the appropriate letters.

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

Attest:

10-21-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

88040711792



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mr. Virgil A. Gladieux
4343 West Bancroft Street
Toledo, OH 43615

RE: MUR 2072
Virgil A. Gladieux

Dear Mr. Gladieux:

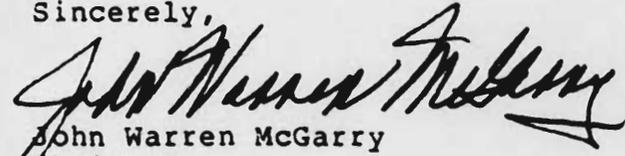
On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 437g(a)(2)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711793



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. T.F. Glass, Jr.
143 Stoney Creek
Houston, TX 77024

RE: MUR 2072
T.F. Glass, Jr.

Dear Mr. Glass:

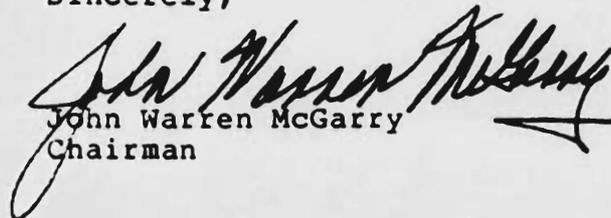
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The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711794



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Ran Hettena
1016 Fifth Avenue
New York, NY 10028

RE: MUR 2072
Ran Hettena

Dear Mr. Hettena:

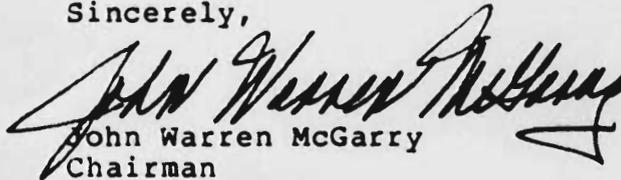
On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711795



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. I.M. Kay
11527 Conway Road
St. Louis, MO 63131

RE: MUR 2072
I.M. Kay

Dear Mr. Kay:

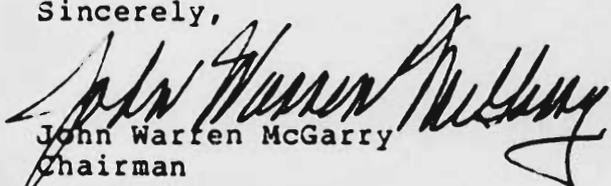
On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission 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.

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The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711796



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Marvin Schwartz
25 Sutton Place South
New York, NY 10022

RE: MUR 2072
Marvin Schwartz

Dear Mr. Schwartz:

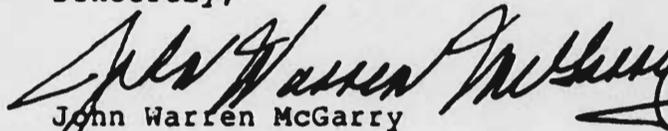
On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission 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.

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The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

88040711797



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Leland Schubert
2 Bratendhl Place
Cleveland, OH 44108

RE: MUR 2072
Leland Schubert

Dear Mr. Schubert:

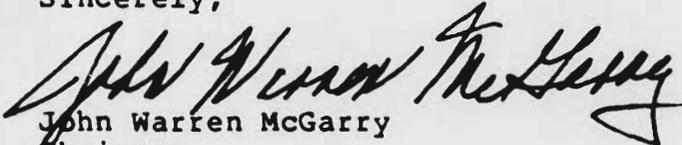
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The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711793



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mr. Charles A. Schilleci
3105 Airport Highway
Birmingham, AL 35202

RE: MUR 2072
Charles A. Schilleci

Dear Mr. Schilleci:

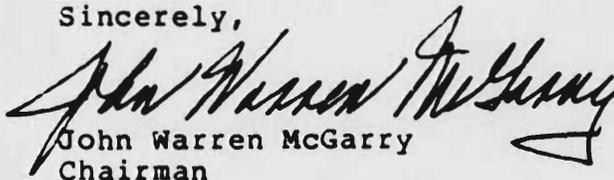
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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711799



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mr. William E. Roberts
707 Morning Street
Worthington, OH 43085

RE: MUR 2072
William E. Roberts

Dear Mr. Roberts:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711800



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mr. Charles J. Pilliod, Jr.
Blair House, 402
225 North Portage Path
Akron, OH 44303

RE: MUR 2072
Charles J. Pilliod, Jr.

Dear Mr. Pilliod:

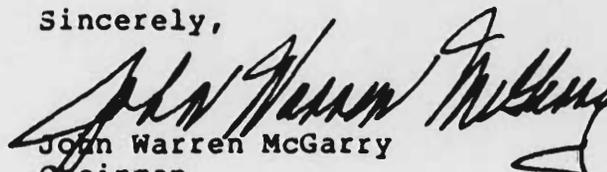
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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711801



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Edward L. Merrigan
6000 Connecticut Avenue, N.W.
Washington, D.C. 20015

RE: MUR 2072
Edward L. Merrigan

Dear Mr. Merrigan:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711802



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. John D. Logan
4018 Wakefield Creek
Kinsman, OH 44428

RE: MUR 2072
John D. Logan

Dear Mr. Logan:

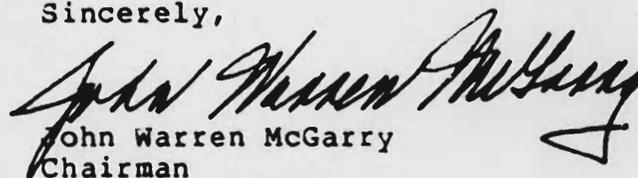
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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711803



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Hamilton G. Kenner
Post Office Box 1606
Panama City, FL 32401

RE: MUR 2072
Hamilton G. Kenner

Dear Mr. Kenner:

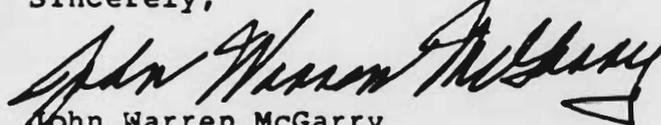
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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711804



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Chao-Han Lin
616 West County Line Road
Lakewood, NJ 08701

RE: MUR 2072
Chao-Han Lin

Dear Mr. Lin:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

8 8 0 4 0 7 1 1 8 0 5



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Alexander Hamilton McNeil
Meadowbrook Road
Dedham, MA 02026

RE: MUR 2072
Alexander Hamilton McNeil

Dear Mr. McNeil:

On October 17 , 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711806



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Dr. Benjamin F. Byrd, Jr.
400 Ellendale Drive
Nashville, TN 37205

RE: MUR 2072
Benjamin F. Byrd, Jr.

Dear Mr. Byrd:

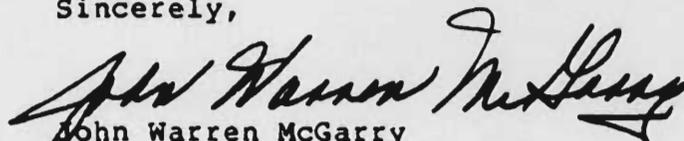
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The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711807



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. George F. Baker, III
69 East 93rd Street
New York, NY 10028

RE: MUR 2072
George F. Baker, III

Dear Mr. Baker:

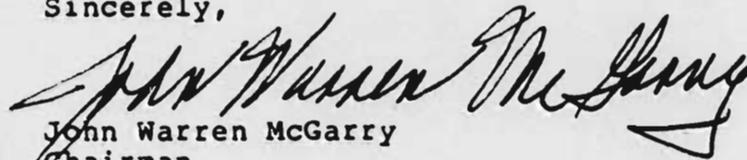
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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711803



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Clifford W. Archer
1538 Gibbons
Alameda, CA 94501

RE: MUR 2072
Clifford W. Archer

Dear Mr. Archer:

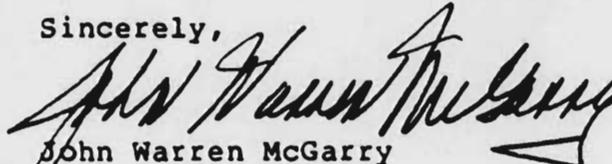
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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

38040711800



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mrs. Geraldine J. Torray
8709 Belmart Road
Potomac, MD 20854

RE: MUR 2072
Geraldine J. Torray

Dear Mrs. Torray:

On October 17 , 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

83040711810



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mr. Richard R. Stander
500 Edgewood Road
Mansfield, OH 44907

RE: MUR 2072
Richard R. Stander

Dear Mr. Stander:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

89040711811



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Williams D. Sellers
4226 Old Leeds Road
Birmingham, AL 35213

RE: MUR 2072
Williams D. Sellers

Dear Mr. Sellers:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711812



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Allen Himmel
5303 Northfield
Apartment 70B
Bedford Heights, OH 44146

RE: MUR 2072
Allen Himmel

Dear Mr. Himmel:

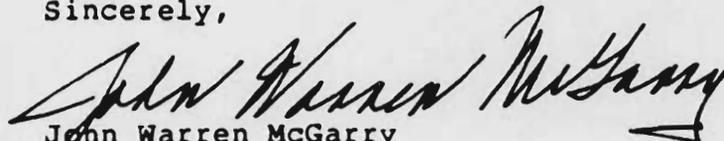
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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711813



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Honorable Stanley P. Smith
Post Office Box 69
Bastrop, TX 78602

RE: MUR 2072
Stanley P. Smith

Dear Mr. Smith:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711814



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mr. Josiah A. Spaulding, Jr.
860 Bay Road
Hamilton, MA 01936

RE: MUR 2072
Josiah A. Spaulding, Jr.

Dear Mr. Spaulding:

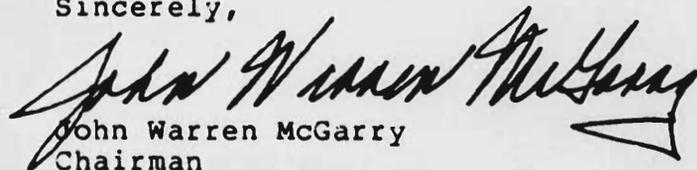
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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

89040711815



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. George Strike
8959 Blue Ash Road
Cincinnati, OH 45242

RE: MUR 2072
George Strike

Dear Mr. Strike:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711816



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Angelo K. Tsakopoulos
7396 Pocket Road
Sacramento, CA 95831

RE: MUR 2072
Angelo K. Tsakopoulos

Dear Mr. Tsakopoulos:

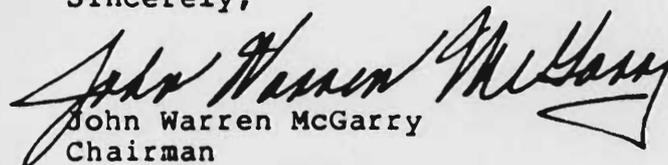
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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

8 3 0 4 0 7 1 1 8 1 7



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mr. Morton J. Weisburg
24950 South Woodland
Beachwood, OH 44122

RE: MUR 2072
Morton J. Weisburg

Dear Mr. Weisburg:

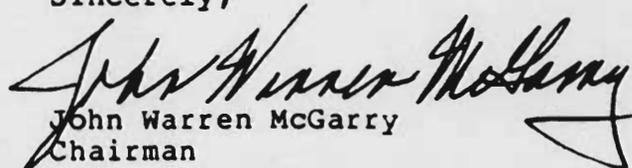
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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711813



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. David K. Ting
9515 East Kennerly Street
Temple City, CA 91780

RE: MUR 2072
David K. Ting

Dear Mr. Ting:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711819



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Charles R. Mathes, Jr.
3212 West Park Row
Suite K
Arlington, TX 76013

RE: MUR 2072
Charles R. Mathes, Jr.

Dear Mr. Mathes:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711820



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mr. Donald F. Lieb
3002 North Spring Court
Garland, TX 75042

RE: MUR 2072
Donald F. Lieb

Dear Mr. Lieb:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711821



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Frederick B. Hegi, Jr.
3318 Hanover
Dallas, TX 77225

RE: MUR 2072
Frederick B. Hegi, Jr.

Dear Mr. Hegi:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

88040711822



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. James E. King
4529 Rawlins
Dallas, TX 75219

RE: MUR 2072
James E. King

Dear Mr. King:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711823



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. James Jameson
13210 Hillcrest Road
Dallas, TX 75240

RE: MUR 2072
James Jameson

Dear Mr. Jameson:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711824



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Oliver S. Heard, Jr.
138 East Hollywood
San Antonio, TX 78212

RE: MUR 2072
Oliver S. Heard, Jr.

Dear Mr. Heard:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711825



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. John W. Osborn
6010 Downwood Forest
Houston, TX 77088

RE: MUR 2072
John W. Osborn

Dear Mr. Osborn:

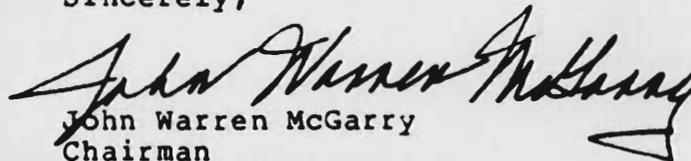
On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission 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.

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The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711825



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Allen Finesilver
27925 Bellgrave
Pepper Pike, OH 44124

RE: MUR 2072
Allen Finesilver

Dear Mr. Finesilver:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

63040711827



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mr. Gary D. Helf
18601 Shaker Boulevard
Shaker, Heights, OH 44122

RE: MUR 2072
Gary D. Helf

Dear Mr. Helf:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

83040711823



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mr. John A. Merrigan, Treasurer
Vernon, Liipfert, Bernhard, and McPherson
Political Action Committee
Suite 1100, 1600 L Street, N.W.
Washington, D.C. 20036

RE: MUR 2072
Vernon, Liipfert, Bernhard
and McPherson Political Action Committee
John A. Merrigan, Treasurer

Dear Mr. Merrigan:

On October 17, 1985, the Commission found reason to believe that your committee and you, as treasurer, had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to your committee and you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your committee's apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711827



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Robinson and Robinson
888 West Santa Ana Boulevard
Suite 250
Santa Ana, CA 92701

RE: MUR 2072
Robinson and Robinson

Dear Sirs:

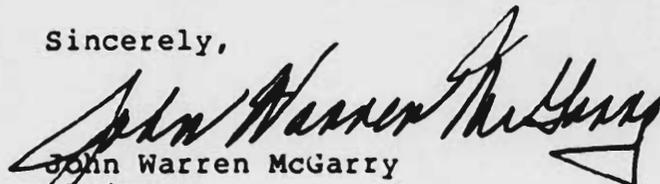
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The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711830



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Kee & Lau-Kee
11 Mott Street
New York, NY 10013

RE: MUR 2072
Kee & Lau-Kee

Dear Sirs:

On October 17 , 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

83040711831



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Harris, Beach, Wilcox, Rubin & Levey
Attorneys at Law
Rochester, NY

RE: MUR 2072
Harris, Beach Wilcox, Rubin & Levey

Dear Sirs:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711832



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Alex Theriot, Jr.
710 Maple
Denham Springs, LA 70726

RE: MUR 2072
Alex Theriot

Dear Mr. Theriot:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711833



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Ms. Karen Spencer
1511 Brittain Road
Apartment 5
Akron, OH 44310

RE: MUR 2072
Karen Spencer

Dear Ms. Spencer:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711834



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Ms. Bonnie M. Snyder
5782 Andrews Road
Apartment 203-B
Mentor-on-the Lake, OH 44060

RE: MUR 2072
Bonnie M. Snyder

Dear Ms. Snyder:

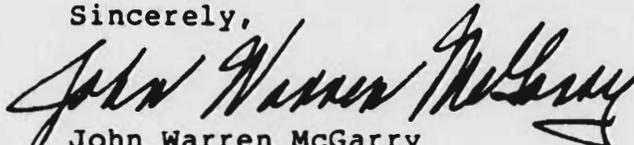
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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711835



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Edward I. Rudman
60 Kensington Circle
Chestnut Hill, MA 02167

RE: MUR 2072
Edward I. Rudman

Dear Mr. Rudman:

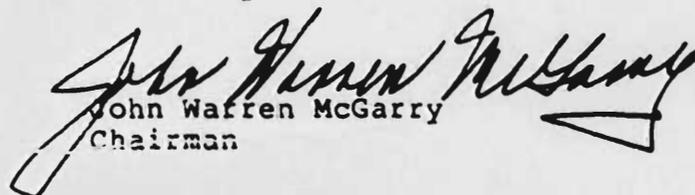
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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711936



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Ralph Peters
801 Glen Oak Drive
Winnetka, IL 60093

RE: MUR 2072
Ralph Peters

Dear Mr. Peters:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711837



FEDERAL ELECTION COMMISSION
WASHINGTON D C 20463

November 15, 1985

Dr. Dennis K. McCormack
827 Tolita Avenue
Coronado, CA 92118

RE: MUR 2072
Dennis K. McCormack

Dear Mr. McCormack:

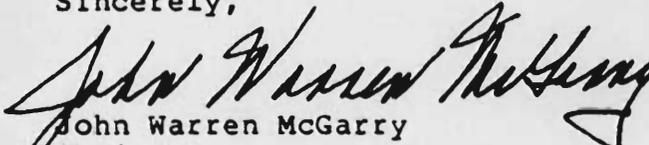
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The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

88040711838



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. William Levy
3953 Tyndall
University Heights, OH 44118

RE: MUR 2072
William Levy

Dear Mr. Levy:

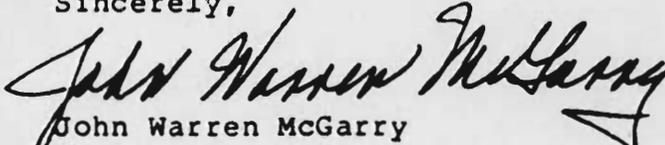
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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711839



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Richard J. Kelley
25 Fox Glen Road
Moreland Hills, OH 44022

RE: MUR 2072
Richard J. Kelley

Dear Mr. Kelley:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711840



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mr. J. James Fu
878 Flores De Ore
South Pasadena, CA 91030

RE: MUR 2072
J. James Fu

Dear Mr. Fu:

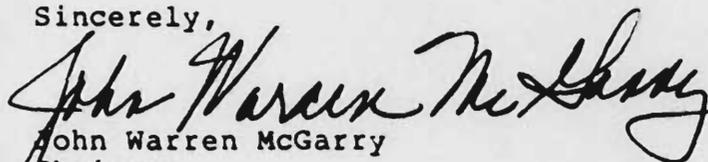
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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711841



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

November 15, 1985

Mr. John E. Fisher
1382 Hickory Ridge Lane
Worthington, OH 43085

RE: MUR 2072
John E. Fisher

Dear Mr. Fisher:

On October 17 , 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mrs. Robin Chandler Duke
435 East 52nd Street
New York, NY 10002

RE: MUR 2072
Robin Chandler Duke

Dear Mrs. Chandler Duke:

On October 17 , 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

88040711843



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mr. Gerry E. Pate
13403 Northwest Freeway
Suite 160
Houston, TX 77040

RE: MUR 2072
Gerry E. Pate

Dear Mr. Pate:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

8 3 0 4 0 7 1 1 8 4 4



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Dr. Mike McKinney
Post Office Box 376
Centerville, TX 75883

RE: MUR 2072
Mike McKinney

Dear Mr. McKinney:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711845



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Ms. Helen B. Abercombie
1052 Norway Drive
Columbus, OH 43221

RE: MUR 2072
Helen B. Abercombie

Dear Ms. Abercombie:

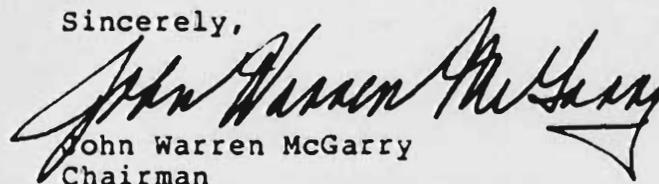
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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711846



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mr. William C. Bowers
202 Bushnell
San Antonio, TX 78212

RE: MUR 2072
William C. Bowers

Dear Mr. Bowers:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711847



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Norman Broad
6835 Granada Boulevard
Coral Gables, FL 33146

RE: MUR 2072
Norman Broad

Dear Mr. Broad:

On October 17 , 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. John J. Coury
1490 Grenoble
Columbus, OH 43221

RE: MUR 2072
John J. Coury

Dear Mr. Coury:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711849



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mr. Robert J. Craikshank
1200 Travis
Suite 2600
Houston, TX 77002

RE: MUR 2072
Robert J. Craikshank

Dear Mr. Craikshank:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711850



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Sy DeCesare
27690 Royal Forest Drive
Westlake, OH 44145

RE: MUR 2072
Sy DeCesare

Dear Mr. DeCesare:

On October 17 , 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

88040711851



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Aaron Aronov
2088 Myrtlewood Drive
Montgomery, AL 36192

RE: MUR 2072
Aaron Aronov

Dear Mr. Aronov:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

63040711852



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Ms. Marla Battaglino
48 Rosewood Drive
Waltham, MA 02154

RE: MUR 2072
Marla Battaglino

Dear Ms. Battaglino:

On October 17 , 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711853



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Ms. Cathy S. Bernard
4601 North Park Avenue
Apartment 718
Chevy Chase, MD 20815

RE: MUR 2072
Cathy S. Bernard

Dear Ms. Bernard:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711854



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Ms. Sandra Biller
350 Collins
Apartment 301
Miami Beach, FL 33139

RE: MUR 2072
Sandra Biller

Dear Ms. Biller:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

68040711855



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. J.S. Blanton
Three Allen Center
29th Floor
Houston, TX 77002

RE: MUR 2072
J.S. Blanton

Dear Mr. Blanton:

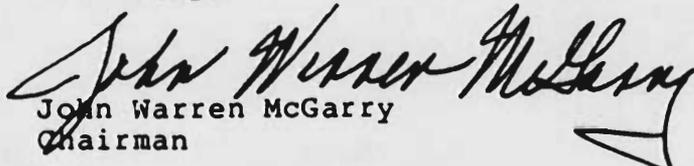
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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

03040711856



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Ms. Pamela Ray
10319 Hondo Hill
Houston, TX 77064

RE: MUR 2072
Pamela Ray

Dear Ms. Ray:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

83040711857



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mr. Howard Brent
Post Office Drawer 8
Greenville, MS 38701

RE: MUR 2072
Howard Brent

Dear Mr. Brent:

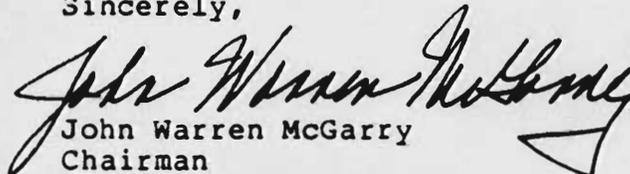
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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711853



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. William D. Brown
2212 Pargoud Boulevard
Monroe, LA 71201

RE: MUR 2072
William D. Brown

Dear Mr. Brown:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

83040711859



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mr. Carmen D. Celluci
68 Pigeon Lane
Waltham, MA 02154

RE: MUR 2072
Carmen D. Celluci

Dear Mr. Celluci:

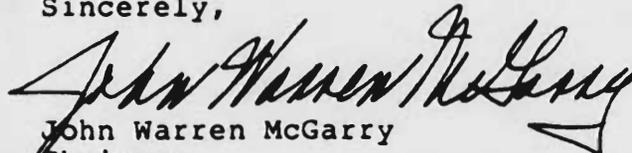
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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711850



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. William O. Cooley
2202 Meeting Street
Wayzata, MN 55391

RE: MUR 2072
William O. Cooley

Dear Mr. Cooley:

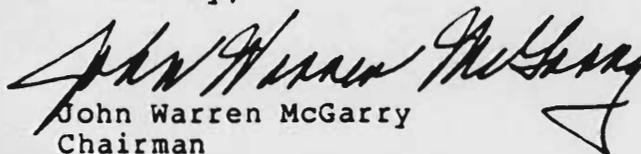
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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

68040711861



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mr. Michael V. Forrestal
25 Central Park West
New York, NY 10023

RE: MUR 2072
Michael V. Forrestal

Dear Mr. Forrestal:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711862



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mr. George Fan
313 West 92nd Street
New York, NY 10025

RE: MUR 2072
George Fan

Dear Mr. Fan:

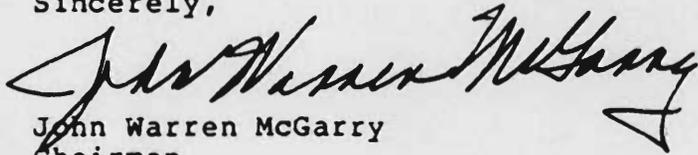
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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711863



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mr. Robert C. Golden
449 - 101st Street
Brooklyn, NY 11209

RE: MUR 2072
Robert C. Golden

Dear Mr. Golden:

On October 17 , 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

83040711864



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mrs. Karen Goltovi
Route 3, Box 344 F
Wilmington, NC 28403

RE: MUR 2072
Karen Goltovi

Dear Mrs. Goltovi:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711865



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Dr. Steven M. Schrager
4199 N.W. 28th Way
Boca Raton, FL 33434

RE: MUR 2072
Steven M. Schrager

Dear Dr. Schrager:

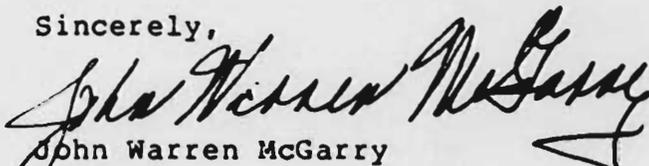
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Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

88040711866



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. E. John Rosenwald, Jr.
30 East 62nd Street
New York, NY 10021

RE: MUR 2072
E. John Rosenwald, Jr.

Dear Mr. Rosenwald:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,

John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711867



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Ms. Helen Raffel
11 West 69th Street
Apartment 4C
New York, NY 10023

RE: MUR 2072
Helen Raffel

Dear Ms. Raffel:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711863



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Dr. Christos A. Papatheodoros
Two Commonwealth Avenue
Boston, MA 02116

RE: MUR 2072
Christos A. Papatheodoros

Dear Dr. Papatheodoros:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. James P. McNamara
822 Perclido Street
Suite 303
New Orleans, LA 70112

RE: MUR 2072
James P. McNamara

Dear Mr. McNamara:

On October 17 , 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711870



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Irving Kay
60 East Sir Francis Drake Boulevard
Number 3E
Lakespun, CA 94939

RE: MUR 2072
Irving Kay

Dear Mr. Kay:

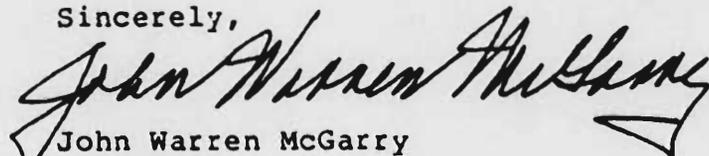
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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711871



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mrs. Claire Hoover
85 Bowdoin Avenue
Waltham, MA 02154

RE: MUR 2072
Claire Hoover

Dear Mrs. Hoover:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711872



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mr. James F. Graham
Route One
Dillion Hills
Nashport, OH 43830

RE: MUR 2072
James F. Graham

Dear Mr. Graham:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711873



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Dr. William E. Hunt
1000 Urlin Avenue
Columbus, OH 43212

RE: MUR 2072
William E. Hunt

Dear Mr. Hunt:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Dean Lampros
3165 Kayjay Drive
Northbrook, IL 60002

RE: MUR 2072
Dean Lampros

Dear Mr. Lampros:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

83040711875



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Robert E. Lowder
2712 Lansdowne Drive
Montgomery, AL 36192

RE: MUR 2072
Robert E. Lowder

Dear Mr. Lowder:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

83040711876



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Ernest Wallengren
2014 Treasure Trail
Los Angeles, CA 90068

RE: MUR 2072
Ernest Wallengren

Dear Mr. Wallengren:

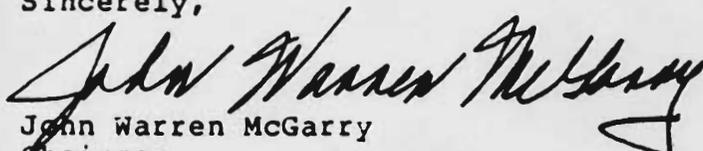
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Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711877



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mrs. Elaine R. Miller
12515 Piping Rock
Houston, TX 77077

RE: MUR 2072
Elaine R. Miller

Dear Mrs. Miller:

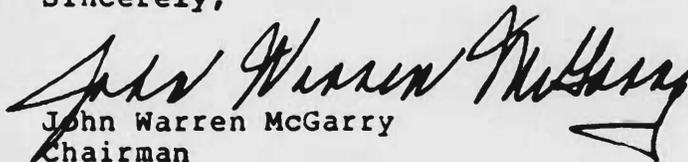
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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Joseph A. Redfield
849 North Paulina
Chicago, IL 60622

RE: MUR 2072
Joseph A. Redfield

Dear Mr. Redfield:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711877



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mrs. Yvonne Palmer Brown
100 Hollow Tree Ridge Road
Darien, CT 06820

RE: MUR 2072
Yvonne Palmer Brown

Dear Mrs. Brown:

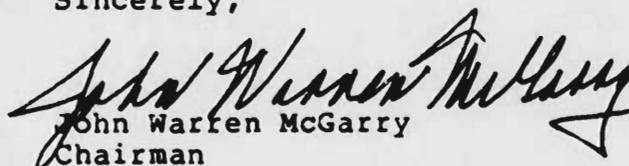
On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission 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.

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The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

8304071830



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Guilfoil, Petzall & Shoemake
100 North Broadway
Suite 2000
St. Louis, Mo 63102

RE: MUR 2072
Guilfoil, Petzall & Shoemake

Dear Sirs:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

38040711831



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. A. Visconsi, II
2117 Cottingham Drive
Lyndhurst, OH 44124

RE: MUR 2072
A. Visconsi, II

Dear Mr. Visconsi:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711832



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Albin W. Smith, President
Belcher Oil Company
8700 Flagler Road
Miami, FL 33174

RE: MUR 2072
Albin W. Smith, President

Dear Mr. Smith:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711835



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mr. Allan Schaefer
91 Duncaster Road
Bloomfield, CT 06103

RE: MUR 2072
Allan Schaefer

Dear Mr. Schaefer:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711834



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. George W. Zeluff, II
1413 Prittmore
Houston, TX 77043

RE: MUR 2072
George W. Zeluff, II

Dear Mr. Zeluff:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

83040711835



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mrs. Lenore G. Schottenstein
291 North Drexel Avenue
Columbus, OH 43209

RE: MUR 2072
Lenore G. Schottenstein

Dear Mrs. Schottenstein:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

63040711836



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Robert S. Garek
17 North Parkview
Columbus, OH 43207

RE: MUR 2072
Robert S. Garek

Dear Mr. Garek:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711837



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mrs. Sandra Sewell
1245 Sinaloa
Pasadena, CA 91104

RE: MUR 2072
Sandra Sewell

Dear Mrs. Sewell:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

88040711830



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mrs. Babette L. Sirak
2399 Commonwealth Park, South
Columbus, OH 43209

RE: MUR 2072
Babette L. Sirak

Dear Mrs. Sirak:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711837



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mrs. Marie S. Jacobs
Mathhiessen Park
Irvington-on-Hudson, NY 10533

RE: MUR 2072
Marie S. Jacobs

Dear Mrs. Jacobs:

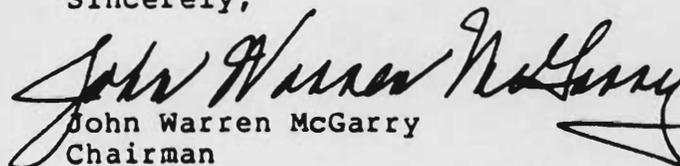
On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711890



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Mr. Dennis R. Farley
605 Westway
Rockwell, TX 75087

RE: MUR 2072
Dennis R. Farley

Dear Mr. Farley:

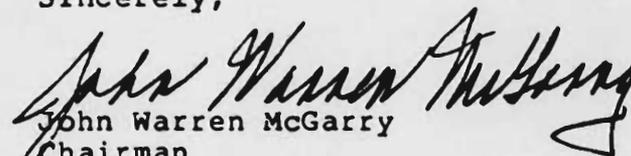
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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

38040711891



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Dwight Owen Schweitzer
371 Simsbury Road
Bloomfield, CT 06002

RE: MUR 2072
Dwight Owen Schweitzer

Dear Mr. Schweitzer:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

88040711892



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Hugh Calkins
2477 Guilford Road
Cleveland Heights, OH 44118

RE: MUR 2072
Hugh Calkins

Dear Mr. Calkins:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711893



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mrs. Lois Rose Allenius
400 Scioto Darby Creek Road
Hilliard, OH 43026

RE: MUR 2072
Lois Rose Allenius

Dear Mrs. Allenius:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711894



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

The Honorable John W. Peavy, Jr.
5501 Blythood
Houston, TX 77021

RE: MUR 2072
John W. Peavy, Jr.

Dear Mr. Peavy:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711895



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. John C. Mitchell
9952 Devonshire
Omaha, NE 68114

RE: MUR 2072
John C. Mitchell

Dear Mr. Mitchell:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711896



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Ms. Sondra Linden, Treasurer
Committee to Re-elect Congressman for
Multi-Family Housing
Watergate South, Suite 816 N.W.
Washington, D.C. 20034

RE: MUR 2072
Committee to Re-elect Congressman
for Multi-Family Housing
Sondra Linden, Treasurer

Dear Ms. Linden:

On October 17, 1985, the Commission found reason to believe that your committee and you, as treasurer, had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to your committee and you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your committee's apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

8 3 0 4 0 7 1 1 8 9 7



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

McDonald and Company
2100 Central National Bank Building
Cleveland, OH 44114

RE: MUR 2072
McDonald and Company

Dear Sirs:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711893



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

November 15, 1985

Mr. John P. Innlay, Jr.
995 Stovall Boulevard, NE
Atlanta, Ga 30319

RE: MUR 2072
John P. Innlay, Jr.

Dear Mr. Innlay:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711899



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Bob Lanier
4200 Westheimer
Number 251
Houston, TX 77027

RE: MUR 2072
Bob Lanier

Dear Mr. Lanier:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711900



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Nathan Levy
400 Iona Street
Metairie, LA 70005

RE: MUR 2072
Nathan Levy

Dear Mr. Levy:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711901



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Robert R. Chait
710 Monte Rosa Drive
Menlo Park, CA 94025

RE: MUR 2072
Robert R. Chait

Dear Mr. Chait:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

88040711902



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. James J. Curran
One Rochambeau Road
Scarsdale, NY 10583

RE: MUR 2072
James J. Curran

Dear Mr. Curran:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

88040711903



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Raymond H. Eaves
508 East Baja
Hobbs, NM 88240

RE: MUR 2072
Raymond H. Eaves

Dear Mr. Eaves:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

88040711904



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Gerard A. Fulham
84 Windswept Way
Post Office Box 2035
Osterville, MA 02655

RE: MUR 2072
Gerard A. Fulham

Dear Mr. Fulham:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711905



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Glen Britton Evans, Jr.
2836 Wemberly Drive
Belmont, CA 94002

RE: MUR 2072
Glen Britton Evans, Jr.

Dear Mr. Evans:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

89040711906



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. A.R. Mays
200 East Streetsboro Street
Hudson, OH 44236

RE: MUR 2072
A.R. Mays

Dear Mr. Mays:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711907



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. John R. Leone
8700 Evergreen Drive
Cleveland, OH 44129

RE: MUR 2072
John R. Leone

Dear Mr. Leone:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

88040711903



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Robert E. Lee
6830 Dancaster Road
Topeka, KS 66610

RE: MUR 2072
Robert E. Lee

Dear Mr. Lee:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711909



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Ms. Juanita Jeys
2502 Fannin
Suite 220
Houston, TX 77002

RE: MUR 2072
Juanita Jeys

Dear Ms. Jeys:

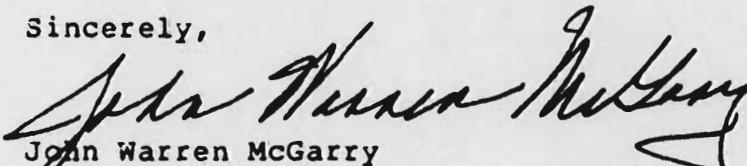
On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission 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.

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The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711910



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Fred J. Brinkman
11000 Cripplegate Road
Potomac, MD 20854

RE: MUR 2072
Fred J. Brinkman

Dear Mr. Brinkman:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

63040711911



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. John Rossiter
9135 Dunmore
Dallas, TX 75231

RE: MUR 2072
John Rossiter

Dear Mr. Rossiter:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711912



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Geoffrey Brown
850 40th Avenue
San Francisco, CA 94121

RE: MUR 2072
Geoffrey Brown

Dear Mr. Brown:

On October 17 , 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. David Theodore Rubin
720 Wellesley Street
Weston, MA 02193

RE: MUR 2072
David Theodore Rubin

Dear Mr. Rubin:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

68040711914



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. James C. Burger
253 East Main Street
Williamsburg, OH 45176

RE: MUR 2072
James C. Burger

Dear Mr. Burger:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

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The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711915



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Truman Arnold
4004 Texas Boulevard
Texarkana, AR 75501

RE: MUR 2072
Truman Arnold

Dear Mr. Arnold:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Frank Bessoni
330 Poplar Hill Drive
Farmington, CT 06032

RE: MUR 2072
Frank Bessoni

Dear Mr. Bessoni:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

83040711917



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. Ray Clymer, Jr.
2408 Lou Lane
Witchita Falls, TX 76307

RE: MUR 2072
Ray Clymer, Jr.

Dear Mr. Clymer:

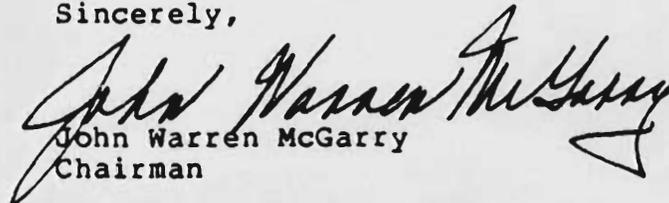
On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

39040711913



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. George McGuffin
Post Office Box 1914
Economy Road
Morristown, In 37814

RE: MUR 2072
George McGuffin

Dear Mr. McGuffin:

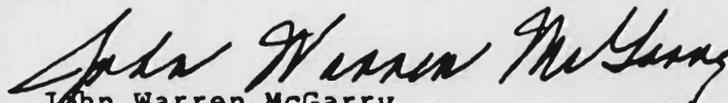
On October 17 , 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

83040711919



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. H.E. Rainbolt
2202 North Minnesota
Shawnee, OK 74801

RE: MUR 2072
H.E. Rainbolt

Dear Mr. Rainbolt:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711920



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Mr. J.A. Elkins, Jr.
103 Parish Circle
Houston, TX 77024

RE: MUR 2072
J.A. Elkins, Jr.

Dear Mr. Elkins:

On October 17 , 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

88040711921



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

William R. White, Treasurer
John Glenn Presidential Committee, Inc.
Suite 407
444 North Capitol Street, N.W.
Washington, D.C. 20001

RE: MUR 2072
John Glenn Presidential
Committee, Inc. and
William R. White, as
treasurer, et. al.

Dear Mr. White:

On October 17, 1985, the Federal Election Commission determined that there is reason to believe the John Glenn Presidential Committee, Inc. and you, as treasurer, violated 2 U.S.C. §§ 441a(f), 434(b)(1), 434(b)(4), 441a(b)(1)(A) & (c), and 434(a), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act") and 11 C.F.R. §§ 106.2(a)(1) & (d). 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. Please submit any such materials within ten days of your receipt of this letter.

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 so desired. 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.

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Letter to William R. White, Treasurer
Page 2

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosures

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

88040711923



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Elisabeth A. Squeglia, Treasurer
Brickler & Eckler Political Action Committee
100 East Broad Street
Suite 2100
Columbus, OH 43215

RE: MUR 2072
Brickler & Eckler Political
Action Committee, and
Elisabeth A. Squeglia, as
treasurer

Dear. Ms. Squeglia:

On October 17, 1985, the Federal Election Commission determined that there is reason to believe that Brickler & Eckler Political Action Committee and you, as treasurer, violated 2 U.S.C. § 441a(a)(1)(A), a provision 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. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter. Statements should be submitted under oath.

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.

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

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Letter to Elisabeth A. Squeglia, treasurer
Page 2

probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

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

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number 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), 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 Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosures

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Rev. Paul Durham
Post Office Box 110603
Nashville, TN 37211

RE: MUR 2072
Paul Durham

Dear Mr. Durham:

On October 17, 1985, the Commission found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), 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.

The file has been closed in this matter as it pertains to you, 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. Should you wish any such information to become part of the public record, please advise us in writing within 10 days. The confidentiality provisions of 2 U.S.C. § 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.

The Commission reminds you that your apparent excessive contribution to the John Glenn Presidential Committee nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). You should take immediate steps to insure that such activity does not occur in the future.

If you have any questions, please direct them to Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure

General Counsel's Factual and Legal Analysis

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

William Russell Nixon, Jr., Treasurer
United Employees Political Action Committee
P.O. Box 111
Alexandria, LA 71301

RE: MUR 2072
United Employees Political
Action Committee, and
William Russell Nixon, Jr.,
as treasurer

Dear Mr. Nixon:

On October 17, 1985, the Federal Election Commission determined that there is reason to believe that the United Employees Political Action Committee and you, as treasurer, violated 2 U.S.C. § 441a(a)(1)(A), a provision 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. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter. Statements should be submitted under oath.

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.

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

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Letter to William Russell Nixon, Jr., treasurer
Page 2

probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

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

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number 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), 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 Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosures

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

John A. Mazzucco
25485 Nichols Road
Columbia Station, OH 44028

RE: MUR 2072
John A. Mazzucco

Dear Mr. Mazzucco:

On October 17, 1985, the Federal Election Commission determined that there is reason to believe you violated 2 U.S.C. § 441a(a)(1)(A), a provision 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. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter. Statements should be submitted under oath.

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

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Letter to John A. Mazzucco
Page 2

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

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number 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), 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 Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosures

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

88040711930



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Stephen O. Hewlett
4703 Granny White Pike
Nashville, TN 37220

RE: MUR 2072
Stephen O. Hewlett

Dear Mr. Hewlett:

On October 17, 1985, the Federal Election Commission determined that there is reason to believe you violated 2 U.S.C. § 441a(a)(1)(A), a provision 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. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter. Statements should be submitted under oath.

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

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Letter to Stephen O. Hewlett
Page 2

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

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number 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), 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 Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosures

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

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1985

Hansell, Post, Brandon & Dorsey
First Atlanta Tower
33rd Floor
Atlanta, GA 30383

RE: MUR 2072
Hansell, Post, Brandon &
Dorsey

Dear Sirs:

On October 17, 1985, the Federal Election Commission determined that there is reason to believe that your firm violated 2 U.S.C. § 441a(a)(1)(A), a provision 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. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your firm, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

88040711933

Letter to Hansell, Post, Brandon & Dorsey
Page 2

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

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number 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), 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 Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosures

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

88040711934



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Allen L. Patrick
3940 Riverview Drive
Columbus, OH 43220

RE: MUR 2072
Allen L. Patrick

Dear Mr. Patrick :

On October 17, 1985, the Federal Election Commission determined that there is reason to believe you violated 2 U.S.C. § 441a(a)(1)(A), a provision 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. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter. Statements should be submitted under oath.

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

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Letter to Allen L. Patrick
Page 2

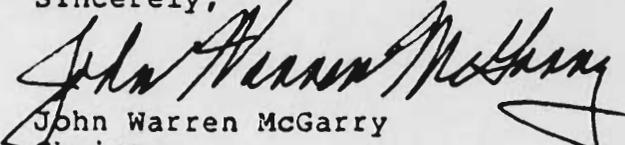
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number 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), 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 Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosures

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

88040711936



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1985

Senator John Glenn
503 Hart Office Building
Washington, D.C. 20510

RE: MUR 2072
John Glenn Presidential
Committee, Inc.
William R. White, as treasurer

Dear Senator Glenn:

This is to advise you that on October 17, 1985, the Federal Election Commission found reason to believe that your committee, the John Glenn Presidential Committee and William R. White, as treasurer of the committee, violated 2 U.S.C. §§ 441a(f), 434(b)(1), 434(b)(4), 441a(b)(1)(A), 441a(c), and 434(a), provisions of the Federal Election Campaign Act of 1971, as amended, and 11 C.F.R. §§ 106.2(a)(1) and (d), provisions of the Commission Regulations.

Although the committee treasurer is responsible for proper reporting, acceptance of contributions made to a federal committee, and complying with state-by-state expenditure limitations, we believe that you, as the candidate, should be made aware of this development. A copy of our letter to your committee treasurer is enclosed.

Under 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), this matter will remain confidential unless the committee and Mr. White, as treasurer, notify the Commission in writing that they wish the investigation to be made public.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000. We have numbered this matter MUR 2072

Sincerely,


John Warren McGarry

Enclosures
Letter to committee treasurer

88040711937

GCC# 9017

BAKER & HOSTETLER

ATTORNEYS AT LAW

WASHINGTON SQUARE, SUITE 1100

1080 CONNECTICUT AVE., N.W.

WASHINGTON, D. C. 20036

(202) 661-1500

TELECOPIER (202) 466-2287

TELEX 660-825-7876

IN DENVER, COLORADO
SUITE 1800, 303 EAST 17TH AVENUE
DENVER, COLORADO 80202
(303) 861-0800

IN ORLANDO, FLORIDA
13TH FLOOR BARNETT PLAZA
ORLANDO, FLORIDA 32801
(308) 841-1111

IN CLEVELAND, OHIO
3200 NATIONAL CITY CENTER
CLEVELAND, OHIO 44114
(216) 621-0200
TWX 810 421 8378

IN COLUMBUS, OHIO
65 EAST STATE STREET
COLUMBUS, OHIO 43215
(614) 228-1841

November 22, 1985

WRITER'S DIRECT DIAL NO.:

(202) 661-1667

NOV 22 11:02

Mr. Jonathan Levin
Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 2072
John Glenn Presidential Committee Inc.
and William R. White, as treasurer, et al.

Dear Mr. Levin:

The John Glenn Presidential Committee Inc. hereby requests a ten-day extension of the time to submit factual or legal materials that we believe are relevant to the Commission's consideration of MUR 2072. The request for this extension is necessitated by a heavy workload and the upcoming Thanksgiving holiday. Enclosed is the statement of designation of counsel authorizing Harlan Pomeroy to represent the Committee in this matter.

Very truly yours,

Barbara I. Hodges

Barbara I. Hodges

0627:2383
80380-83-002

Enclosure

cc: Harlan Pomeroy, Esq.

88040711938

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2072

NAME OF COUNSEL: Harlan Pomeroy
Baker & Hostetler
ADDRESS: 1050 Connecticut Ave., N.W.
Suite 1100
Washington, D.C. 20036

TELEPHONE: (202) 861-1543

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.

11/22/85
Date

William R. White
Signature

RESPONDENT'S NAME: John Glenn Presidential Committee Inc.
ADDRESS: 236 Massachusetts Avenue, N.E.
Suite 210
Washington, D.C. 20002

HOME PHONE: _____
BUSINESS PHONE: (202) 544-1985 676-6440

88040711939

RECEIVED AT THE FEC
Gee#9028
85 NOV 25 4:32

125 BROAD STREET
NEW YORK, N.Y. 10004

November 21, 1985

Mr. Jonathan Levin,
Federal Election Commission,
Washington, D.C. 20463.

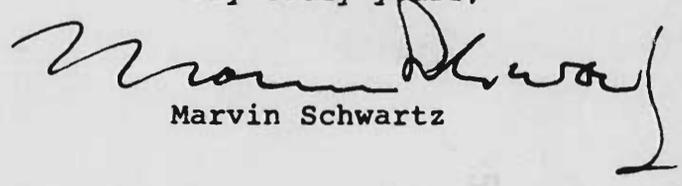
Re: MUR No. 2072
Marvin Schwartz

Dear Mr. Levin:

I am writing in response to the General Counsel's Factual and Legal Analysis which states that I had given more than \$1,000 to the John Glenn Presidential Committee, Inc. That statement is in error. Mrs. Schwartz and I contributed \$500 to the Committee on June 24, 1983 and \$1,000 on September 14, 1983. Both contributions were by checks drawn upon our joint account at Citibank, Private Banking Division, 55 Wall Street, New York, New York 10005. Indeed, Mrs. Schwartz and I advised the Glenn Committee on January 11, 1984 with respect to the \$1,000 contribution of September 14, 1983 that \$500 should be attributed to her and \$500 to me.

Please advise me that in your view there is no reason to believe that I have violated the Federal Election Campaign Act of 1971.

Very truly yours,


Marvin Schwartz

88040711940

5 NOV 25 10:51

RECEIVED AT THE FBI
GCC# 90.47

Nov 21, 1985 85 NOV 26 10: 05

Mr Johnathan Levin
1325 K St., NW
Washington, D.C. 20463

RE: MUR 2072
DAVID K. TING

Dear Mr. Levin:

Thank you for your kind letter of Nov. 15, 1985,
and I appreciate the kindness of the Federal Election
Commission which has decided to close the file in
connection to my contributions to the John Glenn
presidential committee.

I hereby pledge that no further oversight will
occur in the future. And, for your information,
the John Glenn ^{committee} had refunded my contributions after
sen. Glenn withdrew his candidacy.

Sincerely,

David K. Ting

88040711941

85 NOV 26 10: 11

RECEIVED THE FEC
G.C.#9046
85 NOV 26 A8:41

JEFF BROWN
PUBLIC DEFENDER OF SAN FRANCISCO
850 BRYANT STREET, ROOM 205
SAN FRANCISCO, CA 94103
(415) 553-1671 • 626-6878

November 22, 1985

Jonathan Levin
Federal Elections Commission
Washington, D.C. 20463

Re: MUR 2072
Geoffrey Brown

Dear Mr. Levin,

I am in receipt of the letter of Mr. John Warren McGarry, Chair of the Federal Elections Commission. The letter alleges that there is reason to believe that I violated 2 U.S.C. 441a(a)(1)(A) of the Federal Election Campaign Act.

I take strong exception to that statement. I also take exception to the tone of Mr. McGarry's letter. Although you have decided to close the file, I cannot let pass the insinuation of Mr. McGarry's letter. Had the Commission made even a preliminary inquiry, you would have found that there was no basis for such a letter.

You allege that I contributed over \$1,000 to the John Glenn campaign. The basis of your belief, not set out in your Summary of Allegations, is two (2) checks to the campaign of John Glenn:

- (1) Check No. 569 from the Westamerica Bank (Account No. 501-74333-0) dated November 21, 1982 out of the account of Mabelle F. Purser Trust, Geoffrey Brown, Trustee in the amount of \$250
- (2) Check No. 2930 from the Bank of America (Account No. 12098-01325) for \$1,000.

I did not own the assets of the Mabelle F. Purser, Trust (now dissolved). My signature on check no. 569 was as a fiduciary of Mrs. Purser. The account represented property of a revocable trust for which Mrs. Purser had tax liability and tax reporting responsibilities. As trustee I was no more in beneficial ownership than Paul Laxalt was of Ronald Reagan's 1980 campaign account.

68040711942

NOV 26 9:17

Jonathan Levin
Page 2
November 22, 1985

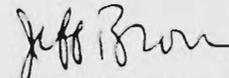
Second, the transaction regarding check no. 869 was totally disclosed. The check itself bore the name of Mrs. Purser, as well as my own.

Third, at some point the Glenn campaign called me about the possible average. They were prepared to return the amount over \$1,000. I explained the nature of the trust and they concluded that the Mabelle F. Purser, Trust and I were separate persons within the meaning of 2 U.S.C. Section 441a(a)(1)(A). Had there been any question, I would have insisted on a refund.

Fourth, my own check (no. 2930) bore my name and that of my wife. In order to avoid any problems (or confusion) with the Federal Elections Commission, the Glenn campaign sent me a letter of re-attribution for my wife's signature. She executed the re-attribution document.

Finally, I am a public officer myself, an attorney, and a person who has never been arrested or convicted of any charge. I also made full disclosure of the political transactions in the Glenn campaign. I take great umbrage at the accusatory tone of your letter and of your failure to make a preliminary inquiry. I respectfully request that I be given either a due process hearing or that the letter of November 15 and the Summary of Allegations be withdrawn.

Very truly yours,



Jeff Brown

JB:en

88040711943

FEC
HAND DELIVERED
65 NOV 26 12:44

WILLIAM E. ROBERTS
CRANSTON CENTER
1501 NEIL AVENUE
COLUMBUS, OHIO 43201

614 - 421-2000

VIA AIRBORNE

November 25, 1985

Jonathan Levin, Esq.
Federal Election Commission
Office of the General Counsel
1325 K Street, N.W., 7th Floor
Washington, D.C. 20463

Re: MUR 2072 (Copy of Correspondence Attached)

Dear Mr. Levin:

I think that there has been a misunderstanding regarding the contribution that my wife and I made to the John Glenn Presidential Committee. My understanding is that each person may make a contribution not in excess of \$1,000. In this case, my wife and I together gave \$2,000 (a copy of my check is attached). Perhaps the John Glenn Committee entered my name only in its records, thereby confusing your audit, but as you can see, that contribution was from both of us. I trust that this will clear up the matter.

Very truly yours,

CRANSTON SECURITIES COMPANY


William E. Roberts

WER:llk

Enclosure

88040711944

WILLIAM E. ROBERTS

CRANSTON CENTER

1501 NEIL AVENUE

COLUMBUS, OHIO 43201

614-421-2000

To: My
1503
Tax 66

also to
~~Subcommittee~~
3 weeks

July 5, 1983

Mr. Fred Rzepka
The John Glenn for President Committee
TransCon Builders, Inc.
1616 Belwood Road
South Euclid, OH 44146

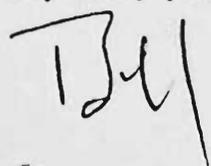
Dear Fred:

Enclosed is my check for \$2,000. It is a joint contribution from Joyce, my wife, and I. I had no idea that the maximum allowable contribution was \$1,000 per person.

I have also enclosed two additional checks for \$250.

If you would return my check #159 written back in May, I would appreciate it.

Very truly yours,



WER:11k

88040711945

88040711946

JOYCE M. OR WILLIAM E. ROBERTS
707 MORNING ST.
WORTHINGTON, OH 43085

294

July 5 1983

25-2/440

PAY TO THE
ORDER OF

John Cram for President
Two Thousand and ⁰⁰/₁₀₀

\$ 2,000 ⁰⁰/₁₀₀
DOLLARS

The Huntington National Bank
Columbus, Ohio 43260



[Signature]

MEMO

⑆044000024⑆ 02893608099⑈ 0294

RECEIVED BY THE REC
GEC#9052
85 NOV 26 12:48

LAW OFFICES
BROWN & AMMAN
1401 HUDSON LANE, SUITE 220
POST OFFICE DRAWER 2306
MONROE, LOUISIANA 71207-2306

WILLIAM D. BROWN
FREDERIC C. AMMAN, III
D. MILTON MOORE, III
R. DOUGLAS WOOD, JR.
W. DENIS BROWN, IV

TELEPHONE
(318) 388-2500

November 19, 1985

Mr. Jonathan Levin, Attorney
Federal Election Commission
Washington, D. C. 20463

RE: MUR 2072
William D. Brown

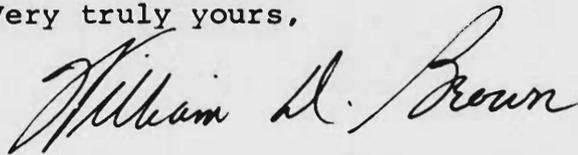
Dear Mr. Levin:

I am writing to you because of a letter I received under date of November 15th concerning the captioned matter. I really didn't know I had been made responsible in a legal violation but I am delighted to know that no further action will be taken. I do recall making a contribution to the John Glenn campaign through a law firm in Louisiana where my son was employed at the time but I had no idea it was violating the law. I do think someone from Senator Glenn's office called and said that the amount I had given was excessive and that it would be returned but I really thought that the return of the funds, if indeed it was ever made, would remedy the oversight and infraction.

In any event, I am very grateful for the manner in which the Election Commission has handled this matter and I apologize for the deficiency on my part and assure you that I will take "immediate steps to insure that such activity does not occur in the future," by declining to make any contribution whatsoever in the future. This occasion provides me with the perfect opportunity to do what I have wanted to do for a long time anyway.

Thank you for your every courtesy.

Very truly yours,



WDB:gl

89040711947

NOV 26 3:39
FEDERAL ELECTION COMMISSION



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 29, 1985

Harlan Pomeroy, Esquire
Baker & Hostetler
1050 Connecticut Avenue, N.W.
Suite 1100
Washington, D.C. 20036

RE: MUR 2072
John Glenn Presidential
Committee, Inc. and
William R. White, as treasurer

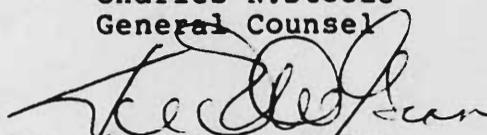
Dear Mr. Pomeroy:

Per the request of the John Glenn Presidential Committee, Inc., enclosed are the names of the individuals, partnerships, and committees referred to in the General Counsel's Factual and Legal Analysis for the above-captioned matter.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

88040711948

William C. Bowers
Norman Broad
John J. Coury
Robert J. Craukshank
Sy DeCesare
Robin Chandler Duke
John E. Fisher
J. James Fu
Richard J. Kelley
William Levy
Dennis K. McCormack
Mike McKinney
Gerry E. Pate
Allen L. Patrick
Ralph Peters
Edward I. Rudman
Bonnie Snyder
Karen Spencer
Alex Theriot
David K. Ting
Morton Weisberg
Hansell, Post, Brandon & Dorsey
McDonald and Company
Aaron Aronov
Maria Battaglino
Cathy S. Bernard
Sandra Biller
J.S. Blanton
Howard Brent
William D. Brown
Yvonne P. Brown
Carmen D. Celluci
William O. Cooley
George Fan
Michael V. Forrestal
Robert C. Golden
Karen Gottovi
James F. Graham
Claire M. Hoover
William E. Hunt
Marie S. Jacobs
Irving Kay
Dean Lampros
Robert E. Lowder
James P. McNamara
Christos Papatheodour
Helen Raffel
E. John Rosenwald, Jr.
Steven M. Schrager
Stanley P. Smith
Josiah A. Spaulding, Jr.
George Strike

88040711949

Angelo K. Tsakopoulos
Harris, Beach, Wilcox, Rubin & Levy
Robinson & Robinson
Helen B. Abercrombie
Lois Rose Allenices
Truman Arnold
Frank Bessoni
Ray Clymer, Jr.
Allen Finesilver
Oliver S. Heard, Jr.
Gary D. Helf
Alan Himmel
Juanita Jeys
Robert E. Lee
John R. Leone
A. R. Mays
John A. Mazzucco
John C. Mitchell
John W. Peavy, Jr.
Pamela Ray
Lenore G. Schottenstein
George W. Zeluff, II
Sandra Sewell
Babette L. Sirak
A. Visconi, II
Ernest Wallengren
Guilfoil, Petzall and Shoemake
Kee & Lau-Kee
Joseph A. Redfield
Dennis R. Farley
John P. Imlay, Jr.
Bob Lanier
Nathan Levy
George McGuffin
H. E. Rainbolt
John Rossiter
David T. Rubin
Fred J. Brinkman
Geoffrey Brown
James C. Burger
Hugh Calkins
Robert R. Chait
John J. Curran
Raymond H. Eaves
J. A. Elkins, Jr.
Glen B. Evans, Jr.
Gerard A. Fulham

88040711950

8 8 0 4 0 7 1 1 9 5 1

Robert S. Garek
Virgil Gladioux
T.F. Glass, Jr.
Ran Hettina
I.M. Kay
Hamilton G. Kenner
Chao-Han Lin
John D. Logan
Alexander H. McNeil
Edward L. Merrigan
Charles J. Pilliod, Jr.
William E. Roberts
Charles Schilleci
Leland Schubert
Marvin Schwartz
William D. Sellers
Richard R. Stander
Geraldine J. Torrey
Clifford W. Archer
George F. Baker, III
Benjamin F. Byrd, Jr.
Frederick B. Hegi, Jr.
James Jameson
James E. King
Donald F. Lieb
Charles R. Mathes, Jr.
John W. Osborn
Allan Schaefer
Dwight Owen Schweitzer
Albin W. Smith
Stephen Hewlett
Elaine Miller
RMS Management Account
Paul Durham
Committee to Re-Elect Congressman for Multi-Family Housing
and Sondra Linden, as treasurer
Brickler & Eckler Political Action Committee
and Elisabeth A. Squeglia, as treasurer

United Employee Political Action Committee
and William Russell Nixon, as treasurer
Vernon, Liipfert, Bernhard, and McPherson Political Action
Committee and John A. Merrigan, as treasurer.

John Glenn

May 24, 1984

Mr. Joseph A. Redfield
849 North Paulina
Chicago, Illinois 60622

Dear Joe:

As you have requested, I am enclosing a check in the amount of \$500 from my presidential campaign committee. Annie and I sincerely appreciate the support you gave my campaign, and I wish that I could retain these funds to help with my debt retirement effort.

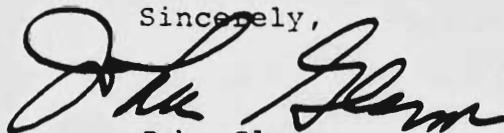
Although I am unable to utilize these funds in closing the books on my presidential campaign, I would like to suggest an alternative for your consideration. I am running for re-election to the United States Senate from Ohio in 1986 and have already begun the fundraising program for that effort. You should feel free to contribute the enclosed amount, or any other amount up to the legal limit of \$1000, to:

Senator John Glenn Committee
P. O. Box 1986, Ben Franklin Station
Washington, D. C. 20044

Again, I am grateful for your help. Your contribution is important to me, and I can assure you I will be working to continue to merit your support and confidence in the future.

Best regards,

Sincerely,



John Glenn
United States Senator

Enclosure

88040711952



Address all correspondence to
REDFIELD ASSOCIATES, General Agents
Suite 725
333 N. Michigan Ave.
Chicago, IL 60601
Phone 346-7460

GC# 9081
85 NOV 27 A 8:30

11-25-85

FEDERAL ELECTION COMMISSION
Washington, DC 20463

RE: MUR 2072

DEAR FEC,

I would like the enclosed letter and check stub from the John Glenn campaign included in the above file, as they indicate that the Glenn campaign refunded the excess contribution in May of 1984. Thank you.

Yours,

Joe Redfield
JOE REDFIELD

83040711953

JOHN GLENN
PRESIDENTIAL COMMITTEE INC.

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS ORDERED BELOW
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY NO RECEIPT IS SHIPPED
DELUXE - FORM DVC-3 V-7

Excessive Contribution.

6170

88040711954

GCC# 9082

DEWEY, BALLANTINE, BUSHBY, PALMER & WOOD
1775 PENNSYLVANIA AVENUE, N. W.
WASHINGTON, D. C. 20006

JOSEPH A. CALIFANO, JR.
PHILIP W. BUCHEN
O. NILE BELL
FENTON J. BURKE
ALAN WM. WOLFF
FELIX S. LAUGHLIN
CHARLES A. SEVERS, III
JOHN M. SAMUELS*
RICHARD COTTON
LAWRENCE F. O'BRIEN, III
W. CLARK McFADDEN II
GERALD M. ROSBERG
HAMILTON P. FOX, III
JOHN J. SALMON
R. MICHAEL GADBAW
MICHAEL H. STEIN
MYLES V. LYNK
RESIDENT PARTNERS

TELEPHONE: (202) 862-1000
TELECOPIER: (202) 862-1095
TELEX: 897070

140 BROADWAY, NEW YORK, N.Y. 10005
101 PARK AVENUE, NEW YORK, N.Y. 10178
TELEPHONE: (212) 820-1100
TELEX: 961289 (IF BUSY 12-6829)
TELECOPIER: (212) 820-1403

45, AVENUE GEORGE V
75008 PARIS, FRANCE
TELEPHONE: 720. 85. 21
TELEX: 642 620297

CABLE: DEWBALAW

November 29, 1985

* MEMBER N. Y. BAR;
NOT ADMITTED D. C.

John Warren McGarry
Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 2072 - Mrs. Marie S. Jacobs

Dear Mr. McGarry:

I am writing as counsel to Mrs. Marie S. Jacobs in response to your letter to Mrs. Jacobs, dated November 15, 1985, and received by her on November 20, 1985.

Your letter states that on October 17, 1985, the Federal Election Commission ("the Commission") found reason to believe that Mrs. Jacobs had violated provisions of the Federal Election Campaign Act ("the Act"), specifically, 2 U.S.C. § 441(a)(1)(A), by contributing to the John Glenn Presidential Committee, Inc. ("the Glenn Committee") an amount in excess of the \$1,000 statutory limit for individual contributions to a federal election candidate. You added, however, that the Commission has determined to take no further action and has closed its file in this matter as it pertains to Mrs. Jacobs.

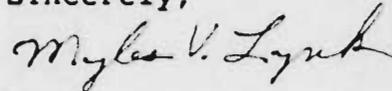
Your letter, announcing both the Commission's finding of a reason to believe a violation took place and its final disposition of the matter, was the first notice Mrs. Jacobs received that she was being investigated by the Commission. Had she been notified earlier she would have brought the following facts to the Commission's attention before it found reason to believe that she had violated the Act. On January 10, 1984, the Glenn Committee notified Mrs. Jacobs that their records showed she had contributed \$1,750 to the Committee. Mrs. Jacobs was unaware that her contri-

88040711955

NOV 29 10:40 PM '85

butions had exceeded the statutory limit, but as soon as this fact was brought to her attention, she specifically requested a refund in order to comply with the law. On January 20, 1984, Mrs. Jacobs advised the Glenn Committee to refund the \$750 that was in excess of the \$1,000 limit. On January 27, 1984, the Glenn Committee responded to Mrs. Jacobs' request by sending her a refund check for \$750. Thus, any inadvertent and unintended excess contribution was returned to Mrs. Jacobs. Yet neither your letter to Mrs. Jacobs nor the enclosed General Counsel's Factual and Legal Analysis note this fact; that any possible violation was cured in January, 1984, almost two years ago, when Mrs. Jacobs requested and received a refund from the Glenn Committee. Because Mrs. Jacobs is therefore not in violation of the Act, we urge the Commission to reverse the finding as to Mrs. Jacobs that was announced in your November 15, 1985, letter.

Sincerely,



Myles V. Lynk

08040711956

J Levin

ALEX THERIOT, JR. ~~████████████████████~~
710 MAPLE
~~████████████████████ AVENUE, P.O. BOX 875~~
DENHAM SPRINGS, LOUISIANA 70727-0875
70726

cc URGENT
 PLEASE RESPOND BY -
85 NO REPLY NECESSARY 85: 48
~~████████████████████~~

TO: John Warren McGarry
Federal Election Commission
1325 K Street, NW
Washington, D.C. 20463

DATE: 11-25-85
SUBJECT: MUR 2072 - John
Glenn Presidential Contribution

MESSAGE My wife & I have joint checking account. Thought the limit
is \$1,000 per husband & wife. Gave \$1,000 then \$500 out of
this account. I signed both checks from this joint account
totalling under the \$2000 limit. If I contribute again I will
have my wife sign one check and I will sign the other.

SIGNED Theriot Alex

REPLY: _____

SIGNED _____ DATE: _____

GCC#9083
J. Levin



United employees' political action committee
central louisiana electric company, inc.

85 N 27 AIO: 23

REC 2
AIO: 50

November 22, 1985

Honorable John Warren McGarry
Chairman
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2072
United Employees Political
Action Committee, and
William Russell Nixon, Jr.

Dear Chairman McGarry:

This will acknowledge receipt of your letter of November 15, 1985, and the enclosed notice of possible violation of 2 U.S.C. 441a (a) (1) (A). There certainly was no intent to violate the law by me or United Employees Political Action Committee ("UEPAC").

UEPAC was organized on March 1, 1983, for the purpose of supporting candidates for federal and state elections. A summary of federal contributions made is as follows:

May 24, 1983, Honorable Buddy Roemer	\$ 100
May 24, 1983, Senator Bennett Johnston	\$ 500
June 15, 1983, John Glenn Campaign	\$1,000
Sept. 13, 1983, Honorable Robert Livingston	\$ 100
Sept. 13, 1983, Honorable Henson Moore	\$ 100
Sept. 15, 1983, John Glenn Campaign	\$1,500

As of September 15, 1983, UEPAC had fulfilled all criteria to be a multi-candidate committee. 11 CFR 100.5(e)(3) states that a multi-candidate committee is a political committee which:

- (i) has been registered with the Commission, Clerk of the House or Secretary of the Senate for a least six months.
- (ii) has received contributions for federal elections from more than 50 persons; and
- (iii) has made contributions to five or more federal candidates.

8 3 0 4 0 7 1 1 9 5 3

On September 15, 1983, UEPAC had been registered with the Commission since March 1, 1983, (received by FEC on March 8, 1983), a period of over six months. There were 229 members of UEPAC at that time, and contributions had been made to five federal candidates (Senators Johnston and Glenn, Congressmen Roemer, Livingston and Moore). Therefore, on September 15, 1983, UEPAC had qualified as a multi-candidate committee and could have contributed an additional \$4,000 to the Glenn campaign.

Subsequently, we were advised that Congressman Roemer had not received the May 24, 1983, check. A substitute check was issued on November 30, 1983. On December 30, 1983, UEPAC contributed \$100 to the Honorable John Breaux after Congressman Roemer had returned the November 30 check stating that he would refuse to accept any PAC contributions.

UEPAC made a good faith effort to qualify as a multi-candidate committee. If there was a violation, it was purely technical and caused by the loss of the first Roemer check.

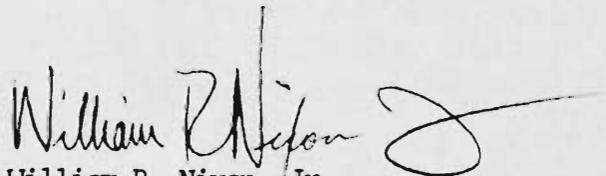
During 1984, we contributed to two federal candidates; in 1985 three contributions have been made. Therefore, at present we clearly are a multi-candidate committee.

It is UEPAC's and my contention that our clear intent was to qualify as a multi-candidate committee; the second Glenn check was written at a time when all concerned thought in good faith that UEPAC was qualified.

I trust this letter will explain fully the situation and that this explanation will be accepted. If any doubt remains, UEPAC and I would be interested in exploring conciliation possibilities pursuant to 11 CFR 111.18(d).

As a precaution in the event that any further proceedings are necessary, UEPAC has designated Frederick B. Alexius, Esquire, as counsel on the enclosed designation form. If any further information is required, please contact Mr. Alexius.

Sincerely



William R. Nixon, Jr.
Secretary - Treasurer

WRN/cp

attachment

cc: Frederick B. Alexius

80040711959

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2072

NAME OF COUNSEL: Mr. Frederick B. Alexius

ADDRESS: Provosty, Sadler & deLaunay

P.O. Drawer 1791

Alexandria, LA 71309-1791

TELEPHONE: (318) 445-3631

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.

November 22, 1985
Date


Signature

RESPONDENT'S NAME: United Employees' Political Action Committee and
William R. Nixon, Jr., as Treasurer

ADDRESS: P.O. Box 111

Alexandria, LA 71301

HOME PHONE: (318) 640-3863

BUSINESS PHONE: (318) 445-8264

88040711960

HARRIS, BEACH, WILCOX, RUBIN AND LEVEY
ATTORNEYS AND COUNSELORS AT LAW
THE GRANITE BUILDING
130 EAST MAIN STREET
ROCHESTER, NEW YORK 14604
716-232-4440

REC'D THE FEC
QCC#9073
85 NOV 29 9:01
130 LAKE STREET
ELMIRA, NEW YORK 14901
607-734-4114
121 EAST SENECA STREET
P. O. BOX 580
ITHACA, NEW YORK 14851
607-273-6444
1220 L STREET, N W
SUITE 310
WASHINGTON, D. C. 20005
202-842-4141

November 27, 1985

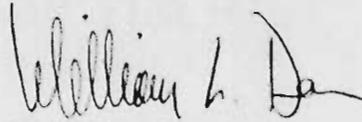
Jonathan Levin, Esq.
Office of General Counsel
Federal Election Commission
1325 K Street, NW
Washington, D. C. 20463

Dear Mr. Levin:

Reference is made to your letter to us concerning a contribution in August, 1983 to the John Glenn Presidential Election Campaign. The referenced contribution was made in the names of a number of the individual partners of our firm and not as a contribution of our firm in general, nor in the name of our firm. No contribution by any of these individuals was in excess of the allowable limitations. Further, it should be noted that the contribution was in no way related to the Hartis, Beach, Wilcox, Rubin and Levey Political Committee which was not formed until earlier this year.

If we can provide you with any further information in this regard, please contact me.

Sincerely,



William L. Dorr

WLD:jed

88040711951

GCC# 9084

J. Levin



MITCHELL & DEMERATH LAW OFFICES

440 REGENCY PARKWAY ■ OMAHA, NEBRASKA 68114 ■ 402/397-9950

R
D
REC
NOV 27 10:23

John C. Mitchell
Larry R. Demerath
Virginia Koerselman
William C. Ramsey

November 22, 1985

NOV 22 1985
AID: 50

Mr. John Warren McGarry
Chairman
Federal Election Commission
Washington, D.C. 20463

RE: MUR 2072
JOHN C. MITCHELL

Dear Mr. McGarry:

I have a letter over your signature dated November 15, 1985 suggesting a violation of the Federal Election Campaign Act because of a suggestion that there may have been a contribution of more than One Thousand Dollars (\$1,000.00) given to the John Glenn Presidential Committee. First of all, I do not understand paragraph number two. It states that the file is being closed in this matter as it pertains to me but yet indicates that it will become part of a public file. Could you please advise as to whether it is being closed and it will not be part of a public file or is it being closed and it will become part of a public file?

Also, I wish to place it on record that I deny any violation and that if there were any contributions in excess of One Thousand Dollars (\$1,000.00) they are attributable to John C. Mitchell and to Mary Mitchell, and that neither party contributed in excess of One Thousand Dollars (\$1,000.00). Thank you.

Sincerely,

John C. Mitchell

JCM:jak

8804071120408

Elisabeth A. Squeglia
Treasurer
Bricker & Eckler Political
Action Committee
100 East Broad Street
Columbus, Ohio 43215
614/227-2396

December 4, 1985

Jonathan Levin, Esq.
General Counsel's Office
Federal Election Commission
Washington, D. C. 20463

Re: MUR 2072
Bricker & Eckler Political
Action Committee, and
Elisabeth A. Squeglia, as
Treasurer

REC-5
FIC-48

RECEIVED
GENERAL COUNSEL

Dear Mr. Levin:

On November 20, 1985, the Bricker & Eckler Political Action Committee ("PAC") received a letter from Chairman McGarry notifying them of the Federal Election Commission's ("FEC") determination that the PAC had violated the \$1,000.00 contribution limitation. Pursuant to the instructions in that letter, enclosed is a sworn affidavit setting out the factual background of the alleged violation.

As noted in the General Counsel's factual analysis, the PAC, which is not a multicandidate committee, made a contribution to the John Glenn Presidential Committee in excess of \$1,000.00. However, such contribution was inadvertent and due to a misunderstanding of the law, and the excess portion of the contribution was subsequently refunded to the PAC by the Glenn Committee, per the PAC's request. At the time the contribution to Senator Glenn's Presidential Committee was made, the PAC was newly formed, and that contribution was the first made by it. At that time, we were under the impression that the limitation on contributions by a PAC was \$5,000.00. We believed that the contribution to Senator Glenn's Presidential Committee was in compliance with that limitation.

Some time after the contribution to the Glenn Committee had been reported, we became aware that the limitation was,

3 3 0 4 0 7 1 1 9 6 3

Jonathan Levin
December 4, 1985
Page Two

in fact, \$1,000.00, as opposed to \$5,000.00. I immediately contacted the FEC through their toll-free information number to determine the proper procedure to correct our error. Several alternatives were discussed in a series of phone conversations with various FEC information officers on the toll-free line, including a return of the excess amount of the contribution, or qualifying the PAC belatedly as a multicandidate committee. This initial series of phone conversations was inconclusive and resulted in contradictory information.

Being somewhat uncomfortable with the conflicting advice we were receiving through the information line, I asked to speak with someone on the legal staff. An information officer connected me with the General Counsel's office. The General Counsel's office advised us to request Senator Glenn's committee to refund the excess portion of the contribution. We were further advised that, because the excess contribution was inadvertent and would be voluntarily corrected, no further action would be taken by the Commission.

Thereafter I contacted Senator Glenn's committee to inform them of our error and to request a refund. After discussions with several different staff people involved in fundraising aspects of the campaign, including legal counsel to the committee and the committee's treasurer, it was agreed that \$4,000.00 would be returned to the PAC. That refund was received on August 24, 1984 and reported in our October report that same year.

The only written correspondence with the FEC related to this matter was a letter received by me from Anthony Raymond on May 22, 1985. The central purpose of Mr. Raymond's letter was to trace the original contribution which resulted in the \$4,000.00 refund reported on the October 12, 1984 report. However, during the course of a telephone conversation with Mr. Raymond we discussed the fact that the original excess contribution was an inadvertent error, and that the procedure we had followed to correct it was recommended by the FEC staff. Mr. Raymond assured me that the procedure we used was appropriate, and the only question was what contribution was being refunded. He indicated that a brief letter to him stating when the original contribution had been made would clear the matter and no further action would be taken.

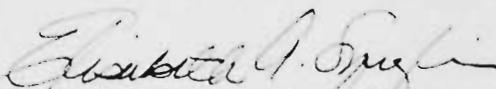
83040711964

Jonathan Levin
December 4, 1985
Page Three

In light of the fact that (i) the error was unintentional, (ii) the PAC independently discovered it, (iii) the PAC promptly sought advice and received assurances from the Commission staff regarding the informal resolution of this matter, and (iv) the PAC voluntarily corrected it prior to the Commission's discovery of the error, we trust that no further action will be necessary. However, should the Commission decide to take further action in spite of the foregoing considerations, we respectfully request an opportunity to participate in the pre-probable cause conciliation procedures outlined in Mr. McGarry's letter. Furthermore, at this time we do not wish to be separately represented by counsel. However, we do reserve the right to retain counsel to represent us in this matter at a future date should it not be resolved informally.

If there is any additional information which I can provide to you or the Commission to help in the speedy resolution of this inquiry, please let me know.

Very truly yours,


Elisabeth A. Squeglia

EAS:pm
Enc.

8 3 0 4 0 7 1 1 9 6 5

A F F I D A V I T

Affiant Elisabeth A. Squeglia, being duly sworn, deposes and states the following:

1. I am currently treasurer of the Bricker & Eckler Political Action Committee ("PAC") and have held such post since the formation of the PAC on February 9, 1983.

2. On February 10, 1983, the PAC made a \$5,000.00 contribution to the John Glenn Presidential Committee, Inc. This was the first contribution made by the PAC.

3. At the time the John Glenn Presidential Committee contribution was made, we understood the limitation on contributions by political action committees to be \$5,000.00.

4. Several months after the contribution was reported, we became aware of the \$1,000.00 limitation through our own research. I immediately phoned the toll-free information service operated by the Federal Election Commission ("FEC") to determine the proper procedure to correct our error.

5. After several telephone conversations with various persons on the toll-free line, which conversations resulted in conflicting advice on how to correct the excess contribution, I asked to speak to the General Counsel's office.

88040711966

6. I was advised by the General Counsel's office to request that the John Glenn Presidential Committee return the excess contribution. I was also advised that our voluntary correction of the matter would result in no action being taken against the PAC. This advice was given during a telephone conversation and no correspondence was exchanged.

7. I subsequently contacted the John Glenn Presidential Committee to notify them of our error and request the excess amount of the contribution be returned. After several conversations with various campaign staff persons, including the treasurer and legal counsel, it was agreed that \$4,000.00 of the contribution would be returned to the PAC. The request was made by telephone and no correspondence was exchanged.

8. On August 24, 1984, the \$4,000.00 excess contribution was refunded to the PAC. The refund of this amount was reported in the PAC report filed October 12, 1984.

9. On May 22, 1985, I received a letter from Anthony Raymond of the FEC inquiring about the \$4,000.00 refund reported on the October 12, 1984 report. Shortly after receipt of that letter, I telephoned Mr. Raymond to discuss his inquiry. At that time, I described the original inadvertent error and inquired whether he was questioning the procedure we had followed to correct our error. He assured me that the only question was which contribution was being refunded, and asked for a brief letter stating when the original contribution had

83040711967



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

Elizabeth Squeglia, Treasurer
Bricker & Eckler Political
Action Committee
100 East Broad Street, Suite 2100
Columbus, OH 43215

MAY 22 1985

Identification Number: C00165522

Reference: October Quarterly Report (7/1/84-9/30/84)

Dear Ms. Squeglia:

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:

-On Schedule A you disclose a \$4,000 refund from the John Glenn Presidential Committee. The initial contribution to that committee, however, has not been previously reported. Please clarify this discrepancy.

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

88040711959

614/227-2396

June 10, 1985

Mr. Anthony Raymond
Reports Analyst
Reports Analysis Division
Federal Election Commission
Washington, D. C. 20463

Re: Bricker & Eckler Political Action Committee
Identification Number: C00165522
October Quarterly Report (7/1/84-9/30/84)

Dear Mr. Raymond:

In response to your inquiry regarding Schedule A of the 1984 October quarterly report for the Bricker & Eckler Political Action Committee, the original contribution to which the \$4,000.00 refund from the John Glenn Presidential Committee relates was reported on our mid-year 1983 report. The initial contribution on February 10, 1983 totaled \$5,000.00, \$4,000.00 of which was subsequently refunded on August 14, 1984.

I trust this letter resolves your question. If any further filing is required, please let me know.

Very truly yours,

Elisabeth A. Squeglia

EAS:pm

83040711970



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 2, 1985

Barbara I. Hodges, Esquire
Baker & Hostetler
1050 Connecticut Avenue, N.W.
Suite 1100
Washington, D.C. 20036

Re: MUR 2072
John Glenn Presidential
Committee, Inc., and
William R. White, as treasurer

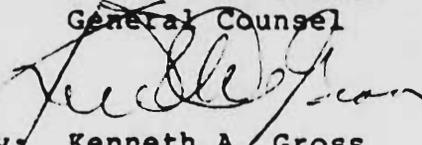
Dear Ms. Hodges:

Per your request of November 22, 1985, this Office is granting a ten-day extension of time for a response to the reason to believe notification in the above-captioned matter. Your response, therefore, is due on December 13, 1985.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

88040711971

REC# 9154

HANSELL & POST

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

THIRTY-THIRD FLOOR FIRST ATLANTA TOWER
ATLANTA, GEORGIA 30383-3101
TELEPHONE 404 581-8000
TELECOPIER 404 581-8330
TELEX 84-2711

56 PERIMETER CENTER EAST, N.E.
FIFTH FLOOR
ATLANTA, GEORGIA 30346-2283

1915 T STREET, N.W.
FIFTH FLOOR
WASHINGTON, D.C. 20006

ALBERT G. NORMAN, JR.
404 581-8146

December 5, 1985

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

Attention: Mr. Jonathan Levin

Re: MUR 2072

Dear Mr. Levin:

We are in receipt of the letter from the Federal Election Commission ("Commission") dated November 15, 1985 which was directed to the firm of Hansell, Post, Brandon & Dorsey. The letter was received on November 27, 1985 and, as a result, this response is timely. It is our understanding from that letter that certain questions have arisen with regard to contributions made by various individuals who are members of this firm to the John Glenn Presidential Committee, Inc. ("Committee"). It is our belief that these questions may have arisen as a result of inaccurate reporting by the Committee. In any event, contrary to the sense of the allegations, it is clear that all of the contributions made by members of this firm were within the limitations imposed by the Federal Election Campaign Act of 1971, as amended ("Act"), and that such contributions were made in accordance with accepted procedure.

The "Summary of Allegations" appended to your November 15, 1985 letter indicates that an audit of the Committee "noted that the Committee's Reports of Receipts and Disbursements disclosed that the respondents have given the Committee aggregate contributions in excess of \$1,000." That allegation, notwithstanding whatever the reports of the Committee may indicate, is in error. The issue of the personal, individual character of the contributions was explained to the Committee. Although the materials which the Commission provided in connection with its November 15, 1985 letter do not disclose the specific report entry made by the Committee which gave rise to the allegation, in spite of the effort made to ensure that the contributions were properly

88040711972

recorded and reported, it can only be assumed that the Committee erroneously reported a contribution as being from Hansell & Post. As a matter of fact, the firm of Hansell, Post, Brandon & Dorsey (on March 1, 1983 the firm name was changed to Hansell & Post) made no contribution to the Committee and, as a result, any reference to a contribution by the firm or partnership in any amount is simply in error.

Attached, marked Exhibit A, is a copy of a letter dated June 21, 1983 which accompanied the contributions made to the Committee from individuals who were members of the firm of Hansell & Post (attached to the letter are copies of the contribution checks). This letter clearly states that none of the contributions were from the partnership. Rather, the letter makes clear that 20 separate and distinct individuals were making personal contributions in amounts that varied from \$50 to \$200. Attached, marked Exhibit B, is an affidavit from Alan L. Libman, Controller for the law firm of Hansell & Post, which evidences that the contributions reflected on the June 21, 1983 letter were in fact made from the individual accounts of the respective partners and not from partnership funds. Clearly no contribution was made by the partnership to the Committee. As a result, the appropriate application of the limitations imposed by the Act would permit each of the 20 individuals involved to contribute up to \$1,000 per individual per election.

One can only assume that the June 21, 1983 letter was somehow separated from the check of the same date in the amount of \$2,700. Although we were not provided with copies of the Committee's reports or of the audit report related to these allegations, it would be interesting to focus on the reporting of the other two checks which accompanied the June 21, 1983 letter. As a factual matter, the contributions by the 18 individuals which were transmitted, as a matter of convenience, in one check were no different in substance than the contributions made by the two individuals transmitted at the same time in separate checks (separate checks were employed due to the fact that the two individuals are employees of professional corporations which are part of the firm and, as a result, their partnership accounts could not be the source of a contribution). In all 20 cases, the contributions were made from funds to which the respective individuals were exclusively entitled, not from funds distributable to partnership members.

Apparently, the manner in which the 20 individual contributions were reported misstates the facts. The fact that, as a matter of convenience, certain of the individual contributions were transmitted in one check should not in any way confuse or alter the facts that the contributions, in all respects, were

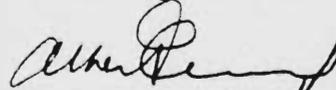
89040711973

individual and personal contributions. Every effort was made to clearly state these facts at the time the contributions were transmitted. The personal and individual character of those contributions was also emphasized to the Committee following transmittal. To characterize the contributions as being anything other than separate individual personal contributions for either reporting purposes or for the purpose of applying the limitations under the Act would be to ignore the facts and the substance of the matter. Whether the 20 separate contributions were transmitted in three checks, 20 checks, or some variation in between, should not be determinative. The contributions transmitted in the check totalling \$2,700 were no less personal and individual contributions than those represented by the other two checks. Moreover, each of the contributions involved, including the two contributions transmitted in separate checks, was summarized in the same transmittal letter.

While the law may limit contributions from a partnership to \$1,000 per candidate per election, the law does not purport to place individuals who happen to be members of a partnership under some aggregate limitation whereby an individual contribution by one partner would reduce the amount available for contribution by another. Application of the \$1,000 partnership limitation in this instance would have that effect, contrary to the intent and letter of the statute.

Finally, it was the purpose and intent of the individuals involved to make personal individual contributions to the Committee in conformance with the Act. In the event that you require further information or data in order to resolve this matter, we are prepared to work with you towards that end. As a result of the fact that no partnership contribution was made in this case, we do not believe that further action in this matter is warranted. We would certainly request that, in the event you determine further consideration is necessary, we be provided with adequate notice to consider whether a request pursuant to 11 C.F.R. §111.18(d) or other potential action is in order.

Sincerely,



Albert G. Norman, Jr.
For Hansell & Post

Enclosures

83040711971

THIRTY-THIRD FLOOR FIRST ATLANTA TOWER
 ATLANTA, GEORGIA 30383-3101
 TELEPHONE 404 581-8000
 TELECOPIER 404 581-8330
 TELEX 94-2711

56 PERIMETER CENTER EAST, N.E.
 FIFTH FLOOR
 ATLANTA, GEORGIA 30346-2263
 1915 T STREET, N.W.
 FIFTH FLOOR
 WASHINGTON, D.C. 20008

EXHIBIT A

June 21, 1983

TO WHOM IT MAY CONCERN:

The attached three (3) checks totalling Three Thousand Dollars (\$3,000) represent personal individual contributions to the campaign fund of John Glenn and should not be considered as being a contribution from Hansell & Post. The names and addresses of individual contributors are as follows:

<u>NAME AND ADDRESS</u>	<u>AMOUNT OF CONTRIBUTION</u>
Terrence B. Adamson 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	\$ 50.00
N. William Bath 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	100.00
Jule W. Felton, Jr. 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	240.00
Holcombe T. Green, Jr. 56 Perimeter Center East, N.E. Fifth Floor Atlanta, Georgia 30346	100.00
Edward S. Grenwald 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	150.00
C. Edward Hansell 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	100.00

(Continued)

88040711975

TO WHOM IT MAY CONCERN
June 21, 1983
Page Two

<u>NAME AND ADDRESS</u>	<u>AMOUNT OF CONTRIBUTION</u>
Gary W. Hatch 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	\$100.00
McChesney H. Jeffries 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	200.00
Richard M. Kirby 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	100.00
James H. Landon 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	200.00
Kent E. Mast 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	100.00
John Hays Mershon 56 Perimeter Center East, N.E. Fifth Floor Atlanta, Georgia 30346	200.00
Trammell Newton 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	110.00
Albert G. Norman, Jr. 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	200.00
Ernest C. Ramsay 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	200.00

(Continued)

88040711976

TO WHOM IT MAY CONCERN
June 21, 1983
Page Three

<u>NAME AND ADDRESS</u>	<u>AMOUNT OF CONTRIBUTION</u>
Robert W. Smith 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	\$200.00
Philip C. Thompson 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	200.00
Trammell E. Vickery 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	200.00
David P. Wallace 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	100.00
Dom H. Wyant 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	150.00

Please do not hesitate to contact me if any additional information is required.

Sincerely yours,

Robert L. Rate
Executive Administrator

LTB/sal

Attachments

88040711977

MCCHESENEY H. JEFFRIES 01
 3300 FIRST NATIONAL BANK TOWER
 ATLANTA, GA 30383

PAY TO THE ORDER OF John Glenn Campaign Fund 6/22 1983 64-1
Two Hundred & no/100 \$ 200.00 810

FIRST ATLANTA
 The First National Bank of Atlanta
 Atlanta, Georgia

FOR McCrory Jeffries

-1:0610000101: 57 690 30711 3184

HOLCOMBE T. GREEN
 NANCY H. GREEN
 3655 TUXEDO ROAD
 ATLANTA, GA 30305

128
 1-8/210/281
6/21 1983

PAY TO THE ORDER OF John Glenn Campaign Fund \$ 100.00

One hundred DOLLARS

Citibank, N.A. Private CITIBANK
 309 Park Avenue Banking
 New York, N.Y. Division
 10043

MEMO John Glenn

-1:0210000891: 400 3741981711 0128

88040711973

LAW OFFICES
HANSELL, POST, BRANDON & DORSEY
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
THIRTY-THIRD FLOOR, FIRST ATLANTA TOWER
ATLANTA, GEORGIA 30383
TELEPHONE (404) 581-8000
TELEX 54-2711

No 5182

THE FIRST NATIONAL BANK OF ATLANTA
ATLANTA, GEORGIA

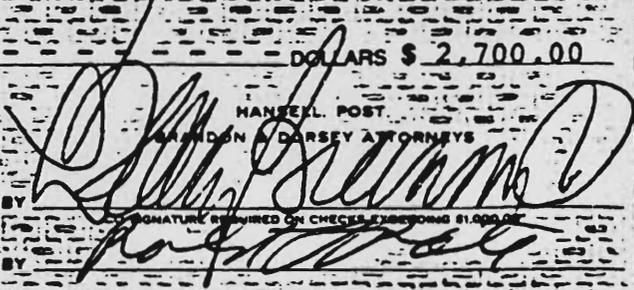
June 21 1983

PAY Two Thousand Seven Hundred and no/100

DOLLARS \$ 2,700.00

TO THE ORDER OF John Glenn Campaign Fund

HANSELL, POST,
BRANDON & DORSEY ATTORNEYS



SIGNATURE REQUIRED ON CHECKS EXCEEDING \$1,000.00

⑆005182⑆ ⑆061000010⑆ 07 007 037⑆

DETACH AND RETAIN THIS STATEMENT

THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED

FILE OR
ACCT. NO.

No 5182

See attached letter.

FOUR
(CLIENT)

CHG

RE/VS

FOR

by RLR/sal

HANSELL, POST,
BRANDON & DORSEY ATTORNEYS

EXHIBIT B

AFFIDAVIT OF ALAN L. LIBMAN

STATE OF GEORGIA

COUNTY OF FULTON

PERSONALLY APPEARED before the undersigned officer, duly authorized to administer oaths in this State, Alan L. Libman, who being duly sworn, deposes and states as follows:

1.

I, Alan L. Libman, am the controller for the law firm of Hansell & Post, 3300 First Atlanta Tower, Atlanta, Georgia 30383, and as such have responsibility for the operation of the Firm's Accounting Department.

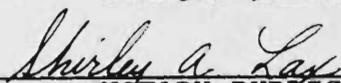
2.

I have examined the books and records of Hansell & Post and do hereby certify that the contributions made by the individuals listed on the Firm's June 21, 1983 letter to the Campaign Fund of John Glenn were made from the personal accounts of each individual and not from Partnership funds generally.

Further affiant saith not.


ALAN L. LIBMAN

Sworn to and subscribed
before me this 6th
day of December, 1985.


NOTARY PUBLIC
Notary Public, Georgia, State at Large
My Commission Expires Oct. 14, 1986

88040711930

BAGGETT TRANSPORTATION COMPANY
INCORPORATED
BIRMINGHAM, ALABAMA

85 DEC 9 9:58
600#9186

December 6, 1985

WILLIAM D. SELLERS, JR.
CHAIRMAN OF THE BOARD

Mr. Jonathan Levin
Federal Election Commission
General Counsel's Factual & Legal Analysis
Washington, D. C. 20463

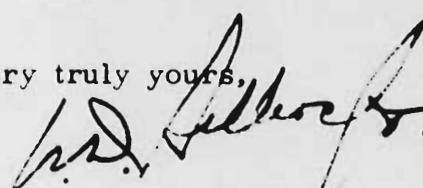
Re: MUR 2072
William D. Sellers

Dear Mr. Levin:

For your immediate reference I am enclosing Xerox of correspondence dated November 15, 1985 in connection with the above subject matter. I have endeavored on two occasions to reach you by telephone at your Washington number, however, each time I called you were not in, or your were not available to speak to me.

Of course, I was not aware of any violation of the Federal Election Campaign Act by me, and would appreciate you making me aware of the contributions that made me a part of this investigation in order that I may not permit this to happen again.

Very truly yours,



William D. Sellers, Jr.

Enclosures
WDS:lt

83040711931

15 DEC 11 9:46

RE
GENERAL COUNSEL

John Glenn

RECEIVED AT THE FEC
ACC # 9184
85 DEC 11 AB: 32

December 9, 1985

85 DEC 11 9: 47

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

Mr. Jonathan Levin
Federal Election
Commission
1325 K Street, NW
Washington, DC 20463

Dear Mr. Levin:

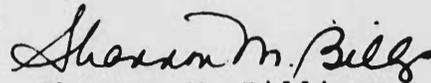
I have enclosed a letter from Mr. Choa-Han Lin regarding MUR No. 2072. Mr. Lin contends that his "excessive" contribution of \$2000.00 to the John Glenn Presidential Committee, Inc. was two separate contributions of \$1000.00 each from himself and his wife I-Chih Lin.

If you will check the records, you will see that Mr. Lin made two contributions to the Committee. One contribution was dated April 23, 1983 and the other was dated July 8, 1983. Both contributions were written from the contributors' joint account.

I have enclosed a copy of a letter from the Committee to Mr. Lin verifying that the April contribution of \$1000.00 was to be attributed entirely to his wife.

I hope that this information will be of assistance. If you need more information, please do not hesitate to call me at 675-6440.

Sincerely,



Shannon M. Billings
John Glenn Presidential Committee

Enclosures

88040711982

616 W. County Line Road
Lakewood, NJ 08701
November 21, 1985

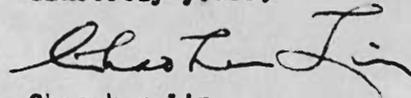
Mr. John Warren Megarry, Chairman
Federal Election Commission
Washington, D.C. 20463

Dear Sir:

I was surprised to receive your letter charging ^{me} of violating Federal Election Campaign Act of 1971. Please be advised that the contribution ^{was} by two individuals, my wife and me each \$1,000. That should not constitute a violation. Please kindly reconsider and see to it that my name be removed from public record.

Thank you.

Sincerely yours,



Chao-han Lin

88040711983

*Need affidavit
for wife*

*OR
GEN*

CHAO-HAN LIN
I-CHIH LIN
616 W. COUNTY LINE RD.
LAKEWOOD, N.J. 08701

469

July 8 1983

PAY TO THE ORDER OF *Senator John Glenn* \$ *1,000⁰⁰*

One thousand and ^{no}/₁₀₀ DOLLARS

First National State Bank - Edison
County Line Office

Th
Pr
P.
B.
W.

⑆021207264⑆ 517 003475 7⑈

1000⁰⁰

Dear Senator:

88040711933

CHAO-HAN LIN
I-CHIH LIN
616 W. COUNTY LINE RD.
LAKEWOOD, N.J. 08701

446

FEC

May 23 1983

PAY TO THE ORDER OF *Senator John Glenn* \$ *1,000⁰⁰*

One thousand and ^{no}/₁₀₀ DOLLARS

First National State Bank - Edison
County Line Office
Lakewood, New Jersey 08701

MAY 05 1983 123

Joseph P. Pennington

⑆021207264⑆ 517 003475 7⑈

GEN

RECEIVED THE FEC
600 9171

85 DEC 6 12:43

MICHAEL V. FORRESTAL
153 EAST 53RD STREET
NEW YORK, N. Y. 10022

December 3, 1985

Jonathan Levin, Esq.
Federal Election Commission
Washington, D.C. 20463

MUR 2072
MICHAEL V. FORRESTAL

Dear Sir:

I received a letter from Mr. McGarry, Chairman of the Commission, dated November 15, 1985 reporting a finding apparently made on October 17, 1985 that I had violated 2 U.S.C. § 441a(a) (1) (A).

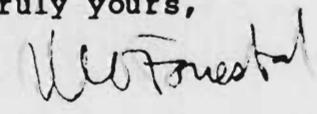
I believe the Commission may be mistaken in this matter and I should like to correct the record.

According to my files I made a contribution of \$250 on April 27, 1983 to The John Glenn Presidential Committee and I subsequently made an additional contribution of \$1,000 on August 16, 1983. I apparently forgot about the first contribution.

Subsequently on or about March 13, 1984 the John Glenn Presidential Committee Inc. sent me their check for \$250. I am enclosing for your files a copy of the statement from the Glenn Committee together with some correspondence relating to the excessive contribution.

If the above information suggests that I have not been in violation of the cited Section of the Code, I would appreciate a letter to this effect from the Federal Election Commission.

Very truly yours,



cc: Mr. John Warren McGarry

83040711986

RECEIVED
A 2:03

John Glenn

January 16, 1984

Mr. Michael V. Forrestal
Shearman and Sterling
153 East 53rd St.
New York, NY 10022

Dear Michael:

This letter confirms your telephone conversation of 1/13/84 with one of my staffmembers. During that conversation you indicated that you wished to reattribute your contribution check of \$ 250.00, dated 4/27/83, in the following manner: \$250.00 to a joint contributor, \$0.00 to yourself. This reattribution will prevent your contribution from exceeding the \$1,000.00 limit on contributions from an individual.

Enclosed is a statement that, when completed, will verify this reattribution for our records and will satisfy Federal Election Commission regulations for matching funds purposes. Please complete this statement and the enclosed contributor cards and return them to me in the enclosed reply envelope.

Thanks again for your support.

Warm regards,



Robert A. Farmer
Treasurer

83040711937

January 27, 1983

Mr. Robert A. Farmer,
Treasurer
John Glenn Presidential Committee, Inc.
Suite 487
444 W. Capitol Street
Washington, D.C. 20001

Dear Bob:

Thank you for your letter of January 16th. On checking into the matter a bit I find that there are sufficient doubts about the business of reattribution that I would prefer to have a refund of my check for \$220 dated April 27, 1983.

All is not lost since I have been able to persuade others to contribute more than this in their own names.

Best wishes for success and warm regards.

Sincerely,

cc: Mr. Lummis

88040711933

JOHN GLENN
PRESIDENTIAL COMMITTEE INC.

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

DELUXE - FORM DVC-3 V-7

Excessive Contribution

Deposited Citibank 3/13/84 - \$250⁰⁰

88040711939

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85 DEC 9 49:50

LAW OFFICES
HICKS, MALOOF & CAMPBELL

A PROFESSIONAL CORPORATION
SUITE 3401, 101 MARIETTA TOWER

ATLANTA, GEORGIA 30335

(404) 588-1100

TELECOPIER 588-9860
TELEX 54-2701
HM&C ATL

ROBERT E. HICKS
MAURICE N. MALOOF
CHARLES E. CAMPBELL
ROBERT A. BARTLETT
CHARLES E. WILSON III
ROBERT E. TRITT
BRUCE M. EDENFIELD
FRED F. MANGET
PETER J. QUIST
J. MICHAEL LEVENGOOD
J. DAVID DANTZLER, JR.
STEVEN K. BENDER
MICHAEL S. BRADLEY
LISA L. WEBB

December 5, 1985

Mr. Jonathan Levin
Federal Election Commission
Washington, D.C. 20463

**RE: John P. Imlay, Jr.
MUR 2072**

Dear Mr. Levin:

You will recall that I spoke with you on the telephone on December 4, 1985 regarding your case against Mr. John P. Imlay, Jr. At that time you told me that your investigation had determined that Mr. Imlay had not in fact violated 2 U.S.C. §441a(a)(1)(A), since the John Glenn campaign reattributed the alleged excess contribution to Mrs. Imlay. This letter is to confirm that Mr. Imlay did not violate the Federal Election Campaign Act and that your file on this matter has been closed.

Please send me a written acknowledgement verifying the above facts. Thank you for your cooperation.

Sincerely,

Lisa L. Webb

LLW/jlc

cc: Maurice N. Maloof, Esq.
John P. Imlay, Jr.

88040711990

15 DEC 11 A 2:04

GCCH# 9226

BAKER & HOSTETLER

ATTORNEYS AT LAW

WASHINGTON SQUARE, SUITE 1100

1050 CONNECTICUT AVE., N.W.

WASHINGTON, D. C. 20036

(202) 861-1500

TELECOPIER (202) 466-8887

TELEX 650-225-7876

IN DENVER, COLORADO
SUITE 1100, 303 EAST 17TH AVENUE
DENVER, COLORADO 80203
(303) 861-0800

IN ORLANDO, FLORIDA
13TH FLOOR BARNETT PLAZA
ORLANDO, FLORIDA 32801
(305) 841-1111

IN CLEVELAND, OHIO
3200 NATIONAL CITY CENTER
CLEVELAND, OHIO 44114
(216) 821-0200
TWX 810 421 6378

IN COLUMBUS, OHIO
65 EAST STATE STREET
COLUMBUS, OHIO 43215
(614) 226-1541

December 17, 1985

WRITER'S DIRECT DIAL NO.:

(202) 861 -

The Honorable John Warren McGarry
Chairman, Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 2072

Dear Chairman McGarry:

The John Glenn Presidential Committee Inc. (the "Committee") submits this response to your letter of November 15, 1985, pursuant to extensions of time accorded to it. Your letter advises the Committee that the Federal Election Commission (the "Commission") has determined that there is reason to believe that the Committee violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act").

The issues raised in the General Counsel's Factual and Legal Analysis (the "General Counsel's Analysis") attached to your letter are as follows:

(1) Whether the Committee knowingly accepted contributions which are alleged to have exceeded the contribution limitations;

(2) Whether the Committee's method of reporting disbursements met the reporting requirements of Act section 434(b)(1) and (4);

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OFFICE OF THE
GENERAL COUNSEL

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The Honorable John Warren McGarry
December 17, 1985
Page 2

(3) Whether the Committee deliberately failed to stay within the state expenditure limitations; and

(4) Whether the Committee allocated state expenditures properly under Act section 434(a) and 11 C.F.R. section 106.2.

This response sets forth both factual and legal materials explaining why the Commission should take no further action in this matter.

1. Excessive Contributions.

The Committee disclosed in its FEC reports 223 contributions received from persons whose aggregate totals exceeded \$1,000. The Interim Audit Report states that 85 of those contributions were corrected in a timely manner through reattributions or refund of the excessive portions. The General Counsel's analysis alleges that 138 contributions that exceeded the contribution limitations were knowingly accepted by the Committee. Eighty-one of those contributions or about 59 percent were refunded within an average of 136 days, 51 or about 37 percent were re-attributed within an average of 126 days, and 5, or about 4 percent, were refunded in an average of 282 days. All of these were reattributed or refunded or in the process of being reattributed by the Committee prior to the audit field work.

Section 441(a)(f) prohibits a political committee from knowingly accepting any contribution in violation of

88040711992

The Honorable John Warren McGarry
December 17, 1985
Page 3

the contribution limitations. However, 11 C.F.R. section 103.3(b)(2) affords an opportunity to avoid violation of section 441(a)(f) where the committee receiving the contributions is aware, before deposit, of their questionable legality and so advises the Commission on its next report. This was done. In such a case, the regulations allow a committee to endeavor to determine whether the contribution is legal and thereafter a reasonable time in which to refund any amounts finally found to be greater than the allowable limit.

There is nothing in the Act or the regulations that specifies the time within which the Committee must make the determination whether the contribution is excessive or, if the determination is adverse, that defines a reasonable period of time for making the refund. It is the Committee's position that the Committee proceeded with reasonable diligence in making its determination and thereafter made refunds, when appropriate, within the specified "reasonable time". In short, neither the statute nor the regulations specifies, once the contribution has been timely deposited in the campaign depository, how long the Committee has in which to determine whether or not the contribution is legal.

In our view the Committee fully discharged its responsibilities by (1) depositing the contributions within 10 days, (2) disclosing on the monthly financial report filed with the FEC that the contributions might be excessive

83040711993

The Honorable John Warren McGarry
December 17, 1985
Page 4

and (3) proceeding with diligence to ascertain whether or not the contributions were excessive. 11 C.F.R. Section 104.3(b)(1). Clearly, any attempt to quantify the period of time during which the Committee must ascertain whether or not a contribution is excessive would be impractical. It is perhaps for this reason neither the statute nor the regulations undertake to articulate what limitation if any should be applied. Common sense tells us if as here the Committee proceeds with diligence, despite the frustration encountered in its efforts, to confirm the legality of the contribution, this should be enough.

It is not until the Committee has determined one way or another that the contribution is excessive that it must "within a reasonable time" proceed to make the refund. 11 C.F.R. Section 103.3(b)(2). Clearly this has been done.

A reasonable period for making the refund (once the contribution has been found either to be excessive or incapable of being brought within the limitation) should be established for each case based on its particular facts. Obviously what is reasonable must depend upon the situation existing at the time and cannot be judged or determined in a vacuum. Although not expressly stated in the General Counsel's Analysis, it may be inferred that the Commission believes that the 138 contributions in question were not timely refunded and perhaps even that the reattribution efforts were not conducted in a timely fashion.

83040711994

The Honorable John Warren McGarry
December 17, 1985
Page 5

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The Committee is aware that the Commission, in the past, has taken the position that 30 days may be a reasonable period of time for purposes of refunding and reattributing excessive contributions, although as noted above there is no statutory or regulatory authority for that position. See MUR 1393, In the Matter Kennedy for President Committee, General Counsel's Brief dated July 9, 1982 at 14. That position, however, was taken in a situation where the excessive contributions were brought to the attention of the Committee during the audit process (when campaign activity is less hectic), rather than by the Committee sua sponte, as in the instant case, and in the midst of the campaign. In fact, the Commission, itself, has indicated that a longer period of time might be reasonable where a committee refunded or reattributed excessive contributions prior to the audit. Id. at 15-16.

The circumstances surrounding the reattribution and refund of the excessive contributions were set forth in the Committee's February 19, 1985 response to the Interim Audit Report. In late 1983, the Committee realized that it did not have sufficient personnel to handle contributions that were being received that exceeded contribution limitations. Therefore, the Committee assigned two employees to work on these contributions full-time for six weeks. Every individual and partnership which had contributed amounts which could possibly be more than the contribution

The Honorable John Warren McGarry
December 17, 1985
Page 6

limitations was approached during that time. In every case where a refund was necessary, it was issued promptly. Seventy-three excessive contributions were refunded in the first three months of 1984, totalling over \$40,000.

A contributor, whose contribution might be excessive, was mailed reattribution documentation to sign and return where this was appropriate. Often it was necessary to write or call contributors two, three, four or more times to induce them to return the documentation. Once Senator Glenn withdrew from the Presidential race, it became increasingly difficult to persuade contributors to return documentation. Contributors lost interest and/or assumed mail from headquarters was a fund-raising solicitation. Persistent telephoning was the most successful means to ensure that documentation would be returned and this was an extremely time-consuming process. As the campaign staff was reduced and increased attention given to curtailing expenditures, there were necessarily less man hours to devote to all the duties of the accounting department.

Finally, we believe that where, as here, the possible excessive nature of the contributions was disclosed contemporaneously to the Commission with the filing of the Committee's periodic reports and diligent efforts were pursued by the Committee to confirm that such contributions were not excessive, there is no room at all for a finding

88040711996

The Honorable John Warren McGarry
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Page 7

that excessive contributions were "knowingly" accepted by the Committee.

Under the circumstances faced by the Committee there is little doubt that it handled the contributions in a reasonable and timely manner. There was no improper intent

2. Reporting of Disbursements.

The General Counsel's Analysis alleges that the Committee violated section 434(b)(1) and (4) by overstating cash on hand and understating expenditures.

The regulations provide that "[w]hen the Treasurer of a political committee shows that best efforts have been used to obtain, maintain and submit the information required by the Act for the political committee, any report or any records of such committee shall be considered in compliance with this Act." 11 C.F.R. § 104.7(a). The same test is used to determine whether a committee is in compliance with the Act's recordkeeping requirement. 11 C.F.R. 102.9(d).

As pointed out in the Committee's February 19, 1985 response to the Interim Audit Report, the Committee took a number of affirmative steps to comply with the Act's reporting and recordkeeping requirements.

The Committee retained the services of the public accounting firm of Arthur Andersen & Co. at the beginning of the campaign to establish an accounting system that would enable it to comply with the FEC's reporting and recordkeeping requirements. That firm spent considerable time

88040711997

The Honorable John Warren McGarry
December 17, 1985
Page 8

thereafter seeing to the system's implementation and monitoring the Committee's compliance.

A headquarters draft account was set up to provide funds to field offices and advance staff, rather than the alternative of maintaining multiple checking accounts. The Committee believed, rightly we think, that expenditures and hence their propriety, could be better managed and policed through a single account at headquarters. Drafts were issued to the field offices that could be drawn upon in limited amounts up to certain denominations, which were printed on the face of the instruments. These drafts could be used under specified conditions. Under the established accounting procedures, copies of drafts executed by field offices and advance staff were to be returned to headquarters with documentation supporting the expenditures. Those documented copies were then to be compared with the cleared bank drafts to verify the amount and purpose of each expenditure. The general ledger would then be debited for those amounts.

During the height of the campaign with the attendant furor and frenzy -- December 1983 through March 1984 -- field offices and advance staff understandably fell behind in sending copies of drafts and supporting documentation to headquarters. The major reason for this delay was the increased volume of paperwork attributable to increased expenditures and the inexperience of volunteers in the field

83040711998

The Honorable John Warren McGarry
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Page 9

in dealing with such documentation. The delay occurred despite considerable if not heroic efforts by headquarters to ensure that such documentation would be sent to headquarters on a timely basis. Regular and frequent telephone calls were made to the field to impress on personnel the necessity of returning such documentation, and Caroline Himes, Comptroller for the Committee, actually made a special trip to New Hampshire for the specific purpose of collecting documentation.

The Committee did not debit the general ledger for disbursements until copies of drafts with supporting documentation were received from the field. Until then, the Committee did not know in which states the expenditures had been made, and in what category the expenditures fell or for that matter whether they were qualified campaign expenditures which the field person would not be required to repay. Had the Committee reported expenditure before receiving such documentation, the Committee would have compounded the problem with chaos by making numerous account distribution and classification errors in its reports to the Commission. The reporting system would have been unduly burdened.

The Committee believes it has demonstrated clearly that it used its best efforts to comply with the reporting requirement of the Act and, thus, must be deemed in compliance with the Act.

88040711999

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December 17, 1985
Page 10

3. State Expenditure Limitations.

The General Counsel's Analysis alleges that the Committee has violated Act sections 441a(b)(1)(A) and 441a(c) by exceeding the state expenditure limitations in Iowa and New Hampshire.

The Committee believes it is inappropriate for an enforcement proceeding to be undertaken with regard to the state expenditure limitations now or in the future for several reasons. First, the Commission has not yet made its final repayment determination. Although the Final Audit Report issued by the Commission on August 15, 1985 contained the Commission's initial determination that the Committee had exceeded the state expenditure limitations in Iowa and New Hampshire, the Committee, on September 13, 1985, requested the Commission to reconsider its findings. The administrative proceedings in this matter have not yet been completed. It is the Committee's position that it stayed within the expenditure limitations.

Second, there is no statutory authority for imposing a civil penalty in the event the Commission finds the Committee exceeded the limitations. A repayment determination is not a violation of law. Reagan Bush Committee v. Federal Election Commission, 525 F. Supp. 1330, 1337 (D.D.C. 1981). By law, the Final Audit Report cannot contain assertions of violations of the Act. 2 U.S.C. §

88040712000

The Honorable John Warren McGarry
December 17, 1985
Page 11

437g(a)(12)(A). If the Commission were to treat a repayment determination as ipso facto a violation of the Act, the legality of making public the Final Audit Report would be called into question.

The only statutory authority for asserting a penalty is where a Committee knowingly and willfully exceeds the state limitations. 26 U.S.C. § 9012(a)(1). Such is plainly not the case here. If any overexpenditure is found to have been made, it was clearly inadvertent. See Exhibit 15 of the Committee's February 19, 1985 response to the Interim Audit Report (Affadavit of Geoffrey Hockman, Deputy Campaign Manager).

4. Reporting of Expenditures.

The General Counsel's Analysis alleges that the Committee did not comply with section 434(a) of the Act and 11 C.F.R. section 106.2(d) because it allegedly over- or under-allocated expenditures in Iowa and New Hampshire.

As stated above, the Committee does not believe it is appropriate to take action on this issue at this time since the administrative process with regard to the final repayment determination has not been completed. Moreover, even if the Commission finds that the Committee over- or under-stated expenditures in Iowa and New Hampshire, the Committee believes that it has demonstrated in 2. above that it used its best efforts to comply with the Act's record-

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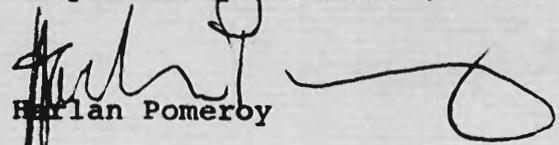
The Honorable John Warren McGarry
December 17, 1985
Page 12

keeping and reporting requirements and, thus, should be deemed to be in compliance with the Act.

Conclusion

For the reasons stated above, the Committee believes that the Commission should take no further action in this matter.

Respectfully submitted,



Harlan Pomeroy



Barbara I. Hodges
Attorneys for the John Glenn
Presidential Committee Inc.

83040712002

GCC #9240
J. Leven



ED
SECRETARY

NATIONWIDE 18 P 5:19

December 9, 1985

JOHN E. FISHER
CPCU-CLU
GENERAL CHAIRMAN
CHIEF EXECUTIVE OFFICER

John Warren McGarry, Chairman
Federal Election Commission
1325 K Street, NW
Washington, D.C. 20463

Subject: MUR 2072
John E. Fisher

RECEIVED
OFFICE OF THE
GENERAL COUNSEL
DEC 19 11:34

Dear Chairman McGarry:

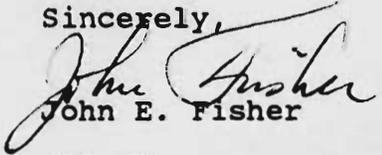
I am writing in response to your November 15, 1985 letter concerning my contributions to the John Glenn Presidential Committee. I believe it is important for your file to accurately reflect the facts of this situation.

Upon requests for financial support from the John Glenn Presidential Committee, I made two contributions. Apparently my contributions were in excess of the limit which may be contributed to a presidential campaign. However, the file should reflect that the John Glenn Presidential Committee refunded \$500.00 of my contribution on December 13, 1983 and thus eliminated any unintentional violation that may have occurred.

The contributions that I made were in reliance on the assumption that the requests for financial assistance were in compliance with federal law. Citizens who desire to support candidates should be able to rely upon the committee of a presidential candidate to have sufficient expertise to know when they may request a contribution and, more importantly, when they may accept such a contribution. I placed my reliance on the John Glenn Presidential Committee.

Considering the circumstances, I would request that my involvement not become a matter of public record and be provided the confidentiality afforded under federal law. If this is not possible, I would ask that you advise me otherwise.

In the future, I believe it would be appropriate for the Federal Election Commission to place greater responsibility upon the committee that is requesting the contributions. Thank you for your cooperation pertaining to this matter.

Sincerely,

John E. Fisher

JEF/jd

83040712005

LAW OFFICES

RECEIVED THE FEC
GCC# 9207
85 DEC 16 AID: 06

CRABBE, BROWN, JONES, POTTS & SCHMIDT
2500. ONE NATIONWIDE PLAZA
P. O. BOX 15039

COLUMBUS, OHIO 43215

TELEPHONE 614 228-5511
TELECOPIER EXT 259

December 11, 1985

CHARLES E. BROWN
WILLIAM P. LEWIS
THEODORE D. SAWYER
WILLIAM H. JONES
WILLIAM T. MCCRACKEN
VINCENT J. LODICO
KENNETH E. HARRIS
STEVEN B. AYERS
THOMAS J. BONASERA
WILLIAM W. JOHNSTON
WILLIAM J. BROWN
KEITH H. JUNG
DAVID J. RICHARDS
ROBERT D. MAROTTA

IRVING B. BERKS
JEFFREY M. BROWN
GILBERT J. BRADIS
JILL T. FLEISHMAN
LARRY H. GIBBS
JOHN P. KENNEDY
JEFFREY M. LEWIS
JOHN J. LUCHAN
JEFFREY L. KOHN
RICHARD D. WETZEL
KAREN A. WALL
JOSEPH J. TREB
R. KEVIN KERNS
DONALD W. GREGORY
MARILYN L. MARSHALL
MICHAEL W. HENRY

OF COUNSEL
J. ROTH CRABBE
WILBUR W. JONES
WILLIAM L. SCHMIDT
ROBERT C. POTTS
JERRY B. SELLMAN

Jonathan Levin
Federal Election Commission
Washington, D.C. 20463

Re: Allen L. Patrick
Case No. MUR2072

Dear Mr. Levin:

This will confirm our conversation of December 5, 1985 wherein the undersigned informed you of his representation of Allen L. Patrick with regards to the above-captioned matter. Pursuant to our conversation, I am indeed interested in pursuing a pre-probable cause conciliation and would respectfully request you to proceed accordingly.

If you will remember, we discussed the peculiar circumstances surrounding this matter concerning the refund to my client of all monies in excess of \$500.00 which he contributed to the Glenn Presidential Committee. To refresh your recollection, the enclosed records indicate on February 1, 1983, my client contributed the initial \$1,000.00 to the Glenn Committee. On February 17, 1983, unaware of the Federal laws prohibiting contributions to federal candidates in excess of \$1,000.00, my client contributed an additional \$1,000.00 to the Glenn Committee.

On March 28, 1983, the Glenn Committee refunded the second \$1,000.00 that my client contributed. On June 15, 1983, pursuant to another solicitation, my client contributed \$500.00 to the Glenn campaign which was subsequently refunded on November 18, 1983 with the notation that the contribution was in excess of the \$1,000.00 limit. Finally, on May 18, 1984, for some reason unbeknownst to my client, he received an additional \$500.00 refund from the Glenn Committee, even though at that time he had made a net contribution of only \$1,000.00.

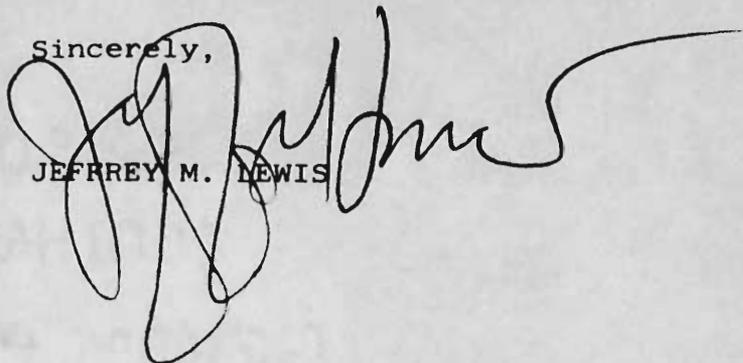
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GENERAL INVESTIGATIVE
DIVISION

Jonathan Levin
December 11, 1985
Page 2

As is the case with probably most of these violations, my client's disregard of the law in this instance was inadvertent, as he was unaware of the existence of the same. Please feel free to contact me should you require any additional information and to let me know where we go from here. Thank you very kindly for your consideration.

Sincerely,


JEFFREY M. LEWIS

JML/cc

88040712005

JOHN GLENN PRESIDENTIAL COMMITTEE INC.
P.O. BOX 1984 BEN FRANKLIN STATION
WASHINGTON, D. C. 20044

No 1736

DATE 3/28/83

25-3/440

PAY TO THE ORDER OF Patrick, I. Allen

\$***1,000.00

---One thousand and No/100----- DOLLARS

BANK ONE.
BANK ONE OF COLUMBUS, MA
Columbus, Ohio 43271

#001736# @044000037# 10008020# #0000100000#

M J Ellis

JOHN GLENN
PRESIDENTIAL COMMITTEE INC.
444 NORTH CAPITOL ST., NW., SUITE 407
WASHINGTON, D. C. 20001

MAY 18 1984 25-3
440

5665

PAY TO THE ORDER OF Allen I. Patrick

\$***500.00***

Five hundred and no/100 ----- DOLLARS

BANK ONE.
BANK ONE OF COLUMBUS, MA
Columbus, Ohio 43271

#00005665# @1044000037# 10008020# #0000050000#

Carol H

90021704088

For Name and
Ally [unclear]

88040712007

JE 18 PAY
25-93 JAY
BANK

826162007

JE 18 PAY
25-93 JAY
BANK

15
10/5

826162007

JOHN GLENN

FEDERAL COMMITTEE INC.

1000 NORTH CAPITOL ST., SUITE 402
WASHINGTON, D. C. 20071

380

Nov 18 19 83

Allen L. Patrick

\$ 500.00

Five hundred dollars and no cents -----

DOLLAR

BANK ONE 

BANK ONE, COLLIERIA, MA
Collins, MA 01021

NOT NEGOTIABLE

⑈00003507⑈ ⑈044000037⑈ 10⑈00020⑈

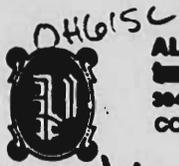
FEDERAL COMMITTEE INC.

DELIVER - FORM 9VC-3 V-7

6170

Contribution received in excess of \$1000 individual
limit

83040712008



DH615C
ALLEN L. PATRICK
 3940 RIVERVIEW DR.
 COLUMBUS, OH 43220

1376

6/15 19 *83* 25-3/440

PAY TO THE ORDER OF *John Glenn Presidential Comm.* *was* *500⁰⁰/₁₀₀*
Five Hundred and ⁰⁰/₁₀₀ DOLLARS

BANK ONE.
 BANK ONE OF COLUMBUS, NA
 Columbus, Ohio 43271

Allen L. Patrick

MEMO _____
 @:044000037: 46 50668 1376 #0000050000#

OF



ALLEN L. PATRICK
 3940 RIVERVIEW DR.
 COLUMBUS, OH 43220

1315

2/1 19 *83* 25-3/440

PAY TO THE ORDER OF *John Glenn Presidential Committee* *was* *1000⁰⁰/₁₀₀*
One Thousand and ⁰⁰/₁₀₀ DOLLARS

BANK ONE.
 BANK ONE OF COLUMBUS, NA
 Columbus, Ohio 43271

Allen L. Patrick

MEMO _____
 @:044000037: 46 50668 1315 #0000100000#



ALLEN L. PATRICK
 3940 RIVERVIEW DR.
 COLUMBUS, OH 43220

RECEIVED MAR 07 1983 1322

2/17 19 *83* 25-3/440

PAY TO THE ORDER OF *John Glenn Pres. Comm.* *was* *1000⁰⁰/₁₀₀*
One Thousand and ⁰⁰/₁₀₀ DOLLARS

BANK ONE.
 BANK ONE OF COLUMBUS, NA
 Columbus, Ohio 43271

Allen L. Patrick

MEMO *RIFFE*
 @:044000037: 46 50668 1322 #0000100000#

83040712009

DATE 23 JUN 83
0119 18020

FOR DEPOSIT TO
ACCOUNT WITH
NAMED PAYEE
PAYEE BANK
NNSI BANK
WASHINGTON DC

PNB 3 PAY ANY BANK

For Deposit Only

FOR DEPOSIT ONLY
JOHN GLENN PRESIDENTIAL
EXPLORATORY COMMITTEE
ACCT. # 1008020

FOR DEPOSIT ONLY

DATE 23 JUN 83
0119 18020

FOR DEPOSIT TO
ACCOUNT WITH
NAMED PAYEE
PAYEE BANK
NNSI BANK
WASHINGTON DC

PNB 3 PAY ANY BANK

PNB 3 PAY ANY BANK

01021204089

HEWLETT & NORTON INC.

REAL ESTATE

BUILDERS

DEVELOPERS

December 17, 1985

Mr. Jonathan Levin
Federal Election Commission
Washington, D.C. 20463

RE: MUR 2072
Stephen O. Hewlett

Dear Mr. Levin:

This letter is in response to our telephone conversation of last Thursday, December 12, 1985.

I would appreciate your granting an extension for my formal response to the above captioned matter. This will permit me time to locate the necessary canceled checks. Our family moved on December 6, 1985 and the records for the period in question are in storage.

You offered to supply me with the amount and the dates on which the contributions were made to the Glenn campaign. It will be very helpful to have that information to supply you with an explanation.

Awaiting your reply.

Sincerely,



Stephen O. Hewlett

cc: Mr. John Warren McGarry
Chairman

85 DEC 23 11:28

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

88040712011



FEDERAL ELECTION COMMISSION

WASHINGTON DC 20463

December 2, 1985

Barbara I. Hodges, Esquire
Baker & Hostetler
1050 Connecticut Avenue, N.W.
Suite 1100
Washington, D.C. 20036

Re: MUR 2072
John Glenn Presidential
Committee, Inc., and
William R. White, as treasurer

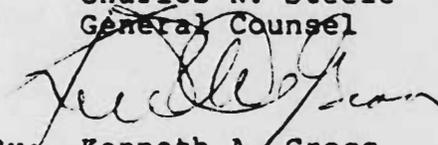
Dear Ms. Hodges:

Per your request of November 22, 1985, this Office is granting a ten-day extension of time for a response to the reason to believe notification in the above-captioned matter. Your response, therefore, is due on December 13, 1985.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

88040712012

CRV 11

WILLIAM E. ROBERTS
CRANSTON CENTER
1501 NEIL AVENUE
COLUMBUS, OHIO 43201
614-421-2000

January 2, 1986

Mr. John Warren McGarry
Chairman
Federal Election Commission
1325 K Street, N.W., 7th Floor
Washington, D.C. 20463

Re: MUR 2072

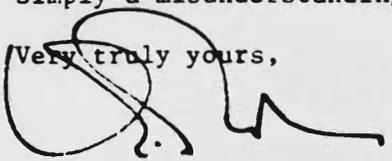
36 JAN 8 AM: 53
GENERAL INVESTIGATIVE
DIVISION

Dear Mr. McGarry:

As you will see from the enclosed correspondence, to the best I can tell, the concern outlined in your letter of 15 November 1985 (copy enclosed) was the result of incomplete information being entered into the records of the John Glenn Committee. Pursuant to the instruction in your letter, I advised Jonathan Levin of my analysis.

The Federal election laws, as they pertain to campaign contributions, as I am sure you can appreciate, are somewhat complicated for those of us not involved in politics on a daily basis. I do, nevertheless, take the campaign contribution laws, indeed all the laws of this country, seriously. I am, therefore, appreciative of the fact that you brought this matter to my attention last November. At this point, I would like to know, however, whether there was indeed a violation or if, as I analyzed the situation in my letter of November 25, there was simply a misunderstanding.

Very truly yours,



William E. Roberts

WER:llk

Enclosures

WILLIAM E. ROBERTS

CRANSTON CENTER

1501 NEIL AVENUE

COLUMBUS, OHIO 43201

614-421-2000

VIA AIRBORNE

November 25, 1985

Jonathan Levin, Esq.
Federal Election Commission
Office of the General Counsel
1325 K Street, N.W., 7th Floor
Washington, D.C. 20463

Re: MUR 2072 (Copy of Correspondence Attached)

Dear Mr. Levin:

I think that there has been a misunderstanding regarding the contribution that my wife and I made to the John Glenn Presidential Committee. My understanding is that each person may make a contribution not in excess of \$1,000. In this case, my wife and I together gave \$2,000 (a copy of my check is attached). Perhaps the John Glenn Committee entered my name only in its records, thereby confusing your audit, but as you can see, that contribution was from both of us. I trust that this will clear up the matter.

Very truly yours,

CRANSTON SECURITIES COMPANY


William E. Roberts

WER:llk

Enclosure

88040712014

WILLIAM E. ROBERTS

CRANSTON CENTER

1501 NEIL AVENUE

COLUMBUS, OHIO 43201

614 - 421-2000

To: My
1983
Tax 66
also to
3 weeks

July 5, 1983

Mr. Fred Rzepka
The John Glenn for President Committee
TransCon Builders, Inc.
1616 Belwood Road
South Euclid, OH 44146

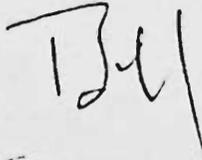
Dear Fred:

Enclosed is my check for \$2,000. It is a joint contribution from Joyce, my wife, and I. I had no idea that the maximum allowable contribution was \$1,000 per person.

I have also enclosed two additional checks for \$250.

If you would return my check #159 written back in May, I would appreciate it.

Very truly yours,



WER:11k

88040712015

68040712016

JOYCE M. OR WILLIAM E. ROBERTS
707 MORNING ST.
WORTHINGTON, OH 43085

294

July 5 1983

25-2/440

PAY TO THE
ORDER OF

John Green for President
Two Thousand and ⁰⁰/₁₀₀

\$ 2,000 ⁰⁰/₁₀₀
DOLLARS

The Huntington National Bank
Columbus, Ohio 43260



[Signature]

MEMO

⑆044000024⑆ 02893608099⑈ 0294

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
COMMISSION SECRETARY

In the Matter of)
)
Bricker & Eckler Political)
Action Committee)
Elisabeth A. Squeglia, as)
treasurer)
)
Allen L. Patrick)

MUR 2072

00 JAN 23

P 2 : 3 SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

This matter involves allegations that the above-named respondents made contributions in excess of the limit set out in 2 U.S.C. § 441a(a)(1)(A) to the John Glenn Presidential Committee, Inc. ("the Glenn Committee"). On October 17, 1985, the Commission found reason to believe that Bricker & Eckler Political Action Committee ("Bricker & Eckler PAC") and Elisabeth A. Squeglia, as treasurer, violated 2 U.S.C. § 441a(a)(1)(A) and that Allen L. Patrick violated the same section. On December 5, 1985, this Office received a response from Ms. Squeglia explaining the circumstances of the Committee's contribution and requesting pre-probable cause conciliation. On December 16, this Office received a letter from counsel for Mr. Patrick explaining the contributions made and also asking for pre-probable cause conciliation.

Ms. Squeglia's letter states that Bricker & Eckler PAC, which is not a multicandidate committee, made a contribution of \$5,000 on February 10, 1983, to the Glenn Committee, under the mistaken impression that the limit was \$5,000. Ms. Squeglia asserts that, several months after the contribution to the Glenn Committee had been reported (in the 1983 Mid-Year Report), the

83040712017

Committee became aware of the limit and "immediately contacted" the Commission. Ms. Squeglia engaged in a number of contacts with Commission staff members. She claims that a staff member advised her that if there was a voluntary correction, no action would be taken by the Commission and, subsequently called the Glenn Committee to request a refund. (Ms. Squeglia was unable to identify the staff member). The Glenn Committee finally refunded \$4,000 on August 24, 1984. In summation, Ms. Squeglia states "in light of the fact" that, "the error was unintentional," that the Committee discovered the error on its own, that Commission staff had made "assurances" as to the "informal resolution" of this situation, and that the voluntary correction occurred prior to the Commission's discovery of the error, no further action should be taken. She states finally that if further action is to be taken, the Committee requests pre-probable cause conciliation.

The response on behalf of Mr. Patrick details contributions by Mr. Patrick and refunds by the Glenn Committee. The response indicates that Mr. Patrick made two \$1,000 contributions to the Glenn Committee, one on February 1, 1983, and one on February 17, 1983. Mr. Patrick claims that he was unaware of the limitations.

On March 28, 1983, the Glenn Committee refunded \$1,000 to Mr. Patrick. Mr. Patrick, however, made an additional \$500 contribution on June 15, 1983. Subsequently, the Glenn Committee sent Mr. Patrick two \$500 refunds, one on November 18, 1983, and one on May 18, 1984.

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II. LEGAL ANALYSIS

Section 441a(a)(1)(A) of Title 2 states that no person shall make contributions aggregating in excess of \$1,000 to any candidate and his authorized committees with respect to a federal election. In this matter, Bricker & Eckler PAC exceeded the limit by \$4,000 and the excess was not returned until over one and one-half years later. Mr. Patrick exceeded the limit on February 17, 1983, and the excess was not returned until thirty-nine days later. Mr. Patrick exceeded the limit again on June 15, 1983, and five months elapsed before the excess was returned.

III. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

83040712019

IV. RECOMMENDATIONS

1. Enter into pre-probable cause conciliation with Bricker & Eckler Political Action Committee and Elisabeth A. Squeglia, as treasurer.
2. Enter into pre-probable cause conciliation with Allen L. Patrick.
3. Approve the attached conciliation proposals.
4. Approve the attached letters.

Charles N. Steele
General Counsel

January 22, 1986
Date

Kenneth A. Gross
By Kenneth A. Gross
Associate General Counsel

Attachments

1. Response of Bricker & Eckler PAC
2. Response of counsel for Allen Patrick
3. Letters to respondents with conciliation proposals

8 3 0 4 0 7 1 2 0 2 0

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Bricker & Eckler Political)	MUR 2072
Action Committee)	
Elisabeth A. Squeglia, as)	
treasurer)	
Allen L. Patrick)	

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of February 4, 1986, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 2072:

1. Enter into pre-probable cause conciliation with Bicker & Eckler Political Action Committee and Elisabeth A. Squeglia, as treasurer.
2. Enter into pre-probable cause conciliation with Allen L. Patrick.
3. Approve the conciliation proposals attached to the General Counsel's report dated January 22, 1986.
4. Approve the letters attached to the General Counsel's report dated January 22, 1986.

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

Attest:

2/4/86
Date

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

83040712021



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 10, 1986

Elisabeth A. Squeglia, Treasurer
Bricker & Eckler Political Action Committee
100 East Broad Street
Columbus, Ohio 43215

RE: MUR 2072
Bricker & Eckler Political
Action Committee
Elisabeth A. Squeglia, as
treasurer

Dear Ms. Squeglia:

On October 17, 1985, the Commission found reason to believe that Bricker & Eckler Political Action Committee and you, as treasurer, violated 2 U.S.C. § 441a(a)(1)(A). At your request, the Commission determined on February 4, 1986, 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 you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

Kenneth A. Gross
By: Kenneth A. Gross
Associate General Counsel

Enclosures
Conciliation Agreement

83040712022



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 10, 1986

Jeffrey M. Lewis, Esquire
Crabbe, Brown, Jones, Potts
& Schmidt
2500 One Nationwide Plaza
P.O. Box 15039
Columbus, Ohio 43215

RE: MUR 2072
Allen L. Patrick

Dear Mr. Lewis:

On October 17, 1985, the Commission found reason to believe that your client, Allen L. Patrick, violated 2 U.S.C. § 441a(a)(1)(A). At your request, the Commission determined on February 4, 1986, 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 client agrees with the provisions of the enclosed agreement, please have him sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

Kenneth A. Gross (LH)
By: Kenneth A. Gross
Associate General Counsel

Enclosures
Conciliation Agreement

88040712023



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
JAN 25 1986
COMMUNICATIONS SECTION
JAN 24 1986

January 24, 1986

SENSITIVE

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel *[Signature]*

SUBJECT: MUR 2072 - Letters received from contributors
in response to the Commission's determination
to find reason to believe and take no further
action

Attached for the Commission's review are letters that were received from contributors to the John Glenn Presidential Committee, Inc. ("the Committee") in response to the Commission's determination to find reason to believe each of the contributors violated the limits of 2 U.S.C. § 441a(a)(1)(A). (See Attachments 1-15). At the same time, the Commission decided to take no further action against those contributors. Three of the fifteen letters request that the Commission reactivate the investigation with respect to the contributor in order that a determination be made that a violation did not occur. One of the fifteen letters requests a reactivation of the investigation and a withholding of the contributor's name from the public record. (See Attachment 4). Another letter requests only that the contributor's name be withheld from the public record. (See Attachment 5).

There are two other letters to which this Office is responding because the correspondence appears to call for a clarification of the situation. One letter requests information as to when the contributor's name will be placed on the public record. (See Attachment 6). Another letter from a contributor's counsel attempted "to confirm" that the contributor did not violate the Act. This Office has drafted a letter to counsel stating that no such determination has been made.

68040712024

This Office recommends that the Commission deny the requests to reactivate the investigation. A finding of reason to believe is only a preliminary finding and does not constitute a determination by the Commission that a violation has occurred. It is within the Commission's discretion to refrain from pursuing further an investigation after a reason to believe finding. Therefore, even if the replies of the individual contributors or the Committee indicate that certain contributors may not have exceeded the limitations, there is no need to reopen the investigation with respect to those contributors. This Office recommends that the Commission approve letters to this effect to be sent to those contributors who requested a reopening of the investigation.

This Office also recommends that the Commission approve the letters drafted in response to the requests to withhold the contributor's name from the public record or a clarification as to when the name will be made public. These letters briefly inform the contributors of the relevance of the Freedom of Information Act and grant them an opportunity to make a request in accordance with this Act.

This Office also recommends approval of the letter to the attorney who requested confirmation that there was no reason to believe. This letter contains a misinterpretation of a conversation with an OGC staff member and should be clarified for purposes of the public record.

Recommendations

1. Deny the requests to reopen MUR 2072 with respect to Marvin Schwartz, Jeff Brown, Chao-han Lin, and Marie S. Jacobs.
2. Approve the attached letters.

Attachments

- 1-15. Letters from contributors
16. Proposed letters to seven contributors

88040712025



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL
FROM: MARJORIE W. EMMONS/ CHERYL A. FLEMING *CAF*
DATE: JANUARY 28, 1986
SUBJECT: OBJECTION - MUR 2072 - Memo to the Commission
Dated January 24, 1986

The above-named document was circulated to the
Commission on Monday, January 27, 1986, 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> X </u>
Commissioner Harris	<u> </u>
Commissioner Josefiak	<u> </u>
Commissioner McDonald	<u> </u>
Commissioner McGarry	<u> </u>

This matter will be placed on the Executive Session
agenda for Tuesday, February 4, 1986.

88040712026

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
John Glenn Presidential) MUR 2072
Committee, Inc., et al.)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of February 4, 1986, do hereby certify that the Commission decided by a vote of 4-1 to take the following actions with respect to MUR 2072:

1. Deny the requests to reopen MUR 2072 with respect to Marvin Schwartz, Jeff Brown, Chao-han Lin, and Marie S. Jacobs.
2. Approve the letters attached to the General Counsel's report dated January 24, 1986, subject to amendment as agreed in the meeting.

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

Attest:

2/4/86
Date

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

88040712027



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 10, 1986

Chao-han Lin
616 W. County Line Road
Lakewood, NJ 08701

Re: MUR 2072

Dear Mr. Lin:

This is in response to your letter dated December 9, 1985, in which you request action which would require the Commission to reopen the investigation in MUR 2072 with respect to the contributions you were reported to have made to the John Glenn Presidential Committee, Inc.

On February 4, 1986, the Commission reviewed your letter and determined not to grant your request to reopen this matter. The Commission's decision reflects the fact that a finding of reason to believe was made on the basis of the information available to the Commission at that time. That information reflected contributions reported to the Commission on the Glenn Committee reports. Reason to believe is only a preliminary finding and is a statutory prerequisite to conducting an examination and a finding of probable cause to believe a violation has occurred. Insofar as reason to believe is only a preliminary finding, it does not constitute a determination by the Commission that a violation has occurred. Thus, the Commission has not determined, in your case, that there is probable cause to believe you have violated the Federal Election Campaign Act.

With respect to your request that the file in this matter which refers to your contributions be withheld from the public record, please be advised that the file will be made public within 30 days after the entire matter is closed. The only documents which will be withheld from the public record are those which are exempt from disclosure under the Freedom of Information Act. If you believe that any of the materials relating to your contributions are exempt from disclosure, you may submit a written request that the documents be withheld and the reasons therefore.

88040712028

Letter to Chao-han Lin
Page 2

If you have any questions, please contact Jonathan Levin at
(202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

By: *Kenneth A. Gross (KAG)*
Kenneth A. Gross
Associate General Counsel

88040712029



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 10, 1986

John E. Fisher, General Chairman
Nationwide Insurance
One Nationwide Plaza
Columbus, Ohio 43216

Re: MUR 2072

Dear Mr. Fisher:

This is in response to your letter dated December 9, 1985, in which you request that the part of the file in this matter which refers to your contribution be withheld from the public record.

Please be advised that the entire file will be made public within thirty days after the entire matter has been closed with respect to all respondents in this matter. The only documents which will be withheld from the public record are those which are exempt from disclosure under the Freedom of Information Act. If you believe that any of the materials relating to your contributions are exempted from disclosure, you may submit a written request that the documents be withheld and the reasons therefore.

If you have any questions, please contact Jonathan Levin at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

Kenneth A. Gross (LJ)
BY: Kenneth A. Gross
Associate General Counsel

88040712030



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 10, 1986

Lisa L. Webb, Esquire
Hicks, Maloof & Campbell
101 Marietta Tower
Atlanta, GA 30335

Dear Ms. Webb:

This is in response to your letter dated December 5, 1985, in which you referred to a conversation with Jonathan Levin, an attorney in the Office of the General Counsel, pertaining to the Commission's finding that there was reason to believe that your client, John P. Imlay, Jr., violated 2 U.S.C. § 441a(a)(1)(A) in connection with his contribution to the Glenn Committee. In that letter, you state that Mr. Levin indicated that the Commission's "investigation had determined that Mr. Imlay had not in fact violated 2 U.S.C. § 441a(a)(1)(A)." You further state that you wish "to confirm that Mr. Imlay did not violate the Federal Election Campaign Act." Please be advised that there has been no determination that Mr. Imlay did not violate that section of the statute.

The Commission made a finding of reason to believe against your client on the basis of the information available to the Commission at that time. That information reflected contributions reported to the Commission on the Glenn Committee reports. Reason to believe is only a preliminary finding and is a statutory prerequisite to conducting an examination and a finding of probable cause to believe a violation has occurred. Insofar as reason to believe is only a preliminary finding, it does not constitute a determination by the Commission that a violation has occurred. Thus, the Commission has not determined, in the case of your client, that there is probable cause to believe he violated the Federal Election Campaign Act.

If you have any questions, please contact Jonathan Levin at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross (KAG)
Kenneth A. Gross
Associate General Counsel

88040712031



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 10, 1986

John C. Mitchell, Esquire
440 Regency Parkway
Omaha, Nebraska 68114

Re: MUR 2072

Dear Mr. Mitchell:

This is in response to your letter dated November 22, 1985, in which you request clarification as to whether the part of the file in this matter referring to your contribution will be made a part of the public record.

Please be advised that the part of the file referring to your contribution will be made public within thirty days after the entire file has been closed with respect to all respondents in this matter. The only documents which will be withheld from the public record are those which are exempt from disclosure under the Freedom of Information Act. If you believe that any of the materials relating to your contributions are exempted from disclosure, you may submit a written request that the documents be withheld and the reasons therefore.

If you have any questions, please contact Jonathan Levin at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

Kenneth A. Gross (1/2)
BY: Kenneth A. Gross
Associate General Counsel

83040712032



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 10, 1986

Jeff Brown
Public Defender of San Francisco
850 Bryant Street
Room 205
San Francisco, CA 94103

Re: MUR 2072

Dear Mr. Brown:

This is in response to your letter dated November 22, 1985, in which you request action which would require the Commission to reopen the investigation in MUR 2072 with respect to the contributions you were reported to have made to the John Glenn Presidential Committee, Inc.

On February 4, 1986, the Commission reviewed your letter and determined not to grant your request to reopen this matter. The Commission's decision reflects the fact that a finding of reason to believe was made on the basis of the information available to the Commission at that time. That information reflected contributions reported to the Commission on the Glenn Committee reports. Reason to believe is only a preliminary finding and is a statutory prerequisite to conducting an examination and a finding of probable cause to believe a violation has occurred. Insofar as reason to believe is only a preliminary finding, it does not constitute a determination by the Commission that a violation has occurred. Thus, the Commission has not determined, in your case, that there is probable cause to believe you have violated the Federal Election Campaign Act.

If you have any questions, please contact Jonathan Levin at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

Kenneth A. Gross (Signature)
By: Kenneth A. Gross
Associate General Counsel

88040712033



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 10, 1986

Marvin Schwartz
125 Broad Street
New York, NY 10004

Re: MUR 2072

Dear Mr. Schwartz:

This is in response to your letter dated November 21, 1985, in which you request action which would require the Commission to reopen the investigation in MUR 2072 with respect to the contributions you were reported to have made to the John Glenn Presidential Committee, Inc.

On February 4, 1986, the Commission reviewed your letter and determined not to grant your request to reopen this matter. The Commission's decision reflects the fact that a finding of reason to believe was made on the basis of the information available to the Commission at that time. That information reflected contributions reported to the Commission on the Glenn Committee reports. Reason to believe is only a preliminary finding and is a statutory prerequisite to conducting an examination and a finding of probable cause to believe a violation has occurred. Insofar as reason to believe is only a preliminary finding, it does not constitute a determination by the Commission that a violation has occurred. Thus, the Commission has not determined, in your case, that there is probable cause to believe you have violated the Federal Election Campaign Act.

If you have any questions, please contact Jonathan Levin at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

Kenneth A. Gross (2/17)

By: Kenneth A. Gross
Associate General Counsel

83040712034



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

February 10, 1986

Myles V. Lynk
Dewey, Ballantine, Bushby, Palmer
& Wood
1775 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

Re: MUR 2072

Dear Mr. Lynk:

This is in response to your letter dated November 29, 1985, in which you request action which would require the Commission to reopen the investigation in MUR 2072 with respect to the contributions your client, Marie S. Jacobs, was reported to have made to the John Glenn Presidential Committee, Inc.

On February 4, 1986, the Commission reviewed your letter and determined not to grant your request to reopen this matter. The Commission's decision reflects the fact that a finding of reason to believe was made on the basis of the information available to the Commission at that time. That information reflected contributions reported to the Commission on the Glenn Committee reports. Reason to believe is only a preliminary finding and is a statutory prerequisite to conducting an examination and a finding of probable cause to believe a violation has occurred. Insofar as reason to believe is only a preliminary finding, it does not constitute a determination by the Commission that a violation has occurred. Thus, the Commission has not determined, in the case of your client, that there is probable cause to believe she violated the Federal Election Campaign Act.

If you have any questions, please contact Jonathan Levin at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

Kenneth A. Gross (HJ)
By: Kenneth A. Gross
Associate General Counsel

88040712035

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Allen L. Patrick)
Bricker & Eckler Political Action)
Committee)
Elisabeth A. Squeglia, as treasurer)

MUR 2072

NOV 10 1956
SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached are conciliation agreements signed by Allen L. Patrick and by the treasurer of the Bricker & Eckler Political Action Committee, Elisabeth A. Squeglia.

The agreement signed by Mr. Patrick contains no changes from the agreement approved by the Commission. Mr. Patrick also enclosed a check in payment of the civil penalty.

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Based on the foregoing analysis, the Office of the General Counsel recommends that the Commission accept the attached conciliation agreements and close the file with respect to these respondents.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement pertaining to Allen L. Patrick.

2. Accept the attached conciliation agreement pertaining to the Bricker & Eckler Political Action Committee and Elisabeth A. Squeglia, as treasurer.

3. Close the file as to Allen L. Patrick and the Bricker & Eckler Political Action Committee and Elisabeth A. Squeglia, as treasurer.

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4. Approve the attached letters.

Charles N. Steele
General Counsel

June 9, 1986
Date


BY: Lawrence M. Noble
Deputy General Counsel

Attachments

1. Letter from counsel for Mr. Patrick and agreement signed by Mr. Patrick
2. Agreement signed by Ms. Squeglia
3. Proposed letter to Mr. Patrick's counsel
4. Proposed letter to Ms. Squeglia

88040712038

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Allen L. Patrick)	MUR 2072
)	
Bricker & Eckler Political Action)	
Committee)	
Elisabeth A. Squeglia, as treasurer)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 12, 1986, the Commission decided by a vote of 5-0 to take the following actions in MUR 2072:

1. Accept the conciliation agreement pertaining to Allen L. Patrick, as recommended in the General Counsel's Report signed June 9, 1986.
2. Accept the conciliation agreement pertaining to the Bricker & Eckler Political Action Committee and Elisabeth A. Squeglia, as treasurer, as recommended in the General Counsel's Report signed June 9, 1986.
3. Close the file as to Allen L. Patrick and the Bricker & Eckler Political Action Committee and Elisabeth A. Squeglia, as treasurer.
4. Approve the letter attached to the General Counsel's Report signed June 9, 1986.

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

Attest:

6-12-86

Date
Corrected

6-16-86

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

88040712039



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 19, 1986

Jeffrey M. Lewis, Esquire
Crabbe, Brown, Jones, Potts & Schmidt
2500, One Nationwide Plaza
P.O. Box 15039
Columbus, Ohio 43215

RE: MUR 2072
Allen L. Patrick

Dear Mr. Lewis:

On June 12, 1986, the Commission accepted the conciliation agreement signed by your client and a check in payment of the civil penalty in settlement of a violation of 2 U.S.C. § 441a(a)(1)(A), 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 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: Lawrence M. Noble
Deputy General Counsel

Enclosure
Conciliation Agreement

89040712040

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Allen L. Patrick) MUR 2072

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. Reason to believe has been found that Allen L. Patrick ("Respondent") violated 2 U.S.C. § 441a(a)(1)(A) by making excessive contributions to the John Glenn Presidential Committee, Inc.

NOW, THEREFORE, the Commission and Respondent, 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 Respondent, 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. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

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

1. Respondent is a person according to 2 U.S.C. § 431(11).

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2. The John Glenn Presidential Committee, Inc. ("the Glenn Committee") was the principal campaign committee of Senator John Glenn for election as President of the United States in 1984.

3. On February 1, 1983, Respondent made a \$1,000 contribution to the Glenn Committee. On February 17, 1983, Respondent made another \$1,000 contribution to the Glenn Committee.

4. The Glenn Committee did not return the excess contribution to Respondent until March 28, 1983.

5. On June 15, 1983, Respondent made a \$500 contribution to the Committee.

6. Section 441a(a)(1)(A) of Title 2 prohibits a person from making contributions aggregating in excess of \$1,000 to any candidate and his authorized political committees with respect to a federal election.

V. By making the contributions on February 17, 1983, and June 15, 1983, Respondent violated 2 U.S.C. § 441a(a)(1)(A).

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of three hundred seventy five dollars (\$375), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondent agrees that he 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

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

FOR THE COMMISSION:

BY: *Lawrence M. Noble*
Lawrence M. Noble
Deputy General Counsel

June 19, 1986
Date

FOR THE RESPONDENT:

Alfred S. Petrucci
(NAME)
(Position)

1/27/86
Date

88040712043



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 19, 1986

Elisabeth A. Squeglia, Treasurer
Bricker & Eckler Political Action Committee
100 East Broad Street
Columbus, Ohio 43215

RE: MUR 2072
Bricker & Eckler Political
Action Committee
Elisabeth A. Squeglia, as
treasurer

Dear Ms. Squeglia:

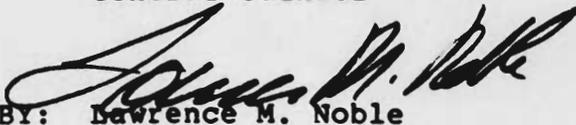
On June 12, 1986, the Commission accepted the conciliation agreement signed by you in settlement of a violation of 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to the Bricker and Eckler Political Action Committee and you, as treasurer, 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: Lawrence M. Noble
Deputy General Counsel

Enclosure
Conciliation Agreement

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RECEIVED AT THE
HAND DELIVERED
86 MAY 6 10:40

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Bricker & Eckler Political) MUR 2072
Action Committee)
Elisabeth A. Squeglia, as treasurer)

86 MAY 6 P 3:14

GCC# 418

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 has reason to believe that Bricker & Eckler Political Action Committee and Elisabeth A. Squeglia, as treasurer, ("Respondents") may have violated 2 U.S.C. § 441a(a)(1)(A) by making contributions aggregating in excess of \$1,000 to the John Glenn Presidential Committee, Inc.

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 Bricker & Eckler Political Action Committee is a political committee registered with the Commission since February 14, 1983, and is a person according to 2 U.S.C. § 431(11).

2. Respondent Elisabeth A. Squeglia is the treasurer of Bricker & Eckler Political Action Committee.

3. The John Glenn Presidential Committee, Inc. ("the Glenn Committee") was the principal campaign committee of Senator John Glenn for election as President of the United States in 1984.

4. On February 10, 1983, Respondents contributed \$5,000 to the Glenn Committee.

5. Section 441a(a)(1)(A) of Title 2 prohibits a person from making contributions aggregating in excess of \$1,000 to any candidate and his authorized political committees with respect to a federal election.

V. By making a \$5,000 contribution to the John Glenn Presidential Committee, Inc., Respondents violated 2 U.S.C. § 441a(a)(1)(A). Upon their independent discovery of the overcontribution, Respondents voluntarily requested the Glenn Committee to return the excess portion of the contribution, and said excess portion was returned to Respondents prior to notification by the Commission that a violation had occurred.

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of seven hundred dollars (\$700), 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. 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 agreement between the Commission and the Respondents on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by any party or by agents of any party, that is not contained in this written agreement, shall be valid.

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FOR THE COMMISSION:

By *Lawrence M. Noble* *June 19, 1986*
Lawrence M. Noble Date
Deputy General Counsel

FOR THE RESPONDENTS:

Elisabeth A. Squeglia *5/5/86*
Elisabeth A. Squeglia Date
Treasurer

88040712043

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
THE FEC
COMMISSION SECRETARY

Lewis
SENSITIVE

In the Matter of)
)
John Glenn Presidential)
Committee, Inc., et al.)

MUR 2072 36 DEC 3 All: 35

GENERAL COUNSEL'S REPORT

Based on the assessment of the information presently available, the Office of the General Counsel is prepared to close the investigation in this matter as to Hansell & Post, John A. Mazzuco, and Stephen O. Hewlett.

2 Dec. 1986
Date



Charles N. Steele
General Counsel

88040712049

SENSITIVE

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CC DEC 11 AIO: 47

December 11, 1986

MEMORANDUM

TO: The Commission
FROM: Charles N. Steele
General Counsel *CS*
SUBJECT: MUR 2072

Attached for the Commission's review are briefs stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of these briefs and letters notifying the respondents of the General Counsel's intent to recommend to the Commission findings of probable cause to believe and/or no probable cause to believe were mailed on December 11, 1986. Following receipt of the respondents' replies to these notices, this Office will make a further report to the Commission.

Attachments

1. Brief and letter to Hansell & Post
2. Brief and letter to John Mazzuco
3. Brief and letter to Stephen Hewlett

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SENSITIVE



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 11, 1986

Robert L. Rate, Executive Administrator
Hansell & Post
Thirty-Third Floor
First Atlanta Tower
Atlanta, Georgia 30383-3101

RE: MUR 2072
Hansell & Post

Dear Mr. Rate:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on October 17, 1985, found reason to believe that Hansell & Post (formerly, Hansell, Post, Brandon & Dorsey) had violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended, 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 a violation has occurred.

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 the 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.

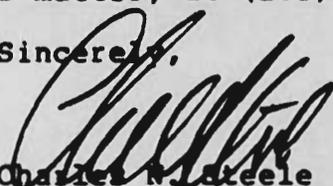
If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days.

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A finding of probable cause to believe requires that the Office of the 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 Jonathan Levin, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

880407120'52

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2072
Hansell & Post)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

Pursuant to 26 U.S.C. § 9038(a), the Audit Division conducted an audit of the John Glenn Presidential Committee, Inc. ("the Glenn Committee"). Records compiled by the Audit Division indicated that Hansell, Post, Brandon & Dorsey (now Hansell & Post) had contributed in excess of \$1,000 to the Glenn Committee for the primary election. The matter was referred to the Office of the General Counsel.

According to the Audit Division, the firm contributed \$2,700 to the Glenn Committee on June 29, 1983. On October 17, 1985, the Commission found reason to believe that Hansell, Post, Brandon & Dorsey violated 2 U.S.C. § 441a(a)(1)(A). On November 15, 1985, this Office sent a letter notifying the firm of the finding and enclosing a factual and legal analysis.

In its reply, received on December 10, 1985, the firm describes the circumstances of this contribution. On June 21, 1983, Hansell & Post sent a check for \$2,700 from the firm, a check for \$200 from one partner, and a check for \$100 from another partner. The firm stated that when it sent these checks to the Glenn Committee, it sent a letter stating that all of the checks represent "personal individual contributions." The letter, which (along with copies of the checks) was enclosed with

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the firm's reply to the reason to believe notification, stated that these checks should not be considered a contribution from Hansell & Post, but rather represented contributions from individuals. The letter listed the twenty individuals who purportedly contributed and the amounts contributed by each. The firm asserts that the Glenn Committee erroneously recorded the individual contributions represented on the firm check as being from the firm.

The firm states:

As a factual matter, the contributions by the 18 individuals which were transmitted, as a matter of convenience, in one check were no different in substance than the contributions made by two individuals transmitted at the same time in separate checks (separate checks were employed due to the fact that the two individuals are employees of professional corporations which are part of the firm and, as a result, their partnership accounts could not be the source of a contribution). In all 20 cases, the contributions were made from funds to which the respective individuals were exclusively entitled, not from funds distributable to partnership members.

II. LEGAL ANALYSIS

Section 441a(a)(1)(A) of Title 2 states that no person may 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. According to 2 U.S.C. § 431(11), the term "person" includes a partnership. Furthermore, the Commission's regulations at 11 C.F.R. § 110.1(e) state that a contribution by a partnership shall: (1) be attributed to each partner in direct proportion to his or her share of the partnership profits, according to instructions which shall be

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provided by the partnership to the committee or candidate; or (2) be attributed by agreement of the partners, as long as (i) only the profits of the partners to whom the contribution is attributed are reduced (or losses increased), and (ii) these partnership profits are reduced (or losses increased) in proportion to the contribution attributed to each of them; and, (3) not exceed the limits of § 110.1(a), (b), and (c), i.e., the limits of 2 U.S.C. § 441a.

Respondent asserts that the \$2,700 sent on a firm check to the Glenn Committee really represented contributions only from individuals. In AO 1981-50, an opinion issued to the respondent, the Commission addressed what appears to be the type of contribution involved in this matter. In presenting its request, the firm stated that it proposed to provide a service whereby its partners could designate amounts to be contributed to candidates. A group of partners would serve as a clearinghouse for the receipt of contribution solicitations and would maintain a record of members interested in contributing, including the amount designated by each participating partner and the candidates to whom they wish to contribute. According to the request,

[w]hen a contribution is indicated, a Partnership check will be sent to the appropriate campaign committee or candidate with a cover letter itemizing the individual member contributors and the respective contributions which the Partnership check represents. When this check is issued, the account of each member of the firm participating in that contribution will be charged for the appropriate amount.

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The specific question presented concerned the issue of whether the firm, under the circumstances presented, would become a political committee. While stating that the firm may implement this system without registering and reporting as a political committee, the Commission cautioned that any partnership contribution, as well as the amounts of such contribution attributed to individual partners, is subject to the limit of 2 U.S.C. § 441a(a)(1)(A).

In AO 1982-63, the requestor described a system of voluntary check-offs whereby individual partners authorized the partnership to withhold a specified amount from their share of firm profits and to transfer that amount directly to a political action committee established by the partnership. In approving this check-off system, the Commission appeared to have approved the use of a partnership check to make the transfer without placing a limit on the amount on the check. In its conclusion, however, the Commission stated the following:

The situation here is distinguishable from earlier advisory opinions involving partnership "contribution plans." In those opinions, the partnerships never undertook to establish and maintain a separate political committee; rather, they proposed to make partnership contributions to candidates under various types of administrative mechanisms. In this case, the PAC is registered with the Commission as a nonconnected political committee, under 2 U.S.C. § 431(4)(A), which is located on Firm premises and operated by Firm personnel; it makes contributions to candidates as a separate political committee, not as a partnership.^{*}

^{*}/ The earlier advisory opinions cited were AOs 1982-13, 1981-50, 1975-104, and 1975-17. The Commission also advised the requestor to see AOs 1980-72, and 1979-77 and the Commission's response to AOR 1976-102.

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The Commission has considered this advisory opinion in connection with two matters involving check-off systems whereby partnership checks in excess of the limits of 2 U.S.C. § 441a were issued. In MUR 1669, In the Matter of Andrews & Kurth, the Commission found no probable cause to believe that the firm violated 2 U.S.C. § 441a(a)(1)(C) in connection with checks contributed to Andrews, Kurth Lawyers for America Committee. In MUR 1774, In the Matter of L.F. Rothschild, Unterberg, Towbin, ("LFRUT"), the Commission took no further action with respect to the allegation that the firm violated 2 U.S.C. § 441a(a)(1)(C) in connection with a check contributed to LRFUT-PAC. Unlike the present situation, however, in those matters the partnership checks derived from the check-offs by the individual partners were issued to political committees established and maintained by the partnerships as discussed in AO 1982-63, rather than to separate candidate committees.

Based on the foregoing analysis, the General Counsel recommends that the Commission find probable cause to believe that Hansell & Post violated 2 U.S.C. § 441a(a)(1)(A).

III. RECOMMENDATION

Find probable cause to believe that Hansell & Post violated 2 U.S.C. § 441a(a)(1)(A).

10 Dec. 1986
Date



Charles N. Steele
General Counsel

83040712057



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 11, 1986

Stephen O. Hewlett
644 West Iris Drive
Nashville, Tennessee 37204

RE: MUR 2072
Stephen O. Hewlett

Dear Mr. Hewlett:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on October 17, 1985, found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended, and instituted an investigation of this matter.

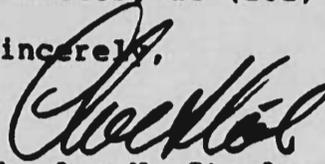
After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred. The Commission may or may not approve the General Counsel's Recommendation.

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 the 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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Should you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

89040712059

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2072
Stephen O. Hewlett)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

Pursuant to 26 U.S.C. § 9038(a), the Audit Division conducted an audit of the John Glenn Presidential Committee, Inc. ("the Glenn Committee"). Records compiled by the Audit Division indicated that Stephen Hewlett had given the Committee contributions aggregating in excess of \$1,000 for the primary election. The matter was referred to the Office of the General Counsel.

According to the Audit Division, Mr. Hewlett had contributed \$2,000 to the Glenn Committee. On October 17, 1985, the Commission found reason to believe that Mr. Hewlett violated 2 U.S.C. § 441a(a)(1)(A). On November 15, 1985, this Office sent a letter notifying Mr. Hewlett of the finding and enclosing a factual and legal analysis.

A review of Audit records indicates that Mr. Hewlett did not contribute in excess of \$1,000 to the Glenn Committee. It appears that the only contributions attributed to Mr. Hewlett at any point in time were a \$250 contribution on February 9, 1986,

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and a \$250 contribution on December 16, 1983.*/

II. LEGAL ANALYSIS

Section 441a(a)(1)(A) states that no person may 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. It appears that Mr. Hewlett's contributions did not exceed that limit. Therefore, the General Counsel recommends that the Commission find no probable cause to believe that Stephen O. Hewlett violated 2 U.S.C. § 441a(a)(1)(A).

III. RECOMMENDATION

Find no probable cause to believe that Stephen O. Hewlett violated 2 U.S.C. § 441a(a)(1)(A).

10 December 1986
Date



Charles N. Steele
General Counsel

83040712061

*/ The Glenn Committee's reports and Audit records show contributions from Mr. Hewlett and Mrs. Hewlett. Mrs. Hewlett made a \$750 contribution on June 30, 1983. The reports and records indicate that, at some point prior to July 15, 1983 (the due date for the July Quarterly), the February 9 contribution was reattributed to Mrs. Hewlett. It also appears that the December 16 contribution was at first a joint contribution of \$250 from Mr. and Mrs. Hewlett, then reattributed as a \$250 contribution from Mr. Hewlett, and finally recorded as a \$125 contribution from Mr. Hewlett and a \$125 contribution from Mrs. Hewlett.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 11, 1986

John A. Mazzuco
25485 Nichols Road
Columbia Station, OH 44028

RE: MUR 2072
John A. Mazzuco

Dear Mr. Mazzuco:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on October 17, 1986, found reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a section of the Federal Election Campaign Act of 1971, as amended, 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 a violation has occurred.

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 the 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.

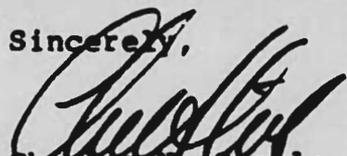
If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days.

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.

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Should you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

88040712063

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2072
John A. Mazzuco)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

Pursuant to 26 U.S.C. § 9038(a), the Audit Division conducted an audit of the John Glenn Presidential Committee, Inc. ("the Glenn Committee"). During the course of the audit, the Audit Division noted that the Committee's Reports of Receipts and Disbursements disclosed that John A. Mazzuco had given the Committee contributions for the primary election aggregating in excess of \$1,000. The matter was referred to the Office of the General Counsel.

The reports disclosed that Mr. Mazzuco contributed \$500 on March 24, 1983, \$200 on June 30, 1983, and \$1,500 on October 31, 1983. The Glenn Committee returned the excess \$1,200 on January 6, 1984, 67 days after the last contribution.

On October 17, 1986, the Commission found reason to believe that Mr. Mazzuco violated 2 U.S.C. § 441a(a)(1)(A). On November 15, 1985, this Office sent a letter notifying Mr. Mazzuco of the finding and enclosing a factual and legal analysis. Mr. Mazzuco did not file a response to the notification.

II. LEGAL ANALYSIS

Section 441a(a)(1)(A) states that no person may 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. It appears that the respondent

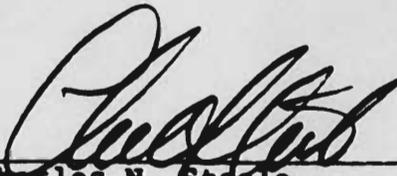
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has contributed \$2,200 to the Glenn Committee in connection with the 1984 presidential primary campaign. Based on the foregoing analysis, the General Counsel recommends that the Commission find probable cause to believe that John A. Mazzuco violated 2 U.S.C. § 441a(a)(1)(A).

III. RECOMMENDATION

Find probable cause to believe that John A. Mazzuco violated 2 U.S.C. § 441a(a)(1)(A).

10 Dec 1986
Date



Charles N. Steele
General Counsel

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HANSELL & POST

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

56 PERIMETER CENTER EAST, N.E.
FIFTH FLOOR
ATLANTA, GEORGIA 30346-2283
TELEPHONE 404 399-1600
TELECOPIER 404 399-1760
TELEX 80-4455

THIRTY-THIRD FLOOR FIRST ATLANTA TOWER
ATLANTA, GEORGIA 30388-5101

245 PEACHTREE CENTER AVENUE
SUITE 2800
MARQUIS ONE TOWER
ATLANTA, GEORGIA 30303

1667 K STREET, N.W.
SUITE 900
WASHINGTON, D.C. 20006-1882

December 24, 1986

VIA FEDERAL EXPRESS

Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463
Attention: Mr. Jonathan Levin

Re: MUR 2072

Dear Mr. Levin:

Confirming our telephone conversation of this morning, we are in receipt of the letter from the Federal Election Commission (the "Commission") dated December 11, 1986 addressed to Robert L. Rate, Executive Administrator, Hansell & Post.

By this letter, we request that the Commission grant an extension of twenty (20) days in the time required to file a responsive brief. The Commission's letter was received on December 17, 1986. Consequently, the fifteen (15) day period in which to file a responsive brief would expire on January 2, 1987. With the addition of the twenty (20) day extension period, our responsive brief would be due on January 22, 1987.

The extension is required for the following reasons:

(1) Two national holidays (Christmas Day and New Year's Day) fall within the original fifteen (15) day response period. As a result, Hansell & Post will encounter delay and difficulty in contacting certain key persons having information relative to this matter and obtaining that information. In particular, Hansell & Post must contact and seek information from the attorney who advised this firm at the time of prior correspondence from the Commission concerning this matter, in 1985. In addition, other relevant information must be gathered and reviewed prior to preparation of the firm's response. As a consequence of the delay caused by the holidays, Hansell & Post will be unable to obtain and evaluate the information and advice

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GENERAL COUNSEL

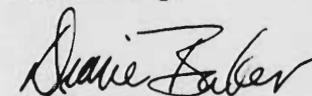
necessary to preparation of its responsive brief until after the holiday season (i.e., after January 1, 1987).

(2) Mr. Robert L. Rate, Executive Administrator of Hansell & Post, and the named addressee on the Commission's letter dated December 11, 1986, has been called to serve on jury duty in Cobb County, Georgia during the week of January 5 through January 9, 1987. Such jury service may continue beyond January 9, 1987, depending upon the nature of the case to which Mr. Rate may be assigned. Mr. Rate has been the designated supervisor and coordinator handling this matter since the issues were first raised by the Commission, and his presence is essential to preparation of the firm's response.

(3) Assuming that Mr. Rate returns to work on or about January 12, 1987 and that all necessary and appropriate information has been collected by that date, we would be prepared to deliver our responsive brief to the Commission by January 22, 1987. The imposition of an earlier date for our response would not provide sufficient time for the firm to adequately gather and review all relevant information and advice and to draft our responsive brief based on such information and advice.

We await your prompt response to this request.

Sincerely,


A. Diane Baker

ADB:dc

cc: L. Travis Brannon, Jr., Esq.
Mr. Robert L. Rate

88040712067



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 8, 1987

A. Diane Baker, Esquire
Hansell & Post
56 Perimeter Center East, N.E.
Fifth Floor
Atlanta, Georgia 30346-2283

RE: MUR 2072
Hansell & Post

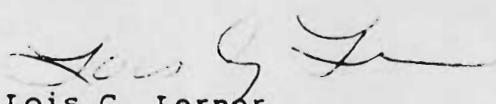
Dear Ms. Baker:

Pursuant to your letter received on December 29, 1986, the Office of the General Counsel is granting Hansell & Post a twenty day extension of time in which to file a reply brief in the above-captioned matter. The brief is due, therefore, on January 22, 1987.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at 202-376-5690.

Sincerely,

Charles N. Steele
General Counsel


By: Lois G. Lerner
Associate General Counsel

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January 8, 1987

Mr. Jonathan Levin
Office of the General Council
Federal Election Commission
999 E Street, N.W.
Washington, D. C. 20463

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OFFICE OF THE
GENERAL COUNSEL
- JAN 12 P 4: 32

Subject: Illegal Campaign Contribution

Dear Mr. Levin,

Pursuant to our telephone conversation of January 7th, please be advised that we realize "ignorance of the law is no excuse", however; we find ourselves pleading just that.

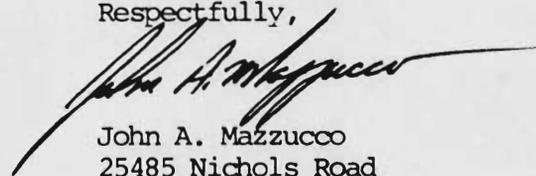
When the \$2,200.00 contribution was made to the John Glenn Campaign Fund, we did not realize at that time that there were any monetary restrictions. It wasn't until we received a phone call from the Glenn Campaign Committee regarding our contribution - that we realized any error on our part. The committee suggested that we could have the overpayment refunded or have it re-contributed under my wife's name. Given this choice, we opted for a refund. We felt that this would be the "right" thing to do, and did not anticipate any repercussions. We did not care to donate the overpaid balance under my wife's name because if it was wrong to donate that amount of money initially - we didn't want to donate the same amount of money through a legal "loophole".

It is not common practice for me to make political contributions nor do I intend to make it a practice in the future.

This donation was made in good faith. I am hoping that this matter can be resolved soon, as there was never any criminal intent on my part.

Thank you for your patience in this matter.

Respectfully,



John A. Mazzucco
25485 Nichols Road
Columbia Station, OH 44028
(216) 236-3938

ljd

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TENNESSEE PUBLIC SERVICE COMMISSION JAN 20 11: 05
460 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37219



January 14, 1987

- JAN 21 4 8: 42

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GENERAL COUNSEL

88040712070

Mr. Jonathan Levin, Attorney
Federal Election Commission
Washington, D. C. 20463

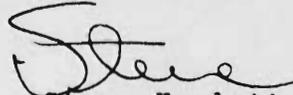
In Re: MUR 2072, Stephen O. Hewlett

Dear Mr. Levin:

This is to acknowledge receipt of the letter from Mr. Charles Steele, General Counsel, notifying me of your recommendation for no probable cause.

I enjoyed visiting with you on the telephone and appreciate your consideration in this matter. I would also like to advise your agency of my address change from 644 West Iris Drive to the following: 708 Heather Spring, Brentwood, TN, 37027.

Sincerely,


Steve Hewlett
Commissioner

SH/d

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of :
: MUR 2072
Hansell & Post :

RESPONDENT'S BRIEF

Hansell & Post submits this brief pursuant to 11 C.F.R. §111.16(c), in response to the brief filed by the General Counsel on December 10, 1986.

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I. STATEMENT OF THE CASE

Hansell & Post (formerly Hansell, Post, Brandon & Dorsey) is a law firm organized as a partnership under the laws of the State of Georgia. As of June, 1983, the firm had sixty-one (61) partners.

On June 21, 1983 three checks were forwarded to the John Glenn Presidential Committee, Inc. (the "Glenn Committee"): (i) a check in the amount of \$2,700.00, drawn on a bank account maintained by Hansell & Post; (ii) a check drawn on the personal account of Holcombe T. Green, principal officer of a professional corporation which was a member of the firm, in the amount of \$100.00; and (iii) a check drawn on the personal account of McChesney H. Jeffries, also principal officer of a professional corporation which was a member of the firm, in the amount of \$200.00. The check drawn on the Hansell & Post bank account incorporated a letter (Exhibit "A" hereto) attached to the check, which indicated that the check represented a consolidation of personal contributions made by individuals, and not a contribution made by the partnership. The check and incorporated letter set forth, as required by 11 C.F.R. §104.10(d), the identity of the individuals contributing and the specific dollar amount contributed by each individual.

On November 27, 1985 Hansell & Post received a letter from the Federal Election Commission (the "Commission") notifying the firm that the Commission had found reason to believe that Hansell & Post violated 2 U.S.C. §441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971 (the "Act"). The General Counsel's Factual and Legal Analysis, which accompanied the

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notice, stated only that the firm, as a partnership, could not contribute more than \$1,000.00 to any candidate with respect to any election for federal office and that the Reports of Receipts and Disbursements filed by the Committee indicated that Hansell & Post had contributed more than \$1,000.00.

Hansell & Post responded by letter dated December 5, 1985 (copy attached as Exhibit "C"). As explained in that letter, Hansell & Post was not provided with copies of the Glenn Committee's reports or of the Commission's audit report which formed the basis of the Commission's allegations.

The firm's December 5, 1985 letter pointed out the likelihood that the Glenn Committee had failed to report the \$2,700 contribution as a consolidation of individually determined contributions, and had erroneously reported the contribution as a contribution made by the Hansell & Post partnership. The letter requested pre-probable cause conciliation pursuant to 11 C.F.R. §111.18(d).

No further communication was received from the Commission until over a year later, when, on December 17, 1986, the firm received a letter stating that the General Counsel was prepared to recommend that the Commission find probable cause. No investigation of Hansell & Post records was undertaken, nor to the knowledge of the firm, were any of the individual contributors contacted. The Affidavit of Alan L. Libman, Controller for Hansell & Post (Exhibit "B" hereto) explicitly sets forth that no partnership funds were expended for the \$2,700 contribution, and that the funds disbursed by the check drawn on the Hansell & Post bank account "were made from the personal accounts of each individual" (¶2). Mr. Libman's Affidavit was included with the firm's December 5, 1985, reply to the Commission's initial inquiry.

By letter dated December 24, 1986, Hansell & Post requested an extension of twenty (20) days in the time required to file a responsive brief pursuant to 11 C.F.R. §111.16(c).

The Commission's response, by letter dated January 8, 1987, granted Hansell & Post the full twenty (20) day extension, making the responsive brief due on January 22, 1987. Consequently, this brief is timely filed.

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II. LEGAL ANALYSIS

The Federal Election Campaign Act of 1971 provides that:

(1) No person shall make contributions -
- (A) to any candidate and his authorized political committees with respect to any election for Federal office which, in the aggregate, exceed \$1,000;. . . .

2 U.S.C. §441a(a). "Person" is defined to include "partnership."
2 U.S.C. §431(h). There is thus no question that the campaign laws forbade the Hansell & Post partnership from making a contribution, as a partnership, to a candidate's campaign in excess of \$1,000.

The staff's entire argument is premised on the assumption that the \$2,700 check represented a contribution by the partnership of partnership funds to the Glenn Committee. The undisputed evidence, however, is that the \$2,700 check represented contributions by eighteen individuals. The amount of each individual's contribution was determined by that individual and was charged by the partnership, in exactly the amount selected, to that individual's share of the partnership's profits. As is apparent from the fact that 41 of Hansell & Post's 61 partners in 1983 chose to make no contributions, at least as far as the firm was aware, to the Glenn Committee, there was no charge to the partners in proportion to their share of profits or on any other agreed basis.

The uncontestable fact is that Hansell & Post acted strictly in its capacity as agent for the eighteen individuals in transmitting funds to the Glenn Committee, in much the same fashion that a law firm from time to time acts as agent for its clients. There is no basis whatsoever for any inference that Hansell & Post acted in its own behalf by disbursing funds that belonged to the partnership.

The staff's apparent position, that a check drawn on a partnership's bank account automatically represents a contribution by the partnership, even in the face of an accompanying disclosure to the contrary, is inconsistent with the Commission's own regulations. The regulations provide that, "[a]bsent evidence to the contrary," a "check . . . shall be reported as a contribution by the last person signing the instrument." 11 C.F.R. §104.8(c). Where, however, the instrument discloses other sources of the contribution, thus furnishing the described "evidence to the contrary," the attribution is to be to the disclosed contributors. 11 C.F.R. §104.8(d). Were this not the

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rule, a cashier's check sent to a campaign committee would be attributed to the issuing bank, not the bank's remitter.

The staff's position is also contrary to 11 C.F.R. §110.4(b)(1)(i) because the staff's view would require that an individual's contribution be reported as a contribution by the partnership. That regulation makes it illegal, however, to "[m]ake a contribution in the name of another."

The staff's position, if adopted, would provide a readily available means for avoiding the requirements of the law. A partner in a law firm or other business venture could write a partnership check to a campaign committee for \$1,000 and direct his firm to charge that amount to his share of the firm's profits. The partner would, under the staff's position, not be charged with having made any personal contribution (at least beyond the percentage of the \$1,000 attributed to him on the basis of his percentage interest in the partnership), even though the funds the partnership paid as agent were exclusively his. The partner would then be free to make additional contributions from his personal bank account. A partner with a 1% share could give \$1,990, while being "charged" with only \$1,000 (\$1,000 through the partnership for which he is "charged" \$10, and \$990 outside the partnership), thus almost doubling the limit that Congress intended to be applied.

To the extent that the staff's position has any basis at all in the regulations, the regulations would thus be void as contrary to the mandate of the statute.

The staff's attempt to avoid the decisions in MUR 1669 and MUR 1774 (referenced at page 5 of the "General Counsel's Brief" dated December 10, 1986) is unavailing. In both those proceedings, the Commission declined to take further action in situations where individual partners made contributions to political action committees by utilizing check-off systems. The fact that the circumstance at issue involves analogous individual contributions to a separate candidate committee instead of to a political action committee provides no basis for drawing a legal distinction. In the face of these precedents, the staff's position is untenable.

CONCLUSION

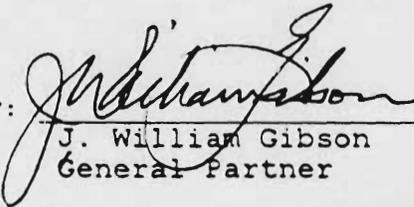
The General Counsel's recommendation that the Commission find probable cause to believe that Hansell & Post violated 2 U.S.C. §441a(a)(1)(A) apparently originated because of miscommunication. The Glenn Committee's report of a contribution by the

partnership was based on its apparent failure to note the disclosure that contributions were in fact being made by individuals in the amount stated. The staff has chosen, without any evidentiary basis, without any investigation of the firm's records, and without entering any negotiations directed towards reaching a conciliation agreement, to disregard the uncontestable fact that the contributions at issue were made by individuals. The staff's position is contrary to the Commission's own regulations, and if adopted, would improperly frustrate the purpose of the controlling statute.

Hansell & Post invites the staff to investigate its records, and to engage in conciliation negotiations. The staff's efforts in this regard would confirm that there is no basis for a finding of probable cause. Without any articulated factual basis for such a finding, the staff's request should be denied. Hansell & Post requests, in any event, an opportunity to be heard orally, to present evidence in its behalf, and to cross-examine such witnesses on whose testimony the Commission may rely.

Submitted this 22nd day of January, 1987.

Hansell & Post

By: 
J. William Gibson
General Partner

3300 First Atlanta Tower
Atlanta, Georgia 30383-3101
(404) 581-8000

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EXHIBIT A

LAW OFFICES
HANSELL, POST, BRANDON & DORSEY
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
THIRTY-THIRD FLOOR, FIRST ATLANTA TOWER
ATLANTA, GEORGIA 30383
TELEPHONE (404) 581-8000
TELEX 54 2711

No 5182

THE FIRST NATIONAL BANK OF ATLANTA
ATLANTA, GEORGIA

June 21 1983

PAY Two Thousand Seven Hundred and no/100

DOLLARS \$ 2,700.00

John Glenn Campaign Fund

HANSELL, POST,
BRANDON & DORSEY ATTORNEYS

SIGNATURE REQUIRED ON CHECKS EXCEPTING SIGNATURE

⑆005182⑆ ⑆061000010⑆ 07 007 037⑆

DETACH AND RETAIN THIS STATEMENT

THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT REQUIRED

No 5182

FILE OR
ACCT. NO

See attached letter.

YOUR
(CLIENT)

RLR/sal

HANSELL, POST,
BRANDON & DORSEY ATTORNEYS

THIRTY-THIRD FLOOR FIRST ATLANTA TOWER
 ATLANTA, GEORGIA 30383-3101
 TELEPHONE 404 881-8000
 TELECOPIER 404 881-8330
 TELEX 84-2711

56 PERIMETER CENTER EAST, N.E.
 FIFTH FLOOR
 ATLANTA, GEORGIA 30346-2283

1915 T STREET, N.W.
 FIFTH FLOOR
 WASHINGTON, D.C. 20008

June 21, 1983

TO WHOM IT MAY CONCERN:

The attached three (3) checks totalling Three Thousand Dollars (\$3,000) represent personal individual contributions to the campaign fund of John Glenn and should not be considered as being a contribution from Hansell & Post. The names and addresses of individual contributors are as follows:

<u>NAME AND ADDRESS</u>	<u>AMOUNT OF CONTRIBUTION</u>
Terrence B. Adamson 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	\$ 50.00
N. William Bath 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	100.00
Jule W. Felton, Jr. 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	240.00
Holcombe T. Green, Jr. 56 Perimeter Center East, N.E. Fifth Floor Atlanta, Georgia 30346	100.00
Edward S. Grenwald 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	150.00
C. Edward Hansell 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	100.00

(Continued)

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<u>NAME AND ADDRESS</u>	<u>AMOUNT OF CONTRIBUTION</u>
Gary W. Hatch 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	\$100.00
McChesney H. Jeffries 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	200.00
Richard M. Kirby 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	100.00
James H. Landon 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	200.00
Kent E. Mast 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	100.00
John Hays Mershon 56 Perimeter Center East, N.E. Fifth Floor Atlanta, Georgia 30346	200.00
Trammell Newton 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	110.00
Albert G. Norman, Jr. 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	200.00
Ernest C. Ramsay 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	200.00

(Continued)

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<u>NAME AND ADDRESS</u>	<u>AMOUNT OF CONTRIBUTION</u>
Robert W. Smith 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	\$200.00
Philip C. Thompson 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	200.00
Trammell E. Vickery 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	200.00
David P. Wallace 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	100.00
Dom H. Wyant 3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383	150.00

Please do not hesitate to contact me if any additional information is required.

Sincerely yours,

Robert L. Rate
Executive Administrator

LTB/sal

Attachments

88040712079

AFFIDAVIT OF ALAN L. LIBMAN

STATE OF GEORGIA

COUNTY OF FULTON

PERSONALLY APPEARED before the undersigned officer, duly authorized to administer oaths in this State, Alan L. Libman, who being duly sworn, deposes and states as follows:

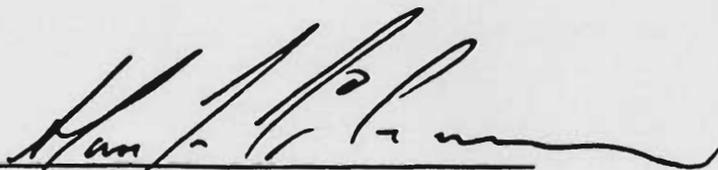
1.

I, Alan L. Libman, am the controller for the law firm of Hansell & Post, 3300 First Atlanta Tower, Atlanta, Georgia 30383, and as such have responsibility for the operation of the Firm's Accounting Department.

2.

I have examined the books and records of Hansell & Post and do hereby certify that the contributions made by the individuals listed on the Firm's June 21, 1983 letter to the Campaign Fund of John Glenn were made from the personal accounts of each individual and not from Partnership funds generally.

Further affiant saith not.


ALAN L. LIBMAN

Sworn to and subscribed
before me this 16th
day of December, 1985.

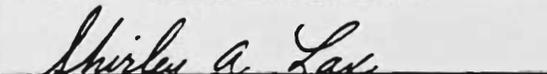

NOTARY PUBLIC
Notary Public, Georgia, State at Large
My Commission Expires Oct. 14, 1985

EXHIBIT B

8 3 0 4 0 7 1 2 0 8 0

HANSELL & POST
A PARTNERSHIP OF ILLINOIS PROFESSIONAL CORPORATION

THIRTY-THIRD FLOOR FIRST ATLANTA TOWER
ATLANTA, GEORGIA 30383-3101
TELEPHONE 404 881-8000
TELECOPIER 404 881-8330
TELEX 842711

86 PERIMETER CENTER EAST, N.E.
FIFTH FLOOR
ATLANTA, GEORGIA 30346-2283

1815 T STREET, N.W.
FIFTH FLOOR
WASHINGTON, D.C. 20006

ALBERT G. NORMAN, JR.
404 881-8146

December 5, 1985

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

Attention: Mr. Jonathan Levin

Re: MUR 2072

Dear Mr. Levin:

8 8 0 4 0 7 1 2 0 3 1

We are in receipt of the letter from the Federal Election Commission ("Commission") dated November 15, 1985 which was directed to the firm of Hansell, Post, Brandon & Dorsey. The letter was received on November 27, 1985 and, as a result, this response is timely. It is our understanding from that letter that certain questions have arisen with regard to contributions made by various individuals who are members of this firm to the John Glenn Presidential Committee, Inc. ("Committee"). It is our belief that these questions may have arisen as a result of inaccurate reporting by the Committee. In any event, contrary to the sense of the allegations, it is clear that all of the contributions made by members of this firm were within the limitations imposed by the Federal Election Campaign Act of 1971, as amended ("Act"), and that such contributions were made in accordance with accepted procedure.

The "Summary of Allegations" appended to your November 15, 1985 letter indicates that an audit of the Committee "noted that the Committee's Reports of Receipts and Disbursements disclosed that the respondents have given the Committee aggregate contributions in excess of \$1,000." That allegation, notwithstanding whatever the reports of the Committee may indicate, is in error. The issue of the personal, individual character of the contributions was explained to the Committee. Although the materials which the Commission provided in connection with its November 15, 1985 letter do not disclose the specific report entry made by the Committee which gave rise to the allegation, in spite of the effort made to ensure that the contributions were properly

EXHIBIT C

recorded and reported, it can only be assumed that the Committee erroneously reported a contribution as being from Hansell & Post. As a matter of fact, the firm of Hansell, Post, Brandon & Dorsey (on March 1, 1983 the firm name was changed to Hansell & Post) made no contribution to the Committee and, as a result, any reference to a contribution by the firm or partnership in any amount is simply in error.

Attached, marked Exhibit A, is a copy of a letter dated June 21, 1983 which accompanied the contributions made to the Committee from individuals who were members of the firm of Hansell & Post (attached to the letter are copies of the contribution checks). This letter clearly states that none of the contributions were from the partnership. Rather, the letter makes clear that 20 separate and distinct individuals were making personal contributions in amounts that varied from \$50 to \$200. Attached, marked Exhibit B, is an affidavit from Alan L. Libman, Controller for the law firm of Hansell & Post, which evidences that the contributions reflected on the June 21, 1983 letter were in fact made from the individual accounts of the respective partners and not from partnership funds. Clearly no contribution was made by the partnership to the Committee. As a result, the appropriate application of the limitations imposed by the Act would permit each of the 20 individuals involved to contribute up to \$1,000 per individual per election.

One can only assume that the June 21, 1983 letter was somehow separated from the check of the same date in the amount of \$2,700. Although we were not provided with copies of the Committee's reports or of the audit report related to these allegations, it would be interesting to focus on the reporting of the other two checks which accompanied the June 21, 1983 letter. As a factual matter, the contributions by the 18 individuals which were transmitted, as a matter of convenience, in one check were no different in substance than the contributions made by the two individuals transmitted at the same time in separate checks (separate checks were employed due to the fact that the two individuals are employees of professional corporations which are part of the firm and, as a result, their partnership accounts could not be the source of a contribution). In all 20 cases, the contributions were made from funds to which the respective individuals were exclusively entitled, not from funds distributable to partnership members.

Apparently, the manner in which the 20 individual contributions were reported misstates the facts. The fact that, as a matter of convenience, certain of the individual contributions were transmitted in one check should not in any way confuse or alter the facts that the contributions, in all respects, were

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individual and personal contributions. Every effort was made to clearly state these facts at the time the contributions were transmitted. The personal and individual character of those contributions was also emphasized to the Committee following transmittal. To characterize the contributions as being anything other than separate individual personal contributions for either reporting purposes or for the purpose of applying the limitations under the Act would be to ignore the facts and the substance of the matter. Whether the 20 separate contributions were transmitted in three checks, 20 checks, or some variation in between, should not be determinative. The contributions transmitted in the check totalling \$2,700 were no less personal and individual contributions than those represented by the other two checks. Moreover, each of the contributions involved, including the two contributions transmitted in separate checks, was summarized in the same transmittal letter.

While the law may limit contributions from a partnership to \$1,000 per candidate per election, the law does not purport to place individuals who happen to be members of a partnership under some aggregate limitation whereby an individual contribution by one partner would reduce the amount available for contribution by another. Application of the \$1,000 partnership limitation in this instance would have that effect, contrary to the intent and letter of the statute.

Finally, it was the purpose and intent of the individuals involved to make personal individual contributions to the Committee in conformance with the Act. In the event that you require further information or data in order to resolve this matter, we are prepared to work with you towards that end. As a result of the fact that no partnership contribution was made in this case, we do not believe that further action in this matter is warranted. We would certainly request that, in the event you determine further consideration is necessary, we be provided with adequate notice to consider whether a request pursuant to 11 C.F.R. §111.18(d) or other potential action is in order.

Sincerely,

Albert G. Norman, Jr.
For Hansell & Post

Enclosures

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BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

07 MAR 5 11:24

In the Matter of)	
)	
John Glenn Presidential)	MUR 2072
Committee, Inc.)	
William R. White, as treasurer)	

GENERAL COUNSEL'S REPORT

Based on the assessment of the information presently available, the Office of the General Counsel is prepared to close the investigation in this matter as to the John Glenn Presidential Committee, Inc. and William R. White, as treasurer.

5 March 1987
Date



Charles N. Steele
General Counsel

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 11, 1987

SENSITIVE

11 AM: 20

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel *CNS*

SUBJECT: MUR 2072

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 findings of probable cause to believe and no probable cause to believe was mailed on March 11, 1987. Following receipt of the respondent's reply to this notice, this Office will make a further report to the Commission.

Attachments

1. Brief and letter to the John Glenn Presidential Committee, Inc.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 11, 1987

Harlan Pomeroy, Esquire
Baker & Hostetler
1050 Connecticut Ave., N.W.
Suite 1100
Washington, D.C. 20036

RE: MUR 2072
John Glenn Presidential
Committee, Inc.
William R. White, as
treasurer

Dear Mr. Pomeroy:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on October 17, 1985, found reason to believe that the John Glenn Presidential Committee and William R. White, as treasurer, had violated 2 U.S.C. §§ 441a(f), 434(b)(1), 434(b)(4), 441a(b)(1)(A), 441c, and 434(a) and 11 C.F.R. § 106.2(a)(1) and (d). The Commission then 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.

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 the 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.

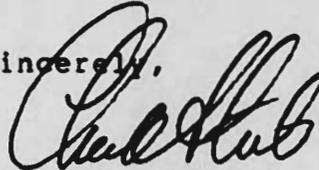
If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days.

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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 Jonathan Levin, the attorney assigned to handle this matter, at (202) 376-5690

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
John Glenn Presidential) MUR 2072
Committee, Inc.)
William R. White, as treasurer)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

Pursuant to 26 U.S.C. § 9038(a), the Audit Division conducted an audit of the John Glenn Presidential Committee, Inc. ("the Committee"). This matter was referred to this Office from the Audit Division on August 15, 1985, and pertains to the receipt by the Committee of excessive contributions, the failure of the Committee to report disbursements in a timely manner, and expenditures by the Committee that exceeded the state-by-state expenditure limits for Iowa and New Hampshire. The Office of the General Counsel reviewed the contribution and expenditure figures contained in the Final Audit Report, which were based on the Initial Repayment Determination. The expenditures in the Final Audit Report consist only of expenditures already paid. The figures used in this matter also include expenditures payable.

The Final Audit Report indicated that the Committee apparently accepted contributions in excess of the § 441a(a)(1)(A) limits from 126 individuals, seven partnerships, and four political committees. The information in the Audit Report indicated the following: Eighty-five refunds were made of excessive contributions totalling \$51,676. However, on the average, 142 days elapsed from the dates the contributions exceeded the limitations until the excessive portions were

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refunded. In addition, 51 reattributions of excessive contributions totalling \$30,025 were authorized by the contributors. However, on the average, 126 days elapsed from the date the contributions exceeded the limitation until the reattributions were authorized. Finally, one excessive contribution totalling \$1,250 was neither refunded nor reattributed.

The Final Audit Report also indicated that the Committee overstated its cash on hand and understated its disbursements in apparent violation of 2 U.S.C. § 434(b)(1) and (4). It appears that the Committee maintained a headquarters draft account in lieu of state office and advance staff checking accounts. Bank drafts of various denominations were issued to Committee staff for use in making disbursements. All drafts cleared through the Committee's headquarters draft account were returned with the periodic bank statements for the account.

Apparently, it was Committee policy not to enter disbursements made from its draft account into the general ledger and, therefore, not to report these disbursements until supporting documentation was received at Committee headquarters. According to the audit report, in many instances the supporting documentation was not available at the closing date for filing reports. As a result of this practice, the Committee's Reports of Receipts and Disbursements routinely overstated cash on hand and understated disbursements, including expenditures allocable to states.

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During the period from April 1983 through March 31, 1984, disbursements in the following amounts were not reported:

<u>Date</u>	<u>Cumulative Amount</u>
December 31, 1983	\$ 60,096.97
January 31, 1984	146,535.51
February 29, 1984	230,535.74
March 31, 1984	312,495.98

Additionally, the Final Audit Report indicated that the Committee apparently exceeded the amount it was permitted to spend in Iowa and New Hampshire. Pursuant to 2 U.S.C.

§ 441a(b)(1)(A) and 441a(c), a candidate receiving matching payments under the Presidential Primary Matching Payment Account Act may not incur expenditures in any one state that exceed the greater of sixteen cents multiplied by the voting age population of the state or \$200,000, as adjusted by changes in the Consumer Price Index. For purposes of 2 U.S.C. § 441a(b), the language "may not make expenditures" includes both expenditures made and written contracts, promises, or agreements to make expenditures. See 2 U.S.C. § 431(9)(A)(ii).

Under the Act, the Committee was permitted to spend up to \$684,537.00 in Iowa and up to \$404,000.00 in New Hampshire. A review of all relevant materials and documentation revealed that the Committee exceeded its expenditure allocation by \$149,421.77 for Iowa and \$218,881.51 for New Hampshire. These figures were compiled from a review of (1) media expenditures; (2) salaries, employer FICA, and consultant fees; (3) intra-state travel and subsistence; (4) exemptions for compliance costs and fundraising expenditures, including those for media, polling and

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telephones; (5) non-exempt fundraising expenditures, i.e., made or incurred within twenty-eight days of the primary; (6) public opinion polling expenditures; (7) telephone and mail programs; (8) political buttons and bumper stickers; and (9) miscellaneous expenditures.

On October 17, 1986, the Commission made a number of reasons to believe findings with respect to the Committee. With respect to the allegations as to the acceptance of excessive individual contributions, the Commission found reason to believe that the Committee violated 2 U.S.C. § 441a(f). With respect to the allegations as to the overstatement of cash on hand and understatement of disbursements, the Commission found reason to believe that the Committee violated 2 U.S.C. § 434(b)(1) and (4). With respect to the allegations as to excessive expenditures in Iowa and New Hampshire and as to the apparently erroneous allocations that led to these expenditures, the Commission found reason to believe that the Committee violated 2 U.S.C. §§ 441a(b)(1)(A), 441a(c) and 434(a) and 11 C.F.R. § 106.2(a)(1) and (d).

In the Glenn Committee's response to these initial findings, it argues against the concept that the Committee knowingly accepted excessive contributions. It argues that 11 C.F.R. § 103.3(b)(2)

affords an opportunity to avoid violation of section 441(a)(f) [sic] where the committee receiving the contributions is aware, before deposit, of their questionable legality and so advises the Commission on its next report. This was done. In such a case, the regulations allow a committee to endeavor to determine whether the contribution is legal and thereafter a

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reasonable time in which to refund any amounts finally found to be greater than the allowable limit.

They state that there is nothing in the Act or Regulations specifying the time within which the Committee must make the determination that a contribution is excessive, and they maintain that the Committee proceeded with "reasonable diligence" in determining that the contributions were excessive.

The Committee states that "[a] reasonable period for making the refund (once the contribution has been found either to be excessive or incapable of being brought within the limitation) should be established for each case based on its particular facts." The Committee states that it is aware "that the Commission, in the past, has taken the position that 30 days may be a reasonable period of time for purposes of refunding and reattributing excessive contributions," but that, in this matter, the Committee acted within a reasonable period of time.^{1/} In support of this, it is asserted that the Committee, realizing that it "did not have sufficient personnel to handle contributions that were being received that exceeded contribution limitations. . . assigned two employees to work on these

^{1/} The Committee cites MUR 1393, In the Matter of Kennedy for President Committee, General Counsel's Brief, dated July 9, 1982, as authority for the description of the Commission's position. The Committee points out that this matter involved the return of contributions after the audit process called attention to them, not on the basis of a discovery by the Committee. They claim that the Commission, in that matter, indicates that a longer period of time would be reasonable if returns were made sua sponte.

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contributions full-time for six weeks." The Committee further contends that it approached every individual and partnership that had contributed possibly excessive amounts and "[i]n every case where a refund was necessary, it was issued promptly." The Committee asserts that 73 excessive contributions totalling \$40,000 were refunded during the first three months of 1984. As for the reattribution, of contributions, the Committee claims that "often it was necessary to write or call contributors two, three, four or more times to induce them to return the documentation."

In response to the reason to believe findings made with respect to the overstatement of cash on hand and understatement of disbursements, the Committee states that it retained Arthur Anderson & Co. to establish an accounting system which was set up as follows:

A headquarters draft account was set up to provide funds to field offices and advance staff, rather than the alternative of maintaining multiple checking accounts. The Committee believed, rightly we think, that expenditures and hence their propriety, could be better managed and policed through a single account at headquarters. Drafts were issued to the field offices that could be drawn upon in limited amounts up to certain denominations, which were printed on the face of the instruments. These drafts could be used under specified conditions. Under the established accounting procedures, copies of drafts executed by field offices and advance staff were to be returned to headquarters with documentation supporting the expenditures. Those documented copies were then to be

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compared with the cleared bank drafts to verify the amount and purpose of each expenditure. The general ledger would then be debited for those amounts.

During the time period from December 1983 to March 1984, campaign activity intensified, and, because of the increase in paperwork attributable to increased expenditures and because of the inexperience of volunteers in the field in dealing with such documentation, "field offices and advance staff understandably fell behind in sending copies of drafts and supporting documentation to headquarters." The Committee states:

[it] did not debit the general ledger for disbursements until copies of drafts with supporting documentation were received from the field. Until then, the Committee did not know in which states the expenditures had been made, and in what category the expenditures fell or for that matter whether they were qualified campaign expenditures which the field person would not be required to repay. Had the Committee reported expenditure [sic] before receiving such documentation, the Committee would have compounded the problem with chaos by making numerous account distribution and classification errors in its reports to the Commission. The reporting system would have been unduly burdened.

The Committee asserts that it has used "best efforts" to comply with the reporting requirements.

With respect to the reason to believe findings that the expenditure limits for Iowa and New Hampshire were exceeded, the Committee does not address the specific allegations contained in the General Counsel's Factual and Legal Analysis. Instead, the

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Committee makes an argument that it is inappropriate for an enforcement matter to proceed with respect to the RTB findings that the Committee exceeded the expenditure limits for Iowa and New Hampshire and committed reporting violations in connection with these allocations. The Committee points out that the Commission had not made its Final Repayment Determination at the time of the reply to the reason to believe notification. The Committee also maintains that "there is no statutory authority for imposing a civil penalty in the event the Commission finds the Committee exceeded the limitations." Citing Reagan Bush Committee v. Federal Election Commission, 525 F.Supp. 1330, 1337 (D.D.C. 1981), the Committee states that "[a] repayment determination is not a violation of law." It is further argued that, under the Act's confidentiality provisions, the Final Audit Report "cannot contain assertions of violations of the Act," and "if the Commission were to treat a repayment determination as ipso facto a violation of the Act, the legality of making public the Final Audit Report would be called into question."

Finally, the Committee states that, with respect to the reporting of the expenditures that were over-allocated or under-allocated, it has already demonstrated in its response to the allegations pertaining to 2 U.S.C. § 434(b)(1) and (b)(4) that it used "best efforts" to comply with the reporting and recordkeeping requirements.

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II. LEGAL ANALYSIS

A. Committee's Acceptance of Excessive Contributions

Section 441a(a)(1)(A) states that no person may 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. According to 2 U.S.C. § 431(11), a person includes any individual, partnership, or committee. According to 2 U.S.C. § 441a(f), no candidate or political committee shall knowingly accept any contribution in violation of the limitations of 2 U.S.C. § 441a. Section 103.3(b) states as follows:

(b)(1) Contributions which appear to be illegal shall be, within 10 days, either returned to the contributor or deposited into the campaign depository, and reported. If deposited, the treasurer shall make and retain a written record noting the basis for the appearance of illegality. A statement noting that the legality of the contribution is in question should be included in the report. The treasurer shall make his or her best efforts to determine the legality of the contribution.

(2) When a contribution cannot be determined to be legal, refunds shall be made within a reasonable time, and the treasurer shall note the refund by amending the current report or noting the change on the committee's next required report.

Respondents argue that they have complied with 11 C.F.R. § 103.3(b). Respondents state that there is nothing in the Act or the regulations that specifies the time within which the Committee must make the determination that a contribution is excessive or that defines a reasonable period of time for making

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the refund. In addition, they have argued that the Commission, in MUR 1393, indicated that a longer period of time for refunds would be reasonable if they were made sua sponte. Taking into account that refunds and reattributions were made without the notification from the Audit Division, this Office, however, does not believe that the Committee refunded or reattributed excessive contributions within a reasonable amount of time. The shortest time period for a refund from the day of the contribution was 69 days for a \$1,200 contribution. The shortest time period for reattribution was 61 days for a \$1,250 contribution. About 89 percent of the refunded contributions were refunded over ninety days after receipt. Approximately, eighty percent of the reattributed contributions were reattributed over ninety days after receipt.^{2/}

Furthermore, the Commission discussed the concept of reasonable time for a reattribution or refund in Advisory Opinion 1985-25. In that opinion, the Commission stated that if a signed donor authorization is not received by the requesting committee, "the Commission will presume that a refund is made within a reasonable time if made within 30 days after the date of [the requestor's] receipt of the excessive contribution." In that opinion, the Commission also referred to MUR 1360 (In the Matter

^{2/} New proposed regulations for 11 C.F.R. § 103.3(b)(3) state that if a committee receives an excessive contribution and the contribution is deposited, the treasurer may request reattribution. According to the proposed regulation, if a reattribution is not obtained, the treasurer shall, within sixty days of the receipt of the contribution, refund the contribution to the contributor.

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of Reagan for President Committee, et al.), in which the Commission considered excessive contributions from 259 individuals that totalled approximately \$100,400 and decided not to pursue violations of the limits in those cases where refunds were made to contributors within a month of the receipt of the excessive contributions.

Based on the foregoing analysis, the Office of the General Counsel recommends that the Commission find probable cause to believe that the John Glenn Presidential Committee, Inc. and William R. White, as treasurer, violated 2 U.S.C. § 441a(f).

B. Committee's Failure to Report Disbursements Promptly

Respondents assert that they have not violated 2 U.S.C. § 434(b)(1) and (4) because they used "best efforts" to report disbursements correctly. In making that argument, respondents explain that disbursements were not reported until supporting documentation was received at Committee headquarters. They further indicate that the incorrect reporting resulted from the failure of the staff to provide documentation in a timely manner. This system and the failure in its implementation had already been described in the Final Audit Report and the General Counsel's Factual and Legal Analysis. According to 2 U.S.C. § 432(i):

[w]hen the treasurer of a political committee shows that best efforts have been used to obtain, maintain, and submit the information required by this Act for the political committee, any report or any records of such committee shall be considered in compliance with this Act or chapter 95 or chapter 96 of title 26."^{3/}

^{3/} Respondents have cited 11 C.F.R. § 102.9(d) which pertains to recordkeeping and 11 C.F.R. § 104.7 which refers to reporting and essentially replicates the statutory language.

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A review of the legislative history of the "best efforts" provision indicates that the provision was intended to limit the burden placed on committees and their treasurers "to obtain, maintain and submit the information required by the Act" that must be secured "from persons who are not under the control of the committee." See H.R. Rep. No. 422, 96th Cong., 1st Sess. 14 (1979), Reprinted in FEC, Legislative History of Federal Election Campaign Act Amendments of 1979 at 198 (1983). By contrast, in this matter, the information needed to report disbursements was within the Committee's control.

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Respondents have argued that the late reporting of disbursements should be excused because of increased expenditures leading to increased paperwork and because of the inexperience of volunteers selected by the Committee. Respondents are, in effect, arguing that the "best efforts" rule excuses a failure by a committee during a period of intensified activity to report disbursements in a timely manner, even though the untimely reporting is not due to the failure of a third party to provide the requisite information. Application of the best efforts rule in such a case would be based on the premise that committees cannot be expected to report their activity in a timely manner during the heat of the campaign. Such a premise could obviate the Act's disclosure requirements on a broad scale.

Based on the foregoing analysis, the General Counsel recommends that the Commission find probable cause to believe that the John Glenn Presidential Committee and William R. White, as treasurer, violated 2 U.S.C. § 434(b)(1) and (4).

C. Committee's Expenditures in Excess of State Limitations

As discussed above in the Statement of the Case, 2 U.S.C. § 441a(b)(1)(A) and 441a(c) place limits on the amount of expenditures that a presidential candidate receiving matching fund payments may incur in any one state. In order to determine the proper allocation of expenditures, the Audit Division applied 11 C.F.R. § 106.2. The pertinent provisions that appeared to be violated were 11 C.F.R. § 106.2(a)(1) and 106.2(d).^{4/} Section 106.2(a)(1) states as follows:

This section applies to Presidential primary candidates receiving or expecting to receive Federal matching funds pursuant to 11 C.F.R. Part 9031 et seq. Except for expenditures exempted under 11 C.F.R. 106.2(c), expenditures incurred by a candidate's authorized committee(s) for the purpose of influencing the nomination of that candidate for the office of President with respect to a particular State shall be allocated to that State. An expenditure shall not necessarily be allocated to the State in which the expenditure is incurred or paid.

Section 106.2(d) states that all expenditures allocated under section 106.2 shall be reported on FEC Form 3P, page 3.

^{4/} Section 441a(g) of Title 2 is the statutory basis for 11 C.F.R. § 106.2. It states as follows:

The Commission shall prescribe rules under which any expenditure by a candidate for presidential nominations for use in 2 or more States shall be attributed to such candidate's expenditure limitation in each such State, based on the voting age population in such State which can reasonably be expected to be influenced by such expenditure.

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Respondents have not addressed the specific allegations concerning the allocations contained in the General Counsel's Factual and Legal Analysis. Instead, they have challenged the basis for dealing with the allocations in an enforcement matter brought before the Final Repayment Determination was made. The fact that the Final Repayment Determination was not complete at the beginning of this Matter Under Review is of little consequence.^{5/} The amounts referred to in the Final Audit Report, i.e., the amounts from the Initial Repayment Determination, and the amounts referred to in the Final Repayment Determination, are amounts already paid, while this matter concerns both amounts paid and amounts payable. Consequently, although some of the amounts that were only payable at the time of the initial determination (and, therefore, not included in the initial repayment figures), later became paid (and are, therefore included in the final repayment figure), the total amount remains approximately the same for the purposes of the enforcement action.^{6/}

^{5/} The Final Repayment Determination was made by the Commission on May 15, 1986.

^{6/} The Initial Repayment Determination discussed in the Final Audit Report and the Final Repayment Determination cover the period from October 1, 1982, through August 31, 1984. The Final Repayment Determination indicates that the amount of paid expenditures allocable to Iowa was reduced by \$510.85 from the figure in Initial Repayment Determination. The Final Repayment Determination also indicates that the amount of paid expenditures allocable to New Hampshire was increased by \$467.15 from the figure in the Initial Repayment Determination.

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Respondents also have argued that an enforcement matter should not proceed from a Final Audit Report, stating that there is no statutory authority for imposing a civil penalty when a determination is made that state-by-state allocations have been exceeded. The Audit Report, however, merely provides for the repayment of the federal matching fund portions that were spent for unqualified purposes. This enforcement action is concerned with the entire amount spent in excess of the spending ceiling and the amount payable, an amount not covered in the Final Audit Report and the Repayment Determinations. It should also be noted that, in setting out the limitation for expenditures in any state, 2 U.S.C. § 441a(b)(1)(A) states that no candidate "may make expenditures in excess" of the limits [as indexed according to 2 U.S.C. § 441a(c)]. According to 2 U.S.C. § 437g(a)(5)(A), if the Commission believes that a violation of the Federal Election Campaign Act of 1971, as amended, or of chapter 95 or 96

6/ (Footnote Continued)

A review was conducted by the Audit Division subsequent to the Final Repayment Determination in preparation of an addendum to the Final Audit Report. This addendum covers the time period from July 1, 1984, through December 31, 1985. In this addendum, the Audit Division concluded that, during this period, there was no material change in the amount of outstanding obligations, i.e., expenditures payable. During this period, there were disbursements in Iowa and New Hampshire apart from those previously reported as either expenditures paid or expenditures payable; these disbursements totalled \$510.76 in Iowa and \$795.49 in New Hampshire.

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of Title 26 has been committed, it may seek the payment of civil penalties pursuant to a conciliation agreement.^{7/}

In response to the allegation that the Committee violated 11 C.F.R. § 106.2(d), respondents argue that the Committee "has demonstrated in [its argument in response to the allegations pertaining to 2 U.S.C. § 434(b)(1) and (b)(4)] that it used its best efforts to comply with the Act's recordkeeping and reporting requirements and, thus, should be deemed in compliance with the Act." This Office notes that the correct reporting of all of the expenditures to be allocated under 11 C.F.R. § 106.2 is within the control of the Committee and not under the control of a third party. As stated above, to posit intensified campaign activity or the inexperience of volunteers as excuses for the failure to report accurately could obviate the Act's disclosure requirements on a broad scale.

Based on the foregoing analysis, the General Counsel recommends that the Commission find probable cause to believe that the John Glenn Presidential Committee, Inc. and William R. White, as treasurer, violated 2 U.S.C. §§ 441a(b)(1)(A) and 441a(c) and 11 C.F.R. § 106.2(a)(1) and (d).

^{7/} This Office notes that the decision in Kennedy for President Committee and Edward M. Kennedy v. Federal Election Commission, 734 F. 2d 1558, 1565 (D.C. Cir. 1984), recognizes that the Commission may pursue enforcement remedies as well as the recoupment of a pro rata share of federal matching funds.

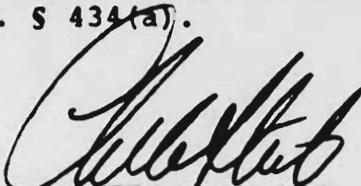
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The First General Counsel's Report recommended a finding that there was reason to believe that the Committee and Mr. White, as treasurer, violated 2 U.S.C. § 434(a) in connection with the reporting of expenditures in Iowa and New Hampshire. It appears, however, that the Committee did not fail to file the reports required under section 434(a). The General Counsel, therefore, recommends that the Commission find no probable cause to believe that the John Glenn Presidential Committee, Inc. and William R. White, as treasurer, violated 2 U.S.C. § 434(a).

III. RECOMMENDATIONS

1. Find probable cause to believe that the John Glenn Presidential Committee and William R. White, as treasurer, violated 2 U.S.C. §§ 441a(f), 434(b)(1), 434(b)(4), 441a(b)(1)(A) and 441a(c) and 11 C.F.R. § 106.2(a)(1) and 106.2(d).
2. Find no probable cause to believe that the John Glenn Presidential Committee, Inc. and William R. White, as treasurer, violated 2 U.S.C. § 434(a).

10 March 1987
Date



Charles N. Steele
General Counsel

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BAKER & HOSTETLER

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March 23, 1987

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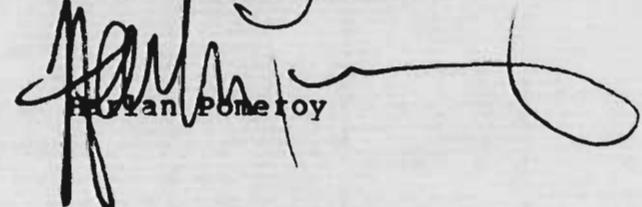
Attention: Jonathan Levin

Re: MUR 2072
John Glenn Presidential Committee Inc.
William R. White, Treasurer

Dear Mr. Levin:

This will refer to your General Counsel's letter to me of March 11, 1987. We have not yet completed our review of this letter and its enclosure. We will need additional time in which to complete such review. Moreover, the press of several other matters will make it impossible to respond within fifteen days. Accordingly, an extension of time of 20 days from the due date of our response is respectfully requested.

Very truly yours,



Bryan Pomeroy

HP/dew

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 25, 1987

Harlan Pomeroy, Esquire
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Washington, D.C. 20036

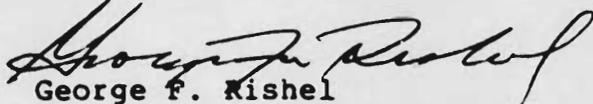
RE: MUR 2072
John Glenn Presidential
Committee, Inc.
William R. White, as treasurer

Dear Mr. Pomeroy:

Pursuant to your request dated March 23, 1987, the Office of the General Counsel is granting you a twenty day extension of time in which to file a reply brief in the above-captioned matter. Your reply brief is due in this Office, therefore, on April 20, 1987.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-5690.

Lawrence M. Noble
Acting General Counsel

BY: 
George F. Rishel
Acting Associate General
Counsel

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plm

C.C.# 3178

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April 21, 1987

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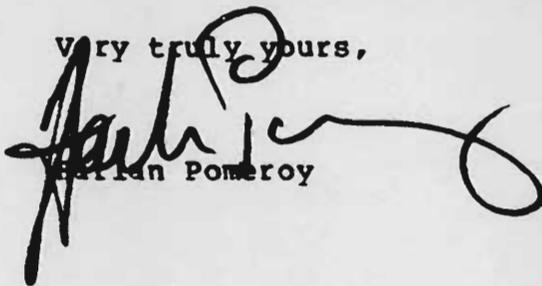
HAND DELIVER

Mrs. Marjorie W. Emmons
Secretary of
Federal Election Commission
999 E Street, N.W.
Sixth Floor
Washington, D.C. 20463

Dear Mrs. Emmons:

Enclosed for filing in the above matter are six copies of the Brief of John Glenn Presidential Committee Inc. and William R. White, as Treasurer. We appreciate your cooperation in this matter.

Very truly yours,


Brian Pomeroy

HP/dew

Enclosures

cc: General Counsel's Office

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April 20, 1987

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
John Glenn Presidential)	MUR 2072
Committee Inc.)	
William R. White, as Treasurer)	

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 [Handwritten initials and marks]

BRIEF OF JOHN GLENN PRESIDENTIAL
 COMMITTEE INC. AND WILLIAM R. WHITE, TREASURER

This will respond to the General Counsel's Brief of March 10, 1987 in the above matter.

1. Committee's Procedure and Action on Possible Excess Contributions.

The statute (2 U.S.C. Sec. 441a(f)) prohibits contributions in excess of the statutory limits, in these words: "[n]o candidate or political committee shall knowingly accept any" excess contribution (emphasis supplied).

The Commission, in carrying out this statutory mandate, has provided in its own Regulations (11 C.F.R. Sec. 103.3(b)) a procedure for the Committee to follow so as to comply with the statute. Thus, a potentially illegal contribution must be--

- 1) deposited or returned within 10 days of its receipt;
- 2) if the contribution is deposited, the Committee's report to the Commission must contain a statement noting a question as to its legality;

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- 3) the Treasurer must use his best efforts to determine the contribution's legality; and
- 4) if its legality cannot be determined, a refund must be made within a reasonable time and an appropriate notation made in an amended report or the next report filed.

The General Counsel seems to concede, as he must, that requirements 1, 2 and 3 have been satisfied by the Committee. He does not directly challenge the fact that the Committee used its best efforts to determine the contribution's legality. Clearly the Committee did, as we explain below. However, he contends that a portion of requirement 4 has not been satisfied.

We believe he misreads the Regulations. As we think they must be read,

- (1) the Treasurer must use his best efforts to determine the contribution's legality (here "reasonable time" is relevant, if at all, only in judging "best efforts") and
- (2) once the Treasurer makes his determination (or finds that he can't), then the refund must be made within a reasonable time.

That the Committee used its best efforts to determine whether the contributions were legal and could be kept (without an obligation to return them) is amply demonstrated. Thus, in late 1983, the Committee realized that it did not have sufficient personnel to handle contributions that were being received that

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exceeded contribution limitations. Therefore, the Committee assigned two employees to work on these contributions full time for six weeks. Every individual and partnership which had contributed amounts which could possibly be more than the contribution limitations was approached during that time. In every case where a refund was necessary, it was issued promptly. Seventy-three excessive contributions were refunded in the first three months of 1984, totalling over \$40,000.

A contributor, whose contribution might be excessive, was mailed reattribution documentation to sign and return where this was appropriate. Often it was necessary to write or call contributors two, three, four, or more times to induce them to return the documentation. Once Senator Glenn withdrew from the Presidential race, it became increasingly difficult to persuade contributors to return documentation. Contributors lost interest and/or assumed mail from headquarters was a fund-raising solicitation. Persistent telephoning was the most successful means to ensure that documentation would be returned and this was an extremely time-consuming process.

As we said earlier, the principal focus of the third requirement, requiring best efforts by the Committee to reach a determination, does not depend directly on action within an abstract or fixed concept of reasonable time. Rather, it requires "best efforts" which is a test that cannot be applied in terms of an objective, fixed (e.g., 30 days) time standard. In fact, the third, "best efforts" requirement, is totally silent as to time.

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Obviously, in determining whether the Committee used its best efforts, the scrutiny must focus on (1) the situation and conditions as they existed when the best efforts were being made and (2) the actual procedures followed and steps taken by the Committee in attempting to make a determination and reach its decision.

The facts clearly show that the Committee used its best efforts. There is no evidence even suggesting otherwise.

Moreover, there is no evidence suggesting that once the Committee made its determination and decision, the refunds were not made on a timely basis. The General Counsel's assertion (Br. - 16) that reasonableness of time in the 4th requirement must be tested by measuring the time from the date of the contribution is refuted by the Commission's own regulations. Thus, Section 103.3(b)(2) plainly states that "[w]hen a contribution cannot be determined to be legal, refunds shall be made within a reasonable time..." (emphasis supplied). "When" is a word meaning "at (or during) which time," i.e., it begins the running of time. It means that once a determination (using best efforts) is made that a contribution cannot be legally retained, the time then begins to run for purposes of determining whether the refund has in fact been made "within a reasonable time."

This interpretation is recognized indirectly by the Commission itself. Thus, in January of this year it adopted new regulations (11 C.F.R.. §103.3(b)(3)), that would now, for the first time, require that refund of such a contribution be made within 60 days of receipt of the contribution.

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We believe that a court, faced with interpreting the Commission's regulations, would feel compelled to reach the conclusion which we have reached. This is especially so where, as here, (1) the Commission could have drawn its regulations as effective in 1983 and 1984 in a manner to permit the interpretation the General Counsel is now urging and (2) violation of the statute requires that the Committee have "knowingly" accepted contributions which should not have been accepted. The Committee followed the regulations as they then existed and should not now be charged with a knowing violation.

Under the circumstances faced by the Committee there is little doubt that it handled the contributions in a reasonable and timely manner. There was no improper intent.

2. Reporting of Disbursements.

The General Counsel's charge on this issue relates to the Committee's reporting procedure.

Very simply, to assure better compliance with the Federal election laws, the Committee used a single, central bank account in order to police its disbursements. A national accounting firm had been retained by the Committee to set-up and oversee its internal accounting and its FEC reporting procedures. The Committee's controller and deputy were trained by that accounting firm in the intricacies of election law accounting, compliance and reporting.

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Following that procedure, bank drafts (limited in face amount to certain relatively small denominations) sent to the Committee's field offices were not reported to the Commission in the Committee's periodic reports until the controller had received the required substantiation to support the draft. This procedure was followed in order to make sure that the expenditure was proper and had been made for qualified campaign purposes, as required by 11 C.F.R. § 9033.11.

The Commission's regulations (11 C.F.R. § 104.7(a)) provide that when it is shown that "best efforts have been used to obtain, maintain and submit the information required" for the Committee's report, such report "shall be considered in compliance with the Act."

It would be difficult to imagine a clearer case of a Committee's use of best efforts to obtain and submit required information.

The accounting system installed and implemented by the national accounting firm, carefully designed to assure compliance with the Act, necessarily resulted in inevitable time lag between the use of a headquarters draft and its return with the required documentation to headquarters. As we say, this delay was built into the system for the desirable purpose of furthering compliance with the Act.

The field offices and advance staff understandably fell behind in sending copies of drafts and supporting documentation to headquarters. The major reason for this delay was the increased

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volume of paperwork attributable to increased expenditures and the inexperience of volunteers and independent contractors in the field in dealing with such documentation. The delay occurred despite considerable if not heroic efforts by headquarters to ensure that such documentation would be sent to headquarters on a timely basis. Regular and frequent telephone calls were made to the field to impress on personnel the necessity of returning such documentation, and Caroline Himes, Comptroller for the Committee, actually made a special trip to New Hampshire for the specific purpose of collecting documentation so as to be able to complete the FEC reports and comply with the law.

Clearly "best efforts" were used here, well beyond those required, to obtain and submit the information required by the reports. The General Counsel apparently does not dispute this. Rather, going outside the plain language of the statute and the Commission's own regulations, he suggests that the "best efforts" rule was to be limited to information required to be secured from persons not under the Committee's control.

This contention need not detain us long. There are three short, direct answers.

1. Anyone who has worked in a national presidential campaign knows that people in the field (independent contractors, volunteers and even Committee employees) are extremely independent and notoriously hard to control. Surely, the key to

invoking the statutory protection accorded to campaigns exerting their best efforts is actual not theoretical control of field personnel.

2. The legislative history cited by the General Counsel, contrary to his contention, does not suggest that the "best efforts" rule would not extend also to intransigent or unduly dilatory campaign representatives in the field. If the provision is to be limited as counsel proposes, then the regulations should so state, which they plainly do not. 1/
3. Counsel's interpretation of the legislative history is simply unwarranted. Thus, the Congressional Report cited by counsel, gives "[o]ne illustration of the application" (underscoring supplied) of the best efforts test. This one illustration involves efforts by a committee to obtain for its FEC report the occupation and principal place of business of an individual contributor. The Congressional Report cited by counsel notes that in this "one illustration," the best efforts test is crucial since contributor information is voluntarily

1/ Thus, 11 C.F.R. § 104.7(b) defines with particularity what must be done to constitute "best efforts" in identifying contributors. The failure of § 104.7(a) to do likewise, or to limit its scope to information required by the Act from outsiders (as counsel urges), strongly suggests that § 104.7(a) is not to be limited as counsel now urges.

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supplied by persons not under the Commission's control. There is not a whisper to suggest that the best efforts test is to be limited to information sought from outsiders, especially where, as here, the information was sought from field representatives (not necessarily Committee employees) whom the Committee as a practical matter (as the evidence shows) could not control despite its efforts to do so.

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The General Counsel misstates the Committee's position when he says we are contending that delayed reporting due to campaign intensity is to be excused. Not so. Simply, we say that external events, aggravated by the intensity of the campaign, which external events the Committee was unable to control despite heroic efforts, preclude a penalty here, on our particular facts. In other words, we are showing (1) objective facts (inability to obtain documentation or explanation despite repeated requests) and (2) strong best efforts, to invoke the "best efforts" protection of regulations section 104.7(a). Intensified campaign activity is not cited as an excuse but as a partial explanation of why persons obligated to supply documentation in a timely fashion did not do so.

The Committee believes it has demonstrated clearly that it used its best efforts to comply with the reporting requirement of the Act and, thus, must be deemed in compliance with the Act.

3. State Expenditure Limits.

The issue of the Committee's challenge to the Iowa and New Hampshire spending limits is presently before the Court of Appeals for the District of Columbia Circuit, awaiting decision. Reference is made to the Committee's briefs in that case for its position with respect to the state expenditure limits. Suffice it to say that the Committee believes that it has not violated Sections 441a(b)(1)(A) and 441a(c) of Title 2.

Even if that Court should order repayment, the alleged overexpenditure is not a violation of law. Reagan Bush Committee v. Federal Election Commission, 525 F.Supp 1330 (U.S.D.C. DC 1981) at p. 1337; Kennedy for President Com. v. Federal Election Commission, 734 F.2d 1558 (CA D.C. Cir. 1984) at p. 1565.

In any event, there is no basis here for charging a violation of the reporting requirements of regulations section 106.2(d).

The Committee again used its best efforts to allocate expenditures to Iowa and New Hampshire. This precludes, under 11 C.F.R. § 104.7(a), challenge by the Commission that the reporting requirements of 11 C.F.R. 106.2(d) have not been satisfied. We remind the Commission that the accounting procedures set up and implemented by a national accounting firm at the request of the Committee at its inception were carefully followed by the Committee comptroller and deputy. Moreover, Geoffrey Hochman, Deputy Campaign Manager, the Committee's financial officer in charge of reporting is a qualified financial officer with substantial experience as an employee of a national accounting firm and later in private industry. Clearly, there is ample evidence here of best efforts.

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We must blow the whistle again on counsel who repeats, a second time, the mischaracterization of our position on this reporting issue. We did not argue and we do not here argue that "intensified campaign activity or the inexperience of volunteers" (Br. 16) are grounds for avoiding the Act's disclosure requirements. Rather, we say, as counsel knows, that the Committee used its best efforts to obtain and submit information required for the Committee's report, thereby falling under the protection of 11 C.F.R. 104.7(a). Intensified campaign activity, inexperience of volunteers (and intractability of independent contractors and even of certain field employees) explain not the Committee's reasons for being excused but state by way of background, the underlying basis for the thwarting of the Committee's best efforts and why they were not 100% effective.

Thus, even if the Court finds that the Committee under-stated expenditures in Iowa and New Hampshire, the Committee believes that it has demonstrated that it used its best efforts to comply with the Act's recordkeeping and reporting requirements and, thus, should be deemed to be in compliance with the Act.

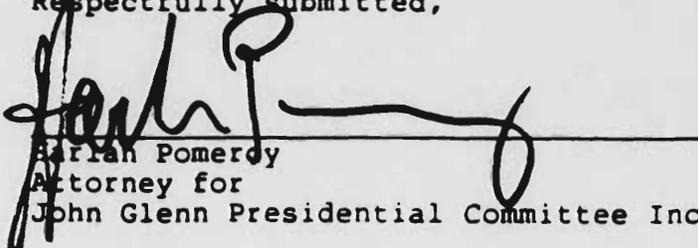
CONCLUSION

1. The Committee did not "knowingly" violate the Act in following carefully the Commission's regulations (11 C.F.R. § 103.3(b)) to determine and, where appropriate refund, possible excess contributions. Refunds, where required, were made well within the time limit specified in § 103.3(b)(2).

2. The Committee used its best efforts under 11 C.F.R. 104.7(a) to obtain and submit information required in its reports. Accordingly, there has been and can be no violation of the Act on this issue.

3. There has been no violation of the state expenditure limits warranting a penalty for violation of the Act. Moreover, the Committee used its best efforts to comply with the state limits in filing its reports. There is and can be no basis for a penalty on this issue.

Respectfully submitted,



Brian Pomeroy
Attorney for
John Glenn Presidential Committee Inc.

Baker & Hostetler
1050 Connecticut Avenue, N.W.
Suite 1100
Washington, D.C. 20036
(202) 861-1543

April 20, 1987

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CCA 4984

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HARRY TETER, JR.

* MEMBER OF OHIO AND DISTRICT OF COLUMBIA BARS
* MEMBER OF DISTRICT OF COLUMBIA AND MARYLAND BARS

December 16, 1987

Jonathan Levin, Esq.
Counsel
Federal Election Commission
999 E Street N. W., Room 657
Washington, D. C. 20463

Re: MUR 2072
Bricker & Eckler Political
Action Committee

Dear Mr. Levin:

Enclosed is a check from the Bricker & Eckler Political Action Committee in the amount of \$700.00 as payment of the fine stipulated in the Conciliation Agreement entered into by the parties in June, 1986. It appears as we discussed the fine was not transmitted previously due to an oversight on the part of your office in transmitting an executed copy of the settlement agreement to us. I have now received a copy of said agreement and hereby transmit the fine to you. I trust this concludes the matter.

Very truly yours,

Elisabeth A. Squeglia
Elisabeth A. Squeglia

EAS:pm
Enc.

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OFFICE OF GENERAL COUNSEL
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SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION: 17

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In the Matter of)
)
John Glenn Presidential Committee,)
Inc., et al.)

MUR 2072

EXECUTIVE SESSION

JAN 20 1988

GENERAL COUNSEL'S REPORT

I. BACKGROUND

A. Reason to Believe Determinations

Pursuant to 26 U.S.C. § 9038(a), the Audit Division conducted an audit of the John Glenn Presidential Committee, Inc. ("the Committee" or "the Glenn Committee"), the principal campaign committee of Senator John Glenn for election to the presidency in the 1984 primary elections. This matter was referred to this Office from the Audit Division on August 15, 1985, and pertains to the receipt by the Committee of excessive contributions, the failure of the Committee to report disbursements in a timely manner, and expenditures by the Committee that exceeded the state-by-state expenditure limits for Iowa and New Hampshire. The Office of the General Counsel reviewed the contribution and expenditure figures contained in the Final Audit Report, which were based on the Initial Repayment Determination. The expenditures in the Final Audit Report consisted only of expenditures already paid. The figures used in this matter also include expenditures payable.

The information available at the time of the First General Counsel's Report, derived from the Final Audit Report, indicated that the Committee apparently accepted contributions in excess of the section 441a(a)(1)(A) limit from 126 individuals, 7 partnerships, and 4 political committees. The information

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available indicated the following: Eighty-five refunds were made of excessive contributions totalling \$51,676. However, on the average, 142 days elapsed from the dates the contributions exceeded the limitations until the excessive portions were refunded. In addition, 51 reattributions of excessive contributions totalling \$30,025 were authorized by the contributors. However, on the average, 126 days elapsed from the date the contributions exceeded the limitation until the reattributions were authorized. Finally, one excessive contribution totalling \$1,250 was neither refunded nor reattributed.

The Final Audit Report indicated that the Committee overstated its cash on hand and understated its disbursements in apparent violation of 2 U.S.C. § 434(b)(1) and (4). It appears that the Committee maintained a headquarters draft account in lieu of state campaign office and advance staff checking accounts. Bank drafts of various denominations were issued to Committee staff for use in making disbursements. All drafts that cleared through the Committee's headquarters draft account were returned to the Committee headquarters with the periodic bank statements for the account.

The apparent violations of 2 U.S.C. § 434(b)(1) and (4) occurred in the following manner. It was Committee policy not to enter disbursements made from its draft account into the general ledger and, therefore, not to report these disbursements until

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supporting documentation was received at Committee headquarters. According to the audit report, in many instances the supporting documentation was not available at the closing date for filing reports. As a result of this practice, the Committee's Reports of Receipts and Disbursements routinely overstated cash on hand and understated disbursements. These understatements of disbursements included understatements of expenditures in Iowa and New Hampshire, thus giving the impression at the time the reports were filed that the Committee was not exceeding or was not about to exceed the state-by-state limitations.

The understatement of disbursements began in April, 1983, and accumulated in succeeding reporting periods. The most significant amounts of this continuing violation are presented as follows:

<u>DATE</u>	<u>CUMULATIVE AMOUNT</u>
December 31, 1983	\$ 60,096.97
January 31, 1984	146,535.51
February 29, 1984	230,535.74
March 31, 1984	312,495.98

This means that, as of December 31, 1983, \$60,096.97 in disbursements occurring in the previous months were still not reported. Some of those disbursements may have been reported in January, 1984, thus subtracting from the \$60,096.97 figure but an additional amount in new disbursements went unreported, thus bringing the total amount for the end of January, 1984, to \$146,535.51. The total of never-reported disbursements reached \$312,495.98 by the end of March, 1984. On June 28, 1984, the Committee filed amendments to its reports for the period from

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October 1, 1983, through April 30, 1984, disclosing the disbursements and correcting the cash balance.

Additionally, it appeared that the Committee exceeded the amount it was permitted to spend in Iowa and New Hampshire. Pursuant to 2 U.S.C. § 441a(b)(1)(A) and 441a(c), a candidate receiving matching payments under the Presidential Primary Matching Payment Account Act may not incur expenditures in any one state that exceed the greater of sixteen cents multiplied by the voting age population of the state or \$200,000, as adjusted by changes in the Consumer Price Index. For purposes of 2 U.S.C. § 441a(b), the language "may not make expenditures" includes both expenditures made and written contracts, promises, or agreements to make expenditures. See 2 U.S.C. § 431(9)(A)(ii).

Under the Act, the Committee was permitted to spend up to \$684,537.00 in Iowa and up to \$404,000.00 in New Hampshire. The Committee claimed that, based on its allocations, it did not make excessive expenditures in those states. The Final Audit Report and documentation submitted by the Committee, however, indicated that the Committee did not allocate properly and exceeded its expenditure limits by \$149,421.77 for Iowa and \$218,881.51 for New Hampshire. These figures were based on adjustments resulting from a review of the following categories: (1) media expenditures; (2) salaries, employer FICA, and consultant fees; (3) intra-state travel and subsistence; (4) exemptions for compliance costs and fundraising expenditures, including those for media, polling and telephones; (5) non-exempt fundraising expenditures, i.e., made or incurred within twenty-eight days of

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the primary; (6) public opinion polling expenditures; (7) telephone and mail programs; (8) political buttons and bumper stickers; (9) miscellaneous expenditures. Calculation errors were also considered.

The Committee's apparent failure to allocate expenditures correctly also implicated 11 C.F.R. § 106.2(a)(1) and the consequent failure to report allocations correctly implicated 11 C.F.R. § 106.2(d).

On October 17, 1986, the Commission made a number of reasons to believe findings with respect to the Committee. With respect to the allegations as to the acceptance of excessive individual contributions, the Commission found reason to believe that the Committee violated 2 U.S.C. § 441a(f). With respect to the allegations as to the overstatement of cash on hand and understatement of disbursements, the Commission found reason to believe that the Committee violated 2 U.S.C. § 434(b)(1) and (4). With respect to the allegations as to excessive expenditures in Iowa and New Hampshire and as to the apparently erroneous allocations that appeared to conceal such excessive expenditures, the Commission found reason to believe that the Committee violated 2 U.S.C. §§ 441a(b)(1)(A), 441a(c), and 434(a) and 11 C.F.R. § 106.2(a)(1) and (d).

On that date, the Commission also found reason to believe that the 137 contributors violated 2 U.S.C. § 441a(a)(1)(A). The Commission further determined to take no further action with respect to all but six of the contributors. These six contributors were Brickler & Eckler Political Action Committee

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and Elisabeth A. Squeglia, as treasurer, United Employee Political Action Committee ("UEPAC") and William Russell Nixon, as treasurer, Allen L. Patrick, the law firm of Hansell, Post, Brandon & Dorsey (now Hansell & Post), John A. Mazzucco, and Stephen Hewlett. On June 12, 1986, the Commission accepted a conciliation agreement signed by Bricker & Eckler PAC and Ms. Squeglia, as treasurer, and a conciliation agreement signed by Allen L. Patrick.

B. Response of the Glenn Committee

For a detailed account of the Glenn Committee's response to the reason to believe determinations, this Office refers the Commission to pp. 4-8 of the General Counsel's Brief, dated March 11, 1987.

With respect to the allegation that the Glenn Committee violated 2 U.S.C. § 441a(f), the Committee argued that 11 C.F.R. § 103.3(b)(2), "allow[s] a committee to endeavor to determine whether the contribution is legal and thereafter a reasonable time in which to refund any amounts finally found to be greater than the allowable limit." (Emphasis included.) The Committee contended that there is nothing in the Act or Regulations specifying the time within which the Committee must make the determination that a contribution is excessive and that it proceeded with "reasonable diligence" in making that determination. It was further contended that, under the regulation, a determination of a reasonable time for refunding contributions should be premised on the particular facts of a case. The Committee argued that, in light of the lack of personnel and in light of the efforts made to have contributions

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reattributed or refunded, the reattributions and refunds occurred within a reasonable time.

With respect to the allegation that the Glenn Committee violated 2 U.S.C. § 434(b)(4) and (b)(1) by understating disbursements and overstating cash on hand, the Committee described its system for making and tracking disbursements. The Committee essentially reiterated what was described above, a system whereby drafts were issued by headquarters to the field offices. When a disbursement was made, drafts executed by field offices and advance staff were to be returned to the headquarters with supporting documentation. The documented copies were to be compared with cleared bank drafts to verify the amount and purpose of each expenditure and then the general committee ledger would be debited. The Committee stated that, until headquarters received supporting documentation, the Committee "did not know in which states the expenditures had been made, and in what category the expenditures fell or for that matter whether they were qualified campaign expenditures which the field person would not be required to repay." According to the Committee, during the time period from December, 1983, to March, 1984, campaign activity intensified and, because of a combination of increased paperwork and the field volunteer's inexperience, field offices and advance staff fell behind in sending copies of drafts and supporting documentation to headquarters. This accounted for the late reporting of disbursements. The Committee asserted that it used "best efforts" to comply with the reporting requirements.

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With respect to the allegations as to excessive expenditures in Iowa and New Hampshire and erroneous allocations leading to these expenditures, the Committee argued that an enforcement matter was inappropriate because there had been no Final Repayment Determination at the time of the reason to believe finding. The Committee also maintained that there was no statutory authority for a civil penalty if the Commission finds that the Committee exceeds the limitations, stating that a repayment determination is not a violation of law and that, if the Commission were to treat a repayment determination as a violation of the Act, it may not be able to make the Final Audit Report public. The Committee also asserted, with respect to the alleged failure to correctly allocate expenditures, that it used "best efforts" to comply with the reporting and recordkeeping requirements.

This Office sent a brief to the Glenn Committee on March 11, 1987, stating that this Office was prepared to recommend that the Commission find probable cause to believe that the Glenn Committee violated 2 U.S.C. §§ 441a(f), 434(b)(1), 434(b)(4), 441a(b)(1)(A), and 441a(c), and 11 C.F.R. § 106.2(a)(1) and (d). In addition, the brief stated that this Office was prepared to recommend that the Commission find no probable cause to believe that the Committee violated 2 U.S.C. § 434(a).

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This Office refers the Commission to pp. 9-17 of the General Counsel's Brief, dated March 11, 1987, for the legal analysis presented by this Office.

With respect to the allegation that the Glenn Committee violated 2 U.S.C. § 441a(f), this Office noted the amounts of time taken for the refunds and reattributions and stated that it did not believe these occurred within a reasonable amount of time. This Office referred to the 30 day standard for reattributions set out in AO 1985-25, the fact that none of the contributions were reattributed or refunded within 60 days, and the fact that at least 80 per cent of the contributions were reattributed or refunded after 90 days.

With respect to the alleged violations of 2 U.S.C. § 434(b)(1) and (4) and the Committee's "best efforts" arguments as to these allegations, this Office argued that the "best efforts" provision was intended to be applied to information that had to be secured from persons not under the control of the committee. This Office also stated that to apply the best efforts rule on the basis that committees cannot be expected to report activity in a timely manner during greatly intensified campaign activity "could obviate the Act's disclosure requirements on a broad scale."

This Office made a number of responses to the Committee's contentions with respect to the erroneous state-by-state allocations and the spending in excess of the state-by-state

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limits. This Office pointed out that the fact that the Final Repayment Determination was not complete at the commencement of the Matter Under Review was of little consequence because the Final Repayment Determination indicated minimal changes in the pertinent figures. As to the contention that there is no statutory authority for a civil penalty when a determination is made that state-by-state limitations have been exceeded, this Office stated that, while the Audit Report merely provided for the repayment of the matching fund portions that were spent for unqualified purposes, this enforcement action is concerned with the entire amount spent in excess of the spending ceiling and the amount payable, an amount not covered in the Final Audit Report. In addition, this Office noted that 2 U.S.C. § 441a(b)(1)(A) states that no candidate "may make expenditures in excess" of the limits provided for and, thus, according to 2 U.S.C. § 437g(a)(5)(A), the Commission may seek the payment of a civil penalty for the violation of those limits.

In response to the Committee's "best efforts" arguments as to 11 C.F.R. § 106.2(a)(1) and (d), this Office restated the arguments it presented with respect to the alleged violations of 2 U.S.C. § 434(b)(1) and (4).

The reply brief of the Glenn Committee was received on April 22, 1987. With respect to the allegation as to the receipt of excessive contributions, the Committee has expanded its analysis to incorporate a "best efforts" argument. Counsel

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states that the regulation applicable at the time of the 1984 presidential primaries, at 11 C.F.R. § 103.3(b), provided that

- (1) the Treasurer must use his best efforts to determine the contribution's legality (here "reasonable time" is relevant, if at all, only in judging "best efforts") and
- (2) once the Treasurer makes his determination (or finds that he can't), then the refund must be made within a reasonable time. [Emphasis included.]

The Committee maintains that the use of best efforts "is amply demonstrated." It maintains that, in determining whether the Committee used its best efforts, the "scrutiny must focus on (1) the situation and conditions as they existed when the best efforts were being made and (2) the actual procedures followed and steps taken by the Committee in attempting to make a determination and reach its decision." The Committee repeated the description of the circumstances as presented in its response to the reason to believe notification and as described on pages 5-6 of the General Counsel's Brief.

The Committee also asserts that the best efforts standard under the old regulation "cannot be applied in terms of an objective, fixed (e.g., 30 days) time standard" and that any time standard used is not applicable until the determination is made as to the contribution's legality. The Committee claims that there is no evidence that, once such a decision was made, refunds were not made in a timely manner. It is claimed that the Commission "indirectly" recognized that the reasonable time

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standard under the regulation then in force was to apply from the time that a determination of illegality was made by virtue of the fact that it drafted a new regulation "that would now, for the first time, require that refund of such a contribution be made within 60 days of receipt of the contribution." (Emphasis included.) The Committee concludes by stating that it complied with the regulations as they then existed.

In response to the allegations as to the understatement of disbursements and resultant overstatement of cash-on-hand, the Committee has briefly reiterated its procedure for keeping records of disbursements and reporting disbursements. In support of its contention that it clearly used best efforts "to obtain and submit required information," the Committee states that its accounting system, designed to assure compliance, "necessarily resulted in inevitable time lag between the use of a headquarters draft and its return with the required documentation to headquarters" and that the delay "was built into the system" for the purpose of furthering compliance, e.g., with 11 C.F.R. § 9033.11. The Committee then reiterated the efforts taken to overcome the problems presented by intensified campaign activity and an inexperienced staff.

The Committee offers three "answers" to the General Counsel's position that the best efforts provision should not apply to situations where the information to be secured was from persons under the control of the committee. The first answer is

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that field personnel are difficult to control and that the key to invoking the protection of best efforts must be actual, not theoretical, control. The second response is that the legislative history does not "suggest" that the best efforts rule would not apply to "intransigent or unduly dilatory" field representatives and that, if the provision was to be limited in the manner put forth by this Office, then the regulations should so state. The third response is that this Office's interpretation of the legislative history is unwarranted. The Committee states that the House Report cited by this Office gives one illustration of a situation in which the Committee sought information from persons not under its control but does not state that the rule is to be limited to information sought from outsiders.

Finally, the Committee maintains that it was not referring to intensified campaign activity as an excuse for delayed reporting. It was merely stating that "external events, aggravated by the intensity of the campaign, which external events the Committee was unable to control despite heroic efforts, preclude a penalty here, on our particular facts."

With respect to the allegations as to excessive expenditures in Iowa and New Hampshire, the Committee makes reference to its briefs in its challenge to the spending limits before the U.S. Court of Appeals at the time in John Glenn Presidential Committee, Inc. v. Federal Election Commission. In addition, the Committee made brief reference to its argument as to the

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inappropriateness of a civil penalty, stating that the overexpenditures were not a violation of the law.

With respect to the allegations as to erroneous allocations and the obligation to report the expenditures allocated, the Committee again invokes its "best efforts" argument. The Committee asserts that it hired highly competent persons to implement a proper accounting system and to make decisions as to allocations. It states that, by citing difficulties, it was explaining how its best efforts were thwarted, not attempting to excuse late filing.

This Office has reviewed the records of the Audit Division in order to ascertain the exact amount in excess of the limit of 2 U.S.C. § 441a(a)(1)(A). The total amount in excess was \$81,326. It appears that refunds of excessive contributions totalling \$51,176 were made to 86 contributors. On the average, 142 days elapsed from the dates the contributions exceeded the limitations until the excessive portions were refunded. It appears that reattributions of excessive contributions totalling \$30,150 were authorized by 51 contributors. On the average, 143 days elapsed from the date the contributions exceeded the limitation until the reattributions were authorized. The contribution previously denoted as being \$1,250 in excess of the limit and neither refunded nor returned was discovered not to be in excess.

Since the First General Counsel's Report, the Audit Division has received information requiring a slight revision in the total

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of excessive paid and payable expenditures in Iowa and New Hampshire. The excessive amount in Iowa increased by \$17.47 to \$149,439.24. The excessive amount in New Hampshire increased by \$467.17 to \$219,348.68.

C. Response of Hansell & Post

According to the Audit Division, Hansell and Post contributed \$2,700 to the Glenn Committee on June 29, 1983. The excessive portion was returned on January 16, 1984.

In its reply to the reason to believe notification, the firm stated that, on June 21, 1983, it sent a \$2,700 check from the partnership representing contributions from eighteen unincorporated partners and a \$200 check and a \$100 check from the personal accounts of two incorporated partners. When the firm sent these checks to the Glenn Committee, it also sent a letter stating that the checks represented "personal individual contributions" and stating that these checks should not be considered a contribution from the firm, but rather represented individual contributions. The letter listed the names of the individuals and the amounts contributed by each. The firm asserted that the Glenn Committee erroneously reported the individual contributions represented on the firm check as being from the firm.

The firm argued that the contributions represented by the checks were made from "the individual accounts of the respective

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partners and not from partnership funds" and that "the contributions were made from funds to which the respective individuals were exclusively entitled, not from funds distributable to partnership members."

In its brief, this Office applied the regulation in effect at the time at 11 C.F.R. § 110.1(e)^{1/} which provided that a contribution by a partnership shall:

- (1) Be attributed to each partner in direct proportion to his or her share of the partnership profits, according to instructions which shall be provided by the partnership to the committee or candidate; or
- (2) Be attributed by agreement of the partners, as long as--
 - (i) Only the profits of the partners to whom the contribution is attributed are reduced (or losses increased) and
 - (ii) These partners' profits are reduced (or losses increased) in proportion to the contribution attributed to each of them; and
- (3) Not exceed the limits in paragraphs (a), (b), and (c) of this section [i.e., the limits of 2 U.S.C. § 441a].

11 C.F.R. § 110.1(e).

The brief referred to AO 1981-50, an opinion issued to the respondent in which the Commission addressed what appears to be the type of contribution involved in this matter. The specific question presented in that opinion concerned the issue of whether

^{1/} The regulation presently in effect, promulgated in January, 1987, retains the same rules and clarifies that contributions from a partnership are attributable to both the partnership and the individual partners. See Explanation and Justification of Regulations Concerning Contribution and Expenditure Limitations and Prohibitions; Contributions by Persons and Multicandidate Political Committees, 52 Fed. Reg. 764-765 (1987).

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the firm would become a political committee if it implemented the partnership plan presented. The Commission stated that it would not have to register and report, but cautioned that any partnership contribution, as well as the amounts of such contribution attributed to individual partners, is subject to the limits of section 441a.

The brief then discussed AO 1982-63. In that situation, the requestor described a system of voluntary check-offs whereby individual partners authorized the partnership to withhold a specified amount from their share of firm profits and to transfer that amount directly to a political action committee established by the partnership. In approving this check-off system, the Commission appeared to have approved the use of a partnership check to make the transfer without placing a limit on the amount on the check. The Commission stated, however, that this situation was distinguishable from earlier advisory opinions involving a partnership contribution plan, instead of a partnership PAC. The brief also referred to MURs 1669 and 1774 in which the Commission did not proceed to probable cause with respect to partnership checks made out to partnership PACs. The brief distinguished these situations from the situation presented in AO 1981-50 and this matter.

In response to the General Counsel's Brief, the firm states that the \$2,700 check "represented contributions by eighteen individuals" and that "[t]he amount of each individual's

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contribution was determined by that individual and was charged by the partnership in exactly the amount selected, to that individual's share of the profits." The firm states that 41 of the 61 partners did not contribute to the Glenn Committee and, hence, "there was no charge to the partners in proportion to their share of profits or on any other agreed basis." The firm maintains that it acted strictly in its capacity as agent in transmitting funds in the same way that it would for a client.

The firm argues that this Office's position that a check drawn on a partnership account is a contribution by the partnership is contrary to the provisions of 11 C.F.R. § 104.8(c) and (d). Subsection (c) provides that absent evidence to the contrary, a check shall be reported as a contribution by the last person signing the instrument. The firm states that "[w]here, however, the instrument discloses other sources of the contribution, thus furnishing the described 'evidence to the contrary,' the attribution is to be to the disclosed contributors. 11 C.F.R. § 104.8(d)." The firm believes that, since there was such evidence to the contrary, the check should not be attributed to the partnership. According to the firm, to argue otherwise would be the same as arguing that a cashier's check sent to a political committee should be attributed to the issuing bank and not to the remitter.

The firm also argues that, because "[this Office's] view would require that an individual's contribution be reported as a

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contribution by the partnership," this Office's view is contrary to the prohibition of contributions in the name of another.

In addition, the firm claims that this Office's position would provide a means for exceeding the limit of 2 U.S.C. § 441a(a)(1)(A). It argues that, under this Office's interpretation, a partner could write a partnership check to a campaign committee for \$1,000 and direct his firm to charge that amount to his share of the firm's profits; that the partner would not be charged with having made a personal contribution beyond the percentage of the \$1,000 attributed to him on the basis of his interest in the partnership; and that the partner would then be able to make additional contributions from his personal bank account.

Finally, it is argued that this Office should follow the Commission's decisions in MURs 1669 and 1774. The firm states that "[t]he fact that the circumstance at issue involves analogous individual contributions to a separate candidate committee instead of to a political action committee provides no basis for drawing a legal distinction."

C. Response of John A. Mazzucco

The reports of the Glenn Committee disclosed that Mr. Mazzucco contributed \$500 on March 24, 1983, \$200 on June 30, 1983, and \$1,500 on October 31, 1983. The Glenn Committee returned the excess \$1,200 on January 6, 1984. Mr. Mazzucco did not respond to the reason to believe notification.

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After receiving the General Counsel's Brief stating that this Office was prepared to recommend that the Commission find probable cause to believe that he violated 2 U.S.C.

§ 441a(a)(1)(A), Mr. Mazzucco sent a letter acknowledging that he had made an excessive contribution. Mr. Mazzucco stated that he did not know of the limit at the time of the contribution and discovered that he had exceeded the limit when the Glenn Committee informed him and offered the option of a refund or a reattribution of part of the contribution to his wife.

D. Response of Stephen O. Hewlett

According to the Audit Division, Mr. Hewlett had contributed in excess of \$1,000 to the Glenn Committee. A review of Audit Records conducted subsequent to the reason to believe finding indicated that Mr. Hewlett made only two \$250 contributions to the Glenn Committee. This Office sent a brief to Mr. Hewlett stating that it was prepared to recommend a no probable cause finding.

E. The Response of UEPAC

The reports of the Glenn Committee disclosed the receipt of a \$1,000 contribution from UEPAC on June 30, 1983, and the receipt of a \$1,500 contribution on November 16, 1983.

In response to the reason to believe notification, UEPAC explained the circumstances surrounding its second contribution to the Glenn Committee. According to UEPAC's 1983 Year End Report and its response to the RTB notification, the second contribution was made on September 15, 1983. UEPAC maintains

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that, as of that date, it had fulfilled the criteria to be a multi-candidate committee. It had been registered with the Commission for over six months, had received 229 contributions, and had made contributions to five federal candidates. (The contributions to these candidates and the dates on which they were made were listed in the response and in UEPAC's reports.)

Subsequently, however, UEPAC was informed that the Buddy Roemer Committee had not received a check for \$100 sent on May 24, 1983. UEPAC issued a substitute check on November 30, 1983, and that check was returned when the Roemer Committee stated that it would not accept PAC contributions. On December 30, 1983, UEPAC contributed \$100 to the John Breaux Re-election Committee.

UEPAC argues that it "made a good faith effort to qualify as a multicandidate committee" and that "[i]f there was a violation, it was purely technical and caused by the loss of the first Roemer check."

II. LEGAL ANALYSIS

A. The Glenn Committee

This Office believes that the Committee's argument as to the use of best efforts in refunding or reattributing contributions ignores previous Commission treatment of this issue. The Committee has argued that the provision in 11 C.F.R. § 103.3(b) for the return of contributions within a reasonable time once

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the treasurer has determined that a contribution is unlawful or once he has determined that he cannot make a decision as to its legality means that the measurement of a reasonable time is not applicable until after one of those determinations is made. However, in a number of enforcement actions, the Commission, in applying a reasonable time standard, has measured the time from the date of the receipt of the contribution.

In MUR 1360 (In the Matter of Reagan for President Committee, et al.), which was referred to in the General Counsel's Brief, the Commission considered excessive contributions totalling \$99,354.94 from 259 individuals. Although there were more excessive contributions to the respondent committee, the Commission only proceeded with respect to contributions that were not refunded within thirty days of their receipt. The Commission also applied this same standard, i.e., the measurement of a one-month period from the date that a contribution was received, in other matters involving large numbers of excessive contributions to Presidential campaigns in 1980, MUR 1284 (In the Matter of Carter/Mondale Presidential Committee, Inc., et al.) and MUR 1393 (In the Matter of Kennedy for President Committee, et al.). In MUR 1601 (In the Matter of Brown for U.S. Senate, et al.), the Commission also measured reasonable time from the point at which the committee received excessive contributions. In that matter, one of the contributions deemed to be in violation had been refunded 17 days after its acceptance.

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In this matter, the Commission in applying a time standard from the date of receipt has been more lenient than it was with respect to 1980 Presidential campaigns. None of the contributions addressed in this matter were returned or reattributed within 60 days. Furthermore, approximately 87 percent of the refunded contributions were refunded over ninety days after receipt and approximately eighty percent of the reattributed contributions were reattributed over ninety days after receipt. A discussion of the Committee's need to attempt a number of times to induce excessive contributors to mail in reattribution documentation is of little relevance in light of the fact that the Committee kept excessive contributions as long as it did. If reattributions could not have been made within a reasonable time, the Committee should have made refunds at that point.

The Committee has argued that it complied with 11 C.F.R. § 103.3(b) as it was prior to the promulgation of the new regulation requiring that a refund be made within 60 days of the Committee's receipt. It is stated that, since the Commission has decided to state specific time limits from the date of receipt, the Commission has "indirectly" recognized that, prior to the new regulation, the reasonable time measurement was to begin from the moment the treasurer made a determination of illegality. The Explanation and Justification of the regulation, however, describes the new section 103.3(b) as a restatement of already existing obligations, stating:

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Although committee treasurers should already be aware of these obligations, the Commission believes it is advisable to include in the regulations a clear statement as to the treasurer's responsibility.

52 Fed. Reg. 768 (1987).

Based on the analysis in the General Counsel's Brief and the foregoing analysis, this Office recommends that the Commission find probable cause to believe that the Glenn Committee and Mr. White, as treasurer, violated 2 U.S.C. § 441a(f).

With respect to the issue of the underreporting of disbursements and the overreporting of cash on hand, the Committee has argued that its accounting system necessarily resulted in delays and that the Commission's definition of best efforts was too restrictive. The Committee's argument that the delay was built into its system in order to comply with 11 C.F.R. § 9033.11, however, is invalid. The effort to determine whether disbursements were for qualified campaign expenses does not negate the requirement that all disbursements, whether subsequently determined to be qualified expenditures or not, must be reported in a timely manner.^{2/} If there was a concern as to errors being made initially, the Committee could have reported the disbursements in a timely manner and made appropriate changes as to the purpose of the disbursement or the recipient of the disbursement in amended reports.

^{2/} In this matter, it appears from the accumulation of the amount of unreported disbursements that some of the delays the Committee seeks to explain as a function of the Committee's caution were delays of a number of months.

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In criticizing this Office's analysis that the "best efforts" rule applies to the obtaining of information from persons not under the control of the committee, the Glenn Committee has stated that the rule should also extend to situations involving "intransigent or unduly dilatory" field representatives. The Committee, in making this argument, is asserting that it should not be accountable for the actions of those acting on its behalf. Any such interpretation of the "best efforts" rule would obviate the Act's disclosure requirements; a committee with a large amount of activity could determine when it should and when it should not take responsibility for the persons working for it.

Based on the analysis in the General Counsel's Brief and the foregoing analysis, this Office recommends that the Commission find probable cause to believe that the Glenn Committee and Mr. White, as treasurer, violated 2 U.S.C. § 434(b)(1) and (b)(4).

In response to the allegation that it exceeded state-by-state expenditure limitations in Iowa and New Hampshire, the Committee has referred to its briefs in a case before the U.S. Court of Appeals for the District of Columbia pending at the time it filed the reply to the General Counsel's Brief. In its brief to the court, the Committee argued that the state expenditure limitations were unconstitutional and that the Committee was improperly denied the exemption from the limitations for interstate telephone calls, nationwide public opinion polls, and

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buttons and bumper stickers. The court ruled in favor of the Commission on all of these issues, stating that it found no constitutional infirmity in the repayment determination and that the Commission acted reasonably in construing and applying its regulations to the expenditures for the telephone calls, the polls, and the buttons and bumper stickers.

The Committee has cited Reagan Bush Committee v. Federal Election Commission, 525 F.Supp. 1330 (D.D.C. 1981) and Kennedy for President v. Federal Election Commission, 734 F.2d 1558 (D.C. Cir. 1984) for the proposition that the alleged overexpenditures were not violations of law. This is an imprecise and, therefore, erroneous characterization of what the courts said in those cases. The court in Reagan Bush Committee stated that repayment determinations are not determinations that violations occurred and that "the procedure leading to repayment determinations" is a different "function" from "the procedure for enforcing violations of the PECFA [Presidential Election Campaign Fund Act] and FECA." Reagan Bush Committee, 525 F.Supp. at 1337-1338. Therefore, contrary to respondent's assertion, the courts have not ruled that the application of civil penalties in situations where state-by-state limitations have been exceeded would be impermissible. Instead, the courts have recognized that enforcement actions may be appropriate in certain cases involving expenditures in excess of the state-by-state limitations. See Kennedy for President, 734 F.2d at 1560 n.1, Reagan Bush Committee, 525 F.Supp. at 1337.

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In addition, as stated in the General Counsel's Brief, the Act at 2 U.S.C. § 441a(b)(1) states that no candidate "may make expenditures in excess" of the limit for any one state as set out in subsection (A) [and as indexed according to 2 U.S.C. § 441a(c)]. According to 2 U.S.C. § 437g(a)(5)(A), if the Commission believes that a violation of the Act occurred, it may seek the payment of a civil penalty. In MUR 2241 (In the Matter of Mondale for President Committee, Inc. et al.), the Commission proceeded to conciliation with respect to excessive expenditures in Iowa, Maine, and New Hampshire. A substantial civil penalty was paid in resolution of these violations. (This Office also refers the Commission to its argument presented in the General Counsel's Brief as to the broader scope of this enforcement action as compared to the scope of the Final Audit Report.)

The Committee argues that it used best efforts to allocate expenditures to Iowa and New Hampshire. As stated in the brief, this Office notes that the correct reporting of all of the expenditures to be allocated under 11 C.F.R. § 106.2 was within the control of the Committee and not under the control of a third party. In addition, as illustrated in the First General Counsel's Report, the erroneous allocations were due largely to decisions to allocate based on erroneous interpretations as to what should properly be allocated, e.g., the claiming of certain exemptions and the characterization of certain disbursements as national headquarters expenditures rather than as expenditures

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for a particular state. The best efforts rule does not negate a violation resulting from an erroneous legal interpretation even if the Committee tried to perform its accounting and make allocation decisions in a proper manner. In addition, although intensified activity may be a plausible explanation for the Committee's difficulty in obtaining documentation, it does not explain incorrect legal decisions as to allocation by a competent, experienced staff.

Based on the General Counsel's Brief and the foregoing analysis, this Office recommends that the Commission find probable cause to believe that the Committee and Mr. White, as treasurer, violated 2 U.S.C. § 441a(b)(1)(A) and 441a(c) and 11 C.F.R. § 106.2(a)(1) and (d).

Although the Committee made erroneous allocations in its reports to the Commission, the Committee did not fail to file those reports. Therefore, this Office recommends that the Commission find no probable cause to believe that the Committee and Mr. White, as treasurer, violated 2 U.S.C. § 434(a).

B. Hansell & Post

Hansell & Post first argues that there is no charge to the partners in proportion to their profits or on any other agreed basis and, therefore, the \$2,700 contribution should not be considered a partnership contribution. It appears, however, that there was an agreement whereby each partner would designate a specific amount to be deducted from his share of the partnership

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profits. This is consistent with the provisions of subsection (2) of section 110.1(e) in both its former and present forms. This matter involves the type of situation contemplated in section 110.1(e) and in AO 1981-50.

The firm's arguments applying 11 C.F.R. § 104.8(c) and (d) and 2 U.S.C. § 441f to this situation are misplaced. The regulations at 104.8(c) and (d) in both their former and present forms are consistent with the provisions of 11 C.F.R. § 110.1(e) (1) and (2) that provided for the attribution of partnership contributions to individuals. Section 110.1(e) (3) added a further provision stating that the entirety of the contribution is attributable to the partnership also; this is not to the exclusion of the attribution to individual partners. (This dual attribution is retained in the new regulation.) By analogy, because the contribution is to be attributed to the individual partners as well as to the partnership, there is no concealment of the contributors as there is in a violation of 2 U.S.C. § 441f.

The firm has argued that this Office's position would permit evasion of the \$1,000 limitation. However, the scenario posed by the firm makes little sense. If the funds are paid on a partnership check, they might not, in fact, be comprised exclusively of the funds of the partner contemplating this scheme. If the contribution is to be attributed proportionately among the partners in accordance with subsection (1), then he

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has, in fact, contributed only his proportionate share and the other parties have each contributed their proportionate shares.^{3/} If, instead of following the procedure in subsection (1), the partnership follows the procedure in subsection (2), then the partner directing that the \$1,000 contribution be made is the only partner to whom the contribution should be attributed and he will have reached his limit.

Finally, the firm fails to see the distinction between the situation posed in AO 1981-50 and the situation presented in MURs 1669 and 1774, in which the Commission considered check-off systems as a vehicle for each partner to make an individual contribution to his or her partnership PAC. However, the partnership in AO 1981-50 (which happens to be the respondent in this matter) never undertook to establish and maintain a separate political committee, with all of the attendant obligations, as a vehicle for having contributions made to separate candidate committees. The firm sought an opinion as to whether it had to register and report as a political committee because of its contribution plan. The Commission stated that it did not have to register as a committee but specifically cautioned that if contributions were made by the partnership under such a plan, 11 C.F.R. § 110.1(e)(3) would apply.

^{3/} This assumes there are no Uniform Partnership Act consequences for his having made a unilateral decision on behalf of the firm.

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It appears, therefore, that Hansell & Post made a contribution to the Glenn Committee in excess of \$1,000. Based on the General Counsel's Brief and the foregoing analysis, this Office recommends that the Commission find probable cause to believe that Hansell & Post violated 2 U.S.C. § 441a(a)(1)(A).

C. John A. Mazzucco

In his response to the General Counsel's Brief, Mr. Mazzucco admits that he made an excessive contribution. Based on the General Counsel's Brief and Mr. Mazzucco's reply, this Office recommends that the Commission find probable cause to believe that John A. Mazzucco violated 2 U.S.C. § 441a(a)(1)(A).

D. Stephen O. Hewlett

Based on the analysis presented in the General Counsel's Brief, this Office recommends that the Commission find no probable cause to believe that Stephen O. Hewlett violated 2 U.S.C. § 441a(a)(1)(A).

E. UEPAC

Section 441a(a)(2)(A) of Title 2 permits multicandidate committees to contribute up to \$5,000 to any candidate and his authorized political committees with respect to any federal office. Section 441a(a)(4) defines a multicandidate committee as a political committee which has been registered for at least six months, which has received contributions from more than 50 persons, and which has made contributions to five or more federal candidates. A committee that does not satisfy the criteria of

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2 U.S.C. § 441a(a)(4) is subject to the limit of 2 U.S.C. § 441a(a)(1)(A), i.e., \$1,000 in contributions to a candidate and his authorized committee with respect to a federal election.

It appears that, as of September 15, 1983, UEPAC reasonably believed that it could contribute up to \$5,000 to the Glenn Committee. Even if it is construed that UEPAC temporarily "lost" its multicandidate status because of the discovery that the Roemer Committee did not receive its check, UEPAC attempted to re-attain multicandidate status shortly after such a discovery by sending a contribution to Roemer and, thereafter, sending a contribution to the Breaux Committee.

Based on the circumstances presented, this Office recommends that the Commission take no further action with respect to UEPAC and William Russell Nixon, Jr., as treasurer.

III. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

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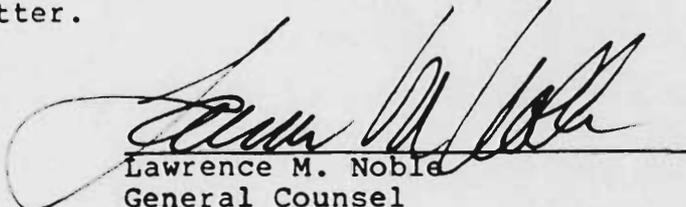
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IV. RECOMMENDATIONS

1. Find probable cause to believe that the John Glenn Presidential Committee, Inc. and William R. White, as treasurer, violated 2 U.S.C. § 441a(f).
2. Find probable cause to believe that the John Glenn Presidential Committee, Inc. and William R. White, as treasurer, violated 2 U.S.C. § 434(b)(1) and 434(b)(4).
3. Find probable cause to believe that the John Glenn Presidential Committee, Inc. and William R. White, as treasurer, violated 2 U.S.C. § 441a(b)(1)(A) and 441a(c) and 11 C.F.R. § 106.2(a)(1) and (d).
4. Find no probable cause to believe that the John Glenn Presidential Committee, Inc. and William R. White, as treasurer, violated 2 U.S.C. § 434(a).
5. Find probable cause to believe that Hansell & Post violated 2 U.S.C. § 441a(a)(1)(A).
6. Find probable cause to believe that John A. Mazzucco violated 2 U.S.C. § 441a(a)(1)(A).
7. Find no probable cause to believe that Stephen O. Hewlett violated 2 U.S.C. § 441a(A).
8. Take no further action with respect to the United Employees Political Action Committee and William Russell Nixon, Jr., as treasurer.
9. Approve the attached conciliation agreements.
10. Approve the attached letter.

Date

1/11/88


Lawrence M. Noble
General Counsel

Attachments

1. Reply brief of the Glenn Committee
2. Reply brief of Hansell & Post
3. Reply of Mr. Mazzucco to the General Counsel's Brief
4. Reply of Mr. Hewlett to the General Counsel's Brief
5. Reply of UEPAC to the RTB notification
6. Letter and conciliation agreement to the Glenn Committee
7. Letter and conciliation agreement to Hansell & Post
8. Letter and conciliation agreement to Mr. Mazzucco
9. Letter to Mr. Hewlett
10. Letter to UEPAC

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
John Glenn Presidential Committee,) MUR 2072
Inc., et al.)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of January 20, 1988, do hereby certify that the Commission took the following actions in MUR 2072:

1. Decided by a vote of 6-0 to
 - a) Find probable cause to believe that the John Glenn Presidential Committee, Inc. and William R. White, as treasurer, violated 2 U.S.C. § 441a(f).
 - b) Find probable cause to believe that the John Glenn Presidential Committee, Inc. and William R. White, as treasurer, violated 2 U.S.C. §§ 434(b)(1) and 434(b)(4).
 - c) Find probable cause to believe that the John Glenn Presidential Committee, Inc. and William R. White, as treasurer, violated 2 U.S.C. §§ 441a(b)(1)(A) and 441a(c) and 11 C.F.R. §§ 106.2(a)(1) and (d).

(continued)

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- d) Find no probable cause to believe that the John Glenn Presidential Committee, Inc. and William R. White, as treasurer, violated 2 U.S.C. § 434(a).

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

2. Decided by a vote of 5-1 to take no further action with respect to the violation of 2 U.S.C. § 441a(a)(1)(A) by Hansell & Post and direct the Office of General Counsel to send an appropriate letter pursuant to this decision.

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

3. Decided by a vote of 6-0 to

- a) Find probable cause to believe that John A. Mazzucco violated 2 U.S.C. § 441a(a)(1)(A).
- b) Find no probable cause to believe that Stephen O. Hewlett violated 2 U.S.C. § 441a(a)(1)(A).
- c) Take no further action with respect to the United Employees Political Action Committee and William Russell Nixon, Jr., as treasurer.

(continued)

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- d) Direct the Office of General Counsel to send appropriate conciliation agreements pursuant to the above actions.
- e) Direct the Office of General Counsel to send appropriate letters pursuant to the actions noted above, and include in the letter to Hansell & Post a sentence stating that the Commission's original finding of reason to believe remains on the record.

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

Attest:

Jan 21, 1988
Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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FEDERAL ELECTION COMMISSION

WASHINGTON DC 20463

January 28, 1988

Frederick B. Alexius, Esquire
Provosty, Sadler & deLaunay
P. O. Drawer 1791
Alexandria, LA 71309-1791

RE: MUR 2072
United Employees Political
Action Committee ("UEPAC")
William Russell Nixon, Jr.,
as treasurer

Dear Mr. Alexius:

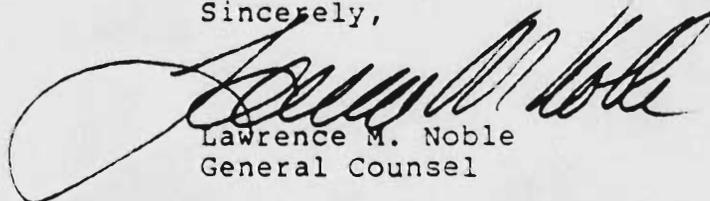
On November 15, 1985, your clients were notified that the Federal Election Commission found reason to believe that they violated 2 U.S.C. § 441a(a)(1)(A). On December 2, 1985, this Office received a response to the Commission's reason to believe finding in this matter.

After considering the circumstances of the matter, the Commission determined on January 20, 1988, to take no further action against your clients, and closed its file as it pertains to them. The file will be made part of the public record within 30 days after the matter has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

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

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,


Lawrence M. Noble
General Counsel

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 28, 1988

Stephen O. Hewlett
708 Heather Spring
Brentwood, TN 37027

RE: MUR 2072
Stephen O. Hewlett

Dear Mr. Hewlett:

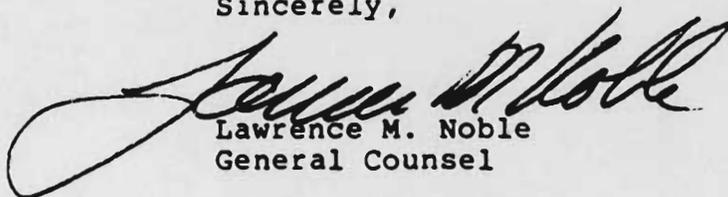
This is to advise you that, on January 20, 1988, the Federal Election Commission found that there is no probable cause to believe you violated 2 U.S.C. § 441a(a)(1)(A). Accordingly, the file in this matter has been closed as it pertains to you.

This matter will become part of the public record within 30 days after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

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.

If you have any questions, contact Jonathan Levin, the attorney assigned to handle this matter, at (202) 376-5690.

Sincerely,


Lawrence M. Noble
General Counsel

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plm



FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

January 28, 1988

John A. Mazucco
25485 Nichols Road
Columbia Station, OH 44023

RE: MUR 2072
John A. Mazucco

Dear Mr. Mazucco:

On January 20, 1988, the Federal Election Commission found that there is probable cause to believe you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended, in connection with a contribution in excess of \$1,000 to the John Glenn Presidential Committee, Inc.

The Commission has a duty to attempt to correct such violations for a period of 30 to 90 days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement with a respondent. If we are unable to reach an agreement during that period, the Commission may institute a civil suit in United States District Court and seek payment of a civil penalty.

Enclosed is a conciliation agreement that the Commission has approved 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 10 days. I will then recommend that the Commission approve the agreement. Please make your check for the civil penalty payable to the Federal Election Commission.

If you have any questions or suggestions for changes in the enclosed conciliation agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
Lawrence M. Noble
General Counsel

Enclosure
Conciliation Agreement

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

January 28, 1988

J. William Gibson, Esquire
Hansell & Post
56 Perimeter Center East, N.E.
Fifth Floor
Atlanta, GA 30346-2283

RE: MUR 2072
Hansell & Post

Dear Mr. Gibson:

On November 15, 1985, the firm of Hansell & Post was notified that the Federal Election Commission found reason to believe that it violated 2 U.S.C. § 441a(a)(1)(A). On December 10, 1985, this Office received a response to the reason to believe finding. On January 23, 1987, this Office received the firm's reply to the General Counsel's Brief sent on December 11, 1986.

After considering the circumstances of the matter, the Commission determined on January 20, 1988, to take no further action against Hansell & Post, and closed its file as it pertains to the firm. The file will be made part of the public record within 30 days after the matter has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

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

The Commission reminds you that the original reason to believe finding remains on the record and that a contribution in excess of \$1,000 by a partnership to any candidate and his authorized political committees with respect to a federal election is a violation of 2 U.S.C. § 441a(a)(1)(A). The firm should take immediate steps to insure that this activity does not occur in the future.

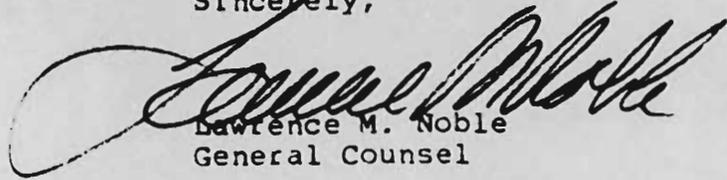
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Letter to J. William Gibson, Esquire
Page 2

If you have any questions, please contact Jonathan Levin,
the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 28, 1988

Harlan Pomeroy, Esquire
Baker & Hostetler
1050 Connecticut Avenue, N.W.
Suite 1100
Washington, D.C. 20036

RE: MUR 2072
John Glenn Presidential
Committee, Inc.
William R. White, as treasurer

Dear Mr. Pomeroy:

On January 20, 1988, the Federal Election Commission found that there is probable cause to believe that the John Glenn Presidential Committee, Inc. ("the Committee") and William R. White, as treasurer, violated 2 U.S.C. § 441a(f) by accepting excessive contributions, 2 U.S.C. § 434(b)(1) and 434(b)(4) by overstating cash on hand and understating disbursements, 11 C.F.R. § 106.2(a)(1) and 106.2(d) by making erroneous state-by-state allocations for Iowa and New Hampshire, and 2 U.S.C. § 441a(b)(1)(A) and 441a(c) by making excessive expenditures in Iowa and New Hampshire on that date, the Commission also found that there is no probable cause to believe that the Committee and Mr. White, as treasurer, violated 2 U.S.C. § 434(a).

The Commission has a duty to attempt to correct such violations for a period of 30 to 90 days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement during that period, the Commission may institute a civil suit in United States District Court and seek payment of a civil penalty.

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 them sign and return it, along with the civil penalty, to the Commission within 10 days. I will then recommend that the Commission approve the agreement. Please have your clients make the check for the civil penalty payable to the Federal Election Commission.

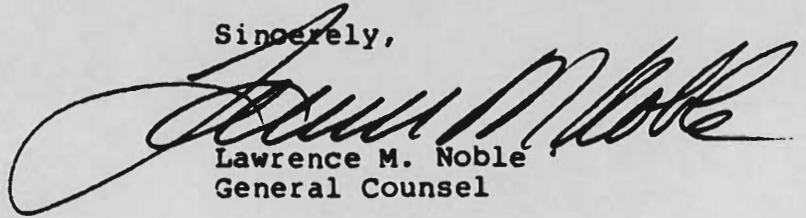
If you have any questions or suggestions for changes in the enclosed conciliation agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation

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Letter to Harlan Pomeroy
Page 2

agreement, please contact Jonathan Levin, the attorney assigned
to this matter, at (202) 376-5690.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lawrence M. Noble".

Lawrence M. Noble
General Counsel

Enclosure
Conciliation Agreement

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BAKER & HOSTETLER

IN CLEVELAND, OHIO
3200 NATIONAL CITY CENTER
CLEVELAND, OHIO 44114
(216) 621-0200
TWX 810 421 8375

IN COLUMBUS, OHIO
65 EAST STATE STREET
COLUMBUS, OHIO 43215
(614) 228-1541

IN MARYLAND
5000 SUNNYSIDE AVE. SUITE 301
BELTSVILLE, MARYLAND 20705
(301) 577-4111

ATTORNEYS AT LAW
WASHINGTON SQUARE, SUITE 1100
1050 CONNECTICUT AVE., N.W.
WASHINGTON, D.C. 20036
(202) 661-1500
TELECOPIER: (202) 466-2387
TELEX 650-236-7276

IN DENVER, COLORADO
SUITE 1100, 303 EAST 17TH AVENUE
DENVER, COLORADO 80203
(303) 861-0600

IN ORLANDO, FLORIDA
13TH FLOOR BARNETT PLAZA
ORLANDO, FLORIDA 32801
(305) 841-1111

IN VIRGINIA
437 N. LEE STREET
ALEXANDRIA, VIRGINIA 22314
(703) 849-1294

February 18, 1988

WRITER'S DIRECT DIAL NO.:

(202) 661-1543

Jonathan Levin, Esquire
Federal Election Commission
Office of General Counsel
999 E Street, N.W.
Washington, D.C. 20463

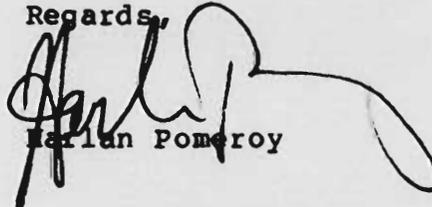
RE: MUR2072

Dear Mr. Levin:

Following our conversation a few minutes ago, this will confirm that Senator Glenn and his Presidential Committee are interested in pursuing conciliation with the Federal Election Commission. Because of my imminent departure from the City, not to return until the end of the second week in March, I will be unavailable to meet with the Senator in order to bring the issues into proper focus so that the Committee may pursue the conciliation process. Accordingly, this will advise you that I will be calling you the week of March 14, probably the latter part of the week, to report to you the status of the matter and to see what the next steps will be in proceeding with the conciliation process.

Your assistance and cooperation are appreciated.

Regards,



Harlan Pomeroy

HP/tma

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OFFICE OF GENERAL COUNSEL

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BEFORE THE FEDERAL ELECTION COMMISSION

FEDERAL ELECTION COMMISSION

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In the Matter of

)
)
)

MUR 2072

John A. Mazzucco

GENERAL COUNSEL'S REPORT

SENSITIVE

I. BACKGROUND

Attached is a conciliation agreement which has been signed by John A. Mazzucco who made an excessive contribution to the John Glenn Presidential Committee, Inc.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with John A. Mazzucco.
2. Close the file as to John A. Mazzucco.
3. Approve the attached letter.

Date 3/17/88

L.M. Noble (LJ)
Lawrence M. Noble
General Counsel

Attachments

1. Proposed conciliation agreement from respondent
2. Proposed letter to respondent

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
John A. Mazzucco

)
)
)

MUR 2072

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 22, 1988, the Commission decided by a vote of 6-0 to take the following actions in MUR 2072:

1. Accept the conciliation agreement with John A. Mazzucco, as recommended in the General Counsel's report signed March 17, 1988.
2. Close the file as to John A. Mazzucco.
3. Approve the letter, as recommended in the General Counsel's report signed March 17, 1988.

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

Attest:

3/23/88

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary:	Thurs.,	3-17-88,	11:45
Circulated on 48 hour tally basis:	Fri.,	3-18-88,	11:30
Deadline for vote:	Tues.,	3-22-88,	4:00

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FEDERAL ELECTION COMMISSION

WASHINGTON DC 20463

March 25, 1988

John A. Mazzucco
25485 Nichols Road
Columbia Station, OH 44028

RE: MUR 2072
John A. Mazzucco

Dear Mr. Mazzucco:

On March 22, 1988, the Federal Election Commission accepted the signed conciliation agreement submitted by you in settlement of a violation of 2 U.S.C. § 441a(a)(1)(A), 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 you. This matter will become a part of the public record within 30 days after it has been closed with respect to all other respondents involved. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

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

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 copy of the fully executed conciliation agreement for your files. If you have any

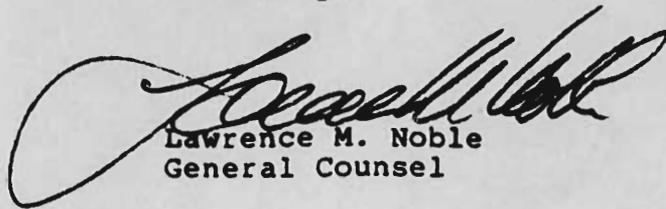
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Page 2
John A. Mazzucco

questions, please contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2072
John A. Mazzucco)

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 John A. Mazzucco ("Respondent") violated 2 U.S.C. § 441a(a)(1)(A) by making contributions in excess of \$1,000 to the John Glenn Presidential Committee, Inc. for the primary election.

NOW, THEREFORE, the Commission and the Respondent, 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 Respondent and the subject matter of this proceeding.

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

III. Respondent enters voluntarily into this agreement with the Commission.

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

1. Respondent is a person under 2 U.S.C. § 431(11).
2. The John Glenn Presidential Committee, Inc. ("the Glenn Committee") was the principal campaign committee of Senator John Glenn during the Democratic presidential primaries in 1984.
3. On March 24, 1984, Respondent contributed \$500 to the Glenn Committee.

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OFFICE OF THE CHIEF CLERK

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4. On June 30, 1983, Respondent contributed \$200 to the Glenn Committee.

5. On October 31, 1983, Respondent contributed \$1,500 to the Glenn Committee.

6. Section 441a(a)(1)(A) of Title 2 states that no person may 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.

V. Respondent contributed \$2,200 to the Glenn Committee for the primary election in violation of 2 U.S.C. § 441a(a)(1)(A).

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of One Hundred and Fifty Dollars (\$150), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that 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.

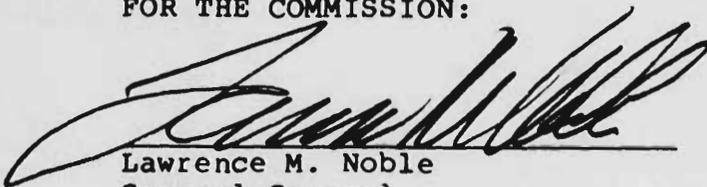
VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

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IX. 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.

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.

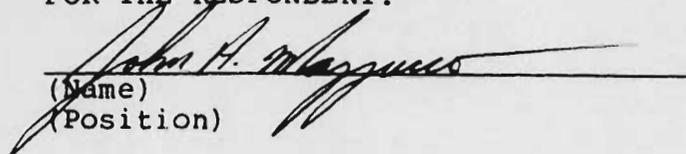
FOR THE COMMISSION:



Lawrence M. Noble
General Counsel

3/27/88
Date

FOR THE RESPONDENT:



(Name)
(Position)

3/9/88
Date

68040712172

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of)
)
 John Glenn Presidential Committee,) MUR 2072
 Inc.)
 William R. White, as treasurer)

EXECUTIVE ORDER
JUL 12 1988

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by William R. White, the treasurer of the John Glenn Presidential Committee, Inc. ("the Glenn Committee" or "the Committee"). The initial proposal was sent to counsel for the respondents on January 28, 1988, after findings of probable cause to believe that the Glenn Committee and Mr. White, as treasurer, violated 2 U.S.C. §§ 441a(f), 434(b)(1), 434(b)(4), 441a(b)(1)(A) and 441a(c), and 11 C.F.R. § 106.2(a)(1) and 106.2(d).

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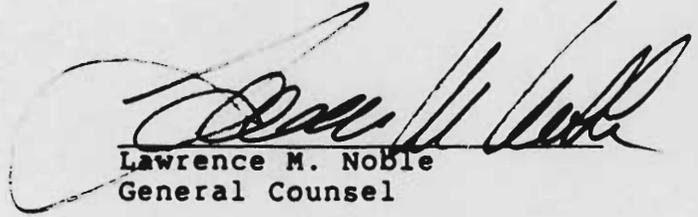
III. RECOMMENDATIONS

1. Reject the counterproposal of the John Glenn Presidential Committee, Inc., and William R. White, as treasurer.
2. Approve the new counterproposal at attachment 2.
3. Authorize the Office of the General Counsel to file a civil suit for relief in United States District Court against the John Glenn Presidential Committee, Inc., and William R. White, as treasurer. if the new counterproposal is not accepted within fifteen days of counsel's receipt.
4. Approve the attached letter.

Date

7/1/88

Lawrence M. Noble
General Counsel



Attachments

1. Respondents' counterproposal
2. New counterproposal
3. Proposed letter to counsel for respondents

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
John Glenn Presidential) MUR 2072
Committee, Inc.)
William R. White, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of July 12, 1988, do hereby certify that the Commission took the following actions in MUR 2072:

1. Decided by a vote of 4-1 to
 - a) Reject the recommendations made in the General Counsel's report dated July 1, 1988.
 - b) Accept the counterproposal of the John Glenn Presidential Committee, Inc. and William R. White, as treasurer, and direct the Office of General Counsel to proceed along those lines.

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

(continued)

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2. Decided by a vote of 5-0 to
- a) Close the file in this matter.
 - b) Direct the Office of General Counsel to send an appropriate letter.

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

Attest:

7-14-88

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

88040712182



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 18, 1988

Harlan Pomeroy, Esquire
Baker & Hostetler
1050 Connecticut Ave., N.W.
Suite 1100
Washington, D.C. 20036

RE: MUR 2072
John Glenn Presidential
Committee, Inc.
William R. White, as treasurer

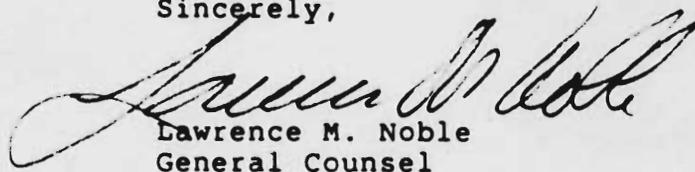
Dear Mr. Pomeroy:

On July 12, 1988, the Federal Election Commission accepted the signed conciliation agreement submitted on your client's behalf in settlement of violations of 2 U.S.C. §§ 441a(f), 434(b)(1), 434(b)(4), 441a(b)(1)(A), and 441a(c), provisions of the Federal Election Campaign Act of 1971, as amended, and 11 C.F.R. § 106.2(a)(1) and 106.2(d). Accordingly, the file has been closed in this matter. This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

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

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

Sincerely,


Lawrence M. Noble
General Counsel

Enclosure
Conciliation Agreement

88040712183

600#9470

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF LEGAL COUNSEL

88 JUN -1 PM 1:08

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
John Glenn Presidential)	MUR 2072
Committee, Inc.)	
William R. White, as treasurer))	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("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 John Glenn Presidential Committee, Inc., and William R. White, as treasurer ("Respondents"), violated 2 U.S.C. § 441a(f) by accepting excessive contributions, 2 U.S.C. §§ 434(b)(1) and 434(b)(4) by overstating cash on hand and understating disbursements in its reports filed with the Commission, 11 C.F.R. §§ 106.2(a)(1) and 106.2(d) by making erroneous allocations of expenditures with respect to Iowa and New Hampshire and failing to report allocations correctly, and 2 U.S.C. §§ 441a(b)(1)(A) and 441a(c) by making excessive expenditures in Iowa and New Hampshire for the presidential primary elections.

NOW, THEREFORE, the Commission and the 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.

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

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

1. Respondent John Glenn Presidential Committee, Inc., was the principal campaign committee of Senator John Glenn, a candidate for nomination for election to the Office of President of the United States during the Democratic presidential primaries in 1984.

2. William R. White is the treasurer of the Glenn Committee. Mr. White became Treasurer on April 10, 1984. Prior to that date, Robert A. Farmer was the treasurer of the Committee.

3. John Glenn established his eligibility to receive matching payments pursuant to 26 U.S.C. § 9033.

4. The state expenditure limitations for the campaign for nomination for the office of the President of the United States for a candidate who established his eligibility for matching payments in the 1984 election cycle were \$684,537.50 for Iowa and \$404,000.00 for New Hampshire.

5. Respondents accepted a total of \$81,326 in contributions in excess of the limits of 2 U.S.C. § 441a(a)(1)(A).

6. In the Committee reports filed with the Commission, Respondents understated disbursements and as a result overstated cash on hand from April 1983 through March 1984. At the end of the last four months, the cumulative amounts of understated disbursements resulting in overstated cash on hand in such reports were as follows:

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<u>Date</u>	<u>Cumulative Amount</u>
December 31, 1983	\$ 60,096.97
January 31, 1984	146,535.51
February 29, 1984	230,535.74
March 31, 1984	312,495.98

On June 28, 1984, the Committee filed amendments to its reports for the period from October 1, 1983, to April 30, 1984, disclosing the disbursements and correcting the cash balance.

7. Respondents did not properly allocate to Iowa and to New Hampshire the expenditures incurred with respect to each of those states.

8. Respondents did not correctly report the expenditures that should have been allocated to Iowa and to New Hampshire on FEC Form 3P, page 3.

9. Respondents exceeded the expenditure limitations for Iowa by \$149,439.24 and for New Hampshire by \$219,348.68.

V. Section 441a(a)(1)(A) of Title 2 states that no person may 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. Section 441a(a)(6) states that all elections held in any calendar year for the office of President of the United States (except a general election for such office) shall be considered to be one election. Section 441a(f) prohibits the knowing acceptance of any contribution in violation of the provisions of 2 U.S.C. § 441a. Respondents accepted contributions in excess of the limits of 2 U.S.C. § 441a(a)(1)(A).

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VI. Section 434(b)(4) of Title 2 states that a committee's reports filed with the Commission should include the total amount of all disbursements for the reporting period and for the calendar year. Section 434(b)(1) of Title 2 states that each report filed by a committee with the Commission shall state the amount of its cash on hand at the beginning of the reporting period. In the Committee's reports filed with the Commission, Respondents understated disbursements and overstated cash on hand.

VII. Section 106.2(a)(1) of the Commission Regulations states that, except for expenditures exempted under 11 C.F.R. § 106.2(c), expenditures incurred by a candidate's authorized committee for the purpose of influencing the nomination of that candidate for the office of President with respect to a particular state shall be allocated to that state. Section 106.2(d) states that all expenditures allocated under 11 C.F.R. § 106.2 shall be reported on FEC Form 3P, page 3. Respondents did not properly allocate to Iowa and New Hampshire the expenditures incurred with respect to each of those states and did not correctly report the expenditures that should have been allocated under 11 C.F.R. § 106.2 on FEC Form 3P, page 3.

VIII. Section 441a(b)(1)(A) of Title 2 provides that a candidate receiving matching payments under the Presidential Primary Matching Payment Account Act may not incur expenditures in any one state that exceed the greater of sixteen cents multiplied by the voting age population of the state or \$200,000. Section 441a(c) of Title 2 provides for the adjustment of the

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limitations in section 441a(b) in accordance with the Consumer Price Index. According to section 431(9)(A)(ii) of Title 2, the term "expenditures" includes both payments made and written contracts, promises, or agreements to make expenditures. Respondents exceeded the expenditure limitations for Iowa and New Hampshire.

IX. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Thirty-Thousand Dollars (\$30,000.00), pursuant to 2 U.S.C. § 437g(a)(5)(A).

X. 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.

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

XII. This Conciliation Agreement, unless violated, shall constitute a complete bar to any further action by the Commission against Respondents with regard to the matters set forth in this Agreement. Respondents state that the recitals herein concerning Respondents' activities are for purposes of this Conciliation Agreement without prejudice to Respondents' right to develop

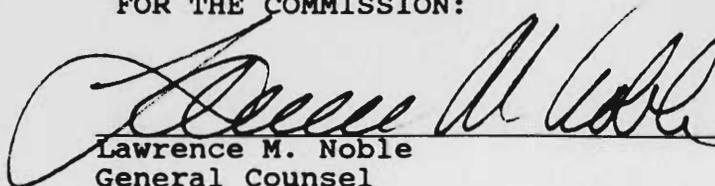
88040712183

fully in some future legal proceeding, where appropriate, the facts and circumstances relevant to such activities or matters.

XIII. 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.

XIV. 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 any party or by agents of any party, that is not contained in this written agreement, shall be valid.

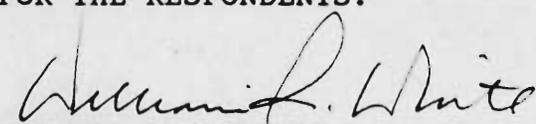
FOR THE COMMISSION:



Lawrence M. Noble
General Counsel

7/18/88
Date

FOR THE RESPONDENTS:



William R. White
Treasurer

5/31/88
Date

88040712189



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

THIS IS THE END OF MUR # 2072

DATE FILMED 8/2/88 CAMERA NO. 4

CAMERAMAN K.A.U.

88040712190



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THE FOLLOWING MATERIAL IS BEING ADDED TO THE
PUBLIC FILE OF CLOSED MUR 2072.

88040712506



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Michael V. Forrestal
25 Central Park West
New York, NY 10023

RE: MUR 2072
Michael V. Forrestal

Dear Mr. Forrestal:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble" with a stylized flourish at the end.

Lawrence M. Noble
General Counsel

88040712507



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. George Fan
313 West 92nd Street
New York, NY 10025

RE: MUR 2072
George Fan

Dear Mr. Fan:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LMN)

Lawrence M. Noble
General Counsel

88040712508



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. William O. Cooley
2202 Meeting Street
Wayzata, MN 55391

RE: MUR 2072
William O. Cooley

Dear Mr. Cooley:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L.M.N.)

Lawrence M. Noble
General Counsel

38040712509



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Robert E. Lee
6830 Dancaster Road
Topeka, KS 66610

RE: MUR 2072
Robert E. Lee

Dear Mr. Lee:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (4/24)".

Lawrence M. Noble
General Counsel

88040712510



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. John R. Leone
8700 Evergreen Drive
Cleveland, OH 44129

RE: MUR 2072
John R. Leone

Dear Mr. Leone:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

88040712511



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. A.R. Mays
200 East Streetsboro Street
Hudson, OH 44236

RE: MUR 2072
A.R. Mays

Dear Mr. Mays:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (Lg)

Lawrence M. Noble
General Counsel

38040712512



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

The Honorable John W. Peavy, Jr.
5501 Blythood
Houston, TX 77021

RE: MUR 2072
John W. Peavy, Jr.

Dear Mr. Peavy:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LH)

Lawrence M. Noble
General Counsel

38040712513



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Ms. Pamela Ray
10319 Hondo Hill
Houston, TX 77064

RE: MUR 2072
Pamela Ray

Dear Ms. Ray:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L.M.N.)
Lawrence M. Noble
General Counsel

38040712514



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mrs. Lenore G. Schottenstein
291 North Drexel Avenue
Columbus, OH 43209

RE: MUR 2072
Lenore G. Schottenstein

Dear Mrs. Schottenstein:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

L M Noble (HJ)

Lawrence M. Noble
General Counsel

38040712515



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. George W. Zeluff, II
1413 Prittmore
Houston, TX 77043

RE: MUR 2072
George W. Zeluff, II

Dear Mr. Zeluff:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (FLZ)".

Lawrence M. Noble
General Counsel

88040712516



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Ms. Juanita Jeys
2502 Fannin
Suite 220
Houston, TX 77002

RE: MUR 2072
Juanita Jeys

Dear Ms. Jeys:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LMN)

Lawrence M. Noble
General Counsel

88040712517



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Edward L. Merrigan
6000 Connecticut Avenue, N.W.
Washington, D.C. 20015

RE: MUR 2072
Edward L. Merrigan

Dear Mr. Merrigan:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L.M.N.)

Lawrence M. Noble
General Counsel

38040712518



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Alexander Hamilton McNeil
Meadowbrook Road
Dedham, MA 02026

RE: MUR 2072
Alexander Hamilton McNeil

Dear Mr. McNeil:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LHN)

Lawrence M. Noble
General Counsel

88040712519



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. John D. Logan
4018 Wakefield Creek
Kinsman, OH 44428

RE: MUR 2072
John D. Logan

Dear Mr. Logan:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

L M Noble (HJ)

Lawrence M. Noble
General Counsel

88040712520



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Chao-Han Lin
616 West County Line Road
Lakewood, NJ 08701

RE: MUR 2072
Chao-Han Lin

Dear Mr. Lin:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LMN)

Lawrence M. Noble
General Counsel

88040712521



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Hamilton G. Kenner
Post Office Box 1606
Panama City, FL 32401

RE: MUR 2072
Hamilton G. Kenner

Dear Mr. Kenner:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LJN)

Lawrence M. Noble
General Counsel

38040712522



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Allen Himmel
5303 Northfield
Apartment 70B
Bedford Heights, OH 44146

RE: MUR 2072
Allen Himmel

Dear Mr. Himmel:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L.M.N.)

Lawrence M. Noble
General Counsel

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Oliver S. Heard, Jr.
138 East Hollywood
San Antonio, TX 78212

RE: MUR 2072
Oliver S. Heard, Jr.

Dear Mr. Heard:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (LJ)".

Lawrence M. Noble
General Counsel

38040712524



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Allen Finesilver
27925 Bellgrave
Pepper Pike, OH 44124

RE: MUR 2072
Allen Finesilver

Dear Mr. Finesilver:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble (HJ)".

Lawrence M. Noble
General Counsel

88040712525



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Frank Bessoni
330 Poplar Hill Drive
Farmington, CT 06032

RE: MUR 2072
Frank Bessoni

Dear Mr. Bessoni:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

38040712526



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Truman Arnold
4004 Texas Boulevard
Texarkana, AR 75501

RE: MUR 2072
Truman Arnold

Dear Mr. Arnold:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

LM Noble (LLZ)
Lawrence M. Noble
General Counsel

88040712527



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Harris, Beach, Wilcox, Rubin & Levey
Granite Building
130 East Main Street
Rochester, NY 14604

RE: MUR 2072
Harris, Beach, Wilcox, Rubin &
Levey

Dear Sirs:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L.M.N.)

Lawrence M. Noble
General Counsel

89040712528



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. George Strike
8959 Blue Ash Road
Cincinnati, OH 45242

RE: MUR 2072
George Strike

Dear Mr. Strike:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (H Z)

Lawrence M. Noble
General Counsel

88040712529



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Josiah A. Spaulding, Jr.
860 Bay Road
Hamilton, MA 01936

RE: MUR 2072
Josiah A. Spaulding, Jr.

Dear Mr. Spaulding:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L.M.N.)

Lawrence M. Noble
General Counsel

88040712530



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Honorable Stanley P. Smith
Post Office Box 69
Bastrop, TX 78602

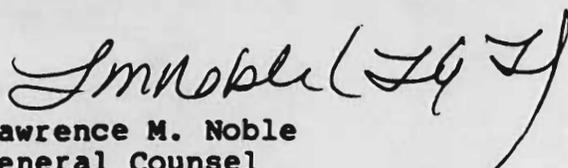
RE: MUR 2072
Stanley P. Smith

Dear Mr. Smith:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Lawrence M. Noble
General Counsel

88040712531



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Dr. Steven M. Schrager
4199 N.W. 28th Way
Boca Raton, FL 33434

RE: MUR 2072
Steven M. Schrager

Dear Dr. Schrager:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

38040712532



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. E. John Rosenwald, Jr.
30 East 62nd Street
New York, NY 10021

RE: MUR 2072
E. John Rosenwald, Jr.

Dear Mr. Rosenwald:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L.M.N.)

Lawrence M. Noble
General Counsel

38040712533



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Ms. Helen Raffel
11 West 69th Street
Apartment 4C
New York, NY 10023

RE: MUR 2072
Helen Raffel

Dear Ms. Raffel:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

88040712534



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Dr. Christos A. Papatheodoros
125 Newbury Street
Boston, MA 02116

RE: MUR 2072
Christos A. Papatheodoros

Dear Dr. Papatheodoros:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L.M.N.)

Lawrence M. Noble
General Counsel

88040712535



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. James P. McNamara
822 Perclido Street
Suite 303
New Orleans, LA 70112

RE: MUR 2072
James P. McNamara

Dear Mr. McNamara:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble (LZ)".

Lawrence M. Noble
General Counsel

38040712536



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Irving Kay
60 East Sir Francis Drake Boulevard
Number 3E
Lakespun, CA 94939

RE: MUR 2072
Irving Kay

Dear Mr. Kay:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble" followed by a large, stylized flourish.

Lawrence M. Noble
General Counsel

38040712537



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mrs. Marie S. Jacobs
Mathhiessen Park
Irvington-on-Hudson, NY 10533

RE: MUR 2072
Marie S. Jacobs

Dear Mrs. Jacobs:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LZN)
Lawrence M. Noble
General Counsel

38040712538



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Dr. William E. Hunt
1000 Urlin Avenue
Columbus, OH 43212

RE: MUR 2072
William E. Hunt

Dear Mr. Hunt:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble (H2f)".

Lawrence M. Noble
General Counsel

88040712539



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mrs. Claire Hoover
85 Bowdoin Avenue
Waltham, MA 02154

RE: MUR 2072
Claire Hoover

Dear Mrs. Hoover:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble (H F)".

Lawrence M. Noble
General Counsel

38040712540



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Robinson and Robinson
888 West Santa Ana Boulevard
Suite 250
Santa Ana, CA 92701

RE: MUR 2072
Robinson and Robinson

Dear Sirs:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712541



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Carmen D. Celluci
68 Pigeon Lane
Waltham, MA 02154

RE: MUR 2072
Carmen D. Celluci

Dear Mr. Celluci:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LJ)

Lawrence M. Noble
General Counsel

8 8 0 4 0 7 1 2 5 4 2



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Howard Brent
Post Office Drawer 8
Greenville, MS 38701

RE: MUR 2072
Howard Brent

Dear Mr. Brent:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble" followed by a large flourish.

Lawrence M. Noble
General Counsel

8 9 0 4 0 7 1 2 5 4 3



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Ms. Cathy S. Bernard
4601 North Park Avenue
Apartment 718
Chevy Chase, MD 20815

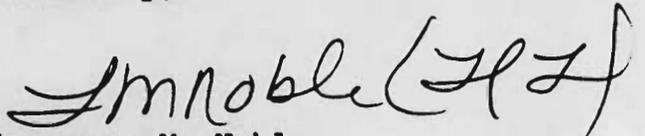
RE: MUR 2072
Cathy S. Bernard

Dear Ms. Bernard:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Lawrence M. Noble
General Counsel

88040712544



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Ms. Marla Battaglino
48 Rosewood Drive
Waltham, MA 02154

RE: MUR 2072
Marla Battaglino

Dear Ms. Battaglino:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble" followed by a large flourish.

Lawrence M. Noble
General Counsel

89040712545



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Aaron Aronov
2088 Myrtlewood Drive
Montgomery, AL 36192

RE: MUR 2072
Aaron Aronov

Dear Mr. Aronov:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble (LZ)".

Lawrence M. Noble
General Counsel

89040712546



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

McDonald and Company
2100 Central National Bank Building
Cleveland, OH 44114

RE: MUR 2072
McDonald and Company

Dear Sirs:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (LJ)".

Lawrence M. Noble
General Counsel

88040712547



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Morton J. Weisberg
24950 South Woodland
Beachwood, OH 44122

RE: MUR 2072
Morton J. Weisberg

Dear Mr. Weisberg:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

8 8 0 4 0 7 1 2 5 4 8



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. David K. Ting
9515 East Kennerly Street
Temple City, CA 91780

RE: MUR 2072
David K. Ting

Dear Mr. Ting:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble (L.M.)".

Lawrence M. Noble
General Counsel

88040712549



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. J. James Fu
878 Flores De Ore
South Pasadena, CA 91030

RE: MUR 2072
J. James Fu

Dear Mr. Fu:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (797)".

Lawrence M. Noble
General Counsel

89040712550



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Richard J. Kelley
25 Fox Glen Road
Moreland Hills, OH 44022

RE: MUR 2072
Richard J. Kelley

Dear Mr. Kelley:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L.M.N.)
Lawrence M. Noble
General Counsel

88040712551



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. William Levy
3953 Tyndall
University Heights, OH 44118

RE: MUR 2072
William Levy

Dear Mr. Levy:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble (LJ)".

Lawrence M. Noble
General Counsel

88040712552



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Ralph Peters
801 Glen Oak Drive
Winnetka, IL 60093

RE: MUR 2072
Ralph Peters

Dear Mr. Peters:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble (LZ)".

Lawrence M. Noble
General Counsel

88040712553



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Edward I. Rudman
60 Kensington Circle
Chestnut Hill, MA 02167

RE: MUR 2072
Edward I. Rudman

Dear Mr. Rudman:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble (792)".

Lawrence M. Noble
General Counsel

8 9 0 4 0 7 1 2 5 5 4



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Ms. Bonnie M. Snyder
5782 Andrews Road
Apartment 203-B
Mentor-on-the Lake, OH 44060

RE: MUR 2072
Bonnie M. Snyder

Dear Ms. Snyder:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (LZ)".

Lawrence M. Noble
General Counsel

88040712555



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Ms. Karen Spencer
1511 Brittain Road
Apartment 5
Akron, OH 44310

RE: MUR 2072
Karen Spencer

Dear Ms. Spencer:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble" followed by a large, stylized flourish.

Lawrence M. Noble
General Counsel

88040712556



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Alex Theriot, Jr.
710 Maple
Denham Springs, LA 70726

RE: MUR 2072
Alex Theriot

Dear Mr. Theriot:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712557



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Sy DeCesare
27690 Royal Forest Drive
Westlake, OH 44145

RE: MUR 2072
Sy DeCesare

Dear Mr. DeCesare:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

98040712558



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. John J. Coury
1490 Grenoble
Columbus, OH 43221

RE: MUR 2072
John J. Coury

Dear Mr. Coury:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble (HJ)".

Lawrence M. Noble
General Counsel

88040712559



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Norman Broad
6835 Granada Boulevard
Coral Gables, FL 33146

RE: MUR 2072
Norman Broad

Dear Mr. Broad:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LZN)

Lawrence M. Noble
General Counsel

88040712560



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. William C. Bowers
202 Bushnell
San Antonio, TX 78212

RE: MUR 2072
William C. Bowers

Dear Mr. Bowers:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble (L.F.)".

Lawrence M. Noble
General Counsel

88040712561



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Angelo K. Tsakopoulos
7396 Pocket Road
Sacramento, CA 95831

RE: MUR 2072
Angelo K. Tsakopoulos

Dear Mr. Tsakopoulos:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble (HJ)".

Lawrence M. Noble
General Counsel

88040712562



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Robert E. Lowder
2712 Lansdowne Drive
Montgomery, AL 36192

RE: MUR 2072
Robert E. Lowder

Dear Mr. Lowder:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712563



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Dean Lampros
3165 Kayjay Drive
Northbrook, IL 60002

RE: MUR 2072
Dean Lampros

Dear Mr. Lampros:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (HJ)".

Lawrence M. Noble
General Counsel

88040712564



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. William D. Brown
2212 Pargoud Boulevard
Monroe, LA 71201

RE: MUR 2072
William D. Brown

Dear Mr. Brown:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LH2)

Lawrence M. Noble
General Counsel

88040712565



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. John A. Merrigan, Treasurer
Verner, Liipfert, Bernhard, and McPherson
Political Action Committee
Suite 1100, 1660 L Street, N.W.
Washington, D.C. 20036

RE: MUR 2072
Verner, Liipfert, Bernhard
and McPherson Political
Action Committee
John A. Merrigan, Treasurer

Dear Mr. Merrigan:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

88040712566



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mrs. Karen Gottovi
Route 3, Box 344 F
Wilmington, NC 28403

RE: MUR 2072
Karen Gottovi

Dear Mrs. Gottovi:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712567



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

John C. Mitchell, Esquire
440 Regency Parkway
Omaha, NE 68114

RE: MUR 2072
John C. Mitchell

Dear Mr. Mitchell:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (sp)

Lawrence M. Noble
General Counsel

8 3 0 4 0 7 1 2 5 6 8



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. John P. Imlay, Jr.
995 Stovall Boulevard, NE
Atlanta, Ga 30319

RE: MUR 2072
John P. Imlay, Jr.

Dear Mr. Imlay:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712569



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Charles A. Schilleci
3105 Airport Highway
Birmingham, AL 35202

RE: MUR 2072
Charles A. Schilleci

Dear Mr. Schilleci:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble (LZ)".

Lawrence M. Noble
General Counsel

88040712570



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Marvin Schwartz
125 Broad Street
New York, NY 10004

RE: MUR 2072
Marvin Schwartz

Dear Mr. Schwartz:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LZN)
Lawrence M. Noble
General Counsel

88040712571



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Charles R. Mathes, Jr.
3212 West Park Row
Suite K
Arlington, TX 76013

RE: MUR 2072
Charles R. Mathes, Jr.

Dear Mr. Mathes:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L97)

Lawrence M. Noble
General Counsel

88040712572



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Albin W. Smith, President
Belcher Oil Company
8700 Flagler Road
Miami, FL 33174

RE: MUR 2072
Albin W. Smith, President

Dear Mr. Smith:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L.M.N.)

Lawrence M. Noble
General Counsel

33040712573



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Leland Schubert
2 Bratenahl Place
Cleveland, OH 44108

RE: MUR 2072
Leland Schubert

Dear Mr. Schubert:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (L92)".

Lawrence M. Noble
General Counsel

88040712574



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Gary D. Helf
18601 Shaker Boulevard
Shaker Heights, OH 44122

RE: MUR 2072
Gary D. Helf

Dear Mr. Helf:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble" followed by a large, stylized flourish or initial.

Lawrence M. Noble
General Counsel

83040712575



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Ray Clymer, Jr.
2408 Lou Lane
Wichita Falls, TX 76307

RE: MUR 2072
Ray Clymer, Jr.

Dear Mr. Clymer:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LZN)

Lawrence M. Noble
General Counsel

38040712576



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mrs. Lois Rose Allenius
4000 Scioto Darby Creek Road
Hilliard, OH 43026

RE: MUR 2072
Lois Rose Allenius

Dear Mrs. Allenius:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (792)".

Lawrence M. Noble
General Counsel

88040712577



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Ms. Helen B. Abercrombie
1052 Norway Drive
Columbus, OH 43221

RE: MUR 2072
Helen B. Abercrombie

Dear Ms. Abercrombie:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble" followed by a stylized flourish or initials in parentheses.

Lawrence M. Noble
General Counsel

8 8 0 4 0 7 1 2 5 7 8



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. James F. Graham
Route One
Dillon Hills
Nashport, OH 43830

RE: MUR 2072
James F. Graham

Dear Mr. Graham:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

88040712579



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Dr. Dennis K. McCormack
827 Tolita Avenue
Coronado, CA 92118

RE: MUR 2072
Dennis K. McCormack

Dear Dr. McCormack:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (SP2)".

Lawrence M. Noble
General Counsel

88040712580



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Dr. Mike McKinney
Post Office Box 376
Centerville, TX 75883

RE: MUR 2072
Mike McKinney

Dear Dr. McKinney:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (L2)".

Lawrence M. Noble
General Counsel

38040712581



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mrs. Robin Chandler Duke
435 East 52nd Street
New York, NY 10002

RE: MUR 2072
Robin Chandler Duke

Dear Mrs. Duke:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L.M. Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

89040712582



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Ms. Sandra Billor
350 Collins
Apartment 301
Miami Beach, FL 33139

RE: MUR 2072
Sandra Billor

Dear Ms. Billor:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble" followed by a stylized flourish in parentheses.

Lawrence M. Noble
General Counsel

38040712583



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. James Jameson
13210 Hillcrest Road
Dallas, TX 75240

RE: MUR 2072
James Jameson

Dear Mr. Jameson:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712584



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Robert J. Cruikshank
1200 Travis
Suite 2600
Houston, TX 77002

RE: MUR 2072
Robert J. Cruikshank

Dear Mr. Cruikshank:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (797)".

Lawrence M. Noble
General Counsel

88040712585



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

J. William Gibson, Esquire
Hansell & Post
56 Perimeter Center East, N.E.
Fifth Floor
Atlanta, GA 30346-2283

RE: MUR 2072
Hansell & Post

Dear Sirs:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (JL)".

Lawrence M. Noble
General Counsel

88040712586



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Frederick B. Alexius, Esquire
Provosty, Sadler & deLaunay
P.O. Drawer 1791
Alexandria, LA 71301-1791

RE: MUR 2072
United Employees Political
Action Committee, and William
Russell Nixon, Jr., as
treasurer

Dear Mr. Alexius:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Jeffrey M. Lewis, Esquire
Crabbe, Brown, Jones, Potts & Schmidt
2500 One Nationwide Plaza
Columbus, OH 43215

RE: MUR 2072
Allen L. Patrick

Dear Mr. Lewis:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LJ)

Lawrence M. Noble
General Counsel

88040712588



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Elisabeth A. Squeglia, Treasurer
Bricker & Eckler Political
Action Committee
100 East Broad Street
Suite 2100
Columbus, OH 43215

RE: MUR 2072
Brickler & Eckler Political
Action Committee
Elisabeth A. Squeglia, as
treasurer

Dear Ms. Squeglia:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712589



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Rev. Paul Durham
Post Office Box 110603
Nashville, TN 37211

RE: MUR 2072
Paul Durham

Dear Rev. Durham:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LZN)

Lawrence M. Noble
General Counsel

88040712590



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Ms. Sondra Linden, Treasurer
Committee to Re-elect Congressmen
for Multi-Family Housing
Suite 816
Watergate South, N.W.
Washington, D.C. 20034

RE: MUR 2072
Committee to Re-elect
Congressmen for
Multi-Family Housing
Sondra Linden, as treasurer

Dear Ms. Linden:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

LM Noble (LJ)

Lawrence M. Noble
General Counsel

88040712591



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Gerry E. Pate
13403 Northwest Freeway
Suite 160
Houston, TX 77040

RE: MUR 2072
Gerry E. Pate

Dear Mr. Pate:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LZN)

Lawrence M. Noble
General Counsel

88040712592



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. John E. Fisher, General Chairman
Nationwide Insurance
One Nationwide Plaza
Columbus, OH 43216

RE: MUR 2072
John E. Fisher

Dear Mr. Fisher:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LMN)

Lawrence M. Noble
General Counsel

3 9 5 2 1 7 0 4 0 8



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. J.S. Blanton
Three Allen Center
29th Floor
Houston, TX 77002

RE: MUR 2072
J.S. Blanton

Dear Mr. Blanton:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L/N)

Lawrence M. Noble
General Counsel

88040712594



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Richard R. Stander
500 Edgewood Road
Mansfield, OH 44907

RE: MUR 2072
Richard R. Stander

Dear Mr. Stander:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712595



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Williams D. Sellers
4226 Old Leeds Road
Birmingham, AL 35213

RE: MUR 2072
Williams D. Sellers

Dear Mr. Sellers:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712596



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. William E. Roberts
707 Morning Street
Worthington, OH 43085

RE: MUR 2072
William E. Roberts

Dear Mr. Roberts:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (LZ)".

Lawrence M. Noble
General Counsel

88040712597



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Charles J. Pilliod, Jr.
Blair House, 402
225 North Portage Path
Akron, OH 44303

RE: MUR 2072
Charles J. Pilliod, Jr.

Dear Mr. Pilliod:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LJN)

Lawrence M. Noble
General Counsel

38040712598



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

John A. Mazzucco
25485 Nichols Road
Columbia Station, OH 44028

RE: MUR 2072
John A. Mazzucco

Dear Mr. Mazzucco:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LZN)
Lawrence M. Noble
General Counsel

88040712599



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Geoffrey Brown
850 40th Avenue
San Francisco, CA 94121

RE: MUR 2072
Geoffrey Brown

Dear Mr. Brown:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

89040712600



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Hugh Calkins
2477 Guilford Road
Cleveland Heights, OH 44118

RE: MUR 2072
Hugh Calkins

Dear Mr. Calkins:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

88040712601



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

**Mr. Robert R. Chait
710 Monte Rosa Drive
Menlo Park, CA 94025**

**RE: MUR 2072
Robert R. Chait**

Dear Mr. Chait:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble" followed by a circled number "197".

**Lawrence M. Noble
General Counsel**

88040712602



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. John J. Curran
One Rochambeau Road
Scarsdale, NY 10583

RE: MUR 2072
John J. Curran

Dear Mr. Curran:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (797)

Lawrence M. Noble
General Counsel

38040712603



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Raymond H. Eaves
508 East Baja
Hobbs, NM 88240

RE: MUR 2072
Raymond H. Eaves

Dear Mr. Eaves:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

LM Noble (L97)

Lawrence M. Noble
General Counsel

88040712604



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. J.A. Elkins, Jr.
103 Farish Circle
Houston, TX 77024

RE: MUR 2072
J.A. Elkins, Jr.

Dear Mr. Elkins:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

89040712605



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Glen Britton Evans, Jr.
2836 Wemberly Drive
Belmont, CA 94002

RE: MUR 2072
Glen Britton Evans, Jr.

Dear Mr. Evans:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble (LJ)".

Lawrence M. Noble
General Counsel

88040712606



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Gerard A. Fulham
84 Windswept Way
Post Office Box 2035
Osterville, MA 02655

RE: MUR 2072
Gerard A. Fulham

Dear Mr. Fulham:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble (LH)".

Lawrence M. Noble
General Counsel

88040712607



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Robert S. Garek
17 North Parkview
Columbus, OH 43207

RE: MUR 2072
Robert S. Garek

Dear Mr. Garek:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble (LJ)".

Lawrence M. Noble
General Counsel

88040712608



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mrs. Sandra Sewell
1245 Sinaloa
Pasadena, CA 91104

RE: MUR 2072
Sandra Sewell

Dear Mrs. Sewell:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (LJ)".

Lawrence M. Noble
General Counsel

88040712609



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mrs. Babette L. Sirak
2399 Commonwealth Park, South
Columbus, OH 43209

RE: MUR 2072
Babette L. Sirak

Dear Mrs. Sirak:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "LM Noble (LH)".

Lawrence M. Noble
General Counsel

88040712610



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. A. Visconsi, II
2117 Cottingham Drive
Lyndhurst, OH 44124

RE: MUR 2072
A. Visconsi, II

Dear Mr. Visconsi:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble".

Lawrence M. Noble
General Counsel

88040712611



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. John W. Osborn
6010 Downwood Forest
Houston, TX 77088

RE: MUR 2072
John W. Osborn

Dear Mr. Osborn:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

88040712612



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mrs. Elaine R. Miller
12515 Piping Rock
Houston, TX 77077

RE: MUR 2072
Elaine R. Miller

Dear Mrs. Miller:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712613



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mrs. Yvonne Palmer Brown
100 Hollow Tree Ridge Road
Darien, CT 06820

RE: MUR 2072
Yvonne Palmer Brown

Dear Mrs. Brown:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (LJ)".

Lawrence M. Noble
General Counsel

88040712614



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Allan Schaefer
91 Duncaster Road
Bloomfield, CT 06103

RE: MUR 2072
Allan Schaefer

Dear Mr. Schaefer:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (L.F.)".

Lawrence M. Noble
General Counsel

88040712615



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Dwight Owen Schweitzer
371 Simsbury Road
Bloomfield, CT 06002

RE: MUR 2072
Dwight Owen Schweitzer

Dear Mr. Schweitzer:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble" followed by a large flourish.

Lawrence M. Noble
General Counsel

88040712616



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Stephen O. Hewlett
708 Heather Spring
Brentwood, TN 37027

RE: MUR 2072
Stephen O. Hewlett

Dear Mr. Hewlett::

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble" followed by a stylized flourish or initials in parentheses.

Lawrence M. Noble
General Counsel

89040712617



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

RMS Management Account
10800 Brookpark Road
Cleveland, OH 44100

RE: MUR 2072
RMS Management Account

Dear Sirs:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712618



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Dr. Benjamin F. Byrd, Jr.
400 Ellendale Drive
Nashville, TN 37205

RE: MUR 2072
Benjamin F. Byrd, Jr.

Dear Mr. Byrd:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

LM Noble (797)

Lawrence M. Noble
General Counsel

88040712619



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. George F. Baker, III
69 East 93rd Street
New York, NY 10028

RE: MUR 2072
George F. Baker, III

Dear Mr. Baker:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712620



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Clifford W. Archer
1538 Gibbons
Alameda, CA 94501

RE: MUR 2072
Clifford W. Archer

Dear Mr. Archer:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L97)

Lawrence M. Noble
General Counsel

88040712621



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mrs. Geraldine J. Torray
8709 Belmart Road
Potomac, MD 20854

RE: MUR 2072
Geraldine J. Torray

Dear Mrs. Torray:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712622



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Ernest Wallengren
2014 Treasure Trail
Los Angeles, CA 90068

RE: MUR 2072
Ernest Wallengren

Dear Mr. Wallengren:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LJ)

Lawrence M. Noble
General Counsel

88040712623



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Guilfoil, Petzall & Shoemake
100 North Broadway
Suite 2000
St. Louis, Mo 63102

RE: MUR 2072
Guilfoil, Petzall & Shoemake

Dear Sirs:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712624



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Kee & Lau-Kee
11 Mott Street
New York, NY 10013

RE: MUR 2072
Kee & Lau-Kee

Dear Sirs:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712625



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Joseph A. Redfield
849 North Paulina
Chicago, IL 60622

RE: MUR 2072
Joseph A. Redfield

Dear Mr. Redfield:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712626



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Dennis R. Farley
605 Westway
Rockwell, TX 75087

RE: MUR 2072
Dennis R. Farley

Dear Mr. Farley:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712627



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Frederick B. Hegi, Jr.
3318 Hanover
Dallas, TX 77225

RE: MUR 2072
Frederick B. Hegi, Jr.

Dear Mr. Hegi:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

LM Noble (L/F)

Lawrence M. Noble
General Counsel

88040712628



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. James E. King
4529 Rawlins
Dallas, TX 75219

RE: MUR 2072
James E. King

Dear Mr. King:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L/N)

Lawrence M. Noble
General Counsel

88040712629



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Donald F. Lieb
3002 North Spring Court
Garland, TX 75042

RE: MUR 2072
Donald F. Lieb

Dear Mr. Lieb:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (FF)".

Lawrence M. Noble
General Counsel

8 3 0 4 0 7 1 2 6 3 0



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. I.M. Kay
11527 Conway Road
St. Louis, MO 63131

RE: MUR 2072
I.M. Kay

Dear Mr. Kay:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script, appearing to read "L M Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

R 8 0 4 0 7 1 2 6 3 1



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Ran Hettena
1016 Fifth Avenue
New York, NY 10028

RE: MUR 2072
Ran Hettena

Dear Mr. Hettena:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

88040712632



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. T.F. Glass, Jr.
143 Stoney Creek
Houston, TX 77024

RE: MUR 2072
T.F. Glass, Jr.

Dear Mr. Glass:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712633



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Virgil A. Gladieux
4343 West Bancroft Street
Toledo, OH 43615

RE: MUR 2072
Virgil A. Gladieux

Dear Mr. Gladieux:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

89040712634



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Bob Lanier
4200 Westheimer
Number 251
Houston, TX 77027

RE: MUR 2072
Bob Lanier

Dear Mr. Lanier:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L.M.N.)

Lawrence M. Noble
General Counsel

88040712635



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Nathan Levy
400 Iona Street
Metairie, LA 70005

RE: MUR 2072
Nathan Levy

Dear Mr. Levy:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble" followed by a large flourish.

Lawrence M. Noble
General Counsel

83040712636



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. George McGuffin
Post Office Box 1914
Economy Road
Morristown, In 37814

RE: MUR 2072
George McGuffin

Dear Mr. McGuffin:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712637



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. H.E. Rainbolt
2202 North Minnesota
Shawnee, OK 74801

RE: MUR 2072
H.E. Rainbolt

Dear Mr. Rainbolt:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (7/2)".

Lawrence M. Noble
General Counsel

83040712638



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. John Rossiter
9135 Dunmore
Dallas, TX 75231

RE: MUR 2072
John Rossiter

Dear Mr. Rossiter:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LJN)

Lawrence M. Noble
General Counsel

08040712639



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. David Theodore Rubin
720 Wellesley Street
Weston, MA 02193

RE: MUR 2072
David Theodore Rubin

Dear Mr. Rubin:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

LM Noble (LZ)

Lawrence M. Noble
General Counsel

38040712640



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Fred J. Brinkman
11000 Cripplegate Road
Potomac, MD 20854

RE: MUR 2072
Fred J. Brinkman

Dear Mr. Brinkman:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712641



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Robert C. Golden
449 - 101st Street
Brooklyn, NY 11209

RE: MUR 2072
Robert C. Golden

Dear Mr. Golden:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L97)

Lawrence M. Noble
General Counsel

88040712642



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

R08-25-88

THE FOLLOWING MATERIAL IS BEING ADDED TO THE
PUBLIC FILE OF CLOSED MUR 2072

88040712833



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Fred J. Brinkman
11000 Cripplegate Road
Potomac, MD 20854

RE: MUR 2072
Fred J. Brinkman

Dear Mr. Brinkman:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

88040712834



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Robert C. Golden
449 - 101st Street
Brooklyn, NY 11209

RE: MUR 2072
Robert C. Golden

Dear Mr. Golden:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (297)

Lawrence M. Noble
General Counsel

88040712835



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. David Theodore Rubin
720 Wellesley Street
Weston, MA 02193

RE: MUR 2072
David Theodore Rubin

Dear Mr. Rubin:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

LM Noble (LZ)

Lawrence M. Noble
General Counsel

88040712836



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. John Rossiter
9135 Dunmore
Dallas, TX 75231

RE: MUR 2072
John Rossiter

Dear Mr. Rossiter:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LMN)

Lawrence M. Noble
General Counsel

88040712837



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. H.E. Rainbolt
2202 North Minnesota
Shawnee, OK 74801

RE: MUR 2072
H.E. Rainbolt

Dear Mr. Rainbolt:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712838



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. George McGuffin
Post Office Box 1914
Economy Road
Morristown, In 37814

RE: MUR 2072
George McGuffin

Dear Mr. McGuffin:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

88040712839



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Nathan Levy
400 Iona Street
Metairie, LA 70005

RE: MUR 2072
Nathan Levy

Dear Mr. Levy:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble".

Lawrence M. Noble
General Counsel

88040712840



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Bob Lanier
4200 Westheimer
Number 251
Houston, TX 77027

RE: MUR 2072
Bob Lanier

Dear Mr. Lanier:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (LJ)".

Lawrence M. Noble
General Counsel

88040712841



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Virgil A. Gladieux
4343 West Bancroft Street
Toledo, OH 43615

RE: MUR 2072
Virgil A. Gladieux

Dear Mr. Gladieux:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble".

Lawrence M. Noble
General Counsel

98040712842



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. T.F. Glass, Jr.
143 Stoney Creek
Houston, TX 77024

RE: MUR 2072
T.F. Glass, Jr.

Dear Mr. Glass:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

LM Noble (LH)

Lawrence M. Noble
General Counsel

88040712843



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Ran Hettena
1016 Fifth Avenue
New York, NY 10028

RE: MUR 2072
Ran Hettena

Dear Mr. Hettena:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712844



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. I.M. Kay
11527 Conway Road
St. Louis, MO 63131

RE: MUR 2072
I.M. Kay

Dear Mr. Kay:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712845



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Donald F. Lieb
3002 North Spring Court
Garland, TX 75042

RE: MUR 2072
Donald F. Lieb

Dear Mr. Lieb:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

L M Noble (FF)

Lawrence M. Noble
General Counsel

88040712846



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. James E. King
4529 Rawlins
Dallas, TX 75219

RE: MUR 2072
James E. King

Dear Mr. King:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

L. M. Noble (L/M)

Lawrence M. Noble
General Counsel

38040712847



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1968

Mr. Frederick B. Hegi, Jr.
3318 Hanover
Dallas, TX 77225

RE: MUR 2072
Frederick B. Hegi, Jr.

Dear Mr. Hegi:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

LM Noble (L/F)

Lawrence M. Noble
General Counsel

8 9 0 4 0 7 1 2 8 4 8



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20163

July 29, 1988

Mr. Dennis R. Farley
605 Westway
Rockwell, TX 75087

RE: MUR 2072
Dennis R. Farley

Dear Mr. Farley:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

88040712849



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Joseph A. Redfield
849 North Paulina
Chicago, IL 60622

RE: MUR 2072
Joseph A. Redfield

Dear Mr. Redfield:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble" followed by a large, stylized flourish.

Lawrence M. Noble
General Counsel

88040712850



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Kee & Lau-Kee
11 Mott Street
New York, NY 10013

RE: MUR 2072
Kee & Lau-Kee

Dear Sirs:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712851



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Guilfoil, Petzall & Shoemake
100 North Broadway
Suite 2000
St. Louis, Mo 63102

RE: MUR 2072
Guilfoil, Petzall & Shoemake

Dear Sirs:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

88040712852



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Ernest Wallengren
2014 Treasure Trail
Los Angeles, CA 90068

RE: MUR 2072
Ernest Wallengren

Dear Mr. Wallengren:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

L. M. Noble (LM)

Lawrence M. Noble
General Counsel

89040712853



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mrs. Geraldine J. Torray
8709 Belmart Road
Potomac, MD 20854

RE: MUR 2072
Geraldine J. Torray

Dear Mrs. Torray:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script, appearing to read "L M Noble (JL)".

Lawrence M. Noble
General Counsel

88040712854



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Clifford W. Archer
1538 Gibbons
Alameda, CA 94501

RE: MUR 2072
Clifford W. Archer

Dear Mr. Archer:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (L97)".

Lawrence M. Noble
General Counsel

88040712855



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. George F. Baker, III
69 East 93rd Street
New York, NY 10028

RE: MUR 2072
George F. Baker, III

Dear Mr. Baker:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712856



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Dr. Benjamin F. Byrd, Jr.
400 Ellendale Drive
Nashville, TN 37205

RE: MUR 2072
Benjamin F. Byrd, Jr.

Dear Mr. Byrd:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (LJ)".

Lawrence M. Noble
General Counsel

88040712857



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

RMS Management Account
10800 Brookpark Road
Cleveland, OH 44100

RE: MUR 2072
RMS Management Account

Dear Sirs:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script, appearing to read "L. M. Noble" with a stylized flourish at the end.

Lawrence M. Noble
General Counsel

88040712858



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Stephen O. Hewlett
708 Heather Spring
Brentwood, TN 37027

RE: MUR 2072
Stephen O. Hewlett

Dear Mr. Hewlett::

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script, reading "L M Noble (42)", is positioned above the typed name.

Lawrence M. Noble
General Counsel

88040712859



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Dwight Owen Schweitzer
371 Simsbury Road
Bloomfield, CT 06002

RE: MUR 2072
Dwight Owen Schweitzer

Dear Mr. Schweitzer:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

88040712860



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Allan Schaefer
91 Duncaster Road
Bloomfield, CT 06103

RE: MUR 2072
Allan Schaefer

Dear Mr. Schaefer:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (LFZ)".

Lawrence M. Noble
General Counsel

38040712861



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mrs. Yvonne Palmer Brown
100 Hollow Tree Ridge Road
Darien, CT 06820

RE: MUR 2072
Yvonne Palmer Brown

Dear Mrs. Brown:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (LJ)".

Lawrence M. Noble
General Counsel

88040712862



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mrs. Elaine R. Miller
12515 Piping Rock
Houston, TX 77077

RE: MUR 2072
Elaine R. Miller

Dear Mrs. Miller:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble".

Lawrence M. Noble
General Counsel

R 8 0 4 0 7 1 2 8 6 3



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. John W. Osborn
6010 Downwood Forest
Houston, TX 77088

RE: MUR 2072
John W. Osborn

Dear Mr. Osborn:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

38040712864



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. A. Visconsi, II
2117 Cottingham Drive
Lyndhurst, OH 44124

RE: MUR 2072
A. Visconsi, II

Dear Mr. Visconsi:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble".

Lawrence M. Noble
General Counsel

88040712865



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mrs. Babette L. Sirak
2399 Commonwealth Park, South
Columbus, OH 43209

RE: MUR 2072
Babette L. Sirak

Dear Mrs. Sirak:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "LM Noble (LH)".

Lawrence M. Noble
General Counsel

88040712866



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mrs. Sandra Sewell
1245 Sinaloa
Pasadena, CA 91104

RE: MUR 2072
Sandra Sewell

Dear Mrs. Sewell:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LJN)

Lawrence M. Noble
General Counsel

88040712867



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Robert S. Garek
17 North Parkview
Columbus, OH 43207

RE: MUR 2072
Robert S. Garek

Dear Mr. Garek:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

8 9 0 4 0 7 1 2 8 6 8



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Gerard A. Fulham
84 Windswept Way
Post Office Box 2035
Osterville, MA 02655

RE: MUR 2072
Gerard A. Fulham

Dear Mr. Fulham:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble (LH)".

Lawrence M. Noble
General Counsel

88040712869



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Glen Britton Evans, Jr.
2836 Wemberly Drive
Belmont, CA 94002

RE: MUR 2072
Glen Britton Evans, Jr.

Dear Mr. Evans:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

L M Noble (LH)

Lawrence M. Noble
General Counsel

88040712870



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. J.A. Elkins, Jr.
103 Parish Circle
Houston, TX 77024

RE: MUR 2072
J.A. Elkins, Jr.

Dear Mr. Elkins:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble (LJ)".

Lawrence M. Noble
General Counsel

88040712871



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Raymond H. Eaves
508 East Baja
Hobbs, NM 88240

RE: MUR 2072
Raymond H. Eaves

Dear Mr. Eaves:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

LM Noble (797)

Lawrence M. Noble
General Counsel

88040712872



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. John J. Curran
One Rochambeau Road
Scarsdale, NY 10583

RE: MUR 2072
John J. Curran

Dear Mr. Curran:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (797)

Lawrence M. Noble
General Counsel

88040712873



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Robert R. Chait
710 Monte Rosa Drive
Menlo Park, CA 94025

RE: MUR 2072
Robert R. Chait

Dear Mr. Chait:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712874



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Hugh Calkins
2477 Guilford Road
Cleveland Heights, OH 44118

RE: MUR 2072
Hugh Calkins

Dear Mr. Calkins:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (LJZ)".

Lawrence M. Noble
General Counsel

88040712875



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. James C. Burger
253 East Main Street
Williamsburg, OH 45176

RE: MUR 2072
James C. Burger

Dear Mr. Burger:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (LJ)".

Lawrence M. Noble
General Counsel

88040712876



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. James C. Burger
253 East Main Street
Williamsburg, OH 45176

RE: MUR 2072
James C. Burger

Dear Mr. Burger:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

LM Noble (L/N)

Lawrence M. Noble
General Counsel

88040712877



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. James C. Burger
253 East Main Street
Williamsburg, OH 45176

RE: MUR 2072
James C. Burger

Dear Mr. Burger:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (L/N)".

Lawrence M. Noble
General Counsel

88040712878



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. James C. Burger
253 East Main Street
Williamsburg, OH 45176

RE: MUR 2072
James C. Burger

Dear Mr. Burger:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (L/M)".

Lawrence M. Noble
General Counsel

88040712879



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Geoffrey Brown
850 40th Avenue
San Francisco, CA 94121

RE: MUR 2072
Geoffrey Brown

Dear Mr. Brown:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script, appearing to read "L. M. Noble".

Lawrence M. Noble
General Counsel

88040712880



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

John A. Mazzucco
25485 Nichols Road
Columbia Station, OH 44028

RE: MUR 2072
John A. Mazzucco

Dear Mr. Mazzucco:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LZN)

Lawrence M. Noble
General Counsel

88040712881



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Charles J. Pilliod, Jr.
Blair House, 402
225 North Portage Path
Akron, OH 44303

RE: MUR 2072
Charles J. Pilliod, Jr.

Dear Mr. Pilliod:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

LM Noble (LJ)

Lawrence M. Noble
General Counsel

88040712882



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. William E. Roberts
707 Morning Street
Worthington, OH 43085

RE: MUR 2072
William E. Roberts

Dear Mr. Roberts:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble" followed by a stylized flourish or set of initials in parentheses.

Lawrence M. Noble
General Counsel

88040712883



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Williams D. Sellers
4226 Old Leeds Road
Birmingham, AL 35213

RE: MUR 2072
Williams D. Sellers

Dear Mr. Sellers:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble (LZ)".

Lawrence M. Noble
General Counsel

88040712884



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Richard R. Stander
500 Edgewood Road
Mansfield, OH 44907

RE: MUR 2072
Richard R. Stander

Dear Mr. Stander:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (LJF)".

Lawrence M. Noble
General Counsel

88040712885



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. J.S. Blanton
Three Allen Center
29th Floor
Houston, TX 77002

RE: MUR 2072
J.S. Blanton

Dear Mr. Blanton:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L/N)

Lawrence M. Noble
General Counsel

38040712886



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. John E. Fisher, General Chairman
Nationwide Insurance
One Nationwide Plaza
Columbus, OH 43216

RE: MUR 2072
John E. Fisher

Dear Mr. Fisher:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L2)

Lawrence M. Noble
General Counsel

88040712887



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Gerry E. Pate
13403 Northwest Freeway
Suite 160
Houston, TX 77040

RE: MUR 2072
Gerry E. Pate

Dear Mr. Pate:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (42)".

Lawrence M. Noble
General Counsel

88040712888



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Ms. Sondra Linden, Treasurer
Committee to Re-elect Congressmen
for Multi-Family Housing
Suite 816
Watergate South, N.W.
Washington, D.C. 20034

RE: MUR 2072
Committee to Re-elect
Congressmen for
Multi-Family Housing
Sondra Linden, as treasurer

Dear Ms. Linden:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

LM Noble (LJ)

Lawrence M. Noble
General Counsel

98040712889



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Rev. Paul Durham
Post Office Box 110603
Nashville, TN 37211

RE: MUR 2072
Paul Durham

Dear Rev. Durham:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LZN)

Lawrence M. Noble
General Counsel

88040712890



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Elisabeth A. Squeglia, Treasurer
Bricker & Eckler Political
Action Committee
100 East Broad Street
Suite 2100
Columbus, OH 43215

RE: MUR 2072
Brickler & Eckler Political
Action Committee
Elisabeth A. Squeglia, as
treasurer

Dear Ms. Squeglia:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LNF)

Lawrence M. Noble
General Counsel

8 8 0 4 0 7 1 2 8 9 1



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Jeffrey M. Lewis, Esquire
Crabbe, Brown, Jones, Potts & Schmidt
2500 One Nationwide Plaza
Columbus, OH 43215

RE: MUR 2072
Allen L. Patrick

Dear Mr. Lewis:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LJ)

Lawrence M. Noble
General Counsel

83040712892



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Frederick B. Alexius, Esquire
Provosty, Sadler & deLaunay
P.O. Drawer 1791
Alexandria, LA 71301-1791

RE: MUR 2072
United Employees Political
Action Committee, and William
Russell Nixon, Jr., as
treasurer

Dear Mr. Alexius:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

88040712893



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

J. William Gibson, Esquire
Hansell & Post
56 Perimeter Center East, N.E.
Fifth Floor
Atlanta, GA 30346-2283

RE: MUR 2072
Hansell & Post

Dear Sirs:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

88040712894



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Robert J. Cruikshank
1200 Travis
Suite 2600
Houston, TX 77002

RE: MUR 2072
Robert J. Cruikshank

Dear Mr. Cruikshank:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

LM Noble (797)

Lawrence M. Noble
General Counsel

88040712895



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. James Jameson
13210 Hillcrest Road
Dallas, TX 75240

RE: MUR 2072
James Jameson

Dear Mr. Jameson:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

88040712896



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Ms. Sandra Billor
350 Collins
Apartment 301
Miami Beach, FL 33139

RE: MUR 2072
Sandra Billor

Dear Ms. Billor:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LMN)

Lawrence M. Noble
General Counsel

88040712897



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mrs. Robin Chandler Duke
435 East 52nd Street
New York, NY 10002

RE: MUR 2072
Robin Chandler Duke

Dear Mrs. Duke:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L.M. Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

88040712898



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Dr. Mike McKinney
Post Office Box 376
Centerville, TX 75833

RE: MUR 2072
Mike McKinney

Dear Dr. McKinney:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (L2)".

Lawrence M. Noble
General Counsel

88040712899



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Dr. Dennis K. McCormack
827 Tolita Avenue
Coronado, CA 92118

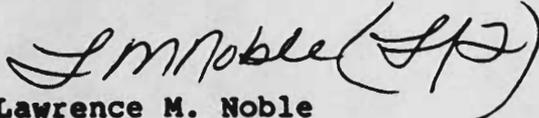
RE: MUR 2072
Dennis K. McCormack

Dear Dr. McCormack:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Lawrence M. Noble
General Counsel

88040712900



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. James F. Graham
Route One
Dillon Hills
Nashport, OH 43830

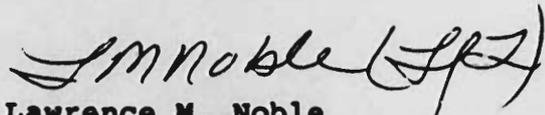
RE: MUR 2072
James F. Graham

Dear Mr. Graham:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Lawrence M. Noble
General Counsel

88040712901



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Ms. Helen B. Abercrombie
1052 Norway Drive
Columbus, OH 43221

RE: MUR 2072
Helen B. Abercrombie

Dear Ms. Abercrombie:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (JLZ)".

Lawrence M. Noble
General Counsel

38040712902



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mrs. Lois Rose Allenius
4000 Scioto Darby Creek Road
Hilliard, OH 43026

RE: MUR 2072
Lois Rose Allenius

Dear Mrs. Allenius:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (792)".

Lawrence M. Noble
General Counsel

88040712903



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Ray Clymer, Jr.
2408 Lou Lane
Wichita Falls, TX 76307

RE: MUR 2072
Ray Clymer, Jr.

Dear Mr. Clymer:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LZN)

Lawrence M. Noble
General Counsel

88040712904



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Gary D. Helf
18601 Shaker Boulevard
Shaker Heights, OH 44122

RE: MUR 2072
Gary D. Helf

Dear Mr. Helf:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble" followed by a large, stylized flourish.

Lawrence M. Noble
General Counsel

88040712905



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Leland Schubert
2 Bratenahl Place
Cleveland, OH 44108

RE: MUR 2072
Leland Schubert

Dear Mr. Schubert:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble" followed by a circled number "192".

Lawrence M. Noble
General Counsel

89040712906



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Albin W. Smith, President
Belcher Oil Company
8700 Flagler Road
Miami, FL 33174

RE: MUR 2072
Albin W. Smith, President

Dear Mr. Smith:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LFZ)

Lawrence M. Noble
General Counsel

88040712907



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Charles R. Mathes, Jr.
3212 West Park Row
Suite K
Arlington, TX 76013

RE: MUR 2072
Charles R. Mathes, Jr.

Dear Mr. Mathes:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (L9Z)".

Lawrence M. Noble
General Counsel

88040712908



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Marvin Schwartz
125 Broad Street
New York, NY 10004

RE: MUR 2072
Marvin Schwartz

Dear Mr. Schwartz:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LZN)

Lawrence M. Noble
General Counsel

88040712909



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Charles A. Schilleci
3105 Airport Highway
Birmingham, AL 35202

RE: MUR 2072
Charles A. Schilleci

Dear Mr. Schilleci:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble (LZ)".

Lawrence M. Noble
General Counsel

88040712910



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. John P. Imlay, Jr.
995 Stovall Boulevard, NE
Atlanta, Ga 30319

RE: MUR 2072
John P. Imlay, Jr.

Dear Mr. Imlay:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (LZ)".

Lawrence M. Noble
General Counsel

88040712911



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

John C. Mitchell, Esquire
440 Regency Parkway
Omaha, NE 68114

RE: MUR 2072
John C. Mitchell

Dear Mr. Mitchell:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (Signature)

Lawrence M. Noble
General Counsel

88040712912



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mrs. Karen Gottovi
Route 3, Box 344 F
Wilmington, NC 28403

RE: MUR 2072
Karen Gottovi

Dear Mrs. Gottovi:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble".

Lawrence M. Noble
General Counsel

88040712913



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. John A. Merrigan, Treasurer
Verner, Liipfert, Bernhard, and McPherson
Political Action Committee
Suite 1100, 1660 L Street, N.W.
Washington, D.C. 20036

RE: MUR 2072
Verner, Liipfert, Bernhard
and McPherson Political
Action Committee
John A. Merrigan, Treasurer

Dear Mr. Merrigan:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

R 8 0 4 0 7 1 2 9 1 4



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

July 29, 1988

Mr. William D. Brown
2212 Pargoud Boulevard
Monroe, LA 71201

RE: MUR 2072
William D. Brown

Dear Mr. Brown:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. Noble (H2)".

Lawrence M. Noble
General Counsel

88040712915



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Dean Lampros
3165 Kayjay Drive
Northbrook, IL 60002

RE: MUR 2072
Dean Lampros

Dear Mr. Lampros:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

88040712916



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Robert E. Lowder
2712 Lansdowne Drive
Montgomery, AL 36192

RE: MUR 2072
Robert E. Lowder

Dear Mr. Lowder:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LH)

Lawrence M. Noble
General Counsel

88040712917



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Angelo K. Tsakopoulos
7396 Pocket Road
Sacramento, CA 95831

RE: MUR 2072
Angelo K. Tsakopoulos

Dear Mr. Tsakopoulos:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble (FJC)".

Lawrence M. Noble
General Counsel

88040712918



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. William C. Bowers
202 Bushnell
San Antonio, TX 78212

RE: MUR 2072
William C. Bowers

Dear Mr. Bowers:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble (L.F.)".

Lawrence M. Noble
General Counsel

88040712919



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Norman Broad
6835 Granada Boulevard
Coral Gables, FL 33146

RE: MUR 2072
Norman Broad

Dear Mr. Broad:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LZN)

Lawrence M. Noble
General Counsel

88040712920



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. John J. Coury
1490 Grenoble
Columbus, OH 43221

RE: MUR 2072
John J. Coury

Dear Mr. Coury:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LHN)

Lawrence M. Noble
General Counsel

88040712921



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Sy DeCesare
27690 Royal Forest Drive
Westlake, OH 44145

RE: MUR 2072
Sy DeCesare

Dear Mr. DeCesare:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

88040712922



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Alex Theriot, Jr.
710 Maple
Denham Springs, LA 70726

RE: MUR 2072
Alex Theriot

Dear Mr. Theriot:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

88040712923



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Ms. Karen Spencer
1511 Brittain Road
Apartment 5
Akron, OH 44310

RE: MUR 2072
Karen Spencer

Dear Ms. Spencer:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (Handwritten signature)

Lawrence M. Noble
General Counsel

88040712924



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Ms. Bonnie M. Snyder
5782 Andrews Road
Apartment 203-B
Mentor-on-the Lake, OH 44060

RE: MUR 2072
Bonnie M. Snyder

Dear Ms. Snyder:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (LZ)".

Lawrence M. Noble
General Counsel

89040712925



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Edward I. Rudman
60 Kensington Circle
Chestnut Hill, MA 02167

RE: MUR 2072
Edward I. Rudman

Dear Mr. Rudman:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble (792)".

Lawrence M. Noble
General Counsel

88040712926



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Ralph Peters
801 Glen Oak Drive
Winnetka, IL 60093

RE: MUR 2072
Ralph Peters

Dear Mr. Peters:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble (LJ)".

Lawrence M. Noble
General Counsel

88040712927



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. William Levy
3953 Tyndall
University Heights, OH 44118

RE: MUR 2072
William Levy

Dear Mr. Levy:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (JLJ)".

Lawrence M. Noble
General Counsel

88040712928



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Richard J. Kelley
25 Fox Glen Road
Moreland Hills, OH 44022

RE: MUR 2072
Richard J. Kelley

Dear Mr. Kelley:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L.M.N.)

Lawrence M. Noble
General Counsel

83040712929



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. J. James Fu
878 Flores De Ore
South Pasadena, CA 91030

RE: MUR 2072
J. James Fu

Dear Mr. Fu:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (797)".

Lawrence M. Noble
General Counsel

88040712930



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. David K. Ting
9515 East Kennerly Street
Temple City, CA 91780

RE: MUR 2072
David K. Ting

Dear Mr. Ting:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble".

Lawrence M. Noble
General Counsel

38040712931



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Morton J. Weisberg
24950 South Woodland
Beachwood, OH 44122

RE: MUR 2072
Morton J. Weisberg

Dear Mr. Weisberg:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (LHJ)".

Lawrence M. Noble
General Counsel

38040712932



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

McDonald and Company
2100 Central National Bank Building
Cleveland, OH 44114

RE: MUR 2072
McDonald and Company

Dear Sirs:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (LH J)".

Lawrence M. Noble
General Counsel

88040712933



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Aaron Aronov
2088 Myrtlewood Drive
Montgomery, AL 36192

RE: MUR 2072
Aaron Aronov

Dear Mr. Aronov:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble (LJ)".

Lawrence M. Noble
General Counsel

8 3 0 4 0 7 1 2 9 3 4



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Ms. Marla Battaglino
48 Rosewood Drive
Waltham, MA 02154

RE: MUR 2072
Marla Battaglino

Dear Ms. Battaglino:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. Noble" followed by a large flourish.

Lawrence M. Noble
General Counsel

88040712935



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Ms. Cathy S. Bernard
4601 North Park Avenue
Apartment 718
Chevy Chase, MD 20815

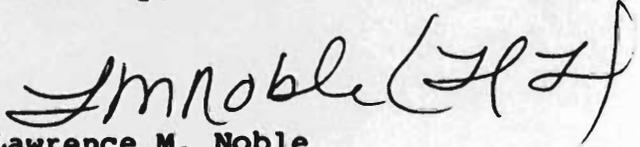
RE: MUR 2072
Cathy S. Bernard

Dear Ms. Bernard:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Lawrence M. Noble
General Counsel

88040712936



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Howard Brent
Post Office Drawer 8
Greenville, MS 38701

RE: MUR 2072
Howard Brent

Dear Mr. Brent:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble".

Lawrence M. Noble
General Counsel

88040712937



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Carmen D. Celluci
68 Pigeon Lane
Waltham, MA 02154

RE: MUR 2072
Carmen D. Celluci

Dear Mr. Celluci:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LZN)

Lawrence M. Noble
General Counsel

88040712938



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Robinson and Robinson
888 West Santa Ana Boulevard
Suite 250
Santa Ana, CA 92701

RE: MUR 2072
Robinson and Robinson

Dear Sirs:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble (H L)".

Lawrence M. Noble
General Counsel

38040712939



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mrs. Claire Hoover
85 Bowdoin Avenue
Waltham, MA 02154

RE: MUR 2072
Claire Hoover

Dear Mrs. Hoover:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Mr. Noble (L M)".

Lawrence M. Noble
General Counsel

88040712940



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Dr. William E. Hunt
1000 Urlin Avenue
Columbus, OH 43212

RE: MUR 2072
William E. Hunt

Dear Mr. Hunt:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble (H2f)".

Lawrence M. Noble
General Counsel

88040712941



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mrs. Marie S. Jacobs
Mathhiessen Park
Irvington-on-Hudson, NY 10533

RE: MUR 2072
Marie S. Jacobs

Dear Mrs. Jacobs:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LZN)
Lawrence M. Noble
General Counsel

38040712942



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. James P. McNamara
822 Perclido Street
Suite 303
New Orleans, LA 70112

RE: MUR 2072
James P. McNamara

Dear Mr. McNamara:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble (LZ)".

Lawrence M. Noble
General Counsel

88040712944



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Dr. Christos A. Papatheodoros
125 Newbury Street
Boston, MA 02116

RE: MUR 2072
Christos A. Papatheodoros

Dear Dr. Papatheodoros:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L.M.N.)

Lawrence M. Noble
General Counsel

88040712945



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Ms. Helen Raffel
11 West 69th Street
Apartment 4C
New York, NY 10023

RE: MUR 2072
Helen Raffel

Dear Ms. Raffel:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

88040712946



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. E. John Rosenwald, Jr.
30 East 62nd Street
New York, NY 10021

RE: MUR 2072
E. John Rosenwald, Jr.

Dear Mr. Rosenwald:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (H2)

Lawrence M. Noble
General Counsel

88040712947



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Dr. Steven M. Schrager
4199 N.W. 28th Way
Boca Raton, FL 33434

RE: MUR 2072
Steven M. Schrager

Dear Dr. Schrager:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

88040712948



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Honorable Stanley P. Smith
Post Office Box 69
Bastrop, TX 78602

RE: MUR 2072
Stanley P. Smith

Dear Mr. Smith:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
Lawrence M. Noble
General Counsel

38040712949



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Josiah A. Spaulding, Jr.
860 Bay Road
Hamilton, MA 01936

RE: MUR 2072
Josiah A. Spaulding, Jr.

Dear Mr. Spaulding:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L.M.N.)

Lawrence M. Noble
General Counsel

88040712950



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. George Strike
8959 Blue Ash Road
Cincinnati, OH 45242

RE: MUR 2072
George Strike

Dear Mr. Strike:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (H Z)".

Lawrence M. Noble
General Counsel

88040712951



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Harris, Beach, Wilcox, Rubin & Levey
Granite Building
130 East Main Street
Rochester, NY 14604

RE: MUR 2072
Harris, Beach, Wilcox, Rubin &
Levey

Dear Sirs:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L.M.N.)

Lawrence M. Noble
General Counsel

88040712952



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Truman Arnold
4004 Texas Boulevard
Texarkana, AR 75501

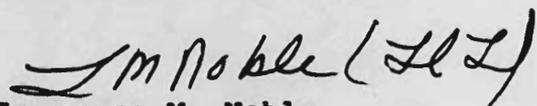
RE: MUR 2072
Truman Arnold

Dear Mr. Arnold:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Lawrence M. Noble
General Counsel

88040712953



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Frank Bessoni
330 Poplar Hill Drive
Farmington, CT 06032

RE: MUR 2072
Frank Bessoni

Dear Mr. Bessoni:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

88040712954



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Allen Finesilver
27925 Bellgrave
Pepper Pike, OH 44124

RE: MUR 2072
Allen Finesilver

Dear Mr. Finesilver:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble" followed by a large, stylized flourish.

Lawrence M. Noble
General Counsel

88040712955



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Oliver S. Heard, Jr.
138 East Hollywood
San Antonio, TX 78212

RE: MUR 2072
Oliver S. Heard, Jr.

Dear Mr. Heard:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (LL)".

Lawrence M. Noble
General Counsel

88040712956



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Allen Himmel
5303 Northfield
Apartment 70B
Bedford Heights, OH 44146

RE: MUR 2072
Allen Himmel

Dear Mr. Himmel:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L.M.N.)

Lawrence M. Noble
General Counsel

88040712957



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Hamilton G. Kenner
Post Office Box 1606
Panama City, FL 32401

RE: MUR 2072
Hamilton G. Kenner

Dear Mr. Kenner:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LMN)

Lawrence M. Noble
General Counsel

88040712958



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Chao-Han Lin
616 West County Line Road
Lakewood, NJ 08701

RE: MUR 2072
Chao-Han Lin

Dear Mr. Lin:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (LJ)".

Lawrence M. Noble
General Counsel

88040712959



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. John D. Logan
4018 Wakefield Creek
Kinsman, OH 44428

RE: MUR 2072
John D. Logan

Dear Mr. Logan:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LZN)

Lawrence M. Noble
General Counsel

88040712960



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Alexander Hamilton McNeil
Meadowbrook Road
Dedham, MA 02026

RE: MUR 2072
Alexander Hamilton McNeil

Dear Mr. McNeil:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LHN)

Lawrence M. Noble
General Counsel

8 8 0 4 0 7 1 2 9 6 1



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Edward L. Merrigan
6000 Connecticut Avenue, N.W.
Washington, D.C. 20015

RE: MUR 2072
Edward L. Merrigan

Dear Mr. Merrigan:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L.M.N.)

Lawrence M. Noble
General Counsel

88040712962



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Ms. Juanita Jeys
2502 Fannin
Suite 220
Houston, TX 77002

RE: MUR 2072
Juanita Jeys

Dear Ms. Jeys:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LMN)

Lawrence M. Noble
General Counsel

83040712963



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. George W. Zeluff, II
1413 Prittmore
Houston, TX 77043

RE: MUR 2072
George W. Zeluff, II

Dear Mr. Zeluff:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (FLZ)".

Lawrence M. Noble
General Counsel

88040712964



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mrs. Lenore G. Schottenstein
291 North Drexel Avenue
Columbus, OH 43209

RE: MUR 2072
Lenore G. Schottenstein

Dear Mrs. Schottenstein:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

LM Noble (HJ)

Lawrence M. Noble
General Counsel

38040712965



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Ms. Pamela Ray
10319 Hondo Hill
Houston, TX 77064

RE: MUR 2072
Pamela Ray

Dear Ms. Ray:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L.M.N.)

Lawrence M. Noble
General Counsel

880407129666



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

The Honorable John W. Peavy, Jr.
5501 Blythood
Houston, TX 77021

RE: MUR 2072
John W. Peavy, Jr.

Dear Mr. Peavy:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble" with a stylized flourish at the end.

Lawrence M. Noble
General Counsel

88040712967



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. A.R. Mays
200 East Streetsboro Street
Hudson, OH 44236

RE: MUR 2072
A.R. Mays

Dear Mr. Mays:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (L9)

Lawrence M. Noble
General Counsel

88040712968



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. John R. Leone
8700 Evergreen Drive
Cleveland, OH 44129

RE: MUR 2072
John R. Leone

Dear Mr. Leone:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble (LJ)".

Lawrence M. Noble
General Counsel

88040712969



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. Robert E. Lee
6830 Dancaaster Road
Topeka, KS 66610

RE: MUR 2072
Robert E. Lee

Dear Mr. Lee:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L M Noble (H/2)".

Lawrence M. Noble
General Counsel

88040712970



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1988

Mr. William O. Cooley
2202 Meeting Street
Wayzata, MN 55391

RE: MUR 2072
William O. Cooley

Dear Mr. Cooley:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble (LH)

Lawrence M. Noble
General Counsel

88040712971



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. George Fan
313 West 92nd Street
New York, NY 10025

RE: MUR 2072
George Fan

Dear Mr. Fan:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "Lm Noble (LH)".

Lawrence M. Noble
General Counsel

88040712972



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1988

Mr. Michael V. Forrestal
25 Central Park West
New York, NY 10023

RE: MUR 2072
Michael V. Forrestal

Dear Mr. Forrestal:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Jonathan Levin, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Noble" followed by a stylized flourish.

Lawrence M. Noble
General Counsel

88040712973



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THE FOLLOWING MATERIAL IS BEING ADDED TO THE
PUBLIC FILE OF CLOSED MUR 2072 .

38040722406

600#198

FEDERAL ELECTION COMMISSION
MAIL ROOM

88 AUG 22 PM 1:56

LAW OFFICES OF
Cox & Smith
INCORPORATED

600 NBC BUILDING
SAN ANTONIO, TEXAS 78205

TELEPHONE (512) 226-7000
TELECOPIER (512) 226-8395
TELEX 767609

WALNUT GLEN TOWER
8144 WALNUT HILL LANE
SUITE 780, LB 38
DALLAS, TEXAS 75231
TELEPHONE (214) 368-4700
TELECOPIER (214) 739-1873

J. BURLESON SMITH
PAUL H. SMITH
JAMES R. HALE
DAVID C. SPOOR
DAN G. WEBSTER III
RICHARD T. BRADY
JOE P. SMYER
WILLIAM R. SIMCOCK
EUGENE B. LABAY
TERRY S. BICKERTON
DONALD R. COMUZZI
KEITH E. KAISER
R. LAURENCE MACON
LURALEE H. WALLACE
WILLIAM H. LEMONS III
PATRICK K. SHEEHAN
JAMES C. NORMAN
WARD T. BLACKLOCK, JR.
J. MICHAEL WILKES
JON R. RAY
CHARLES W. HANOR
WALTER J. BATLA
GALE R. PETERSON
JAMES B. SMITH, JR.
STANLEY E. CRAWFORD, JR.

ANDY A. TSCHOEPE II
CYNTHIA J. WIENS
DIANN M. BARTEK
MICHAEL J. SHEARN
BARRON W. DOWLING
WILLIAM H. LESTER, JR.
A. MICHAEL FERRILL
DENNIS E. NOLL
MARY L. BRENNAN
LEO J. BUCHIGNANI, JR.
DEBORAH D. WILLIAMSON
THOMAS A. COUNTRYMAN
CARY PLOTKIN KAVY
STEPHEN D. SEIDEL
REBECCA SIMMONS
CHARLES M. HORNBERGER
MARK R. WISNER
RANDALL GAY
ROBERT B. WERNER
DAVID B. WEST
ARTHUR C. NICHOLSON III
KEVIN M. BEITER
G. WADE CALDWELL
JUDITH G. TAYLOR
MARTHA F. MIMS

CAROL J. MEURER
MARY CLAIRE FISCHER
JESSE R. CASTILLO
PAUL D. ANDREWS
TERENCE L. THOMPSON
KATHERINE COMPTON
DENISE CLARK MCWATTERS
PETER M. KOELLING
DONNA K. MCELROY
PATRICK L. HUFFSTICKLER
R. BRYAN STONE
DAVID JED WILLIAMS
KAY S. BEHRENS
ROYAL B. LEA, III
THOMAS R. GILTNER
J. DANIEL HARKINS
JAMES M. MAGEE
STEVEN R. JACOBS
PAUL M. HOOD
MICHAEL A. MORELL
SUE T. BENTCH

OF COUNSEL
JACK GUENTHER
G. GREGORY LETTERMAN

August 15, 1988

Mr. Jonothan Levin
Office of General Counsel
Federal Election Commission
999 East Street N.W.
Washington, D.C. 20463

CERTIFIED MAIL NO. P730582927
Return Receipt Requested

Re: MUR 2072 - Oliver S. Heard, Jr.

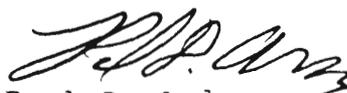
Dear Mr. Levin:

Pursuant to our telephone conversation on August 15, 1988, you have agreed to give us an extension of time during which Mr. Heard may submit legal or factual materials to be placed in the public record in this matter.

You have also informed us that the current status of this matter is that the Federal Election Commission has decided to take no further action.

Thank you for your cooperation. Please do not hesitate to call should you have any questions.

Very truly yours,


Paul D. Andrews

PDA:mk/3009S

88 AUG 22 PM 4:49

RECEIVED
FEDERAL ELECTION COMMISSION

Belcher's

RECEIVED
FEDERAL ELECTION COMMISSION

88 AUG 11 AM 11:30

CLOSED

8 August 1988

Mr. Lawrence M. Noble
General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2072
Albin W. Smith, President

Dear Mr. Noble:

Pursuant to our telephone conversation, the following is Mr. Albin W. Smith's most current address that we are aware of:

Albin Smith
789 Inlet Drive
Marco Island, Florida 33937

If I can be of further assistance, please don't hesitate to contact me.

Very truly yours,

Jim Nutt
Jim Nutt

JN:mp

88 AUG 11 PM 1:35
FEDERAL ELECTION COMMISSION

88040722408

Re Nutt & 1/15/88 RW



FEDERAL ELECTION COMMISSION
WASHINGTON, D. C. 20463

THE FOLLOWING MATERIAL IS BEING ADDED TO THE FILE IN

MUR 2072

89040725224

CLOSED

CCC# 388
- Nov 2072

Law Office

Kaplan Prussin & Vecchi

1215 Seventeenth Street, N.W. Washington, D.C. 20036

TELEPHONE: (202) 887-0353
CABLE: KAPRUS WASHINGTON
TELEX: 248413 KAPRUS
TELEFAX: (202) 887-0460

333 SILOM ROAD, BANGKOK
CARRERA 7, NO. 17-51 BOGOTA
PASO DE LA CASTELLANA, 135, MADRID 28046
444 BRICKELL AVENUE, MIAMI 33131
645 MADISON AVENUE, NEW YORK 10022
580 CALIFORNIA STREET, SAN FRANCISCO 94104
EDIFICIO LA CUMBRE, SANTO DOMINGO
205 TUN HWA N. ROAD, TAIPEI

September 14, 1988

By Hand

Jonathan Levin, Esq.
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Dear Mr. Levin:

This letter confirms our earlier discussion with respect to payment, by the John Glenn Presidential Committee Inc., of the agreed civil penalty of \$30,000 recently negotiated between the Commission and the Committee.

As I indicated in our conversation, the Committee is experiencing a temporary problem which did not exist at the time we negotiated the agreement, and which, we would like to believe, was not reasonably foreseeable at that time.

Specifically, the Ohio Bank Group to which the Committee owes substantial secured debt has recently advised the Committee that it would not be permitted to disburse funds from the Committee's account in payment of the penalty. The loan agreements between the Committee and the Banks give the Banks substantial powers over the Committee's expenditures, and the Banks apparently have chosen to exercise such powers in this case.

As a result, the source of funds we anticipated would be available to pay the penalty when we signed the agreement is, at the moment, unavailable. We are aware that Senator Glenn signed an agreement at the beginning of the campaign to be personally responsible for such penalties, and this letter should not be construed as an attempt to avoid that obligation. The Committee, however, would like to make payment from its own account as originally planned, and is engaged in discussions with the Banks to cause the Banks to reverse their position.

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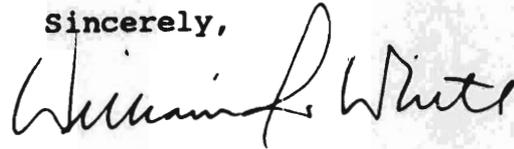
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FEDERAL ELECTION COMMISSION

Kaplan, Pessin & Vecchi

Jonathan Levin, Esq.
September 14, 1988
Page 2

As a result, we respectfully request a period of two weeks to attempt to work out our own internal problems with the Banks and make payment to the Commission from the Committee's account.

Sincerely,



William R. White

WRW/dm

89040725226



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 23, 1988

William R. White, Esquire
Kaplan, Russin & Vecchi
1215 17th Street, N.W.
Washington, D.C. 20036

RE: MUR 2072
John Glenn Presidential
Committee, Inc.
William R. White, as treasurer

Dear Mr. White:

On August 24, 1988, this Office sent a letter to Harlan Pomeroy, counsel for the John Glenn Presidential Committee, Inc. ("the Committee"), stating that the Commission had not received payment of the civil penalty owed on August 17, 1988, pursuant to the conciliation agreement between the Committee and the Commission. That letter also stated that, if the civil penalty was not paid in full within fifteen days of counsel's receipt of the letter, the Commission might institute a civil action against the Committee and you, as treasurer, for failure to comply with the terms of the conciliation agreement.

After conversations between this Office and Mr. Pomeroy and you, you sent a letter, on September 14, 1988, stating the reasons for the Committee's failure to pay the penalty. Specifically, you stated that the Ohio Bank Group to which the Committee owes "substantial secured debt" has "advised the Committee that it would not be permitted to disburse funds from the Committee's account in payment of the penalty." You also stated that this difficulty was not foreseen during the negotiation of the conciliation agreement. Although the Committee is aware that, pursuant to the matching fund agreement, Senator Glenn is personally responsible for the payment of the penalty, the Committee would like to make the payment from its own account and requests a period of two weeks to resolve its problems with the bank and make payment to the Commission.

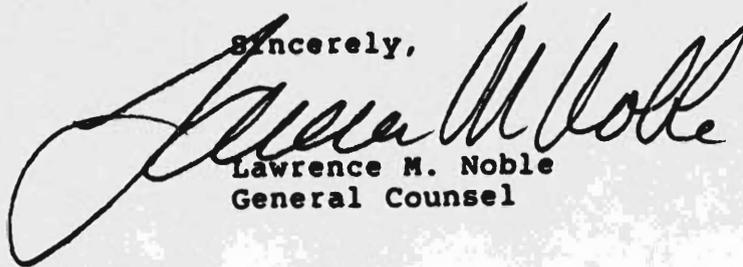
Pursuant to your request, this Office is withholding any recommendation for civil suit for two weeks. Full payment of the penalty should be made, therefore, by close of business on September 28, 1988.

89040725227

Letter to William R. White, Esquire
Page Two

If you have any questions regarding this matter, please
contact Jonathan Levin at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lawrence M. Noble".

Lawrence M. Noble
General Counsel

89040725228

CLOSED

FEDERAL ELECTION COMMISSION

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COMMISSION

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423

2072

Law Office

Kaplan, Rassin & Vecchi

1215 Seventeenth Street, N.W. Washington, D.C. 20036

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645 MADISON AVENUE, NEW YORK 10022
589 CALIFORNIA STREET, SAN FRANCISCO 94104
EDIFICIO LA CUMBRE, SANTO DOMINGO
285 TUN HWA N. ROAD, TAIPEI

September 19, 1988

By Messenger

Jonathan Levin, Esq.
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Dear Mr. Levin:

This letter authorizes you, and any other attorney in the Office of General Counsel, to communicate, meet with, correspond with, or in any other respect deal with the undersigned in connection with any and all matters involving the John Glenn Presidential Committee, Inc.

This letter also ratifies, as authorized, any prior communications, meetings, correspondence, and dealings involving you, or any other attorney in the Office of the General Counsel, with the undersigned in connection with any matters involving the John Glenn Presidential Committee, Inc.

Sincerely,



William R. White

WRW/id

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