



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3883

DATE FILMED 12-11-54 CAMERA NO. 2

CAMERAMAN JMN

24043594299

BEFORE THE
FEDERAL ELECTION COMMISSION
Washington, D.C. 20463

CENTER FOR RESPONSIVE POLITICS

1320 19th Street, N.W.
Washington, D.C. 20036
(202) 857-0044

v.

Complainant,

S. Daniel Abraham

Respondent,

COMPLAINT

MUR 388.3

94 JAN 21 PM 4:32

FEDERAL RECEIVED
FEDERAL ELECTION COMMISSION

COMPLAINT OF CENTER FOR RESPONSIVE POLITICS

1. This complaint charges that the respondent has violated the Federal Election Campaign Act, 2 U.S.C. § 431 et seq., as amended ("FECA"), by making aggregate contributions in excess of the limits permitted by the FECA.

PARTIES

2. The complainant, the Center for Responsive Politics, is a nonprofit, nonpartisan research group incorporated in the State of Iowa and headquartered in Washington, D.C., that studies Congress and related issues. Founded in 1983, it was designed to research matters concerning the organization and operation of Congress as an institution and to examine potential reforms that could improve both its internal operation and its responsiveness to the American public. The patterns of contributions of money to federal candidates has been one of its chief areas of study.

3. The respondent is an individual contributor to various candidates and political committees.

24043594300

APPLICABLE STATUTES AND REGULATIONS

4. The FECA limits contributions by any one individual to an aggregate total of \$25,000 per calendar year. Contributions to a candidate or the candidate's authorized committee made in a year other than the calendar year of the election with respect to which the contribution is made are considered to be made during the calendar year in which such election is held. 2 U.S.C. § 441a(a)(3); 11 C.F.R. § 110.5.

GROUND FOR COMPLAINT

5. According to FEC records, respondent S. Daniel Abraham made contributions subject to FECA in the amounts and to the persons identified in the list attached to this complaint as Exhibit 1. Attached as Exhibit 2 are copies of the FEC records for each contribution listed in Exhibit 1. All exhibits reflect the records on file at the FEC as of December 15, 1993.

6. On information and belief, respondent S. Daniel Abraham made contributions attributed to the 1992 calendar year in the amount of \$38,000. These contributions exceeded by \$13,000 the \$25,000 contribution limit imposed by the FECA and Commission regulations on all contributions by any individual in a calendar year.

RELIEF

7. The Center for Responsive Politics respectfully urges the Commission to conduct a prompt and thorough investigation into the allegations in this Complaint, and to declare that the Respondent has violated the FECA and Commission regulations.

Respectfully submitted,



Ellen S. Miller
Executive Director
CENTER FOR RESPONSIVE POLITICS
1320 19th Street, N.W.
Washington, D.C. 20036
(202) 857-0044

Date: January 14, 1994

24043594301

Summary of FEC Data

| Recipient | Amount | Date | FEC Microfilm Location |
|-------------------------------------|---------------|-------------|-------------------------------|
| Bush, George | \$1,000 | 11/26/91 | 92FEC/731/0640 |
| D'Amato, Alfonse M | \$1,000 | 01/10/91 | 91sen/008/3047 |
| Democratic Senatorial Campaign Cmte | \$20,000 | 08/18/92 | 92SEN/020/1561 |
| Holtzman, Elizabeth | \$1,000 | 09/24/91 | 92sen/009/2906 |
| Holtzman, Elizabeth | \$1,000 | 12/01/91 | 92sen/009/2906 |
| Holtzman, Elizabeth | \$-1,000 | 11/16/92 | 93SEN/001/4444 |
| Levine, Mel | \$1,000 | 06/27/91 | 91SEN/006/3949 |
| National PAC | \$5,000 | 09/18/92 | 92FEC/793/5466 |
| New York Salute 1992 | \$2,000 | 06/18/92 | 92FEC/768/0025 |
| Richardson, Bill | \$1,000 | 05/05/92 | 92HSE/452/1503 |
| Shepherd, Karen | \$500 | 04/30/92 | 92hse/453/2918 |
| Utah State Democratic Cmte | \$5,000 | 08/19/92 | 92fec/791/0839 |
| Weber, John Vincent | \$500 | 11/12/91 | 92HSE/438/4026 |

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Total Contributions Attributed to 1992: \$38,000

S. Daniel Abraham
Exhibit 2

24043594304

SCHEDULE A

ITEMIZED RECEIPTS

CONTRIBUTIONS FROM INDIVIDUALS/PARTIES

All information on this schedule should be true and correct. This may not be sold or used by any person for the purpose of collecting contributions or for campaign purposes other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE OR FUND
Karen Shepherd for Congress 000237766

90014532919

| A. Full Name, Mailing Address and ZIP Code | Name of Employer | Date (month, day, year) | Amount of Each Receipt (This Period) |
|---|--|--|---|
| Jay Jordan 315 Park Avenue South New York, NY 10010 | The Jordan Company | 8/92 | 2000.00 see below |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General Other (specify): Contribution | Occupation: Businessman | Aggregate Year-to-Date: \$ 2000.00 | |
| B. Full Name, Mailing Address and ZIP Code Note: Above donor's aggregate reported \$2000.00 re-designation of 1000.00 for | Name of Employer | Date (month, day, year) | Amount of Each Receipt (This Period) |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General Other (specify): | Occupation: | Aggregate Year-to-Date: | contributions total: contributions total: general requested. |
| C. Full Name, Mailing Address and ZIP Code Dan Abraham 919 3rd Avenue 26th Floor New York, NY 10022 | Name of Employer Sigm Faust | Date (month, day, year) 4/20/92 | Amount of Each Receipt (This Period) 500.00 |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General Other (specify): Contribution | Occupation: Businessman | Aggregate Year-to-Date: > \$ 1000.00 | |
| D. Full Name, Mailing Address and ZIP Code Peace PAC (contributor) 110 Maryland Avenue, N.E. Washington, D.C. 20002 | Name of Employer Not itemized under \$200.00 | Date (month, day, year) | Amount of Each Receipt (This Period) 3129.22 |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General Other (specify): Contribution | Occupation: | Aggregate Year-to-Date: > \$ | |
| E. Full Name, Mailing Address and ZIP Code R. Bright Hertz 140 East 300 South Salt Lake City, UT 84111 | Name of Employer Utah Department of Employment Security | Date (month, day, year) 6/16/92 | Amount of Each Receipt (This Period) 1070.00 in-kind computer |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General Other (specify): Contribution | Occupation: | Aggregate Year-to-Date: > \$ 1000.00 | |
| F. Full Name, Mailing Address and ZIP Code | Name of Employer | Date (month, day, year) | Amount of Each Receipt (This Period) |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General Other (specify): | Occupation: | Aggregate Year-to-Date: \$ | |
| G. Full Name, Mailing Address and ZIP Code | Name of Employer | Date (month, day, year) | Amount of Each Receipt (This Period) |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General Other (specify): | Occupation: | Aggregate Year-to-Date: \$ | |

GRAND TOTAL of Receipts This Page (optional): **6629.22**

TOTAL This Period (fill page this line number only):

ITEMIZED RECEIPTS

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

PAGE 1 of 1 FOR LINE NUMBER 1

All contributions reported on this Schedule A and Statements may not be deductible by any person for the purpose of determining contributions for the calendar year in which they are made, other than the calendar year of address of any political committee to which contributions from such committee

NAME OF COMMITTEE (in full)

SENATOR DIAMANTO

| A. Full Name, Mailing Address and ZIP Code | Name of Employer | Date (month, day, year) | Amount of Each Receipt this Period |
|--|--|--|--|
| ✓ [Name redacted] [Address redacted] [City, State, ZIP redacted] | Trustees of Medical University | 4/10/91 | ✓ |
| Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify) | Occupation: [redacted] | Aggregate Year to Date > \$ 1,000.00 | |
| B. Full Name, Mailing Address and ZIP Code [Name redacted] [Address redacted] [City, State, ZIP redacted] | Name of Employer: [redacted] Public Library | Date (month, day, year): 1/10/91 | Amount of Each Receipt this Period: 1,875.00 |
| Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify) | Occupation: Librarian | Aggregate Year to Date > \$ 1,875.00 | |
| C. Full Name, Mailing Address and ZIP Code Byron Jarvis 121 Wood Lane [Address redacted], New York 11743 | Name of Employer: Cablevision | Date (month, day, year): 1/19/91 | Amount of Each Receipt this Period: 1,000.00 |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) | Occupation: [redacted] | Aggregate Year to Date > \$ 1,000.00 | |
| D. Full Name, Mailing Address and ZIP Code James A. Bufalci 250 South Essex Road [Address redacted], New York 11742 | Name of Employer: Cablevision | Date (month, day, year): 1/18/91 | Amount of Each Receipt this Period: 1,875.00 |
| Receipt For: <input checked="" type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify) 1,000.00 875.00 | Occupation: Chief Operating Officer | Aggregate Year to Date > \$ 1,875.00 | |
| E. Full Name, Mailing Address and ZIP Code [Name redacted] [Address redacted] Old Westbury, New York 11768 | Name of Employer: Cablevision | Date (month, day, year): 1/10/91 | Amount of Each Receipt this Period: 1,000.00 |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) | Occupation: Attorney | Aggregate Year to Date > \$ 1,000.00 | |
| F. Full Name, Mailing Address and ZIP Code [Name redacted] [Address redacted] [City, State, ZIP redacted] | Name of Employer: [redacted] | Date (month, day, year): 1/10/91 | Amount of Each Receipt this Period: [redacted] |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) | Occupation: [redacted] | Aggregate Year to Date > \$ 1,000.00 | |
| G. Full Name, Mailing Address and ZIP Code [Name redacted] [Address redacted] [City, State, ZIP redacted] | Name of Employer: [redacted] | Date (month, day, year): [redacted] | Amount of Each Receipt this Period: [redacted] |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) | Occupation: [redacted] | Aggregate Year to Date > \$ [redacted] | |

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SUBTOTAL of this page (total)

TOTAL This Period (page plus line number only)

SCHEDULE A - ITEMIZED RECEIPTS

PAGE: 1 OF 3

Contributions from Individuals/Persons

LINE NUMBER 11A

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

of Committee: NEW MEXICANS FOR BILL RICHMONDSON

| Name and Address | Employer: | Date | Amount |
|--|--|----------|----------------|
| Nancy Bloch 797 Camino Del Monte Sol Santa Fe, NM 87501 | Nancy Bloch Design Occupation: Owner | 04/14/92 | 1000.00 |
| Receipt for General: 1992 YTD amount: 3000.00 | | | |
| PARTNERSHIP Dornbush, Mandelstan & Silverstein 747 Third Avenue New York, NY 10017 | See attribution below Occupation: N/A | 04/21/92 | 300.00 |
| Receipt for Primary 1992 YTD amount: 300.00 | | | |
| Mr. Darvin Dornbush Dornbush, Mandelstan & Silverstein 747 Third Avenue New York, NY 10017 | Dornbush, Mandelstan & Occupation: PARTNER | 04/21/92 | 300.00 MEMO |
| Receipt for Primary 1992 YTD amount: 300.00 | | | |
| S. Daniel Abraham Slim Fast 200 E. 65th Street New York, NY 10022 | Slim Fast Occupation: President | 03/03/92 | 1000.00 |
| Receipt for Primary 1992 YTD amount: 1000.00 | | | |
| Nancy Bloch 797 Camino Del Monte Sol Santa Fe, NM 87501 | Nancy Bloch Design Occupation: Owner | 04/14/92 | 1000.00 |
| Receipt for Primary 1992 YTD amount: 2000.00 | | | |
| Johnny D. Cope 1020 E. Albertson Hobbs, NM 88340 | Hobbs Rental Occupation: President | 04/23/92 | 250.00 |
| Receipt for Primary 1992 YTD amount: 250.00 | | | |
| Sub-total receipts this pg: | | | 3750.00 |

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SCHEDULE A

ITEMIZED RECEIPTS

PAGE 9 OF 93

LIS WOLTMAN FOR SENATE, 12/31/91

LINE 11 (a) (1)

FULL NAME, ADDRESS, ZIP CODE

EMPLOYER/OCCUPATION

DATE

AMOUNT

R/G

Jonathan Reiss
120 East 36th St. #4A
New York NY 10016

Sanford C. Bernstein & Co.
Portfolio Manager

12/18/91 \$120.00 P
10/18/91 \$60.00 P
08/18/91 \$60.00 P

AGGREGATE YTD 90:
AGGREGATE YTD 91: \$240.00

S. Daniel Abraham
919 Third Avenue
New York NY 10022

Slim Past
Chairman

12/01/91 \$1,000.00 P
09/24/91 \$1,000.00 C

AGGREGATE YTD 90:
AGGREGATE YTD 91: \$2,000.00

Warren Alpert
465 Park Ave.
New York NY 10022

Warren Equities Inc.
Chairman

12/18/91 \$250.00 P

AGGREGATE YTD 90:
AGGREGATE YTD 91: \$250.00

Hester Diamond
300 Central Park West
New York NY 10024

Information Requests

08/18/91 \$250.00 P

AGGREGATE YTD 90:
AGGREGATE YTD 91: \$250.00

Manuel Elken
419 Park Avenue South
New York NY 10016

Manuel Elken Co. P.C.
Owner

12/01/91 \$300.00 P

AGGREGATE YTD 90:
AGGREGATE YTD 91: \$300.00

Michael Finkelstein
25 East 86th Street
New York NY 10028

Lord Day Lord
Attorney

12/01/91 \$484.85 P
\$15.15 G

AGGREGATE YTD 90:
AGGREGATE YTD 91: \$1,000.00

Alan Greenberg
245 Park Avenue
New York NY 10167

Bear Stearns & Co.
CEO

12/01/91 \$700.00 P

AGGREGATE YTD 90:
AGGREGATE YTD 91: \$700.00

Any info. copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contrib. or for commercial purpose, other than using name & addr. of a political comm. to solicit from the comm.

Full Name of Committee: Liz Holtzman for Senate

A. Full Name, Address, Zip Purpose of Disbursement Date Disburse

S. Daniel Abraham
Slim Fast
919 Third Avenue
New York, NY 10022

Refund of contr. 11/16/92 1000.00

Year-to-Date Total: \$ 1000.00

B. Full Name, Address, Zip Purpose of Disbursement Date Disburse

Charles Allen Jr
Allen & Co
711 Fifth Avenue
New York, NY 10022

Refund of contr. 11/16/92 1000.00

Year-to-Date Total: \$ 1000.00

C. Full Name, Address, Zip Purpose of Disbursement Date Disburse

Marion Lee
376 Broadway
#10F
New York, NY 10012

Refund of contr. 11/16/92 500.00

Year-to-Date Total: \$ 500.00

D. Full Name, Address, Zip Purpose of Disbursement Date Disburse

Anita Litvack
30 Lincoln Place
5N
New York, NY 10022

Refund of contr. 11/23/92 25.00

Year-to-Date Total: \$ 25.00

E. Full Name, Address, Zip Purpose of Disbursement Date Disburse

D. Lee Hayes
480 Park Avenue
New York, NY 10022

Refund of contr. 11/23/92 350.00

Year-to-Date Total: \$ 350.00

F. Full Name, Address, Zip Purpose of Disbursement Date Disburse

Charlie Marangoudakis
50 Vidoni Drive
Mt. Sinai, NY 11766

Refund of contr. 11/23/92 250.00

Year-to-Date Total: \$ 250.00

SUBTOTAL of Disbursements This Page 3125.00

TOTAL This Period

240435924449

SCHEDULE A

ITEMIZED RECEIPTS

Use separate schedules for each category of the Detailed Summary Page

PAGE 01
OF 20
FOR LINE NUMBER 1111

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

NAME OF COMMITTEE (in Full)

UTAH State Democratic Committee

3403413151924371

| A. Full Name, Mailing Address and ZIP Code | Name of Employer | Date (month, day, year) | Amount of Each Receipt this Period |
|---|---|-------------------------------------|---|
| S Daniel Abraham New York City, NY |  | 08/19/92 | \$5,000.00 |
| Receipt For: <input type="checkbox"/> Other (specify) <input type="checkbox"/> Primary <input type="checkbox"/> General | Occupation | |  |
| Aggregate Year-to-Date > \$ | | | |
| B. Full Name, Mailing Address and ZIP Code U. Dale Ross 95 West 1650 North Centerville, UT 84014 | Name of Employer Occupation | Date (month, day, year) 08/19/92 | Amount of Each Receipt this Period \$10.00 |
| Receipt For: <input type="checkbox"/> Other (specify) <input type="checkbox"/> Primary <input type="checkbox"/> General | Occupation | 08/19/92 | \$10.00 |
| Aggregate Year-to-Date > \$ | | | |
| C. Full Name, Mailing Address and ZIP Code William Mc Clure 6400 South 2365 East Salt Lake City, UT 84121 | Name of Employer Occupation | Date (month, day, year) 08/19/92 | Amount of Each Receipt this Period \$10.00 |
| Receipt For: <input type="checkbox"/> Other (specify) <input type="checkbox"/> Primary <input type="checkbox"/> General | Occupation | 08/19/92 | \$10.00 |
| Aggregate Year-to-Date > \$ | | | |
| D. Full Name, Mailing Address and ZIP Code Allison B. Clyde 908 Hillcrest Drive Salt Lake City, UT 84143 | Name of Employer Occupation | Date (month, day, year) 08/26/92 | Amount of Each Receipt this Period \$200.00 |
| Receipt For: <input type="checkbox"/> Other (specify) <input type="checkbox"/> Primary <input type="checkbox"/> General | Occupation | 08/26/92 | \$200.00 |
| Aggregate Year-to-Date > \$ | | | |
| E. Full Name, Mailing Address and ZIP Code Alene H. Bussen 3604 Crestwood Drive Salt Lake City, UT 84109 | Name of Employer Occupation | Date (month, day, year) 08/26/92 | Amount of Each Receipt this Period \$50.00 |
| Receipt For: <input type="checkbox"/> Other (specify) <input type="checkbox"/> Primary <input type="checkbox"/> General | Occupation | 08/26/92 | \$50.00 |
| Aggregate Year-to-Date > \$ | | | |
| F. Full Name, Mailing Address and ZIP Code Amanda S. Berusch 127 Oakridge Drive Bountiful, UT 84010 | Name of Employer Occupation | Date (month, day, year) 08/20/92 | Amount of Each Receipt this Period \$100.00 |
| Receipt For: <input type="checkbox"/> Other (specify) <input type="checkbox"/> Primary <input type="checkbox"/> General | Occupation | 08/20/92 | \$100.00 |
| Aggregate Year-to-Date > \$ | | | |
| G. Full Name, Mailing Address and ZIP Code Ann W. Erickson 9725 Ruskin Circle Sandy, UT 84092 | Name of Employer Occupation | Date (month, day, year) 08/26/92 | Amount of Each Receipt this Period \$100.00 |
| Receipt For: <input type="checkbox"/> Other (specify) <input type="checkbox"/> Primary <input type="checkbox"/> General | Occupation | 08/26/92 | \$100.00 |
| Aggregate Year-to-Date > \$ | | | |

SUBTOTAL (All Receipts This Period)

TOTAL (This Period) (attach page if line number only)

SCHEDULE A

Form No. 1042
 999 F Street, N.W.
 Washington, D.C.

ITEMIZED RECEIPTS

| | | |
|---|-------------------|------------------------|
| For separate receipts for each category of contributions see page | PAGE 62 | Of (total pages) 72 |
| | LINE NUMBER 22 | |

NAME OF DONOR: **BUS - SMITH 92 PRIME LIND, III**

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

| NAME ADDRESS CITY STATE ZIP CODE | NAME OF EMPLOYER Info Requested OCCUPATION Info Requested AGGREGATE YEAR TO DATE | RECEIPT FOR Primary General | DATE (MONTH DAY, YEAR) | AMOUNT OF EACH RECEIPT THIS PERIOD |
|--|--|-----------------------------------|---------------------------------|--|
| NAME ADDRESS CITY STATE ZIP CODE Meyer, M. B. Jr. 465 E. Deerpath Lake Forest, IL 60047 | Info Requested OCCUPATION Info Requested AGGREGATE YEAR TO DATE \$1,000.00 | Primary General | 11/29/91 | \$1,000.00 |
| NAME ADDRESS CITY STATE ZIP CODE Adelman, M. S. Jr. 679 Third Ave New York, NY 10022 | Info Requested OCCUPATION President/CEO AGGREGATE YEAR TO DATE \$1,000.00 | Primary General | 11/26/91 | \$1,000.00 |
| NAME ADDRESS CITY STATE ZIP CODE Gerstner, Mrs. Robins L. 95 Field Point Circle Greenwich, CT 06830 | Info Requested OCCUPATION Info Requested AGGREGATE YEAR TO DATE \$1,000.00 | Primary General | 11/12/91 | \$1,000.00 |
| NAME ADDRESS CITY STATE ZIP CODE Johnson, Mr. Deane S. 834 Fifth Avenue Apt. 11C New York, NY 10021 | Info Requested OCCUPATION Info Requested AGGREGATE YEAR TO DATE \$500.00 | Primary General | 11/12/91 | \$500.00 |
| NAME ADDRESS CITY STATE ZIP CODE Verrino, Ms. Rosanna 71-36 110 Street Forest Hills, NY 11375 | Info Requested OCCUPATION Info Requested AGGREGATE YEAR TO DATE \$1,000.00 | Primary General | 11/12/91 | \$1,000.00 |
| NAME ADDRESS CITY STATE ZIP CODE Mc Conn, Mr. Joseph E. 225 East 72nd Street New York, NY 10021 | Info Requested OCCUPATION Executive AGGREGATE YEAR TO DATE \$1,000.00 | Primary General | 11/18/91 | \$1,000.00 |
| NAME ADDRESS CITY STATE ZIP CODE | NAME OF EMPLOYER | | | \$ |

SCHEDULE A

ITEMIZED RECEIPTS

For each category of the
Detailed Summary Page

1992
FORM LINE NUMBER
11A

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

NAME OF COMMITTEE (in Full)

NEW YORK SALUTE 1992

3 / 5 8 J 0 2 5

| A. Full Name, Mailing Address and ZIP Code | Name of Employer | Date (month, day, year) | Amount of Each Receipt this Period |
|---|--|-------------------------|------------------------------------|
| Jack Saltz 885 Second Avenue New York, NY 10017 | None | 6/17/92 | 5,000.00 |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): | Occupation Self-employed Aggregate Year-to-Date > 8 | 5,000.00 | |
| B. Full Name, Mailing Address and ZIP Code | Name of Employer | Date (month, day, year) | Amount of Each Receipt this Period |
| Justin C. Y. 15 Bowery New York, NY 10002 | World Journal | 6/17/92 | 1,000.00 |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): | Occupation Employee Aggregate Year-to-Date > 8 | 1,000.00 | |
| C. Full Name, Mailing Address and ZIP Code | Name of Employer | Date (month, day, year) | Amount of Each Receipt this Period |
| Raymond Zimmerman P.O. Box 150769 Nashville, TN 37215 | Service Merchandise Corp. | 6/17/92 | 1,000.00 |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): | Occupation President Aggregate Year-to-Date > 8 | 1,000.00 | |
| D. Full Name, Mailing Address and ZIP Code | Name of Employer | Date (month, day, year) | Amount of Each Receipt this Period |
| S. Daniel Abraham 919 Third Avenue New York, NY 10022 | Thompson Medical Company | 6/18/92 | 2,000.00 |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): | Occupation CEO Aggregate Year-to-Date > 8 | 2,000.00 | |
| E. Full Name, Mailing Address and ZIP Code | Name of Employer | Date (month, day, year) | Amount of Each Receipt this Period |
| Arlene N. Gibbons 1115 Fifth Avenue New York, NY 10128 | Delta Airlines | 6/18/92 | 5,000.00 |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): | Occupation Flight Attendant Aggregate Year-to-Date > 8 | 5,000.00 | |
| F. Full Name, Mailing Address and ZIP Code | Name of Employer | Date (month, day, year) | Amount of Each Receipt this Period |
| Edward N. Gibbons 1115 Fifth Avenue New York, NY 10028 | Gibbons Goodwin Van Amerongen | 6/18/92 | 5,000.00 |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): | Occupation Investment Banker Aggregate Year-to-Date > 8 | 5,000.00 | |
| G. Full Name, Mailing Address and ZIP Code | Name of Employer | Date (month, day, year) | Amount of Each Receipt this Period |
| Dr. Rudgers 270 Longwood Road Port Washington, NY 11050 | Progressive Management Inc. | 6/18/92 | 1,000.00 |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): | Occupation Executive Aggregate Year-to-Date > 8 | 1,000.00 | |

SUBTOTAL of Receipts This Page (optional):

20,000.00

TOTAL This Period (fill page this line number only)

SCHEDULE A

ITEMIZED RECEIPTS
(Contributions from Individuals/
Persons Other Than Political Committees)

Use separate schedule(s) PAGE 1 of
for each category of the 2 256
Detailed Summary Page FOR LINE NUMBER
11(a)(1)

NAME OF COMMITTEE (in full)
Levine Campaign Committee

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

For the period 01-01-91 thru 06-30-91 Over \$200 YTD

| Full name, mailing Address and ZIP Code | Name of Employer Occupation Aggregate Year-to-Date | Date (month, day, year) | Amount of Each Receipt | Primary for |
|---|--|----------------------------|------------------------------|----------------|
| Abel, Leslie B 11777 San Vicente Bl 0500 Los Angeles CA 90049 | Hyman, Abel et al. Attorney Aggregate Year to date: \$1,000.00 | 05-30-91 | 1,000.00 | Primary |
| Abraham, S Daniel 910 - 3rd Av New York NY 10022 | Slim Fast Foods Co. President Aggregate Year to date: \$1,000.00 | 06-27-91 | 1,000.00 | Primary ✓ |
| Abraham, James S 309 9th St Santa Monica CA 90402 | James S Abraham Director Aggregate Year to date: \$250.00 | 04-11-91 | 250.00 | Primary |
| Abramowitz, Elhan 96 Middle Rd Sands Point NY 11050 | Morrillo Abramowitz et al Attorney Aggregate Year to date: \$500.00 | 06-13-91 | 500.00 | Primary |
| Abramowitz, Kenneth 13 Harcourt Scarsdale NY 10583 | Sanford, Bernstein & Co. Consultant Aggregate Year to date: \$500.00 | 06-26-91 | 500.00 | Primary |
| Abramowitz, Paul 117 Bone Ct Marina del Rey CA 90292 | Western Costume Co. President Aggregate Year to date: \$1,000.00 | 04-30-91 | 1,000.00 | Primary |
| Abrams, Gerald 249 N Saltair Av Los Angeles CA 90049 | Hearst Corp. Chairman Aggregate Year to date: \$250.00 | 06-21-91 | 250.00 | Primary |

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11

NETTA of Receipts This Page (Optional)

\$ 500.00

TOTAL This Period (last page this line) (required)

SCHEDULE A

ITEMIZED RECEIPTS

Any info. copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contrib. or for commercial purpose, other than using name & addr. of a political comm. to solicit from the comm.

Full Name of Committee: Friends of Vin Weber Committee

| A. Full Name, Address, Zip | Employer/Occupation | Date | Receipts |
|--|------------------------------------|----------|----------|
| Morris Mark 1111 Park Avenue New York NY 10028 | Info. Requested Info. Requested | 12/10/91 | 100.00 |

Receipt for: Primary Year-to-Date Total: \$ 300.00

| B. Full Name, Address, Zip | Employer/Occupation | Date | Receipts |
|---|---------------------|----------|----------|
| Jack R. Lampert 4807 Sheridan Avenue, S. Minneapolis MN 55410 | Retired | 10/15/91 | 500.00 |

Receipt for: Primary Year-to-Date Total: \$ 1000.00

| C. Full Name, Address, Zip | Employer/Occupation | Date | Receipts |
|--|----------------------------------|----------|----------|
| Alan S. McDowell 905 W. Ferndale Road Wayzata MN 55391 | Self-employed Info. Requested | 07/18/91 | 1000.00 |

Receipt for: Primary Year-to-Date Total: \$ 1000.00

| D. Full Name, Address, Zip | Employer/Occupation | Date | Receipts |
|---|-----------------------------|----------|----------|
| Michael J. Blake 4816 Park Glen Road Minneapolis MN 55416 | Grain Exchange Executive | 10/22/91 | 500.00 |

Receipt for: Primary Year-to-Date Total: \$ 500.00

| E. Full Name, Address, Zip | Employer/Occupation | Date | Receipts |
|--|----------------------------------|----------|----------|
| S. D. Abraham 919 Third Avenue New York NY 10022 | SDA Consulting Chairman & CEO | 11/12/91 | 500.00 |

Receipt for: Primary Year-to-Date Total: \$ 500.00

| F. Full Name, Address, Zip | Employer/Occupation | Date | Receipts |
|---|-----------------------------------|----------|----------|
| James Gidwitz 325 N. Wells St. Chicago IL 60610 | Info. Requested Business Exec. | 12/16/91 | 250.00 |

Receipt for: Primary Year-to-Date Total: \$ 250.00

SUBTOTAL of Receipts This Page 1000.00

TOTAL This Period

SCHEDULE A

ITEMIZED RECEIPTS

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

DEMOCRATIC SENATORIAL CAMPAIGN COMMITTEE

| Name, Mailing Address and ZIP Code | Employer/ Occupation | Date | Amount |
|---|--|---------|------------------|
| S. Daniel Abraham 919 3rd Avenue 26th Floor New York, NY 10022 | Thompson Medical Corp. President | 8/18/92 | \$20,000.00 ✓ |
| | Y-T-D \$20,000.00 | | |
| George S. Abrams One Court Street Boston, MA 02108 | Winer & Abrams Attorney | 8/18/92 | \$1,000.00 |
| | Y-T-D \$1,000.00 | | |
| Russell B. Adams 9120 Harrington Drive Potomac, MD 20854 | Information Requested | 8/13/92 | \$50.00 |
| | Y-T-D \$268.75 | | |
| Carolyn E. Agger 1200 New Hampshire Avenue, N.W. Washington, DC 20036 | Arnold & Porter Attorney | 8/18/92 | \$500.00 |
| | Y-T-D \$500.00 | | |
| Theodore L. Agnew 1216 North Lincoln Stillwater, OK 74075 | Retired | 8/31/92 | \$40.00 |
| | Y-T-D \$272.00 | | |
| Kayes Ahmed 14651 Ventura Blvd. Sherman Oaks, CA 91403 | Interactive Telemedia Chairman | 8/5/92 | \$20,000.00 |
| | Y-T-D \$20,000.00 | | |
| Peter C. Aldrich 151 Coolidge Hill Cambridge, MA 02138 | Aldrich, Eastman & Waltch President | 8/18/92 | \$1,000.00 |
| | Y-T-D \$1,000.00 | | |
| Subtotal of Receipts This Page | | | \$42,590.00 |

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 28, 1994

Ellen S. Miller, Executive Director
Center for Responsive Politics
1320 19th Street, N.W.
Washington, D.C. 20036

RE: MUR 3883

Dear Ms. Miller:

This letter acknowledges receipt on January 21, 1994, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by S. Daniel Abraham. The respondent will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 3883. Please refer to this number in all future communications. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosure
Procedures

24043594317



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

January 28, 1994

S. Daniel Abraham
919 Third Avenue
New York, NY 10022

RE: MUR 3883

Dear Mr. Abraham:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3883. Please refer to this number in all future correspondence.

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

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

24043594318

S. Daniel Abraham
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

24043594319



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

FEB 15 1974

Mary Cheasty Kornman, Treasurer
Liz Holtzman for Senate
99 Hudson Street - 4th Floor
New York, NY 10013

RE: MUR 3883

Dear Ms. Kornman:

The Federal Election Commission received a complaint which indicates that the Liz Holtzman for Senate ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3883. Please refer to this number in all future correspondence.

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

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

24043594320

Mary Cheasty Kornman, Treasurer
Liz Holtzman for Senate
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

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RECEIVED
FEDERAL TRADE
COMMISSION

CURTIS, MALLET-PREVOST, COLT & MOSLE

ATTORNEYS AND COUNSELLORS AT LAW

1801 K STREET, **FEB 16 11 36 AM '94**

SUITE 1205 L

WASHINGTON, D.C. 20006

TELEPHONE: 202-452-7373

CABLE MIGNIARD WASHINGTON D.C.

TELEX ITT 440379 CMPUI

TELECOPIER 202-452-7333

VOICE MAILBOX 202-452-7377

TWO THROGMORTON AVENUE

LONDON, EC2N 2DL

TELEPHONE 4471-638-7957

TELEX 264 094 CMPCM

TELECOPIER 4471-638-5512

8, AVENUE VICTOR HUGO

75116 PARIS

TELEPHONE 331-45-00-99-68

TELEX 640754 MIGNIAR

TELECOPIER 331-45-00-84-06

FREIHERR-VOM-STEIN STR 24-26

60323 FRANKFURT AM MAIN

TELEPHONE 4969-17-30-03

TELECOPIER 4969-17-33-99

PUEBLA NO. 112

COL. ROMA

06700 MEXICO, D.F.

TELEPHONE 525-207-1496

TELECOPIER 525-207-4843

WRITER'S DIRECT DIAL NUMBER

(202) 452-7350

RECEIVED
FEDERAL TRADE COMMISSION
94 FEB 16 PM 12:48

February 15, 1994

101 PARK AVENUE
NEW YORK, N.Y. 10178-0061
TELEPHONE 212-696-6000
TELECOPIER 212-697-1559
TELEX AT&T 12 6811 MIGNIARD
MC: 66172 MIGNIAR
AT&T 422127 MIGND
NYDEX BOX NO. 2041
VOICE MAILBOX 212-696-6028

2 HOUSTON CENTER
909 FANNIN STREET
SUITE 3725

HOUSTON, TX 77010
TELEPHONE 713-759-9555
TELECOPIER 713-759-0712

ONE GATEWAY CENTER
SUITE 403

NEWARK, N.J. 07102-5311
TELEPHONE 201-622-0605
TELECOPIER 201-622-5646

BY TELECOPIER (219-3923) AND MAIL

**Mary L. Taksar, Esquire
Federal Trade Commission
Washington, D.C. 20463**

Dear Ms. Taksar:

On behalf of our client S. Daniel Abraham, I request an extension to March 4, 1994, of the time for him to respond to your letter of January 28th concerning MUR 3883. I enclose a faxed copy of his "Statement of Designation of Counsel", which designates Eliot Lauer and me as Mr. Abraham's counsel in this matter.

Your letter was sent to Mr. Abraham in New York, but he was in Florida and therefore it took some additional time to reach him. We received a copy of your letter on February 4th, and I immediately tried to reach Joan McEnery to request some additional time to respond. I finally talked with Ms. McEnery on February 8th, and she explained that a request for an extension of time (1) would have to be made in writing, and (2) would have

24043594322

Mary L. Taksar, Esquire
February 15, 1994
Page 2

to be accompanied by at least a faxed copy of Mr. Abraham's Statement of Designation of Counsel. We received the latter yesterday, which is why I am only today making this written request for the extension.

Mr. Abraham may have relevant records in his home or office. We need additional time in order to review his records and talk with appropriate people, and thus ensure a complete and accurate response to your letter.

Thank you for your consideration of this request.
Please call me, at 452-7350, if you have any questions.

Sincerely,


Jeffrey I. Zuckerman

24043594323

STATEMENT OF DESIGNATION OF COUNSEL

*Louie -
please make
sure
2/14 gets
copy of the
ELA*

NR 3933
NAME OF COUNSEL: Eliot Lauer
Jeffrey I. Suckerman
Curtis, Mallet-Prevost, Colt & Mosle
1801 K Street, N.W.
ADDRESS: Washington, D.C. 20006

RECEIVED
FEDERAL TRADE COMMISSION
94 FEB 16 PM 12:48

TELEPHONE: (202) 452-7373

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.

February 4, 1994
Date

[Signature]
Signature

RESPONDENT'S NAME: S. Daniel Abraham

ADDRESS: 150 Bradley Place
Palm Beach, FL 33480

TELEPHONE: HOME (407) 832-9467

BUSINESS (407) 820-9425

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STATEMENT OF DESIGNATION OF COUNSEL

*Louix -
PLEASE MAKE
sure
you get
copy of the
ELs*

NR 3811

NAME OF COUNSEL: Eliot Lauer
Jeffrey I. Susherman

Curtis, Mallet-Frevost, Colt & Mosie
1801 K Street, N.W.

ADDRESS: Washington, D.C. 20004

TELEPHONE: (202) 452-7373

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.

RECEIVED
FEDERAL ELECTION COMMISSION
94 FEB 15 PM 3:41

February 4, 1994
Date

[Signature]
Signature

RESPONDENT'S NAME: S. Daniel Abraham

ADDRESS: 150 Bradley Place

Palm Beach, FL 33480

TELEPHONE: HOME (407) 822-9467

BUSINESS (407) 820-9425

4043594325



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

FEB 18 1994

Jeffrey I. Zuckerman, Esquire
Curtis, Mallet-Prevost,
Colt & Mosle
1801 K Street, N.W.
Washington, DC 20006

RE: MUR 3883
S. Daniel Abraham

Dear Mr. Zuckerman:

This is in response to your letter dated February 15, 1994, which we received on that same date, requesting an extension until March 4, 1994, to respond to the complaint in this matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on March 4, 1994.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Green White
JM
Joan McEnery
Paralegal

24043594326

OAC 363

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FEDERAL ELECTION COMMISSION

CURTIS, MALLET-PREVOST, COLT & MOSLE

ATTORNEYS AND COUNSELLORS AT LAW

94 MAR -4 AM 11:42

101 PARK AVENUE
NEW YORK, N.Y. 10178-0061
TELEPHONE 212-696-8000
TELECOPIER 212-697-1559
TELEX AT&T 12 6811 MIGNIARD
MC 66172 MIGNIARD
AT&T 422127 MIGNIARD
NYDEX BOX NO 2041
VOICE MAILBOX 212-696-6028

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SUITE 1205 L
WASHINGTON, D.C. 20006

TWO THROGMORTON AVENUE
LONDON, EC2N 2DL
TELEPHONE 4471-638-7957
TELEX 264 094 CMPCM
TELECOPIER 4471-638-5512

TELEPHONE: 202-452-7373
CABLE MIGNIARD WASHINGTON D.C.
TELEX ITT 440379 CMPI
TELECOPIER 202-452-7333
VOICE MAILBOX 202-452-7377

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75116 PARIS
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TELEX 640754 MIGNIARD
TELECOPIER 331 45 00-84-06

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TELECOPIER 713-759-0712

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60323 FRANKFURT AM MAIN
TELEPHONE 4969 17-30-03
TELECOPIER 4969 17-33-99

ONE GATEWAY CENTER
SUITE 403
NEWARK, N.J. 07102-5311
TELEPHONE 201-622-0605
TELECOPIER 201-622-5646

PUEBLA NO 112
COL ROMA
06700 MEXICO, D.F.
TELEPHONE 525-207-1496
TELECOPIER 525-207-4843

WRITER'S DIRECT DIAL NUMBER
(202) 452-7360

March 4, 1994

BY HAND

Mary L. Taksar, Esquire
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Dear Ms. Taksar:

On behalf of our client, S. Daniel Abraham, I enclose a copy of an affidavit by Mr. Abraham, sworn to March 2, 1994, which he is submitting in response to your letter of January 28th concerning MUR 3883. I hope to have the original of this affidavit by Monday, March 7th, and to deliver it to you then.

The third-party complaint that accompanied your letter alleges that Mr. Abraham made contributions subject to the Federal Election Campaign Act ("FECA") attributed to 1992 in the amount of \$38,000, and thus exceeded by \$13,000 the \$25,000 FECA limitation upon such contributions.

As Mr. Abraham explains in his affidavit, the Utah State Democratic Committee has acknowledged that it made

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Mary L. Taksar, Esquire
March 4, 1994
Page 2

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a mistake in reporting a \$5,000 contribution it received from Mr. Abraham as a federal campaign contribution. Moreover, \$20,000 that Mr. Abraham contributed to the Democratic Senate Campaign Committee ("DSCC") was not intended to be used for federal campaign purposes, and this was told to the DSCC at the time the contribution was made. Therefore, this contribution, too, should not be counted toward the FECA limit. Not counting these two contributions, Mr. Abraham made only \$13,000 in federal campaign contributions attributable to 1992, which is well below the \$25,000 maximum permitted by law.

For this reason, as more fully explained in Mr. Abraham's affidavit, we respectfully submit that the Commission should take no action in this matter.

Respectfully submitted,

Jeffrey I. Zuckerman

(Enclosure)

HLLOEB14.WP

RE: MUR 2002 (S. Daniel Abraham)

STATE OF FLORIDA)
) ss.:
COUNTY OF PALM BEACH)

S. DANIEL ABRAHAM, being duly sworn, deposes and says:

1. I submit this affidavit to the Federal Election Commission in response to the letter addressed to me, dated January 28, 1994, from Mary L. Taksar, Attorney. For the reasons set forth below, I respectfully ask that no action be taken in this matter.

2. Ms. Taksar's letter enclosed a copy of a complaint that was filed with the Commission by Ellen S. Miller, Executive Director of the Center for Responsive Politics, on January 21st. Ms. Miller's complaint alleges that I made contributions of \$38,000, attributed to the 1992 calendar year, which exceeded by \$13,000 the \$25,000 contribution limit imposed by the Federal Election Campaign Act.

3. I have been making political contributions to political candidates, committees and parties for a number of years. As a result, I am generally familiar with some of the provisions of the Federal Election Laws, although by no means am I familiar with the details of the laws or the specific regulations promulgated by the Commission. Over the past few years, I have relied on attorneys and others familiar with

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Federal and local election laws to insure that my contributions comply with applicable Federal and local regulations.

Utah State Democratic Committee (\$5,000)

4. Among my contributions attributed to 1992 in Ms. Miller's complaint is \$5,000 that I gave to the Utah State Democratic Committee in August 1992. Before I made that contribution, I believe I was advised either by one of my attorneys or by another advisor familiar with the Election Laws that a contribution to a state party for non-federal purposes would not count against the \$25,000 annual limit on my federal campaign contributions. I relied upon this advice in making the \$5,000 contribution, and I intended and thought I was making this contribution for non-federal purposes.

5. In the Fall of 1993, a reporter called me and asked about my 1992 political contributions. As a result of that inquiry, I learned that the Utah Democratic Party had reported my August 1992 contribution as a federal contribution.

6. After I learned that my August 1992 contribution had been reported as a federal contribution, one of my attorneys contacted the Utah State Democratic Committee and requested that the contribution be properly designated to that Committee's non-federal account.

7. Following that request, I received a letter from the Executive Director of the Utah State Democratic Committee,

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Todd R. Taylor, dated October 26, 1993. Mr. Taylor apologized for the error, and wrote that the Committee would that day redesignate the \$5,000 in accordance with my wishes. I have attached a copy of Mr. Taylor's letter as Exhibit A.

8. In his letter, Mr. Taylor asked me to send written confirmation that the Committee had taken the appropriate steps. Accordingly, on November 8, 1993, I wrote to him "to confirm the appropriateness of the steps outlined in [his] . . . recent letter." I have attached a copy of my letter as Exhibit B.

9. I submit that my August 1992 contribution to the Utah State Democratic Committee should not be counted toward the statutory limit on my contributions to federal campaigns in 1992.

Democratic Senate Campaign Committee (\$20,000)

10. Also among my contributions attributed to 1992 in Ms. Miller's complaint is \$20,000 that I gave to the Democratic Senatorial Campaign Committee ("DSCC") in August 1992.

11. When I made this contribution, I was aware of the \$25,000 annual limit on federal political campaign contributions. Again, however, I believe one of my attorneys or another advisor familiar with Federal Election Laws advised me that the DSCC also has non-campaign uses for contributions, and that money contributed for those purposes would not count toward my \$25,000 annual limit.

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NILOEB14.WP

12. When I made my \$20,000 contribution to the DSCC, I intended it to be used for non-campaign purposes, and I believed that my intention was communicated to the individual or individuals who were involved in soliciting or processing this contribution.

13. In the Fall of 1993, at the same time that my attorneys contacted the Utah State Democratic Committee, they also contacted the Democratic Senatorial Campaign Committee to determine why the \$20,000 contribution was treated by the Committee as a federal campaign contribution. My attorneys were told that, despite my actual intent as communicated to the DSCC, the DSCC had treated the contribution as a contribution to a federal political campaign because my check was not explicitly designated as a non-campaign contribution. DSCC's treatment of the contribution was explicitly contrary to my intention. I have never authorized DSCC or anyone else to treat this contribution as a contribution to a federal political campaign.

14. For a number of years, I have made an effort to participate actively in our nation's political process while, at the same time, I have tried conscientiously to comply with the applicable laws and regulations governing such participation. In light of the advice from the DSCC with respect to my \$20,000 contribution, I can only conclude that whoever processed the contribution at DSCC neglected to take care of the requisite designation.

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15. Over the past six months, I have further improved what I thought already was a fairly good program for compliance with the various federal and state election laws. Now, it is my practice, and will continue to be my practice, to review each contribution with counsel to make certain that counsel is informed and satisfied that each contribution individually, as well as all contributions in the aggregate, is in compliance with all applicable law.

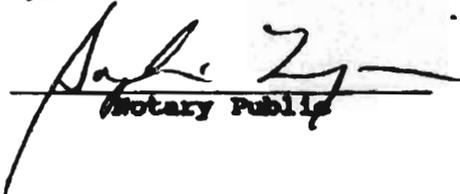
Conclusion

16. For the foregoing reasons, I respectfully request that the Commission not take any action in this matter.



S. Daniel Abraham

Sworn to before me this
2nd day of March, 1994.


Notary Public

OFFICIAL NOTARY SEAL
SOPHIE LIMPUS
RENEWAL NO. CC21743
MY COMMISSION EXP. FEB. 20, 1996

24043594333

Exhibit A

Utah Democrats

October 26, 1993

Dan Abraham
919 Third Avenue 26th Floor
New York City, NY 10022

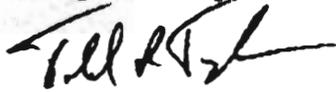
Dear Mr. Abraham,

It has recently come to our attention that your contribution of \$5,000.00 on August 19, 1992 was originally intended to be used for non-federal purposes and as such was erroneously deposited in our federal account. In an effort to correct the situation, it is our understanding that you would like the funds to be redesignated to the non-federal account as originally intended.

We shall redesignate those funds today in accordance with your wishes and apologize for the error. Your generosity is greatly appreciated.

I trust these actions will meet your expectations. We would appreciate written confirmation that we have taken the appropriate steps. Once again, thank you for your support.

Respectfully,



Todd R. Taylor

Dave Jones
Chair

Bill Hamilton
Vice Chair

Byron Anderson
Secretary

Warren Rasmussen
Treasurer

Louise Benson
National Coordinator

J.D. Williams
National Commitment

Executive Committee Members:

Rep. Frank Fitzgerald

Sen. Billie Peterson

Chad Alford

Tom Duggan

Roberta Christensen

Todd R. Taylor
Executive Director

Paula Blair
Office Administrator

Utah State
Democratic
Committee
453 West Harvard Drive
Salt Lake City, Utah 84115
801/484-1200

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S. DANIEL ABRAHAM

November 8, 1993

**Mr. Todd R. Taylor
Utah State Democratic Committee
Salt Lake City, Utah 84115**

Dear Mr. Taylor:

Thank you for your letter of October 26, 1993. I am writing to confirm the appropriateness of the steps outlined in your recent letter.

Very truly yours,



S. Daniel Abraham

SDA/dlr

2 4 0 4 3 5 9 4 3 3 5

LORD DAY & LORD, BARRETT SMITH

1675 BROADWAY
NEW YORK, N.Y. 10018-5574

TELEPHONE: (212) 969-8000
FACSIMILE: (212) 969-8100

WASHINGTON, D.C.
LONDON
NEWARK, NEW JERSEY
MOSCOW

WRITER'S DIRECT DIAL NUMBER
(212) 969-6424

March 8, 1994

Joan McEnery
Federal Election Commission
Washington, D.C. 20463

Re: MUR 3883

Dear Ms. McEnery:

I am writing as counsel to the Liz Holtzman for Senate Committee, of which the Treasurer is Mary Cheasty Kornman. This is an application for an additional two weeks in which to respond to the complaint of the Center for Responsive Politics referred to in your letter of February 15, 1994, received by us on February 22, 1994, bearing the MUR number referenced above. We find ourselves unable to respond with the 15 day time limit as a result of an illness in Ms. Kornman's family and need to complete some basic research into the issue.

Please call me ((212) 969-6424) or Ms. Kornman ((212) 876-0230) if you have any questions.

Sincerely,

Joseph F. McDonald
Joseph F. McDonald

JFMCD:pb

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Date: 03/16/94

To: Jean Mc Enery/HUR 3883 Federal Election Commission

Fax No. 202-219-3923

From: M.C. Konnman Six Holtzman for Senate (919-8760936)

Number of Pages: 2 (including this cover page)

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STATEMENT OF DESIGNATION OF COUNSEL

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NUR 3883

NAME OF COUNSEL: Joseph F. McDonald

ADDRESS: Lord Day & Lord Barnett Smith
1675 Broadway
Ny Ny 10019

TELEPHONE: (212) 969-6424

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.

Mar. 14 1994
Date

Mary Cheasty Korman,
Signature Treasurer

RESPONDENT'S NAME: Liz Holtzman for Senate

ADDRESS: 99 Hudson St.
Ny Ny 10013

TELEPHONE: HOME (212) 876-0230 Treasurer
BUSINESS (212) 941-7340 Committee

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CURTIS, MALLET-PREVOST, COLUCCI & MOSE

ATTORNEYS AND COUNSELLORS AT LAW

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TELECOPIER 201-622-5646

March 7, 1994

Mary L. Taksar, Esquire
Federal Election Commission
Washington, D.C. 20463

Dear Ms. Taksar:

Further to my letter of March 4th, on behalf of our client, S. Daniel Abraham, I enclose the original of his affidavit, sworn to March 2, 1994, which he is submitting in response to your letter of January 28th concerning MUR 3883.

Very truly yours,

Jeffrey I. Zuckerman
Jeffrey I. Zuckerman

(Enclosure)

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MLLOB14.WP

RE: MUR 2022 (S. Daniel Abraham)

STATE OF FLORIDA)
) ss.:
COUNTY OF PALM BEACH)

S. DANIEL ABRAHAM, being duly sworn, deposes and says:

1. I submit this affidavit to the Federal Election Commission in response to the letter addressed to me, dated January 28, 1994, from Mary L. Taksar, Attorney. For the reasons set forth below, I respectfully ask that no action be taken in this matter.

2. Ms. Taksar's letter enclosed a copy of a complaint that was filed with the Commission by Ellen S. Miller, Executive Director of the Center for Responsive Politics, on January 21st. Ms. Miller's complaint alleges that I made contributions of \$38,000, attributed to the 1992 calendar year, which exceeded by \$13,000 the \$25,000 contribution limit imposed by the Federal Election Campaign Act.

3. I have been making political contributions to political candidates, committees and parties for a number of years. As a result, I am generally familiar with some of the provisions of the Federal Election Laws, although by no means am I familiar with the details of the laws or the specific regulations promulgated by the Commission. Over the past few years, I have relied on attorneys and others familiar with

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Federal and local election laws to insure that my contributions comply with applicable Federal and local regulations.

Utah State Democratic Committee (\$5,000)

4. Among my contributions attributed to 1992 in Ms. Miller's complaint is \$5,000 that I gave to the Utah State Democratic Committee in August 1992. Before I made that contribution, I believe I was advised either by one of my attorneys or by another advisor familiar with the Election Laws that a contribution to a state party for non-federal purposes would not count against the \$25,000 annual limit on my federal campaign contributions. I relied upon this advice in making the \$5,000 contribution, and I intended and thought I was making this contribution for non-federal purposes.

5. In the Fall of 1993, a reporter called me and asked about my 1992 political contributions. As a result of that inquiry, I learned that the Utah Democratic Party had reported my August 1992 contribution as a federal contribution.

6. After I learned that my August 1992 contribution had been reported as a federal contribution, one of my attorneys contacted the Utah State Democratic Committee and requested that the contribution be properly designated to that Committee's non-federal account.

7. Following that request, I received a letter from the Executive Director of the Utah State Democratic Committee,

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Todd R. Taylor, dated October 26, 1993. Mr. Taylor apologized for the error, and wrote that the Committee would that day redesignate the \$5,000 in accordance with my wishes. I have attached a copy of Mr. Taylor's letter as Exhibit A.

8. In his letter, Mr. Taylor asked me to send written confirmation that the Committee had taken the appropriate steps. Accordingly, on November 8, 1993, I wrote to him "to confirm the appropriateness of the steps outlined in [his] . . . recent letter." I have attached a copy of my letter as Exhibit B.

9. I submit that my August 1992 contribution to the Utah State Democratic Committee should not be counted toward the statutory limit on my contributions to federal campaigns in 1992.

Democratic Senate Campaign Committee (\$20,000)

10. Also among my contributions attributed to 1992 in Ms. Miller's complaint is \$20,000 that I gave to the Democratic Senatorial Campaign Committee ("DSCC") in August 1992.

11. When I made this contribution, I was aware of the \$25,000 annual limit on federal political campaign contributions. Again, however, I believe one of my attorneys or another advisor familiar with Federal Election Laws advised me that the DSCC also has non-campaign uses for contributions, and that money contributed for those purposes would not count toward my \$25,000 annual limit.

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12. When I made my \$20,000 contribution to the DSCC, I intended it to be used for non-campaign purposes, and I believed that my intention was communicated to the individual or individuals who were involved in soliciting or processing this contribution.

13. In the Fall of 1993, at the same time that my attorneys contacted the Utah State Democratic Committee, they also contacted the Democratic Senatorial Campaign Committee to determine why the \$20,000 contribution was treated by the Committee as a federal campaign contribution. My attorneys were told that, despite my actual intent as communicated to the DSCC, the DSCC had treated the contribution as a contribution to a federal political campaign because my check was not explicitly designated as a non-campaign contribution. DSCC's treatment of the contribution was explicitly contrary to my intention. I have never authorized DSCC or anyone else to treat this contribution as a contribution to a federal political campaign.

14. For a number of years, I have made an effort to participate actively in our nation's political process while, at the same time, I have tried conscientiously to comply with the applicable laws and regulations governing such participation. In light of the advice from the DSCC with respect to my \$20,000 contribution, I can only conclude that whoever processed the contribution at DSCC neglected to take care of the requisite designation.

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15. Over the past six months, I have further improved what I thought already was a fairly good program for compliance with the various federal and state election laws. Now, it is my practice, and will continue to be my practice, to review each contribution with counsel to make certain that counsel is informed and satisfied that each contribution individually, as well as all contributions in the aggregate, is in compliance with all applicable law.

Conclusion

16. For the foregoing reasons, I respectfully request that the Commission not take any action in this matter.



S. Daniel Abraham

Sworn to before me this
2nd day of March, 1994.



Notary Public



OFFICIAL NOTARY SEAL
SOPHIE LINDSE
COMMISSION NO. 00017603
MY COMMISSION EXP. FEB. 20, 1996

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CURTIS, MALLET-PREVOST, COLT & MOSLE

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60083 FRANKFURT AM MAIN
TELEPHONE: 4969-671-448-0
TELESCOPIER: 4969-17-38-88

WRITER'S DIRECT DIAL NUMBER:

March 2, 1994

VIA FAX

Mr. S. Daniel Abraham
150 Bradley Place
Apt. 805
Palm Beach, FL 33480

Dear Dan:

I spoke with Wayne Owens, who agreed with the draft affidavit with some minor corrections that I have made in paragraph 13. Based on my conversation with Wayne, I have made paragraph 13 even more forceful, as Wayne specifically recollects telling DSCC at the time the contribution was made that the contribution was not to be allocated for federal political campaign purposes.

If the affidavit meets with your approval, please let me know and I will Federal Express to you an original for your signature. If changes or additions should be made, please call me.

Sincerely yours,

Eliot Lauer

Enclosure

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FEDERAL ELECTION COMMISSION



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MARCH 18, 1994

Joseph F. McDonald, Esquire
Lord Day & Lord, Barrett Smith
1675 Broadway
New York, N.Y. 10019-5874

RE: MUR 3883
Liz Holtzman for Senate
Committee and
Mary Cheasty Korman,
as treasurer

Dear Mr. McDonald:

This is in response to your letter dated March 8, 1994, requesting an 15 day extension to respond to the complaint filed in the above-noted matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on March 24, 1994.

If you have any questions, please contact Joan McEnery at (202) 219-3690.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

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SUITE 2400
1675 BROADWAY
NEW YORK, N. Y. 10019-5874

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March 24, 1994

Mary L. Taksar
Attorney
Central Enforcement Docket
Federal Election Commission
Washington, D.C. 20463

Re: MUR #3883

Dear Ms. Taksar:

I am writing on behalf of the Liz Holtzman for Senate Committee (the "Committee"), responding to your letter of February 15, 1994 concerning a Complaint bearing the MUR number referenced above. Your letter states that the Complaint indicates that the Committee may have violated the provisions of the Federal Election Campaign Act ("FECA"), and offers the Committee the opportunity to demonstrate that no action should be taken against the Committee.

The FECA violation indicated in the Complaint to which your letter refers is not clear. The only references to the Committee in the Complaint are the two \$1,000 contributions received by the Committee from the Target of the Complaint on September 24, 1991 and December 1, 1991, and the return of \$1,000 to that Contributor on November 16, 1992. The \$1,000 contributed on September 24, 1991 was designated for Elizabeth Holtzman's primary campaign to become the Democratic Party candidate for United States Senator from New York. The \$1,000 contributed on December 1, 1991 was designated for Elizabeth Holtzman's anticipated campaign as candidate of the Democratic party for Senator from New York in the general election. When Ms. Holtzman was not successful in the primary, and therefore not a participant in the general election, the December 1, 1991 \$1,000 contribution of the Target of the Complaint designated for the general election was returned to the Contributor as required by FECA. The same situation arose and the same procedure was followed in the case of numerous contributions received by the Committee designated for the general election. These contributions and returns of contributions

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Mary L. Tak
March 24, 1994
Page 2

are fully documented in the FEC reports of the Committee filed with the Federal Election Commission.

Frankly, despite our telephone conversations, we are baffled by the suggestion that the Complaint indicates a possible FECA violation by the Committee. However, we are anxious to cooperate in full with the Commission, and if you have any questions or comments with respect to this response, please let me know.

Sincerely,

Joseph F. McDonald
Joseph F. McDonald

JFMcd:pb
cc: Mary Cheasty Kornman, Treasurer

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
) Enforcement Priority
)

GENERAL COUNSEL'S MONTHLY REPORT

SENSITIVE

I. INTRODUCTION

This report is the second Enforcement Priority System Monthly Report. The purpose of this September Monthly Report is to recommend that the Commission no longer pursue the identified lower priority and stale cases.

II. CASES RECOMMENDED FOR CLOSING

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

A critical component of the Priority System is identifying those pending cases that do not warrant the further expenditure of resources. Each incoming matter is evaluated using Commission-approved criteria and cases that, based on their rating, do not warrant pursuit relative to other pending cases are placed in this category. By closing such cases, the Commission is able to use its limited resources to focus on more important cases.

Having evaluated incoming matters, this Office has identified 44 cases which do not warrant further pursuit

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relative to the other pending cases.¹ A short description of each case and the factors leading to assignment of a relatively low priority and consequent recommendation not to pursue each case is attached to this report. See Attachments 1-44. For the Commission's convenience, the narratives for the externally-generated matters are immediately followed by the complaint and response(s) and the narrative for the internally-generated matter is immediately followed by the referral.

B. Stale Cases

Investigations are severely impeded and require relatively more resources when the activity and evidence are old. Consequently, the Office of General Counsel recommends that the Commission focus its efforts on cases involving more recent activity. Such efforts will also generate more impact on the current electoral process and are a more efficient allocation of our limited resources. To this end, this Office has identified 2 cases that have remained inactive and assigned to the Central Enforcement Docket for one year and which it believes do not warrant further investment of significant Commission resources.² Since the recommendation not to pursue the identified cases is

1. These matters are: PM 299; MUR 3856; MUR 3859; MUR 3860; MUR 3861; MUR 3863; MUR 3864; MUR 3865; MUR 3868; MUR 3869; MUR 3870; MUR 3871; MUR 3872; MUR 3873; MUR 3874; MUR 3875; MUR 3877; MUR 3878; MUR 3880; MUR 3881; MUR 3882; MUR 3883; MUR 3884; MUR 3885; MUR 3887; MUR 3888; MUR 3889; MUR 3897; MUR 3900; MUR 3901; MUR 3906; MUR 3909; MUR 3910; MUR 3913; MUR 3914; MUR 3915; MUR 3916; MUR 4029; MUR 4030; MUR 4034; MUR 4035; MUR 4038; MUR 4039; and MUR 4040.

2. These matters are RAD 93L-66 and RAD 93L-69.

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based on staleness, this Office has not prepared separate narratives for these cases. However, the referrals for these internally-generated matters are attached. See Attachments 45-46.

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This Office recommends that the Commission exercise its prosecutorial discretion and no longer pursue the cases listed below effective November 14, 1994. By closing the cases effective November 14, 1994, CED and the Legal Review Team will respectively have the additional time necessary for preparing the closing letters and the case files for the public record for this fairly large number of cases.

III. RECOMMENDATIONS

A. Decline to open a MUR and close the file effective November 14, 1994 in RAD 93L-66 and RAD 93L-69.

B. Decline to open a MUR, close the file effective November 14, 1994, and approve the appropriate letter in PM 299.

C. Take no action, close the file effective November 14, 1994, and approve the appropriate letter in the following matters:

- 1) MUR 3856
- 2) MUR 3859
- 3) MUR 3860
- 4) MUR 3861
- 5) MUR 3863
- 6) MUR 3864
- 7) MUR 3865
- 8) MUR 3868
- 9) MUR 3869
- 10) MUR 3870
- 11) MUR 3871
- 12) MUR 3872
- 13) MUR 3873
- 14) MUR 3874
- 15) MUR 3875
- 16) MUR 3877
- 17) MUR 3878
- 18) MUR 3880
- 19) MUR 3881
- 20) MUR 3882
- 21) MUR 3883
- 22) MUR 3884
- 23) MUR 3885
- 24) MUR 3887
- 25) MUR 3888
- 26) MUR 3889
- 27) MUR 3897
- 28) MUR 3900
- 29) MUR 3901
- 30) MUR 3906
- 31) MUR 3909
- 32) MUR 3910
- 33) MUR 3913
- 34) MUR 3914
- 35) MUR 3915

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- 36) MUR 3916
- 37) MUR 4029
- 38) MUR 4030
- 39) MUR 4034
- 40) MUR 4035
- 41) MUR 4038
- 42) MUR 4039
- 43) MUR 4040

10¹26¹94
Date

Lawrence M. Noble
Lawrence M. Noble
General Counsel

Attachments

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
S. Daniel Abraham.

)
)
)

MUR 3883

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 2, 1994, the Commission decided by a vote of 6-0 to take no action, close the file in MUR 3883 effective November 14, 1994, and approve the appropriate letter, as recommended in the General Counsel's Report dated October 26, 1994.

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

Attest:

11-3-94
Date

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

Received in the Secretariat: Thurs., Oct. 27, 1994 3:16 p.m.
Circulated to the Commission: Fri., Oct. 28, 1994 2:00 p.m.
Deadline for vote: Wed., Nov. 02, 1994 4:00 p.m.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

NOV 21 1994

Ellen S. Miller, Executive Director
Center for Responsive Politics
1320 19th Street, N.W.
Washington, D.C. 20036

RE: MUR 3883

Dear Ms. Miller:

On January 21, 1994, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the respondents. See attached narrative. Accordingly, the Commission closed its file in this matter on November 14, 1994. This matter will become part of the public record within 30 days.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

24043594355

MUR 3883

S. DANIEL ABRAHAM

The Center for Responsive Politics filed a complaint alleging that S. Daniel Abraham exceeded his 1992 \$25,000 annual limit by \$13,000. The contributions identified in the complaint raised the issue of whether a recipient committee, the Liz Holtzman for Senate Committee, accepted contributions which exceed the \$1,000 per election limit.

In response to the complaint, Mr. Abraham states that it was his intent to make a \$5,000 contribution to the non-federal account of the Utah Democratic Party Committee rather than the federal account and that the Committee was contacted regarding the error. By letter dated October 26, 1993, the Utah Democratic Party Committee confirmed that \$5,000 would be transferred to its non-federal account. Additionally, Mr. Abraham states that a \$20,000 contribution made to the Democratic Senatorial Campaign Committee (DSCC) was intended for non-federal use and that this fact was communicated to the DSCC at the time of the contribution. Mr. Abraham states that his contributions attributable to 1992 therefore total \$13,000. Additionally, Mr. Abraham states that he now reviews each contribution with counsel to ensure that his contributions comply with FECA.

In its response, the Liz Holtzman for Senate Committee indicates that it received two \$1,000 contributions from Mr. Abraham, a \$1,000 contribution for the primary and a \$1,000 contribution for the general.

This matter involves less significant issues relative to other matters before the Commission.

24043594356



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

NOV 21 1994

Jeffrey I. Zuckerman, Esq.
Curtis, Mallet-Prevost, Colt & Mosle
1801 K Street, N.W.
Washington, D.C. 20006

RE: MUR 3883
S. Daniel Abraham

Dear Mr Zuckerman:

On January 28, 1994, the Federal Election Commission notified your client, S. Daniel Abraham, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against your client. See attached narrative. Accordingly, the Commission closed its file in this matter on November 14, 1994.

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

If you have any questions, please contact Alva E. Smith at (202) 219-3400.

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

24043594357

MUR 3883

S. DANIEL ABRAHAM

The Center for Responsive Politics filed a complaint alleging that S. Daniel Abraham exceeded his 1992 \$25,000 annual limit by \$13,000. The contributions identified in the complaint raised the issue of whether a recipient committee, the Liz Holtzman for Senate Committee, accepted contributions which exceed the \$1,000 per election limit.

In response to the complaint, Mr. Abraham states that it was his intent to make a \$5,000 contribution to the non-federal account of the Utah Democratic Party Committee rather than the federal account and that the Committee was contacted regarding the error. By letter dated October 26, 1993, the Utah Democratic Party Committee confirmed that \$5,000 would be transferred to its non-federal account. Additionally, Mr. Abraham states that a \$20,000 contribution made to the Democratic Senatorial Campaign Committee (DSCC) was intended for non-federal use and that this fact was communicated to the DSCC at the time of the contribution. Mr. Abraham states that his contributions attributable to 1992 therefore total \$13,000. Additionally, Mr. Abraham states that he now reviews each contribution with counsel to ensure that his contributions comply with FECA.

In its response, the Liz Holtzman for Senate Committee indicates that it received two \$1,000 contributions from Mr. Abraham, a \$1,000 contribution for the primary and a \$1,000 contribution for the general.

This matter involves less significant issues relative to other matters before the Commission.

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FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

NOV 21 1994

Joseph F. McDonald, Esq.
Lord Day & Lord Barrett Smith
1675 Broadway, Suite 2400
New York, New York 10018

RE: MUR 3883
Liz Holtzman for Senate
Mary Cheasty Korman, Treasurer

Dear Mr. McDonald:

On February 15, 1994, the Federal Election Commission notified your clients, Liz Holtzman for Senate and Mary Cheasty Korman, as treasurer, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against your clients. See attached narrative. Accordingly, the Commission closed its file in this matter on November 14, 1994.

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

If you have any questions, please contact Alva E. Smith at (202) 219-3400.

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

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NUR 3883

S. DANIEL ABRAHAM

The Center for Responsive Politics filed a complaint alleging that S. Daniel Abraham exceeded his 1992 \$25,000 annual limit by \$13,000. The contributions identified in the complaint raised the issue of whether a recipient committee, the Liz Holtzman for Senate Committee, accepted contributions which exceed the \$1,000 per election limit.

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In its response, the Liz Holtzman for Senate Committee indicates that it received two \$1,000 contributions from Mr. Abraham, a \$1,000 contribution for the primary and a \$1,000 contribution for the general.

This matter involves less significant issues relative to other matters before the Commission.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3883

DATE FILMED 12-14-54 CAMERA NO. 2

CAMERAMAN JMH

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