FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4387

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 7, 1996

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

FROM: ROBERT J. COSTA
ASSISTANT STAFF DIRECTOR
AUDIT DIVISION

SUBJECT: REFERRAL MATTERS - THE FRIENDS OF CONRAD BURNS

On April 24, 1996 the Commission approved the final Audit Report (FAR) on The Friends of Conrad Burns. The Report was released to the public on May 7, 1996. In accordance with the Commission approved materiality thresholds, the attached findings from the FAR are being referred to your office:

- Apparent Excessive Contributions

The Committee in response to the Interim Audit Report (IAR) reported the unresolved excessive contributions totaling $49,640, in its Year End 1995 Disclosure Report as a debts to the contributors. However the Committee response to the IAR did not provide evidence that the unresolved excessive contributions were either not excessive or were reattributed, redesignated or refunded in a timely manner. Additionally, the Committee provided no evidence that the untimely excessive contributions totaling $20,888 were either not excessive or were reattributed, redesignated or refunded in a timely manner.

- Contributions Subject to 48 Hour Disclosure Notices

For the general election, the Committee failed to file the required notices for 77 contributions totaling $119,000. The Committee has offered no explanation of its failure to file the required notices.

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

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Should you have any questions please contact Marty Kuest or Joe Swearingen at 219-3720.

Attachments:

Finding II.A. - (Apparent Excessive Contributions from Individuals), FAR Pgs. 3-14
Listing of Excessive Contributions
Finding II.C. - (Contributions Subject to 48 Hour Disclosure Notices), FAR Pgs. 15-16
Listing of Unitemized 48 Hour Contributions

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II. Audit Findings and Recommendations

A. Apparent Excessive Contributions from Individuals

Section 441a(a)(1)(A) of Title 2 of the United States Code and Section 110.1(b)(1) of Title 11 of the Code of Federal Regulations state, in part, 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 $1000.

Section 103.3(b)(3) of Title 11 of the Code of Federal Regulations states, in part, that if any contribution which exceeds the contribution limitations set forth at 11 CFR §110.1 is deposited, the treasurer may request redesignation or reattribution of the contribution by the contributor in accordance with 11 CFR 110.1(b) or 110.1(k) as appropriate. If a redesignation or reattribution is not obtained, the treasurer shall, within sixty days of the treasurer's receipt of the contribution, refund the contribution to the contributor.

Section 110.1(b)(5) of Title 11 of the Code of Federal Regulations states, in relevant part, that the treasurer of an authorized political committee may request a written redesignation of a contribution by the contributor for a different election if the contribution exceeds the limitation on contributions set forth

in 11 CFR 110.1(b)(1). A contribution shall be considered to be redesignated for another election if the treasurer of the recipient authorized political committee requests that the contributor provide a written redesignation of the contribution and informs the contributor that he may request the refund of the contribution and within sixty days from the date of the treasurer's receipt of the contribution, the contributor provides the treasurer with a signed redesignation of the contribution for another election.

Section 110.1(k) of Title 11 of the Code of Federal Regulations states, in relevant part, if a contribution to a candidate either on its face or when aggregated with other contributions from the same contributor, exceeds the limitations on contributions set forth in 11 CFR 110.1(b), the treasurer of the recipient political committee may ask the contributor whether the contribution was intended to be a a joint contribution by more than one person. A contribution shall be considered to be reattributed to another contributor if the treasurer of the recipient political committee asks the contributor whether the contribution is intended to be a joint contribution by more than one person, and informs the contributor that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution and within sixty days from the date of the treasurer's receipt of the contribution, the contributors provide the treasurer with a written reattribution of the contributions which is signed by each contributor, and which indicates the amount to be attributed to each contributor if equal attribution is not intended.

Sections 110.1(l)(1), (2) and (3) of Title 11 of the Code of Federal Regulations state, in part, that if a political committee receives a contribution designated in writing for a particular election, the treasurer shall retain a copy of the written designation as required by 11 CFR 110.1(b)(4). If the written designation is made on a check or other written instrument, the treasurer shall retain a full-size photocopy of the check or written instrument. If a political committee receives a written redesignation of a contribution for a different election, the treasurer shall retain the written redesignation provided by the contributor, as required by 11 CFR 110.1(b)(5) and 11 CFR 110.1(k).

Section 110.1(l)(5) of Title 11 of the Code of Federal Regulations states, in part, that if a political committee does not retain the written records concerning redesignations or reattributions, the redesignation or reattribution shall not be effective and the original designation or attribution shall control.

Section 110.1(l)(6) of Title 11 of the Code of Federal Regulations states, in part, that for each written redesignation or written reattribution of a contribution, the political committee shall retain documentation demonstrating when the

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written redesignation or written reattribution was received. Such documentation shall consist of either the postmarked envelope in which the documentation was received, having the documentation dated by the contributor or having the documentation dated by the committee upon receipt.4/

Section 110.1(e) of Title 11 of the Code of Federal Regulations states, in part, that a contribution by a partnership shall not exceed the limitations on contributions in 11 CFR 110.1(b).

Section 103.3(b)(4) of Title 11 of the Code of Federal Regulations states that any contribution which appears to be illegal under 11 CFR § 103.3(b)(3), and which is deposited into a campaign depository shall not be used for any disbursements by the political committee until the contribution has been determined to be legal. The political committee must either establish a separate account in a campaign depository for such contributions or maintain sufficient funds to make all such refunds.

The Audit staff reviewed the Committee's receipt records from 1989 through the end of the audit period5/ and initially identified 112 individuals and two partnerships whose contributions appeared to exceed the contribution limitations by $77,193. Of this total, $56,305 6/ had not been reattributed, redesignated or refunded and $20,888 had been redesignated or reattributed but the actions were either untimely or undated.

1. Excessive Contributions Resolved Untimely

The Audit staff identified excessive contributions to the primary election totaling $20,888 for which either refunds were made or redesignations or reattributions were obtained, but not within sixty days. For $11,304 of the total resolved untimely, the redesignation or reattribution is not dated and therefore is considered to be untimely.

At the exit conference, the Audit staff provided the Committee a schedule of individuals and their excessive contributions which were determined to have been resolved untimely. Committee representatives did not address the matter.

4/ This regulation became effective November 6, 1991.

5/ Senator Burns' previous election was held in 1988 and all contributions received since that time are included in determining potentially excessive contributions for the audit period.

6/ Of this excessive amount, $45,303 applied to the primary election and $11,002 applied to the general election.

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In a response made subsequent to the exit conference, the Committee raised two issues regarding the untimely resolved excessive contributions. First, the Committee noted that prior to November 6, 1991, 11 CFR §110.1 did not require reattribution or redesignation documentation to be dated and therefore any documentation otherwise correct would be sufficient. The Audit staff reviewed its documentation and found one untimely resolved excessive contribution of $1,000 for which there was an undated redesignation made prior to November 6, 1991. This resulted in no change, however, because it was the Commission's previous policy to treat undated redesignations and reattributions as untimely since the requirement that written redesignations and reattributions be obtained within the sixty day time period was in effect prior to the November 1991 adjustment to the regulations.

Second, the Committee noted that its computer database included the date on which reattribution and redesignation documentation was received. The Audit staff declined to accept the computer entries as a method of dating the receipt of redesignation or reattribution documentation because 11 CFR §110.1(l)(6) specifically allows a committee to date documentation only by either retaining the postmarked envelope in which the documentation was received, having the documentation dated by the contributor or dating the documentation themselves upon receipt.

As a result of the Committee's response, no adjustments were made. Excessive contributions totaling $20,888 were considered to be resolved untimely (see Attachment 1).

In the interim audit report, the Audit staff recommended the Committee present evidence that the contributions were either not excessive, or were reattributed, redesignated or refunded in a timely manner.

In its response to the interim audit report, the Committee stated:

> "...in its August 30, 1995, Response the Committee identified four contributors whose contributions were made prior to the effective date of the Commission's changed November 6, 1991, regulations regarding reattributions and redesignations. The Audit staff acknowledges that it has a written redesignation for at least one of these contributors, but did not change the status of this contribution as resolved untimely 'because it was the Commission's previous policy to treat undesignated[sic] redesignations and reattributions as untimely since the requirement that written redesignations and reattributions be obtained within the sixty day time period was in effect prior to the

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November 1991 adjustment to the regulations.' However, there is no cite in the Report regarding this supposed Commission "policy," nor was that "policy" reflected in the Commission's previous regulation. Rather, committees are entitled to rely on the regulations, and the pre-November 6, 1991, regulations did not state a "policy" of requiring written redesignations to be obtained with in sixty days. Thus, the Committee could not have violated the regulation.

"Second, with respect to the remainder of the written redesignations and reattributions which the Committee provided to the Commission, the Interim Audit report notes that the Committee provided computer records which identify the date of the reattributions and redesignations. The Audit Division does not deny that these records are accurate and reliable, nor does the Audit Division otherwise allege that the redesignation and reattributions were not made in a timely manner. In fact, the Audit staff has acknowledged that the Committee's contribution records were extremely accurate. These computer entries therefore conclusively prove that the Committee received timely redesignations and reattributions.

"Unfortunately, the Audit Division has not accepted this unrebutted evidence solely on the grounds that this evidence does not comply with the four corners of the regulation found at 11 C.F.R. § 110.1 (1) (6). However, in this case, the Committee's computer records operated as the Committee's date stamp for the purpose of complying with the regulation. That is, the date of redesignation or attribution was entered into the computer as a memo entry providing the Committee and the Commission both with accurate information regarding the dates of the reattributions and redesignations.

"Moreover, even if the were true that the computer records did not comply to the letter of the regulation, they nonetheless contain reliable and accurate data regarding the date of the designations and reallocations which is not, and cannot be rebutted by the Audit

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Division. This factual data conclusively proves that the Committee obtained the redesignations within sixty days as required by 11 C.F.R. § 110.1."

The Committee at the outset refers to Regulation 11 CFR §110.1(l)(6) which became effective on November 6, 1991. This regulation specified how a committee must prove that a redesignation or reattribution occurred within sixty days. It stated that committees should establish evidence of timely compliance by having the contributor date the written request or having the committee date the request upon receipt or retain the postmarked envelope in which the request was received.

Prior to November 6, 1991, all other regulations regarding reattribution and redesignation were in effect (11 CFR §§110.1(b)(5), (k), (l)(1),(2),(3),(5)). Contrary to the Committee's assertion, the existing regulations required a committee receiving excessive contributions to redesignate, reattribute or refund the excessive amounts within the sixty days. These regulations further required reattribution or redesignation requests be made in writing and the committee retain the contributor's written request in order for the request to remain effective. If the committee failed to maintain the documentation, the original designation or attribution controlled. The Commission's adoption of 11 CFR §110.1(l)(6) was a clarification of existing regulations and not a policy change. The Committee was therefore still required to demonstrate that reattributions and redesignations were made within sixty days.

The Audit staff did not state in the interim audit report that dates for the reattribution or redesignation documentation were listed in the Committee database. We were able to determine that the committee's receipts database was complete when compared to bank records. However, the Committee's non-receipt file which contained reattribution and redesignation information could not be verified and it appears that the information is incomplete. The Committee did make ninety-four entries to record actions it apparently took regarding reattributions and redesignations. Of the thirty-six untimely resolved excessive contributions identified by the Audit staff, eleven involved refunds made after sixty days. The remaining twenty-five items were untimely due to undated documentation. Only two of these twenty-five had related records in the file containing reattribution and redesignation information. Thus, even if the computer dating could be verified as accurate and was deemed an acceptable method of date stamping, it would only affect two items totaling $750. Given the incompleteness of the computer records, the computer entries do not conclusively prove that the Committee received timely redesignations and reattributions. In the opinion of the Audit staff, no conclusion can be drawn about the timeliness of the Committee's redesignations and reattributions based on related data in the Committee's computer records.

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The Audit staff made no changes based on the Committee's response. Accordingly, the Audit staff believes the Committee had untimely resolved excessive contributions totaling $20,888.

2. Unresolved Excessive Contributions

Excessive contributions totaling $56,305 appeared to be unresolved. For $13,215, the Committee received reattribution documentation which was signed only by the person who had signed the check. Without the signature of the additional contributor, the reattribution is not valid. The unresolved amount also includes excessive contributions totaling $3,322 for which ten refund checks were prepared but were never negotiated. No reattribution or redesignation documentation was provided for the remaining $39,768.

Included among the contributions for which no reattribution or redesignation was found are two excessive contributions from partnerships. Prior to the primary election, the partnerships contributed $2,500 and $1,500. As a result, one partnership made a $500 excessive contribution and the other made a $1,500 excessive contribution. In addition, the partners in both partnerships were the same three individuals and thus each partner made contributions totaling $1,333. The Committee provided redesignation documentation for two of the partners but did not obtain redesignation documentation for the partnerships; thus the redesignation documentation from the two partners is not relevant. The Audit staff is not pursuing the excessive contributions from the individuals because once the excessive contributions are refunded to the partnerships, the refunds will flow to the individual partners.

At the exit conference, the Audit staff gave the Committee a schedule of the individuals and their excessive contributions. The Committee's Counsel questioned the inclusion of the outstanding checks in the unresolved excessive amounts. Additionally, she stated that the regulations do not obligate the Committee to tell contributors to cash the checks. Nine of the ten refund checks which were not negotiated were written on June 30, 1994. All but one check written on that date were refunds and the only check negotiated was the check written for other than a refund. Since none of the refund checks were negotiated, it suggests that the checks were not delivered to the contributors and thus do not constitute a refund. The Committee should have made subsequent efforts to refund the contributions particularly with respect to the nine checks written on the same day. The Committee is correct that the regulation does not obligate the Committee "to tell the contributor that the refund check must be cashed," however, it also does not allow the Committee to retain and use funds which are not permissible under the Act. The Committee still retains and has use of the funds for which the refund checks were not negotiated. These excessive contributions are yet to be resolved.

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The Audit staff notes that the Committee, to comply with 11 CFR §103.3(b)(4), should have either maintained a separate account for contributions appearing to be illegal under 11 CFR §103.3(b)(3) or sufficient funds to make all such refunds. The Committee did not use a separate account. For the audit period, the Committee maintained a cash balance in excess of the total for the outstanding unresolved excessive contributions.7/

The Committee stated in a response subsequent to the exit conference that some of the excessive contribution amounts were made prior to the audit period. The Audit staff acknowledges this but reiterates that all contributions received since Senator Burns' last election are included in determining potentially excessive contributions for elections which occurred in the audit period.

Additionally, the Committee stated that it was not required by the Act to maintain documentation for the period between 1989 and 1992.8/ Thus, the Committee reasoned that, any redesignation or reattribution which occurred within this period should be held effective because it was not their policy to take such actions without the proper documented requests from the contributors.9/ Although 11 CFR §110.1 (l)(5) requires committees to maintain reattribution and redesignation documentation in order for them to be effective, the Audit staff reviewed the Committee's disclosure reports for the relevant periods to see how the Committee had reported the contributions. Of fifteen instances where the individuals had made excessive contributions prior to June 1992, five excessive contributions totaling $5,000 were identified which were reported as either redesignated or reattributed. These items were removed from the excessive total. The Audit staff assumes that if the Committee did not report a contribution as redesignated or reattributed, no documentation was received and these items were not removed from the total of excessive contributions.

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7/ At year end, the Committee had a cash balance of $49,023 and reported a debt of $151,254.

8/ 2 U.S.C. §432(d) requires a committee to maintain records for three years after the report is filed.

9/ Although the Committee did not maintain the reattribution or redesignation documentation for 1989 through 1992, it was able to provide the Audit staff with substantially complete receipt records for the same period. Except where noted on Attachment 1, copies of contributor checks for the excessive contributions were found.

The Committee also stated that its computer entries contradict the Audit staff's unresolved excessive contributions for sixty-nine individuals in that for these individuals, their records indicate reattributions or redesignations had been made. To support the reliability and accuracy of their computer database, the Committee provided an affidavit from its office manager who served from the spring of 1992 through November of 1993, which stated:

> "As the Office Manager I was responsible for making sure that the Friends of Conrad Burns did not receive excessive contributions. I therefore followed a standard procedure for dealing with all contributions which either appeared on their face to be excessive or when aggregated with other contributions appeared to create a problem.
>
> "First, I would send the contributor or contributors a redesignation or reattribution form, as appropriate, and informed the contributor(s) that they may redesignate the contribution toward the general election or reattribute the contribution. All such letters included a self-addressed stamped envelope with the request.
>
> "If no response was received, I would generally send a follow-up letter. If a contributor (or contributors) failed to reattribute or redesignate a contribution, the Committee would make an appropriate refund.
>
> "I and the Committee did not unilaterally redesignate or reattribute contributions. Rather, these were done at the direction of the contributors. Furthermore, the Committee did not enter a contribution into the computer as a contribution toward the general election unless so designated by the contributor, nor were contributions reattributed without the consent of the contributors."

As noted previously in II.A.1., the Regulations require that committees retain written redesignations or reattributions and absent the written redesignation or reattribution, 11 CFR §110.1(l)(5) states that the original designation or attribution controls. Computer records are not a substitute for maintaining the required reattribution or redesignation documentation. A statement that excessive contributions were redesignated or reattributed according to the

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direction of the contributor does not allow the Audit staff to independently verify that the documentation was actually obtained or contained the necessary signatures. The Audit staff's finding is based on the documentation available for review.

The Committee also provided three valid redesignation instruments which were not previously available. The Audit staff had also included two individuals with same name as one excessive contributor. These items resulted in a further reduction of $1,665 to the unresolved excessive total. As a result of the adjustments noted above, excessive contributions totaling $49,640 ($56,305 - $5,000 - $1,665) remained unresolved (see Attachment 1).

In the interim audit report, the Audit staff recommended that the Committee present evidence that the contributions were either not excessive or were reattributed, redesignated or refunded in a timely manner. Absent such a demonstration, the Audit staff recommended that the Committee refund the unresolved excessive contributions ($49,640) and provide evidence of the refunds (i.e., copies of the front and back of negotiated refund checks). In lieu of reissuing the checks which were not negotiated, the Committee could submit a check to the U.S. Treasury. If the Committee did not have the funds available to make the refunds, the Audit staff recommended that it file amended Schedules D to report these items as debts and obligations.

The Committee states in its response to the interim audit report that:

> "...the Interim Audit report fails to acknowledge that the Committee was not required to retain documentation for the period from 1989 through 1991 as discussed in the Committee's August 30, 1995, Response. Thus, the Committee should not be penalized for not retaining documentation that it is not required to retain."

The Committee's assertion is inaccurate. As noted previously,10/ the Audit staff reviewed all excessive contributions received prior to 1992. Since the Committee was not required to retain documentation, the Audit staff relied on the Committee's disclosure reports. If the contributions were reported as reattributed or redesignated, the Audit staff believed it reasonable to allow the Committee credit for having obtained the valid documentation. However, such allowances were not made when the contributions were not reported as reattributed or

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10/ See discussion at page 10 paragraph 2.

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redesignated. As a result of this review, the Audit staff prior to the interim audit report reduced the unresolved excessive contribution total by $5,000.

The Committee further states:

> "This same argument applies equally to those reattributions and redesignations for which the Committee was unable to locate the originally signed redesignations or reattributions (Recommendation 2). The Audit staff does not suggest that the Committee did not obtain these redesignations and reattributions as evidenced by the vast number of redesignations and reattributions located and provided to the Audit Division. Rather, the Interim Audit Report states that Audit Division was unable to independently verify that the documentation was obtained. Again, however, the computer records, in conjunction with the Affidavit of the Committee's former Office Manager as provided to the Commission in the Committee's August 30, 1995, submission, do provide verification that the documentation was obtained and thus represent factual evidence that the Committee met its obligations under the Act. The Commission must, therefore, accept this unrefuted evidence and treat the contributions as properly redesignated or reattributed."

The Committee's computer records related to reattribution and redesignation were not complete. With respect to the excessive contributions of one hundred nine individuals identified by the Audit staff, only twenty-eight had related computer records of having made reattributions or redesignations. Further, the earliest date contained in the computer records for reattributions or redesignations was December 6, 1993 which was within the period that written documentation was required to be retained. Even if the computer records were complete, the Committee is still required to maintain the written documentation.

The Audit staff reviewed and evaluated the reattribution and redesignation documentation retained by the Committee. The Committee was required by 11 CFR §110.1(l)(5) to retain the written redesignation or reattribution documentation in order for the action to remain effective. The failure to retain the documentation meant that the original designation or attribution controlled. Accordingly, when no documentation was found, the original designation or attribution controlled.

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As a result of the Committee's response, the Audit staff made no adjustments to this finding and believes the Committee received excessive contributions which require refunds totaling $49,640.

On March 18, 1996, the Committee filed an amended debt schedule for Year End 1995 which listed the excessive contributions as debts owed to the respective individuals identified by this finding.

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c. Contributions Subject to 48 Hour Disclosure Notices

Section 104.5(f) of Title 11 of the Code of Federal Regulations states, in part, that if any contribution of $1,000 or more is received by any authorized committee of a candidate after the 20th day, but more than 48 hours, before 12:01 A.M. of the day of the election, the principal campaign committee of that candidate shall notify the Commission and the Secretary of the Senate within 48 hours of receipt of the contribution. The notification shall be in writing and shall include the name of the candidate, the identification of the contributor, and date of receipt, and the amount of the contribution. The notification shall be in addition to the reporting of these contributions on the post-election report.

The Audit staff reviewed contributions of $1,000 and greater deposited between twenty days and two days prior to the primary and general elections and identified 179 contributions which were subject to the 48 hour notification reporting requirements. During the general election reporting period, the Committee failed to file the required notices for 77 contributions totaling $119,000 (see Attachment 2). Of the notices not filed, 68 totaling $106,500 were deposited between October 20 and October 24.

At the exit conference, a schedule of the contributions for which the required 48 Hour notices had not been filed was provided to the Committee. Committee Counsel noted that the person entrusted with this duty had stated to her that she "filed them all." An accounting consultant for the Committee suggested that perhaps there had been a some technical problem since these notices had been filed via facsimile.

In the interim audit report, the Audit staff recommended that the Committee provide information showing the forty-eight hour notices were indeed filed (e.g., confirmations of facsimile transmissions), not required to be filed or any other information relevant to this matter.

The Committee said in its response to the interim audit report that it "has no additional evidence with respect" to this finding.

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Final Audit Report

The Friends of Connie Morris
Schedule of Contributions Received in Excess of the Limitation

Name	Date	Check Amount	Check Number	Election Amount	Unexpired Resolution Excess Balance	Unexpired Resolution Excess Current	Received Untimely	Resolution Date/Ck	Comments
Agnew Sue	15-Oct-91	1000.00	3446	1000.00					
	08-Nov-92	1000.00	3809	2000.00					
	13-Aug-93	400.00	3974	2400.00					
	30-Sep-93	-400.00	2859	2000.00				timely	ref 9400 9/30/93
	07-Jun-94				1000.00				PRIMARY
Anderson Jerome	26-Jan-90	400.00	8863	400.00					
	05-Nov-92	200.00	2234	600.00					
	09-Jun-93	400.00	2613	1000.00					
	21-Jun-93	75.00	2625	1075.00					
	07-Jun-94				75.00				PRIMARY
Babcock Tim	28-Dec-89	400.00	1916	400.00					
	13-Jan-93	51.94	2043	451.94					
	13-Mar-93	500.00	4897	951.94					
	09-Jul-93	100.00	4898	1051.94					
	07-Jun-94				51.94				PRIMARY
Ballard W.W.	19-Mar-89	400.00	8572	400.00					
	20-May-91	400.00		800.00					check copy not found
	09-Apr-93	400.00	502	1200.00				untimely	undtd redesign $200 to G
	07-Jun-94						200.00		PRIMARY
	08-Jul-94	175.00	616	975.00					Ck amt + $800 redesign from P
	29-Jul-94	800.00	616	1175.00					XB caused by P redesign
	08-Nov-94					175.00			GENERAL
Bendis Daniel	28-Dec-89	400.00	395	400.00					
	16-Jul-91	400.00	7251	800.00					
	11-Feb-93	100.00	8977	900.00					
	28-Jun-93	175.00	9973	1075.00					
	20-Aug-93	75.00	9988	1150.00					
	07-Jun-94				200.00				PRIMARY
Beslie Richard	30-Nov-93	75.00	2288	75.00					
	08-Dec-93	2000.00	2276	2075.00					
	23-Dec-93	-1000.00	1327	1075.00				timely	refund
	01-Mar-94	1000.00	2310	2075.00				timely	redesign note sent to ck copy
	18-Mar-94	-75.00	2288	2000.00				untimely	refund
	07-Jun-94				1000.00		75.00		PRIMARY
Blaine William	05-Apr-93	2000.00	3840	2000.00					
	07-Jun-94				1000.00				PRIMARY
Bish Stephen	11-Dec-89	400.00	1002	400.00					
	04-Jan-91	400.00	2813	800.00					
	03-Jun-91	400.00	2925	1200.00					
	24-Mar-92	400.00	3167	1600.00					
	01-Feb-93	400.00	3439	2000.00				untimely	undtd redesign $1600 to G
	07-Jun-94						1000.00		PRIMARY
	08-Jun-94			1000.00					redesign $1000 P to G; ntf. ctc
	11-Jul-94	40.00	3821	1040.00					
	08-Nov-94					40.00			PRIMARY, GENERAL
Booth Fred	08-Nov-89	400.00	4615	400.00					
	05-Feb-93	400.00	5008	800.00				untimely	undtd redesign $200 to G
	08-Dec-93	800.00	5713	1600.00				untimely	undtd redesign $600 to G
	07-Jun-94						600.00		PRIMARY
Clemons Monte	06-Jan-93	500.00	1336	500.00					
	02-Aug-93	1000.00	1476	1500.00				untimely	redesign ck 1476 to G 1/29/94 -MK
	01-Dec-93	500.00	1601	2000.00					
	07-Jun-94						1000.00		PRIMARY
Curran Michael	17-Nov-89	2000.00	231	1000.00				untimely	undtd redes letter
	10-Jan-94	1000.00	3800	2000.00					
	07-Jun-94				1000.00				
Davison Patrick	17-Oct-91	200.00	488	200.00					
	12-Feb-93	200.00	982	400.00					
	22-Mar-93	600.00	1621	1000.00					
	13-Apr-93	100.00	1639	1100.00					
	08-Dec-93	100.00	2226	1100.00				timely	design to G
	07-Jun-94				100.00				PRIMARY
Fisher Mark	06-Jan-93	51.94	2215	51.94					
	08-Jan-93	400.00	2218	451.94				inval	undtd restr to K.Ogren
	08-Apr-93	100.00	2257	551.94					not signed by K. Ogren
	08-Jun-93	200.00	2299	751.94					

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The Friends of Conrad Burns
Schedule of Contributions Received in Excess of the Limitation

Name	Date	Check Amount	Check Number	Election Applicable	Unresolved Balance Primary	Unresolved Balance General	Received Untimely	Resolution Date/Th	Comments
Parker Mark	26-Aug-93	1449.66	2553	2200.00					
	07-Jun-94				1200.00				PRIMARY
Galt Errol	08-Feb-93	800.00	6832	800.00					invalid mailr by cmte
	24-Aug-93	800.00	7179	1600.00					invalid mailr by cmte
	01-Mar-94	800.00	7273	2400.00					invalid mailr by cmte
	08-Jun-94	800.00	7439	2400.00				timely	designated General
	07-Jun-94				1400.00				PRIMARY
Galt Jack	04-Jun-92	2000.00	2640	1000.00					1k desig to G
	20-Jul-92	500.00	2658	1500.00					
	07-Jun-94				500.00				PRIMARY
Guthrie Peggy	24-Oct-91	400.00	3238	400.00					
	06-Nov-92	400.00	3684	800.00					
	14-Jul-93	400.00	3988	1200.00					
	07-Jun-94				200.00				PRIMARY
Haddon Sam	08-May-89	400.00	5589	400.00					
	11-Aug-91	400.00	688	800.00					
	11-Jan-93	400.00	3849	1200.00				untimely	undid redesign for $200
	08-Dec-93	800.00	7974	1200.00				timely	desgn to G
	07-Jun-94						200.00		PRIMARY
Hall J. Steven	16-Jun-89	31.86		31.86					check copy not found
	06-Apr-93	1000.00	2381	1031.86					
	07-Jun-94				31.86				PRIMARY
Hayes William	21-Jun-91	1000.00	644	1000.00					
	12-Nov-93	1000.00	417	2000.00					
	07-Jun-94				1000.00				PRIMARY
Hunziger Charles	20-May-91	400.00		400.00					check copy not found
	27-Jan-92	400.00	30988	800.00					
	09-Jan-93	51.94	33530	851.94					
	08-Feb-93	700.00	33591	1551.94				untimely	undid redesign $551.94 to G
	07-Jun-94						551.94		PRIMARY
Kennedy Colton	29-Jan-90	500.00	149	500.00					
	19-Apr-91	500.00	OpsTM	1000.00					per deposit ticket; no check copy found
	28-Mar-93	1000.00	947	2000.00					
	07-Apr-94	250.00	1217	2250.00					
	07-Jun-94				1250.00				PRIMARY
Leschman Ruth	04-Jan-91	400.00	6195	400.00					
	06-Aug-92	75.00	6537	475.00					
	05-Jan-93	51.94	6706	526.94					
	24-Feb-93	25.00	6777	551.94					
	13-Apr-93	50.00	227	601.94					
	08-May-93	400.00	6868	1001.94					
	09-Sep-93	50.00	6969	1051.94				untimely	refunded $101.94 3/18/94
	20-Nov-93	100.00	7095	1151.94				untimely	refunded $10 5/18/94
	11-Feb-94	10.00	7202	1161.94				timely	Desgn G
	28-Mar-94	101.94	7270	1151.94				timely	Desgn G
	07-Jun-94				40.00		111.94		
Lund Ronald	17-Oct-91	400.00	1004	400.00					
	27-Aug-93	400.00	1010	800.00					
	05-May-94	400.00	615	1200.00					
	07-Jun-94				200.00				PRIMARY
Maclay Frances	22-Jul-92	50.00	6638	50.00					
	15-Jan-93	51.94	6709	101.94					
	13-Apr-93	100.00	6737	201.94					
	13-Apr-93	100.00	4266	301.94					
	22-Dec-93	150.00	6826	451.94					
	31-Jan-94	98.06	6844	550.00					
	04-Feb-94	400.00	6849	950.00					
	24-Mar-94	200.00	6875	1150.00					check copy not found
	27-May-94	950.00	6913	2100.00					
	07-Jun-94				1100.00				PRIMARY
Mahlum Dale	14-Nov-91	400.00	4453	400.00					
	16-Aug-93	500.00	567	900.00					
	06-May-94	400.00	873	1380.00				untimely	undid redesign $300 to G
	07-Jun-94						380.00		PRIMARY
McDonald James M.	08-Jun-90	400.00	4988	400.00					
	11-Jun-91	400.00	5726	800.00					

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The Friends of Conrad Burns
Schedule of Contributions Received in Excess of the Limitation

Name	Date	Check Amount	Check Number	Election Aggregate	Unrecorded Excessive Primary	Unrecorded Excessive General	Received Untimely	Resolution Date/Ck	Comments
McDonald James III	01-Mar-93	600.00	101488	[illegible]				untimely	undid redesign $600 to G
	07-Jun-94						600.00		PRIMARY
Mitchell Jonathan	21-May-93	2000.00	2127	2000.00					
	07-Jun-94				1000.00				PRIMARY
Muth Mrs. Peter	21-Jun-93	500.00	9999	250.00					2 signatories
	24-Jan-94	1000.00	6184	1250.00					
	07-Jun-94				250.00				PRIMARY
Lauder Ronald	20-Jun-94	1111.12	N/A	1111.12					jt F/R, Senate Victory Fund
	08-Nov-94					111.12			GENERAL
Muth Peter	24-Jul-90	500.00		500.00					check copy not found
	12-Aug-91	500.00		1000.00					check copy not found
	14-Oct-91	500.00		1500.00					check copy not found
	28-Jul-92	250.00	5194	1750.00				untimely	undid redesign $250 to G
	21-Jan-93	500.00	5999	2000.00					
	07-Jun-94				750.00		250.00		PRIMARY
Nelley William	19-Oct-89	1000.00	1388	1000.00					Nelley Illinois Account; no pls
	28-Sep-91	1000.00	762	1000.00				valid	1k desig to G
	28-Dec-93	1000.00	1715	2000.00				invalid	realtr ltr not s/ by ctr signatory
	07-Jun-94				1000.00				PRIMARY
Norwood Norma	15-Jan-92	400.00	2385	400.00				no pls	s/ Norma Norwood
	14-Jan-93	100.00	2915	500.00				no pls	s/ Norma Norwood
	22-Mar-93	1000.00	1488	1000.00				untimely	undid redesign; s/ Norma Norwood
	11-Feb-94	400.00	2769	1000.00				untimely	undid redesign; s/ Norma Norwood
	07-Jun-94						900.00		PRIMARY
Norwood Earl	22-Mar-93	1000.00	1488	1000.00					
	11-Feb-94	400.00	2769	1400.00					undid redesign creates excessive
	07-Jun-94				400.00				PRIMARY
Park Ira	14-Oct-91	400.00	1016	400.00					Park Properties-T-1
	09-Jan-92	400.00	1099	800.00					Park Properties-T-1
	29-Jan-93	400.00	1742	1000.00				timely	$200 redesign to General
	18-Apr-93	33.00	1914	1033.00					
	14-Apr-93	67.00	1797	1100.00					Park Properties-T-1
	12-Nov-93	400.00	2179	1100.00				timely	desig G on check
	28-Nov-93	300.00	2187	1400.00					
	07-Jun-94				400.00				PRIMARY
Parkinson Dave	18-Jan-94	2000.00	131	1000.00					refund $1000
	24-Mar-94	1000.00	4301	2000.00					no check copy; batch not found
	07-Jun-94				1000.00				PRIMARY
Peters Carrie	09-Jul-93	100.00	4644	100.00					
	24-Jan-94	300.00	426	400.00					
	23-Mar-94	1000.00	627	1400.00					
	07-Jun-94				400.00				PRIMARY
Poyser C. Alan	03-Jun-91	1000.00	7917	1000.00					
	15-Jan-93	1000.00	DpstTkt	2000.00				untimely	undid redesign $1000 to G
	07-Jun-94						1000.00		PRIMARY
Pohs Arnold	23-Jun-93	1000.00	999	1000.00					
	11-Feb-94	100.00	1191	1100.00					refund o/s
	07-Jun-94				100.00				PRIMARY
Pompadur I. Martin	12-Oct-93	1000.00	2426	1000.00					
	28-Oct-93	1000.00	2436	2000.00					
	07-Jun-94				1000.00				PRIMARY
Purnell Robert	20-Aug-93	500.00	1537	500.00					
	06-Dec-93	1000.00	1655	1400.00				w/nv	$1000 timely; $400 invalid realtr
	07-Jun-94				400.00				PRIMARY
Reger James	18-Dec-89	400.00	8727	400.00					
	15-Aug-91	400.00	733	800.00					
	07-Feb-92	400.00	8204	1200.00					
	06-Jan-93	51.94	1509	1251.94				untimely	undid redesign $251.94 to G
	22-Mar-93	400.00	8323	1651.94				untimely	undid redesign $400 to G
	07-Jun-94						651.94		PRIMARY
Rowland Robert	29-Jun-90	1000.00	8262	1000.00					
	23-Sep-93	500.00	9168	1500.00					
	07-Jun-94				500.00				PRIMARY

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The Friends of Conrad Burns
Schedule of Contributions Received in Excess of the Limitation

Name	Date	Check Amount	Check Number	Election Aggregate	Unrecorded Excesses Primary	Unrecorded Excesses General	Received Untimely	Resolution Date	Comments
Shanahan Ward	08-Dec-89	400.00	6445	400.00					
	06-Nov-92	800.00	7403	1200.00					
	12-Mar-93	400.00	7543	1600.00				untimely	$800 to General
	09-Jul-93	100.00	7667	1700.00					
	27-Oct-93	100.00	7808	1700.00				timely	design General on check
	10-Jan-94	200.00	7915	1700.00				timely	redesign to General
	07-Jun-94				100.00		600.00		PRIMARY
Shumate Allen	26-Jan-90	100.00	6036	100.00					
	20-May-91	400.00	NA	500.00					check copy not found
	07-Feb-92	400.00	9212	900.00					
	06-Jan-93	400.00	9682	1300.00				untimely	
	01-Mar-93	300.00	9759	1600.00				timely	design General on check
	12-Nov-93	400.00	5324	1300.00				timely	
	07-Jun-94						300.00		PRIMARY
Stallard Robert	29-May-92	400.00	2097	400.00					
	07-Jun-93	400.00	2237	800.00					
	06-Jun-94	400.00	2419	1200.00					
	07-Jun-94				200.00				PRIMARY
Smith Robert	28-Jul-92	100.00	1933	100.00					
	18-Dec-92	50.00	2017	150.00					
	22-Apr-93	100.00	2095	250.00					
	30-Nov-93	75.00	2199	325.00					
	17-Dec-93	1000.00	2205	1325.00					
	07-Jun-94				325.00				PRIMARY
Stag Walt	08-Dec-89	400.00	1520	400.00					
	03-Jun-91	400.00	1583	800.00					
	01-Feb-93	400.00	1694	1200.00				untimely	invalid redesign $200 to G
	06-Dec-93	400.00	1747	1200.00				timely	dated notice ltr
	07-Jun-94						200.00		PRIMARY
Taylor James	22-Nov-91	600.00	9604	600.00					
	06-May-93	1100.00	10669	2000.00					
	07-Jun-94				1000.00				PRIMARY
Thompson Ludwine	16-Jun-94	100.00	4026	100.00					check dated June 13,1994
	06-Oct-94	250.00	1088	350.00					check copy, totals not found
	20-Oct-94	1500.00	4947	1850.00				invalid	unal/ $500 realtr to spouse
	08-Nov-94					600.00			GENERAL
Wagner Mair	20-Jun-94	1111.11	MEM	1111.11					1 Fifth Senate Victory Fund
	08-Nov-94					111.11			GENERAL
Weissman Jerrold	21-May-93	1000.00	5083	1000.00					
	02-Jun-94	187.10	In Kind	1187.10					radio ads for Primary
	07-Jun-94				187.10				PRIMARY
Wynne John	11-Jun-91	1000.00	4683	1000.00					
	27-Sep-93	1000.00	6091	2000.00				untimely	invalid redesign $1000 to G
	07-Jun-94						1000.00		PRIMARY
Zimmerman Jerome	21-May-93	1000.00	2352	1000.00					
	17-Sep-93	500.00	2491	1500.00				untimely	invalid redesign $500 to G
	07-Jun-94						500.00		PRIMARY
Haven Terry	28-Sep-94	2000.00	8026	2000.00				invalid	unal/ realtr ltr
	08-Nov-94					1000.00			GENERAL
Sirotiy Mitchell	04-Oct-94	2000.00	6765	2000.00					
	08-Nov-94					1000.00			GENERAL
Topolski Ted	19-Sep-94	500.00	534	500.00				invalid	unal/ realtr ltr
	21-Oct-94	85.00	1159	585.00				invalid	unal/ realtr ltr
	31-Oct-94	1000.00	1202	1585.00					
	08-Nov-94					585.00			GENERAL
Veeith Mertawn	16-Jun-94	600.00	5258	600.00					
	04-Oct-94	500.00	5386	1100.00				invalid	unal/ realtr ltr
	08-Nov-94					100.00			GENERAL
Williams Kent	26-Oct-94	1500.00	130	1500.00				invalid	unal/ realtr ltr
	08-Nov-94					500.00			GENERAL
Cape Donald	25-Jan-94	1600.00	147	1500.00				val/inv	$100 design P; $1100 unal/ realtr
	08-Nov-94					500.00			GENERAL

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The Friends of Conrad Burns
Schedule of Contributions Received in Excess of the Limitation

Name	Date	Check Amount	Check Number	Election Accounts	Unexpended Balance Primary	Unexpended Balance General	Received Unlimit	Resolution Date	Comments
Dornbach Timothy	08-Dec-93	2000.00	5285	2000.00					
	07-Jun-94				1000.00				PRIMARY
Dowdal Frank	23-Jun-93	2000.00	3912	2000.00				invalid	P-G on ck written by Cnte
	07-Jun-94				1000.00				PRIMARY
Kolstad Allen	11-Aug-94	2000.00	6889	2000.00				invalid	unr/ realtr ltr
	08-Nov-94					1000.00			GENERAL
Lay Kenneth	20-Jan-94	2000.00	10602	2000.00					
	07-Jun-94				1000.00				PRIMARY
Lenfest H.F.	29-Oct-93	2000.00	494	2000.00				untimely	undel redesign $1000 to G
	15-Feb-94	250.00	547	2250.00					$250 ref on 6/30/94 O/S
	07-Jun-94				250.00		1000.00		PRIMARY
Mehaffey John	12-Oct-94	2000.00	5149	2000.00				invalid	unr/ realt $1000 to spouse
	08-Nov-94					1000.00			GENERAL
Mikelatt Jonathan	21-May-93	2000.00	2127	2000.00					
	07-Jun-94				1000.00				PRIMARY
O'Connor John	17-Oct-94	1500.00	1088	1500.00				invalid	unr/ realtr on check [illegible]
	07-Nov-94					500.00			GENERAL.
Spurlaman J.C.	23-Jun-93	2000.00	3527	2000.00				invalid	P-G on check written by Cnte
	07-Jun-94				1000.00				PRIMARY
Todd Daryl	11-Feb-93	800.00	6211	400.00				realtr	ck s/ Daryl; cnlt s/ Charles
	07-Jan-93	25.00	6295	425.00					
	10-Feb-94	800.00	1403	1225.00					
	05-Jun-94	175.00	6827	1400.00					Ck dis; dplt 6/5/94
	07-Jun-94				400.00				PRIMARY
Angus John	29-Oct-93	750.00	6591	750.00					
	01-Jun-94	1000.00	7161	1750.00					no depts
	07-Jun-94				750.00				PRIMARY
Bennett James	19-Apr-93	400.00	2285	400.00					
	08-Jun-94	400.00	2394	800.00					
	11-Feb-93	400.00	2871	1200.00				untimely	undel redesign $200 to G
	07-Jun-94						200.00		PRIMARY
Blevins Brian	07-Jan-93	100.00	2102	100.00					
	30-Sep-93	600.00	68	700.00					
	05-May-94	500.00	1002	1200.00				untimely	undel redesign $200 to G
	07-Jun-94						200.00		PRIMARY
Burke Edmund	17-Oct-90	1000.00	DpstTkt	1000.00					no check copy
	08-Aug-92	500.00	569	1000.00					50% desig to G
	04-Mar-94	1000.00	1817	2000.00					$1000 undel refund 6/30/94 O/S
	07-Jun-94				1000.00				PRIMARY
Butler William	10-Aug-92	250.00	2231	250.00					
	24-Mar-93	400.00	2394	650.00					
	08-Jan-94	100.00	2837	750.00					
	11-May-94	400.00	2754	1150.00				invalid	unr/ realtr $150
	07-Jun-94				150.00				PRIMARY
Christofferson Jacque	04-Nov-91	800.00	1650	800.00					
	16-Aug-93	500.00	2754	1300.00					repid refund $300 3/18/94 O/S
	27-Apr-94	400.00	3372	1300.00				timely	s/ did realtr to spouse ($400)
	07-Jun-94				300.00				PRIMARY
Claridge Roger	07-Jan-93	100.00	3308	100.00					
	19-Apr-93	400.00	5231	500.00					
	28-Nov-93	1500.00	3513	2000.00				untimely	$1000 refund 3/18/94
	07-Jun-94						1000.00		PRIMARY
Clannell Martin	14-Mar-90	400.00	1005	400.00					
	26-Jun-91	400.00	1085	800.00					
	08-Dec-93	2000.00	1371	1800.00				valid/inv	design $1000 to G; unr/ realt $800
	07-Jun-94				800.00				PRIMARY
Cowles Don	06-Jan-93	1000.00	2155	1000.00					
	12-May-93	400.00	2211	1400.00				untimely	undel redesign $400 to G
	30-Dec-93	600.00	2532	1400.00				timely	refunded 3/18/94 $600

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Final Audit Report

The Friends of Conrad Burns
Schedule of Contributions Received in Excess of the Limitation

Name	Date	Check Amount	Check Number	Election Aggregate	Unresolved Excessive Primary	Unresolved Excessive General	Received Untimely	Resolution Date	Comments
Cowles Don	28-Apr-94	600.00	2598	1400.00				timely	design G
	07-Jun-94						400.00		PRIMARY
Downer Ilka	08-Jul-94	500.00	1095	500.00					
	10-Aug-94	500.00	1097	1000.00				invalid	unref reattr
	06-Oct-94	100.00	3157	1100.00					
	06-Oct-94	250.00	1101	1350.00					
	08-Nov-94					350.00			GENERAL
Davidson Ian	16-Feb-90	400.00	6080	400.00					
	20-May-91	400.00		800.00					check not found
	24-May-93	400.00	9210	1200.00					
	02-Feb-94	400.00	9462	1200.00				timely	redesign $400 to G
	07-Jun-94				200.00				PRIMARY
Dutton Dan	02-Sep-93	500.00	369	500.00					
	19-May-94	1000.00	2735	1500.00				invalid	unref reattr $500 to spouse
	07-Jun-94				500.00				PRIMARY
Eshart Joe	01-Feb-93	250.00	6282	250.00					
	04-Jun-93	200.00	6918	450.00					
	13-Apr-93	100.00	6969	550.00					
	13-Apr-93	300.00	6949	850.00					
	14-Dec-93	19.94	9213	869.94					
	14-Dec-93	500.00	9214	1369.94				untimely	ref [illegible] 3/18/94
	14-Apr-94	500.00	1091	1869.94				invalid	refund $500 rept 6/30/94 O/S
	07-Jun-94				869.94		369.94		PRIMARY
Galbraith John	19-Jul-91	250.00		250.00					check not found
	02-Jul-93	200.00	4581	450.00					
	02-Jun-94	1000.00	4668	1450.00					no docin
	07-Jun-94				450.00				PRIMARY
Galt Louise	11-Jan-90	400.00	6534	400.00					
	27-Jan-92	400.00	7284	800.00					
	06-Jan-93	400.00	7630	1200.00					
	26-May-93	100.00	7774	1300.00					
	15-Nov-93	700.00	7897	1300.00				timely	design G
	07-Jun-94				300.00				PRIMARY
Haddon Betty	10-Aug-94	400.00	6501	400.00					
	29-Sep-94	1000.00	6669	1400.00					no docin
	08-Nov-94					400.00			GENERAL
Hanson J.H.	03-Feb-92	1000.00	7379	1400.00					
	04-Jun-93	400.00	48244	1400.00				untimely	undid redesign $400 to G
	03-Jan-94	400.00	8011	1400.00				timely	design $400 to G
	08-Apr-94	400.00	8076	1400.00				timely	$200 reattr to spouse
	07-Jun-94						400.00		PRIMARY $200 refund 6/30/94 O/S
Hibbard Chase	18-Dec-89	400.00	2764	400.00					
	11-Jun-91	400.00	3171	800.00					
	12-May-93	400.00	3756	1200.00					
	15-Mar-94	200.00	3997	1200.00				timely	ref $200 5-18-94
	07-Jun-94				200.00				PRIMARY
Hoppel Jack	20-Oct-94	2000.00	521	2000.00				invalid	unref reattr $800 to Tim
	08-Nov-94					1600.00			GENERAL
Kesler Robert	14-Jul-93	400.00	8026	400.00					
	16-Feb-94	800.00	8672	1200.00				invalid	unref reattr 3r
	05-Jun-94	1200.00	8812	2400.00					ck (3r) dptd 6/13/94
	07-Jun-94				1400.00				PRIMARY
Korologos Tom	07-May-91	974.77	1501	974.77					
	13-May-93	1000.00		1974.77					JL F/R; no ck copy
	07-Jun-94				974.77				PRIMARY
Larson Hollister	11-Jan-90	400.00	1478	400.00					
	04-Nov-91	400.00	2089	800.00					
	19-Apr-93	400.00	2282	1200.00				untimely	$200 ref 3/18/94
	07-Jun-94						200.00		PRIMARY
	20-Sep-94	1600.00	1897	1600.00				invalid	unref memo attr on ck
	08-Nov-94					800.00			GENERAL
Leland David	03-Oct-91	500.00	2568	500.00					
	02-Sep-93	100.00	cash	600.00					
	31-Mar-94	900.00	1531	1500.00					no docin
	07-Jun-94				500.00				PRIMARY

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The Friends of Conrad Burns
Schedule of Contributions Received in Excess of the Limitation

Name	Date	Check Amount	Check Number	Election Approvals	Unresolved Excess	Unresolved Refunds Sent	Resolved Unlimits	Resolution Date	Comments
Mosley David	01-Mar-93	100.00	4177	100.00					
	12-Mar-93	200.00	4180	300.00					
	13-Apr-93	100.00	4208	300.00					w/ Frances
	09-Jun-93	600.00	4345	900.00					
	18-Aug-93	200.00	4439	1100.00				Invalid	David J & Frances H on ML of ck
	03-Dec-93	1000.00	4608	2100.00				untimely	refunded $1000 3/18/94
	24-Mar-94	600.00	4747	2100.00				timely	design G on check
	07-Jun-94				100.00		1000.00	PRIMARY	
McCormick Mary Patricia	06-Aug-93	1000.00	3982	1000.00					
	03-Jun-94	500.00	3943	500.00					check date; deposited 6/16/94
	07-Jun-94				500.00				PRIMARY
McCormick Richard	06-Aug-93	1000.00	4870	1000.00					
	03-Jun-94	500.00	5882	1500.00					check date; deposited 6/16/94
	07-Jun-94				500.00				PRIMARY
McLeod Gordon	04-Nov-91	400.00	4318	400.00					
	22-Jul-92	50.00	5982	450.00					
	24-Feb-93	30.00	6179	480.00					
	09-May-93	400.00	6911	880.00					
	11-Jun-93	20.00	6975	900.00					
	20-Nov-93	100.00	6784	1000.00					
	05-Jun-94	400.00	7235	1400.00					no dcstn
	07-Jun-94				400.00				PRIMARY
McMillan C.L.	30-Apr-93	250.00	4751	250.00					
	17-Sep-93	500.00	4948	750.00					
	06-Jun-94	500.00	5019	1250.00					ck dtc; dpld 6/15/94
	07-Jun-94				250.00				PRIMARY
Moffitt Walter	09-Apr-90	400.00	4776	400.00					
	09-Jul-91	400.00	5521	800.00					
	02-Mar-92	400.00	4854	1200.00					
	24-Feb-93	400.00	5882	1200.00				timely	redesign $400 to G
	09-May-94	400.00	5169	1200.00				timely	design G on ck
	07-Jun-94				200.00				PRIMARY
Nance Robert	29-Apr-93	100.00	2376	100.00					
	03-Dec-93	1000.00	1631	2000.00				untimely	refunded $1000 3/18/94
	28-Mar-94	1000.00	2862	2000.00				timely	design G on ck
	07-Jun-94						1000.00		PRIMARY
Payne Terry	11-Aug-91	400.00	2170	400.00					
	03-Feb-92	400.00	2248	800.00					
	05-Feb-93	400.00	2372	1200.00				untimely	undid redesign $200 to G
	26-Jan-94	400.00	2527	1200.00				timely	redesign G timely
	01-Jun-94	400.00	2581	1200.00				timely	redesign G timely
	07-Jun-94						200.00		PRIMARY
Peters Roger	09-Jul-93	1000.00	4936	1000.00					
	01-Dec-93	1000.00	4864	2000.00				untimely	refunded $1000 3/18/94
	07-Jun-94						1000.00		PRIMARY
Peterson Arthur	24-Feb-93	100.00	9780	100.00					
	21-Apr-93	100.00	9837	100.00					
	01-Sep-93	250.00	1041	450.00					
	27-May-94	1000.00	1310	1450.00				untimely	undid redesign $550 to G
	07-Jun-94						450.00		PRIMARY
Rice Dan,Pat,Mike-CGE	19-Feb-92	2500.00	1017	2500.00					partnership alloc
	19-Feb-92				1500.00				Primary
Rice Dan,Pat,Mike-TS	18-May-94	1500.00	11055	1500.00					partnership alloc
	18-May-94				999.50				PRIMARY
Rigas James	29-Oct-93	2000.00	4494	2000.00				untimely	ref $1000 3/18/94
	07-Jun-94						1000.00		PRIMARY
Rollins John	10-Aug-94	1000.00	11243	1000.00					check not located
	16-Aug-94	1000.00	14477	2000.00					
	08-Nov-94					1000.00			GENERAL
Rovig David	13-Mar-90	400.00	837	400.00					
	23-Jul-91	400.00	1002	800.00					
	22-Mar-93	400.00	1042	1000.00				untimely	undid redes $200 to G
	09-Jul-93	100.00	4425	1100.00					

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The Friends of Conrad Burns
Schedule of Contributions Received in Excess of the Limitation

Name	Date	Check Amount	Check Number	Station Activity	Unresolved Excess: Primary	Unresolved Excess: General	Received Untimely	Resolution Date/Ex	Comments
Rodg David	28-Jan-94	488.00	1760	1100.00				timely	
	24-May-94	300.00	1992	1100.00				untimely	undid redes $500 to 8
	07-Jun-94				100.00		500.00		PRIMARY
Schmeltz Steven	14-Jan-93	1000.00	2998	1000.00					6/30/94 $500 ref O/S
	26-Feb-94	500.00	3501	1500.00					ck copy not found
	07-Jun-94				500.00				PRIMARY
Stoddard Richard	17-Oct-91	200.00	6344	200.00					
	06-Aug-92	100.00	9985	300.00					
	08-Jan-93	51.94	9626	351.94					
	05-Feb-93	400.00	9875	751.94					
	29-Mar-93	100.00	9984	851.94					
	13-Apr-93	100.00	1016	951.94					
	21-Jan-93	100.00	1066	1051.94					
	21-Oct-93	100.00	1225	1051.94				timely	design timely
	01-Dec-93	75.00	1269	1126.94				untimely	ref $75 3/18/94
	08-Dec-93	848.00	1274	1975.00				untimely	ref $848.06 3/18/94
	07-Jun-94				51.94		923.06		PRIMARY
Taylor Beatrice	05-May-93	400.00	2888	400.00					
	29-Nov-93	1600.00	2894	2000.00				untimely	refunded $1000 3/18/94
	07-Jun-94						1000.00		PRIMARY

Totals:

Total unresolved	$48,000.94		
Primary unresolved		$38,657.61	
General unresolved			$11,882.23
Received Untimely			$20,887.70

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Final Audit Report

The Friends of Conrad Burns

Schedule of Unitemized 48 Hour Contributions

	Name of Contributor	Check #	Dep. Date	Amount
1	American Consulting Engineers PAC	11672	10/20/94	1,000.00
2	AT&T PAC	11710	10/20/94	2,000.00
3	Columbia Employees PAC	3170	10/20/94	1,000.00
4	Consolidated Freightways Inc. PAC	1012	10/20/94	1,000.00
5	Dale James	3454	10/20/94	1,000.00
6	Flowers Industries PAC	598	10/20/94	5,000.00
7	Friends of John Warner	1209	10/20/94	1,000.00
8	GIPAC	1763	10/20/94	1,000.00
9	Great West PAC	1056	10/20/94	1,000.00
10	Grubbs Barb	6443	10/20/94	1,000.00
11	Hoppel Jack	521	10/20/94	2,000.00
12	Houghton J.R.	4842	10/20/94	1,000.00
13	KellyPAC	1126	10/20/94	1,000.00
14	Kelsey Van	1855	10/20/94	1,000.00
15	KochPAC	1365	10/20/94	1,000.00
16	Life Insurance PAC	3619	10/20/94	5,000.00
17	MCA PAC	1423	10/20/94	2,000.00
18	Meinders Herman	3344	10/20/94	1,000.00
19	National Screw Machine Product Association PAC	498	10/20/94	2,000.00
20	NFIB Safe Trust	1714	10/20/94	4,000.00
21	Republican Majority Fund	1031	10/20/94	1,000.00
22	Ryan William	6617	10/20/94	1,000.00
23	Sandoz Agro, Inc Patriot Cmte	1126	10/20/94	1,000.00
24	Senate Victory Fund, PAC	1111	10/20/94	2,000.00
25	Snyder William	565	10/20/94	1,000.00
26	Stanley David	2664	10/20/94	1,000.00
27	St. Louisians for Better Government	518	10/20/94	2,500.00
28	Thompson Ladaine	4947	10/20/94	1,000.00
29	Victory America	1131	10/20/94	1,000.00
30	Wexler Group PAC	800	10/20/94	2,500.00
31	Agent for Good Govt	556	10/21/94	5,000.00
32	Connolly J.W.	4423	10/21/94	1,000.00
33	Deloitte & Touche Federal PAC	478	10/21/94	3,000.00
34	Employees of Pacific Enterprises	1103	10/21/94	2,000.00
35	Hope-Davis Sarahanne	1108	10/21/94	1,000.00
36	K-Mart Corporation PAC	1777	10/21/94	1,000.00
37	McClure for US Senator Cmte	333	10/21/94	1,000.00
38	McDonald K.R.	18304349	10/21/94	1,000.00
39	National Republican Congressional Cmte	12831	10/21/94	5,000.00
40	Pepsico Concerned Citizens Fund	2955	10/21/94	3,000.00
41	Pittston Company PAC	413	10/21/94	1,000.00
42	Shepherd Lewis	1139	10/21/94	1,000.00
43	Tersel Joseph	2566	10/21/94	1,000.00
44	ARCO PAC	1991	10/24/94	1,000.00
45	BenPAC Federal	10308	10/24/94	1,000.00
46	Boise-Cascade PAC	1275	10/24/94	1,000.00
47	BPAC	1019	10/24/94	2,000.00

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Final Audit Report

The Friends of Conrad Burns

Schedule of Unitemized 48 Hour Contributions

	Name of Contributor	Check #	Dep. Date	Amount
48	CF Industries PAC	1058	10/24/94	1,000.00
49	CityPAC	1074	10/24/94	1,000.00
50	Coopers & Lybrand PAC	1888	10/24/94	2,500.00
51	Dean Witter - Discover & Co. PAC	367	10/24/94	1,000.00
52	Federal Express PAC	2921	10/24/94	3,000.00
53	Ford Motor Co. Civic Action Fund	6495	10/24/94	1,000.00
54	Garden State PAC	1801	10/24/94	1,000.00
55	General Mills, Inc. PAC	2091	10/24/94	1,000.00
56	I.P.H.F.H.A., Inc. PAC	1170	10/24/94	1,000.00
57	Kemper Corporation PAC	312	10/24/94	1,000.00
58	Long Betty	2386	10/24/94	1,000.00
59	Morrison's PAC	921	10/24/94	1,000.00
60	NBWA PAC	2481	10/24/94	2,500.00
61	NCGG	1696	10/24/94	1,000.00
62	Orthopaedic PAC	2793	10/24/94	1,000.00
63	Pfizer PAC	1413	10/24/94	1,000.00
64	SCBA-COMPAC	2496	10/24/94	1,000.00
65	Teco Energy PAC	1172	10/24/94	1,000.00
66	UPSPAC	11862	10/24/94	1,000.00
67	US West PAC	3443	10/24/94	1,000.00
68	Yellow Freight System Inc. of Delaware PAC	1812	10/24/94	1,000.00
69	Smith Loren	In-Kind	10/28/94	1,000.00
70	Food Marketing	4599	10/27/94	2,000.00
71	House PAC	1901	10/27/94	1,000.00
72	Palmer Russ	In-Kind	10/27/94	1,000.00
73	Torchmark PAC	2741	10/27/94	2,500.00
74	American Veterinary Medical Assoc. PAC	669	10/28/94	2,000.00
75	Dickstein, Shapiro & Morin PAC	1744	10/28/94	1,000.00
76	Eli Lilly & Co. PAC	385	10/28/94	1,000.00
77	Bottrell Don	227909	11/03/94	1,000.00
		Unitemized Total:		$119,000.00

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SENSITIVE

FEDERAL ELECTION COMMISSION

BEFORE THE FEDERAL ELECTION COMMISSION

DEC 10 3 00 PM '97

In the Matter of	)	
	)	
Enforcement Priority System II	)	Audit Referral 97-03 and MUR 4387
	)	
	)	

GENERAL COUNSEL'S REPORT

I. INTRODUCTION

The cases listed below have been identified as low rated and stale matters under the Enforcement Priority System II ("EPS II") for cases assigned to the Public Financing, Ethics & Special Projects ("PFESP") staff. *See* Memorandum to the Commission, *PFESP Enforcement Priority System*, approved September 10, 1996. This Report recommends that the Commission no longer pursue these low rated and stale matters.

II. CASES RECOMMENDED FOR CLOSING

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

EPS II was created to identify pending cases which, based upon their lower priority, do not warrant further expenditure of resources. The PFESP Docket evaluates each incoming matter using Commission-approved criteria, and rates each case numerically.

Closing such cases permits the Commission to focus its limited resources on more important cases presently pending before it. Based on our review, this Office has identified one matter which does not warrant further action relative to other pending matters. Audit Referral 97-03 (Joe Rogers for Congress)

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meets the criterion for closure as a low rated case under EPS II. Accordingly, we recommend that the Commission exercise its prosecutorial discretion, decline to open a Matter Under Review, and close the file in this matter. *See* Attachment 1.

B. Stale Cases

Investigations require greater resources of time and funds when the activity and factual evidence are not current. By focusing our investigative efforts on cases involving recent activity, we more efficiently allocate our limited resources where they can significantly affect the electoral process.

Accordingly, this Office has identified one stale PFESP enforcement matter that we believe does not warrant further investment of Commission resources. MUR 4387 (Friends of Conrad Burns) addressed activity from the 1994 election cycle

Therefore, this Office recommends that the Commission exercise its prosecutorial discretion and close the file with respect to MUR 4387.

III. RECOMMENDATIONS

1. Decline to open a MUR in Audit Referral 97-03.

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

   a. Audit Referral 97-03;
   b. MUR 4387.

12/18/97
Date

Lawrence M. Noble
General Counsel

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Enforcement Priority System II.	)	Audit Referral #97-03
	)	MUR 4387

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 30, 1997, the Commission decided by a vote of 5-0 to take the following actions in Audit Referral #97-03 and MUR 4387:

1. Decline to open a MUR in Audit Referral #97-03.

2. Take no action, close the file and approve the appropriate letters in the following matters: Audit Referral #97-03 and MUR 4387, as recommended in the General Counsel's Report dated December 18, 1997.

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

Attest:

12-30-97
Date

Lisa R. Davis
for Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Thurs., Dec. 18, 1997 3:08 p.m.
Circulated to the Commission: Thurs., Dec. 18, 1997 4:00 p.m.
Deadline for vote: Tues., Dec. 30, 1997 4:00 p.m.

lrd

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 14, 1998

Jim Swain, Treasurer
Friends of Conrad Burns
P.O. Box 3311
Billings, Montana 59103

RE: MUR 4387

Dear Mr. Swain:

On June 13, 1996, the Federal Election Commission's Audit Division referred certain matters to the Office of General Counsel involving the Friends of Conrad Burns Committee ("the Committee"), and Jim Swain, as treasurer, for possible enforcement action. *See* Referral Materials. The referral resulted from an audit of the Committee undertaken pursuant to 2 U.S.C. 438(b).

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against the Friends of Conrad Burns Committee and you, as treasurer. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in the matter on December 30, 1997.

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 me at (800) 424-9530 or (202) 219-3690.

Sincerely,

Gregory R. Baker
Special Assistant General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4381

DATE FILMED 1/23/98 CAMERA NO. 2

CAMERAMAN EES

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