



FEDERAL ELECTION COMMISSION

1125 K STREET NW
WASHINGTON, D.C. 20463

THIS IS THE END OF TAP # 476

Date Filmed 6/29 Camera No. --- 2

Cameraman BPC

STATE RECORDS DIVISION - FEDERAL BUREAU OF INVESTIGATION - 1719-0-410-1-5-3



FEDERAL ELECTION COMMISSION

1125 K STREET NW
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 476

Date Filmed 6/29 Camera No. --- 2

Cameraman BPC

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Charles Bowyer, Treasurer)
New Mexico Udall '76 Committee)

MUR 476 (77)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on January 6, 1978, the Commission adopted the recommendation of the General Counsel to close the file due to the voluntary submission of the necessary material in relation to the above-captioned matter.

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

79040135354



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

January 6, 1978

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS *mwe*
SUBJECT: MUR 476 (77) - First General Counsel's Report

The above-mentioned document was circulated to the Commissioners on January 4, 1978.

As of 9:00 a.m., this date, no objections have been received in the Commission Secretary's office.

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December 30, 1977

MEMORANDUM TO: Marge Emmons
FROM: Jeff Bowman
SUBJECT: MUR 476(77) Team88 Staff Member-Lovejoy

Please have the attached 7 Day Report on
MUR 476(77) distributed to the Commission on a 24 hour
no-objection basis.

Thank you.

79040135356

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

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION _____

MUR NO. 476(77)
DATE COMPLAINT RECEIVED
BY OGC _____

ATTORNEY Lovejoy

COMPLAINANT'S NAME:

RESPONDENT'S NAME: Charles Bowyer, Treasurer
New Mexico Udall '76 Committee

RELEVANT STATUTE: 2 U.S.C. §§432(d); 437d(a)(3)

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

Pursuant to a Commission determination of July 28, 1977, the Audit Division undertook to audit all committees affiliated with the Udall '76 Committee. The Audit Division met with Mr. Bowyer, Treasurer of the New Mexico Udall '76 Committee on August 22, 1977. At that meeting Mr. Bowyer stated that the Committee records were not available for immediate inspection. On November 11, 1977, Mr. Bowyer agreed to forward immediately all records in his custody to the Udall '76 Committee, but the materials were not sent.

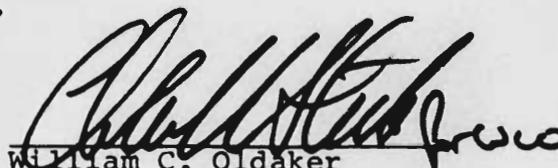
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The Audit Division requested that the General Counsel's Office subpoena the materials from Mr. Bowyer. A First General Counsel's Report and subpoena were prepared and sent to the Commission on December 8, 1977. On the following day, before the subpoena was circulated to the Commissioners, the Audit Division received the requested materials from the New Mexico Udall '76 Committee, according to the attached memo from Ralph Brandt of the Audit Division.

RECOMMENDATION

Close the file because the materials to be subpoenaed have been submitted voluntarily.

30 December 1977
Date


William C. Oldaker
General Counsel

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FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

MEMORANDUM

TO: PAUL LOVEJOY
FROM: RALPH BRANDT *RB*
DATE: December 12, 1977
SUBJECT: NEW MEXICO UDALL '76 COMMITTEE

I have received today the Committee records which are described in the November 15, 1977 memorandum.

Therefore, it is unnecessary to issue a subpoena.





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

November 15, 1977

MEMORANDUM

TO: WILLIAM C. OLDAKER

THROUGH: ORLANDO B. POTTER *OBP.*

FROM: ROBERT J. COSTA *RJC*
 JOSEPH F. STOLTZ *JFS*
 RALPH BRANDT *RB*

SUBJECT: REQUEST FOR SUBPOENA TO OBTAIN RECORDS
 OF THE NEW MEXICO UDALL '76 COMMITTEE

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Background

On July 28, 1977, the Commission determined to audit all the committees affiliated with the Udall '76 Committee. (see Attachment 1). The Treasurer, Mr. Stanley Kurz, has indicated a willingness and desire to provide the information requested to the FEC in a timely fashion and suitable location. (see Attachment 2). The Audit Division has contacted the Udall '76 Committee and several of its affiliated committees to make its records available for FEC inspection. (see Attachment 3).

Facts

In the case of the New Mexico Udall '76 Committee, the records have not been made available for FEC inspection. The Audit Division arranged to meet with the Treasurer, Mr. Charles Bowyer in Albuquerque, New Mexico on August 22, 1977. (see Attachment 4). At that meeting Mr. Bowyer said that the records were not available for immediate inspection and they could not be made available anytime that week.

Mr. Kurz wrote to Mr. Bowyer to remind him of his responsibility to provide documents to the FEC upon request. (see Attachment 5).



5. List of Committee assets held on 6/14/76 with the associated fair market value of each.
6. Committee correspondence files.
7. Accounting and bookkeeping manuals which describe key committee personnel and their duties, methods of recording and processing contributions, and a description of internal control procedures.
8. Committee contract/lease files.
9. Treasurer's statement of cash on hand and availability of committee records for FEC inspection.

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Attachments as stated

The most recent telephone contact that the Audit Division has had with Mr. Bowyer was on November 11, 1977. Mr. Bowyer said that he has not sent the records because the bank statements and receipted bills were incomplete. Mr. Bowyer was advised and agreed to send immediately all records in his custody to the Udall '76 Committee by certified air mail.

Recommendation

Mr. Bowyer has been allowed a period in excess of two months to assemble and forward the records covering approximately \$17,000 in Committee activity to the Udall '76 Committee. Despite repeated promises, the records have not been presented for our inspection. We therefore recommend that a subpoena be issued requiring the production of the New Mexico Udall '76 Committee records at the Commission within 15 days of service. Naturally, if Mr. Bowyer should produce the needed records before issuance of a subpoena, you will be notified immediately.

The subpoena should be addressed as follows:

Mr. Charles Bowyer
4500 Branff, N.E.
Albuquerque, New Mexico 87111

The subpoena should require production of the following records:

1. General and Subsidiary Contribution and Expenditure Journals and Ledgers.
2. Receipted bills, invoices, contemporaneous memoranda and vouchers.
3. Bank statements, reconciliations, check registers and stubs, deposit tickets, and cancelled checks for all committee accounts.
4. Accounts payable and receivable ledgers.

79010135362

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Udall '76 Affiliated Committee Audits) } PRESIDENTIAL PRIMARY
REPORT # 8

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on July 28, 1977, the Commission determined by a vote of 5-0 to audit all the committees affiliated with Udall '76 Committee. Commissioner Thomson was not present at the time of the vote.

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

79040135363



UDALL FOR PRESIDENT
Office of the National Treasurer
122 East 42 Street, New York, N.Y. 10017 • (212) 682-7670

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FEDERAL ELECTION
COMMISSION

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February 1, 1977

Hon. Vernon W. Thomson
Chairman
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

Dear Mr. Thomson:

This is to notify you that we are in the process of complying with your directive of January 7 concerning the furnishing of our state committees' records. Providing these materials in one location is complicated by the fact that they are currently dispersed in 24 locations throughout the country. What has become a lengthy process could be greatly simplified if you would please tell us which of the state committees your auditors will most likely want to look at first. Thus, we will be able to provide the information requested in a much more timely fashion and in a suitable location.

Thank you for any consideration you will give to this matter. I look forward to your reply.

Sincerely,

Stanley Kurz
Stanley Kurz
National Treasurer

SK/cz

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FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

February 24, 1977

Mr. Stanley Kurz
Treasurer
Udall '76 Committee
122 East 42nd Street
New York, New York 10017

Dear Mr. Kurz:

Your letter of February 1, 1977 requests a listing of those Udall '76 state committee's that we would most likely want to look at first, so that the records may be provided in a more timely fashion. After examining the reports of the 24 state committees we find that they fall into 3 groups by volume of reported expenditures. We would suggest that you begin assembling your records with those states reporting in excess of \$100,000 in expenditures. These committees are as follows:

- Massachusetts Udall '76 Committee
- New Hampshire Udall '76 Committee
- New York Udall '76 Committee
- Wisconsin Udall '76 Committee

The second group includes those committees reporting between \$50,000 and \$100,000 in expenditures:

- Arizona Udall '76 Committee
- Michigan Udall for President Committee
- New Jersey Udall '76 Committee
- Ohio Udall '76 Committee
- Pennsylvania Udall '76 Committee

The remaining 15 committees comprise the third group. Although we will be looking at some or all of these committees, we would consider them of lesser importance than those listed above.

If you have any further questions concerning this matter please feel free to contact Joe Stoltz at (202)382-6023.

Sincerely yours,

Robert J. Costa
Chief
Compliance Review Sec



CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

August 8, 1977

Mr. Charles Bowyer
New Mexico Udall '76 Committee
4500 Branff, N.E.
Albuquerque, New Mexico 87111

Dear Mr. Bowyer:

This letter confirms today's telephone conversation with a member of our Audit staff regarding the planned audit of the New Mexico Udall '76 Committee.

The audit will be conducted under the authority of the United States Code Title 26 Section 9038(a) (26 U.S.C. 9038(a)) and Title 2 Section 438(a)(8) (2 U.S.C. 438(a)(8)).

The audit will begin at an office of your choice in Albuquerque, New Mexico on August 22, 1977 at 9:00 A.M. The audit will be conducted by Ralph Brandt and an additional staff member.

All financial records, including bank statements, deposit slips, cancelled checks, contribution records, receipted bills, journals and ledgers maintained by the Committee should be available for inspection.

Should you have any questions concerning any of the matters discussed above, please contact either Ralph Brandt or Elmo Allen at (202) 523-4155.

Sincerely,

Robert J. Costa
(Acting) Assistant
Staff Director for
the Audit Division

cc: Mr. Stanley Kurz
Treasurer

CERTIFIED MAIL:
RETURN RECEIPT REQUESTED



79040.135366



UDALL FOR PRESIDENT
Office of the National Treasurer
122 East 42 Street, New York, N. Y. 10017 • (212) ~~FED:107X~~ 697-2233

October 3, 1977

Mr. Charles Bowyer
4500 Branff, N.E.
Albuquerque, New Mexico 87111

Dear Mr. Bowyer:

Ms. Carol Ziemer in my office has brought to my attention the fact that she has tried unsuccessfully for several months to receive from you the New Mexico Udall '76 Committee financial records. I have also been made aware of this problem by members of the Federal Election Commission who are auditing all activities of the Udall '76 Committee and its affiliates.

I must point out to you that as treasurer of the New Mexico Udall '76 Committee you accepted the responsibility for maintaining the financial records of that committee. Inherent in this responsibility was to provide the FEC, upon their request, the documents in question. Since, to date, you have chosen not to comply with requests from this office and from the FEC directly, I can only advise you that the Commission has power to subpoena these records.

If you still have not forwarded the documents as requested, I strongly urge you to contact me immediately.

Sincerely,

STANLEY KURZ
National Treasurer

SK/kp
cc: FEC

Received 10/11/77

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FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 476

Date Filmed 6/29/79 Camera No. --- 2

Cameraman hpc

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