

**ORIGINAL**

Office of General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

November 1, 2010

MUR # 6426

Dear General Counsel:

Attached, please find a complaint and supporting documents regarding flights on private airplanes taken by US Senate Candidate Joseph W. Miller during his campaign in Alaska.

Thank you for considering this complaint.

Sincerely,

*Andrée McLeod*

Andrée McLeod  
3721 Young St.  
Anchorage, AK. 99508

11190291499

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
2010 NOV - 8 AM 10:36  
OFFICE OF GENERAL  
COUNSEL

Office of General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

MUR # 6426

November 1, 2010

FEC Violations by Candidate Joseph W. Miller

This complaint is based on my personal knowledge after reading the FEC filings by candidate for US Senate in Alaska Joseph W. Miller. In his July, 2010 FEC filing, Candidate Joseph W. Miller lists fuel reimbursement for campaign flights on a private plane owned by Fairbanks attorney Thomas Wickwire. That report also lists Wickwire's fuel expense as an in-kind contribution. Whether they are campaign expenses or in-kind contributions, they are violations of FEC regulations that require a candidate for US Senate flying on a private aircraft to pay the charter rate for a comparable plane. Mr. Miller's campaign also violated the FEC regulation that requires the charter rate for these flights to be paid within seven days of the flight.

Miller's July FEC filing (page 41 of 98) lists an in-kind, \$900 contribution from Wickwire for aviation fuel expenses for trips on June 12 & 22 with no destinations listed. However the same report lists campaign disbursements of \$900 for aviation fuel for the same two trips (page 88 of 98). It also lists a payment to Thomas Wickwire of \$550 for a June 17 trip from Fairbanks to Bethel (page 89 of 98). These dates may not be accurate for the campaign trips taken since Miller's campaign events calendar lists trips to Kenai, Alaska on June 18<sup>th</sup>, Bethel, Alaska on June 22<sup>nd</sup> and Barrow on June 24<sup>th</sup>.

As shown on his campaign events calendar, after the July FEC filing, Mr. Miller flew to Valdez, Cordova, Glenallen, Tok and Delta Junction, Alaska on one day-July 20<sup>th</sup> and to Nome, Alaska on August 4<sup>th</sup> on a private plane. This plane may have been Mr. Wickwire's or another private plane but Mr. Miller's FEC filing for this time period show no expenditure's for aviation fuel and these trips with extended stays on the ground for campaign events would not have been possible in one day flying on commercial airplanes.

Attached is Mr. Wickwire's FAA registration. A conservative charter rate for these types of aircraft in Alaska is \$300/hour for flight and standby time plus fuel purchased at charter stops. Each of these flights could have cost more than the \$2,400 individual contribution limit for a US Senate campaign. So, if they were to be treated as in-kind contributions, the airplane's owner may be in violation of FEC regulations.

*the airplanes owner*

Signed: Andrée McLeod November 1, 2010  
Andrée McLeod

Notary Public  
BENJAMIN ABBOTT  
State of Alaska  
My Commission Expires Jun 3, 2014

Signed and Sworn to before me on November 1, 2010 at Anchorage, Alaska by  
Andrée McLeod.

Benjamin Abbott, Notary Public in and for the State of Alaska.  
My commission expires: 6/3/2014

Notary Public  
BENJAMIN ABBOTT  
State of Alaska  
My Commission Expires Jun 3, 2014

11190291500

**Section of the Honest Leadership and Open Government Act of 2007 (HLOGA)  
Regarding Use of Non-Commercial Aircraft by Candidates for Federal Office**

**TITLE VI--PROHIBITED USE OF PRIVATE AIRCRAFT**

**SEC. 601. RESTRICTIONS ON USE OF CAMPAIGN FUNDS FOR FLIGHTS ON  
NONCOMMERCIAL AIRCRAFT.**

(a) Restrictions- Section 313 of the Federal Election Campaign Act of 1971 (2 U.S.C. 439a) is amended by adding at the end the following new subsection:

(c) ~~Restrictions on Use of Campaign Funds for Flights on Noncommercial Aircraft-~~

(1) ~~IN GENERAL- Notwithstanding any other provision of this Act, a candidate for election for Federal office (other than a candidate who is subject to paragraph (2)), or any authorized committee of such a candidate, may not make any expenditure for a flight on an aircraft unless-~~

(A) the aircraft is operated by an air carrier or commercial operator certificated by the Federal Aviation Administration and the flight is required to be conducted under air carrier safety rules, or, in the case of travel which is abroad, by an air carrier or commercial operator certificated by an appropriate foreign civil aviation authority and the flight is required to be conducted under air carrier safety rules; or

(B) ~~the candidate, the authorized committee, or other political committee pays to the owner, lessee, or other person who provides the airplane the pro rata share of the fair market value of such flight (as determined by dividing the fair market value of the normal and usual charter fare or rental charge for a comparable plane of comparable size by the number of candidates on the flight) within a commercially reasonable time frame after the date on which the flight is taken.~~

(2) HOUSE CANDIDATES- Notwithstanding any other provision of this Act, in the case of a candidate for election for the office of Representative in, or Delegate or Resident Commissioner to, the Congress, an authorized committee and a leadership PAC of the candidate may not make any expenditure for a flight on an aircraft unless--

(A) the aircraft is operated by an air carrier or commercial operator certificated by the Federal Aviation Administration and the flight is required to be conducted under air carrier safety rules, or, in the case of travel which is abroad, by an air carrier or commercial operator certificated by an appropriate foreign civil aviation authority and the flight is required to be conducted under air carrier safety rules; or

(B) the aircraft is operated by an entity of the Federal government or the government of any State.

~~(3) EXCEPTION FOR AIRCRAFT OWNED OR LEASED BY CANDIDATE-~~

(A) ~~IN GENERAL- Paragraphs (1) and (2) do not apply to a flight on an aircraft owned or leased by the candidate involved or an immediate family member of the candidate (including an aircraft owned by an entity that is not a public corporation in which the candidate or an immediate family member of the candidate has an ownership interest), so long as the candidate does not use the aircraft more than the candidate's or immediate family member's proportionate share of ownership allows.~~

(B) IMMEDIATE FAMILY MEMBER DEFINED- In this subparagraph (A), the term 'immediate family member' means, with respect to a candidate, a father, mother, son, daughter, brother, sister, husband, wife, father-in-law, or mother-in-law.

11190291501

Regulations published in the **Federal Register**, Vol. 74, No. 233, 63951-63968 and effective January 6, 2010 implemented the federal statute on use of a private plane in a federal campaign. An explanation of those regulations, 11 CFR parts 100, 113 and 9034 appeared in the "Federal Election Commission RECORD" (FEC RECORD), Volume 36 Number 10, October 2010. The explanation about campaign travel by a US Senate candidate on a private aircraft appears is on page 8 of the FEC RECORD and states:

**"Presidential, Vice-Presidential and Senate Candidate Travel**

New 11 CFR 100.93(c)(1) requires candidates for President, Vice-President and the U.S. Senate to pay the pro rata share of the fair market value of non-commercial flights. The pro rata share is determined by dividing the fair market value of the normal and usual charter fare or rental charge for a comparable aircraft of comparable size by the number of campaign travelers flying on behalf of each candidate on the flight. The term "comparable aircraft" means an aircraft of similar make and model as the aircraft that actually makes the trip, with similar amenities as that aircraft. The Commission's new regulations interpret HLOGA to include helicopters when determining "comparable aircraft." 11 CFR 100.93(a)(3)(vi).

The pro rata share is calculated based on the number of candidates represented on a flight, regardless of whether the individual candidate is actually present on the flight. A candidate is represented on a flight if a person is traveling on behalf of that candidate or the candidate's authorized committee...~~The reimbursement must be made to the service provider within seven calendar days after the date the flight began to avoid the receipt of an in-kind contribution.~~

11190291502

**SCHEDULE A (FEC Form 3 )  
ITEMIZED RECEIPTS**

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

FOR LINE NUMBER:	PAGE 41 / 85
(check only one)	
<input checked="" type="checkbox"/> 11a	<input type="checkbox"/> 11b
<input type="checkbox"/> 12	<input type="checkbox"/> 13a
<input type="checkbox"/> 11c	<input type="checkbox"/> 13b
<input type="checkbox"/> 14	<input type="checkbox"/> 15

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

NAME OF COMMITTEE (In Full)  
Joe Miller for U.S. Senate

**A.**

Full Name (Last, First, Middle Initial) Tom Wickre		Date of Receipt 08 / 12 / 2010
Mailing Address 2775 Hansen Road Suite 1		Transaction ID: A-1707
City Fairbanks	State AK	Zip Code 99709-3955
FEC ID number of contributing federal political committee. C	Amount of Each Receipt this Period 900.00	
Name of Employer	Occupation	Inkind: Aviation gas 5/12 & 6/22
Receipt For: 2010 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▾	Election Cycle-to-Date ▾ 900.00	

**B.**

Full Name (Last, First, Middle Initial) Jack Widemugh		Date of Receipt 08 / 02 / 2010
Mailing Address 2731 N Dayton Street		Transaction ID: A-C133
City Chicago	State IL	Zip Code 60614-1409
FEC ID number of contributing federal political committee. C	Amount of Each Receipt this Period 500.00	
Name of Employer Harris Associates	Occupation Investment Management	
Receipt For: 2010 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▾	Election Cycle-to-Date ▾ 500.00	

**C.**

Full Name (Last, First, Middle Initial) Robert A Wiseman		Date of Receipt 05 / 28 / 2010
Mailing Address PO Box 1135		Transaction ID: A-C108
City Seldovia	State AK	Zip Code 99582-1135
FEC ID number of contributing federal political committee. C	Amount of Each Receipt this Period 250.00	
Name of Employer Retired	Occupation Retired	
Receipt For: 2010 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▾	Election Cycle-to-Date ▾ 500.00	

SUBTOTAL of Receipts This Page (optional) .....	750.00
TOTAL This Period (last page this line number only) .....	

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10020571568

**SCHEDULE B (FEC Form 3)  
ITEMIZED DISBURSEMENTS**

Use separate schedule(s) for each category of the Detailed Summary Page	FOR LINE NUMBER: (check only one)				PAGE 88/98
	<input checked="" type="checkbox"/> 17 20a	<input type="checkbox"/> 18 20b	<input type="checkbox"/> 19a 20c	<input type="checkbox"/> 19b 21	

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

NAME OF COMMITTEE (in Full)  
Joe Miller for U.S. Senate

11190291504

**A.**

Full Name (Last, First, Middle Initial) Richard J Vanderkolk		Transaction ID: B-E-131	
Mailing Address 1468 Redmond Avenue		Date of Disbursement 05 / 01 / 2010	
City North Pole	State AK	Zip Code 99705-5336	Amount of Each Disbursement this Period 2000.00
Purpose of Disbursement Fundraising: Consult fee		003	Category/Type
Candidate Name			
Office Sought: House Senate President	Disbursement For: 2010 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General Other (specify) ▼		
State: District:			

**B.**

Full Name (Last, First, Middle Initial) Richard J Vanderkolk		Transaction ID: B-E-242	
Mailing Address 1468 Redmond Avenue		Date of Disbursement 05 / 20 / 2010	
City North Pole	State AK	Zip Code 99705-5336	Amount of Each Disbursement this Period 86.57
Purpose of Disbursement Reimburse for beverages & ice		003	Category/Type
Candidate Name			
Office Sought: House Senate President	Disbursement For: 2010 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General Other (specify) ▼		
State: District:			

**C.**

Full Name (Last, First, Middle Initial) Tom Wickwire		Transaction ID: B-I-707	
Mailing Address 2775 Hanson Road Suite 1		Date of Disbursement 08 / 12 / 2010	
City Fairbanks	State AK	Zip Code 99709-3955	Amount of Each Disbursement this Period 800.00
Purpose of Disbursement Inland: Aviation gas 8/12 & 8/22			Category/Type
Candidate Name			
Office Sought: House Senate President	Disbursement For: 2010 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General Other (specify) ▼		
State: District:			

SUBTOTAL of Disbursements This Page (optional)	2986.57
TOTAL This Period (last page this line number only)	

10028571415

**SCHEDULE B (FEC Form 3)  
ITEMIZED DISBURSEMENTS**

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

FOR LINE NUMBER:  
(check only one)

PAGE 68 / 95

<input checked="" type="checkbox"/> 17	<input type="checkbox"/> 18	<input type="checkbox"/> 19a	<input type="checkbox"/> 19b
<input type="checkbox"/> 20a	<input type="checkbox"/> 20b	<input type="checkbox"/> 20c	<input type="checkbox"/> 21

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

NAME OF COMMITTEE (in Full)  
Joe Miller for U.S. Senate

Full Name (Last, First, Middle Initial)  
A. Tom Wickwire

Transaction ID: B-E-267  
Date of Disbursement

06 / 17 / 2010

Mailing Address 2775 Hanson Road  
Suite 1

City Fairbanks State AK Zip Code 99709-3955

Amount of Each Disbursement this Period

550.00

Purpose of Disbursement  
Travel: Air Gas to Bethel etc

002  
Category/Type

Candidate Name

Office Sought:  House  Senate  President  
Disbursement For: 2010  
 Primary  General  
 Other (specify) ▼

State: District:

Full Name (Last, First, Middle Initial)  
B. Sandra K Wilson

Transaction ID: B-E-243  
Date of Disbursement

05 / 20 / 2010

Mailing Address 889 Esro Road

City Fairbanks State AK Zip Code 99712-2802

Amount of Each Disbursement this Period

500.00

Purpose of Disbursement  
consult fee

001  
Category/Type

Candidate Name

Office Sought:  House  Senate  President  
Disbursement For: 2010  
 Primary  General  
 Other (specify) ▼

State: District:

Full Name (Last, First, Middle Initial)  
C. Sandra K Wilson

Transaction ID: B-E-261  
Date of Disbursement

06 / 14 / 2010

Mailing Address 889 Esro Road

City Fairbanks State AK Zip Code 99712-2802

Amount of Each Disbursement this Period

780.00

Purpose of Disbursement  
Fundraising: consult fee

003  
Category/Type

Candidate Name

Office Sought:  House  Senate  President  
Disbursement For: 2010  
 Primary  General  
 Other (specify) ▼

State: District:

SUBTOTAL of Disbursements This Page (optional) ▶

1800.00

TOTAL This Period (last page this line number only) ▶

FESAN018

FEC Schedule B (Form 3) (Revised 03/2008)

11190291505

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Today

June 2010

Print Week Month Agenda

Sun 30 Mon 31 Tue Jun 1 Wed 2 Thu 3 Fri 4 Sat 5

Meet and Greet at the Lions Club in Bethel

When Tue, June 22, 2010, 12pm - 2pm
Where the Lions Club (map)
Description Joe will be speaking from 1-1:20 and will take questions following

more details copy to my calendar 11am On KSDP 830AM In

12pm Summer Solstice St
20 21 22 23 24 25 26
12pm Meet and Greet at t
9pm Attending the Collegi
4:30pm Meet and Greet at 6:30pm Meet & Greet in P:

27 28 29 30
5pm Fundraiser
7:30pm Anchorage Meet & 7pm South Anchorage Me
4:30pm Joe will be attendi
10am Walking in the North

Events shown in time zone: Alaska Time



Today

June 2010

Print Week Month Agenda

Sun 30 Mon 31 Tue Jun 1 Wed 2 Thu 3 Fri 4 Sat 5

### Attending the College Republicans State Convention in Anchorage

6 Tue, June 22, 2010, 8pm - 8pm 9 10 11 12

Where Petroleum Club of Anchorage (map)

Description The college Republicans from across the state are going to be meeting in Anchorage to hold their convention to elect officers and have invited the candidates to come out and meet some politically minded college students.

13 14 15 16 17 18 19

more details copy to my calendar 1am On KSDP 830AM in

5pm Meet & Greet at Chu

12pm Summer Solstice St 20 21 22 23 24 25 26  
12pm Meet and Greet at t 6pm Attending the College 4:30pm Meet and Greet at 6:30pm Meet & Greet in P

27 28 29 30 Jul 1 2 3  
5pm Fundraiser 4:30pm Joe will be attendi 10am Walking in the North  
7:30pm Anchorage Meet & 7pm South Anchorage Me

Events shown in time zone: Alaska Time



Today

June 2010

Print Week Month Agenda

Sun

Mon

Tue

Jun 1

Wed

2

Thu

3

Fri

4

Sat

30

31

Jun 1

2

3

4

5

6

7

8

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10

11

12

**Meet and Greet at the Heritage Center in Barrow**

When Thu, June 24, 2010, 4:30pm - 7:00pm  
Where The Heritage Center in Barrow (map)

13

14

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17

18

19

[More details go on my calendar](#)

5pm Meet & Greet at Chu

20

21

22

23

24

25

26

12pm Summer Solstice St

12pm Meet and Greet at t  
9pm Attending the Colleg

4:30pm Meet and Greet at 6:30pm Meet & Greet in Pi

27

28

29

30

Jul 1

2

3

8pm Fundraiser  
7:30pm Anchorage Meet & 7pm South Anchorage Me

10am Walking in the North

Events shown in time zone: Alaska Time



Sun	Mon	Tue	Wed	Thu	Fri	Sat
27 11:30am - 4th of	28	29 5pm - Fundraiser @ 7:30pm - Anchorage	30 4:30pm - Joe will be 7pm - South	1 6pm - US Senate	2 6pm - Speaking @	3 10am - Walking in
4	5	6	7 6:30pm - Wasilla	8	9	10 10am - Bear Paw
11	12 5:30pm - Attending	13 7am - KWHL 106.5 10am - Alaska Public 3pm - Travel -	14 10am - Campaign 3pm - Dan Fagan 4pm - Meeting with 5pm - On the	15 7:30am - Rick Rvdell 11am - Walking	16 5pm - Meet Joe	17 12pm - Governor's
18 2pm - Attending	19 10am - Working with	20 10am - Cordova 12pm - Valdez Meet 2:30pm - Glenallen 4:30pm - Tok Meet 7pm - Delta Junction	21 6:35am - On Laura 2:45pm - On the 5pm - Libertarian	22 6pm - The	23	24 9am - Golden Daves 12pm - Golden Daves 5pm - Meet and
25 11am - Senior 12pm - Governor's	26	27 11:30am - Midnight	28 9:30am - Tour of the 6pm - Wasilla	29 11am - David	30 9am - Radio - KSRM	31 11:30am - 34th

01516206TTT

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1 2pm - Fairbanks	2 9am - Door to Door	3 9am - Door to Door	4 6:30am - Trip to 12pm - Nome Rotary 4pm - Nome Meet &	5 5pm - Republican	6 11:30am - Anchorage 6pm - Fundraiser/Pic	7 8am - Meeting with 12pm - Candidate 3pm - Tanana Valley 7pm - Meet and
8 4pm - Meet and	9 12:45pm - Lunch at 4:30pm - Meet and	10 12pm - Cancelled: 6pm - Cancelled:	11 12pm - Cancelled: 7pm - Bryan White 9:30pm - VIP's only-	12 12pm - Vallev 6:30pm - Vallev	13 4pm - Mike Porcaro 5:30pm - Native	14 10am - Sourdough 11am - In Sitka. 3:30pm - Meet &
15 10:30am - Candidate 7:30pm - Anchorage	16 7:30am - Martha 6pm - Anchorage	17 12pm - Anchorage 3:45pm - Dan Faagan 5pm - Live Radio	18 2pm - Memorial	19 9am - Neighborhood 3:30pm - Mark Levin 7pm - KAKM Debate	20 9:30am - Niniichik 4pm - Dan Faagan 7pm - Kenal -	21 10am - Niniichik 11am - Niniichik Fair 1pm - Annual
22 4:15pm - Armed 7pm - Meet Joe	23 6:10am - Fox News 2pm - Dan Faagan 4:18pm - KENI AM 4:30pm - KBYR AM 5:35pm - Radio	24 <b>Election Day - Go</b> 7am - KWHL 106.5 @ 10:35am - Live 11am - KVOK AM 4pm - Dan Faagan 6:30pm - Sign	25	26	27 3:05pm - Dan Faagan 4:05pm - Mike 4:45pm - Mike 5:15pm - Glen	28
29 6am - CBS - Face the	30 8am - ABC Topline 5pm - Qden House 6pm - Fox News 7:30pm - Fundraiser	31 9am - Fox News	1 6:45am - Fox News - 1:12pm - Huah 3:45pm - CNBC Live 5pm - Sean Hannity	2 2pm - Fox Business	3	4

1516206TT



Federal Aviation Administration

**Aircraft Inquiries**

**FAA REGISTRY  
N-Number Inquiry Results**

**N2635B is Assigned**

**Data Updated each Federal Working Day at Midnight**



**Aircraft Description**

<b>Serial Number</b>	50390	<b>Type Registration</b>	Individual
<b>Manufacturer Name</b>	CESSNA	<b>Certificate Issue Date</b>	08/04/1994
<b>Model</b>	180B	<b>Status</b>	Valid
<b>Type Aircraft</b>	Fixed Wing Single-Engine	<b>Type Engine</b>	Reciprocating
<b>Pending Number Change</b>	None	<b>Dealer</b>	No
<b>Date Change Authorized</b>	None	<b>Mode S Code</b>	50506453
<b>MFR Year</b>	1959	<b>Fractional Owner</b>	NO

**Registered Owner**

**Name** WICKWIRE THOMAS R  
**Street** 2775 HANSON RD STE 1

- N-Number
- Serial Number
- Name
- Make / Model
- Engine Reference
- Dealer
- Document Index
- State and County
- Territory and Country
- Pending / Expired / Canceled Registration Reports
- N-number Availability

- Request a Reserved N-Number:**
- Online
  - In Writing

- Reserved N-Number Renewal**
- Online

- Request for Aircraft Records**
- Online

11190291512

**Help**

- [Main Menu](#)
- [Aircraft Registration](#)
- [Aircraft Downloadable Database](#)
- [Definitions](#)
- [N-Number Format](#)
- [Registrations at Risk](#)
- [Contact Aircraft Registration](#)

<b>City</b>	FAIRBANKS	<b>State</b>	ALASKA
<b>County</b>	FAIRBANKS DIV	<b>Zip Code</b>	99709-3940
<b>Country</b>	UNITED STATES		

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**Airworthiness**

<b>Engine Manufacturer</b>	CONT MOTOR	<b>Classification</b>	Standard
<b>Engine Model</b>	O-470 SERIES	<b>Category</b>	Normal
		<b>A/W Date</b>	09/20/1994

This is the most current Airworthiness Certificate data, however, it may not reflect the current aircraft configuration. For that information, see the aircraft record. A copy can be obtained at [Http://aircraft.faa.gov/e.gov/ND/airrecordsND.asp](http://aircraft.faa.gov/e.gov/ND/airrecordsND.asp)

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**Other Owner Names**

None

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**Temporary Certificate**

<b>Certificate Number</b>	T943642	<b>Issue Date</b>	08/04/1994	<b>Expiration Date</b>	09/03/1994
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**Fuel Modifications**

None

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