

FEDERAL ELECTION COMMISSION

INR 2157

circulation sheets , RAD's informational notice

assignment sheets , " RFAI

routing cards , .. objection sheets ..

12 day report, comment sheets

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

- | | |
|--|---|
| ☐ (1) Classified Information | ☐ (6) Personal privacy |
| ☒ (2) Internal rules and practices | ☐ (7) Investigatory files |
| ☐ (3) Exempted by other statute | ☐ (8) Banking Information |
| ☐ (4) Trade secrets and commercial or financial information | ☐ (9) Well Information (geographic or geophysical) |
| ☒ (5) Internal Documents | |

Signed

date

S. Gann

10/9/82

FEC 5-21-77

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FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20543

THIS IS THE END OF FILM # 2159

Date Filmed 11/3/86 Camera No. --- 2

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 4, 1986

James P. Schoener
Miller, Canfield, Paddock, and Stone
1015 15th Street, NW
Suite 1200
Washington, DC 20005

Re: NUR 2159

Dear Mr. Schoener:

The Federal Election Commission reviewed the allegations of the complaint filed by Frank R. Thieman on behalf of the Friends of Jim Abdnor Committee dated March 26, 1986, and determined that on the basis of the information provided in the complaint (and information provided by the Respondents) there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed by the Friends of Bill Janklow Committee and John Shaeffer, as treasurer.

The Commission further determined that James H. Sharp and George E. Mass had violated 2 U.S.C. § 441d(a) and C.F.R. § 110.11 but determined to take no further action. Finally, the Commission considered the complaint with respect to Telelect, Inc. but was equally divided on the question of whether to find reason to believe a violation of any statute within its jurisdiction has been committed.

Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a

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complaint pursuant to the requirements set forth in 2 U.S.C.
§ 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles M. Steele
General Counsel



Lawrence M. Noble
Deputy General Counsel

Enclosure
General Counsel's Report

86040615067



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 4, 1986

John Shaeffer, Treasurer
The Friends of Bill Janklow Committee
Box 1986
Pierre, South Dakota 57501

RE: MUR 2159
Friends of Bill Janklow
Committee
John Shaeffer, Treasurer

Dear Mr. Shaeffer:

On April 10, 1986, the Commission notified the Friends of Bill Janklow Committee and you, as treasurer, of a complaint alleging violations of 2 U.S.C. § 441d(a) of the Federal Election Campaign Act of 1971, as amended and 11 C.F.R. § 110.11.

The Commission, on July 22, 1986, determined that on the basis of the information in the complaint, and information provided by you, there is no reason to believe that a violation of any statute within its jurisdiction has been committed by your committee. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

By: Lawrence M. Noble
Deputy General Counsel

Enclosure

86040315068



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 4, 1986

Bruce D. Willis
4344 IDS Center
Minneapolis, Minnesota

RE: MUR 2159
Telelect, Inc.
George Naas
George H. Sharp

Dear Mr. Willis:

On July 22, 1986, the Commission found reason to believe that your clients James H. Sharp and George E. Naas had violated 2 U.S.C. § 441d(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") and 11 C.F.R. § 110.11, but took no further action, in connection with the above referenced MUR. Additionally, the Commission considered the complaint with respect to Telelect, Inc., but was equally divided on the question of whether to find reason to believe a violation of any statute within its jurisdiction has been committed.

Accordingly, the Commission closed its file in this matter and it will become part of the public record within 30 days.

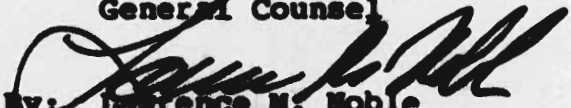
Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds your clients that failure to include a disclaimer nevertheless appears to be a violation of 2 U.S.C. § 441d(a), and that they should take immediate steps to insure that this activity does not occur in the future.

If you have any questions, please direct them to Shelley Garr, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel


By: Lawrence M. Noble
Deputy General Counsel

Enclosure

86040515069

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Friends of Bill Janklow Committee,
and John Shaeffer, as Treasurer
Telelect, Inc.
George E. Maas
James H. Sharp

MUR 2159

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the
Federal Election Commission executive session of July 22,
1986, do hereby certify that the Commission took the
following actions in MUR 2159:

1. Decided by a vote of 6-0 to find no reason to believe that the Friends of Bill Janklow Committee and John Shaeffer, as treasurer violated 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11.

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

2. Failed in a vote of 3-3 to pass a motion to find reason to believe that Telelect, Inc. violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 114.2.

Commissioners Harris, McDonald, and McGarry voted affirmatively for the motion; Commissioners Aikens, Elliott, and Josefiak dissented.

(continued)

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3. Failed in a vote of 3-3 to pass a motion to find no reason to believe that Telelect, Inc. violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 114.2.

Commissioners Aikens, Elliott, and Josefiak voted affirmatively for the motion; Commissioners Harris, McDonald, and McGarry dissented.

4. Decided by a vote of 6-0 to close the file as it pertains to Telelect, Inc.

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

5. Decided by a vote of 6-0 to find reason to believe that George E. Maas and James H. Sharp violated 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11 and take no further action.

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

6. Decided by a vote of 6-0 to close the file.

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

(continued)

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Federal Election Commission
Certification for MUR 2159
July 22, 1986

Page 3

7. Decided by a vote of 6-0 to direct the Office of General Counsel to send appropriate letters pursuant to the actions noted above.

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

Attest:

7-22-86

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

86040515072



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

John Shaeffer, Treasurer
The Friends of Bill Janklow Committee
Box 1986
Pierre, South Dakota 57501

RE: MUR 2159
Friends of Bill Janklow
Committee
John Shaeffer, Treasurer

Dear Mr. Shaeffer:

On April 10, 1986, the Commission notified the Friends of Bill Janklow Committee and you, as treasurer, of a complaint alleging violations of 2 U.S.C. § 441d(a) of the Federal Election Campaign Act of 1971, as amended and 11 C.F.R. § 110.11.

The Commission, on July 22, 1986, determined that on the basis of the information in the complaint, and information provided by you, there is no reason to believe that a violation of any statute within its jurisdiction has been committed by your committee. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

By: Lawrence M. Noble
Deputy General Counsel

Reg 7/28/86

TW
7/29/86

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Bruce D. Willis
4344 IDS Center
Minneapolis, Minnesota

RE: MUR 2159
Telelect, Inc.
George Naas
George H. Sharp

Dear Mr. Willis:

On July 22, 1986, the Commission found reason to believe that your clients James H. Sharp and George E. Naas had violated 2 U.S.C. § 441d(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") and 11 C.F.R. § 110.11, but took no further action, in connection with the above referenced MUR. Additionally, the Commission considered the complaint with respect to Telelect, Inc., but was equally divided on the question of whether to find reason to believe a violation of any statute within its jurisdiction has been committed.

Accordingly, the Commission closed its file in this matter and it will become part of the public record within 30 days.

Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds your clients that failure to include a disclaimer nevertheless appears to be a violation of 2 U.S.C. § 441d(a), and that they should take immediate steps to insure that this activity does not occur in the future.

If you have any questions, please direct them to Shelley Garr, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

By: Lawrence M. Noble
Deputy General Counsel

Enclosure

86040615074

Seq 8/1/86



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

James F. Schoener
Miller, Canfield, Paddock, and Stone
1015 15th Street, NW
Suite 1200
Washington, DC 20005

Re: MUR 2159

Dear Mr. Schoener:

The Federal Election Commission reviewed the allegations of the complaint filed by Frank R. Thieman on behalf of the Friends of Jim Abdnor Committee dated March 26, 1986, and determined that on the basis of the information provided in the complaint (and information provided by the Respondents) there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed by the Friends of Bill Janklow Committee and John Shaeffer, as treasurer.

The Commission further determined that James H. Sharp and George E. Mass had violated 2 U.S.C. § 441d(a) and C.F.R. § 110.11 but determined to take no further action. Finally, the Commission considered the complaint with respect to Telelect, Inc. but was equally divided on the question of whether to find reason to believe a violation of any statute within its jurisdiction has been committed.

Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a

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-2-

complaint pursuant to the requirements set forth in 2 U.S.C.
§ 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel

By Lawrence M. Noble
Deputy General Counsel

Enclosure
General Counsel's Report

86040615076

REC
CCC#113
6 APR 1 89:21

James Abdnor

U.S. Senator

March 26, 1986

General Counsel
Federal Elections Commission
999 E Street, N.W.
Washington, DC 20463

To Whom It May Concern:

16 APR 1 AM: 15

Enclosed you will find a facsimile of a fundraising letter recently received by one of our supporters which promotes an upcoming fundraising even on behalf of Governor William Janklow (our primary opposition). As you can see, the letter is written on corporate stationery and does not include the obligatory "disclaimer." We feel this is in apparent violation of the Federal Election Campaign Act, 2 U.S.C. Sec. 441b(a), Sec. 441d(a), 11 CFR Sec. 114.2, and 11 CFR Sec. 110.11.

I urgently request that you investigate this matter as quickly as possible. I would be happy to answer any questions you may have in regards to this complaint. I can be reached at (605)332-1986.

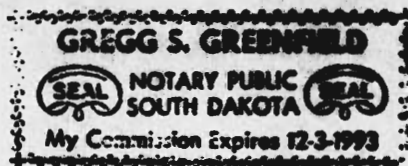
I thank you for the prompt attention you will give this matter.

Subscribed and sworn to me this 26th day
of March, 1986.

Sincerely,

Frank R. Thieman

Frank R. Thieman
Campaign Manager



I(1)



TELELECT

808 OAKWOOD ROAD • WATERTOWN, S.D. 57201
PHONE: (605) 882-4888 • TELEX 704790

March 5, 1986

Dear Mr. and Mrs. Allen Eide:

We are on the threshold of putting the most capable candidate on the ballot for U.S. Senator. Bill Janklow has agreed to run in the primary which is coming up fast and recent polls show him to be the only candidate capable of beating Tom Daschle in the General Election.

The cost of campaigning is high, but it is not more than you and I can afford. We need your substantial contribution. An envelope is enclosed for your convenience.

Bill Janklow has been the most innovative and capable performer in the Governor's Office in recent times. He speaks for all South Dakotans and has provided programming accordingly. He will perform just as capably and as tenaciously in Washington. We need him there!!

You and your wife are invited to the Holiday Inn for a rousing Watertown reception to meet the next U.S. Senator from South Dakota. It is at 5:30 P.M. on Wednesday, March 12, 1986.

We want you - we need you - please be there!!

Please bring your check with you on the evening of the 12th.

Regards,

Jim
Jim Sharp

George
George Maas

P.S. If you cannot attend, please send your check in the enclosed envelope made payable to "Janklow for Senate".

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86040515078

Janklow for Senate

RECEIVED AT THE FEC

0004 208

11-1986-86 APR 21 11:25 AM '87

...because

Our Future Is Worth Fighting For!

April 22, 1986

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

Re: MUR 2159

Dear Mr. Steele:

Governor Janklow has asked me to respond to your letter of April 10, 1986, regarding the above-referenced complaint.

The Friends of Bill Janklow Committee were unaware of the efforts being made by the gentlemen who signed the letter which is the basis of this complaint, and which is attached as Exhibit A. Our campaign committee did not become aware of the letter until Senator Abdnor's office issued a press release alleging a possible violation of federal campaign laws. The fund raising efforts by the individuals who signed the letter were not authorized or approved by the Friends of Bill Janklow Committee, and we were not aware that such a letter had been sent out. The only involvement of Governor Janklow's campaign was a call to our office to determine if Governor Janklow would be available to attend a fund raising event in Watertown, South Dakota, on the evening in question.

Pursuant to the guidelines set forth on page 3 of the FEC Campaign Guide (Exhibit B), we contacted the individuals in Watertown as soon as we became aware of the problem and took steps to correct it.

The individuals who sent the first letter, which is the basis of the complaint, after contact by our campaign committee, immediately drafted and sent out to all individuals who received the initial letter, a subsequent letter which is attached hereto as Exhibit C. As you can see by the follow-up letter which was sent immediately, the individuals withdrew the invitation for the fund raiser, cancelled the fund raiser, and offered to return any funds that had been submitted. I am informed, but cannot say for certain, that at the time the problem was identified, no funds had yet been received.

It is obvious from these circumstances, that the Friends of Bill

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OFFICE OF THE
GENERAL COUNSEL

II(3)

Paid for by Friends of Bill Janklow Campaign Committee

Charles N. Steele
Page 2
April 22, 1986

Janklow Committee had no direct involvement in the matter and therefore could not possibly have been involved in any violation of federal campaign laws. In addition, it is also clear that the two individuals involved did not come close to violating any federal election campaign laws and took all necessary steps to correct their actions, once the requirements of the law were brought to their attention.

I think you will share our feelings, based upon the facts of this matter, that it was simply an example of two individuals who were enthusiastic supporters of Governor Janklow's candidacy who operated without any intention to violate any laws, but acted in good faith, not only in their initial actions, but also in their corrective actions.

We would hope that the Federal Election Commission would affirmatively respond to the complaint in a manner which indicates that there is no factual basis for the complaint and there was no illegal activity conducted by the individuals involved.

If additional information should be required or is needed, please feel free to contact our committee, and we will respond accordingly.

Respectfully submitted,

John Shaeffer

John Shaeffer, Treasurer
Friends of Bill Janklow Committee
Box 1986
Pierre, South Dakota 57501

Exhibit A



606 OAKWOOD ROAD • WATERTOWN, S.D. 57201
PHONE: (605) 862-4666 • TELEX 704790

March 5, 1986

Dear Mr. and Mrs. Allen Eide:

We are on the threshold of putting the most capable candidate on the ballot for U.S. Senator. Bill Janklow has agreed to run in the primary which is coming up fast and recent polls show him to be the only candidate capable of beating Tom Daschle in the General Election.

The cost of campaigning is high, but it is not more than you and I can afford. We need your substantial contribution. An envelope is enclosed for your convenience.

Bill Janklow has been the most innovative and capable performer in the Governor's Office in recent times. He speaks for all South Dakotans and has provided programming accordingly. He will perform just as capably and as tenaciously in Washington. We need him there!!

You and your wife are invited to the Holiday Inn for a rousing Watertown reception to meet the next U.S. Senator from South Dakota. It is at 5:30 P.M. on Wednesday, March 12, 1986.

We want you - we need you - please be there!!

Please bring your check with you on the evening of the 12th.

Regards,

Jim Sharp

George Maas

P.S. If you cannot attend, please send your check in the enclosed envelope made payable to "Janklow for Senate".

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ONE

CANDIDATE COMMITTEES

The Federal Election Campaign Act (the Act) requires political committees which support candidates for Federal office to register and disclose their campaign receipts and disbursements and to abide by certain contribution limits and prohibitions. To help candidates and committees comply with the Act, the Federal Election Commission (FEC) has prepared this Guide to focus exclusively on those requirements affecting candidates for the U.S. House and Senate, their principal campaign committees and any other authorized committees. The information presented here is based on the Act and FEC Regulations.¹

Before reading this Guide, candidates and committee staff should note the following suggestions:

- Review this Guide carefully. Note the definitions in Appendix A which give special meaning to key words. Terms included in this Appendix are italicized and marked with an asterisk the first time they appear in the text.
- Keep good records of receipts and disbursements.
- If a mistake is discovered, correct it promptly and straightforwardly.
- When seeking more information, consult the Federal Election Campaign Act (2 U.S.C. §§431-455) and the FEC Regulations (11 CFR Parts 100-115). Note in particular the definitions (and their exceptions) given at the beginning of most sections of the Regulations. An index accompanying the Regulations helps a reader quickly locate those provisions pertinent to his/her particular concern.
- If in doubt as to what the law means or how it applies to a specific situation, seek help from the FEC (see Appendix E). Call toll free 800/424-9630.

¹ Citations appearing in this Guide refer to sections of the FEC Regulations and, where prefixed by 2 U.S.C., to the Act. Selected advisory opinions (AOs) and directives issued by the Commission are cited as well.

Contributions and Expenditures

Under the Federal Election Campaign Act (the Act), the terms "contributions" and "expenditures" are essential to understanding the basic requirements of the Act:

- The amount of "contributions" received and the amount of "expenditures" made, for example, determine whether or not an individual is a candidate* and subject, therefore, to the requirements of the Act.
 - Moreover, contributions received and expenditures made must be reported by the candidate's authorized committee(s).
 - Finally, candidate committees may NOT accept contributions that exceed the dollar limitations or violate the prohibitions of the Act.
- To comply with the Act, therefore, one needs to know just exactly what is a "contribution" and what is an "expenditure." This section explains these terms, providing examples where helpful.

1. Contributions vs. Expenditures

The Act makes a basic distinction between contributions and expenditures. A contribution is one way individuals and groups provide support to a candidate for Federal office. A contribution usually involves the giving of money, goods or services to a campaign or the giving of money to political committees² which, in turn, make contributions to the candidates of their choice.

An expenditure is not the same as a contribution. It usually represents the utilization of contributions received by a candidate or a political committee. Thus, candidates and their authorized committees conduct campaigns by expending the

resources which have been contributed to them.

Contributions to candidates and their campaign committees are subject to certain limits and prohibitions under the Act. By contrast, expenditures by House and Senate candidates and their committees are not limited.³ Full reporting is required, however, for both contributions and expenditures.²

2. Contributions vs. Other Receipts

Campaign Contributions

A campaign contribution is anything of value given to an authorized committee* of a candidate (or the committee's authorized agents*) to influence the candidate's nomination or election to Federal office. 100.7(a)(1). Note that a candidate is considered an authorized agent of the committee. 101.2 and 102.7(d). Listed below are different types of contributions, all of which are subject to the Act's prohibitions and dollar limitations (except contributions from the candidate) and are reportable by the candidate's authorized committee.⁴ Committees may receive other goods, services or monies that are not considered contributions and, therefore, are not subject to the Act's dollar limitations. These receipts, nevertheless, are reportable; they are described below under "Other Reportable Receipts."

* See Definitions in Appendix A.

¹ Expenditures by Presidential candidates receiving public funds, on the other hand, are limited by the Act.

² Other types of receipts and disbursements are also reportable, with a few exceptions. See "Contributions vs. Other Receipts," above, and "Expenditures vs. Other Disbursements," which follows.

³ See page 8 for limits and prohibitions on contributions and pages 15-16 for reporting requirements.

March 10, 1986

Dear

We have been informed that the invitation we sent out for the reception for Bill Janklow may have been in violation of Federal Election Commission regulations.

A disclaimer was inadvertently omitted from the letter. Apparently this is a requirement for all such fund raising letters. We were not aware of this requirement when the letters were sent out and most certainly had no intention of violating any regulations.

Governor Janklow was not aware of the details of the letter and we apologize to him for any embarrassment we may have caused.

Although we feel that this is a minor technicality, we do not intend to do anything that might impede the integrity or progress of the Janklow campaign. Therefore, we feel it is appropriate to do the following:

1. Cancel the scheduled fund raiser that had been set for 5:30 P.M., Wednesday, March 12, 1986 at the Holiday Inn.
2. Return to the senders any and all checks received as a result of our March 5, 1986 letter.
3. Re-schedule the fund raiser to a date in the near future that you will be contacted about.

We sincerely hope we have not caused you any inconvenience and we look forward to your continued support.

Jim Sharp

George Maas

This letter and our previous letter of March 5, 1986 were paid for by Jim Sharp and George Maas. Neither letter has been authorized by Bill Janklow, the Friends of Bill Janklow Committee or any corporation.

II (7)

86040515093

HAND DELIVERED

POPHAM, HAIK, SCHNOBRICH, KAUFMAN & DOTY, L30 APR 20 11:23

4344 192 CENTER
MINNEAPOLIS, MINNESOTA 55403
TELEPHONE AND TELESCOPIST
612-333-4800

WAYNE S. POPHAM
ROGER W. SCHNOBRICH
DENVER KAUFMAN
DAVID S. DOTY
ROBERT A. MINISH
ROLF A. WARDEN
G. MARK WHITEHEAD
BRUCE S. WILLIS
FREDERICK S. RICHARDS
G. ROBERT JOHNSON
GARY R. MACOMBER
ROBERT S. BURK
HUGH V. PLUNKETT, III
FREDERICK C. BROWN
THOMAS R. BERG
JAMES R. STEILEN

JAMES S. LOCKHART
ALLEN W. HINDERAKER
CLIFFORD M. GREENE
G. WILLIAM KAUFMAN
MICHAEL D. FREEMAN
HOWARD SAN MYERS, III
THOMAS C. D'AGUILA
LARRY G. ESPEL
JANIE S. HAYERON
THOMAS J. BARNETT
JAMES A. PAYNE
DAVID A. JONES
LEE E. SNEEY
ALAIN FREGON
LESLIE GILLETTE
MICHAEL T. NILAN

ROBERT M. LYNN
ROBERT C. MOILANEN
THOMAS F. NELSON
THOMAS J. RADIG
DAVID L. WASHMALL
KATHLEEN M. MARTIN
JOHN C. CHILDS
DOUGLAS P. SEATON
THOMAS E. SANNER
BRUCE S. McPHEETERS
GARY D. SLACKFORD
SCOTT E. RICHTER
GREGORY L. WILMES
ELIZABETH A. THOMPSON
KEITH J. HALLELAND
MARK S. PETERSON

TIMOTHY W. KUCH
JULIE A. SWEITZER
THOMAS C. NIELSENHAUSEN
KATHLEEN A. SLATZ
MICHAEL S. CHRISTENSON
J. MICHAEL SCHWARTZ
LARRY E. OSBORNE
MARK F. PALMA
SONNIE S. REEDICE
RUSSELL S. PONESBA
BRYAN L. CRAWFORD
DAVID K. RYDEN
OWEN E. HERRNSTADT
MATTHEW E. DANNON
OF COUNSEL
FRED L. MORRISON

1840 ANHOIST TOWER
848 ST. PETER STREET
SAINT PAUL, MINNESOTA 55108
TELEPHONE
612-333-4878

SUITE 2400
1500 SEVENTEENTH STREET
DENVER, COLORADO 80202
TELEPHONE 303-883-1200
TELECOMPER 303-888-2194

SUITE 300 SOUTH
1800 H STREET, N.W.
WASHINGTON, D. C. 20036
TELEPHONE (202) 828-5300
TELECOMPER (202) 828-5318

FEDERAL EXPRESS

April 28, 1986

**DIRECT DIAL
344-0518**

Kenneth A. Gross, Esq.
Associate General Counsel
Federal Election Commission
999 E Street N.W.
Washington, D.C. 20463

Re: MUR 2159

Dear Mr. Gross:

I am responding on behalf of Telelect Inc., George E. Maas, and James H. Sharp, all of whom are respondents in the above Matter Under Review.

Summary of Allegations

The complaint filed with the Commission by Frank R. Thieman, Campaign Manager for Senator James Abdnor, complains of a fund raising letter that appeared on the letterhead of respondent Telelect Inc. and was signed by respondents George Maas and Jim Sharp. Mr. Thieman's objections to the letter are two: The letter is on corporate stationery in apparent violation of 2 U.S.C. § 441b(a) and 11 C.F.R. § 114.2, and the letter bears on its face no disclaimer, in apparent violation of 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11.

Facts

On March 5, 1986, respondents George Maas and Jim Sharp signed and mailed an invitation to a fund raiser in support of the Senate candidacy of South Dakota Governor Bill Janklow. (Attachment to complaint.) The invitation letters were typed on

II(e)

Kenneth A. Gross, Esq.
April 28, 1986
Page 2

the letterhead of respondent Telelect Inc., which is a South Dakota corporation. (Attachment to complaint; Maas affidavit ¶1.)

Neither respondent Maas nor respondent Sharp had or has any connection with any committee supporting Governor Janklow's Senate candidacy, and neither of them had previous political campaign or campaign fund raising experience. (Maas affidavit ¶3; Sharp affidavit ¶3.) Respondents Maas and Sharp are businessmen in Watertown, South Dakota, who simply wanted to raise some money for Governor Janklow and forward it to him to use in his campaign. (Maas affidavit ¶¶1, 2, and 3; Sharp affidavit ¶3.)

Respondents Maas and Sharp helped draft the invitation and put together a mailing list of people to invite to the event. (Maas affidavit ¶3; Sharp affidavit ¶4.) A total of 204 invitation letters were mailed on March 5, 1986. (Maas affidavit ¶3; Sharp affidavit ¶5.)

Two secretaries employed by Telelect Inc. spent, between them, something less than three hours on March 5, 1986 typing some of the invitation letters and envelopes. (Maas affidavit ¶6.) All 204 invitation letters were run through Telelect's postage meter. (Maas affidavit ¶6.) On March 7, 1986, Mr. Maas reimbursed Telelect for the use of its stationery, for secretarial time, and for postage by his personal check in the amount of \$95.28. (Maas affidavit ¶7.) The amount of the reimbursement exceeded Telelect's expenses and exceeded the cost of the time and materials in the commercial market. (Maas affidavit ¶¶7, 8, and 10.)

The fund raising letter bore no disclaimer. (Attachment to complaint.) Respondents Maas and Sharp first learned that a disclaimer requirement might apply to their letter as a result of reading an article in the Sioux Falls, South Dakota Sunday newspaper for March 9, 1986, which reported that supporters of Governor Janklow's anticipated primary opponent had objected to the letter. (Maas affidavit ¶4; Sharp affidavit ¶6.) On the day after the newspaper article appeared, in an attempt to mitigate any problems they might have created, respondents Maas and Sharp decided to cancel the fund raiser they had planned. They mailed out that same day a notice of cancellation, with a disclaimer, to the same mailing list that had received the March 5, 1986 invitation letters. (Maas affidavit ¶5; Sharp affidavit ¶7.)

Kenneth A. Gross, Esq.
April 28, 1986
Page 3

The fund raiser was cancelled, and no funds were raised as a result of the letter that is the subject of this complaint. Less than \$250 was spent by respondents Maas and Sharp both in preparing and mailing the fund raising letter and in preparing and mailing the cancellation of the fund raiser.

Argument

A. There Was No In-kind Corporate Contribution.

The complaint in this matter alleges that the use of corporate letterhead is an apparent violation of 2 U.S.C. § 441b(a) and 11 C.F.R. § 114.2.

Respondent Telelect did not direct or authorize respondent Maas to use corporate facilities to produce the fund raising letter that is the subject of this complaint. Respondent Maas was not carrying out an activity incidental to his official position with respondent Telelect Inc. He did not sign the letter as a corporate officer. He used corporate facilities in the production of the fund raising letter, believing that such use was permissible if the corporation was reimbursed for its expenses. The facts of the use of corporate facilities and reimbursement by Mr. Maas to the corporation are set forth above.

As the Commission is aware, 11 C.F.R. § 114.9(c) specifically authorizes individual volunteers, such as Mr. Maas, to use the facilities of a corporation to produce materials in connection with the federal election, provided that the corporation is reimbursed "within a commercially reasonable time for the normal and usual charge for producing such materials in the commercial market."

Respondents Telelect Inc. and Maas believe that the facts of this matter demonstrate that the corporation was reimbursed by Mr. Maas immediately and in an amount that exceeded both the corporation's expenses and the cost of such facilities in the commercial market. With regard to the use of corporate secretaries, the Commission should note that the corporation was reimbursed for secretarial time prior to any payment by the corporation to those employees for work on the day typing was done. The typing was done on March 5, 1986; Mr. Maas' reimbursement check was written March 7, 1986; and the check cleared the bank on March 13, 1986. (Maas affidavit ¶¶ 6 and 7; Attachment C to Maas affidavit.) Respondent Telelect Inc. did

Kenneth A. Gross, Esq.
April 28, 1986
Page 4

not pay the secretaries for work done during the week ending March 7, 1986 until Friday, March 14, 1986. (Maas affidavit #9.) The Commission should also note that Mr. Maas reimbursed Telelect for the use of its facilities two days before the appearance of the newspaper article that first reported objections to the invitation letter.

While the letter complained of was written on Telelect stationery, the Commission implicitly recognized in AO 1978-77 that under analogous circumstances the identification of a corporation in a partisan communication or solicitation does not in and of itself constitute anything of value from the corporation. See also MUR 1261 (November 21, 1980).

Respondents Telelect Inc. and George E. Maas believe that the facts show that Mr. Maas acted as an independent volunteer, and that in light of the reimbursement made by Mr. Maas to Telelect, his activities were permissible under the Federal Election Campaign Act and there is no violation of 2 U.S.C. § 441b(a) or 11 C.F.R. § 114.2 for which either Mr. Maas or Telelect Inc. should be or can be held accountable.

B. The Absence of a Disclaimer Was Inadvertent and Harmless.

The invitation letter stated that contributions would benefit Governor Janklow's Senate candidacy, although the letter did not identify the person or individual who authorized or paid for the solicitation. However, the cancellation notice mailed five days later did bear a disclaimer, indicating that respondents Maas and Sharp had shared the cost involved in producing both the March 5 invitation and the March 10 cancellation letter and that neither mailing had been authorized by anyone else. (Attachment A to both Maas and Sharp affidavits.) Everyone who was mailed a copy of the invitation letter was also mailed a copy of the cancellation letter, which bore a disclaimer.

There clearly was no subterfuge involved in the March 5, 1986 mailing. The beneficiary of the requested contributions was clearly identified. The people who authorized and paid for the mailing were the individuals whose names appeared on the mailing. Respondents Maas and Sharp are not experienced political operatives wise in the ways of political fund raising and the attendant legal requirements. Rather they are two independent businessmen in Watertown, South Dakota who were

Kenneth A. Gross, Esq.
April 28, 1986
Page 5

volunteering their time and efforts in an attempt to raise some money for a political candidate they support.

Upon learning of the existence of disclaimer requirements, respondents Maas and Sharp cancelled their planned fund raiser. Five days after the solicitation without a disclaimer was mailed, everyone on the mailing list for the solicitation was sent a statement indicating who was responsible for the solicitation. As an aside, that fact presumably was known to the complainant in this matter for more than two weeks before this complaint was filed.

Only 204 copies of the letter that is the subject of this complaint were mailed. Five days later the same mailing list of 204 was mailed notification of who was responsible for both mailings. The fund raiser to which the solicitation invited people was cancelled by the second mailing. Something less than \$200 was spent on the letter complained of, and less than \$250 was spent on both mailings together. In view of these facts, respondents George Maas and Jim Sharp believe that any violation of 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11 is at best technical and is any event de minimis. Respondents George Maas and Jim Sharp believe that no further action against them with respect to any violation regarding the inadvertent omission of a disclaimer is warranted or necessary. There is ample precedent for the Commission to decide to take no further action under circumstances such as these. See, e.g., MUR 1261 (November 21, 1980); MUR 1350 (July 2, 1981).

If you need any additional information for the Commission's consideration of this matter, please let me know.

Respectfully submitted,

Bruce D. Willis

Bruce D. Willis

enc.

cc: Telelect Inc.
George E. Maas
James H. Sharp

0387L

RECEIVED

APR 24 1986

AFFIDAVIT OF JAMES H. SHARP

STATE OF SOUTH DAKOTA)
) SS.
COUNTY OF CODINGTON)

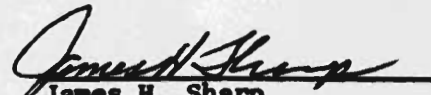
James H. Sharp, being first duly sworn, deposes and states that:

1. I am a resident of Watertown, South Dakota, and I am a respondent in NUR 2159.
2. In February 1986, I got a call from a friend of mine who asked if I would be willing to raise some money for Governor Bill Janklow, who I understood was, intended to be, or might be a candidate for election to the United States Senate this year.
3. Although I had never been involved in political campaigns or campaign fund raising, I agreed to see what I could do to raise some money for Governor Janklow. I called my friend George Maas (co-respondent George E. Maas) and asked him if he would be willing to co-host a fund raiser and to share with me the costs of putting on such an event. He agreed to do so. It was our intent to forward any money that we raised to Governor Bill Janklow, to use as he saw fit.
4. I helped draft an invitation to the fund raiser, and I helped put together a mailing list of people to invite to the event.
5. George Maas and I signed a total of 204 invitation letters such as the one attached to the complaint of Frank R. Thieman in this matter, and the invitations were mailed on March 5, 1986.
6. I was not aware of any requirement that our letter have a "disclaimer," or a statement of who paid for the letter and who authorized it or did not authorize it. I first learned that such a requirement might

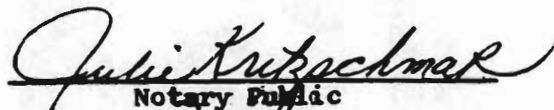
apply to our letter as a result of an article that appeared in the Sioux Falls, South Dakota newspaper on Sunday, March 9th, 1986, which reported that supporters of Senator Abdnor had objected to our letter.

7. The day after the newspaper article appeared, George Maas and I decided to cancel the fund raiser. We mailed notice of the cancellation that day to the same mailing list that had received the original invitation. A copy of the letter of cancellation is attached as Attachment A. George Maas paid for having the notice of cancellation copied and for the stamps to mail the notice. I bought the envelopes that we used.

8. Except for the events described in this affidavit, I have had no involvement with any fund raising or other activities on behalf of Governor Janklow.


James H. Sharp

Subscribed and sworn to before me
this 22 day of April, 1986.


Notary Public

ATTACHMENT A

March 10, 1986

Dear

We have been informed that the invitation we sent out for the reception for Bill Janklow may have been in violation of Federal Election Commission regulations.

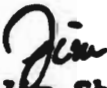
A disclaimer was inadvertently omitted from the letter. Apparently this is a requirement for all such fund raising letters. We were not aware of this requirement when the letters were sent out and most certainly had no intention of violating any regulations.

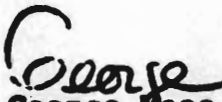
Governor Janklow was not aware of the details of the letter and we apologize to him for any embarrassment we may have caused.

Although we feel that this is a minor technicality, we do not intend to do anything that might impede the integrity or progress of the Janklow campaign. Therefore, we feel it is appropriate to do the following:

1. Cancel the scheduled fund raiser that had been set for 5:30 P.M., Wednesday, March 12, 1986 at the Holiday Inn.
2. Return to the senders any and all checks received as a result of our March 5, 1986 letter.
3. Re-schedule the fund raiser to a date in the near future that you will be contacted about.

We sincerely hope we have not caused you any inconvenience and we look forward to your continued support.


Jim Sharp


George Maas

This letter and our previous letter of March 5, 1986 were paid for by Jim Sharp and George Maas. Neither letter has been authorized by Bill Janklow, the Friends of Bill Janklow Committee or any corporation.

86040515091

RECEIVED AT THE FEC
HAND DELIVERED
36 APR 29 AM: 24

AFFIDAVIT OF GEORGE E. MAAS

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

George E. Maas, being first duly sworn, deposes and states that:

1. I am a resident of Watertown, South Dakota, and I am the president of Telelect Inc., a South Dakota corporation with its principal place of business in Watertown, South Dakota. In addition, I am a member of the Board of Regents for the South Dakota state college and university system. Telelect is a company that manufactures digger derricks and aerial lift units, primarily for use by utility companies. Both Telelect Inc. and I individually are respondents in MUR 2159.

2. In late February 1986, I was asked by Jim Sharp (co-respondent James H. Sharp), a friend who is an automobile dealer in Watertown, if I would help him put together a fund raiser for Governor Bill Janklow, who I understood was or intended to be a candidate for election to the United States Senate this year. Mr. Sharp told me that he had been asked by an automobile dealer friend who knew and liked Governor Janklow if he would try to raise some money for Governor Janklow.

3. Although I had not previously been involved actively in political campaigns or campaign fund raising, I agreed to

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serve as a co-host with Jim Sharp and share with him the cost of a fund raiser for Governor Janklow. Neither of us had any connection with any committee supporting Governor Janklow's Senate candidacy. It was our intention simply to forward to Governor Janklow any money that we raised and let him use it as he saw fit for his campaign. I helped put together a mailing list of people to be invited to the fund raiser, and I helped draft the letter that is attached as an exhibit to the complaint of Frank R. Thieman in this matter. A total of 204 letters of invitation to the fund raiser were mailed on March 5, 1986.

4. I was not aware of any requirement that our letter have a "disclaimer," or a statement of who paid for the letter and who authorized it or did not authorize it. I first learned that such a requirement might apply to our letter as a result of an article that appeared in the Sioux Falls, South Dakota newspaper on Sunday, March 9, 1986, which reported that supporters of Senator Abdnor had objected to our letter.

5. On the day after the newspaper article appeared, that is, March 10, 1986, Jim Sharp and I decided to cancel the fund raiser, and we drafted a letter to that effect and mailed it that same day to the same mailing list that had received the March 5, 1986 invitation. A copy of the March 10, 1986 notice of cancellation of the fund raiser is attached as Attachment A.

6. As appears from the exhibit attached to Mr. Thieman's complaint in this matter, the March 5, 1986 invitation to the fund raiser was typed on Telelect letterhead.

Some of the letters and envelopes were typed on March 5, 1986 by two Telelect secretaries, who between them spent something less than three hours on the project, and all of the invitation letters were run through the Telelect postage meter. I had no direction or authorization from Telelect to use any corporate facilities for producing the letters, but I believed that it was all right to handle the invitations that way, as long as Telelect was reimbursed for its expenses.

7. I got a memo regarding postage meter expense for the letters (Attachment B), and on March 7, 1986, I reimbursed Telelect for what I estimated to be its expenses by my personal check no. 1564 in the amount of \$95.28. (Attachment C.)

I computed the amount of the check as follows:

204 pieces of letterhead and 204 envelopes at an estimated cost of 10¢ per set -	\$20.40
Postage on the Telelect postage meter - 204 x 22¢ -	44.88
Three hours of secretarial time at an estimated cost of \$10 per hour, including overhead -	<u>30.00</u>
Total:	\$95.28

8. I have since calculated that the actual cost to Telelect of a piece of letterhead and an envelope together is 3.59¢, rather than the 10¢ I had estimated. The base salaries for the two secretaries are \$4.50 per hour and \$5.00 per hour, respectively.

9. Telelect hourly employees are paid each Friday for services performed during the week ending the preceding Friday.

10. I believe that custom typing services are available in Watertown for less than \$10.00 per hour and that paper and envelopes can be purchased locally for less than 10¢ per set, as shown by the invoices for paper and envelopes attached as Attachments D and F, which include copying and printing charges.

11. The March 5, 1986 mailing included a stamped, self-addressed envelope. I had the envelopes printed at a copying service called Print-'Em-Now in Watertown, South Dakota. A copy of the invoice for the envelopes is attached as Attachment D.

12. I paid cash at the post office for two hundred 22¢ stamps to put on the return envelopes (I had the 4 extra stamps already.) A copy of the receipt for those stamps is attached as Attachment E.

13. The cancellation letters dated March 10, 1986 also were copied by Print-'Em-Now. A copy of their invoice for \$10.34 for that copying is attached as Attachment F. Jim Sharp bought the envelopes for the cancellation letters. I paid cash at the post office for stamps for the cancellation letters. A copy of the cash receipt for those stamps is attached as Attachment G.

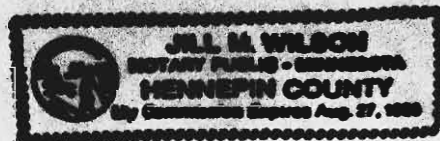
14. On March 10, 1986, I paid the two Print-'Em-Now invoices attached as Attachments D and F by my personal check no. 1569, in the amount of \$25.57. (Attachment H.)

15. Except for the events described in this affidavit, I have had no involvement in any fund raising or other activities on behalf of Governor Janklow.

George E. Mass
George E. Mass

Subscribed and sworn to before me
this 26th day of April, 1986.

Jill M. Wilson
Notary Public
0366L



ATTACHMENT A

March 10, 1986

Dear

We have been informed that the invitation we sent out for the reception for Bill Janklow may have been in violation of Federal Election Commission regulations.

A disclaimer was inadvertently omitted from the letter. Apparently this is a requirement for all such fund raising letters. We were not aware of this requirement when the letters were sent out and most certainly had no intention of violating any regulations.

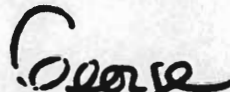
Governor Janklow was not aware of the details of the letter and we apologize to him for any embarrassment we may have caused.

Although we feel that this is a minor technicality, we do not intend to do anything that might impede the integrity or progress of the Janklow campaign. Therefore, we feel it is appropriate to do the following:

1. Cancel the scheduled fund raiser that had been set for 5:30 P.M., Wednesday, March 12, 1986 at the Holiday Inn.
2. Return to the senders any and all checks received as a result of our March 5, 1986 letter.
3. Re-schedule the fund raiser to a date in the near future that you will be contacted about.

We sincerely hope we have not caused you any inconvenience and we look forward to your continued support.


Jim Sharp


George Maas

This letter and our previous letter of March 5, 1986 were paid for by Jim Sharp and George Maas. Neither letter has been authorized by Bill Janklow, the Friends of Bill Janklow Committee or any corporation.

3/5/86:

POSTAGE 44⁰⁰
(204)

Reimbursed to
Telebent

86040615098

GEORGE E. MAAS
100 SUMMITWOOD DR.
BETHESDA, MD 20814

3/7 1985

1564

TELELECT INC.

Pay to the order of

Five and 3/4

DOLLARS

INTEREST PLUS CHARGES

George E. Maas

CO91400237C 1564-2430 1564 10000009528

86040615099

Pay to the order of
NORWEST BANK WITH A TRUST
BANKING, S.F. 1
TELELECT INC.
100 SUMMITWOOD DR.
BETHESDA, MD 20814

10000009528

1564-2430

1564

10000009528

Print-Em-Now

3-5 n86

1

[illegible]

ALL claims and returned goods MUST be accompanied by this bill.

008917

And by

86040515100

U. S. POSTAL SERVICE
CASH RECEIPT

RECEIVED FROM _____

FOR DEPOSIT OF _____

FOR _____

stamps for
Jambloer
imitations

BY (Signature and title) _____

PS Form 1096
Jan. 1971

WATERTOWN SD
MAR 5 1986
USPO

U.S. POSTAL SERVICE

86040615101

Print-Em-Now

15 1ST AVENUE S.E.
WATERTOWN, S.D. 57201
Phone: (605) 862-2111



CHECK PRINTING & COPY SERVICE

Name						Date	
Address							
Phone						In	
Sold by	Cash	C.O.D.	Charge	on Acct.	Order Refd.	Paid Out	
	☒						
Quan.	Description				Price	Amount	
225	Copies					9 85	
PD Thank You							
SUB TOTAL							
TAX						219	
SHIPPING & HANDLING							
TOTAL						10 34	

ALL claims and returned goods MUST be accompanied by this bill.

Ord by

85040615103

ATTACHMENT 8

U. S. POSTAL SERVICE
CASH RECEIPT

DATE Mar 20 1976

AMOUNT 100 Dollars

TO WATERLOO, NY

BY Signature and name

PS Form 1076 Jan. 1973

© U.S. POSTAL SERVICE 1973



GEORGE E. MEAR
1559

3/10/86

PAID TO THE ORDER OF
FIRST NATIONAL BANK
FOR DEPOSIT ONLY
10000002557

Print 'Em Now

Ten and 5/100

DOLLARS

George E Mear

CD916002372 101-2434 1569 /0000002557/

86040615104



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Bruce D. Willis
4344 IDS Center
Minneapolis, Minnesota

RE: MUR 2159
Telelect, Inc.
George Maas
George H. Sharp

Dear Mr. Willis:

On , 198 , the Commission found reason to believe that your clients James H. Sharp and George E. Maas had violated 2 U.S.C. § 441d(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") and 11 C.F.R. § 110.11 in connection with the above referenced MUR. Additionally, the Commission found reason to believe that Telelect, Inc. violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 114.2. However, after considering the circumstances of this matter, the Commission determined to take no further action and close its file.

Accordingly, the Commission closed its file in this matter and it will become part of the public record within 30 days.

Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds your clients that failure to include a disclaimer nevertheless appears to be a violation of 2 U.S.C. § 441d(a), and that they should take immediate steps to insure that this activity does not occur in the future.

If you have any questions, please direct them to Shelley Garr, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

By: Lawrence M. Noble
Deputy General Counsel

III(29)

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

John Shaeffer, Treasurer
The Friends of Bill Janklow Committee
Box 1986
Pierre, South Dakota 57501

RE: MUR 2159
Friends of Bill Janklow
Committee
John Shaeffer, Treasurer

Dear Mr. Shaeffer:

On April 10, 1986, the Commission notified the Friends of Bill Janklow Committee and you, as treasurer, of a complaint alleging violations of 2 U.S.C. § 441d(a) of the Federal Election Campaign Act of 1971, as amended and 11 C.F.R. § 110.11.

The Commission, on , 198 , determined that on the basis of the information in the complaint, and information provided by you, there is no reason to believe that a violation of any statute within its jurisdiction has been committed by your committee. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

By: Lawrence M. Noble
Deputy General Counsel

44(30)

86040515106

SENSITIVE

FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT 06 JUL 11 AM: 45

**DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION:**

**MUR # 2159
DATE COMPLAINT RECEIVED
BY OGC: 4/1/86
DATE OF NOTIFICATION TO
RESPONDENT: 4/10/86
STAFF MEMBER: Garr**

COMPLAINANT'S NAME: Frank R. Thieman, Campaign Manager

RESPONDENT'S NAME: Friends of Bill Janklow Committee,
John Shaeffer, as Treasurer
Telelect, Inc.
George E. Mass
James H. Sharp

RELEVANT STATUTE: 2 U.S.C. §§ 441b(a), 441d(a)
11 C.F.R. §§ 114.2, 110.11

**INTERNAL REPORTS
CHECKED:** FEC Disclosure Documents

**FEDERAL AGENCIES
CHECKED:** N/A

SUMMARY OF ALLEGATIONS

On April 1, 1986, the Office of General Counsel received a complaint from Frank R. Thieman, Campaign Manager for the Friends of Jim Abdnor Committee ("Abdnor Committee"). Also enclosed was a facsimile of a letter which promoted a fundraising event on behalf of Governor William Janklow, Mr. Abdnor's opponent in the upcoming election. Mr. Thieman alleges that because the letter contains no disclaimer and is written on corporate stationery, it is in violation of 2 U.S.C. §§ 441b(a) and 441d(a) and 11 C.F.R. §§ 114.2 and 110.11.

An examination of the letter reveals that it was printed on stationery with "Telelect" letterhead, was dated March 5, 1986,

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and was signed by Jim Sharp and George Maas.^{1/} While the letter requests that the recipient attend a reception on behalf of the candidate, it also requests contributions for Governor Janklow's campaign. A solicitation envelope was apparently enclosed with each letter.

On April 22 and 29, 1986, the Commission received responses to its notifications of complaint from Joe Shaeffer, treasurer of the Friends of Bill Janklow Committee ("Janklow Committee") and from counsel for George Maas, Jim Sharp, and Telelect, Inc., respectively.

In his response, Mr. Shaeffer explained that the Janklow Committee had no direct involvement and knew nothing of the efforts undertaken by George Maas and Jim Sharp to print the letter and to sponsor the fundraiser. The Janklow Committee "did not become aware of the letter until Senator Abdnor's office issued a press release alleging a possible violation of federal campaign laws". Further, he continued, the Janklow Committee's only involvement was in responding to a telephone call to determine whether Governor Janklow would be available to attend a fundraising event on the date in question.

When the Janklow Committee became aware of the problem, it notified Mr. Maas and Mr. Sharp, who, in turn, sent a subsequent

^{1/} George Maas is president of Telelect, Inc., a company that manufactures digger derricks and aerial lift units primarily for use by utility companies; Jim Sharp is not affiliated with Telelect.

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letter dated March 10, 1986 (5 days after the 1st) withdrawing the invitation and cancelling the fundraiser. Further, they offered to return any funds that had been collected.^{2/}

Counsel for both George Maas and Jim Sharp and for Telelect, Inc. responded to the notification of complaint on April 28, 1986. On March 5, 1986, he advised, both George Maas and Jim Sharp signed and mailed 204 invitations to a fund-raiser for South Dakota Governor Bill Janklow on letterhead of Telelect, Inc.^{3/}

Counsel explained that Telelect did not "direct or authorize" Mr. Maas to use corporate facilities to produce the letter; nor was he carrying out an activity incidental to his position as President of Telelect. "He used corporate facilities in the production of the fund raising letter, believing that such use was permissible if the corporation was reimbursed for its expenses."

^{2/} The 2nd letter contained a disclaimer advising that "This letter and our previous letter of March 5, 1986 were paid for by Jim Sharp and George Maas. Neither letter has been authorized by Bill Janklow, the Friends of Bill Janklow Committee or any corporation."

^{3/} Counsel advised that two Telelect secretaries together spent less than three hours typing some of the invitations and envelopes. On March 7, 1986, Mr. Maas reimbursed Telelect for the use of the stationery, for secretarial time, and for postage with a personal check for \$95.28. These funds "exceeded the cost of the time and materials in the commercial market."

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On March 9, 1986, he continued, Maas and Sharp, through a newspaper article, learned that the disclaimer requirement might apply to their correspondence. The next day, on March 10, 1986, in an effort to mitigate the problem, they cancelled the fundraiser and mailed a second letter to the same mailing list notifying all recipients that the event had been cancelled. Mr. Maas paid for having the notice of cancellation copied, and Mr. Sharp paid for the stamps.

LEGAL AND FACTUAL ANALYSIS

Pursuant to 2 U.S.C. § 441b(a) and 11 C.F.R. § 114.2, national banks, or corporations organized by authority of any law of Congress are prohibited from making a contribution or expenditure as defined in 11 C.F.R. § 114.1 in connection with election to any political office, including local, State, and federal offices.^{4/} Section 441b(a) makes it unlawful for any officer or director of a corporation or national bank to consent to any contribution or expenditure by the corporation prohibited by section 441b(a).

Further, section 114.9(c) permits any person to use the facilities of a corporation or labor organization to produce materials in connection with Federal elections. That person,

^{4/} The term "contribution or expenditure" includes any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value made by any person for the purpose of influencing an election.

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however, is required to reimburse the corporation or labor organization within a commercially reasonable time for the normal and usual charge for producing such materials in the commercial market.

Mr. Maas utilized the facilities and resources which were under his control as President of Telelect. Although Telelect provided secretarial support, stationery, and postage, in the production of the March 5, 1986 letters, Mr. Maas reimbursed Telelect for the 204 pieces of stationery and envelopes (\$20.40), for use of the Telelect postage meter (\$44.88), and for 3 hours of secretarial time (\$30.00) with his personal check for \$95.28 on March 7, 1986, two days after the letter was printed and sent. Further, counsel states that Telelect did not direct or authorize Mr. Maas to use corporate facilities to produce the letter, nor did it provide a mailing list. "Respondent Maas was not carrying out an activity incidental to his official position with respondent Telelect, Inc. He did not sign the letter as a corporate officer."

Nevertheless, Mr. Maas' position as president, taken with his use of the corporation's services, does raise the question of whether he was acting within the scope of his official position. The fact that he apparently had the authority to direct the work of a secretary (who does not appear to have been a volunteer) is a further indication that Mr. Maas may have been using his official position as president of Telelect. Resolution of this matter

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would require further inquiry. Given the fact, however, that a small amount of money was involved and that Mr. Maas reimbursed Telelect two days after the mailing, the Office of General Counsel recommends that the Commission find reason to believe that Telelect violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 114.2 but take no further action.

Further, pursuant to 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11, whenever an expenditure is made for the purposes of financing a communication that expressly advocates the election or defeat of a clearly identified candidate, or that solicits any contribution through any broadcast station, newspaper, magazine, outdoor advertising facility, poster, yard sign, direct mailing, or any other form of general public political advertising, a disclaimer must appear, identifying the person(s) who paid for, and where required, who authorized the communication.

Because the Sharp/Maas letters requested attendance at a fundraiser for Governor Janklow, which advocated his election for Congress and solicited funds for his campaign, they were required to carry a disclaimer pursuant to 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11. Thus, the Office of General Counsel recommends that the Commission find reason to believe that George E. Maas and James H. Sharp violated 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11. However, in view of the fact that only a total of \$95.28 was expended in staff hours, stamps, and stationery, that the fundraiser was cancelled and a letter sent

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out to that effect immediately upon notification of a potential violation of the Federal Election Campaign Act, and that the second letter carried a disclaimer which referenced the March 5, 1986, letter, it is recommended that the Commission take no further action.

Because the responses received from counsel for Telelect, Inc., George Maas, James Sharp, and from John Shaeffer have provided no evidence to suggest that the Friends of Bill Janklow Committee and John Shaeffer, as treasurer, authorized or were personally involved in the planning of the fundraiser, the Office of General Counsel recommends that the Commission find no reason to believe that the Janklow Committee and its treasurer violated 2 U.S.C. § 441d(a).

RECOMMENDATION

1. Find no reason to believe that the Friends of Bill Janklow Committee and John Shaeffer, as treasurer, violated 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11.
2. Find reason to believe that Telelect, Inc. violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 114.2 and take no further action.
3. Find reason to believe that George E. Maas and James H. Sharp violated 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11 and take no further action.
4. Close the file.

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5. Approve the attached letters.

Charles N. Steele
General Counsel

Date

7/10/86

By:

Lawrence M. Noble
Deputy General Counsel

Attachments

1. Complaint
2. Response to complaint
3. Proposed letters and legal and factual analysis

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REC'D
OFFICE
GENERAL

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86 JUL 3 4 9: 30

James Abdnor 20

U.S. Senator

June 30, 1986

Federal Election Committee
General Counsel's Office
† Shelly Garr
999 E Street, N.W.
Washington, DC 20463

Dear Shelly:

This letter is in reference to NUR 2159 dated April 7, 1986 originally filed by myself for the Abdnor Campaign showing possible F.E.C. violations against the Janklew for Senate Committee.

Under the circumstances I'm requesting the commission discontinue all action on this case.

If there are any questions, please contact F. R. Thieman at 605-332-1986.

Thank you for your consideration.

Sincerely,



F. R. Thieman
Campaign Manager

FT/1ku

cc: Lawrence Noble

James Abdnor

U.S. Senator

P.O. Box 1001

Sioux Falls, South Dakota 57101



Federal Election Committee
General Counsel's Office
% Shelly Garr
999 E Street, N.W.
Washington, DC 20463

26 JUL 86 4:29 PM

MUR 2159

GCC#473

STATEMENT OF DESIGNATION OF COUNSEL

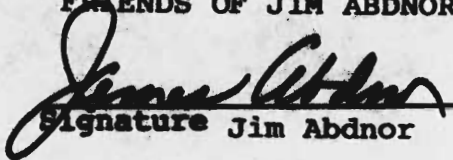
NOR FOR ANY AND ALL MATTERS WHICH MAY COME BEFORE THIS COMMISSION

NAME OF COUNSEL: James F. Schoener
ADDRESS: Miller, Canfield, Paddock and Stone
1015 15th Street, N.W., Suite 1200
Washington, DC 20005
TELEPHONE: 202/789-8640

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

FRIENDS OF JIM ABDNOR

May 1986
Date


Signature Jim Abdnor

RESPONDENT'S NAME: James Abdnor, U.S.S.
ADDRESS: SH-309 Hart Senate Office Building
Washington DC 20510
HOME PHONE:
BUSINESS PHONE: (202) 224-2321

86040615117

98 MAY 14 PM 2 42

GENERAL COUNSEL

HAND DELIVERED

POPHAM, HAIK, SCHNOBRICH, KAUFMAN & DOTY, L

4344 IDS CENTER

MINNEAPOLIS, MINNESOTA 55402

TELEPHONE AND TELECOPIER

612-333-4800

1240 AMHIST TOWER
348 ST. PETER STREET
SAINT PAUL, MINNESOTA 55102
TELEPHONE
612-333-4878

SUITE 2400
1200 SEVENTEENTH STREET
DENVER, COLORADO 80202
TELEPHONE 303-893-1200
TELECOPIER 303-893-2194

SUITE 300 SOUTH
1800 M STREET, N.W.
WASHINGTON, D. C. 20036
TELEPHONE (202) 828-8300
TELECOPIER (202) 828-8316

WAYNE S. POPHAM
ROGER W. SCHNOBRICH
DENVER KAUFMAN
DAVID S. DOTY
ROBERT A. MINISH
ROLFE A. WORDEN
S. MARC WHITEHEAD
BRUCE S. WILLIS
FREDERICK S. RICHARDS
S. ROBERT JOHNSON
GARY R. MACONER
ROBERT S. BURK
HUGH V. PLUNKETT, III
FREDERICK C. BROWN
THOMAS K. BERG
JAMES R. STEILEN

JAMES S. LOCKHART
ALLEN W. HINDERAKER
CLIFFORD M. GREENE
D. WILLIAM KAUFMAN
MICHAEL O. FREEMAN
HOWARD SAM MYERS, III
THOMAS C. DAQUILA
LARRY D. ESPEL
JANIE S. MAYERON
THOMAS J. BARRETT
JAMES A. PAYNE
DAVID A. JONES
LEE E. SHEEHY
ALAIN FRECON
LESLIE GILLETTE
MICHAEL T. NILAN

ROBERT H. LYNN
ROBERT C. MOILANEN
THOMAS F. NELSON
THOMAS J. RADIO
DAVID L. NASHMALL
KATHLEEN M. MARTIN
JOHN C. CHILDS
DOUGLAS R. SEATON
THOMAS E. SANNER
BRUCE S. McPHEETERS
GARY D. BLACKFORD
SCOTT E. RICHTER
GREGORY L. WILMES
ELIZABETH A. THOMPSON
KEITH J. HALLELAND
MARK S. PETERSON

TIMOTHY W. KUCH
JULIE A. SWEITZER
THOMAS C. NIELSENHAUSEN
KATHLEEN A. SLATZ
MICHAEL D. CHRISTENSEN
J. MICHAEL SCHWARTZ
LARAYE M. OSBORNE
MARK F. PALMA
BONNIE S. RESNICK
RUSSELL S. POMEREA
BRYAN L. CRAWFORD
DAVID K. RYDEN
OWEN E. HERRNSTADT
MATTHEW E. BAMON
OF COUNSEL
FRED L. MORRISON

FEDERAL EXPRESS

April 28, 1986

DIRECT DIAL
344-0518

Kenneth A. Gross, Esq.
Associate General Counsel
Federal Election Commission
999 E Street N.W.
Washington, D.C. 20463

Re: MUR 2159

Dear Mr. Gross:

I am responding on behalf of Telelect Inc., George E. Maas, and James H. Sharp, all of whom are respondents in the above Matter Under Review.

Summary of Allegations

The complaint filed with the Commission by Frank R. Thieman, Campaign Manager for Senator James Abdnor, complains of a fund raising letter that appeared on the letterhead of respondent Telelect Inc. and was signed by respondents George Maas and Jim Sharp. Mr. Thieman's objections to the letter are two: The letter is on corporate stationery in apparent violation of 2 U.S.C. § 441b(a) and 11 C.F.R. § 114.2, and the letter bears on its face no disclaimer, in apparent violation of 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11.

Facts

On March 5, 1986, respondents George Maas and Jim Sharp signed and mailed an invitation to a fund raiser in support of the Senate candidacy of South Dakota Governor Bill Janklow. (Attachment to complaint.) The invitation letters were typed on

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Kenneth A. Gross, Esq.
April 28, 1986
Page 2

the letterhead of respondent Telelect Inc., which is a South Dakota corporation. (Attachment to complaint; Maas affidavit ¶1.)

Neither respondent Maas nor respondent Sharp had or has any connection with any committee supporting Governor Janklow's Senate candidacy, and neither of them had previous political campaign or campaign fund raising experience. (Maas affidavit ¶3; Sharp affidavit ¶3.) Respondents Maas and Sharp are businessmen in Watertown, South Dakota, who simply wanted to raise some money for Governor Janklow and forward it to him to use in his campaign. (Maas affidavit ¶¶1, 2, and 3; Sharp affidavit ¶3.)

Respondents Maas and Sharp helped draft the invitation and put together a mailing list of people to invite to the event. (Maas affidavit ¶3; Sharp affidavit ¶4.) A total of 204 invitation letters were mailed on March 5, 1986. (Maas affidavit ¶3; Sharp affidavit ¶5.)

Two secretaries employed by Telelect Inc. spent, between them, something less than three hours on March 5, 1986 typing some of the invitation letters and envelopes. (Maas affidavit ¶6.) All 204 invitation letters were run through Telelect's postage meter. (Maas affidavit ¶6.) On March 7, 1986, Mr. Maas reimbursed Telelect for the use of its stationery, for secretarial time, and for postage by his personal check in the amount of \$95.28. (Maas affidavit ¶7.) The amount of the reimbursement exceeded Telelect's expenses and exceeded the cost of the time and materials in the commercial market. (Maas affidavit ¶¶7, 8, and 10.)

The fund raising letter bore no disclaimer. (Attachment to complaint.) Respondents Maas and Sharp first learned that a disclaimer requirement might apply to their letter as a result of reading an article in the Sioux Falls, South Dakota Sunday newspaper for March 9, 1986, which reported that supporters of Governor Janklow's anticipated primary opponent had objected to the letter. (Maas affidavit ¶4; Sharp affidavit ¶6.) On the day after the newspaper article appeared, in an attempt to mitigate any problems they might have created, respondents Maas and Sharp decided to cancel the fund raiser they had planned. They mailed out that same day a notice of cancellation, with a disclaimer, to the same mailing list that had received the March 5, 1986 invitation letters. (Maas affidavit ¶5; Sharp affidavit ¶7.)

Kenneth A. Gross, Esq.
April 28, 1986
Page 3

The fund raiser was cancelled, and no funds were raised as a result of the letter that is the subject of this complaint. Less than \$250 was spent by respondents Maas and Sharp both in preparing and mailing the fund raising letter and in preparing and mailing the cancellation of the fund raiser.

Argument

A. There Was No In-kind Corporate Contribution.

The complaint in this matter alleges that the use of corporate letterhead is an apparent violation of 2 U.S.C. § 441b(a) and 11 C.F.R. § 114.2.

Respondent Telelect did not direct or authorize respondent Maas to use corporate facilities to produce the fund raising letter that is the subject of this complaint. Respondent Maas was not carrying out an activity incidental to his official position with respondent Telelect Inc. He did not sign the letter as a corporate officer. He used corporate facilities in the production of the fund raising letter, believing that such use was permissible if the corporation was reimbursed for its expenses. The facts of the use of corporate facilities and reimbursement by Mr. Maas to the corporation are set forth above.

As the Commission is aware, 11 C.F.R. § 114.9(c) specifically authorizes individual volunteers, such as Mr. Maas, to use the facilities of a corporation to produce materials in connection with the federal election, provided that the corporation is reimbursed "within a commercially reasonable time for the normal and usual charge for producing such materials in the commercial market."

Respondents Telelect Inc. and Maas believe that the facts of this matter demonstrate that the corporation was reimbursed by Mr. Maas immediately and in an amount that exceeded both the corporation's expenses and the cost of such facilities in the commercial market. With regard to the use of corporate secretaries, the Commission should note that the corporation was reimbursed for secretarial time prior to any payment by the corporation to those employees for work on the day typing was done. The typing was done on March 5, 1986; Mr. Maas' reimbursement check was written March 7, 1986; and the check cleared the bank on March 13, 1986. (Maas affidavit ¶¶ 6 and 7; Attachment C to Maas affidavit.) Respondent Telelect Inc. did

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Kenneth A. Gross, Esq.
April 28, 1986
Page 4

not pay the secretaries for work done during the week ending March 7, 1986 until Friday, March 14, 1986. (Maas affidavit ¶9.) The Commission should also note that Mr. Maas reimbursed Telelect for the use of its facilities two days before the appearance of the newspaper article that first reported objections to the invitation letter.

While the letter complained of was written on Telelect stationery, the Commission implicitly recognized in AO 1978-77 that under analogous circumstances the identification of a corporation in a partisan communication or solicitation does not in and of itself constitute anything of value from the corporation. See also MUR 1261 (November 21, 1980).

Respondents Telelect Inc. and George E. Maas believe that the facts show that Mr. Maas acted as an independent volunteer, and that in light of the reimbursement made by Mr. Maas to Telelect, his activities were permissible under the Federal Election Campaign Act and there is no violation of 2 U.S.C. § 441b(a) or 11 C.F.R. § 114.2 for which either Mr. Maas or Telelect Inc. should be or can be held accountable.

B. The Absence of a Disclaimer Was Inadvertent and Harmless.

The invitation letter stated that contributions would benefit Governor Janklow's Senate candidacy, although the letter did not identify the person or individual who authorized or paid for the solicitation. However, the cancellation notice mailed five days later did bear a disclaimer, indicating that respondents Maas and Sharp had shared the cost involved in producing both the March 5 invitation and the March 10 cancellation letter and that neither mailing had been authorized by anyone else. (Attachment A to both Maas and Sharp affidavits.) Everyone who was mailed a copy of the invitation letter was also mailed a copy of the cancellation letter, which bore a disclaimer.

There clearly was no subterfuge involved in the March 5, 1986 mailing. The beneficiary of the requested contributions was clearly identified. The people who authorized and paid for the mailing were the individuals whose names appeared on the mailing. Respondents Maas and Sharp are not experienced political operatives wise in the ways of political fund raising and the attendant legal requirements. Rather they are two independent businessmen in Watertown, South Dakota who were

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Kenneth A. Gross, Esq.
April 28, 1986
Page 5

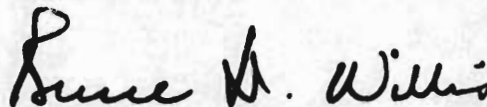
volunteering their time and efforts in an attempt to raise some money for a political candidate they support.

Upon learning of the existence of disclaimer requirements, respondents Maas and Sharp cancelled their planned fund raiser. Five days after the solicitation without a disclaimer was mailed, everyone on the mailing list for the solicitation was sent a statement indicating who was responsible for the solicitation. As an aside, that fact presumably was known to the complainant in this matter for more than two weeks before this complaint was filed.

Only 204 copies of the letter that is the subject of this complaint were mailed. Five days later the same mailing list of 204 was mailed notification of who was responsible for both mailings. The fund raiser to which the solicitation invited people was cancelled by the second mailing. Something less than \$200 was spent on the letter complained of, and less than \$250 was spent on both mailings together. In view of these facts, respondents George Maas and Jim Sharp believe that any violation of 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11 is at best technical and is any event de minimis. Respondents George Maas and Jim Sharp believe that no further action against them with respect to any violation regarding the inadvertent omission of a disclaimer is warranted or necessary. There is ample precedent for the Commission to decide to take no further action under circumstances such as these. See, e.g., MUR 1261 (November 21, 1980); MUR 1350 (July 2, 1981).

If you need any additional information for the Commission's consideration of this matter, please let me know.

Respectfully submitted,



Bruce D. Willis

enc.

cc: Telelect Inc.
George E. Maas
James H. Sharp

0387L

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HAND DELIVERED
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AFFIDAVIT OF GEORGE E. MAAS

STATE OF MINNESOTA)
) SS.
COUNTY OF HENNEPIN)

George E. Maas, being first duly sworn, deposes and states that:

1. I am a resident of Watertown, South Dakota, and I am the president of Telelect Inc., a South Dakota corporation with its principal place of business in Watertown, South Dakota. In addition, I am a member of the Board of Regents for the South Dakota state college and university system. Telelect is a company that manufactures digger derricks and aerial lift units, primarily for use by utility companies. Both Telelect Inc. and I individually are respondents in MUR 2159.

2. In late February 1986, I was asked by Jim Sharp (co-respondent James H. Sharp), a friend who is an automobile dealer in Watertown, if I would help him put together a fund raiser for Governor Bill Janklow, who I understood was or intended to be a candidate for election to the United States Senate this year. Mr. Sharp told me that he had been asked by an automobile dealer friend who knew and liked Governor Janklow if he would try to raise some money for Governor Janklow.

3. Although I had not previously been involved actively in political campaigns or campaign fund raising, I agreed to

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serve as a co-host with Jim Sharp and share with him the cost of a fund raiser for Governor Janklow. Neither of us had any connection with any committee supporting Governor Janklow's Senate candidacy. It was our intention simply to forward to Governor Janklow any money that we raised and let him use it as he saw fit for his campaign. I helped put together a mailing list of people to be invited to the fund raiser, and I helped draft the letter that is attached as an exhibit to the complaint of Frank R. Thieman in this matter. A total of 204 letters of invitation to the fund raiser were mailed on March 5, 1986.

4. I was not aware of any requirement that our letter have a "disclaimer," or a statement of who paid for the letter and who authorized it or did not authorize it. I first learned that such a requirement might apply to our letter as a result of an article that appeared in the Sioux Falls, South Dakota newspaper on Sunday, March 9, 1986, which reported that supporters of Senator Abdnor had objected to our letter.

5. On the day after the newspaper article appeared, that is, March 10, 1986, Jim Sharp and I decided to cancel the fund raiser, and we drafted a letter to that effect and mailed it that same day to the same mailing list that had received the March 5, 1986 invitation. A copy of the March 10, 1986 notice of cancellation of the fund raiser is attached as Attachment A.

6. As appears from the exhibit attached to Mr. Thieman's complaint in this matter, the March 5, 1986 invitation to the fund raiser was typed on Telelect letterhead.

Some of the letters and envelopes were typed on March 5, 1986 by two Telelect secretaries, who between them spent something less than three hours on the project, and all of the invitation letters were run through the Telelect postage meter. I had no direction or authorization from Telelect to use any corporate facilities for producing the letters, but I believed that it was all right to handle the invitations that way, as long as Telelect was reimbursed for its expenses.

7. I got a memo regarding postage meter expense for the letters (Attachment B), and on March 7, 1986, I reimbursed Telelect for what I estimated to be its expenses by my personal check no. 1564 in the amount of \$95.28. (Attachment C.)

I computed the amount of the check as follows:

204 pieces of letterhead and 204 envelopes at an estimated cost of 10¢ per set -	\$20.40
Postage on the Telelect postage meter - 204 x 22¢ -	44.88
Three hours of secretarial time at an estimated cost of \$10 per hour, including overhead -	<u>30.00</u>
Total:	\$95.28

8. I have since calculated that the actual cost to Telelect of a piece of letterhead and an envelope together is 3.59¢, rather than the 10¢ I had estimated. The base salaries for the two secretaries are \$4.50 per hour and \$5.00 per hour, respectively.

9. Telelect hourly employees are paid each Friday for services performed during the week ending the preceding Friday.

10. I believe that custom typing services are available in Watertown for less than \$10.00 per hour and that paper and envelopes can be purchased locally for less than 10¢ per set, as shown by the invoices for paper and envelopes attached as Attachments D and F, which include copying and printing charges.

11. The March 5, 1986 mailing included a stamped, self-addressed envelope. I had the envelopes printed at a copying service called Print-'Em-Now in Watertown, South Dakota. A copy of the invoice for the envelopes is attached as Attachment D.

12. I paid cash at the post office for two hundred 22¢ stamps to put on the return envelopes (I had the 4 extra stamps already.) A copy of the receipt for those stamps is attached as Attachment E.

13. The cancellation letters dated March 10, 1986 also were copied by Print-'Em-Now. A copy of their invoice for \$10.34 for that copying is attached as Attachment F. Jim Sharp bought the envelopes for the cancellation letters. I paid cash at the post office for stamps for the cancellation letters. A copy of the cash receipt for those stamps is attached as Attachment G.

14. On March 10, 1986, I paid the two Print-'Em-Now invoices attached as Attachments D and F by my personal check no. 1569, in the amount of \$25.57. (Attachment H.)

15. Except for the events described in this affidavit, I have had no involvement in any fund raising or other activities on behalf of Governor Janklow.

George E. Maas
George E. Maas

Subscribed and sworn to before me
this 26th day of April, 1986.

Jill M. Wilson
Notary Public
0366L



86040515127

ATTACHMENT A

March 10, 1986

Dear

We have been informed that the invitation we sent out for the reception for Bill Janklow may have been in violation of Federal Election Commission regulations.

A disclaimer was inadvertently omitted from the letter. Apparently this is a requirement for all such fund raising letters. We were not aware of this requirement when the letters were sent out and most certainly had no intention of violating any regulations.

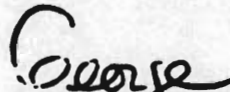
Governor Janklow was not aware of the details of the letter and we apologize to him for any embarrassment we may have caused.

Although we feel that this is a minor technicality, we do not intend to do anything that might impede the integrity or progress of the Janklow campaign. Therefore, we feel it is appropriate to do the following:

1. Cancel the scheduled fund raiser that had been set for 5:30 P.M., Wednesday, March 12, 1986 at the Holiday Inn.
2. Return to the senders any and all checks received as a result of our March 5, 1986 letter.
3. Re-schedule the fund raiser to a date in the near future that you will be contacted about.

We sincerely hope we have not caused you any inconvenience and we look forward to your continued support.


Jim Sharp


George Maas

This letter and our previous letter of March 5, 1986 were paid for by Jim Sharp and George Maas. Neither letter has been authorized by Bill Janklow, the Friends of Bill Janklow Committee or any corporation.

8 5 0 4 0 5 1 5 1 2 8

ATTACHMENT B

3/5/86:

POSTAGE 44⁰⁰
(204)

Reimbursed to
Telecom

86040615129

GEORGE E. MAAS
317 SUMMITWOOD DR.
BATHURSTON, ND 58201

1564

3/7 1985

PAY TO THE ORDER OF TELELECT INC \$ 95.22

Ninety five and 22/100 DOLLARS

RU
RURAL UNION
Member Bank of North Dakota, N.A.
Bank Office One 800
Bathurston, ND 58201-0800

INTEREST PLUS CHECKING

George E. Maas

⑆091400237⑆ 181-243P 1564 ⑆0000009528⑆

86040615130

Pay to the Order of
NORTHWEST BANK WITH A MINN.
BATHURSTON, ND

TELELECT INC

181-243P

091400237

0000009528

Print-Em-Now

3-5 n86

Index

Sold by

Book

END.

Charge

on fact.

Wedge Motel

Field Unit

Even.

Description

Price

Amount

284

6th Reg Engrs

1482

Thank You

SUB TOTAL

TAX

SHIPPING & HANDLING

TOTAL

15723

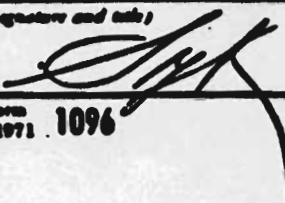
ALL claims and returned goods MUST be accompanied by this bill.

008917

Used by

860404.15131

ATTACHMENT E

U. S. POSTAL SERVICE		DATE
CASH RECEIPT		
RECEIVED FROM		\$ <i>44.00</i>
THE SUM OF		
		100 Dollars,
<i>Stamps for</i> <i>Thank You</i> <i>contributions</i>		
BY (Signature and title)		
		
PS Form 1096 Jan. 1971		

86040615132

Print-Em-Now

15 1ST AVENUE S.E.
WATERTOWN, S.D. 57201
Phone: (605) 882-2111



QUICK PRINTING & COPY SERVICE

Name		Date		11	
Address					
Phone					
Sold by	Cash	C.O.D.	Charge	on Acct.	Video/Rent.
	☒				
Ques.	Description			Price	Amount
225	Copies				9.85
PD Thank You					
SUB TOTAL					
TAX					2.19
SHIPPING & HANDLING					
TOTAL					10.34

ALL claims and returned goods MUST be accompanied by this bill.

Ref by

86040615133

ATTACHMENT C

U. S. POSTAL SERVICE
CASH RECEIPT

Date

Received from

The sum of

100



100

Dollars,

By Signature and date

[Signature]

PS Form
Jan. 1975 1096

© U.S. G.P.O. 1980-0-788-520

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ATTACHMENT H

GEORGE E. MAAS
517 CLAMMINGTON RD
WATERTOWN, SD 57201

3/10 86

1559

PAY TO THE ORDER OF Print 'Em Dow \$ 25.02

Twenty five and 2/100 DOLLARS

BN BANK OF NORTH DAKOTA
20 North Main
Faint Other Box 220
Bismarck, SD 58101-2200

INTEREST PLUS CHARGES

George E Maas

CO914002372 181-2434 1559 /00000002557/

86040515135

113

PAY TO THE ORDER OF
FIRST NATIONAL BANK
FOR DEPOSIT ONLY
PRINT-EM-DOW
113-00000002557/

RECEIVED

APR 24 1986

AFFIDAVIT OF JAMES H. SHARP

STATE OF SOUTH DAKOTA)
) SS.
COUNTY OF CODINGTON)

James H. Sharp, being first duly sworn, deposes and states that:

1. I am a resident of Watertown, South Dakota, and I am a respondent in MUR 2159.
2. In February 1986, I got a call from a friend of mine who asked if I would be willing to raise some money for Governor Bill Janklow, who I understood was, intended to be, or might be a candidate for election to the United States Senate this year.
3. Although I had never been involved in political campaigns or campaign fund raising, I agreed to see what I could do to raise some money for Governor Janklow. I called my friend George Maas (co-respondent George E. Maas) and asked him if he would be willing to co-host a fund raiser and to share with me the costs of putting on such an event. He agreed to do so. It was our intent to forward any money that we raised to Governor Bill Janklow, to use as he saw fit.
4. I helped draft an invitation to the fund raiser, and I helped put together a mailing list of people to invite to the event.
5. George Maas and I signed a total of 204 invitation letters such as the one attached to the complaint of Frank R. Thieman in this matter, and the invitations were mailed on March 5, 1986.
6. I was not aware of any requirement that our letter have a "disclaimer," or a statement of who paid for the letter and who authorized it or did not authorize it. I first learned that such a requirement might

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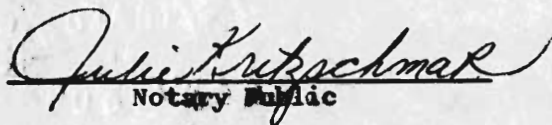
apply to our letter as a result of an article that appeared in the Sioux Falls, South Dakota newspaper on Sunday, March 9th, 1986, which reported that supporters of Senator Abdnor had objected to our letter.

7. The day after the newspaper article appeared, George Maas and I decided to cancel the fund raiser. We mailed notice of the cancellation that day to the same mailing list that had received the original invitation. A copy of the letter of cancellation is attached as Attachment A. George Maas paid for having the notice of cancellation copied and for the stamps to mail the notice. I bought the envelopes that we used.

8. Except for the events described in this affidavit, I have had no involvement with any fund raising or other activities on behalf of Governor Janklow.


James H. Sharp

Subscribed and sworn to before me
this 22 day of April, 1986.


Notary Public

86040515137

ATTACHMENT A

March 10, 1986

Dear

We have been informed that the invitation we sent out for the reception for Bill Janklow may have been in violation of Federal Election Commission regulations.

A disclaimer was inadvertently omitted from the letter. Apparently this is a requirement for all such fund raising letters. We were not aware of this requirement when the letters were sent out and most certainly had no intention of violating any regulations.

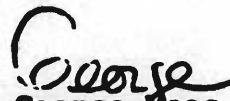
Governor Janklow was not aware of the details of the letter and we apologize to him for any embarrassment we may have caused.

Although we feel that this is a minor technicality, we do not intend to do anything that might impede the integrity or progress of the Janklow campaign. Therefore, we feel it is appropriate to do the following:

1. Cancel the scheduled fund raiser that had been set for 5:30 P.M., Wednesday, March 12, 1986 at the Holiday Inn.
2. Return to the senders any and all checks received as a result of our March 5, 1986 letter.
3. Re-schedule the fund raiser to a date in the near future that you will be contacted about.

We sincerely hope we have not caused you any inconvenience and we look forward to your continued support.


Jim Sharp


George Maas

This letter and our previous letter of March 5, 1986 were paid for by Jim Sharp and George Maas. Neither letter has been authorized by Bill Janklow, the Friends of Bill Janklow Committee or any corporation.

86040515138

POPHAM, HAIK, SCHNOBRICH, KAUFMAN & DOTY, LTD.
4344 IDS CENTER
MINNEAPOLIS, MINNESOTA 55402
TELEPHONE AND TELECOPIER
612-323-4200

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WAYNE G. POPHAM
ROGER W. SCHNOBRICH
DENVER KAUFMAN
DAVID S. DOTY
ROBERT A. MINISH
ROLFE A. WORDEN
S. NARC WHITEHEAD
BRUCE D. WILLIS
FREDERICK S. RICHARDS
G. ROBERT JOHNSON
GARY R. MACOMBER
ROBERT S. BURK
HUGH V. PLUNKETT, III
FREDERICK C. BROWN
THOMAS K. BERG
JAMES R. STEILEN

JAMES S. LOCKHART
ALLEN W. HINDERAKER
CLIFFORD H. GREENE
D. WILLIAM KAUFMAN
MICHAEL O. FREEMAN
HOWARD SAN MYERS, III
THOMAS C. D'AQUILA
LARRY D. ESPEL
JANIE S. HAYERON
THOMAS J. BARRETT
JAMES A. PAYNE
DAVID A. JONES
LEE E. SHEEHY
ALAIN FRECON
LESLIE GILLETTE
MICHAEL T. NILAN

ROBERT H. LYNN
ROBERT C. NOILANEN
THOMAS F. NELSON
THOMAS J. RADIG
DAVID L. HASKNALL
KATHLEEN M. MARTIN
JOHN C. CHILDS
DOUGLAS A. SEATON
THOMAS E. SANNER
BRUCE S. McPHEETERS
GARY D. BLACKFORD
SCOTT E. RICHTER
GREGORY L. WILMES
ELIZABETH A. THOMPSON
KEITH J. HALLERLAND
MARK B. PETERSON

TIMOTHY W. KUCH
JULIE A. SWEITZER
THOMAS C. MIELKHANSEN
KATHLEEN A. SLATZ
MICHAEL D. CHRISTENSEN
J. MICHAEL SCHWARTZ
LARA E. OSBORNE
MARK F. PALMA
SONNIE S. FERNICK
RUSSELL S. FONSESSA
BRYAN L. CRAWFORD
DAVID K. RYDEN
OWEN E. HERNSTADT
MATTHEW E. DAMON
OF COUNSEL
FRED L. MORRISON

1245 AMMOIST TOWER
345 ST. PETER STREET
SAINT PAUL, MINNESOTA 55102
TELEPHONE
612-333-4878

SUITE 2400
1200 SEVENTEENTH STREET
DENVER, COLORADO 80202
TELEPHONE 303-893-1200
TELECOPIER 303-893-2104

SUITE 300 SOUTH
1800 M STREET, N.W.
WASHINGTON, D. C. 20036
TELEPHONE (202) 628-5300
TELECOPIER (202) 628-5318

April 22, 1986

DIRECT DIAL
344-0518

Kenneth A. Gross, Esq.
Associate General Counsel
Federal Election Commission
999 E Street N.W.
Washington, D.C. 20463

Re: MUR 2159

Dear Mr. Gross:

I just noticed that you inadvertently were provided with photocopies of the Statements of Designation of Counsel signed by Telelect Inc., George E. Maas, and James H. Sharp, respondents in the above Matter Under Review. Please find enclosed the original executed forms.

I apologize for any inconvenience.

Very truly yours,

Bruce D. Willis

Bruce D. Willis

BDW:sp
enc.
0383L

36 APR 25 10:31

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OFFICE OF THE
GENERAL COUNSEL

86040615139

STATEMENT OF DESIGNATION OF COUNSEL

NR 2159

NAME OF COUNSEL: Bruce D. Willis

ADDRESS: 4344 IDS Center

Minneapolis, Minnesota 55402

TELEPHONE: (612) 333-4800

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

4/15/86
Date

TELELECT INC
By Gerge E Maar, Pres.
Signature

RESPONDENT'S NAME: Telelect Inc.

ADDRESS: 600 Oakwood Road

Watertown, South Dakota 57201

HOME PHONE: Not Applicable

BUSINESS PHONE: (605) 882-4000

86040515140

STATEMENT OF DESIGNATION OF COUNSEL

NR 2159

NAME OF COUNSEL: Bruce D. Willis

ADDRESS: 4344 IDS Center

Minneapolis, Minnesota 55402

TELEPHONE: (612) 333-4800

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

4/16/86
Date

George E. Maas
Signature

RESPONDENT'S NAME: George E. Maas

ADDRESS: 317 Summerwood Drive

Watertown, South Dakota 57201

HOME PHONE: (605) 882-2853

BUSINESS PHONE: (605) 882-4000

86040515141

STATEMENT OF DESIGNATION OF COUNSEL

NR 2159

NAME OF COUNSEL: Bruce D. Willis

ADDRESS: 4344 IDS Center

Minneapolis, Minnesota 55402

TELEPHONE: (612) 333-4800

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

4-16-86
Date

James H. Sharp
Signature

RESPONDENT'S NAME: James H. Sharp

ADDRESS: 1305 Skyline Drive

Watertown, South Dakota 57201

HOME PHONE: (605) 886-3290

BUSINESS PHONE: (605) 886-8081

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Janklow for Senate

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Box 1086 - 86 APR 24 1986

...because

Our Future Is Worth Fighting For!

April 22, 1986

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

Re: MUR 2159

Dear Mr. Steele:

Governor Janklow has asked me to respond to your letter of April 10, 1986, regarding the above-referenced complaint.

The Friends of Bill Janklow Committee were unaware of the efforts being made by the gentlemen who signed the letter which is the basis of this complaint, and which is attached as Exhibit A. Our campaign committee did not become aware of the letter until Senator Abdnor's office issued a press release alleging a possible violation of federal campaign laws. The fund raising efforts by the individuals who signed the letter were not authorized or approved by the Friends of Bill Janklow Committee, and we were not aware that such a letter had been sent out. The only involvement of Governor Janklow's campaign was a call to our office to determine if Governor Janklow would be available to attend a fund raising event in Watertown, South Dakota, on the evening in question.

Pursuant to the guidelines set forth on page 3 of the FEC Campaign Guide (Exhibit B), we contacted the individuals in Watertown as soon as we became aware of the problem and took steps to correct it.

The individuals who sent the first letter, which is the basis of the complaint, after contact by our campaign committee, immediately drafted and sent out to all individuals who received the initial letter, a subsequent letter which is attached hereto as Exhibit C. As you can see by the follow-up letter which was sent immediately, the individuals withdrew the invitation for the fund raiser, cancelled the fund raiser, and offered to return any funds that had been submitted. I am informed, but cannot say for certain, that at the time the problem was identified, no funds had yet been received.

It is obvious from these circumstances, that the Friends of Bill

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GENERAL COUNSEL

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Charles N. Steele

Page 2

April 22, 1986

Janklow Committee had no direct involvement in the matter and therefore could not possibly have been involved in any violation of federal campaign laws. In addition, it is also clear that the two individuals involved did not come close to violating any federal election campaign laws and took all necessary steps to correct their actions, once the requirements of the law were brought to their attention.

I think you will share our feelings, based upon the facts of this matter, that it was simply an example of two individuals who were enthusiastic supporters of Governor Janklow's candidacy who operated without any intention to violate any laws, but acted in good faith, not only in their initial actions, but also in their corrective actions.

We would hope that the Federal Election Commission would affirmatively respond to the complaint in a manner which indicates that there is no factual basis for the complaint and there was no illegal activity conducted by the individuals involved.

If additional information should be required or is needed, please feel free to contact our committee, and we will respond accordingly.

Respectfully submitted,

John Shaeffer

John Shaeffer, Treasurer
Friends of Bill Janklow Committee
Box 1986
Pierre, South Dakota 57501

86040515144



600 OAKWOOD ROAD • WATERTOWN, S.D. 57201
PHONE: (605) 852-4000 • TELEX 704790

Exhibit A

March 5, 1986

Dear Mr. and Mrs. Allen Eide:

We are on the threshold of putting the most capable candidate on the ballot for U.S. Senator. Bill Janklow has agreed to run in the primary which is coming up fast and recent polls show him to be the only candidate capable of beating Tom Daschle in the General Election.

The cost of campaigning is high, but it is not more than you and I can afford. We need your substantial contribution. An envelope is enclosed for your convenience.

Bill Janklow has been the most innovative and capable performer in the Governor's Office in recent times. He speaks for all South Dakotans and has provided programming accordingly. He will perform just as capably and as tenaciously in Washington. We need him there!!

You and your wife are invited to the Holiday Inn for a rousing Watertown reception to meet the next U.S. Senator from South Dakota. It is at 5:30 P.M. on Wednesday, March 12, 1986.

We want you - we need you - please be there!!

Please bring your check with you on the evening of the 12th.

Regards,

Jim Sharp

George Maas

P.S. If you cannot attend, please send your check in the enclosed envelope made payable to "Janklow for Senate".

86040515145

ONE

CANDIDATE COMMITTEES

The Federal Election Campaign Act (the Act) requires political committees which support candidates for Federal office to register and disclose their campaign receipts and disbursements and to abide by certain contribution limits and prohibitions. To help candidates and committees comply with the Act, the Federal Election Commission (FEC) has prepared this Guide to focus exclusively on those requirements affecting candidates for the U.S. House and Senate, their principal campaign committees and any other authorized committees. The information presented here is based on the Act and FEC Regulations.¹

Before reading this Guide, candidates and committee staff should note the following suggestions:

- Review this Guide carefully. Note the definitions in Appendix A which give special meaning to key words. Terms included in this Appendix are italicized and marked with an asterisk the first time they appear in the text.
- Keep good records of receipts and disbursements.
- If a mistake is discovered, correct it promptly and straightforwardly.
- When seeking more information, consult the Federal Election Campaign Act (2 U.S.C. §§431-455) and the FEC Regulations (11 CFR Parts 100-115). Note in particular the definitions (and their exceptions) given at the beginning of most sections of the Regulations. An index accompanying the Regulations helps a reader quickly locate those provisions pertinent to his/her particular concern.
- If in doubt as to what the law means or how it applies to a specific situation, seek help from the FEC (see Appendix E). Call toll free 800/424-9530.

¹ Citations appearing in this Guide refer to sections of the FEC Regulations and, where prefaced by 2 U.S.C., to the Act. Selected advisory opinions (AOs) and directives issued by the Commission are cited as well.

Contributions and Expenditures

Under the Federal Election Campaign Act (the Act), the terms "contributions" and "expenditures" are essential to understanding the basic requirements of the Act:

- The amount of "contributions" received and the amount of "expenditures" made, for example, determine whether or not an individual is a candidate* and subject, therefore, to the requirements of the Act.
- Moreover, contributions received and expenditures made must be reported by the candidate's authorized committee(s).
- Finally, candidate committees may NOT accept contributions that exceed the dollar limitations or violate the prohibitions of the Act.

To comply with the Act, therefore, one needs to know just exactly what is a "contribution" and what is an "expenditure." This section explains these terms, providing examples where helpful.

1. Contributions vs. Expenditures

The Act makes a basic distinction between contributions and expenditures. A contribution is one way individuals and groups provide support to a candidate for Federal office. A contribution usually involves the giving of money, goods or services to a campaign or the giving of money to political committees* which, in turn, make contributions to the candidates of their choice.

An expenditure is not the same as a contribution. It usually represents the utilization of contributions received by a candidate or a political committee. Thus, candidates and their authorized committees conduct campaigns by expending the

resources which have been contributed to them.

Contributions to candidates and their campaign committees are subject to certain limits and prohibitions under the Act. By contrast, expenditures by House and Senate candidates and their committees are not limited.¹ Full reporting is required, however, for both contributions and expenditures.²

2. Contributions vs. Other Receipts

Campaign Contributions

A campaign contribution is anything of value given to an *authorized committee** of a candidate (or the committee's *authorized agents**) to influence the candidate's nomination or election to Federal office. 100.7(a)(1). Note that a candidate is considered an authorized agent of the committee. 101.2 and 102.7(d). Listed below are different types of contributions, all of which are subject to the Act's prohibitions and dollar limitations (except contributions from the candidate) and are reportable by the candidate's authorized committee.³ Committees may receive other goods, services or monies that are not considered contributions and, therefore, are not subject to the Act's dollar limitations. These receipts, nevertheless, are reportable; they are described below under "Other Reportable Receipts."

* See Definitions in Appendix A.

¹ Expenditures by Presidential candidates receiving public funds, on the other hand, are limited by the Act.

² Other types of receipts and disbursements are also reportable, with a few exceptions. See "Contributions vs. Other Receipts," above, and "Expenditures vs. Other Disbursements," which follows.

³ See page 8 for limits and prohibitions on contributions and pages 15-16 for reporting requirements.

March 10, 1986

Dear

We have been informed that the invitation we sent out for the reception for Bill Janklow may have been in violation of Federal Election Commission regulations.

A disclaimer was inadvertently omitted from the letter. Apparently this is a requirement for all such fund raising letters. We were not aware of this requirement when the letters were sent out and most certainly had no intention of violating any regulations.

Governor Janklow was not aware of the details of the letter and we apologize to him for any embarrassment we may have caused.

Although we feel that this is a minor technicality, we do not intend to do anything that might impede the integrity or progress of the Janklow campaign. Therefore, we feel it is appropriate to do the following:

1. Cancel the scheduled fund raiser that had been set for 5:30 P.M., Wednesday, March 12, 1986 at the Holiday Inn.
2. Return to the senders any and all checks received as a result of our March 5, 1986 letter.
3. Re-schedule the fund raiser to a date in the near future that you will be contacted about.

We sincerely hope we have not caused you any inconvenience and we look forward to your continued support.

Jim Sharp

George Maas

This letter and our previous letter of March 5, 1986 were paid for by Jim Sharp and George Maas. Neither letter has been authorized by Bill Janklow, the Friends of Bill Janklow Committee or any corporation.

86040515147



TELELECT

600 OAKWOOD ROAD • WATERTOWN, S.D. 57201
PHONE: (605) 862-4000 • TELEX 704790

March 5, 1986

Dear Mr. and Mrs. Allen Eide:

We are on the threshold of putting the most capable candidate on the ballot for U.S. Senator. Bill Janklow has agreed to run in the primary which is coming up fast and recent polls show him to be the only candidate capable of beating Tom Daschle in the General Election.

The cost of campaigning is high, but it is not more than you and I can afford. We need your substantial contribution. An envelope is enclosed for your convenience.

Bill Janklow has been the most innovative and capable performer in the Governor's Office in recent times. He speaks for all South Dakotans and has provided programming accordingly. He will perform just as capably and as tenaciously in Washington. We need him there!!

You and your wife are invited to the Holiday Inn for a rousing Watertown reception to meet the next U.S. Senator from South Dakota. It is at 5:30 P.M. on Wednesday, March 12, 1986.

We want you - we need you - please be there!!

Please bring your check with you on the evening of the 12th.

Regards,

Jim

Jim Sharp

George

George Maas

P.S. If you cannot attend, please send your check in the enclosed envelope made payable to "Janklow for Senate".

86040515148



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 10, 1986

**Jim Sharp
Telelect
600 Oakwood Road
Watertown, South Dakota 57201**

Re: MUR 2159

Dear Mr. Sharp:

This letter is to notify you that the Federal Election Commission received a complaint which alleges that Telelect may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2159. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against Telelect in this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a) (4) (B) and § 437g(a) (12) (A) unless you notify the Commission in writing that you wish the matter to be made public.

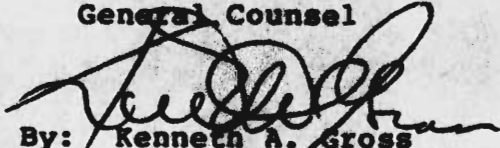
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If you have any questions, please contact Shelly Garr, the staff member assigned to this matter at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

Enclosures
Complaint
Procedures
Designation of Counsel

86040515150



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 10, 1986

**Janklow for Senate Committee
John Shaeffer, Treas.
Box 1986
Pierre, South Dakota 57501**

Re: MUR 2159

Dear Mr. Shaeffer:

This letter is to notify you that the Federal Election Commission received a complaint which alleges that the Janklow for Senate Committee and you, as treasurer, may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2159. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Janklow for Senate Committee and you in this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a) (4) (B) and §437g(a) (12) (A) unless you notify the Commission in writing that you wish the matter to be made public.

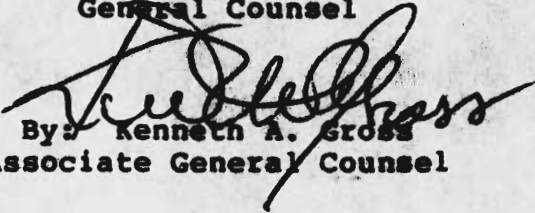
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-2-

If you have any questions, please contact Shelly Garr,
the staff member assigned to this matter at (202) 376-5690.
For your information, we have attached a brief description of
the Commission's procedures for handling complaints.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

Enclosures
Complaint
Procedures
Designation of Counsel

86040515152



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 10, 1986

**Telelect
688 Oakwood Road
Watertown, South Dakota 57201**

Re: MUR 2159

Dear Sir:

This letter is to notify you that the Federal Election Commission received a complaint which alleges that Telelect may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2159. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against Telelect in this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a) (4) (B) and §437g(a) (12) (A) unless you notify the Commission in writing that you wish the matter to be made public.

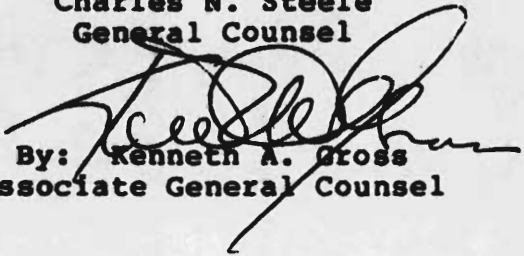
86040515153

-2-

If you have any questions, please contact Shelly Garr, the staff member assigned to this matter at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

Enclosures
Complaint
Procedures
Designation of Counsel

86040515154



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 10, 1986

George Maas
Telelect
600 Oakwood Road
Watertown, South Dakota 57201

Re: MUR 2159

Dear Mr. Maas:

This letter is to notify you that the Federal Election Commission received a complaint which alleges that Telelect may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2159. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against Telelect in this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

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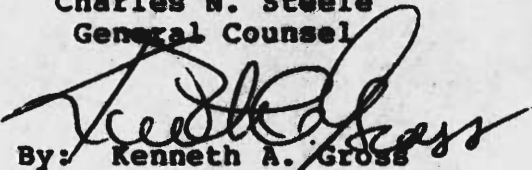
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-2-

If you have any questions, please contact Shelly Garr,
the staff member assigned to this matter at (202) 376-5690.
For your information, we have attached a brief description of
the Commission's procedures for handling complaints.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

Enclosures
Complaint
Procedures
Designation of Counsel

86040515156

STATEMENT OF DESIGNATION OF COUNSEL

NR 2159

NAME OF COUNSEL: Bruce D. Willis

ADDRESS: 4344 IDS Center

Minneapolis, Minnesota 55402

TELEPHONE: (612) 333-4800

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

4-16-86
Date

James H. Sharp
Signature

RESPONDENT'S NAME: James H. Sharp

ADDRESS: 1305 Skyline Drive

Watertown, South Dakota 57201

HOME PHONE: (605) 886-3290

BUSINESS PHONE: (605) 886-8081

86040515157



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 14, 1986

Frank R. Thieman, Campaign Manager
Friends of Senator Jim Abnor Committee
P.O. Box 1001
Sioux Falls, South Dakota 57101

Dear Mr. Thieman:

On April 10, 1986, a letter was sent to you acknowledging the Commission's receipt of your complaint dated April 1, 1986, on behalf of the Friends of Senator Jim Abnor Committee. Through administrative oversight, this response was incorrect in nature.

Enclosed, for your reference, is a corrected letter which is intended to serve as a substitute for the Commission's April 10th response.

Please excuse any inconvenience this may have caused.

Sincerely,

Kenneth A. Gross
Associate General Counsel

Enclosure

86040515158



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 14, 1986

Frank R. Thieman, Campaign Manager
Friends of Sen. Jim Abdnor Committee
P.O. Box 1001
Sioux Falls, South Dakota 57101

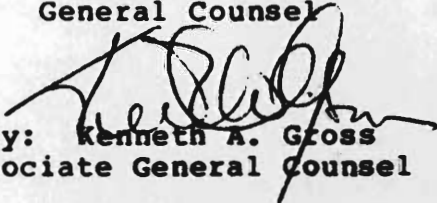
Dear Mr. Thieman:

This letter will acknowledge receipt of a complaint filed by you which we received on April 7, 1986, which alleges possible violations of the Federal Election Campaign Act of 1971, as amended, (the "Act"), by the Janklow for Senate Committee, George Maas, Jim Sharp and Telelect. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to this office. We suggest that this information be sworn to in the same manner as your original complaint. For your information, we have attached a brief description of the Commission's procedures for handling complaints. We have numbered this matter under review MUR 2159. Please refer to this number in all future correspondence. If you have any questions, please contact Lorraine F. Ramos at (202) 376-3110.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

86040515159



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 10, 1986

Frank R. Thieman, Campaign Manager
Friends of Sen. Jim Honor Committee
P.O. Box 1001
Sioux Falls, South Dakota 57101

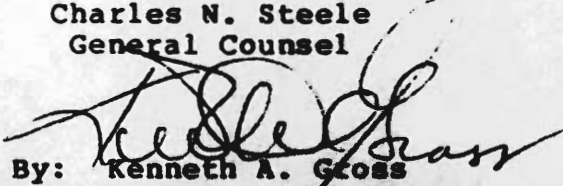
Dear Mr. Thieman:

This letter will acknowledge receipt of a complaint filed by you which we received on April 1, 1986, which alleges a possible violation of the Federal Election Campaign Act of 1971, as amended, (the "Act"), by the Santini for Senate Committee. The respondents will be notified of this complaint within five days.

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Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

Enclosure

86040515160

STATEMENT OF DESIGNATION OF COUNSEL

NR 2159

NAME OF COUNSEL: Bruce D. Willis

ADDRESS: 4344 IDS Center

Minneapolis, Minnesota 55402

TELEPHONE: (612) 333-4800

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

4/16/86
Date

George E. Maas
Signature

RESPONDENT'S NAME: George E. Maas

ADDRESS: 317 Summerwood Drive

Watertown, South Dakota 57201

HOME PHONE: (605) 882-2853

BUSINESS PHONE: (605) 882-4000

86040515161

STATEMENT OF DESIGNATION OF COUNSEL

NR 2159

NAME OF COUNSEL: Bruce D. Willis

ADDRESS: 4344 IDS Center

Minneapolis, Minnesota 55402

TELEPHONE: (612) 333-4800

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

4/15/86
Date

TELELECT INC
By George E Maar, Pres.
Signature

RESPONDENT'S NAME: Telelect Inc.

ADDRESS: 600 Oakwood Road

Watertown, South Dakota 57201

HOME PHONE: Not Applicable

BUSINESS PHONE: (605) 882-4000

86040315162

POPHAM, HAIK, SCHNOBRICH, KAUFMAN & DOTY, LTD.
4344 IDS CENTER
MINNEAPOLIS, MINNESOTA 55402
TELEPHONE AND TELECOPIER
612-333-4800

RECEIVED AT THE FEC

QCC# 289

88 APR 23 8:11

WAYNE G. POPHAM
ROGER W. SCHNOBRICH
DENVER KAUFMAN
DAVID B. DOTY
ROBERT A. MINISH
ROLFE A. WARDEN
G. MARC WHITEHEAD
BRUCE D. WILLIS
FREDERICK S. RICHARDS
G. ROBERT JOHNSON
GARY R. MACOMBER
ROBERT S. BURK
HUGH V. PLUNKETT, III
FREDERICK C. BROWN
THOMAS K. BERG
JAMES R. STEILEN

JAMES B. LOCKHART
ALLEN W. HINDERAKER
CLIFFORD H. GREENE
D. WILLIAM KAUFMAN
MICHAEL O. FREEMAN
HOWARD SAM MYERS, III
THOMAS C. DAQUILA
LARRY D. ESPEL
JAMIE S. MAYERSON
THOMAS J. BARRETT
JAMES A. PAYNE
DAVID A. JONES
LEE E. SNEYDY
ALAIN FRECHON
LESLIE GILLETTE
MICHAEL T. NILAN

ROBERT H. LYNN
ROBERT C. MOILANEN
THOMAS F. NELSON
THOMAS J. RADIO
DAVID L. HASHMALL
KATHLEEN M. MARTIN
JOHN C. CHILDS
DOUGLAS P. SEATON
THOMAS E. SANNER
BRUCE S. McPHEETERS
GARY D. BLACKFORD
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GREGORY L. WILMES
ELIZABETH A. THOMPSON
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MARK B. PETERSON

TIMOTHY W. RUCH
JULIE A. SWEITZER
THOMAS C. MIELLENHAUSEN
KATHLEEN A. SLATZ
MICHAEL D. CHRISTENSON
J. MICHAEL SCHWARTZ
LARAYE H. OESORNE
MARK F. PALMA
SONNIE G. REBNICK
RUSSELL S. PONESSA
BRYAN L. CRAWFORD
DAVID R. RYDEN
OWEN E. HERRNSTADT
MATTHEW E. DAMON
OF COUNSEL
FRED L. MORRISON

1240 ANHOIST TOWER
348 ST. PETER STREET
SAINT PAUL, MINNESOTA 55102
TELEPHONE
612-333-4878

SUITE 2400
1200 SEVENTEENTH STREET
DENVER, COLORADO 80202
TELEPHONE 303-893-1200
TELECOPIER 303-893-2194

SUITE 300 SOUTH
1800 M STREET, N.W.
WASHINGTON, D. C. 20036
TELEPHONE (202) 828-5300
TELECOPIER (202) 828-5318

April 17, 1986

DIRECT DEAL

343-0516

APR 23 9:54

GENERAL COUNSEL

Kenneth A. Gross, Esq.
Associate General Counsel
Federal Election Commission
999 E Street N.W.
Washington, D.C. 20463

Re: MUR 2159

Dear Mr. Gross:

I am writing to inform you that I have been designated as counsel in the above matter by respondents Telelect Inc., George E. Maas, and James H. Sharp. Please find enclosed Statements of Designation of Counsel executed by each.

We intend to reply to the complaint on behalf of all three of the above respondents. While it is not clear at this point whether the notice of complaint was received on April 14 or April 15, 1986, we will proceed on the assumption that the notice was received by all three respondents on April 14 and will thereby have a response to you on or before April 29, 1986.

Very truly yours,

Bruce D. Willis

Bruce D. Willis

BDW:sp

cc: Shelly Garr (w/enc.)
Telelect Inc. (w/enc.)
George E. Maas (w/enc.)
James H. Sharp (w/enc.)

0365L

86040615163

POPHAM, HAIK, SCHNOBRICH, KAUFMAN & DOTY, LTD.
4344 IDS CENTER
MINNEAPOLIS, MINNESOTA 55408
TELEPHONE AND TELECOPIER
612-333-4800

RECEIVED AT THE FEC
GCE# 281
86 APR 21 P 4: 28

WAYNE G. POPHAM	JAMES B. LOCKHART	ROBERT H. LYNN	TIMOTHY W. RUCK
ROGER W. SCHNOBRICH	ALLEN W. HINDERAKER	ROBERT C. MOILANEN	JULIE A. SWEETZER
DENVER KAUFMAN	CLIFFORD H. GREENE	THOMAS F. NELSON	THOMAS C. NIELSENHAUSEN
DAVID S. DOTY	D. WILLIAM KAUFMAN	THOMAS J. RADIO	KATHLEEN A. SLATZ
ROBERT A. MINISH	MICHAEL G. FREEMAN	DAVID L. NASHMALL	MICHAEL S. CHRISTENSEN
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G. MARC WHITEHEAD	THOMAS C. D'AQUILA	JOHN C. CHILDS	LARAYE M. OSBORNE
BRUCE D. WILLIS	LARRY D. ESPEL	DOUGLAS P. SEAFON	MARK F. PALMA
FREDERICK S. RICHARDS	JANIE S. MAYERSON	THOMAS E. BANNER	BONNIE G. RESNICK
G. ROBERT JOHNSON	THOMAS J. BARRETT	BRUCE S. McPHEETERS	RUSSELL S. PONESSE
GARY R. MACOMBER	JAMES A. PAYNE	GARY D. BLACKFORD	BRYAN L. CRAWFORD
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FREDERICK C. BROWN	ALAIN FREEDON	ELIZABETH A. THOMPSON	MATTHEW E. SAMON
THOMAS K. BERG	LESLIE WILLETTTE	KEITH J. HALLELAND	OF COUNSEL
JAMES R. STEILEN	MICHAEL T. NILAN	MARK B. PETERSON	FRED L. MORRISON

1240 AMHOIST TOWER
345 ST. PETER STREET
SAINT PAUL, MINNESOTA 55108
TELEPHONE
612-333-4878

SUITE 2400
1800 SEVENTEENTH STREET
DENVER, COLORADO 80202
TELEPHONE 303-893-1200
TELECOPIER 303-893-2194

SUITE 300 SOUTH
1800 M STREET, N.W.
WASHINGTON, D. C. 20036
TELEPHONE (202) 898-5300
TELECOPIER (202) 898-5316

April 17, 1986

DIRECT DIAL
344-0518

Kenneth A. Gross, Esq.
Associate General Counsel
Federal Election Commission
999 E Street N.W.
Washington, D.C. 20463

Re: MUR 2159

Dear Mr. Gross:

I am writing to inform you that I have been designated as counsel in the above matter by respondents Telelect Inc., George E. Maas, and James H. Sharp. Please find enclosed Statements of Designation of Counsel executed by each.

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Very truly yours,

Bruce D. Willis
Bruce D. Willis

BDW:sp
cc: Shelly Garr (w/enc.) ✓
Telelect Inc. (w/enc.)
George E. Maas (w/enc.)
James H. Sharp (w/enc.)

0365L

86040315164

RECEIVED
OFFICE OF THE
GENERAL COUNSEL
86 APR 22 P 3: 30

STATEMENT OF DESIGNATION OF COUNSEL

NR 2159

NAME OF COUNSEL: Bruce D. Willis

ADDRESS: 4344 IDS Center

Minneapolis, Minnesota 55402

TELEPHONE: (612) 333-4800

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

4/15/86
Date

TELELECT INC
By Genge E Maas, Pres.
Signature

RESPONDENT'S NAME: Telelect Inc.

ADDRESS: 600 Oakwood Road

Watertown, South Dakota 57201

HOME PHONE: Not Applicable

BUSINESS PHONE: (605) 882-4000

86040515165

STATEMENT OF DESIGNATION OF COUNSEL

NR 2159

NAME OF COUNSEL: Bruce D. Willis

ADDRESS: 4344 IDS Center

Minneapolis, Minnesota 55402

TELEPHONE: (612) 333-4800

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counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

4/16/86
Date

George E. Maas
Signature

RESPONDENT'S NAME: George E. Maas

ADDRESS: 317 Summerwood Drive

Watertown, South Dakota 57201

HOME PHONE: (605) 882-2853

BUSINESS PHONE: (605) 882-4000

86040315166

STATEMENT OF DESIGNATION OF COUNSEL

NR 2159

NAME OF COUNSEL: Bruce D. Willis

ADDRESS: 4344 IDS Center

Minneapolis, Minnesota 55402

TELEPHONE: (612) 333-4800

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

4-16-86
Date

James H. Sharp
Signature

RESPONDENT'S NAME: James H. Sharp

ADDRESS: 1305 Skyline Drive

Watertown, South Dakota 57201

HOME PHONE: (605) 886-3290

BUSINESS PHONE: (605) 886-8081

86040515167

RECEIVED AT THE FEC
GCC#113
86 APR 1 9:21

James Abdnor

U.S. Senator

March 26, 1986

General Counsel
Federal Elections Commission
999 E Street, N.W.
Washington, DC 20463

To Whom It May Concern:

96 APR 1 11:16

RECEIVED
GENERAL COUNSEL

Enclosed you will find a facsimile of a fundraising letter recently received by one of our supporters which promotes an upcoming fundraising even on behalf of Governor William Janklow (our primary opposition). As you can see, the letter is written on corporate stationary and does not include the obligatory "disclaimer." We feel this is in apparent violation of the Federal Election Campaign Act, 2 U.S.C. Sec. 441b(a), Sec. 441d(a), 11 CFR Sec. 114.2, and 11 CFR Sec. 110.11.

I urgently request that you investigate this matter as quickly as possible. I would be happy to answer any questions you may have in regards to this complaint. I can be reached at (605)332-1986.

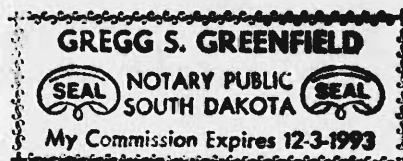
I thank you for the prompt attention you will give this matter.

Subscribed and sworn to me this 26th day
of March, 1986.

Sincerely,

Frank R. Thieman

Frank R. Thieman
Campaign Manager





600 OAKWOOD ROAD • WATERTOWN, S.D. 57201
PHONE: (605) 862-4000 • TELEX 704790

March 5, 1986

Dear Mr. and Mrs. Allen Eide:

We are on the threshold of putting the most capable candidate on the ballot for U.S. Senator. Bill Janklow has agreed to run in the primary which is coming up fast and recent polls show him to be the only candidate capable of beating Tom Daschle in the General Election.

The cost of campaigning is high, but it is not more than you and I can afford. We need your substantial contribution. An envelope is enclosed for your convenience.

Bill Janklow has been the most innovative and capable performer in the Governor's Office in recent times. He speaks for all South Dakotans and has provided programming accordingly. He will perform just as capably and as tenaciously in Washington. We need him there!!

You and your wife are invited to the Holiday Inn for a rousing Watertown reception to meet the next U.S. Senator from South Dakota. It is at 5:30 P.M. on Wednesday, March 12, 1986.

We want you - we need you - please be there!!

Please bring your check with you on the evening of the 12th.

Regards,

Jim

Jim Sharp

George
George Maas

P.S. If you cannot attend, please send your check in the enclosed envelope made payable to "Janklow for Senate".

86040515169

James Abdnor

U.S. Senator

March 26, 1986

General Counsel
Federal Elections Commission
999 E Street, N.W.
Washington, DC 20463

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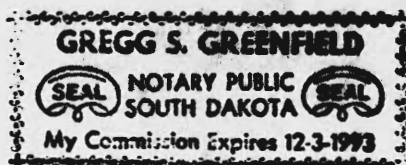
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Subscribed and sworn to me this 26th day
of March, 1986.

Sincerely,

Frank R. Thieman

Frank R. Thieman
Campaign Manager





TELELECT

600 OAKWOOD ROAD • WATERTOWN, S.D. 57201
PHONE: (605) 862-4000 • TELEX 704799

March 5, 1986

Dear Mr. and Mrs. Allen Eide:

We are on the threshold of putting the most capable candidate on the ballot for U.S. Senator. Bill Janklow has agreed to run in the primary which is coming up fast and recent polls show him to be the only candidate capable of beating Tom Daschle in the General Election.

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We want you - we need you - please be there!!

Please bring your check with you on the evening of the 12th.

Regards,

Jim Sharp

George Maas

P.S. If you cannot attend, please send your check in the enclosed envelope made payable to "Janklow for Senate".

86040515171

86040515172



FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 2159

Date Filmed 4/3/86 Camera No. --- 2

Cameraman AS



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

2/13/87

THE FOLLOWING MATERIAL IS BEING ADDED TO THE
PUBLIC FILE OF CLOSED MUR 2159.

37047641015

POPHAM, HAIK, SCHNOBRICH, KAUFMAN & DOTY,

HAND DELIVERED

4344 IDS CENTER

MINNEAPOLIS, MINNESOTA 55402

TELEPHONE

612-333-4800

TELECOPIER

612-344-0803

1240 AMHOIST TOWER

345 ST. PETER STREET

SAINT PAUL, MINNESOTA 55102

TELEPHONE 612-333-4878

SUITE 2400

1200 SEVENTEENTH STREET

DENVER, COLORADO 80202

TELEPHONE 303-893-1200

TELECOPIER 303-893-2194

SUITE 300 SOUTH

1800 M STREET, N.W.

WASHINGTON, D. C. 20036

TELEPHONE 202-828-5300

TELECOPIER 202-828-5318

DIRECT DIAL NUMBER

344-0518

FEDERAL EXPRESS

August 15, 1986

Ms. Shelley Garr
Office of the General Counsel
Federal Election Commission
999 E Street Northwest
Washington, D.C. 20463

Re: MUR 2159

Our File No. 7228-034

Dear Ms. Garr:

As we have discussed, George E. Maas, James H. Sharp, and Telelect Inc., respondents in the above Matter Under Review, wish to have made part of the public record in this file the June 30, 1986 letter to you from F. R. Thieman, Campaign Manager for Friends of Senator Jim Abdnor. I have enclosed an extra copy for your convenience.

Very truly yours,

Bruce Willis

Bruce D. Willis

BDW:sp

enc.

cc: George E. Maas

James H. Sharp

0970L

0 AUG 18

ALB:334

KATHLEEN A. BLATZ
MICHAEL D. CHRISTENSON
J. MICHAEL SCHWARTZ
LARA M. OSBORNE
LOUIS P. SMITH
FRANCIS J. CONNOLLY
BRUCE H. LITTLE
MARK F. PALMA
RUSSELL S. PONESSA
BRYAN L. CRAWFORD
DAVID K. RYDEN
OWEN E. HERRNSTADT
MATTHEW E. DAMON

OF COUNSEL
FRED L. MORRISON

DAVID L. HASHMALL
KATHLEEN M. MARTIN
JOHN C. CHILDS
DOUGLAS P. SEATON
THOMAS E. SANNER
BRUCE B. MCPHEETERS
GARY D. BLACKFORD
SCOTT E. RICHTER
GREGORY L. WILMES
PAUL J. LINSTROTH
SCOTT A. SMITH
ELIZABETH A. THOMPSON
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MARK B. PETERSON
D. RANDALL BOYER
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G. MARC WHITEHEAD
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JAMES B. LOCKHART
ALLEN W. HINDERAKER
CLIFFORD M. GREENE
D. WILLIAM KAUFMAN
MICHAEL O. FREEMAN
HOWARD SAM MYERS, III
THOMAS C. D'AQUILA
LARRY D. ESPEL
JANIE S. MAYERON
THOMAS J. BARRETT
JAMES A. PAYNE
DAVID A. JONES
LEE E. SHEEHY
ALAIN FRECON
PATRICIA A. JENSEN
LESLIE GILLETTE
MICHAEL T. NILAN
ROBERT H. LYNN
THOMAS M. SIKKINS
ROBERT C. MOILANEN
THOMAS F. NELSON
THOMAS J. RADIO

James Abdnor

U.S. Senator

June 30, 1986

Federal Election Committee
General Counsel's Office
* Shelly Garr
999 E Street, N.W.
Washington, DC 20463

Dear Shelly:

This letter is in reference to MUR 2159 dated April 7, 1986 originally filed by myself for the Abdnor Campaign showing possible F.E.C. violations against the Janklow for Senate Committee.

Under the circumstances I'm requesting the commission discontinue all action on this case.

If there are any questions, please contact F. R. Thieman at 605-332-1986.

Thank you for your consideration.

Sincerely,



F. R. Thieman
Campaign Manager

FT/lku

cc: Lawrence Noble