



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

THIS IS THE BEGINNING OF MUR # 2530^I

DATE FILMED 1/6/89 CAMERA NO. 4

CAMERAMAN AS

89040730591



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 11, 1987

MEMORANDUM

TO: LAWRENCE M. NOBLE
ACTING GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

FROM: JOHN D. GIBSON
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

SUBJECT: REFERRAL OF MANN FOR CONGRESS

8 9 0 4 0 7 3 0 5 9 2

This is a referral of the Mann for Congress committee (the "Committee"). The Committee has accepted apparent excessive contributions totalling \$20,246 from two committees, an unregistered organization and one individual in 1986. The Committee has not refunded any of the apparent excessive contributions. According to the 1985-1986 Reports Analysis Division Review and Referral Procedures for Authorized Committees this matter requires further examination by your office.

The Committee accepted \$14,715 in apparent excessive contributions from Kentucky State Democratic Central Executive Committee ("Executive Committee"). The contributions appeared to be from the Executive Committee's federal account. On February 24, 1987 in response to a Second Notice, the Executive Committee submitted a statement regarding the contributions to the Committee. The statement acknowledged that the "General Fund" (state account) had made contributions and expenditures totalling \$10,945 to the Committee. The "Federal Fund" then reimbursed \$10,945 to the "General Fund".

**MANN FOR CONGRESS
REPORTS ANALYSIS OGC REFERRAL
PAGE 2**

The unregistered organization (the Campbell County Democratic Executive Committee, "Campbell County") subsequently registered in 1987 and disclosed that it was affiliated with the Executive Committee. The Executive Committee has not disclosed its affiliation with Campbell County. Because Campbell County was not registered when the contributions were received by the Committee, RAD is not aggregating the contributions from the Executive Committee and Campbell County.

The candidate, Terry L. Mann, lost the general election, held November 4, 1986, with 43.9% of the vote. Also, the Committee was referred for possible audit under 2 U.S.C. 438(b), and disapproved for audit by the Commission on March 19, 1987.

If you have any questions, please contact Linda Tangney at 376-2480.

Attachment

8 9 0 4 0 7 3 0 5 9 3

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: May 11, 1987ANALYST: Linda Tangney

I. COMMITTEE: Mann for Congress
(C00201731)
William McBee, Treasurer
P.O. Box 2083 1/
Covington, KY 41012-2083

II. RELEVANT STATUTE: 2 U.S.C. 441a(f)

III. BACKGROUND:

The Acceptance of Apparent Excessive Contributions

The Mann for Congress committee (the "Committee") has accepted apparent excessive contributions totalling \$20,246 from two political committees, an unregistered organization and one individual in 1986. The Committee has not refunded any of the apparent excessive contributions. Please refer to the attached chart for information regarding these apparent excessive contributions.

Schedule A of the 1986 July Quarterly Report discloses the receipt of an apparent excessive contribution of \$231 designated for the primary election from an individual (Attachment 3). Schedules A of the 1986 October Quarterly and 12 Day Pre-General Reports disclose the receipt of apparent excessive contributions totalling \$1,800 designated for the general election from an unregistered organization (Attachments 4 and 5).2/

1/This is the address disclosed on the 1986 April Quarterly Report. Paul Vesper, the assistant treasurer, requested in a telephone conversation on February 5, 1987, with a Reports Analysis Division analyst that written correspondence may be directed to him at the following address: P.O. Box 989, Covington, KY, 41012.

2/The unregistered organization subsequently registered in 1987 and filed a report disclosing the contribution. Please refer to the chart for more information.

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MANN FOR CONGRESS
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

A Request for Additional Information ("RFAI") was sent to the Committee on November 18, 1986. The RFAI informed the Committee of the apparent excessive contributions disclosed on the 1986 12 Day Pre-General Report. The RFAI requested that the Committee refund or clarify the contributions in question, and that the Commission may take legal steps regarding the acceptance of apparent excessive contributions (Attachment 6). No response was received, and a Second Notice was sent to the Committee on December 11, 1986 (Attachment 7).

Schedule A of the 1986 30 Day Post-General Report discloses the receipt of \$18,215 in apparent excessive contributions designated for the general election. A qualified political party committee contributed \$14,715 of the \$18,215 in apparent excessive contributions, and a non-qualified political committee contributed the remaining \$3,500 in apparent excessive contributions (Attachments 8 and 9).

An RFAI was sent to the Committee on December 30, 1986. The RFAI informed the Committee of the apparent excessive contributions disclosed on its 1986 30 Day Post-General Report. The RFAI requested that the Committee refund or clarify the contributions in question, and that the Commission may take legal steps regarding the acceptance of apparent excessive contributions (Attachment 10).

No response was received and a Second Notice was sent to the Committee on January 22, 1987 (Attachment 11).

On February 5, 1987, an analyst attempted to reach the treasurer, William McBee, but was unable to do so. The analyst telephoned the assistant treasurer, Paul J. Vesper, and described the letters that questioned the 1986 12 Day Pre-General and 30 Day Post-General Reports. Mr. Vesper stated that he was not aware of the letters, and requested that the analyst send a copy of the letters to him immediately (Attachment 12).

On February 24, 1987, a written response was received from Paul Vesper. Mr. Vesper acknowledged the receipt of the letters, and noted the Committee's efforts to respond to each apparent excessive contribution in question (Attachment 13).

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**MANN FOR CONGRESS
REPORTS ANALYSIS OGC REFERRAL
PAGE 3**

On March 12, 1987, Mr. Kling telephoned the analyst and stated that he was Mr. Vesper's assistant. Mr. Kling wanted to know who the Committee should be communicating with at the Commission, and stated that the Committee was still trying to respond to the letters. The analyst explained that any communication from the Committee could still be directed to "RAD" (Attachment 14).

To date, no further response has been received.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None

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APPARENT EXCESSIVE CONTRIBUTIONS RECEIVED BY THE MANN FOR CONGRESS COMMITTEE

(Where the Committee did not designate an election, the provisions of 11 CFR 110.1(a)(2)(ii) were applied.)

<u>CONTRIBUTOR</u>	<u>DATE OF CONTRIBUTION</u>	<u>AMOUNT CONTRIBUTED</u>	<u>PRIMARY/ GENERAL</u>	<u>APPARENT EXCESSIVE AMOUNT</u>	<u>ATTACHMENT</u>
Paul J. Vesper	3/31/86	\$1,000	Primary		#2
	6/27/86	231	"	\$ 231	#3
Campbell County Democratic Executive Committee */ (C00213637)	8/12/86	100	General		#4
	8/28/86	1,000	"		#4
	10/4/86	1,000	"		#5
	10/6/86	700	"	\$1,800	#5
Kentucky State Democratic Central Executive Committee (C00011197)	10/10/86	\$ 945	General		#5
	10/15/86	1,000	"		#5
	10/28/86	9,000	"		#8
	10/31/86	7,500	"		#8
	11/3/86	1,270	"	\$14,715	#8
The Democratic Fund For 1986 (C00193599)	11/3/86	\$4,500	General	\$ 3,500	#9

Total Amount of
Apparent Excessive Contributions: \$20,246

*/ The Campbell County Democratic Executive Committee was not registered at the time that the contributions were received. It subsequently registered on February 26, 1987 in response to notices from the Commission.

89040730598

FEDERAL ELECTION COMMISSION

1985-1986

DATE 7MAY87

CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

PAGE 1

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES TYPE OF FILER	MICROFILM LOCATION
			PRIMARY	GENERAL	PRIMARY	GENERAL			
MANN, TERRY L	HOUSE 04	DEMOCRATIC PARTY					KENTUCKY	1986 ELECTION	ID# H2KY04030
1. STATEMENT OF CANDIDATE								27JAN86	1 86HSE/293/0578
1986 STATEMENT OF CANDIDATE									
2. PRINCIPAL CAMPAIGN COMMITTEE									
MANN FOR CONGRESS								ID #C00201731	HOUSE
1986 STATEMENT OF ORGANIZATION								27JAN86	1 86HSE/293/0590
STATEMENT OF ORGANIZATION - AMENDMENT								12MAY86	1 86HSE/303/4765
48 HOUR CONTRIBUTION NOTICE								20OCT86	1 86HSE/319/4390
48 HOUR CONTRIBUTION NOTICE								20OCT86	1 86HSE/318/2821
48 HOUR CONTRIBUTION NOTICE								27OCT86	1 86HSE/322/4050
48 HOUR CONTRIBUTION NOTICE								27OCT86	1 86HSE/322/4057
48 HOUR CONTRIBUTION NOTICE								30OCT86	1 86HSE/323/1067
48 HOUR CONTRIBUTION NOTICE								3NOV86	1 86HSE/323/1904
48 HOUR CONTRIBUTION NOTICE								3NOV86	2 86HSE/323/1902
48 HOUR CONTRIBUTION NOTICE								3NOV86	2 86HSE/323/3754
48 HOUR CONTRIBUTION NOTICE								3NOV86	1 86HSE/323/3756
48 HOUR CONTRIBUTION NOTICE								5NOV86	5 86HSE/323/3009
MISCELLANEOUS NOTICE FROM FEC								30DEC86	1 86FEC/452/2901
APRIL QUARTERLY			77,155		20,893			1JAN86 -31MAR86	15 86HSE/300/1899
APRIL QUARTERLY - AMENDMENT			77,155		20,893			1JAN86 -31MAR86	15 86HSE/303/2400
APRIL QUARTERLY - AMENDMENT								1JAN86 -31MAR86	2 86HSE/304/5069
APRIL QUARTERLY - AMENDMENT								1JAN86 -31MAR86	8 86HSE/304/4668
APRIL QUARTERLY - AMENDMENT			76,455		20,593			1JAN86 -31MAR86	3 86HSE/313/4776
REQUEST FOR ADDITIONAL INFORMATION								1JAN86 -31MAR86	2 86FEC/414/3051
PRE-PRIMARY			26,170		43,472			1APR86 -12MAY86	13 86HSE/303/4769
PRE-PRIMARY - AMENDMENT			26,170		43,472			1APR86 -12MAY86	14 86HSE/313/4762
REQUEST FOR ADDITIONAL INFORMATION								1APR86 -12MAY86	2 86FEC/424/2231
REQUEST FOR ADDITIONAL INFORMATION 2ND								1APR86 -12MAY86	3 86FEC/427/2506
JULY QUARTERLY			29,877		17,797			13MAY86 -30JUN86	13 86HSE/307/2993
JULY QUARTERLY - AMENDMENT			29,877		17,797			13MAY86 -30JUN86	4 86HSE/313/4779
OCTOBER QUARTERLY				36,199		64,036		1JUL86 -30SEP86	25 86HSE/318/0375
OCTOBER QUARTERLY - AMENDMENT								1JUL86 -30SEP86	2 86HSE/323/4349
REQUEST FOR ADDITIONAL INFORMATION								1JUL86 -30SEP86	1 86FEC/444/3001
REQUEST FOR ADDITIONAL INFORMATION 2ND								1JUL86 -30SEP86	6 86FEC/451/0601
PRE-GENERAL				38,829		35,133		1OCT86 -15OCT86	18 86HSE/320/4869
REQUEST FOR ADDITIONAL INFORMATION								1OCT86 -15OCT86	4 86FEC/444/2870
REQUEST FOR ADDITIONAL INFORMATION 2ND								1OCT86 -15OCT86	1 86FEC/451/0607
POST-GENERAL				124,806		150,939		16OCT86 -23NOV86	28 86HSE/326/3866
POST-GENERAL - AMENDMENT								-16OCT86 -23NOV86	2 87HSE/332/1293
REQUEST FOR ADDITIONAL INFORMATION								16OCT86 -23NOV86	4 87FEC/453/0283
REQUEST FOR ADDITIONAL INFORMATION 2ND								16OCT86 -23NOV86	5 87FEC/455/3076
YEAR-END				1,473		875		24NOV86 -31DEC86	8 87HSE/331/1229
1987 MISCELLANEOUS REPORT								25FEB87	1 87HSE/332/1512
TOTAL			132,502	201,307	81,862	250,983			218 TOTAL PAGES

ATTACHMENT 1 (1 of 2)

8 9 0 4 0 7 3 0 5 9 9

FEDERAL ELECTION COMMISSION

1985-1986

DATE 7MAY87

CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

PAGE 2

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES TYPE OF FILED	MICROFILM LOCATION
			PRIMARY	GENERAL	PRIMARY	GENERAL			

3. AUTHORIZED COMMITTEES

4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN

ALL REPORTS HAVE BEEN REVIEWED.

ENDING CASH-ON- HAND AS OF 12/31/86: \$960

OUTSTANDING DEBTS OWED BY THE COMMITTEE AS OF 12/31/86: \$21,015

SCHEDULE A

UNEMPLOYMENT BENEFITS

Part of A-1
 This schedule should be attached to each
 copy of the Unemployment
 Summary Report

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

Name of Committee (in Full)

MANN FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code

James A. Schroer
 33 Manor Lane
 Ft. Thomas, KY 41075

Name of Employer

self

Date (month,
day, year)

1-6-86
 3-18-86
 3-31-86

Amount of Each
Receipt This Period

\$ 100.00
 100.00
 100.00

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Occupation
doctor

Aggregate Year-to-Date—\$ 300.00

B. Full Name, Mailing Address and ZIP Code

Gary Dirheimer
 920 Montague St.
 Covington, KY 41011

Name of Employer

self

Date (month,
day, year)

3-31-86

Amount of Each
Receipt This Period

\$ 1000.00

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Occupation

insurance sales

Aggregate Year-to-Date—\$

C. Full Name, Mailing Address and ZIP Code

Linda E. Vesper
 2866 Cliff View Ct.
 Villa Hills, KY 41016

Name of Employer

St. Elizabeth's
HospitalDate (month,
day, year)

3-31-86

Amount of Each
Receipt This Period

\$ 1000.00

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Occupation
Nurse

Aggregate Year-to-Date—\$

D. Full Name, Mailing Address and ZIP Code

Paul J. Vesper
 2866 Cliff View Ct.
 Villa Hills, KY 41016

Name of Employer

Self

Date (month,
day, year)

3-31-86

Amount of Each
Receipt This Period

\$ 1000.00

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Occupation
attorney

Aggregate Year-to-Date—\$

E. Full Name, Mailing Address and ZIP Code

Dennis R. Williams
 1019 Cresbern Ct.
 Villa Hills, KY 41016

Name of Employer

Adams, Brooking &
SteppnerDate (month,
day, year)

3-31-86

Amount of Each
Receipt This Period

\$ 250.00

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Occupation
attorney

Aggregate Year-to-Date—\$

F. Full Name, Mailing Address and ZIP Code

Fred W. Osburg
 325 E. 3rd St.
 Newport, KY 41071

Name of Employer

self

Date (month,
day, year)

3-31-86

Amount of Each
Receipt This Period

\$ 250.00

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Occupation
consultant

Aggregate Year-to-Date—\$

G. Full Name, Mailing Address and ZIP Code

Lanny Holbrook
 16th Floor Provident Tower
 Cincinnati, Ohio 45202

Name of Employer

self

Date (month,
day, year)

3-31-86

Amount of Each
Receipt This Period

\$ 250.00

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Occupation
attorney

Aggregate Year-to-Date—\$

SUBTOTAL of Receipts This Page (optional)

\$ 4,050.00

TOTAL This Period (omit page this line number only)

SCHEDULE A

ITEMIZED RECEIPTS

Page 4 of 4 for
JULIE HILSON 31/4
The amount reported for each
category of the Detailed
Summary Page

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

Name of Committee (in Full)

MANN FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code Paul J. Vesper 615 Main Street, P.O. Box 989 Covington, Kentucky 41012	Name of Employer Self	Date (month, day, year) 6-27-86	Amount of Each Receipt This Period \$ 231.00 (In-kind) (T-shirts)
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation Attorney Aggregate Year-to-Date—\$ 1,231.00		
B. Full Name, Mailing Address and ZIP Code Daryl Evans 3233 Hayden Place Erlanger, Kentucky 41018	Name of Employer Paul J. Vesper, P.S.	Date (month, day, year) 6-27-86	Amount of Each Receipt This Period \$ 500.00 (IN-kind) Gift Certificate
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation Legal Asst. Aggregate Year-to-Date—\$ 500.00		
C. Full Name, Mailing Address and ZIP Code D. Michael Foellger Campbell Towers, Suite 707 Newport, Kentucky 41071	Name of Employer Self	Date (month, day, year) 5-21-86 6-5-86	Amount of Each Receipt This Period \$ 175.00 \$ 175.00 (in-kind) (Rent)
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation Attorney Aggregate Year-to-Date—\$ 525.00		
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation Aggregate Year-to-Date—\$		
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation Aggregate Year-to-Date—\$		
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation Aggregate Year-to-Date—\$		
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation Aggregate Year-to-Date—\$		
SUBTOTAL of Receipts This Page (optional)			\$ 1081.00
TOTAL This Period (last page (this line number only))			8456.00

350130/2993

SCHEDULE A

ITEMIZED RECEIPTS

Use separate schedules for each category of the Detailed Summary Page

PAGE 11 (b)

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

NAME OF COMMITTEE (in Full)

MANN FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code

Campbell County Democratic
Executive Committee
P.O. Box 223
Newport, Ky 41072

Name of Employer

Date (month,
day, year)

8-12-86
8-28-86

Amount of Each
Receipt this Period

100.00
1000.00

Receipt For: ☐ Primary ☒ General
☐ Other (specify):

Occupation

Aggregate Year-to-Date \$ 1350.00

B. Full Name, Mailing Address and ZIP Code

Campbell County Democratic
Womens Club C/O Sue Teegarden
518W Clay Ridge Rd
Alexandria, Ky 41001

Name of Employer

Date (month,
day, year)

7-15-86

Amount of Each
Receipt this Period

1000.00

Receipt For: ☐ Primary ☒ General
☐ Other (specify):

Occupation

Aggregate Year-to-Date \$ 1000.00

C. Full Name, Mailing Address and ZIP Code

Gallatin County Womens Democratic
Club
Route 1
Warsaw, Ky 41095

Name of Employer

Date (month,
day, year)

7-29-86

Amount of Each
Receipt this Period

100.00

Receipt For: ☐ Primary ☒ General
☐ Other (specify):

Occupation

Aggregate Year-to-Date \$ 100.00

D. Full Name, Mailing Address and ZIP Code

Kenton County Democratic
Executive Committee
Lakeside Park, Ky 41017

Name of Employer

Date (month,
day, year)

8-11-86

Amount of Each
Receipt this Period

750.00

Receipt For: ☐ Primary ☒ General
☐ Other (specify):

Occupation

Aggregate Year-to-Date \$ 750.00

E. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)

Amount of Each
Receipt this Period

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Occupation

Aggregate Year-to-Date \$

F. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)

Amount of Each
Receipt this Period

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Occupation

Aggregate Year-to-Date \$

G. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)

Amount of Each
Receipt this Period

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Occupation

Aggregate Year-to-Date \$

SUBTOTAL of Receipts This Page (optional)

2950.00

TOTAL This Period (last page this line number only)

2950.00

SCHEDULE A

ITEMIZED RECEIPTS

For each category of the
Detailed Summary PageFOR LINE NUMBER
11b

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

NAME OF COMMITTEE (in Full)

MAN: FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code
 Campbell County Democratic
 Executive Committee
 P.O. Box 223
 Newport, Ky 41072

Name of Employer

Date (month,
day, year)Amount of Each
Receipt this Period

10-4-86

1000.00

10-6-86

700.00

Occupation

Receipt For ☐ Primary ☒ General
☐ Other (specify)

Aggregate Year-to-Date \$ 3050.00

B. Full Name, Mailing Address and ZIP Code
 Kentucky Democratic Party
 P.O. Box 694
 Frankfort, Ky 40601

Name of Employer

Date (month,
day, year)Amount of Each
Receipt this Period

10-10-86

945.00

10-15-86

1000.00

Occupation

Receipt For ☐ Primary ☒ General
☐ Other (specify)

Aggregate Year-to-Date \$ 1945.00

C. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)Amount of Each
Receipt this Period

Occupation

Receipt For ☐ Primary ☐ General
☐ Other (specify)

Aggregate Year-to-Date \$

D. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)Amount of Each
Receipt this Period

Occupation

Receipt For ☐ Primary ☐ General
☐ Other (specify)

Aggregate Year-to-Date \$

E. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)Amount of Each
Receipt this Period

Occupation

Receipt For ☐ Primary ☐ General
☐ Other (specify)

Aggregate Year-to-Date \$

F. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)Amount of Each
Receipt this Period

Occupation

Receipt For ☐ Primary ☐ General
☐ Other (specify)

Aggregate Year-to-Date \$

G. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)Amount of Each
Receipt this Period

Occupation

Receipt For ☐ Primary ☐ General
☐ Other (specify)

Aggregate Year-to-Date \$

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (list page this line number on)

3545.00

33243030503



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20541

BQ-2

KW 18

William McBee, Treasurer
Mann for Congress
P.O. Box 2083
Covington, KY 41012

Identification Number: C00201731

Reference: 12 Pre-General Report (10/1/86-10/15/86)

Dear Mr. McBee:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your report (pertinent portion attached) discloses contributions which appear to exceed the limits set forth in the Act. No political committee other than a multicandidate committee may make contributions to a candidate for Federal office in excess of \$1,000 per election. The Campbell County Democratic Executive Committee does not appear to be registered with the Commission. If you have received a contribution which exceeds the limits, the Commission recommends that you refund to the donor the amount in excess of \$1,000. The Commission should be notified in writing if a refund is necessary. In addition, any refund should appear on Line 20 of the Detailed Summary Page and Schedule B of your next report. (2 U.S.C. §§441a(a) and (f))

The term "contribution" includes any gift, subscription, loan, advance or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.

If the contributions in question were incompletely or incorrectly reported, you may wish to submit documentation for the public record. Please amend your report with the clarifying information.

Although the Commission may take further steps concerning the acceptance of excessive contributions, prompt action by you to refund the excessive amounts will be taken into consideration.

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361337

cx

An amendment to your original report(s) correcting the above problem(s) should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515 within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,

Linda Tangney

Linda Tangney
Reports Analyst
Reports Analysis Division

89034073062957:



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

82-3

December 11, 1986

William McBea, Treasurer
 Mann for Congress
 P.O. Box 2083
 Covington, KY 41012

Identification Number: C00201731

Reference: October Quarterly (7/1/86-9/30/86) and 12 Day Pre-General (10/1/86-10/15/86) Reports

Dear Mr. McBea:

This letter is to inform you that as of December 11, 1986, the Commission has not received your response to our requests for additional information dated November 18, 1986. Those notices requested information essential to full public disclosure of your Federal election financial activity and to ensure compliance with provisions of the Federal Election Campaign Act (the Act). Copies of our original requests are enclosed.

If no response is received within fifteen (15) days from the date of this notice, the Commission may choose to initiate audit or legal enforcement action.

If you should have any questions related to this matter, please contact Linda Tangney on our toll-free number (800) 424-9530 or our local number (202) 376-2480.

Sincerely,

John D. Gibson
 John D. Gibson
 Assistant Staff Director
 Reports Analysis Division

Enclosures

33-34510621

1986 30 DAY POST-GENERAL REPORT

ATTACHMENT 8

SCHEDULE A

ITEMIZED RECEIPTS

This schedule is attached to the Form 1040 or 1040-EZ for each category of the Detailed Summary Page

PAGE 1 OF 1
FOR LINE NUMBER 11b

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

NAME OF COMMITTEE (in Full)

MAN: FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Boone County Democratic Exec Comm P.O. Box 340 Burlington, Ky 41005		10-29-86	700.00
Receipt For: ☐ Other (specify): ☐ Primary ☒ General	Occupation	Aggregate Year-to-Date > 8	700.00
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Boone County Democratic Womens Club Dixie Highway Florence, Ky 41042		11-3-86	50.00
Receipt For: ☐ Other (specify): ☐ Primary ☒ General	Occupation	Aggregate Year-to-Date > 8	50.00
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Grant County Democratic Pty P.O. Box 103 Williamstown, Ky		10-28-86	91.36
Receipt For: ☐ Other (specify): ☐ Primary ☒ General	Occupation	Aggregate Year-to-Date > 8	91.36
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Kentucky Democratic Party P.O. Box 694 Frankfort, Ky 40602		10-28-86 10-31-86 11-3-86	9000.00 7500.00 1270.00
Receipt For: ☐ Other (specify): ☐ Primary ☒ General	Occupation	Aggregate Year-to-Date > 8	19715.00
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: ☐ Other (specify): ☐ Primary ☐ General	Occupation	Aggregate Year-to-Date > 8	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: ☐ Other (specify): ☐ Primary ☐ General	Occupation	Aggregate Year-to-Date > 8	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: ☐ Other (specify): ☐ Primary ☐ General	Occupation	Aggregate Year-to-Date > 8	

SUBTOTAL of Receipts This Page (optional)

18611.36

TOTAL This Period (last page this line number only)

18611.36

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SCHEDULE A

ITEMIZED RECEIPTS

Use separate sheet, add
for each category of the
Detailed Summary PagePAGE 4 OF 4
FOR LINE NUMBER 11c

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

NAME OF COMMITTEE (in Full)

MANN FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code

The Democratic Fund for 1986
1140 19th St Suite 900
Washington, DC 20036

Name of Employer

Date (month,
day, year)Amount of Each
Receipt this Period

Occupation

11-3-86

4500.00

Receipt For

☐ Primary☒ General

Other (specify)

Aggregate Year-to-Date > 8

4500.00

B. Full Name, Mailing Address and ZIP Code

United Steelworkers PAC
815 16th Street
Washington, DC 20036

Name of Employer

Date (month,
day, year)Amount of Each
Receipt this Period

Occupation

10-27-86

1000.00

Receipt For

☐ Primary☒ General

Other (specify)

Aggregate Year-to-Date > 8

4000.00

C. Full Name, Mailing Address and ZIP Code

Kentucky Association of Truck
Stop Operators
P.O. Box 422
Madisonville, Ky 42431

Name of Employer

Date (month,
day, year)Amount of Each
Receipt this Period

Occupation

11-10-86

250.00

Receipt For

☐ Primary☒ General

Other (specify)

Aggregate Year-to-Date > 8

25.00

D. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)Amount of Each
Receipt this Period

Occupation

Receipt For

☐ Primary☐ General

Other (specify)

Aggregate Year-to-Date > 8

E. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)Amount of Each
Receipt this Period

Occupation

Receipt For

☐ Primary☐ General

Other (specify)

Aggregate Year-to-Date > 8

F. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)Amount of Each
Receipt this Period

Occupation

Receipt For

☐ Primary☐ General

Other (specify)

Aggregate Year-to-Date > 8

G. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)Amount of Each
Receipt this Period

Occupation

Receipt For

☐ Primary☐ General

Other (specify)

Aggregate Year-to-Date > 8

SUBTOTAL of Receipts This Page (optional)

5750.00

TOTAL This Period (last page this line number only)

45510.00

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FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20543

EQ-2

DEC 30 1986

William McBee, Treasurer
Mann for Congress
P.O. Box 2083
Covington, KY 41012

Identification Number: C00201731

Reference: 30 Day Post-General Report (10/16/86-11/23/86)

Dear Mr. McBee:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your report (pertinent portion attached) discloses contributions which appear to exceed the limits set forth in the Act. No political committee other than a multicandidate committee may make contributions to a candidate for Federal office in excess of \$1,000 per election. The Democratic Fund for 1986 did not meet the requirements for multicandidate status as of the date the contribution(s) was made to your committee. Additionally, a multicandidate committee may not make a contribution to a candidate for Federal office in excess of \$5,000 per election. If you have received an excessive contribution, the Commission recommends that you refund to the donor the amount in excess of \$1,000 per election or \$5,000 per election as appropriate. The Commission should be notified in writing if a refund is necessary. In addition, any refund should appear on Line 20 of the Detailed Summary Page and Schedule B of your next report. (2 U.S.C. §§441a(a) and (f))

The term "contribution" includes any gift, subscription, loan, advance or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.

If the contributions in question were incompletely or incorrectly reported, you may wish to submit documentation for the public record. Please amend your report with the clarifying information.

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Although the Commission may take further steps concerning the acceptance of excessive contributions, prompt action by you to refund the excessive amounts will be taken into consideration. *dt*

-Please provide a Schedule B to support the amount reported on Line 19(a), Column A of the Detailed Summary Page. Each loan repayment made by the committee must be itemized on a supporting Schedule B, regardless of the amount of the repayment. (11 CFR 104.3(b)(4)(iii) and (iv))

An amendment to your original report(s) correcting the above problem(s) should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515 within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,

Linda Tangney
Linda Tangney
Reports Analyst
Reports Analysis Division

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FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20541

RQ-3

January 22, 1987

William McBee, Treasurer
Mann for Congress
P.O. Box 2083
Covington, KY 41012

Identification Number: C00201731

Reference: 30 Day Post-General Report (10/16/86-11/23/86)

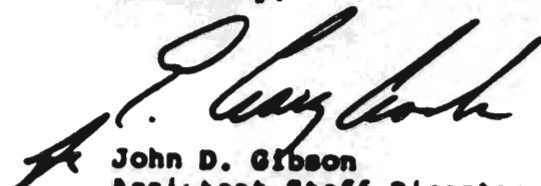
Dear Mr. McBee:

This letter is to inform you that as of January 21, 1987, the Commission has not received your response to our request for additional information, dated December 30, 1986. That notice requested information essential to full public disclosure of your Federal election financial activity and to ensure compliance with provisions of the Federal Election Campaign Act (the Act). A copy of our original request is enclosed.

If no response is received within fifteen (15) days from the date of this notice, the Commission may choose to initiate audit or legal enforcement action.

If you should have any questions related to this matter, please contact Linda Tangney on our toll-free number (800) 424-9530 or our local number (202) 376-2480.

Sincerely,


John D. Gibson
Assistant Staff Director
Reports Analysis Division

Enclosure

80040730611

MEMORANDUM FOR FILES: TELECON

SUBJECT: 12 DAY PRE-GENERAL AND 30 DAY POST-GENERAL REPORTS.

FROM: LINDA TANGNEY

TO: PAUL VESPER, ASSISTANT TREASURER

NAME OF COMMITTEE: MANN FOR CONGRESS

DATE: 2/5/87

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I tried to contact the treasurer, William McBee, but was unable to reach him. I telephoned the assistant treasurer, Paul Vesper, and spoke to him about the letters sent to the Committee regarding the excessive contributions disclosed on the 12 Day Pre-General and 30 Day Post-General reports. Mr. Vesper stated that he was not aware of the letters sent to the Committee, and requested that I send a copy of the letters to him immediately.

RECEIVED AT THE I

87 FEB 24 AM : C

REGULAR MAIL


TERRY MANN
 U.S. CONGRESS

FEB 20 1987

 P.O. Box 2083
 Covington, Kentucky 41012-2083
 (606)341-1887

February 20, 1987

 Linda Tangney
 Reports Analyst
 Federal Election Commission
 Washington, DC 20463

117340

 87 FEB 25
 U.S. MAIL

RE: Mann for Congress, ID #C00201730

Dear Ms. Tangney:

I appreciate your forwarding to my attention the correspondence relative to the above reports.

Be advised that I have been in touch with all three entities concerned in your reports and I am attempting to make progress to resolve these issues.

I have received telephone communication from the law firm for the Democratic Fund for 1986, Epstein, Becker, Bosedy & Green of Washington, DC.

They inform me that they are in the process of filing the appropriate forms to clear up any confusion with respect to the Democratic Fund for 1986.

I have also received communication from the Campbell County Executive Committee, through their attorney, Michael W. Kehoe, indicating that they are filing the appropriate forms also as your letters to them have requested.

I am under the impression this will clear these matters up. I am also in the process of contacting the Kentucky State Democratic Party to correct forms as requested.

I would appreciate it if you would contact me if there is any new or additional information or if you have received notice of who this matter has been referred to so I can communicate with them.

Sincerely,


 PAUL J. VESPER
 Assistant Treasurer

PJV/rc

MEMORANDUM FOR FILES: TELECON

SUBJECT: RESPONDING TO REQUESTS FOR ADDITIONAL INFORMATION

FROM: MR. KLING (ASSISTANT TO MR. PAUL VESPER)

TO: LINDA TANGNEY

NAME OF COMMITTEE: MANN FOR CONGRESS

DATE: 3/12/87

Mr. Kling telephoned to ask who the committee should be communicating with at the Commission. I explained that I was still the analyst reviewing the committee's reports, and that they could communicate with me. Mr. Kling wanted to let us know that they were still working on a response to the letters that the Commission had sent to them.

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

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

RAD REFERRAL # 87L517
STAFF MEMBER
ANTHONY MARSHALL

157 AUG 7

SOURCE: INTERNALLY GENERATED

RESPONDENTS: Mann for Congress Committee and William McBee,
as treasurer
Campbell County Democratic Executive Committee
and Michael W. Kehoe, as treasurer
Kentucky State Democratic Central Executive
Committee and Don Bobzien, as treasurer

REVELANT STATUTES: 2 U.S.C. §§ 431(4)(C), 433, 434, 441a and
441b
11 C.F.R. §§ 102.5, and 110.3(b)(2)(ii)

INTERNAL REPORTS CHECKED: All reports filed by respondents
since July 1986

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

This matter was generated as a result of a referral by the
Reports Analysis Division concerning the acceptance of excessive
contributions by the Mann for Congress Committee.

II. FACTUAL AND LEGAL ANALYSIS

The Mann for Congress Committee ("Committee") received
excessive contributions totalling \$22,746.00 1/ during the 1985-
1986 election cycle year. Despite instructions from the Reports
Analysis Division ("RAD") to refund the excess contributions to

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the contributing parties, the Committee has not refunded any portion of the contributions.

For the general election the Committee reported receipt of \$2,800.00 in contributions from the Campbell County Democratic Executive Committee ("CCDEC"). The Committee's reports indicate that it received a \$100.00 contribution from CCDEC on August 8, 1986 followed by contributions of \$1,000.00 on August 28, 1986, \$1,000.00 on October 4, 1986 and \$700.00 on October 6, 1986. At the time the contributions were received CCDEC was an unregistered organization. After inquiries by RAD, CCDEC registered as a political committee on February 24, 1987. The CCDEC statement of organization lists the Kentucky State Democratic Central Executive Committee (KSDEC) as an affiliated committee.

CCDEC triggered the registration and reporting requirements of the Act on August 28, 1986, when it contributed over \$1,000.00 to the Committee. CCDEC was required by the Act to file a statement of organization within 10 days of obtaining political committee status (September 7, 1986) and report in accordance with the Act. 2 U.S.C. §§ 433(a) and 434. CCDEC did not register until February 24, 1987, almost six months after it was required to register.

Due to CCDEC's failure to adhere to the registration and reporting requirements of the Act in a timely manner, the Office of the General Counsel recommends finding reason to believe the Campbell County Democratic Executive Committee and Michael W. Kehoe, as treasurer, violated 2 U.S.C. §§ 433(a) and 434.

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The reports of the Mann for Congress Committee indicate that it received \$19,715.00 in contributions for the general election from KSDEC. The 12 Day Pre-Election Report shows receipt of \$945.00 on October 10, 1986, and \$1,000.00 received on October 15, 1986. The 30 Day Post-General Report discloses a \$9,000.00 contribution from KSDEC on October 28, 1986, a \$7,500.00 contribution received on October 31, 1986 and a \$1,270.00 contribution on November 3, 1986. An amended 30 Day Post-General Report filed by KSDEC discloses an additional \$5,000.00 contribution to the Committee on October 30, 1986. The additional \$5,000.00 is not shown as a receipt on any of the Committee's reports.

Commission regulations set forth a presumption that all contributions made by State party committees and subordinate State party committees are made by one political committee. 11 C.F.R. § 110.3(b)(2)(ii). This presumption is bolstered by CCDEC's statement of organization filed at the time of registration which lists KSDEC as an affiliated committee. Because KSDEC is a multicandidate committee and CCDEC is its affiliated subordinate committee, KSDEC and CCDEC would share one \$5,000.00 contribution limit. 2 U.S.C. § 441a(a)(8); see also, 2 U.S.C. § 441a(a)(2). Therefore, the aggregate contribution of the two committees could not exceed \$5,000.00. 2 U.S.C. § 441a(a)(8). By exceeding their combined \$5,000.00 contribution limit, CCDEC and KSDEC violated 2 U.S.C. § 441a(a)(2)(A). 2/ In addition, absent

2/ Absent a finding of affiliation between CCDEC and KSDEC at the time the contributions were made, excess contributions of

evidence to rebut the presumption of affiliation, KSDEC may have violated 2 U.S.C. § 433 by failing to amend its statement of organization to reflect the affiliation with CCDEC.

Furthermore, by KSDEC's own admission \$10,945.00 of the funds contributed to the Committee may have come from the KSDEC state account. Although the federal account reimbursed the state account, such a transaction was not in accordance with Commission regulations relating to political committees including party committees which finance political activity in connection with both federal and non-federal elections. 11 C.F.R. § 102.5. Section 102.5 provides a mechanism for the segregation of funds to prevent commingling of contributions which may be lawful for state elections but unlawful in Federal elections. The first alternative is to establish separate accounts for Federal and non-federal activity. 11 C.F.R. § 102.5(a)(1)(i). This section states in pertinent part that "[A]ll disbursements, contributions, expenditures and transfers by the committee in connection with any federal election shall be made from its federal account." Id.

The second alternative would be to establish a political committee which would receive only contributions subject to the prohibitions of the Act. 11 C.F.R. § 102.5(a)(1)(ii). Here as in alternative one, contributions from prohibited sources are excluded from the funds a state account may contribute to a Federal election.

2 cont./ \$1,800.00 by CCDEC and \$19,715.00 by KSDEC would result from the transactions.

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Kentucky state laws permit unlimited contributions from labor unions. As a result, any funds contributed to the Committee by KSDEC or CCDEC which represented labor union contributions would be a violation of 2 U.S.C. § 441b.

Based on KSDEC's excessive contributions to the Mann for Congress Committee and disbursement of funds from the state account to a candidate for federal election, the Office of the General Counsel recommends that the Commission find reason to believe the Kentucky State Democratic Central Executive Committee and Don Bobzien, as treasurer, violated 2 U.S.C. §§ 441a(a)(2); 441b; and 11 C.F.R. § 102.5(a)(1)(i).

With the exception of the \$5,000 contribution disclosed on the KSDEC amended 30 Day Post-General Report, the Committee reported all excessive contributions. The Committee's failure to report the \$5,000.00 contribution shown on KSDEC's amended 30 Day Post-General Report violates 2 U.S.C. § 434(b)(2)(C).

The \$9,000.00 contribution along with the \$7,500.00 and \$1,270.00 contributions were reported on the same report as received within one week of each other. Section 441a(f) prohibits the knowing acceptance of excessive contributions.

In addition, acceptance of contributions from prohibited sources through the KSDEC state account is a violation of 2 U.S.C. § 441b.

Accordingly, the Office of the General Counsel recommends that the Commission find reason to believe the Mann for Congress Committee and William McBee, as treasurer, violated 2 U.S.C. §§ 441a(f); 441b; and 434(b)(2)(C).

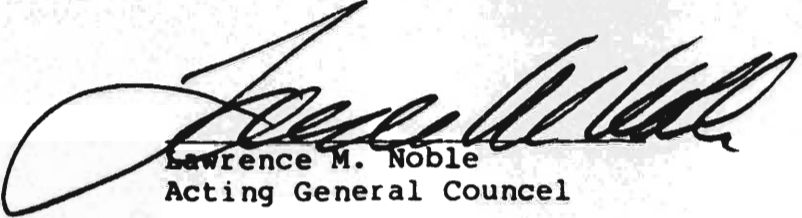
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RECOMMENDATIONS

1. Open a MUR
2. Find reason to believe that the Mann for Congress Committee and William McBee, as treasurer, violated 2 U.S.C. §§ 441a(f); 441b; and 434(b) (2) (C).
3. Find reason to believe that the Campbell County Democratic Executive Committee and Michael W. Kehoe, as treasurer, violated 2 U.S.C. §§ 433(a); 434; 441a(a) (2) (A) and 441b.
4. Find reason to believe that the Kentucky State Democratic Central Executive Committee and Don Bobzien, as treasurer, violated 2 U.S.C. §§ 441a(a) (2) (A); 441b; 433 and 11 C.F.R. § 102.5(a) (1) (i).
5. Approve and send the attached letters and Factual and and Legal Analyses (3).

89040730620
Date

8/6/87


Lawrence M. Noble
Acting General Counsel

Attachments:

1. Referral Materials
2. Proposed Letters and Factual and Legal Analyses (3)

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Mann for Congress Committee and
William McBee, as treasurer
Campbell County Democratic Executive
Committee and Michael W. Kehoe,
as treasurer
Kentucky State Democratic Central
Executive Committee and
Don Bobzien, as treasurer

(MUR 2530)

RAD Ref. 87L-17

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 11, 1987, the Commission decided by a vote of 5-0 to take the following actions in RAD Ref. 87L-17:

1. Open a MUR.
2. Find reason to believe that the Mann for Congress Committee and William McBee, as treasurer, violated 2 U.S.C. §§ 441a(f); 441b; and 434(b) (2) (C).
3. Find reason to believe that the Campbell County Democratic Executive Committee and Michael W. Kehoe, as treasurer, violated 2 U.S.C. §§ 433(a); 434; 441a(a) (2) (A) and 441b.
4. Find reason to believe that the Kentucky State Democratic Central Executive Committee and Don Bobzien, as treasurer, violated 2 U.S.C. §§ 441a(a) (2) (A); 441b; 433 and 11 C.F.R. § 102.5(a) (1) (i).
5. Approve and send the letters and Factual and Legal Analyses (3), as recommended in the First General Counsel's Report signed August 6, 1987.

(continued)

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Federal Election Commission
Certification for RAD Ref. 87L-17
August 11, 1987

Commissioners Elliott, Josefiak, McDonald, McGarry, and
Thomas voted affirmatively for the decision. Commissioner Aikens
did not cast a vote.

Attest:

8-11-87

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Fri., 8-7-87, 11:31
Circulated on 48 hour tally basis: Fri., 8-7-87, 4:00
Deadline for vote: Tue., 8-11-87, 4:00

jw

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 19, 1987

William McBee, Treasurer
Mann for Congress Committee
P.O. Box 2083
Covington, KY 41042

RE: MUR 2530
Mann for Congress Committee
and William McBee, as
treasurer

Dear Mr. McBee:

On August 11, 1987, the Federal Election Commission found that there is reason to believe Mann for Congress ("Committee") and you, as treasurer, violated 2 U.S.C. §§ 434(b)(2)(C), 441b and 441a(f), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Committee and you, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office, within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against the Committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission

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either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Anthony L. Marshall, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Scott E. Thomas
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form

cc: Paul Vesper, Assistant Treasurer
Mann for Congress
P.O. Box 989
Covington, KY 41012

89040730624



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 19, 1987

Don Bobzien, Treasurer
Kentucky State Democratic Central
Executive Committee
P.O. Box 694
Frankfort, KY 40602

RE: MUR 2530
Kentucky State Democratic
Central Executive
Committee and Don Bobzien,
as treasurer

Dear Mr. Bobzien:

On August 11, 1987, the Federal Election Commission found that there is reason to believe Kentucky State Democratic Central Executive Committee ("Committee") and you, as treasurer, violated 2 U.S.C. §§ 441a(a)(2)(A), 433, and 441b, provisions of the Federal Election Campaign Act of 1971, as amended, ("the Act") and 11 C.F.R. § 102.5(a)(1)(i) a provision of the Commission's Regulations. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Committee and you, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office, within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against the Committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission

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either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

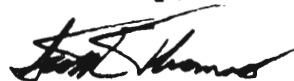
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Anthony L. Marshall, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Scott E. Thomas
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form

89040730626



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 19, 1987

Michael W. Kehoe, Treasurer
Campbell County Democratic
Executive Committee
135 Highland Avenue
Fort Thomas, KY 41075

RE: MUR 2530
Campbell County Democratic
Executive Committee and
Michael W. Kehoe,
as treasurer

Dear Mr. Kehoe:

On August 11, 1987, the Federal Election Commission found that there is reason to believe Campbell County Democratic Executive Committee ("Committee") and you, as treasurer, violated 2 U.S.C. §§ 433(a); 434; 441a(a)(2)(A) and 441b provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Committee and you, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office, within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against the Committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission

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either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Anthony L. Marshall, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Scott E. Thomas
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form

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**DEMOCRATIC EXECUTIVE COMMITTEE
CAMPBELL COUNTY, KENTUCKY**

P.O. BOX 223, NEWPORT, KENTUCKY

32

GCC# 4264
RECEIVED
ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

87 AUG 31 AM 11: 13

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RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAL

CHAIRMAN
Robert Tieman

August 25, 1987

VICE CHAIRWOMAN
Debbie Ball

TREASURER
Michael Kehoe

SECRETARY
Audrey Rolf

Hon. Scott E. Thomas, Chairman
Federal Election Commission
Washington, D.C. 20463

COMMITTEE MEMBERS

Jack Caudill
Gerry Losey
Dennis Desmond
Wilma Bowlds
Robert Blau
Ruth Bauman
Ruth Doering
Harvey Williams
Ron Stormer
Ray Roberts
Steve Sandfoss
Michael Foellger
William Stoll

Re: MUR2530
Campbell County Democratic Executive Committee
and Michael W. Kehoe, Treasurer

Dear Mr. Thomas:

In accordance with your letter of August 19, 1987, this is to advise you that we hereby formally request pre-probable cause conciliation in this matter.

We do not dispute the fact that we contributed \$2,800.00 to the Mann for Congress Committee. At the time those contributions were made, we were unaware of the fact that we were limited to contributing \$1,000.00 because we were not registered with the Federal Election Commission. We were made aware of this fact by letter from Joseph Rawson, a reports analyst with the Federal Election Commission, which letter was dated November 19, 1986. The letter was not picked up from the post office box until the latter part of December. We do not have much mail and consequently we do not make regular visits to the post office box. Nevertheless, Mr. Rawson's letter indicated that under the circumstances we had two options to be in compliance with the act: 1. Submit a Statement of Organization, file disclosure reports on FEC Form 3X and receive a refund of the excess contributions; 2. Receive a full contribution refund from the Mann committee. We attempted to get a refund from the Mann committee, but were advised that there were no funds available. At that point our only option was to file a Statement of Organization which we did in February, 1987. When that was accomplished, we felt that we were in compliance with the act.

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Under the circumstances we feel that we have done everything we can possibly do to rectify the situation, especially in light of the fact that there are no funds available from the Mann for Congress Committee to repay the excess contributions. We have made a formal demand in writing to them for the refund.

We are certainly willing to work out a settlement of this matter and wish to bring it to a conclusion as soon as possible.

Campbell County Democratic
Executive Committee

By: Michael W. Kehoe
Michael W. Kehoe, Treasurer

89040730630

6CC # 4290

THE LAW OFFICES OF
PAUL J. VESPER, PSC
ATTORNEYS AND COUNSELLORS AT LAW

PAUL J. VESPER
ALSO ADMITTED IN OHIO

JOSEPH U. MEYER
OF COUNSEL

616 MAIN STREET, SUITE 200
COVINGTON, KENTUCKY
(606) 491-4222

MAILING ADDRESS:
P.O. BOX 989
COVINGTON, KENTUCKY
41012-0989

September 1, 1987

Federal Election Commission
Lawrence Noble
General Counsel
Washington, DC 20463

RE: MUR 2530 Mann for Congress Committee and
William K. McBee, Treasurer

Dear Mr. Noble:

As I discussed with Jackie Jones Smith on September 1, I have been asked to serve as counsel for the above with reference to the Factual and Legal Analysis mailed on August 19.

We believe we received this on August 21.

I have asked for additional time in which to respond because there is one person I wish to talk to who I will not be able to contact until the first of the week.

Therefore we would ask that the Commission allow us up until September 10 to respond to its communication.

Statement of Designation of Counsel is enclosed herewith.

Sincerely,

LAW OFFICES OF PAUL J. VESPER, P.S.C.


PAUL J. VESPER
Attorney at Law

PJV/rc
cc: William McBee
Enclosure

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FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
87 SEP -2 PM 12: 34

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STATEMENT OF DESIGNATION OF COUNSEL

MUR 2530

NAME OF COUNSEL: Paul J. Vesper

ADDRESS: P.O. Box 989
Covington, KY 41012-0989

TELEPHONE: (606)491-4222

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.

9/1/87
Date

Wm H. McBee
Signature **Treasurer**

RESPONDENT'S NAME: Mann for Congress Comm.

ADDRESS: P.O. Box 989
Covington, KY 41012

HOME PHONE: None

BUSINESS PHONE: None

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QCC# 4324

LAW OFFICES
McEVOY and McKINNEY

Attorneys at Law
WILLIAM P. McEVOY
MICHAEL T. McKINNEY
Paralegal
BARBARA A. DAVIS

TELEPHONE (606) 586-9955
PEOPLES DEPOSIT BANK BUILDING BRANCH
P.O. BOX 888 - 2282 BURLINGTON PIKE
BURLINGTON, KENTUCKY 41005-0888

September 2, 1987

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OFFICE OF GENERAL COUNSEL
87 SEP -8 PM 4:11

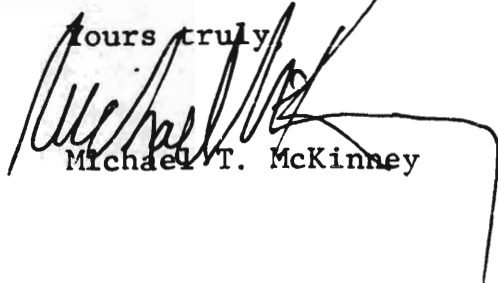
Mr. Lawrence Noble
Federal Election Commission
Washington, D.C. 20463

RE: MUR 2530
Kentucky State Democratic
Central Executive Committee and
Don Bobzien, Treasurer

Dear Mr. Noble:

Enclosed herewith please find a Statement of
Designation of Counsel regarding the above referenced matter.

Additionally, request is hereby made for an extension of time of 15 days, up to and including September 18, 1987, within which to properly respond to the FEC's Factual and Legal Analysis. As grounds, I would represent to you that the time differential between the receipt of your Analysis by the Kentucky State Democratic Party Central Executive Committee and its forwarding to my office requires such additional time to research this matter and intelligently respond. Please advise accordingly.

Yours truly

Michael T. McKinney

MTM:vrn

Enclosure

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STATEMENT OF DESIGNATION OF COUNSEL

MUR 2530

NAME OF COUNSEL: Michael McKinney

ADDRESS: P.O. Box 688

2252 Burlington Pike

Burlington, Kentucky 41005

TELEPHONE: (606) 586-9955

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.

9-2-87
Date

Don Bobzien
Signature

RESPONDENT'S NAME: _____

Kentucky State Democratic Central Executive Committee,
and Don Bobzien, as treasurer

ADDRESS: P.O. Box 694

Frankfort, Kentucky 40602

HOME PHONE: _____

BUSINESS PHONE: (502) 695-4828

89040730634



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 8, 1987

Paul J. Vesper, Esquire
P.O. Box 989
Covington, KY 41012-0989

RE: MUR 2530
Mann for Congress Committee
and William McBee, as
treasurer

Dear Mr. Vesper:

This is in response to your letter dated September 1, 1987, which we received on September 2, 1987, requesting an extension until September 10, 1987 to respond to the letter dated August 19, 1987, from Scott E. Thomas, Chairman, Federal Election Commission. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by close of business on September 10, 1987.

If you have any questions, please contact Jacqueline Jones-Smith, the attorney assigned to this matter at (202) 376-5690.

Sincerely,

Lawrence M. Noble
Acting General Counsel

By: Lois G. Lerner
Associate General Counsel

Lois G. Lerner
by HZN

99040730635



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 10, 1987

Michael T. McKinney
P.O. Box 688
2252 Burlington Pike
Burlington, Kentucky 41005-0688

RE: MUR 2530
Kentucky State Democratic
Central Executive
Committee and Don Bobzien,
as treasurer

Dear Mr. McKinney:

This is in response to your letter dated September 2, 1987, which we received on September 8, 1987, requesting an extension "up to and including September 18, 1987," to respond to the letter dated August 19, 1987, from Scott E. Thomas, Chairman, Federal Election Commission. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by close of business on September 19, 1987.

If you have any questions, please contact Jacqueline Jones-Smith, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
Acting General Counsel

By: 
Lois G. Lerner
Associate General Counsel

63063074040399

Plan

CCG #4369

THE LAW OFFICES OF

PAUL J. VESPER, PSC

ATTORNEYS AND COUNSELLORS AT LAW

PAUL J. VESPER
ALSO ADMITTED IN OHIO

JOSEPH U. MEYER
OF COUNSEL

616 MAIN STREET, SUITE 200
COVINGTON, KENTUCKY
(606) 491-4222

HAND DELIVERED
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FEDERAL ELECTION COMMISSION
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87 SEP 14 PM 1:04
MAILING ADDRESS:
P.O. BOX 989
COVINGTON, KENTUCKY
41012-0989

September 10, 1987

Lawrence Noble
General Counsel
Federal Election Commission
9099 E. Street, N.W.
Room 657
Washington, D.C. 20463

RE: Mann for Congress Committee and
William McBee, Treasurer
MUR2530

Dear Sir:

Pursuant to your letter of August 19, 1987 and our request for extension of September 1, 1987, we have responded to the Federal Election Commission Factual and Legal Analysis.

However, we would request and desire to enter into conciliation prior to the finding of probable cause in order to attempt to correct any violation of the Federal Election Campaign Act of 1971 and as provided in Part 111 of Title 11 of the Code of Federal Regulations and ask that this request serve to meet the requirements of the Act and Regulation to implement that procedure.

My Designation of Counsel has been previously forwarded to you.

Sincerely,


PAUL J. VESPER
Attorney at Law

PJV/rc
cc: William McBee,
Jackie Jones Smith
Enclosure

87 SEP 14 PM 2:55
RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

220040730637

TO: Federal Election Commission

FROM: Mann for Congress Committee and
William McBee, Treasurer

RE: MUR 2530
Response to Factual and Legal Analysis

DATE: September 10, 1987

May it please the Commission, the following information is provided to assist you in consideration of the above. It has been compiled by the undersigned based upon investigation as counsel to the Treasurer and Committee. All the information was obtained from the reports, interview with Campbell County Executive Committee or Kentucky State Democratic Executive Committee staff or representatives, former staff or consultants of the Mann for Congress Committee, and records of the Mann for Congress Committee. It is as complete as the investigation would allow.

REASONS FOR DELAY IN RESPONSE

Needless to say, an unsuccessful federal election effort has few friends and the briefest of short-lives. While supporters and volunteers disappear with election day daylight, the task of reporting and finalizing Committee efforts go on.

The Mann for Congress Committee ("Committee") requested an extension to reply because we wanted to obtain independent verification of information which formed the original basis for the Committee and staff members actions. We have not been able in our investigation, to talk to all those concerned, but provide this response on the basis of the information at our disposal and consistent with our request for conciliation by separate cover.

PREVIOUS RESPONSE

Originally correspondence was directed to our attention in November and December of 1986. Because of the abandonment of the Post Office Box, it was not always received timely. However, upon receipt of inquiries by February of 1987, the Committee attempted to clarify the situation and report to the FEC timely.

For instance, upon receipt of information that the FEC had considered the contribution of the Campbell County Democratic Executive Committee ("CCDEC") as excessive, the Committee contacted its Treasurer to determine what action should be contemplated.

We were informed that they were "registering" with the FEC and from their communication with FEC staff, if the registration was accepted, this would resolve the controversy.

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We asked to be kept informed as to their progress.

Further, upon report that the FEC considered the contribution of the Kentucky State Democratic Central Executive Committee ("KSDEC") also excessive, a meeting with the Chairman of that organization was had to determine how this mistake was made. The KSDEC reported the results of that meeting to the FEC through response to other correspondence. A subsequent meeting was held in which the Chairman, Treasurer and legal adviser for KSDEC was present to discuss resolution through refunding. Following that meeting, legal counsel for KSDEC indicated he had discussed the results of that meeting with staff of FEC and felt the issue had been handled satisfactorily.

The reports on file and our efforts to date would hopefully demonstrate an openness and attempts to comply with the FEC and its reporting requirements by all concerned.

STATUS OF COMMITTEE FINANCIALLY

Certainly by now, we would like to have resolved the issues by paying back the CCDEC and KSDEC. But the reports of the Committee show that the Committee is indebted to others for loans, unpaid invoices, or unreimbursed expenses of approximately \$21,015.07 without reimbursement. The candidate has attempted to retire some of the debts personally.

The complexity of the Regulations make it difficult to understand exactly what can be done on post-election fund raising. We will be asking the FEC for guidance in this area.

FACTUAL REVIEW OF EACH CHARGE

Your Factual and Legal Analysis with cover letter of August 19, 1987 outlines several charges. Although the paragraphs are not numbered, factually they are addressed by paragraph.

Paragraph 2: Individual Excess Contribution

Refers to "in-kind" contribution of \$231.00 on June 27, 1986 by a primary contributor which would have exceeded the contribution limitation.

Although represented as an in-kind contribution, this was inaccurate (and an amended report may be filed if requested). That was an expense the Committee had committed to reimburse and has not done so. There is a sum reflected in the reports as due this contributor for expenses incurred which have not yet been reimbursed. This \$231.00 is part of that unreimbursed expense which has been consistently reflected. Demand has been made on the Committee for payment and the Committee does intend to cover this expense when funds are received.

Paragraph 3: CCDEC

Investigation has disclosed that those in charge of solicitation of funds were under two misimpressions. The first (which we will also see

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applies to KSDEC below) dealt with their interpretation that the CCDEC could contribute its limits on the primary as well as the general election, if the Committee carried a debt on primary day. The staff's interpretation of the Committee financial situation was that a debt existed on primary day.

Secondly, the staff of the Committee had misinterpreted CCDEC's situation and thought that they were a multi-candidate committee, thus capable of contributing \$5,000 per election.

This mistake is obvious when we see at complete disclosure was made.

The Committee would ask the FEC to review files and determine if in fact, the CCDEC could not be construed to have given a \$1,000 per election (or only an \$800.00 excess contribution) or rather allow the late registration of CCDEC to resolve this dispute since it was obvious that no violation was intended.

Paragraph 3: KSDEC

The amount of contribution of the KSDEC became excessive through a variety of mistakes. But the FEC is first asked to examine the reports and note that contributions from the KSDEC virtually all came in at the end of the election. The money was received (and spent on last minute media) before anyone realized there was a problem (specifically including the treasurer). Although reasonable procedures were in place to prevent violations, the money was received by the Committee before the party for reporting could react. (As a practical matter, this now leaves the Committee with a larger debt situation than it had ever contemplated).

(i) Limits per election: As in the situation with CCDEC, the Committee staff was under the misimpression that the Committee primary debt could be offset from contributions post-primary (if designated such). Again, they felt that the spending limits were thus doubled. Incorrect, but factual.

(ii) Contribution limits of KSDEC: The campaign manager in the last three weeks of the campaign was trying to move as much money into the "media-buy" as possible for the last push.

One of the national consultants for the Committee was assisting in the media purchase. The KSDEC, as part of its multi-candidate support effort, pledged to assist in this effort.

The campaign manager called the national consultant to determine how much KSDEC could contribute to a house of representative race. The national consultant contacted the Democratic Congressional Campaign Committee ("DCCC") in Washington, D.C., to ask their assistance in finding the answer to the question.

Apparently the national consultant was advised that the limit was \$15,000 (or a formula based upon population) and that with the primary debt, KSDEC was well within contribution limitations.

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Because most of the money came within the last reporting period (and was accepted under misinformation), the procedures in place for the Treasurer did not stop the error.

The reports were filed reflecting the contribution.

(iii) Intern program: Two of the contributions (the 12 Day Pre-Election Report of \$945.00 and the 30 Day Post-General Report of \$1270.00) are not campaign expenditures or contributions.

The KSDEC, at the time, had a training program or intern program which had as its purpose training or educating of qualified interns in political campaign strategy. They had requested that a certain intern be placed within the campaign to observe and learn from the process. The "compensation" or "grant" that the intern received came from the KSDEC and the intern was under the control and reported to KSDEC staff. Periodically, the KSDEC coordinator of the program consulted with the Committee staff to verify the intern progress and attendance at functions for observation.

This intern, because of KSDEC's slow pay record, was advanced for compensation and KSDEC reimbursed the Committee. The checks to the Committee written by KSDEC clearly reflect that these were funds for the intern.

Since the Committee never visualized that KSDEC had reached its contribution limitation, the transactions were reflected as contributions and reported as such. In light of the FEC ruling, this should be reclassified and an amended report filed to reflect the nature of the income as well as the expenditure.

(iv) Contribution not reported: The FEC Factual Finding reflects a report by the KSDEC of a \$5,000.00 contribution on October 30, 1986 on an amended 30 Day Post-General Report.

This contribution comes as a complete surprise to the Committee. We have asked the KSDEC to give us a report of that expenditure (and part of the delay of this response is) and we have not received it.

In all previous discussions with KSDEC this contribution was never known or revealed. In previous meetings we were given copies of the ledgers on contributions to the Committee and in all respects they were consistent with our records.

We presently have no knowledge what this refers to and are at a complete loss to give the FEC information. We ask to be permitted to supplement our report at a later date if information does arise.

Paragraph 4: KSDEC And CCDEC As Subordinate

This finding concludes that the CCDEC is a subordinate or affiliated committee of KSDEC. We think that factually this is inaccurate. CCDEC is independent as defined by 11 CFR §110.3.

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We believe that the finding that they are subordinate is based upon too much emphasis being placed upon their Statement of Organization but practice and reality can demonstrate independence as set out in the criteria of 11 CFR §110.3(b)(2)(ii).

Paragraph 5: Labor Union Contributions

We don't understand if this is a finding that CCDEC or KSDEC has accepted labor union contributions or not and whether the conclusion of a violation is just.

We have no knowledge that a violation has occurred and would ask for the basis of the conclusion.

Paragraph 6: Unreported Contribution

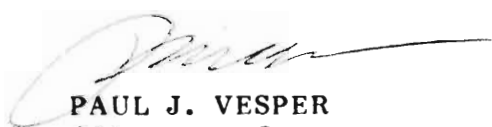
This was addressed at paragraph 3(iv) above. We have no record of receipt of the contribution or evidence that the contribution was made.

CONCLUSION

The undersigned, by his response, has attempted to explain how this situation came to exist and to explain those matters which previous reports do not make clear. It is not an admission of wrongdoing because clearly efforts were in place to abide by the provisions of federal election laws.

We would hope that this report would clear up all matters and form the basis of conciliation.

Respectfully Submitted:


PAUL J. VESPER
Attorney at Law

PJV/rc

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

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87 SEP 17 PM 4:40

In the Matter of)
)
Mann for Congress Committee;) MUR 2530
William McBee, as treasurer)
)
Campbell County Democratic)
Executive Committee and)
Michael W. Kehoe, as treasurer)
)
Kentucky State Democratic Central)
Executive Committee and Don)
Bobzien, as treasurer)

COMPREHENSIVE INVESTIGATIVE REPORT #1

On August 11, 1987, the Commission found reason to believe
(1) that the Mann for Congress Committee and William McBee, as
treasurer, violated 2 U.S.C. §§ 441a(f), 441b, and 434(b)(2)(C);
(2) that the Campbell County Democratic Executive Committee and
Michael W. Kehoe, as treasurer, violated 2 U.S.C. §§ 433(a), 434,
441a(a)(2)(A) and 441b; and (3) that the Kentucky State Democratic
Central Executive Committee and Don Bobzien, as treasurer,
violated 2 U.S.C. §§ 441a(a)(2)(A), 441b, 433 and 11 C.F.R.
§ 102.5(a)(1)(i). By letters dated August 19, 1987, respondents
were notified of the Commission's finding.

On September 2, 1987, this Office received a request from
counsel for respondents, Mann for Congress Committee and William
McBee for an extension of time until September 10, 1987, to
respond to the Commission's finding. On September 8, 1987, a
request for an extension of time until September 19, 1987, was
received from counsel for respondents, Kentucky State Democratic
Central Executive Committee and Don Bobzien. Generally, in the
requests counsel stated additional time was needed to research

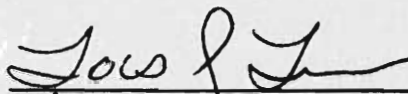
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the matter and interview individuals who are currently out of town. In light of the circumstances, this Office granted the requested extensions of time.

After receiving all of the responses^{*/} and evaluating them, this Office will report to the Commission with appropriate recommendations.

Lawrence M. Noble
Acting General Counsel

9/16/87
Date

BY: 
Lois G. Lerher
Associate General Counsel

^{*/} Additionally on August 28, 1987, respondents, Campbell County Democratic Executive Committee and Michael W. Kehoe, as treasurer, requested pre-probable cause conciliation. Once responses are received from all respondents, this Office will make recommendations with regard to that request.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: LAWRENCE M. NOBLE
ACTING GENERAL COUNSEL

FROM: *MUR* MARJORIE W. EMMONS/JOSHUA MCFADDEN *JM*

DATE: SEPTEMBER 21, 1987

SUBJECT: MUR 2530 - COMPREHENSIVE INVESTIGATIVE
REPORT #1
SIGNED SEPTEMBER 16, 1987

The above-captioned matter was received in the Office of the Secretary of the Commission Thursday, September 17, 1987 at 4:40 P.M. and circulated to the Commission on a 24-hour no-objection basis Friday, September 18, 1987 at 12:00 P.M.

There were no objections received in the Office of the Secretary of the Commission to the Comprehensive Investigative Report #1 at the time of the deadline.

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LAW OFFICES
McEVOY and McKINNEY

Attorneys at Law

WILLIAM P. McEVOY
MICHAEL T. McKINNEY

Paralegal

BARBARA A. DAVIS

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FEDERAL ELECTION COMMISSION
MAIL ROOM

87 SEP 21 AM 11:55

PEOPLES DEPOSIT BANK BUILDING BRANCH
P.O. BOX 688 - 2262 BURLINGTON PIKE
BURLINGTON, KENTUCKY 41005-0688

September 18, 1987

Ms. Jackie Jones Smith
Federal Election Commission
Washington, D.C. 20463

RE: MUR 2530
Kentucky State Democratic
Central Executive
Committee and Don Bobzien,
as treasurer

Dear Ms. Smith:

Regarding the Factual and Legal Analysis of the Federal Election Commission, I have reviewed the facts as presented and find that they fairly and accurately state the amounts of contributions made by the Kentucky State Democratic Central Executive Committee to the Mann for Congress Committee.

Additionally, I have spoken with the members of the Kentucky State Democratic Central Executive Committee who were involved with the process for allocating campaign contributions to the various Democratic candidates.

Unquestionably, each contribution was made in good faith with no intent of violating the federal election laws.

The crux of the problem appears to be the actual contribution limit of \$5,000.00 which you indicated must be shared by the Kentucky State Democratic Central Executive Committee and the

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OFFICE OF GENERAL COUNSEL

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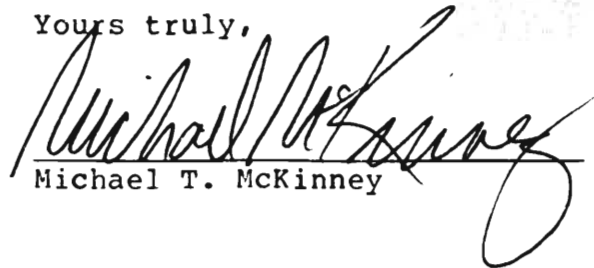
Page Two
Ms. Jackie Jones Smith
September 18, 1987

Campbell County Democratic Executive Committee based upon a relationship of multicandidate and affiliated subordinate committee. The Kentucky State Democratic Central Executive Committee with the understanding and belief that it was within acceptable limits for campaign contributions.

Inasmuch as the Kentucky State Democratic Central Executive Committee and Don Bobzien are desirous of resolving this matter in an appropriate fashion, specific request is hereby made to enter into pre-probable cause conciliation. If an appropriate conciliation can be reached, proper safeguards will be implemented so as to correct the present matter under review and prevent the occurrence of future violations of the Federal Election Campaign Act.

Please advise at your earliest convenience as to whether you will recommend such a conciliation.

Yours truly,


Michael T. McKinney

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**DEMOCRATIC EXECUTIVE COMMITTEE
CAMPBELL COUNTY, KENTUCKY**

P.O. BOX 223, NEWPORT, KENTUCKY

32

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

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CHAIRMAN

Robert Tieman

VICE CHAIRWOMAN

Debbie Ball

TREASURER

Michael Kehoe

SECRETARY

Audrey Rolf

COMMITTEE MEMBERS

Jack Caudill
Gerry Losey
Dennis Desmond
Wilma Bowlds
Robert Blau
Ruth Bauman
Ruth Doering
Harvey Williams
Ron Stormer
Ray Roberts
Steve Sandfoss
Michael Foellger
William Stoll

December 7, 1987

Hon. Scott E. Thomas, Chairman
Federal Election Commission
Washington, D.C. 20463

Re: MUR2530 FEC ID # C00213637
Campbell County Democratic Executive Committee
and Michael W. Kehoe, Treasurer

Dear Mr. Thomas:

Enclosed is a copy of our most recent Campaign statement for the general election held on November 3, 1987. We have filed this report with the Kentucky Registry of Election Finance in Frankfort, Kentucky and are sending a copy to you for your records.

On August 25, 1987, I wrote you requesting Pre-Probable Cause Conciliation in the above styled matter. A copy of that letter is enclosed. The letter was drafted after a phone conversation with a Ms. Jackie Jones Smith, a staff attorney with the Federal Election Commission. To date, we have not received a response to the letter, nor have we heard from Ms. Smith or anyone else from the Federal Election Commission.

The Campbell County Democratic Executive Committee members will be changed early in 1988 as a result of the latest Governor's race. As a result of that, the current Executive Committee would like to have this matter with the Federal Election Commission concluded before the new Executive Committee members are sworn in.

88 FEB 23 PM 4:15

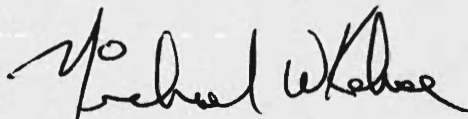
OFFICE OF GENERAL COUNSEL

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We would appreciate hearing from you regarding the possibility of accomplishing the foregoing in the near future.

Thank you.

Very truly yours,



Michael W. Kehoe
BENTON, BENTON & LUEDEKE

MWK/pak

RECEIVED
FEDERAL ELECTION COMMISSION

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DEMOCRATIC EXECUTIVE COMMITTEE
CAMPBELL COUNTY, KENTUCKY

P.O. BOX 223, NEWPORT, KENTUCKY

32

CHAIRMAN
Robert Tieman

August 25, 1987

VICE CHAIRWOMAN
Debbie Ball

TREASURER
Michael Kehoe

SECRETARY
Audrey Rolf

Hon. Scott E. Thomas, Chairman
Federal Election Commission
Washington, D.C. 20463

COMMITTEE MEMBERS

Jack Caudill
Gerry Losey
Dennis Desmond
Wilma Bowlds
Robert Blau
Ruth Bauman
Ruth Doering
Harvey Williams
Ron Stormer
Ray Roberts
Steve Sandfoss
Michael Foellger
William Stoll

Re: MUR2530

Campbell County Democratic Executive Committee
and Michael W. Kehoe, Treasurer

Dear Mr. Thomas:

In accordance with your letter of August 19, 1987, this is to advise you that we hereby formally request pre-probable cause conciliation in this matter.

We do not dispute the fact that we contributed \$2,800.00 to the Mann for Congress Committee. At the time those contributions were made, we were unaware of the fact that we were limited to contributing \$1,000.00 because we were not registered with the Federal Election Commission. We were made aware of this fact by letter from Joseph Rawson, a reports analyst with the Federal Election Commission, which letter was dated November 19, 1986. The letter was not picked up from the post office box until the latter part of December. We do not have much mail and consequently we do not make regular visits to the post office box. Nevertheless, Mr. Rawson's letter indicated that under the circumstances we had two options to be in compliance with the act: 1. Submit a Statement of Organization, file disclosure reports on FEC Form 3X and receive a refund of the excess contributions; 2. Receive a full contribution refund from the Mann committee. We attempted to get a refund from the Mann committee, but were advised that there were no funds available. At that point our only option was to file a Statement of Organization which we did in February, 1987. When that was accomplished, we felt that we were in compliance with the act.

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Under the circumstances we feel that we have done everything we can possibly do to rectify the situation, especially in light of the fact that there are no funds available from the Mann for Congress Committee to repay the excess contributions. We have made a formal demand in writing to them for the refund.

We are certainly willing to work out a settlement of this matter and wish to bring it to a conclusion as soon as possible.

Campbell County Democratic
Executive Committee

By: Michael W. Kehoe
Michael W. Kehoe, Treasurer

89040730651



Kentucky Registry of Election Finance
1604 Louisville Road
Frankfort, Kentucky 40601
(502) 564-2226

CAMPAIGN STATEMENT COVER PAGE

1. Candidate Name

Office Sought/Dist. No.

County of Residence

Political Party

2. Committee Name Campbell Co. Democratic
Executive Committee

Supporting

Office Sought/Dist. No.

OFFICE USE ONLY

3. Candidate/Committee Mailing Address

P.O. Box 223
Newport, KY 41071

Area Code/Phone

4. Treasurer's Name and Mailing Address

Michael W. Kehoe
P.O. Box 223
Newport, KY 41071

Area Code/Phone N/A

5. This Statement Covers

From 6 29 87
mo day yr
To 12 5 87
mo day yr

TYPE OF STATEMENT

- 6a. ☐ Pre-election (Quarterly Preceding)
- b. ☐ Pre-election (32nd day preceding)
- c. ☐ Pre-election (12th day preceding)
- d. ☒ Post Election (30th day following)
- e. ☐ Post Election Supplemental (60th day following)
- f. ☐ Quarterly (Permanent Committee)
- g. ☐ Semi-annual Supplemental
- h. ☐ Annual Supplemental
- i. ☐ Dissolution

Pre-election, Post Election or Supplemental
statement relates to:

☐ Primary ☒ General ☐ Special

Date of Election

November 3 1987
Mo Day Yr

Date of Dissolution

Mo Day Yr

- j. ☐ Amendment - check one of the items above to indicate which statement is being amended.

7. Verification: Certify that all reasonable diligence was used in the preparation of this Statement and attached schedule (if any) and to the best of my/our knowledge and belief the contents are true, accurate and complete.

Treasurer Michael W. Kehoe

Type or Print Name

Michael W. Kehoe
Signature

Date December 5, 1987

Mo Day Yr

8 9 0 4 0 7 3 0 6 5 3

Candidate/Committee Campbell County Democratic
Executive Committee

Period From 6/29/87 To 12/5/87

RECEIPTS

1. CONTRIBUTIONS:

- a. Itemized (Schedule 1, Item 7a)
- b. Unitemized Contributions (Number of People 116)
- c. In-Kind Contributions Received (Schedule 1, Item 7b)
- d. Other Receipts (Schedule 1, Item 7c)

2. TOTAL RECEIPTS

DISBURSEMENTS

3. TOTAL DISBURSEMENTS (Schedule 2, Item 7)

4. Debts and Obligations owed BY: (Schedule 3, Item 10)

5. Debts and Obligations owed TO: (Schedule 3, Item 10)

BALANCE STATEMENT

6. Ending balance of last report (Enter (-0-) if no report has been filed)

7. Amount received during reporting period (Line 2, Column 1)

8. Sub-Total (Add Lines 6 and 7)

9. Amount disbursed during reporting period (Line 3, Column 1)

10. ENDING BALANCE (Subtract Line 9 from 8)

COLUMN I THIS PERIOD

COLUMN II CUMMULATIVE THIS ELECTION

+\$ 700.00

+\$ 7,456.94

+\$ None

+\$ None

=\$ 8,156.94

\$ 8,156.94

\$ 5,694.16

\$ 5,694.16

\$ None

\$ None

+\$ 2,020.07

+\$ 8,156.94

=\$ 10,177.01

-\$ 5,694.16

=\$ 4,482.85



Kentucky Registry of Election Finance
1804 Louisville Road
Frankfort, Kentucky 40601
(502) 564 2226

ITEMIZED RECEIPTS SCHEDULE 1

1. Name of Candidate

2. Committee Name

Campbell County Democratic
Executive Committee

3. This Statement Covers

From 6 29 87
mo day yr
To 12 5 87
mo day yr

4a. Name and Address from whom received	4b. AGE	5. Type of Contribution or Other Receipt	6. Date of Receipt	AMOUNT			8. Cumulative for election	9. Contributor Occupation
				7a. Contributions of Money	7b. In-Kind Contributions Received	7c. Other Receipts		
Gerald Losey Rt. 8 Silver Grove, Ky 41085		Contributions: ☐ Candidate ☐ Direct ☐ Loan from a person ☐ In-Kind (describe) _____ Other Receipts ☐ Interest ☐ Loan from lending institution ☐ Misc. (Specify) _____	9/15/87	350		350		Owner, Losey Oil Co.
Pipe Fitters Local No. Ky. AFL-CIO Labor Council Covington, KY		Contributions: ☐ Candidate ☐ Direct ☐ Loan from a person ☐ In-Kind (describe) _____ Other Receipts ☐ Interest ☐ Loan from lending institution ☐ Misc. (Specify) _____	9/15/87	350		350		Labor Union
		Contributions: ☐ Candidate ☐ Direct ☐ Loan from a person ☐ In-Kind (describe) _____ Other Receipts ☐ Interest ☐ Loan from lending institution ☐ Misc. (Specify) _____						
		Contributions: ☐ Candidate ☐ Direct ☐ Loan from a person ☐ In-Kind (describe) _____ Other Receipts ☐ Interest ☐ Loan from lending institution ☐ Misc. (Specify) _____						
		Contributions: ☐ Candidate ☐ Direct ☐ Loan from a person ☐ In-Kind (describe) _____ Other Receipts ☐ Interest ☐ Loan from lending institution ☐ Misc. (Specify) _____						
		Contributions: ☐ Candidate ☐ Direct ☐ Loan from a person ☐ In-Kind (describe) _____ Other Receipts ☐ Interest ☐ Loan from lending institution ☐ Misc. (Specify) _____						

Subtotal This Page 700.00

Total This Period (only on last page of this schedule) 700.00

Enter this total on line
1a of Summary Page

Enter this total on line
1c of Summary Page

Enter this total on line
1d of Summary Page



Kentucky Registry of Election Finance
1604 Louisville Road
Frankfort, Kentucky 40601
(502) 564-2226

DISBURSEMENTS SCHEDULE 2

1. Name of Candidate

0 4 0 7 3 0 6 5

2. Committee Name

Campbell County Democratic
Executive Committee

3. This Statement Covers

From 6 29 87
mo day yr
To 12 5 87
mo day yr

4. Name and Address of person to whom paid (if over \$100)	5. Purpose (be specific)	6. Date	7. Amount Disbursed
Otto Printing Co. 511 York Street Newport, Kentucky 41071	Envelopes, Letterheads Fundraiser Tickets	8/19/87	540.75
Desmond Brothers Insurance 217 Fairfield Avenue Bellevue, KY 41073	Premium, Liability insurance	8/19/87	258.44
Seligman District Co. 1410 Neave Street Covington, KY 41011	Beer - Kickoff picnic	8/21/87	213.00
Ray Roberts 2222 Joyce Avenue Newport, KY 41071	Alexandria Fair Democratic Booth Rental & supplies	8/21/87	250.00
William Stoll 227 Ridgeway Avenue Southgate, Kentucky 41071	Stamps - Fundraiser invitations	8/31/87	176.00
Cincinnati Bell Cincinnati, Ohio	Phone bill - Wilkinson Headquarters	9/9/87	562.44
Otto Printing	Fundraiser Tickets	9/16/87	115.50
Debbie Ball Rt. #1, Box 17 California, KY 41007	Reimburse, Fundraiser expenses	9/21/87	175.90

Subtotal This Page

2,292.02



1804 Louisville Road
Frankfort, Kentucky 40601
(502) 584-2228

DISBURSEMENTS SCHEDULE 2

1. Name of Candidate

8 9 0 4 0 7 3 0

2. Committee Name

Campbell County Democratic
Executive Committee

3. This Statement Covers

From	6	29	87
	mo	day	yr
To	12	5	87
	mo	day	yr

Name and Address of person to whom paid (if over \$100)

Challenger Piping
7 E. 4th Street
Newport, KY 41071

5. Purpose (be specific)

Rent, Wilkinson Campaign
Headquarters

6. Date

9/29/87

7. Amount
Disbursed

670.00

Wilma Bowlds
137 North Street
Southgate, Kentucky 41071

Reimburse, expenses
women's democratic convention

9/29/87

150.00

Newport Liquor Dispensary
732 Mornmouth Street
Newport, KY 41071

Liquor For fundraiser

9/30/87

257.22

Highland Country Club
U.S. 27
Ft. Thomas, Kentucky 41075

Rental, fundraiser

9/30/87

500.00

Seligman Dist. Co.

Beer, unity party

10/2/87

106.50

Thomasville
Rt. #8
Dayton, KY 41074

Rental, unity party

10/8/87

447.68

Cincinnati Bell
Cincinnati, OH

Phone bill - Wilkinson
Headquarters

11/3/87

114.54

Thomasville
Rt. #8
Dayton, KY 41074

Kickoff picnic rental

7/20/87

362.37

Subtotal This Page

2,608.31

Total This Period (only on last page of this schedule)

Enter this total on line
3 of Summary Page.



Kentucky Department of Election Finance
1604 Louisville Road
Frankfort, Kentucky 40601
(502) 564-2226

**DISBURSEMENTS
SCHEDULE 2**

3. Name of Candidate **0 7 3 0 6 5 7**

2. Committee Name
**Campbell County
Democratic Executive
Committee**

3. This Statement Covers
From **6 29** 87
 mo day
To **12 5** 87
 mo day

4. Name and Address of person to whom paid (if over \$100)	5. Purpose (be specific)	6. Date	7. Amount Disbursed
All other disbursements not exceeding \$100.00			643.83

Subtotal This Page **793.83**

Total This Period (only on last page of this schedule) **5,694.16**



Kentucky Registry of Election Finance
1604 Louisville Road
Frankfort, Kentucky 40601
(502) 564-2226

1. Name of Candidate
8 9 0 4 0 7 3

2. Committee Name
**Campbell County Democratic
Executive Committee**

3. This Statement Covers
From 6 29 87
mo day yr
To 12 5 87
mo day yr

DEBTS AND OBLIGATIONS
SCHEDULE 3

4. This Schedule itemizes:
(Check either a or b. Do not mix a and b on same page. Use this page for only the one checked.)
a. ☐ Debts and obligations owed by committee
or
b. ☐ Debts and obligations owed to committee

5. Name and Mailing Address	6. Type of Obligation	7. Date Incurred	8. Original Amount	9. Payment made this reporting period	10. Outstanding Balance at close of this period
N/A					

This Schedule must be filed with every Campaign Statement up to and including the period in which all debts are repaid or otherwise satisfied.

Subtotal This Page

Total This Period (Complete only on last page of this part number as checked above)

NONE



Kentucky Registry of Election Finance
1804 Louisville Road
Frankfort, Kentucky 40601
(502) 564-2228

**FUND RAISER
SCHEDULE 4**

1. Name of Candidate

9 9 0 4 0 7 3 0 6 5 9

2. Committee Name

Campbell County
Democratic Executive
Committee

3. This Statement Covers

From	6	29	87
	mo	day	yr
To	12	5	87
	mo	day	yr

— USE A SEPARATE SCHEDULE FOR EACH EVENT —

4. Date Event was Held

9/14/87

5. Number of Individuals
Participating

118

6. Type of Fund Raising Activity

Cocktail Party

7. Name and Address of the Location
where Activity Held.

Highland Country Club
Fort Thomas, KY 41075

8.	Total Receipts	<u>5,900.00</u>
9.	Total Cost	<u>1,443.00</u>
10.	BALANCE	<u>4,556.94</u>

NOTE:

Entries on this schedule recap information reported in other schedules being filed.

List itemized receipts in Schedule 1.

Include unitemized receipts on Line 1b, Summary Page.

List disbursements in Schedule 2.

This schedule is not to be filed separately, but must be included with the Campaign Statement covering the period in which the fund raising activity took place.

BEFORE THE FEDERAL ELECTION COMMISSION

08 APR 27 AM 10: 08

In the Matter of)
)
Mann for Congress Committee and)
William McBee, as treasurer)
Kentucky State Democratic Central)
Executive Committee and)
Don Bobzien, as treasurer)
Campbell County Democratic Executive)
Committee and Michael W. Kehoe, as)
treasurer)

MUR 2530

SENSITIVE

EXECUTIVE SESSION

MAY 03 1988

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On August 11, 1987, the Commission found reason to believe that the Mann for Congress Committee ("the Mann Committee") and William McBee, as treasurer, violated the following:

a. 2 U.S.C. § 441a(f) by receipt of excessive contributions from two affiliated party committees, the Kentucky State Democratic Central Executive Committee and the Campbell County Democratic Executive Committee;

b. 2 U.S.C. § 441b by receipt of prohibited funds from the non-federal account of the Kentucky State Democratic Central Executive Committee and from the Campbell County Democratic Executive Committee; and

c. 2 U.S.C. § 434(b)(2)(C) by failing to disclose a contribution of \$5000 from the Kentucky State Democratic Central Executive Committee.

The Commission also found reason to believe that the Kentucky State Democratic Central Executive Committee ("the State Party Committee") and Don Bobzien, as treasurer, violated the following:

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- a. 2 U.S.C. § 441a(a)(2)(A) by making excessive contributions to the Mann Committee;
- b. 2 U.S.C. § 441b by making contributions to the Mann Committee from funds containing prohibited monies;
- c. 2 U.S.C. § 433 for failing to amend the Statement of Organization to reflect an affiliated county committee; and
- d. 11 C.F.R. § 102.5(a)(1)(i) by making contributions to the Mann Committee from the non-federal account.
- Finally, the Commission found reason to believe that the Campbell County Democratic Executive Committee ("the County Committee") and Michael W. Kehoe, as treasurer, violated the following:

- a. 2 U.S.C. §§ 433(a) and 434 for failure to register and report in a timely manner;
- b. 2 U.S.C. § 441a(a)(2)(A) by making excessive contributions to the Mann Committee; and
- c. 2 U.S.C. § 441b by making contributions to the Mann Committee from funds containing prohibited monies.

Two of the three respondents received extensions of time to respond. All three respondents requested pre-probable cause conciliation: the County Committee requested conciliation on August 28, 1987; the Mann Committee on September 14, 1987; and the State Party Committee on September 22, 1987.

II. ANALYSIS

The State Party Committee and the County Committee

Commission regulations set forth the presumption that all contributions made by state party committees and subordinate

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state party committees are made by one political committee.

2 U.S.C. § 441a(a)(5) and 11 C.F.R. § 110.3(b)(2)(ii). Based on this presumption and the County Committee's registration statement listing its affiliation with the multicandidate State Party Committee, the two committees are considered to be affiliated and thus share a contribution limit of \$5000.

2 U.S.C. § 441a(a)(2)(A). These affiliated committees made the following contributions to the Mann Committee for the 1986 general election (as reported by the Mann Committee):

<u>Contributor</u>	<u>Amount</u>	<u>Date of Mann Committee Receipt</u>
Campbell Co. Committee	\$ 100	8-08-86
	1,000	8-28-86
	1,000	10-04-86
	700	10-06-86
	<u>\$2,800</u>	
Kentucky State Party Committee	\$ 945	10-10-86
	1,000	10-15-86
	9,000	10-28-86
	5,000	10-30-86
	7,500	10-31-86
	1,270	11-03-86
	<u>\$24,715</u>	

The excessive amount is calculated as follows:

\$ 2,800	County Committee
24,715	State Party Committee
<u>\$27,515</u>	Total contribution
- 5,000	Contribution limit
<u>\$22,515</u>	Excessive amount contributed ^{1/}

^{1/} Absent a finding of affiliation between the State Party and County Committees, excessive contributions still would result from the transactions: \$19,715 by the State Party Committee and \$1,800 by the County Committee (the latter had not qualified as a multicandidate political committee).

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In their responses to the reason to believe notification, neither committee provided evidence to rebut the presumption of affiliation. Each acknowledged the contribution amounts while asserting that the respondents were "unaware" of the limits (the County Committee) or felt that "each contribution was made in good faith with no intent of violating the federal election laws" (the State Party Committee).

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The State Party Committee stated earlier in response to an RFAI that of the funds contributed to the Mann campaign, \$10,945 came from the non-federal account. However, reports filed with the Kentucky Registry of Election Finance by the Kentucky Democratic Party non-federal account show that the amount of \$19,715 was contributed to the Mann Committee from the non-federal account. The federal account reimbursed the non-federal for \$10,945 of the \$19,715 contributed. Therefore, the State Party Committee violated 11 C.F.R. § 102.5(a)(1)(i) by making contributions in connection with a federal election from a non-federal account. Further, because Kentucky State law permits unlimited contributions by labor unions, any funds contributed to the Mann Committee which represented labor union contributions were contributed in violation of 2 U.S.C. § 441b(a).^{2/}

In addition, the State Party Committee violated 2 U.S.C. § 433 for failing to reflect its affiliation with the County

^{2/} Reports filed under state law by the Kentucky Democratic Party-General Fund show receipts from unregistered committees which could be a source of prohibited funds. Further, the State Party Committee has not argued in conversation or correspondence that the State account did not contain funds prohibited under the FECA.

Committee on its Statement of Organization. The County Committee violated 2 U.S.C. §§ 433 and 434 for failure to register and report in a timely manner.

The County Committee stated that it attempted to obtain a refund from the Mann Committee but was advised that no funds were available. According to the County Committee, "[a]t that point, our only option was to file a Statement of Organization which we did in February, 1987. When that was accomplished, we felt that we were in compliance with the Act."

The Mann Committee

The Mann Committee accepted the following excessive contributions for the 1986 elections in violation of 2 U.S.C. § 441a(f): \$22,515 excessive amount from the party committees and \$231 excessive in-kind from an individual for a total excessive portion of \$22,746. In responding to the reason to believe allegations, the Mann Committee stated that its staff people misinterpreted the Act regarding limitations or relied on information from a national media consultant which led to their receipt of excessives from the State Party and County Committees. The Mann Committee also stated that it thought the County Committee was a multicandidate committee when actually, the County Committee had not yet registered.

The Mann Committee explained two contributions (\$945 and \$1270) from the State Party Committee as "compensation" or a

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"grant" for an intern who was "placed within the campaign to observe and learn from the process." The Mann Committee stated that it advanced the funds for the intern and was reimbursed by the State Party Committee. The payments were reported as contributions, according to the Mann Committee, because it believed the State Party Committee was within its limitations.

This explanation does not consider that the payments actually represent direct contributions which were used to compensate a campaign worker, albeit described as an "intern." Finally, the Mann Committee argued that the two party committees are independent, an argument that neither the State Party Committee nor the County Committee made. The Mann Committee reported all excessive contributions except the State Party Committee's \$5,000 contribution of October 30, 1986. The Mann Committee responded to the reason to believe finding regarding a violation of 2 U.S.C. § 434(b)(2)(C) by stating that it has "no knowledge" of the contribution but will "supplement our report at a later date if information does arise."

As to the violation of 2 U.S.C. § 441b(a), the Mann Committee stated that it had "no knowledge that a violation has occurred..."

III. Discussion of Conciliation Provisions and Civil Penalty

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IV. RECOMMENDATIONS

1. Enter into conciliation with the following respondents prior to a finding of probable cause to believe:
 - a. Mann for Congress Committee and William McBee, as treasurer;
 - b. Kentucky State Democratic Central Executive Committee and Don Bobzien, as treasurer; and
 - c. Campbell County Democratic Executive Committee and Michael W. Kehoe, as treasurer.
2. Approve the attached proposed conciliation agreements and letters.

Lawrence M. Noble
General Counsel

Date

4/28/88

By:


Lois G. Lerner
Associate General Counsel

Attachments

Requests for Conciliation
Proposed conciliation agreements and letters
State Party Committee's State Report

Staff Person: Frances B. Hagan

89040730667



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20541

MEMORANDUM TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JOSHUA MCFADDEN *JM*

DATE: APRIL 28, 1988

SUBJECT: OBJECTION TO MUR 2530 - General Counsel's Report
Signed April 26, 1988

The above-captioned document was circulated to the Commission on Wednesday, April 27, 1988 at 4:00 P.M.

Objections have been received from the Commissioners as indicated by the name(s) checked:

Commissioner Aikens	_____
Commissioner Elliott	_____ X _____
Commissioner Josefiak	_____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Thomas	_____ X _____

This matter will be placed on the Executive Session agenda for May 3, 1988.

Please notify us who will represent your Division before the Commission on this matter.

82040730668

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Mann for Congress Committee and)
William McBee, as treasurer)
Kentucky State Democratic Central)
Executive Committee and) MUR 2530
Don Bobzien, as treasurer)
Campbell County Democratic Executive)
Committee and Michael W. Kehoe, as)
treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the
Federal Election Commission executive session of May 3, 1988,
do hereby certify that the Commission decided by a vote of
5-0 to take the following actions in MUR 2530:

1. Enter into conciliation with the following respondents prior to a finding of probable cause to believe: Mann for Congress Committee and William McBee, as treasurer; Kentucky State Democratic Central Executive Committee and Don Bobzien, as treasurer; and Campbell County Democratic Executive Committee and Michael W. Kehoe, as treasurer.
2. Approve the conciliation agreements attached to the General Counsel's report dated April 26, 1988, subject to the following amendments:

a)

(continued)

30040730669

Federal Election Commission
Certification for MUR 2530
May 3, 1988

Page 2.

b)

3. Direct the Office of General Counsel to send appropriate letters pursuant to the above actions, and in particular to notify the Campbell County Democratic Executive Committee and Michael W. Kehoe, as treasurer, that the Commission will take no further action on the violation of 2 U.S.C. § 441a(a)(2)(A) on the excessive contributions made together with the Kentucky State Democratic Central Executive Committee.

Commissioners Aikens, Elliott, Josefiak, McGarry, and Thomas voted affirmatively for the decision; Commissioner McDonald was not present at the time this matter was under consideration.

Attest:

5/4/88

Date

Marjorie W. Emons

Marjorie W. Emons
Secretary of the Commission

89040730670



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 10, 1988

Michael McKinney, Esquire
P.O. Box 688
2252 Burlington Pike
Burlington, Kentucky 41005

RE: MUR 2530
Kentucky State Democratic
Central Executive
Committee, Don Bobzien,
as treasurer

Dear Mr. McKinney:

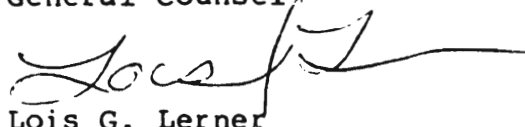
On August 11, 1987, the Federal Election Commission found reason to believe that the Kentucky State Democratic Central Executive Committee, and Don Bobzien, as treasurer, violated 2 U.S.C. §§ 441a(a)(2)(A), 441b, 433 and 11 C.F.R. § 102.5(a)(1)(i). At your request, on May 3, 1988, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

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plm



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 10, 1988

Paul J. Vesper
P.O. Box 989
Covington, Kentucky 41012-0989

RE: MUR 2530
Mann for Congress
Committee, William McBee,
as treasurer

Dear Mr. Vesper:

On August 11, 1987, the Federal Election Commission found reason to believe that the Mann for Congress Committee and William McBee, as treasurer, violated 2 U.S.C. §§ 441a(f), 441b and 434(b)(2)(C). At your request, on May 3, 1988, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

3 0 4 0 7 3 0 6 7 2



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 10, 1988

Michael W. Kehoe, Treasurer
Campbell County Democratic Executive
Committee
P.O. Box 223
Newport, Kentucky

RE: MUR 2530
Campbell County
Democratic Executive
Committee, Michael W.
Kehoe, as treasurer

Dear Mr. Kehoe:

On August 11, 1987, the Federal Election Commission found reason to believe that the Campbell County Democratic Committee and you, as treasurer, violated 2 U.S.C. §§ 433(a), 434, 441a(a)(2)(A), and 441b. At your request, on May 3, 1988, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of the violations of 2 U.S.C. §§ 433(a), 434, and 441b prior to a finding of probable cause to believe. The Commission determined to take no further action regarding the violation of 2 U.S.C. § 441a(a)(2)(A).

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact

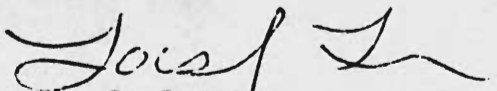
80040730673

Michael W. Kehoe, Treasurer
Page 2

Frances B. Hagan, the staff member assigned to this matter, at
(202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

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88 JUN 29 AM 9:05

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Mann for Congress Committee and)
William McBee, as treasurer)
Kentucky State Democratic Central) MUR 2530
Executive Committee and)
Don Bobzien, as treasurer)
Campbell County Democratic)
Executive Committee and)
Michael W. Kehoe, as treasurer)

SENSITIVE

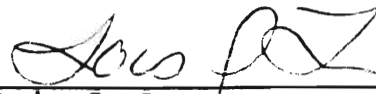
GENERAL COUNSEL'S REPORT

On May 3, 1988, the Commission decided to enter into pre-probable cause conciliation with each of the respondents in the above-captioned matter. On May 10, 1988, the notification letters and proposed conciliation agreements were mailed to respondents.

The Office of the General Counsel is engaged in discussions with the Mann for Congress Committee and the Kentucky State Democratic Central Executive Committee in an effort to resolve the issues through conciliation. It appears likely that we will be able to reach agreement with these two committees. Because the Campbell County Democratic Executive Committee has yet to respond to the Commission's proposal, this Office is sending a routine letter suggesting a prompt response. Because of these efforts, this Office believes that an additional 30 days of pre-probable cause negotiation are warranted in this case.

Lawrence M. Noble
General Counsel

6/28/88
Date

BY: 
Lois G. Lerner
Associate General Counsel

00040730675



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 29, 1988

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Michael W. Kehoe, Treasurer
Campbell County Democratic Executive
Committee
135 Highland Avenue
Fort Thomas, Kentucky 41075

RE: MUR 2530
Campbell County Democratic
Executive Committee
Michael W. Kehoe, as
treasurer

Dear Mr. Kehoe:

On May 10, 1988, you were notified that, at your request, the Federal Election Commission determined to enter into negotiations directed toward reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. On that same date you were sent a conciliation agreement offered by the Commission in settlement of this matter.

Please note that conciliation negotiations entered into prior to a finding of probable cause to believe are limited to a maximum of 30 days. To date, you have not responded to the proposed agreement. The period for negotiations has expired. Unless we receive a response from you within five days, this Office will consider these negotiations terminated and will proceed to the next stage of the enforcement process.

Should you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

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GCC#19

RECEIVED
FEDERAL ELECTION COMMISSION

LAW OFFICES
McEVOY and McKINNEY
88 AUG -5 AM 10:52

TELEPHONE (606) 586-9955

HUNTINGTON BANK OF BOONE COUNTY BRANCH
P.O. BOX 688
BURLINGTON, KENTUCKY 41005-0688

Attorneys at Law

WILLIAM P. McEVOY
MICHAEL T. McKINNEY

August 2, 1988

Ms. Fran Hagan
Associate General Counsel
Federal Election Commission
Washington, D.C. 20463

IN RE: MUR 2530
Kentucky State Democratic Central Executive Committee
and Don Bobzien, as Treasurer

Dear Ms. Hagan:

In confirming our telephone communication on this date, I called to advise you that the leadership of the Kentucky State Democratic Party has changed since the time of the state convention held earlier. As a result, the party personnel with whom I had earlier reached agreement as to the disposition of the above referenced matter are no longer functioning on behalf of the Party. This places our office in the untenable position of having negotiated a proposed settlement with you only to find the current party leadership now desires to support a different resolution of the Matter Under Review rather than the resolution previously authorized by the state party.

Consequently, this office will no longer serve to negotiate a resolution of the Matter Under Review on behalf of the Kentucky State Democratic Party. As we discussed, please remove our name as the counsel of record in this pending action. You should direct all further communications regarding this matter to Ms. Kim Kearns, Executive Director, Kentucky State Democratic Party, P.O. Box 694, Frankfort, Kentucky 40602, (502) 695-4828.

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FEDERAL ELECTION COMMISSION
88 AUG -5 PM 1:35

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McEVOY and McKINNEY

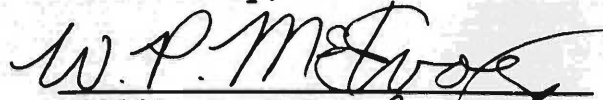
Attorneys at Law

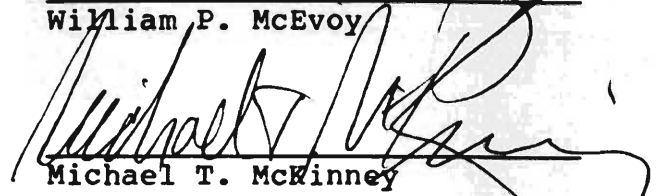
Page Two
Ms. Fran Hagan
August 2, 1988

Thank you for the courtesies extended to this office during the course of this matter. I trust that all pending elements of this Matter Under Review will be properly resolved.

With best regards, I remain

Yours truly,


William P. McEvoy


Michael T. McKinney

MTM:trt
cc. Kim Kearns
Don Bobzien

82040730678

RECEIVED
FEDERAL ELECTION COMMISSION

88 AUG -8 AM 9:05

GCC #43
**Kentucky
Democratic
Party**

Jerry Lundergan
Chairman

01 August 1988

RECEIVED
FEDERAL ELECTION COMMISSION
88 AUG -8 PM 3:32

Ms. Frances B. Hagan
Federal Election Commission
999 E Street, N. W.
Washington, DC 20463

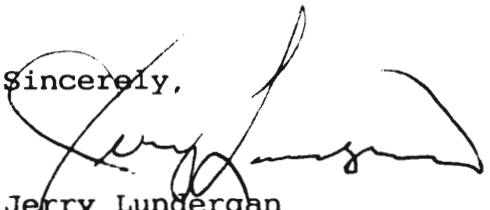
Ms. Hagan,

Effective immediately, Mr. Kenneth J. Almy, Esquire, of the firm Greenebaum, Doll & McDonald, 1400 Vine Center Tower, Lexington, Kentucky 40593, has been retained by the Kentucky State Democratic Party as counsel in all matters relating to MUR 2530, and is hereby authorized to act on our behalf.

Mr. Michael McKinney, Esquire, at 2252 Burlington Pike, Burlington, Kentucky 41005, will no longer be representing the Party in this case.

If you have any questions, please contact me at the address indicated.

Sincerely,


Jerry Lundergan
Chairman

JL/tgc

cc: Mr. Michael McKinney, Esquire
Mr. Kenneth J. Almy, Esquire

30040730679
Millville Road
Box 694
Frankfort, Kentucky 40602
502/695-4828

BCC# 77
RECEIVED
FEDERAL ELECTION COMMISSION

BENTON, BENTON & LUEDEKE, CHARTERED
ATTORNEYS AT LAW

88 AUG 10 AM 10:46

FRANK V. BENTON, 1878-1959
FRANK V. BENTON, JR. 1901-1984
FRANK V. BENTON, III
MICHAEL W. KEHOE
FRANK V. BENTON, IV
A. BERRY HOWE

18 NORTH FORT THOMAS AVENUE
FT. THOMAS, KENTUCKY 41075
(606) 781-2345

COUNSEL
HARRY J. LUEDEKE

August 4, 1988

Hon. Frances B. Hagan
Associate General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2530
Campbell County Democratic Executive Committee
Michael W. Kehoe, Treasurer

Dear Ms. Hagan:

In accordance with our recent phone discussion, enclosed are two executed Conciliation Agreements along with our check in the amount of \$750.00. We understand that if the Agreement is accepted by the Federal Election Commission, this matter will be at an end. We would appreciate your advising us as soon as the final determination is made.

Thank you.

Very truly yours,



Michael W. Kehoe
BENTON, BENTON & LUEDEKE

MWK/pad

Enclosures

RECEIVED
FEDERAL ELECTION COMMISSION
88 AUG 11 AM 10:17

8903070008

88 AUG 31 11 0:17

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Campbell County Democratic)
Executive Committee) MUR 2530
Michael W. Kehoe, as treasurer)

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Robert Tieman, chairman, and Michael W. Kehoe, treasurer, of the Campbell County Democratic Executive Committee ("the Committee").



This Office has received a check for the civil penalty.

Other Case Developments

This Office has also been negotiating an agreement approved by the Commission on May 3, 1988, with the Kentucky State Democratic Executive Committee. As these negotiations were reaching a conclusion, this Office received word that the State Committee's officers had changed and the new leadership had chosen different counsel. On August 8, 1988, we received the new

88040730681

designation of counsel. The newly appointed counsel assured us that the State Committee wishes to resolve this matter through pre-probable cause conciliation and will endeavor to settle expeditiously. Therefore, the Office of the General Counsel will extend conciliation for an additional 30 days with the Kentucky State Democratic Executive Committee and its treasurer.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with the Campbell County Democratic Executive Committee and Michael W. Kehoe, as treasurer.
2. Close the file as to this respondent.
3. Approve the attached letter.

Lawrence M. Noble
General Counsel

Date

8/30/88

BY:


Lois G. Lerner
Associate General Counsel

Attachments

- A. Conciliation Agreement
- B. Photocopy of Civil Penalty Check
- C. Letter to Respondent

Staff Assigned: Frances B. Hagan

82040730682

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Campbell County Democratic) MUR 2530
Executive Committee)
Michael W. Kehoe, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 1, 1988, the Commission decided by a vote of 6-0 to take the following actions in MUR 2530:

1. Accept the conciliation agreement with the Campbell County Democratic Executive Committee and Michael W. Kehoe, as treasurer, as recommended in the General Counsel's report signed August 30, 1988.
2. Close the file as to this respondent.
3. Approve the letter, as recommended in the General Counsel's report signed August 30, 1988.

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

Attest:

9-2-88

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Wed., 8-31-88, 9:16
Circulated on 48 hour tally basis: Wed., 8-31-88, 4:00
Deadline for vote: Fri., 9-02-88, 4:00

jm

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 16, 1988

Michael W. Kehoe, Treasurer
Campbell County Democratic
Executive Committee
135 Highland Avenue
Fort Thomas, Kentucky 41075

RE: MUR 2530
Campbell County Democratic
Executive Committee
Michael W. Kehoe, as
treasurer

Dear Mr. Kehoe:

On September 1, 1988, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on behalf of the Campbell County Democratic Executive Committee and you, as treasurer, in settlement of violations of 2 U.S.C. §§ 433, 434, and 441b, provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to the Campbell County Democratic Executive Committee and you, as treasurer. This matter will become a part of the public record within 30 days after it has been closed with respect to all other respondents involved. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

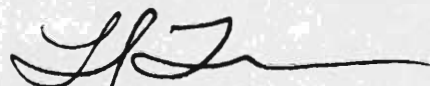
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Michael W. Kehoe, Treasurer
Page 2

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Campbell County Democratic Executive) MUR 2530
Committee, Michael W. Kehoe, as)
treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Campbell County Democratic Executive Committee and Michael W. Kehoe, as treasurer ("Respondents") violated 2 U.S.C. §§ 433(a), 434, and 441b.

NOW, THEREFORE, the Commission and Respondents, having participated in informal methods of conciliation prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Respondent, Campbell County Democratic Executive Committee, is a political committee within the meaning of 2 U.S.C. § 431(4).

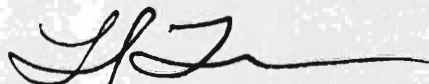
89040730685

Michael W. Kehoe, Treasurer
Page 2

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

89040730686

2. Respondent, Michael W. Kehoe, is the treasurer of the respondent committee.

3. 2 U.S.C. § 433(a) requires that a political committee register within 10 days after becoming a political committee. 2 U.S.C. § 434 requires that a political committee file periodic reports of receipts and disbursements as specified in this section.

4. Respondents became a political committee under the Act on August 28, 1986, by contributing more than \$1,000 to a federal political committee.

5. Respondents registered as a political committee on February 4, 1987.

6. 2 U.S.C. § 441b prohibits the making and knowing receipt of a corporate or labor organization contribution.

7. Respondents made contributions of \$2,800 from an unregistered account containing prohibited funds.

V. 1. Respondents failed to register and report in a timely manner in violation of 2 U.S.C. §§ 433 and 434.

2. Respondents made prohibited contributions from an unregistered account in violation of 2 U.S.C. § 441b.

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Seven Hundred Fifty Dollars (\$750), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this

agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

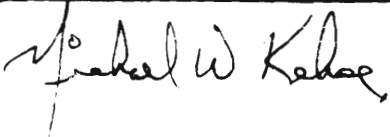
By:


Lois G. Lerner
Associate General Counsel

Date

9/15/88

FOR THE RESPONDENTS:

 CHAIRMAN
 TREASURER

Date

August 3, 1988

89040730688

GREENEBAUM DOLL & McDONALD

(A PARTNERSHIP INCLUDING PROFESSIONAL SERVICE CORPORATIONS)

1400 VINE CENTER TOWER
LEXINGTON, KENTUCKY 40593-1637
TELEPHONE (606) 231-8300
TELESCOPE (606) 231-2742
TELEX 218355

LOUISVILLE OFFICE
3300 FIRST NATIONAL TOWER
LOUISVILLE, KENTUCKY 40202-3197
(502) 389-4200
TELESCOPE (502) 389-4412
TELESCOPE (502) 389-4316
TELEX 219029

A. ROBERT DOLL*
ROBERT F. MATTHEWS
LARAMIE L. LEATHERMAN*
EDWIN H. PERRY
THOMAS A. BROWN
MICHAEL G. SHAIKUN*
MARTIN S. WEINBERG*
IVAN M. DIAMOND*
MICHAEL M. FLESHMAN*
LAWRENCE K. BANKS
PHILLIP D. SCOTT
R. VAN YOUNG
EDWARD B. WEINBERG*
CHARLES FASSLER
RICHARD S. HOLT*
JOHN A. WEST
MICHAEL L. ADES
W. PLUMER WISEMAN, JR.
ERIC L. HON
JOHN H. STITES, III
ROBERT C. STILZ, JR.
JOHN B. CUMMINS
JAMES E. MILLIMAN
P. RICHARD ANDERSON, JR.
LLOYD R. CRESS

CHARLES J. LAYELL
MARK E. AMENT*
DAVID M. BETH
JAMES A. KEGLEY
MARCUS P. MCGRAW
JOE D. TURNER, III
JOHN S. SAWYER
HERAM ELY, III
JOHN V. WHARTON
JUNE NALLEY KING
BOBBY B. LYNDRUP
J. WHITNEY WALLINGFORD, III
PATRICIA W. BALLARD
NICHOLAS R. GLANCY
V. THOMAS FREYMAN, JR.
PATRICK A. NEPITE
BARBARA B. HARTUNG
RICHARD S. CLEARY
BANNY C. REEVES
GLEN M. KREBS
MICHAEL C. ELONE
MARGARET E. KEANE
CAROLYN D. GRANDINETTI
JANET P. JAKUBOWICZ
TANDY C. PATRICK

ROBERT P. MORROW, JR.
RICHARD J. EMMETT
MARK S. RIDGEL
C. JOHNSTON CRAMER, III
E. KENT WESTBERRY
HOLLAND N. McTYRE, V
WILLIAM D. ROBERTS
PATRICK J. WELSH
W. BRADFORD BOONE
SUSAN J. HOFFMANN
PHILIP C. EICHELS* +
CAROLYN M. BROWN
JOEL C. ZWERNER
KATHER M. McDONALD
GREGORY A. COMPTON
STEVEN L. SPALDING
JILL L. FORCE
DAVID W. REGAN
DEBORAH HOLLAND TUDOR
T. RICHARD RINEY* +
WILLIS W. HOBSON, V
STEPHEN W. SWITZER
DANIEL E. PRINER
JEFFREY A. MCKENZIE
LAUREL L.F. GARRETT

KENNETH J. ALMY
TURNER P. BERRY
MARK T. HAYDEN
CHARLES P. WISDOM, JR.
VIRGINIA H. UNDERWOOD
J. WADE STALLINGS, II
JAMES E. DAVIS
PATRICK R. NORTHAM
JOHN C. BENDER
DAVID A. OWEN
ROBERT L. ABELL
JOSEPH J. TERZ
CATHLEEN M. SADILO
PATRICK R. HOLLAND, II

OF COUNSEL
LILLIAN M. FLEISCHER
W. BRUCE LUNSFORD
GLENN A. HOSKINS
JAMES G. LeMASTER

*A PROFESSIONAL SERVICE CORPORATION
+ ADMITTED IN FLORIDA AND KENTUCKY
+ ADMITTED IN INDIANA AND KENTUCKY

C O N F I D E N T I A L

October 14, 1988

Frances B. Hagan, Esq.
Office of General Counsel
Federal Election Commission
839 E Street, N.W.
Washington, D.C. 20463

via FEDERAL EXPRESS

Re: MUR 2530

Dear Fran:

I am happy to be able to forward on to you an executed original Conciliation Agreement for the above-referenced MUR which has been executed by Richard Rankin, treasurer of the Kentucky State Democratic Central Executive Committee.

I understand that you will now be able to take this agreement in front of the Commission in order to secure its approval. As I told you yesterday on the telephone, I am departing from this law firm effective today and have turned this matter over to Laurel Garrett. I have been keeping Laurel closely apprised of the status of this matter and she has been kept up to date on all issues as they have arisen and their resolution. If any questions or new issues regarding this matter should arise, please contact Laurel immediately.

Sincerely yours,



Kenneth J. Almy

KJA/ahb
Enclosure
cc: Laurel L. F. Garrett, Esq.

88 OCT 17 PM 12:09

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PM 1:40

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Kentucky State Democratic) MUR 2530
Central Executive Committee)
Richard Rankin, as treasurer)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Richard Rankin, treasurer of the Kentucky State Democratic Central Executive Committee.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with the Kentucky State Democratic Central Executive Committee and Richard Rankin, as treasurer.
2. Close the file as it pertains to this respondent.

89040730690

3. Approve the attached letter.

Lawrence M. Noble
General Counsel

11-3-88
Date

BY: Lois G. Lerner
Associate General Counsel *by LGL*

Attachments

- A. Conciliation Agreement
- B. Letter to Respondent

Staff Assigned: Frances B. Hagan

82040730691

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Kentucky State Democratic
Central Executive Committee
Richard Rankin, as treasurer

MUR 2530

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 9, 1988, the Commission decided by a vote of 6-0 to take the following actions in MUR 2530:

1. Accept the conciliation agreement with the Kentucky State Democratic Central Executive Committee and Richard Rankin, as treasurer, as recommended in the General Counsel's report signed November 3, 1988.
2. Close the file as it pertains to this respondent.
3. Approve the letter, as recommended in the General Counsel's report signed November 3, 1988.

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

Attest:

11-9-88

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Thurs., 11-3-88, 3:16
Circulated on 48 hour tally basis: Fri., 11-4-88, 12:00
Deadline for vote: Tues., 11-8-88, 4:00

89040730692



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 15, 1988

Laurel Garrett, Esquire
Greenebaum, Doll and McDonald
1400 Vine Center Tower
Lexington, Kentucky 40593-1637

RE: MUR 2530
Kentucky State Democratic
Central Executive Committee
Richard Rankin, as treasurer

Dear Ms. Garrett:

On November 9, 1988, the Federal Election Commission accepted the signed conciliation agreement submitted on your clients behalf in settlement of a violation of 2 U.S.C. §§ 441a(a)(2)(A), 441b and 433, and 11 C.F.R. § 102.5(a)(1)(i) provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to your clients. This matter will become a part of the public record within 30 days after it has been closed with respect to all other respondents involved. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any

89040730693

Laurel Garrett, Esquire
Page 2

questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel


BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

89040730694

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Kentucky State Democratic Central) MUR 2530
Executive Committee)
Richard Rankin, as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Kentucky State Democratic Central Executive Committee and Don Bobzien, as treasurer, ("Respondents") violated 2 U.S.C. §§ 441a(a)(2)(A), 441b and 433, and 11 C.F.R. § 102.5(a)(1)(i).

NOW, THEREFORE, the Commission and Respondents, having participated in informal methods of conciliation prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Respondent, Kentucky State Democratic Central Executive Committee, is a political committee within the meaning of 2 U.S.C. § 431(4).

80040730695

2. Respondent, Richard Rankin, is the treasurer of the respondent committee.

3. 2 U.S.C. § 441a(a)(5)(A) (and reiterated at 11 C.F.R. § 110.3(b)(2)(ii)) states that all contributions made by political committees established, financed, maintained, or controlled by a state party committee and its subordinate committees are presumed to be made by one political committee.

4. 2 U.S.C. § 441a(a)(2)(A) states that no multicandidate political committee shall make contributions to any authorized candidate committee which exceed \$5,000 per election.

5. Pursuant to 2 U.S.C. § 441a(a)(5)(A) and 11 C.F.R. § 110.3(b)(2)(ii), Respondents are presumed to be affiliated with the subordinate committee, the Campbell County Democratic Executive Committee.

6. Based on the presumption of the statute and regulations, affiliated party committees share a single contribution limit, in this case \$5,000 per election. (2 U.S.C. § 441a(a)(2)(A)).

7. Respondents, along with the affiliated Campbell County Democratic Executive Committee, contributed \$27,515 to the Mann for Congress Committee during the 1986 general election:

<u>Contributor</u>	<u>Amount</u>	<u>Date of Mann Committee Receipt</u>
Kentucky State Party	\$ 945	10-10-86
Committee	1,000	10-15-86
	9,000	10-28-86
	5,000	10-30-86
	7,500	10-31-86
	1,270	11-03-86
	<u>\$24,715</u>	

<u>Contributor</u>	<u>Amount</u>	<u>Date of Mann Committee Receipt</u>
Campbell Co. Committee	\$ 100	8-08-86
	1,000	8-28-86
	1,000	10-04-86
	700	10-06-86
	<u>\$2,800</u>	

The excessive amount is calculated as follows:

\$ 2,800	County Committee
24,715	State Party Committee
<u>\$27,515</u>	Total contribution
- 5,000	Contribution limit
<u>\$22,515</u>	Excessive amount contributed

8. 2 U.S.C. § 441b in part prohibits the making or knowing receipt of corporate or labor organization contributions.

9. 11 C.F.R. § 102.5(a)(1)(i) states in part that all disbursements, contributions, expenditures and transfers by the committee in connection with any federal election shall be made from its federal account. No transfers may be made to a federal account from any account maintained for the purpose of financing non-federal election activity.

10. Respondents made contributions of \$19,715 to the Mann for Congress Committee from a non-federal account containing funds prohibited by the Act.

11. 2 U.S.C. § 433 states in part that the statement of organization of a political committee shall include the name, address, relationship, and type of any connected organization or affiliated committee.

12. Respondents did not amend the statement of organization to reflect the affiliation with the Campbell County

89040730697

Democratic Executive Committee.

V. 1. Respondents made contributions of \$22,515 (excessive portion) in violation of 2 U.S.C. § 441a(a)(2)(A).

2. Respondents made prohibited contributions in violation of 2 U.S.C. § 441b.

3. Respondents made contributions in connection with a federal election from a non-federal account in violation of 11 C.F.R. § 102.5(a)(1)(i).

4. Respondents failed to amend the Statement of Organization to reflect the affiliation with the Campbell County Democratic Executive Committee in violation of 2 U.S.C. § 433.

VI. 1. Respondents will amend the Statement of Organization to reflect the affiliated subordinate committee.

2. Respondents will refund to the non-federal account the entire amount of contributions made to the Mann for Congress Committee from the non-federal account (\$19,715). Of this amount, Respondents have refunded \$10,945.

3. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Seven Thousand Five Hundred Dollars (\$7,500), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the

89040730698

District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than sixty (60) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

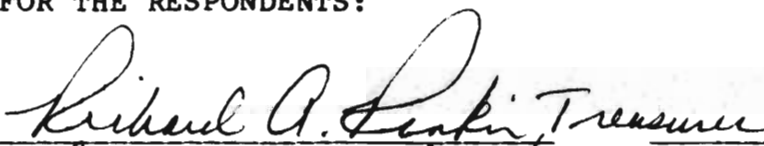
By:


Lois G. Lerner
Associate General Counsel

Date

11-14-88

FOR THE RESPONDENTS:


Richard A. Larkin, Treasurer
Ky Democratic Party

Date

10/11/88

89040730699

000-1125

RECEIVED
FEDERAL ELECTION COMMISSION

ADAMS, BROOKING, STEPNER, WOLTERMANN & DUSING

Attorneys and Counselors at Law

88 NOV 21 AM 9:53

CHARLES S. ADAMS
1906-1971
C. GORDON WALKER
1911-1987
JOHN R. S. BROOKING *
DONALD L. STEPNER
JAMES G. WOLTERMANN
GERALD F. DUSING
MICHAEL M. SKETCH *
DENNIS R. WILLIAMS
JAMES R. KRUE *
MARC D. DIETZ *
TIMOTHY M. RUTTLE *
KIMBERLY J. ADAMS
GREGORY S. SHUMATE
CHRISTINE M. VISSMAN

November 16, 1988

421 GARRARD STREET
P. O. BOX 861
COVINGTON, KENTUCKY 40012-0861
AREA CODE 606-291-7270
—
8100 BURLINGTON PIKE-SUITE 400
P. O. BOX 576
FLORENCE, KENTUCKY 41042-0576
AREA CODE 606-371-6220
*ALSO ADMITTED IN OHIO

PLEASE REPLY TO:

FLORENCE

Federal Election Commission
Washington, D.C. 20463
ATTN: George F. Rishel
Assistant General Counsel

RE: MUR 2530
Mann for Congress Committee
Terry L. Mann, as treasurer

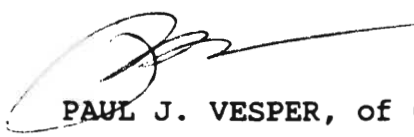
Dear Mr. Rishel:

Thank you for your patience in the above matter. Please find enclosed the Agreement which has been discussed with Fran Hag~~a~~n with the corrections indicated as far as the dates are concerned.

Should you have any questions, give me a call.

Sincerely,

ADAMS, BROOKING, STEPNER,
WOLTERMANN & DUSING


PAUL J. VESPER, of Counsel

PJV/nck
Enclosure

88 NOV 21 PM 12:33

FEDERAL ELECTION COMMISSION

CLOSED

RECEIVED
FEDERAL ELECTION COMMISSION

88 DEC 12 AM 9:26

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of

Mann for Congress Committee
Terry L. Mann, as treasurer

)
) MUR 2530
)
)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed
by Terry L. Mann, treasurer of the Mann for Congress Committee.

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II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with the Mann for Congress Committee and Terry L. Mann, as treasurer.
2. Close the file.
3. Approve the attached letters.

Lawrence M. Noble
General Counsel

12-9-88
Date

BY:

Lois G. Lerner
Associate General Counsel

Attachments

- A. Conciliation Agreement
- B. Letters to Respondents (3)

Staff Assigned: Frances B. Hagan

89040730703

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Mann for Congress Committee)
Terry L. Mann, as treasurer)

MUR 2530

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 14, 1988, the Commission decided by a vote of 4-0 to take the following actions in MUR 2530:

1. Accept the conciliation agreement with the Mann for Congress Committee and Terry L. Mann, as treasurer, as recommended in the General Counsel's report signed December 9, 1988.
2. Close the file.
3. Approve the letters, as recommended in the General Counsel's report signed December 9, 1988.

Commissioners Aikens, Elliott, McDonald and McGarry voted affirmatively for the decision;
Commissioners Josefiak and Thomas did not vote.

Attest:

December 14, 1988

Date

Hilda Arnold

for Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Mon., 12-12-88, 9:26
Circulated on 48 hour tally basis: Mon., 12-12-88, 11:00
Deadline for vote: Wed., 12-14-88, 11:00

89040730704



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 20, 1988

Paul J. Vesper, Esquire
P.O. Box 989
Covington, Kentucky 41012-0989

RE: MUR 2530
Mann for Congress Committee
Terry L. Mann, as treasurer

Dear Mr. Vesper:

On December 14, 1988, the Federal Election Commission accepted the signed conciliation agreement in settlement of violations of 2 U.S.C. §§ 441a(f), 441b, and 434(b)(2)(C), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter. This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

89040730705

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Mann for Congress Committee) MUR 2530
Terry L. Mann, as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Mann for Congress Committee and William McBee, as treasurer ("Respondents") violated 2 U.S.C. §§ 441a(f), 441b and 434(b)(2)(C).

NOW, THEREFORE, the Commission and Respondents, having participated in informal methods of conciliation prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Respondent, the Mann for Congress Committee, is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Respondent, Terry L. Mann, is the treasurer of the respondent committee.

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3. 2 U.S.C. § 441a(a)(1)(A) states that no person shall make contributions to any authorized candidate committee which exceed \$1,000 per election. 2 U.S.C. § 441a(a)(2)(A) states that no multicandidate political committee shall make contributions to any authorized candidate committee which exceed \$5,000 per election. 2 U.S.C. § 441a(f) prohibits the knowing acceptance of contributions under this section.

4. 11 C.F.R. § 110.3(b)(2)(ii) states that all contributions made by political committees established, financed, maintained, or controlled by a state party committee and its subordinate committees are presumed to be made by one political committee.

5. Respondents received excessive contributions totaling \$17,746 (excessive portion) from two affiliated party committees and an individual for the 1986 general election as follows:

<u>Contributor</u>	<u>Amount</u>	<u>Date of Mann Committee Receipt</u>
Campbell Co. Democratic	\$ 100	8-08-86
Executive Committee	1,000	8-28-86
	1,000	10-04-86
	700	10-06-86
	<u>\$2,800</u>	
Kentucky State Democratic	\$ 945	10-10-86
Central Executive	1,000	10-15-86
Committee	9,000	10-28-86
	7,500	10-31-86
	1,270	11-03-86
	<u>\$19,715</u>	

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<u>Contributor</u>	<u>Amount</u>	<u>Date of Mann Committee Receipt</u>
Paul J. Vesper	\$1,000	3-31-86
	231 (in-kind)	6-27-86
	<u>\$1,231</u>	

The party committees' excessive amount is calculated as follows:

\$ 2,800	County Committee
+ 19,715	State Party Committee
<u>\$22,515</u>	Total from Party Committees
- 5,000	Contribution limit
<u>\$17,515</u>	Excessive amount from Party Committees
+ 231	Excessive from individual
<u>\$17,746</u>	Total excessives

6. 2 U.S.C. § 441b in part prohibits the making or knowing receipt of corporate or labor organization contributions.

7. Respondents received contributions of \$19,715 from the non-federal account of the Kentucky State Democratic Central Executive Committee. Kentucky state law allows unlimited labor organization contributions in connection with state elections.

8. 2 U.S.C § 434(b) (2) (C) requires reporting of the total amount of receipts from political party committees.

9. The Kentucky State Democratic Central Executive Committee reported a contribution of \$5,000 dated October 30, 1986, to the Respondents. Respondents did not disclose this contribution, and contend that the contribution was never received.

V. 1. Respondents knowingly accepted excessive contributions in violation of 2 U.S.C. § 441a(f).

2. Respondents knowingly received contributions from the non-federal account of the Kentucky State Democratic Central Executive Committee in violation of 2 U.S.C. § 441b.

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3. Respondents failed to disclose a contribution from a political party committee in violation of 2 U.S.C. § 434(b)(2)(C). Respondents contend that the \$5,000 contribution noted at Section IV.9 was never received.

4. Respondents contend that the violations were not knowing and willful.

VI. 1. Respondents will refund the excessive portion of contributions totaling \$14,715 to the Kentucky State Democratic Central Executive Committee to be paid as follows:

a. One initial payment of \$2,715 due on January 1, 1989;

b. Thereafter, beginning on February 1, 1989, consecutive monthly installment payments of \$2,000 each.

2. Respondents will refund the excessive portion of contributions totaling \$2,800 to the Campbell County Democratic Executive Committee to be paid in consecutive monthly installment payments of \$400 each, beginning on January 1, 1989.

3. Respondents will refund the excessive portion of contributions totaling \$231 to Paul J. Vesper on January 1, 1989.

4. Respondents will reflect all refunds on Reports of Receipts and Disbursements.

VII. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Five Thousand Dollars (\$5,000), pursuant to 2 U.S.C. § 437g(a)(5)(A), such penalty to be paid as follows:

1. One initial payment of \$800 due on January 1, 1989;

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2. Thereafter, beginning on February 1, 1989, consecutive monthly installment payments of \$700 each;

3. Each such installment shall be paid on the first day of the month in which it becomes due;

4. In the event that any installment payment is not received by the Commission by the fifth day of the month in which it becomes due, the Commission may, at its discretion, accelerate the remaining payments and cause the entire amount to become due upon ten days written notice to the respondents. Failure by the Commission to accelerate the payments with regard to any overdue installment shall not be construed as a waiver of its right to do so with regard to future overdue installments.

VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

IX. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

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X . This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

By:

Lois G. Lerner
Lois G. Lerner
Associate General Counsel

Date

12-19-88

FOR THE RESPONDENTS:

Terry R. Mann

Date

11-14-88

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 20, 1988

Michael W. Kehoe, Treasurer
Campbell County Democratic
Executive Committee
135 Highland Avenue
Fort Thomas, Kentucky 41075

RE: MUR 2530
Campbell County Democratic
Executive Committee
Michael W. Kehoe, as treasurer

Dear Mr. Kehoe:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

A handwritten signature in dark ink, appearing to be "L. Lerner", is written over the typed name of Lois G. Lerner.

BY: Lois G. Lerner
Associate General Counsel

82040730712



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 20, 1988

Laurel Garrett, Esquire
Greenebaum, Doll and McDonald
1400 Vine Center Tower
Lexington, Kentucky 40593-1637

RE: MUR 2530
Kentucky State Democratic
Central Executive Committee
Richard Rankin, as treasurer

Dear Ms. Garrett:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

87040730713



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2530²

DATE FILMED 1/6/89 CAMERA NO. 4

CAMERAMAN AS

89040730714



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

R02-16-89

THE FOLLOWING MATERIAL IS BEING ADDED TO THE FILE IN

MUR 2530

8 9 0 4 0 7 3 5 7 4

HAND DELIVERED
FEDERAL ELECTION COMMISSION
MAIL ROOM

06C 166 5

Kentucky Democratic Party

89 JAN 17 PM 2:29

Bill Patrick
Chairman

January 13, 1989

Frances B. Hagan
Federal Election Commission
999 E Street N.W.
Washington, D.C. 20463

Dear Ms. Hagan,

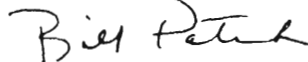
Pursuant to the Conciliation Agreement in the matter of Kentucky State Central Executive Committee MUR 2530 dated November 14, 1988, please find enclosed a check in the amount of \$7,500 for the assessed penalty.

In addition, on September 21, 1988 the amount of \$8,770 was transferred to the general non-federal account of the Kentucky State Central Executive Committee.

Mr. Richard Rankin will forward under separate cover an amended organization statement to reflect the Campbell County Democratic Executive Committee as an affiliated subordinate committee.

If you have any questions concerning this matter, please let me know.

Sincerely,



Bill Patrick, Chairman
Kentucky Democratic Party

Millville Road
Box 694
Frankfort, Kentucky 40602
502/695-4828

89 JAN 19 AM 10:59

8 9 0 9 0 2 3 4 5 6 7 8



CLOSED

KENTUCKY DEMOCRATIC PARTY
GENERAL FUND
P.O. BOX 694
FRANKFORT KENTUCKY 40602



DATE	INVOICE	AMOUNT

72 81 839

6944

PAY Seven Thousand Five Hundred Dollars & 10/100 DOLLARS

CHECK NO.	IN THE ORDER OF	DATE	DESCRIPTION	CASH AMOUNT
6944	Federal Election Commission	1-13-89	MUR 2530	7500.00

KENTUCKY DEMOCRATIC PARTY
GENERAL FUND

Art Hains
Bill Hains

FARMERS BANK & CAPITAL TRUST CO
FRANKFORT KENTUCKY 40601

⑈006944⑈ ⑆083900619⑆ 1? 1473 2⑈

OGC 11-05

MEMORANDUM

TO: DEBRA A. TRIMIEW TO: CECILIA LIEBER

FROM: CECILIA LIEBER FROM: DEBRA A. TRIMIEW

CHECK NO. 6944 { A COPY OF WHICH IS ATTACHED } RELATING TO

MUR 2530 AND NAME Kentucky State Democratic Central Executive Inte
(Hagan)
WAS RECIEVED ON 1/19/89. PLEASE INDICATE THE ACCOUNT INTO
WHICH IT SHOULD BE DEPOSITED:

/ / BUDGET CLEARING ACCOUNT { 95F3875.16 }

/ ✓ / CIVIL PENALTIES ACCOUNT { 95-1099.160 }

/ / OTHER _____

SIGNATURE Debra A. Trimiew DATE 1/19/89



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THE FOLLOWING MATERIAL IS BEING ADDED TO THE
PUBLIC RECORD IN (CLOSED) MUR 2530

89040772722



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

October 31, 1989

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Terry L. Mann, Treasurer
Mann for Congress Committee
19 Douglas Drive
Newport, Kentucky 41071

RE: MUR 2-3
Mann for Congress Committee
Terry L. Mann, as Treasurer

CLOSED

Dear Mr. Mann:

On December 14, 1988, the Federal Election Commission and the Mann for Congress Committee ("Committee") and you, as treasurer, entered into a conciliation agreement in settlement of violations of 2 U.S.C. §§ 441a(f), 441b, and 434(b)(2)(C), provisions of the Federal Election Campaign Act of 1971, as amended. Pursuant to Sections VI and VII of that agreement, you agreed to the following:

- (1) refund excessive contributions of \$14,715 to the Kentucky State Democratic Central Executive Committee;
- (2) refund excessive contributions of \$2,800 to the Campbell County Democratic Executive Committee;
- (3) refund \$231 to an individual; and
- (4) pay a civil penalty of \$5,000 to the FEC.

Each of these payments was to be made in installments beginning on January 1, 1989, and ending on July 1, 1989. Payments were to be reflected on FEC disclosure reports.

According to Commission records, the Commission has not received payment of the civil penalty or evidence of refunded excessive contributions. Please be advised that, pursuant to 2 U.S.C. § 437g(a)(5)(D), violation of any provision of the conciliation agreement may result in the institution of a civil suit for relief in the United States District Court. Unless we receive the payment from you in five days, along with evidence of the required refunds, this Office will recommend that the Commission file suit to remedy this violation.

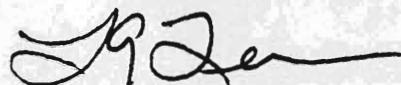
99040738723

Terry L. Mann, Treasurer
Page 2

Should you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

800407224



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THE FOLLOWING DOCUMENTATION IS ADDED TO
THE PUBLIC RECORD IN CLOSED MUR 2530.

90040703847

90 FEB -6 AM 11:21

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

FEB 13 1990

In the Matter of)
) MUR 2530
Mann for Congress Committee)
Terry L. Mann, as treasurer)
)

EXECUTIVE SESSION

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On December 14, 1988, the Federal Election Commission and the Mann for Congress Committee ("Committee") and Terry Mann, as treasurer, entered into a conciliation agreement in settlement of violations of 2 U.S.C. §§ 441a(f), 441b, and 434(b)(2)(C).

Pursuant to Sections VI and VII of that agreement, respondents agreed to the following:

- (1) refund excessive contributions of \$14,715 to the Kentucky State Democratic Central Executive Committee;
- (2) refund excessive contributions of \$2,800 to the Campbell County Democratic Executive Committee;
- (3) refund \$231 to an individual; and
- (4) pay a civil penalty of \$5,000 to the FEC.

Each of these payments was to be made in installments beginning on January 1, 1989, and ending on July 1, 1989. Payments were to be reflected on FEC disclosure reports.

Respondents have not paid the civil penalty or provided evidence of refunded excessive contributions. Respondents received notice in November 1989, that pursuant to 2 U.S.C. § 437g(a)(5)(D), violation of any provision of the conciliation agreement could result in the institution of a civil suit. The

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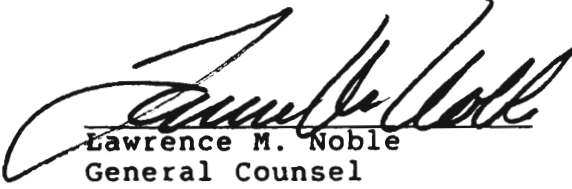
candidate/treasurer responded by telephone that he wanted to make the required payments, and had refunded \$231 to the individual. However, Mr. Mann has not provided evidence of any efforts to comply with the conciliation agreement, nor has he responded in writing. Therefore, based on respondents' failure to comply with the conciliation agreement, the Office of the General recommends that the Commission authorize civil suit in this matter.

II. RECOMMENDATIONS

1. Authorize the Office of the General Counsel to file a civil suit for relief in United States District Court against the Mann for Congress Committee and Terry L. Mann, as treasurer.
2. Approve the attached letter.

90040703849
Date

2/5/90


Lawrence M. Noble
General Counsel

Attachment
Letter

Staff Assigned: Frances B. Hagan

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Mann for Congress Committee
Terry L. Mann, as treasurer

)
) MUR 2530
)
)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on February 13, 1990, do hereby certify that the Commission decided by a vote of 4-0 to take the following actions in MUR 2530:

1. Authorize the Office of the General Counsel to file a civil suit for relief in United States District Court against the Mann for Congress Committee and Terry L. Mann, as treasurer.
2. Approve the letter attached to the General Counsel's report dated February 5, 1990.

Commissioners Elliott, Josefiak, McGarry, and Thomas voted affirmatively for the decision; Commissioners Aikens and McDonald were not present at the time of the vote.

Attest:

2-13-90
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

0009566
CLOSED

February 15, 1990

Terry L. Mann, Treasurer
Mann for Congress Committee
19 Douglas Drive
Newport, Kentucky 41071

RE: MUR 2530
Mann for Congress Committee
Terry L. Mann, as treasurer

Dear Mr. Mann:

You were previously notified that on December 14, 1988, the Federal Election Commission accepted the conciliation agreement you signed in settlement of the above-referenced matter.

Because the Committee and you, as treasurer, failed to pay the civil penalty, make refunds as required, and reflect such payments on FEC disclosure reports, the Committee has not complied with Sections VI and VII of the agreement. Therefore, the Commission has authorized the General Counsel to institute a civil action for relief in the United States District Court.

Should you have any questions, or should you wish to settle this matter prior to suit, please contact Richard B. Bader, Associate General Counsel, at (202) 376-5690, within five days of your receipt of this letter.

Sincerely,

Lawrence M. Noble
Lawrence M. Noble
General Counsel

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000 5514

ADAMS, BROOKING, STEPNER, WOLTERMANN & DUSING

Attorneys and Counselors at Law

CLOSED

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1911-1967

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February 22, 1990

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*ALSO ADMITTED IN OHIO

PLEASE REPLY TO:

FLORENCE

Lawrence M. Noble, Esq.
General Counsel
Federal Election Commission
Washington, D.C. 20463

ATTN: Lois G. Lerner, Associate General Counsel

RE: MUR 2530
Mann for Congress Committee
Terry L. Mann, as treasurer

Dear Ms. Lerner:

Could you please contact my office on the above matter? We would like to offer a proposal to resolve this matter and need to initiate contact with you for that.

Sincerely,

ADAMS, BROOKING, STEPNER,
WOLTERMANN & DUSING


PAUL J. VESPER
Of Counsel

PJV/erh
cc: Terry Mann

90 FEB 26 PM 2:50

90 FEB 26 AM 10:01