FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

THIS IS THE BEGINNING OF MUR # 3121/3086/2999

DATE FILMED 12-1-93 CAMERA NO. 2

CAMERAMAN JMH

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MUR 2999

COMPLAINT - OCTOBER 30, 1989

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MUR 2999

Senator John McCain

WASHINGTON, D.C. 20510

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT
89 OCT 30 PM 2:41

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 OCT 30 AM 4:59

October 30, 1989

The Honorable Danny L. McDonald
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Dear Mr. Chairman:

Recently, questions have been raised in published news accounts and by the Washington lobbying organization, Common Cause, about certain contributions made to my campaigns for the United States House of Representatives in 1982 and 1984 and my United States Senate campaign of 1986. The contributions in question are from individuals associated with American Continental Corporation of Phoenix, Arizona, its subsidiary, Lincoln Savings and Loan Association of Irvine, California, and other subsidiaries. Representatives of my campaign committees assure me that on their face these contributions comply with federal election law and have been fully disclosed on reports filed with the Commission. If these contributions resulted from illegal activities of the corporations who employed these contributors, it is not evident in the committees' records or on publicly available information. However, I am concerned that the factual basis of these allegations involving potentially illegal action by corporations and contributors be reviewed as rapidly as possible. The public, and my campaign committees which accepted these contributions in good faith, deserve to know the answer to these questions.

The Federal Election Commission is empowered to conduct investigations and enforce the provisions of the Federal Election Campaign Act. Pursuant to 2 U.S.C. section 437g, I hereby request an investigation by the FEC to confirm that these contributions complied with the Act. If the results of your investigation indicate any illegal contributions, my campaign committees will promptly refund any donation to the appropriate person.

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As the basis for the questions being raised, I enclose and make a part of this complaint, a copy of a letter from Common Cause to the Select Committee on Ethics.

The above is true and accurate to the best of my personal knowledge.

Sincerely,

John McCain
United States Senator

Enclosure

Subscribed and sworn to before me this 30th day of October, 1989.

Notary Public

NOTARY PUBLIC
DISTRICT OF COLUMBIA

My Commission Expires:

MY COMMISSION EXPIRES JANUARY 31, 1994

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Senator John McCain

WASHINGTON, D.C. 20510

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT
89 OCT 30 PM 3:51

October 30, 1989

The Honorable Danny L. McDonald
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Dear Mr. Chairman:

Earlier today I sent you the attached letter. Due to an oversight, the enclosure to my letter was omitted. I am enclosing now a copy of the letter from Common Cause to the Select Committee on Ethics.

Sincerely,

John McCain
United States Senator

JM/vp

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NOT PRINTED AT GOVERNMENT EXPENSE

common cause
2030 M STREET, N.W. WASHINGTON, D.C. 20036 (202) 833-1200 FAX: 659-3716

Archibald Cox
Chairman

Fred Wertheimer
President

John W. Gardner
Founding Chairman

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT
89 OCT 30 PM 3:52

October 13, 1989

The Honorable Howell Heflin
Chairman
Select Committee on Ethics
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

We are writing to urge the Senate Ethics Committee to conduct an investigation into whether activities undertaken in behalf of Charles H. Keating, Jr. and his company, Lincoln Savings and Loan Association (Lincoln), by Senators Alan Cranston (D-CA), Dennis DeConcini (D-AZ), John Glenn (D-OH), John McCain (R-AZ), and Don Riegle (D-MI) have violated Senate ethics rules and standards.

Under the Standing Orders of the Senate, the Ethics Committee has authority to "investigate allegations of improper conduct which may reflect upon the Senate, violations of law, violations of the Senate Code of Official Conduct, and violations of rules and regulations of the Senate." Given the circumstances in this matter, including the fact that five U.S. Senators are involved, we believe it is essential for the Ethics Committee to retain an outside counsel to conduct this investigation. The use of outside counsel in matters such as this helps to ensure that the results of the inquiry are credible to and accepted by the public.

The Standing Orders provide that an investigation by the Senate Ethics Committee shall be conducted by outside counsel unless the Committee makes the determination not to use one.

According to published reports, the five Senators intervened as a group in April 1987 in behalf of Mr. Keating in a regulatory case involving alleged violations by a specific company, Lincoln Savings and Loan Association. Two of these Senators, Senators Cranston and DeConcini, intervened again in behalf of Lincoln in March and April 1989.

The five Senators received the benefit of substantial corporate donations, significant gifts, and/or large campaign contributions from Mr. Keating, his family and other associates, and his company. These included corporate donations of $850,000 to three private organizations founded or controlled by Senator Cranston; corporate donations of $200,000 to a political committee controlled by Senator Glenn; corporate gifts valued at $13,433 to Senator McCain and his family; campaign contributions organized and channeled by Mr. Keat-

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ing of $47,000 to Senator Cranston, $55,000 to Senator DeConcini, $34,000 to Senator Glenn, $112,000 to Senator McCain, and $76,100 to Senator Riegle; and $85,000 in corporate donations to the California Democratic Party for a 1986 get-out-the-vote drive which benefited Senator Cranston.

All but the corporate donations to Senator Cranston were received prior to the April 1987 intervention with the Federal Home Loan Bank Board (FHLBB) by the five Senators on behalf of Mr. Keating. The corporate donations solicited by Senator Cranston were received after his first intervention and prior to his intervention in March and April 1989.

According to an April 18, 1989 article in The Wall Street Journal, Mr. Keating said: "One question, among the many raised in recent weeks, had to do with whether my financial support in any way influenced several political figures to take up my cause. I want to say in the most forceful way I can: I certainly hope so."

Four of the Senators, Senators Cranston, DeConcini, Glenn and McCain, met with FHLBB Chairman Edwin Gray on April 2, 1987 "to see if Mr. Gray could do something to loosen the direct-investment requirements, call off the examiners in San Francisco and avoid disciplinary action against Lincoln," according to a July 9, 1989 article in The New York Times.

One week later, on April 9, the four Senators and Senator Riegle met with the FHLBB's San Francisco examiners. During the meeting, according to a September 28, 1987 article in the National Thrift News, the examiners were asked to grant forbearance to Lincoln and they were "pressed ... to be 'fair' to the thrift." The Washington Post reported on May 15, 1988 that, according to notes taken during the April 9, 1987 meeting by the general counsel from the San Francisco office, the Senators "press[ed] the officials to bring their unprecedented two-year-long investigation of Lincoln Savings to a close."

On April 14, 1989, Lincoln was seized by the Federal Home Loan Bank Board. The cost to taxpayers resulting from the failure of Lincoln Savings and Loan Association, the company on whose behalf the five Senators intervened in 1987, is estimated to be $2.5 billion. Approximately $1.3 billion of that total cost to taxpayers is estimated to be due to the two-year delay in taking over Lincoln after the San Francisco examiners first recommended it be seized.

The ethics rules and standards which may have been violated in this case include:

-- The provision of the Code of Ethics for Government Service that prohibits a Member of Congress from accepting "for himself or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties;"

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-- The provision of the Code of Ethics for Government Service that a Member of Congress should "[n]ever discriminate unfairly by the dispensing of special favors or privileges to anyone;" and

-- The general standard prohibiting "improper conduct which may reflect upon the Senate."

The facts and circumstances of this matter, set forth later in detail, raise the question whether the ethics rules and standards cited above are violated in the following circumstances:

-- When a Senator intervenes in a case involving the investigation of alleged violations by a specific company on behalf of an individual who owns the company and who has provided significant gifts to the benefit of the Senator and his family.

-- When a Senator intervenes in a case involving the investigation of alleged violations by a specific company on behalf of an individual who owns the company and who, to the knowledge of the Senator, has provided substantial corporate donations to an organization founded and/or controlled by the Senator.

-- When a Senator solicits and receives substantial corporate donations for organizations he founded and/or controlled from an individual on whose behalf he has recently intervened in a case involving the investigation of alleged violations by a specific company.

-- When a number of Senators jointly intervene in a case involving the investigation of alleged violations by a specific company on behalf of an individual who owns the company and who has organized and channeled large campaign contributions to the Senators, creating the appearance and the reality of pressure on the regulatory agency.

Set forth below is a more detailed statement of the publicly reported facts in this case.

I. LINCOLN SAVINGS AND LOAN ASSOCIATION

To understand the events involving the five Senators, it is important to know about the activities of Lincoln Savings and Loan Association and of Mr. Keating, on behalf of his company.

Mr. Keating, a resident of Phoenix, Arizona, is chairman and principal shareholder of the American Continental Corporation (ACC), incorporated in Ohio. In 1984, American Continental Corporation purchased the Lincoln Savings and Loan Association of Irvine, California. Under Mr. Keating's ownership, the state-chartered, federally insured savings and loan became, according to a May 25, 1987 New York Times article, "one of the most prominent examples of

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a new and controversial breed of savings and loan institution" and a leading proponent of "direct investments." According to the article, this new breed of savings and loan institutions downplayed the traditional role of home lending to underwrite riskier and potentially more lucrative speculative investments, such as buying into real estate development.

In January 1985, the FHLBB issued regulations, effective in March, limiting such direct investments by savings and loans. The regulations reflected the FHLBB's concern about federally insured deposits being exposed to the high risks of the new direct investments strategies.

In March 1986, the FHLBB's San Francisco office initiated an investigation of Lincoln. On October 31, 1986, the examiners concluded that Lincoln had serious deficiencies in its underwriting, appraisal and documentation practices. The examiners "identified $135 million in losses based on current appraisals, direct investments accounted for as loans, improperly capitalizing interest, false profits recognized on loan swaps, geographic and single-borrower concentrations in land and land investments, excess direct investments of $600 million and numerous [other] violations," according to field hearings conducted by the House Committee on Banking, Finance and Urban Affairs on January 12 and 13, 1989.

In December 1986, the FHLBB in Washington authorized the San Francisco examiners to pursue a still broader investigation of Lincoln's operations and of the institution's possible violations of applicable regulations and statutes.

In February 1987, the FHLBB informed the Securities and Exchange Commission (SEC) of various security transactions by Lincoln and/or its subsidiaries. The SEC notified Lincoln that it intended to perform a full-scale investigation of American Continental Corporation and Lincoln.

II. SENATORS' RECEIPT OF CAMPAIGN CONTRIBUTIONS AND FINANCIAL FAVORS

During this period, Mr. Keating, according to his own statement, carried out a program to use corporate donations, gifts and campaign contributions to influence Members of Congress "to take up my cause." The Wall Street Journal, April 18, 1989.

The five Senators received the benefit of substantial corporate donations, significant gifts and/or large campaign contributions from Mr. Keating, his family and associates, and his company, as stated below:

[1] Each of the five Senators received large sums of campaign money organized by Mr. Keating, including: Senator Cranston, $47,000; Senator DeConcini, $55,000; Senator Glenn, $34,000; Senator McCain, $112,000; and Senator Riegle, $76,100. These campaign con-

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tributions were made during the period from 1984 to March 1987, except for some of the contributions to Senator McCain which were provided for his 1982 House race.

Under federal law, an individual can give up to $1,000 in a primary and $1,000 in a general election to a candidate for the U.S. Senate. This was not a situation, however, where a Senator received a $1,000 or $2,000 contribution from an individual. Rather, each of the Senators was the beneficiary of tens of thousands of dollars in campaign contributions that were organized and channeled to them by Mr. Keating and his associates. The Los Angeles Times, for example, has reported that 51 contributions were made on the same day, March 17, 1986, to Senator McCain by Mr. Keating, members of his family and his associates. The Los Angeles Times has also reported that a March 23, 1987 fundraiser for Senator Riegle netted 86 contributions from Keating and his associates.

[2] Senator Cranston solicited from Mr. Keating and received $850,000 in corporate donations for three private organizations founded or controlled by the Senator. The three organizations, which were engaged in voter registration activities, included the Center for Participation in Democracy, reportedly headed by Senator Cranston's son, Kim Cranston, which received $400,000; the Forum Institute, which received $325,000; and USA Votes, a committee of New Dimension Resources, which received $125,000. The donations solicited by Senator Cranston were received in late 1987 and early 1988. According to an August 10, 1989 article in the San Francisco Chronicle, the Center for Participation in Democracy, which was granted tax-exempt status for nonpartisan activities, was "devoted to registering Democrats and boosting Democratic candidates, according to several former employees."

Mr. Keating, a conservative Republican, also gave $85,000 in corporate donations to the California Democratic Party for a 1986 get-out-the-vote drive. Senator Cranston, according to a July 16, 1989 article in the Los Angeles Daily News, attributed his narrow 1986 Senate reelection victory to the get-out-the-vote effort.

[3] Senator Glenn received the benefit of $200,000 in corporate donations provided by Mr. Keating to the National Council on Public Policy, a political committee controlled by Senator Glenn. The contributions were made in August 1985 and February 1986. Under federal law, these corporate funds could not be used by Senator Glenn for his own campaign activities or given to other candidates for federal office. The $200,000 in corporate donations, according to a July 23, 1989 article in The (Cleveland) Plain Dealer, constituted most of the committee's income. As to expenditures, according to the article, "only $24,000 went for public events or as contributions to state and local candidates. The rest was spent on overhead, and the fees of consultants and lawyers."

According to The Plain Dealer, approximately $43,000 of the National Council on Public Policy's funds was used during 1987 to pay

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for expenses of Senator Glenn's presidential and senatorial campaign committees, "an apparent violation of federal election law." These funds were repaid in May 1988 to the National Council on Public Policy by Senator Glenn's campaign committees.

[4] Senator McCain and his family received the benefit of corporate gifts provided by Mr. Keating valued at $13,433. According to an October 8, 1989 article in The Arizona Republic, then-Representative McCain, his wife, and sometimes his daughter and babysitter, made at least nine trips at Keating's expense from August 1984 to August 1986 aboard either American Continental Corporation's jet or chartered airplanes and helicopters owned by Resorts International. According to The Republic, "three of the trips were for vacations at Keating's luxurious retreat in the Bahamas."

According to The Arizona Republic, Senator McCain wrote the House and Senate Ethics Committee on June 30, 1989 saying, "he had failed to make timely reimbursements and to disclose the gifts on his financial disclosure statements." According to The Republic, Senator McCain recently reimbursed American Continental Corporation $13,433 for the travel, making three payments starting in May 1989.

Mr. Keating also organized campaign contributions for other elected officials and made major lobbying expenditures in behalf of Lincoln during this period.

On September 15, 1989, a U.S. Government agency (the Resolution Trust Corporation) brought a $1.1 billion civil fraud and racketeering suit against Mr. Keating, his family members and business associates. Among the charges in the suit are that Mr. Keating diverted funds from Lincoln to "fund the personal, political and charitable convictions" of Keating.

III. SENATORS' INTERVENTION ON BEHALF OF LINCOLN

Four months after the Federal Home Loan Bank Board in Washington authorized the FHLBB's San Francisco examiners to conduct a broader investigation of Lincoln, Senator DeConcini summoned FHLBB Chairman Gray to come to a meeting on Capitol Hill on April 2, 1987. Chairman Gray was directed to come alone to the meeting, according to Gray. He was met by Senators DeConcini, Cranston, Glenn and McCain, according an August 20, 1989 article in the Los Angeles Times.

The purpose of the April 2, 1987 meeting was "to see if Mr. Gray could do something to loosen the direct-investment requirements, call off the examiners in San Francisco and avoid disciplinary action against Lincoln," according to a July 9, 1989 article in The New York Times.

Senator Cranston recently acknowledged that he and the three other Senators "may well have" quizzed Chairman Gray about the direct investment regulation at the April 2, 1987 meeting, according

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to an October 3, 1989 article in the San Francisco Chronicle.

"I had never been asked until this meeting with [the four Senators] -- by any United States senator -- to withdraw a regulation for any reason," Mr. Gray later wrote to Senator McCain, "particularly on behalf of a friend, and especially in the privacy of a senatorial office."

For Keating, "hundreds of millions of dollars -- maybe even his entire empire" hinged on the repeal of the direct investment regulation, according to the July 1987 issue of Regardie's magazine.

On April 9, 1987, a week after they met with Chairman Gray, the Senators brought four top officials from the San Francisco office of the FHLBB to another Capitol Hill meeting on the Lincoln matter. The officials included the president and principal supervisory agent, the director of agency functions, the general counsel and the supervisory agent assigned to Lincoln. Senator Riegle attended this meeting in addition to the four other Senators.

During the meeting, according to a September 28, 1987 article in the National Thrift News, the examiners were asked to grant forbearance to Lincoln and they were "pressed ... to be 'fair' to the thrift." The Washington Post reported on May 15, 1988 that, according to notes taken during the April 9, 1987 meeting by the general counsel from the San Francisco office, the Senators "press[ed] the officials to bring their unprecedented two-year-long investigation of Lincoln Savings to a close."

The joint intervention of five Senators into a case involving alleged violations by a specific company appears to be an extraordinary action.

According to a September 28, 1987 article in the National Thrift News, "eight former regulators said contacts by even one Senator on an institution's behalf are rare." One former FHLBB member was quoted as saying, "In fact, we almost never heard from a Senator." The former FHLBB member also said it would be "unheard of for a member of the Senate to be involved in the regulatory process at all."

According to a February 28, 1988 article in The Detroit News, a California bank official familiar with the investigation stated, "In all the years I've been in banking and in bank regulation, I have never heard of powerful congressmen getting involved the way they did with the (Lincoln) examination. Unusual? Damn right." According to a May 30, 1989 article in the Los Angeles Times, "Never before, top regulators say, had they seen an S&L owner who had enough political pull to get five U.S. senators to meet with federal examiners about a problem."

On May 1, 1987, the San Francisco FHLBB examiners recommended that a conservator or receiver be appointed to take over Lincoln.

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The recommendation was not implemented by the FHLBB. On April 24, 1987, President Reagan announced the nomination of M. Danny Wall, minority staff director of the Senate Banking Committee and formerly its staff director, to replace Edwin Gray, whose term as Chairman of the FHLBB was to expire on June 30, 1987. Thus, Chairman Gray was a lame duck at the time the San Francisco examiners made their recommendation.

For almost two years after he became Chairman, Mr. Wall did not act to implement the recommended takeover of Lincoln, despite further recommendations that this step be taken. On April 14, 1989, the day after Mr. Keating had placed American Continental Corporation, whose principal asset was Lincoln, in bankruptcy proceedings, Lincoln was finally seized by the FHLBB.

To understand the significance of the second interventions on behalf of Mr. Keating with the FHLBB by Senators Cranston and DeConcini in March and April of 1989, it is necessary to summarize some of the intervening events.

In September 1987, representatives of Lincoln met with Chairman Wall. After the September meeting, Chairman Wall appointed the Bank Board's Executive Director of Regulatory Policy, Oversight and Supervision (ORPOS) to personally investigate the issues involving Lincoln and resolve the matter, according to field hearings of the House Committee on Banking, Finance and Urban Affairs on January 12 and 13, 1989.

In December 1987, the Executive Director's study concurred in principle with the San Francisco examiners' findings, calling Lincoln an "excessive risk," and recommended that Lincoln be taken over, according to the House Banking Committee field hearings. Despite the fact that Chairman Wall had initiated the study, he failed to act upon its recommendation to take over Lincoln.

In May 1988, Chairman Wall took a highly unusual action. He joined with FHLBB member Roger F. Martin in voting to transfer supervisory and examination authority over Lincoln away from the San Francisco office and move it to Washington. This was "the first time that oversight authority of a federally insured lending institution [had] been transferred amid allegations of wrongdoing," according to a May 24, 1988 article in The Washington Post.

A June 10, 1988 Washington Post story quoted a government source as saying that the May decision "undermines the integrity and the perception of the integrity of the supervisory process. It will encourage [banks and S&Ls] to say 'Let's make big contributions to politicians and maybe if we do we can buy our way out of the grasp of a tough regulator.'"

While there is no known public record linking any of the five Senators to Chairman Wall from the time he was nominated until his

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May 1988 decision, given Chairman Wall's action on the Lincoln matter, the Senate Ethics Committee inquiry should examine whether any communications in fact did occur between Chairman Wall or his staff and the five Senators or their staffs during this period.

During 1988 and through the spring of 1989, Mr. Keating attempted to sell Lincoln. Three proposals to purchase Lincoln were reportedly rejected by the FHLBB. Regulators were reportedly concerned about underfunding of the buyers. In addition, they were concerned during this period, according to a July 11, 1989 article in The Arizona Republic, that Mr. Keating was trying to "strip Lincoln of the cream of its assets" by draining off profitable resources and transferring them to American Continental Corporation.

In March and in early April 1989, Mr. Keating and Lincoln again enlisted the help of Senator Cranston and Senator DeConcini. Senator Cranston personally contacted Chairman Wall and Federal Home Loan Bank Board member Martin, urging them to let a proposed sale of Lincoln to former California Congressman John Rousselot go through, according to a May 27, 1989 article in the Los Angeles Times. Senator DeConcini also contacted Mr. Wall during this period, asking that the proposed sale be approved, according to a September 27, 1989 article in The Arizona Republic. In addition, Senator DeConcini contacted Mr. L. William Seidman, Chairman of the Federal Deposit Insurance Corporation, on behalf of Mr. Keating regarding the proposed sale to Mr. Rousselot during this period, according to The Arizona Republic.

The sale to Mr. Rousselot was rejected by the FHLBB on the grounds tnat the buyer was underfunded, according to an article in The New York Times.

On April 13, 1989, Mr. Keating placed American Continental Corporation, whose principal asset was Lincoln, in bankruptcy proceedings.

On April 14, 1989, Lincoln was seized by the FHLBB, claiming that Mr. Keating and American Continental Corporation were operating Lincoln in an unsafe and unsound manner.

As noted earlier, the estimated cost to taxpayers of Lincoln's failure is $2.5 billion. Approximately $1.3 billion of that cost to taxpayers is estimated to have been incurred during the two-year delay that followed the FHLBB San Francisco examiners' recommendation that Lincoln be taken over. According to a September 13, 1989 article in The Washington Post, Lincoln is estimated to be "the most expensive S&L failure ever."

In a letter to Senator McCain dated May 30, 1989, Mr. Gray labeled the intervention into the Lincoln matter "tantamount to an attempt to subvert the very regulatory process which previous Congresses had written into the law as appropriate public policy." In a June 15, 1989 letter to Senator Cranston, Mr. Gray stated that

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"[y]our continuing efforts to, yes, intervene with regulators in behalf of Lincoln has occurred at the expense of the taxpayers and perhaps even at the expense of thousands of debtholders."

On September 15, 1989, the U.S. Government brought a $1.1 billion lawsuit charging, among other things, that Mr. Keating diverted funds from Lincoln to "fund the personal, political and charitable convictions" of Mr. Keating.

On September 18, 1989, Senator DeConcini announced he was returning his campaign contributions from Keating because the government's suit "raises the serious possibility that money from Lincoln Savings may have been illegally funneled into a number of political campaigns." In March 1988, Senator Riegle had announced that he was returning Keating's campaign contributions.

IV. CONCLUSION

We call upon the Senate Ethics Committee to conduct an investigation to determine whether Senators Cranston, DeConcini, Glenn, McCain and Riegle have violated Senate ethics rules and standards and the Code of Ethics for Government Service.

The investigation should examine whether "improper conduct, which may reflect upon the Senate" has occurred and whether the provisions of the Code of Government Ethics Service that a Member of Congress shall not accept "for himself or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties" and should "[n]ever discriminate unfairly by the dispensing of special favors or privileges to anyone" have been violated.

We urge the appointment of an outside counsel by the Ethics Committee to conduct this inquiry.

Sincerely,

Fred Wertheimer

Fred Wertheimer
President

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

November 6, 1989

Tom Karlsen, Treasurer
Dennis Deconcini Reelection Committee
1436 North 44th Street
Phoenix, AZ 85008

RE: MUR 2999

Dear Mr. Karlsen:

The Federal Election Commission received a complaint which alleges that the Dennis Deconcini Reelection Committee and you, as treasurer may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2999. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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

If ycu have any questions, please contact Anthony Buckley, the attorney assigned to this matter at (202) 376-8200.

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For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

cc: Senator Dennis Deconcini

9304354001 8

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 6, 1989

Timothy Baughman, Treasurer
John McCain for Senate
P.O. Box 710
Phoenix, AZ 85001

RE: MUR 2999

Dear Mr. Baughman:

The Federal Election Commission received a complaint which alleges that John McCain for Senate and you, as treasurer may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2999. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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

If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter at (202) 376-8200.

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For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

cc: Senator John McCain

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 6, 1989

Eveline Hyde, Treasurer
McCain for Congress Committee
P.O. Box 25306
Tempe, AZ 85282

RE: MUR 2999

Dear Ms. Hyde:

The Federal Election Commission received a complaint which alleges that the McCain for Congress Committee and you, as treasurer may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2999. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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

If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter at (202) 376-8200.

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For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

cc: Senator John McCain

9304354000022

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 6, 1989

Thomas R. Holtrup, Treasurer
McCain Reelection Committee
P.O. Box 710
Phoenix, AZ 85001

RE: MUR 2999

Dear Mr. Holtrup:

The Federal Election Commission received a complaint which alleges that the McCain Reelection Committee and you, as treasurer may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2999. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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

If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter at (202) 376-8200.

9304354002 3

For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

cc: Senator John McCain

93043540024

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

November 6, 1989

Michael D. Hawkins, Treasurer
Deconcini '88 Committee
4350 E. Camelback
Phoenix, AZ 85018

RE: MUR 2999

Dear Mr. Hawkins:

The Federal Election Commission received a complaint which alleges that the Deconcini '88 Committee and you, as treasurer may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2999. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter at (202) 376-8200.

9304354002 5

For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

cc: Senator Dennis Deconcini

93043540026

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 6, 1989

Senator Dennis Deconcini
3202 East 3rd Street
Tucson, AZ 85716

RE: MUR 2999

Dear Senator Deconcini:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2999. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter at (202) 376-8200.

9304354002 7

For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

9304354000028

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 6, 1989

Solomon M. Kamm, Treasurer
Cranston for Senate '92 Inc.
400 S Hope Street 18th Floor
Los Angeles, CA 90071

RE: MUR 2999

Dear Mr. Kamm:

The Federal Election Commission received a complaint which alleges that Cranston for Senate '92 Inc. and you, as treasurer may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2999. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter at (202) 376-8200.

9304354029

For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

cc: Senator Alan Cranston

9304354003 0

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

November 6, 1989

Senator Alan Cranston
S H 112 - U.S. Senate
Washington, D.C. 20510

RE: MUR 2999

Dear Senator Cranston:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2999. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter at (202) 376-8200.

9304354003 1

For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

9304354003 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 6, 1989

William C. Shedd, Treasurer
Riegle for Senate Committee
501 Citizen Bank Building
Flint, MI 48502

RE: MUR 2999

Dear Mr. Shedd:

The Federal Election Commission received a complaint which alleges that the Riegle for Senate Committee and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2999. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter at (202) 376-8200.

9304354003 3

For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

cc: Senator Donald W. Riegle, Jr.

9304354003 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 6, 1989

Senator Donald W. Riegle, Jr.
105 Dirksen Building U.S. Senate
Washington, D.C. 20510

RE: MUR 2999

Dear Senator Riegle:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2999. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter at (202) 376-8200.

9304354003 5

For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

By: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

9304354003 6

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 6, 1989

William R. White, Treasurer
John Glenn Presidential Committee Inc.
2715 M Street, N.W.; Suite 300
Washington, D.C. 20007

RE: MUR 2999

Dear Mr. White:

The Federal Election Commission received a complaint which alleges that the John Glenn Presidential Committee Inc. and you, as treasurer may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2999. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter at (202) 376-8200.

9304354003 7

For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

cc: Senator John Glenn

9304354003 8

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

November 6, 1989

William J. Brown, Treasurer
Senator John Glenn Committee
236 Massachusetts Avenue, N.E.;Suite 210
Washington, D.C. 20002

RE: MUR 2999

Dear Mr. Brown:

The Federal Election Commission received a complaint which alleges that the Senator John Glenn Committee and you, as treasurer may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2999. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter at (202) 376-8200.

9304354003 9

For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

cc: Senator John Glenn

9304354004 0

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 6, 1989

Senator John Glenn
1000 Urlin Avenue
Columbus, OH 43212

RE: MUR 2999

Dear Senator Glenn:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2999. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter at (202) 376-8200.

9304354004 1

For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

9304354004 2

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

November 6, 1989

William R. White, Treasurer
National Council on Public Policy
202 E Street N.E.
Washington, D.C. 20002

RE: MUR 2999

Dear Mr. White:

The Federal Election Commission received a complaint which alleges that the National Council on Public Policy and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2999. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter at (202) 376-8200.

9304354004 3

For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

9304354004 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 6, 1989

Robert J. Stein, President
New Dimension Resources, Inc.
1225 15th Street, N.W.
Washington, D.C. 20005

RE: MUR 2999

Dear Mr. Stein:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2999. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter at (202) 376-8200.

9304354004 5

For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

9304354000046

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

November 6, 1989

Alex Deull, Executive Director
Forum Institute
1616 P Street, NW; Suite 100
Washington, D.C. 20036

RE: MUR 2999

Dear Mr. Deull:

The Federal Election Commission received a complaint which alleges that the Forum Institute may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2999. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter at (202) 376-8200.

9304354004 7

For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

9304354004 8

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 6, 1989

Center for Participation in Democracy
453 S Spring Street
Los Angeles, CA 90013

RE: MUR 2999

Dear Gentlemen:

The Federal Election Commission received a complaint which alleges that the Center for Participation in Democracy may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2999. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter at (202) 376-8200.

9304354004 9

For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

9304354000550

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 6, 1989

Lincoln Savings and Loan Association
18200 Von Karmen
Irvine, CA 92715

RE: MUR 2999

Dear Gentlemen:

The Federal Election Commission received a complaint which alleges that the Lincoln Savings and Loan Association may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2999. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter at (202) 376-8200.

9304354005 1

For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

29043540052

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

November 6, 1989

American Continental Corporation
2735 E Camelback Road
Phoenix, AZ 85016

RE: MUR 2999

Dear Gentlemen:

The Federal Election Commission received a complaint which alleges that the American Continental Corporation may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2999. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter at (202) 376-8200.

9304354005 3

For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

9304354400054

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 6, 1989

Charles H. Keating, Jr.
2735 E Camelback Road
Phoenix, AZ 85016

RE: MUR 2999

Dear Mr. Keating:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2999. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter at (202) 376-8200.

9304354005 5

For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

9304354000556

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 6, 1989

California Democratic Party
2029 Century Park East, #4395
Los Angeles, CA 90067

RE: MUR 2999

Dear Gentlemen:

The Federal Election Commission received a complaint which alleges that the California Democratic Party may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2999. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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

If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter at (202) 376-8200.

9304354005 7

For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

9304354005 8

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 6, 1989

Senator John McCain
921 East Lamplighter Lane
Tempe, AZ 85253

RE: MUR 2999

Dear Senator McCain:

This letter acknowledges receipt of your sworn compliant which incorporates a letter to the Select Committee on Ethics raising allegations of possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). We have numbered this matter MUR 2999. Please refer to this number in all future correspondence.

Because the complaint's allegations are directed against you as well as others, under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Consequently, a copy of the complaint is enclosed. Please submit any additional factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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

If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter at (202) 376-8200.

9304354005 9

For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

9304354000660

DGC 4560

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 NOV 15 AM 9:03

HOGAN & HARTSON

COLUMBIA SQUARE
555 THIRTEENTH STREET NW
WASHINGTON, DC 20004-1109
202/637-5600

SHERWIN J. MARKMAN
DIRECT DIAL 202/637-5626

6701 ROCKLEDGE DRIVE
BETHESDA, MARYLAND 20817
301/493-0030

111 SOUTH CALVERT STREET
BALTIMORE, MARYLAND 21202
301/659-2700

8300 GREENSBORO DRIVE
McLEAN, VIRGINIA 22102
703/848-2600

November 13, 1989

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 NOV 15 AM 10:12

Lois G. Lerner
Associate General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2999

Dear Ms. Lerner:

This letter follows your November 6, 1989 letter to Robert J. Stein, president of New Dimension Resources, Inc., which was served by mail and received at Mr. Stein's office on November 9, 1989. Enclosed is Mr. Stein's Statement of Designation of Counsel, which designates Sherwin J. Markman, Mitchell E. Herr, and Douglas A. Fellman of Hogan & Hartson as his counsel for these proceedings. Consistent with 11 C.F.R. Ch. 1 §§ 111.6 and 111.2(a)-(c) (1989), Mr. Stein will respond to your letter and its attachments no later than November 27, 1989.

Sincerely yours,

Sherwin J. Markman

cc: Robert Stein - w/attach.

9304354006 1

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2999

NAME OF COUNSEL: Sherwin J. Markman
Mitchell E. Herr
Douglas A. Fellman

ADDRESS: HOGAN & HARTSON
555 Thirteenth Street, N.W.
Washington, D.C. 20004-1109

TELEPHONE: (202) 637-5600

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

11-13-89
Date

Robert J. Stein
Signature

RESPONDENT'S NAME: Robert J. Stein

ADDRESS: New Dimension Resources, Inc.
1225 15th Street, N.W.
Washington, D.C. 20005

HOME PHONE:

BUSINESS PHONE: (202) 232-7700

9304354006062

OGC 4615

PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
1110 VERMONT AVENUE, N.W. • WASHINGTON, D.C. 20005 • (202) 887-9030

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 NOV 20 PM 3:32

November 20, 1989

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

Re: MUR 2999- Riegle for Senate Committee and William C. Shedd, as Treasurer

Dear Mr. Buckley:

Please find enclosed a designation of counsel for the above-referenced matter under review received by the Riegle Committee on November 8, 1989.

Our law firm was only recently retained to advise the Riegle Committee on this matter and, therefore, we request an extension of time to respond to the Commission's notification on this complaint. Because of the Thanksgiving holidays and the recess of Congress, an extension of 20 days is requested. The response, now due on Thanksgiving Day, November 23, would be filed no later than December 13, 1989.

If you have any questions or need additional information, please contact one of the undersigned.

Very truly yours,

Robert F. Bauer
Judith L. Corley
Counsel to the Riegle Committee

0345b

9304354000663

STATEMENT OF DESIGNATION OF COUNSEL

RECEIVED
NOV 20 1989
PERKINS COIE

MUR 2999

NAME OF COUNSEL: Bob Bauer

ADDRESS: Perkins Coie
1110 Vermont Ave N.W.
Washington, D.C. 20005

TELEPHONE: (202) 956-5419

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.

Nov. 17, 1989
Date

Signature

RESPONDENT'S NAME: Senator Donald W. Riegle, Jr.

ADDRESS: U.S. Senate
Washington, D.C. 20510

HOME PHONE:

BUSINESS PHONE: (202) 224-8836

9304354400064

GGC 4626

COVINGTON & BURLING
1201 PENNSYLVANIA AVENUE, N. W.
P. O. BOX 7566
WASHINGTON, D.C. 20044
(202) 662-6000

FACSIMILE: (202) 662-6291
TELEX: 89-593 (COVLING WSH)
CABLE: COVLING

DWIGHT C. SMITH III
DIRECT DIAL NUMBER
(202) 662-5528

LONDON OFFICE
46 HERTFORD STREET
LONDON W1Y7TF ENGLAND
01-495-5655

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 NOV 21 AM 8:53

November 20, 1989

BY HAND

Anthony Buckley, Esq.
Office of the General Counsel
Federal Election Commission
999 E Street, N.W., Sixth Floor
Washington, D.C. 20463

Re: MUR 2999

Dear Mr. Buckley:

This letter is to advise you that we represent both the John Glenn Presidential Committee, Inc. ("JGPC") and the Senator John Glenn Committee ("SJGC") with respect to the above-captioned matter under review. You should receive shortly the formal designations of counsel from the treasurers of the committees.

As we have discussed over the telephone, JGPC received the complaint on November 8, 1989. Because a response will require us to review a considerable quantity of documents and to contact several persons no longer with JGPC (some of whom are out of town), we request that JGPC be given a twenty-day extension -- that is, until December 13, 1989 --- in which to submit a response.

SJGC received its complaint some time after November 8. Because we expect to file a response jointly

9304354400 65

on behalf of the SJGC and the JGPC, and because a response with respect to the SJGC also will involve a voluminous number of documents and several potential witnesses, we ask that SJGC's time to respond also be extended to December 13, 1989.

Thank you kindly for your consideration of these requests.

Sincerely,

Dwight C. Smith, III

9304354000666

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 NOV 21 PM 4:01

06C 4631

HARMON, CURRAN & TOUSLEY
2001 S STREET, N.W.
SUITE 430
WASHINGTON, D.C. 20009-1125

GAIL McGREEVY HARMON
DIANE CURRAN
DEAN R. TOUSLEY
ANNE SPIELBERG
SANDRA K. PFAU*
JANNE G. GALLAGHER, of counsel

*Not Admitted in D.C.

TELEPHONE
(202) 328-3500
FAX
(202) 328-6918

November 21, 1989

BY HAND

Lawrence M. Noble, General Counsel
Lois G. Lerner, Associate General Counsel
Anthony Buckley, Attorney
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2999

Dear Messrs. Noble and Buckley and Ms. Lerner:

On behalf of the Forum Institute, I am responding to your letter of November 9, 1989, which states that the Federal Election Commission has received a complaint "which alleges that the Forum Institute may have violated the Federal Election Campaign Act of 1971." After carefully reviewing the enclosed complaint, I believe the Commission is mistaken in asserting that a complaint has been filed regarding the Forum Institute.

From the materials you enclose, it is apparent that Senator McCain has written requesting that the Commission determine the legality under the federal election laws of certain specific contributions made to his campaigns from individuals associated with American Continental Corporation and its subsidiaries, and has attached thereto a copy of a letter from Common Cause which discusses those contributions to Senator McCain among other topics. While the Forum Institute's name is mentioned in the attached letter from Common Cause, there is no suggestion either in that letter or in Senator McCain's inquiry the Forum Institute was in any way involved in the contributions which are the subject of Senator McCain's inquiry, nor could any such suggestion be made.

The Forum Institute is a qualified Section 501(c)(3) non-profit organization organized in 1981, which in recent years has provided grants to qualified non-partisan voter participation programs. The Forum Institute neither receives nor makes political contributions, nor is it otherwise involved in the funding of political campaigns. It was not founded and has never been controlled by Senator Alan Cranston, as Common Cause erroneously suggests. While the Forum Institute seeks to increase voter registration and participation in the democratic process, it has

9304354006 67

Lawrence M. Noble, General Counsel
Lois G. Lerner, Associate General Counsel
Anthony Buckley, Attorney
Federal Election Commission

no involvement in partisan political activities. Indeed, neither Senator McCain's letter nor that of Common Cause attempt to suggest any violations of federal election law that might have been engaged in by the Forum Institute.

In short, from the materials you enclose, it does not appear that any complaint has in fact been filed regarding the forum Institute's noncompliance with federal election laws. I enclose a signed form designating me as the counsel of record, should any further correspondence be necessary. I hope, however, that the matter may promptly be closed based on a resolution of this misunderstanding.

Sincerely,

Gail M. Harmon

9304354000 68

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2999

NAME OF COUNSEL: Gail Harmon
Harman, Curran & Tousley

ADDRESS: 2001 S Street, N.W.
Suite 430
Washington, D.C. 20009-1125

TELEPHONE: (202) 328-3500

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.

11/16/89
Date

Signature
Executive Director

RESPONDENT'S NAME: The Forum Institute

ADDRESS: 1616 P Street, N.W.
Suite 100
Washington, D.C. 20036

HOME PHONE:

BUSINESS PHONE: (202) 328-5109

9304354400669

MORRISON, HECKER, CURTIS, KUDER & PARRISH

1700 BRYANT BUILDING
1102 GRAND AVENUE
KANSAS CITY, MISSOURI 64106-2370
(816) 842-5910

WASHINGTON, D.C.
OVERLAND PARK, KANSAS

TELEX 466989
TELECOPIER (816) 474-4208

DALLAS, TEXAS
WICHITA, KANSAS

89 NOV 22 PM 4:24
OGC 4641

November 22, 1989

Mr. Tony Buckley
Federal Election Commission
Washington, D.C.

TELECOPY

Re: Lincoln Savings & Loan Association

Dear Mr. Buckley:

This will confirm our telephone conversation of this date.

This firm represents the Resolution Trust Corporation as the Conservator for Lincoln Savings & Loan Association, F.A. We have received notice of the Federal Election Commission investigation of activity concerning certain political contributions and your request that Lincoln furnish evidence in response to certain allegations. During our telephone conversation today, I requested additional time to respond to the Commission's request. You stated that a written request for additional time would be granted. Accordingly, we would like an additional twenty (20) days to respond to your request.

Please contact me if my understanding of the extension of time is incorrect in any way. Thank you for your cooperation.

Yours very truly,

MORRISON, HECKER, CURTIS, KUDER & PARRISH

Michael L. Parrish

MLP/vlr

93043540070

06C4634

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 NOV 22 AM 9:35

RONALD C. PETERSON
FORTIETH FLOOR
355 SOUTH GRAND AVENUE
LOS ANGELES, CALIFORNIA 90071-3101
(213) 683-0600

November 20, 1989

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 NOV 22 PM 12:40

VIA FEDERAL EXPRESS

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

Attention: Anthony Buckley, Esq.

Re: MUR 2999

Dear Mr. Noble:

Enclosed please find a Statement designating me as counsel for both Cranston for Senate '92, Inc. (the "Committee") and its treasurer Solomon M. Kamm ("Respondents") in connection with the above-referenced matter.

Responding to your November 6, 1989 letter, Respondents deny any violation of the Federal Election Campaign Act of 1971, as amended (the "Act"). Neither Senator McCain's letter nor the letter from Common Cause alleges that Respondents violated the Act, so the first sentence of your letter is incorrect. It is terribly unfair to ask Respondents "to demonstrate in writing that no action should be taken" against them inasmuch as they have not even been accused of anything.

Furthermore, Senator McCain's letter does not constitute a "complaint" over which the Federal Election Commission ("FEC") has jurisdiction. First, Senator McCain does not state he believes that a violation of any statute or regulation over which the FEC has jurisdiction has occurred, as required by 2 U.S.C. § 309(a)(1) and 11 C.F.R. § 111.4(a). Second, his letter does not clearly identify as a respondent any person or entity who is

2304354007 1

alleged to have committed such a violation, as required by 11 C.F.R. § 111.4(d)(1). Third, Senator McCain's letter does not contain a clear and concise recitation of facts which describe a violation of a statute or regulation over which the FEC has jurisdiction, as required by 11 C.F.R. § 111.4(d)(4).

For the same reasons, neither does the letter from Common Cause constitute a "complaint" over which the FEC has jurisdiction. In addition, that letter was not filed with the FEC as required by 11 C.F.R. § 111.4(a). Also, it is not sworn to and signed in the presence of a notary public and notarized, as required by 11 C.F.R. § 111.4(b)(2).

These deficiencies are not mere technicalities. For the FEC to proceed would deny Respondents due process of law, guaranteed by the United States Constitution, because Respondents have no notice of any statute or regulation they supposedly "may have violated."

For the foregoing reasons, the FEC should terminate MUR 2999 at least as to Respondents.

Sincerely,

Ronald C. Peterson

RCP:lv
Enclosure
(5183W)
cc: Solomon M. Kamm, Esq.

9304354007 2

STATEMENT OF DESIGNATION OF COUNSEL

MUR #2999

NAME OF COUNSEL: Ronald C. Peterson

ADDRESS: 355 South Grand Avenue
40th Floor
Los Angeles, CA 90071

TELEPHONE: (213) 683-0600

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.

November 17, 1989
Date

Signature Solomon M. Kamm

RESPONDENT'S NAME: Cranston for Senate '92 Inc. and Solomon M. Kamm, Treasurer

ADDRESS: 400 South Hope Street
Suite 1060
Los Angeles, CA 90071-2899

HOME PHONE:

BUSINESS PHONE: (213) 669-6298

9304354007 3

GC4644

JOHN GLENN
United States Senator

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM
89 NOV 24 AM 9:34

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 NOV 24 AM 11:10

November 16, 1989

Ms. Lois Lerner
Associate General Counsel
Federal Election Commission
Washington, D.C. 20463

Dear Ms. Lerner:

I am writing in response to your letter dated November 6, 1989 regarding MUR 2999. I have filled out the Designation of Counsel form which you will find attached to this letter.

If you have any questions, please feel free to contact our counsel directly.

Sincerely,

William J. Brown
Treasurer

9304354007 4

202 E Street, NE, Washington, DC 20002
Authorized and paid for by the SENATOR JOHN GLENN COMMITTEE.

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2999

NAME OF COUNSEL- Dwight Smith & Scott Gilbert

ADDRESS- Covington & Burling

1201 Pennsylvania Avenue, N.W.

Washington, D.C. 20044

TELEPHONE 202/662-5528

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.

11/22
DATE

William J. Brown
SIGNATURE

RESPONDENT'S NAME William J. Brown

ADDRESS Emens Herd Kegler & Ritter

65 East State Street

Columbus, Ohio 43215

HOME PHONE

BUS PHONE 614/462-5400

93043540075

HAND DELIVERED

OGC 4652
4674

RECEIVED
FEDERAL ELECTION COMMISSION
ADMINISTRATIVE DIVISION
89 NOV 27 PM 12:07

HOGAN & HARTSON

COLUMBIA SQUARE
555 THIRTEENTH STREET NW
WASHINGTON, DC 20004-1109
202/637-5600

SHERWIN J. MARKMAN
DIRECT DIAL 202/637-5626

6701 ROCKLEDGE DRIVE
BETHESDA, MARYLAND 20817
301/493-0030

111 SOUTH CALVERT STREET
BALTIMORE, MARYLAND 21202
301/659-2700

8300 GREENSBORO DRIVE
McLEAN, VIRGINIA 22102
703/848-2600

November 27, 1989

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 NOV 27 AM 9:47

BY HAND

Lois G. Lerner
Associate General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2999

Dear Ms. Lerner:

This letter is in response to your November 6, 1989 letter to Robert J. Stein ("Stein"), president of New Dimension Resources, Inc. ("New Dimension"), advising Mr. Stein that the Federal Election Commission ("FEC") "received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act")."

Your November 6, 1989 letter, which was served by mail and received at Mr. Stein's office on November 9, 1989, included as an attachment Senator McCain's October 30, 1989 letter to Chairman McDonald. Senator McCain's letter, in turn, purports to incorporate by reference the unsworn October 13, 1989 Common Cause letter to the Senate Select Committee on Ethics. In his letter, Senator McCain acknowledges that questions have been raised regarding receipt by his campaigns of contributions from individuals associated with American Continental Corporation ("American Continental") of Phoenix, Arizona, its subsidiary, Lincoln Savings and Loan Association ("Lincoln") of Irvine, California, and other subsidiaries.

Federal regulations promulgated by the FEC prescribe procedures for the processing of alleged violations of the Act. In the case of a complaint filed by a person who believes that a violation of any statute or regulation has occurred or is about to occur, the regulations provide that the complaint should conform as follows:

9304354007 6

(1) It should clearly identify as a respondent each person or entity who is alleged to have committed a violation;

(2) Statements which are not based upon personal knowledge should be accompanied by an identification of the source of information which gives rise to the complainants belief in the truth of such statements;

(3) It should contain a clear and concise recitation of the facts which describe a violation of a statute or regulation over which the Commission has jurisdiction; and

(4) It should be accompanied by any documentation supporting the facts alleged if such documentation is known of, or available to, the complainant.

11 C.F.R. Ch.1 § 111.4(d).

We do not address whether Senator McCain's sworn letter is in substantial compliance with the requirements of 11 C.F.R. Ch. 1 § 111.4 so far as it constitutes a complaint against himself, see 11 C.F.R. Ch. 1 § 111.5(a), or, indeed, against any person or entity other than our clients. However, we believe that the complaint fails to meet these threshold requirements of § 111.4 respecting Stein and New Dimension. As a matter of fact, Senator McCain's letter does not even mention either Stein and New Dimension, let alone "clearly identify" either as a respondent alleged to have committed a violation. And Senator McCain's letter certainly does not contain a "clear and concise recitation of the facts which describe a violation of a statute or regulation" by either Stein or New Dimension.

Senator McCain's letter also proports to "make a part of this complaint" a copy of a letter from Common Cause to the Senate Select Committee on Ethics. Even treating Senator McCain's letter as a complaint integrating the Common Cause

9304354007 7

letter, however, */ the two letters taken together do not rise to the level of a complaint against Stein or New Dimension. Rather, the Common Cause letter makes but one request: that the Senate Ethics Committee, and not the FEC or any other entity, "conduct an investigation into whether activities undertaken in behalf of Charles H. Keating, Jr. and his company, Lincoln Savings and Loan Association (Lincoln), by Senators Alan Cranston (D-CA), Dennis DeConcini (D-AZ), John Glenn (D-OH), John McCain (R-AZ), and Don Riegle (D-MI) have violated Senate ethics rules and standards." The Common Cause letter challenges the actions by those five senators, not Stein or New Dimension. And the Common Cause letter concerns actions undertaken by those senators in behalf of Mr. Keating and Lincoln, not Stein or New Dimension. In fact, the ten page Common Cause letter does not even mention Stein, let alone "clearly identify" him as a respondent alleged to have committed a violation, and mentions New Dimension by name only once. And that passing, single-sentence reference is in connection with charges leveled against Senator Cranston, not New Dimension, and certainly is not a "clear and concise recitation of the facts which describe a violation of a statute or regulation" as the regulations would require of a formal complaint against Stein or New Dimension.

Indeed, FEC regulations require that a complaint be in substantial compliance with the requirements outlined above in order that the putative respondent may be afforded a meaningful opportunity to respond to the complaint and demonstrate the reasons why no action should be taken by the FEC. When a

---

*/ We specifically take issue with whether a letter constituting a narrowly-tailored complaint, such as that of Senator McCain, may incorporate by reference Common Cause's unsworn letter (which is addressed neither to the complainant nor the FEC) and thereby transform the Common Cause letter's single vague reference to New Dimension into a formal complaint against Stein and New Dimension. At a minimum, such a practice would make illusory the safeguards prescribed by 11 C.F.R. Ch. 1 § 111.4(b)(2) & (c), and would permit unsworn and unsubstantiated allegations to become the basis for a formal investigation likely to require considerable time and expense on the part of the respondent.

9304354007 8

complaint fails to meet these standards, and most particularly that requiring a clear recitation of facts describing a statutory or regulatory violation, a putative respondent such as Stein or New Dimension is for all practical purposes denied the opportunity to demonstrate that no action should be taken. Rather, the respondent is reduced essentially to "guessing" what conduct or activity interests or concerns the complainant and/or the FEC. Such circumstances contravene the clear intent of both the statute and regulations since the respondent cannot "demonstrate...that no action should be taken against such person on the basis of the complaint," 2 U.S.C. § 437(a)(1), by "setting forth reasons why the Commission should take no action." 11 C.F.R. Ch.1 § 111.6(a).

Because in the instant case even a liberal reading of the complaint makes clear that its object is other than Stein or New Dimension, and because the complaint falls well short of compliance with the requirements promulgated by the FEC, we urge that the General Counsel determine, pursuant to 11 C.F.R. Ch.1 § 111.5(b) or on any other basis, that no action should be taken based on the complaint. In the alternative, if the General Counsel determines other than to conclude now that no action should be taken against Stein and New Dimension on the basis of the complaint, then respondent requests that complainant be directed to comply with the mandate of 11 C.F.R. Ch. 1 § 111.4, and in particular subsections (d)(1) and (3), after which time respondent be afforded a fifteen day opportunity to respond consistent with 11 C.F.R. Ch. 1 § 111.6(a) & (b). Finally, if the General Counsel determines neither to take no action on the basis of the complaint nor to require any further compliance in connection with 11 C.F.R. Ch. 1 § 111.4, then respondent requests that the General Counsel so advise respondent, including the reasons for the General Counsel's decision, and that respondent then be afforded a fifteen day opportunity to respond to the complaint in its present form pursuant to 11 C.F.R. Ch. 1 § 111.6(a) & (b).

9304354007 9

Thank you for your consideration of the matters set forth in this letter.

Sincerely yours,

Sherwin J. Markman

cc: Robert J. Stein

6248F/1627o

9304354000880

HAND DELIVERED

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 NOV 28 AM 10:11

OGC 4664

SILK, ADLER & COLVIN
A LAW CORPORATION
RUSS BUILDING, SUITE 1010
235 MONTGOMERY STREET
SAN FRANCISCO, CALIFORNIA 94104
(415) 421-7555

CABLE: AMERASIA

FAX: (415) 421-0712

November 27, 1989

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

89 NOV 28 AM 10:48

VIA FEDERAL EXPRESS

Lawrence M. Noble, Esq.
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Attn: Anthony Buckley, Esq.

Re: Center for Participation in Democracy, MUR 2999

Dear Mr. Noble:

This office represents the Center for Participation in Democracy ("CPD"), as indicated by the enclosed Statement of Designation of Counsel, in this matter.

This letter is a 15-day response to your letter of November 6, 1989, which my client received on November 13, 1989.

Your letter states that you have received a complaint alleging that CPD may have violated the Federal Election Campaign Act of 1971, as amended. The document enclosed with your letter is not a complaint against CPD, but a request by Senator McCain for an FEC investigation into the propriety of certain contributions to his campaigns, which have nothing to do with CPD. The letter from Common Cause enclosed with Senator McCain's request mentions CPD only in passing, is addressed to the Senate Ethics Committee, not the FEC, and is unsworn.

Frankly, it is unfair and unreasonable to expect CPD "to demonstrate in writing that no action should be taken" against it, in the absence of a proper complaint that specifies which provision of the FEC Act CPD may have violated, and the factual basis for any such alleged violation.

Therefore, on my advice, CPD responds to your November 6th letter as follows:

1. Neither the McCain letter nor the Common Cause letter states a belief that CPD has violated any statute or regulation over which the Commission has jurisdiction. 11 C.F.R. §111.4(a). Neither letter clearly identifies CPD as a

2304354008 1

respondent who is alleged to have committed a violation. 11 C.F.R. §111.4(d)(1).

2. Neither the McCain letter nor the Common Cause letter contains a clear and concise recitation of the facts which describe a violation of FEC law. 11 C.F.R. §111.4(d)(3).

3. Neither the McCain letter nor the Common Cause letter differentiates between statements based upon personal knowledge and those based upon information and belief. 11 C.F.R. §111.4(c). Nor does either letter identify all sources of information for statements not based upon personal knowledge. 11 C.F.R. §111.4(d)(2).

4. The Common Cause letter was not filed with the FEC, and its contents are not sworn to and signed in the presence of a notary. 11 C.F.R. §111.4(a) and (b)(2).

5. CPD denies any violation of the FEC Act of 1971, as amended.

It is puzzling that your office has addressed a letter to CPD as a respondent based on documents which are so far out of compliance with the due process requirements of the FEC regulations cited above.

It appears to us that the General Counsel's office should proceed under 11 C.F.R. §111.5(b), and issue a notification that no action shall be taken against CPD on the basis of this complaint. Please send the notification to CPD to me as designated counsel.

Very truly yours,

SILK, ADLER & COLVIN

By: Gregory L. Colvin
Gregory L. Colvin

GLC:kja
Enclosure

cc: Flannery Hauck
Executive Director, CPD

9304354008 2

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2999

NAME OF COUNSEL: Greg Colvin

ADDRESS: Silk, Adler & Colvin
235 Montgomery Street, Suite 1010
San Francisco, Ca. 94104

TELEPHONE: (415) 421-7555

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.

Nov. 22 1989
Date

Flannery C. Hauck
Signature Flannery Hauck,
Executive Director

RESPONDENT'S NAME: Center for Participation in Democracy

ADDRESS: 453 South Spring Street, Suite 808
Los Angeles, California 90013

HOME PHONE:

BUSINESS PHONE: (213) 689-0370

9 3 0 4 3 5 4 0 [illegible] 8 3 [illegible]

OGC 4379

DENNIS DeCONCINI
ARIZONA

COMMITTEES:
APPROPRIATIONS
JUDICIARY
VETERANS' AFFAIRS
INDIAN AFFAIRS
RULES AND ADMINISTRATION
INTELLIGENCE

COMMISSION ON
SECURITY AND COOPERATION
IN EUROPE/CHAIRMAN

United States Senate

WASHINGTON, DC 20510

WASHINGTON OFFICE:
328 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-4521

PHOENIX OFFICE:
323 WEST ROOSEVELT #C-100
PHOENIX, AZ 85003
(602) 261-6756

SOUTHERN ARIZONA OFFICE:
2424 EAST BROADWAY
TUCSON, AZ 85719
(602) 629-8831

EAST VALLEY OFFICE:
40 NORTH CENTER STREET #110
MESA, AZ 85211
(602) 261-4998

November 27, 1989

Buckley

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 NOV 29 PM 12:23

Mr. Lawrence M. Noble
General Counsel
Federal Election Commission
999 E Street, N. W.
Washington, D. C. 20463

Dear Mr. Noble:

This is in response to your letter dated November 6, 1989 (RE: MUR 2999), and personally received by me on November 23, 1989, the letter being sent in your name by Lois G. Lerner, Associate General Counsel.

The Common Cause letter states that I received $55,000 raised by Charles Keating for my 1988 campaign for the United States Senate. My Administrative Assistant, Gene Karp, called Common Cause to see how they arrived at the $55,000 figure, and he was told that it was taken from newspaper accounts. To the best of my knowledge, that account is not correct.

Charles Keating raised $47,100 on behalf of my 1988 re-election campaign, and $1,000 for Arizona Leadership for America Search Committee PAC, a PAC that I am associated with. I was informed, and I believed that the money was raised personally from his family members, his friends, and his business associates. I had no reason to believe, nor did I believe at the time the political contributions were made, that any or all of said contributions were in actuality corporate funds. The campaign contributions were raised from the following people in the following amounts on the approximate dates listed below:

9304354008084

Mr. and Mrs. Bradley Boland	1,000	11/20/85
	1,000	07/09/86
	100	unknown
Mr. Ray Fidel	2,000	07/10/85
Mr. and Mrs. James Grogan	2,000	04/01/85
	1,000	10/29/87
Dr. and Mrs. Gary Hall	2,000	07/25/85
Mr. and Mrs. Robert Hubbard, Jr.	4,000	10/29/87
Mr. Charles Keating, Jr.	2,000	07/15/85
Mr. and Mrs. Charles Keating, III	2,000	07/22/85
	2,000	08/15/86
Ms. Maureen Keating	2,000	07/15/85
Mr. and Mrs. Robert Kielty	2,000	07/22/85
	2,000	08/04/86
Ms. Michele Mencuccini	1,000	07/18/85
	1,000	08/05/85
Mr. Thomas Mulhern	2,000	07/15/85
Mr. and Mrs. Andre Neibling	2,000	07/23/85
	2,000	08/05/86
Mr. Mark Voigt	1,000	07/18/85
	1,000	08/05/85
Mr. and Mrs. Sheldon Weiner	2,000	07/16/85
	2,000	08/04/85
Mr. and Mrs. George Wischler	2,000	07/21/85
	2,000	08/01/86
Mr. and Mrs. Robert Wurzelbacher	2,000	11/21/85
	2,000	08/05/86

9304354000085

On September 15, 1989, the Resolution Trust Corporation (RTC) filed an action against Charles Keating and Lincoln Continental alleging that money had been funneled to its officers and employees for the purpose of making political contributions. I thereinafter, because of the political appearance that it presented and because of the questions that were raised concerning the origin of the contributions, returned to the donors all of the money that Charles Keating had raised for my 1988 United States Senate campaign and for the Arizona Leadership for America Search Committee PAC. Copies of the letters and the checks are hereby attached. The monies were returned from my personal account and not from the campaign account.

In summation, I returned to the donors all of the money raised by Mr. Keating on behalf of my 1988 re-election campaign. If any of it was corporate funds of Lincoln Savings and Loan or any related company, I was unaware of said fact at the time of the contributions and when question was raised by the filing of the RTC suit, I immediately refunded said campaign contributions.

If you have any further questions, please contact me.

Very truly yours,

Dennis DeConcini

DENNIS DeCONCINI
United States Senator

DDC/GKJ

Enclosures

9304354000086

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 4, 1989

Dwight C. Smith III, Esq.
Covington & Burling
1201 Pennsylvania Avenue, N.W.
P.O. Box 7566
Washington, D.C. 20044

RE: MUR 2999
John Glenn Presidential Committee, Inc. and William R. White, as treasurer
Senator John Glenn Committee and William J. Brown, as treasurer

Dear Mr. Smith:

This is in response to your letter dated November 20, 1989, which we received on November 21, 1989, requesting an extension of 20 days to respond to the complaint in this matter. After considering the circumstances presented in your letter, I have granted an extension of 20 days. Accordingly, your response is due by the close of business on December 13, 1989.

If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

2304354008 87

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 4, 1989

Judith L. Corley, Esq.
Perkins Coie
1110 Vermont Avenue, N.W.
Washington, D.C. 20005

RE: MUR 2999
Riegle for Senate Committee
and William C. Shedd, as
treasurer

Dear Ms. Corley:

This is in response to your letter dated November 20, 1989, which we received on that same date, requesting an extension of time to respond to the complaint in this matter. After considering the circumstances presented in your letter, I have granted an extension of 20 days. Accordingly, your response is due by the close of business on December 13, 1989.

If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

9304354008 8

Doc 4735

QUINN, KULLY AND MORROW
A PROFESSIONAL LAW CORPORATION
EIGHTH FLOOR
520 SOUTH GRAND AVENUE
LOS ANGELES, CALIFORNIA 90071
TELEPHONE (213) 622-0300
TELECOPIER (213) 622-3799

JOHN J. QUINN
RUSSEL I. KULLY
MARGARET M. MORROW
RICHARD C. SMITH
LAURENCE J. HUTT
GREGORY C. FANT
J. DAVID OSWALT
LAWRENCE A. COX
POLLY HORN
ERIC L. DOBBERTEEN
DAVID S. EISEN
JAMES I. HAM
JANINE K. JEFFERY
LISA S. KANTOR
M. JEANNETTE CLARK
JULIE M. WARD
PATRICIA A. LIBBY
MICHAEL H. WALIZER
ELAINE M. LEMKE
MICHAEL J. NELSON
D. JAY RITT
JANET R. RICH
KATHY L. HIBBS

November 28, 1989

Anthony Buckley, Esq.
Federal Election Commission
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 DEC -4 PM 12:38

Re: Complaint Against Charles H. Keating, Jr./ MUR2999

Dear Mr. Buckley:

Pursuant to our telephone conversation of Wednesday, November 22, 1989, this letter will confirm your agreement to provide Mr. Keating with an extension of time in which to respond to the complaint from Senator McCain. On behalf of Mr. Keating, we are requesting an extension of twenty days from November 22, 1989 in which to respond to this complaint.

I have also enclosed an executed copy of the "Statement of Designation of Counsel" executed by Mr. Keating.

Please call either me or Eric Dobberteen at (213) 622-0300 should you have any questions. Thank you for your cooperation and consideration in this matter.

Very truly yours,

for James I. Ham

JIH:gu
Enclosure

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM
89 DEC -4 AM 9:09

93043540089

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2999

NAME OF COUNSEL: QUINN, KELLY AND MORRON

ADDRESS: 520 South Grand Ave., 8th Floor
Los Angeles, CA 90071

TELEPHONE: (213) 622-0300

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.

11/28/89
Date

Charles Keating
Signature

RESPONDENT'S NAME: Charles H. Keating, Jr.

ADDRESS: c/o QUINN, KELLY AND MORRON
520 South Grand Ave., 8th Floor
Los Angeles, CA 90071

HOME PHONE:

BUSINESS PHONE: (213) 622-0300

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OGC 4778

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 DEC -6 AM 10:40

JOHN McCAIN
UNITED STATES SENATOR
P.O. BOX 710
PHOENIX, ARIZONA 85001

November 30, 1989

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

89 DEC -6 AM 11:40

Mr. Lawrence M. Noble
General Counsel
FEDERAL ELECTION COMMISSION
999 E. Street, N.W., 6th Floor
Washington, DC 20463

ATTENTION: Anthony Buckley

Dear Mr. Noble:

This is in response to your letter of November 6, 1989, and its attached copies of materials filed with the Federal Election Commission by Senator McCain and designated MUR 2999. I apologize for my delay in replying, but it took some time to consult with the Committee's attorneys to ensure that I understood the Commission's procedures and the form this response should take.

I am responding as Treasurer of the McCain Reelection Committee, Senator McCain's principal campaign committee. The McCain for Senate Committee, of which Mr. Timothy Baughman was the final Treasurer, filed a termination report with the Commission dated July 30 1987. As the McCain for Senate Committee Termination Report stated, contributions it held which were designated for Senator McCain's 1992 primary campaign were transferred to the McCain Reelection Committee prior to the termination of McCain for Senate.

As noted by Senator McCain in his letter of October 30, 1989 to Chairman McDonald, all contributions to his committees appear to comply with federal election law on their face, and have been fully disclosed. We have no knowledge that any contributions received by the McCain Reelection Committee, or transferred from McCain for Senate, were made contrary to law or by persons other than those listed as the contributors on the Committee's reports. However, I am aware of press reports that some contributions received from individuals associated with Mr. Charles Keating or his companies may have been improperly made. We therefore welcome this inquiry by the Commission, and are anxious to be of help.

PAID FOR BY JOHN McCAIN RE-ELECTION COMMITTEE

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As stated by Senator McCain, the McCain Re-Election Committee will refund to the appropriate person any contributions the commission finds were improperly made. The McCain Re-Election Committee therefore awaits the Commission's determination with regard to these contributions.

Sincerely,

Thomas R. Holtrup,
Treasurer

cc
11131/mc/mc

9304354000922

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 7, 1989

James I. Ham, Esq.
Quinn, Kully & Morrow
Eighth Floor
520 South Grand Avenue
Los Angeles, CA 90071

RE: MUR 2999
Charles H. Keating, Jr.

Dear Mr. Ham:

This is in response to your letter dated November 28, 1989, which we received on December 4, 1989, requesting an extension of 20 days to respond to the complaint in this matter. After considering the circumstances presented in your letter, I have granted an extension of 20 days. Accordingly, your response is due by the close of business on December 27, 1989.

If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

Lois G. Lerner by GJM

BY: Lois G. Lerner
Associate General Counsel

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GCC #4865

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 DEC 13 PM 4:34

PERKINS COIE
A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
1110 VERMONT AVENUE, N.W. • WASHINGTON, D.C. 20005 • (202) 887-9030

December 13, 1989

Lawrence M. Noble, Esquire
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Attention: Anthony Buckley

Re: MUR 2999 - Riegle for Senate Committee
and William C. Shedd, as Treasurer

Dear Mr. Noble:

By this letter the Riegle for Senate Committee and its Treasurer ("the Committee") acknowledge notification by your office of a communication received from Senator John McCain. This communication requests an investigation by the Commission into questions raised about possible illegal contributions to McCain's principal campaign committee from individuals associated with American Continental Corporation, Lincoln Savings and Loan Association and other subsidiaries.

Although Mr. McCain makes no suggestion about, or even reference, to contributions to the Riegle Committee,1/ your office has invited a response from the Committee, apparently on the basis of news accounts that it also received contributions from individuals associated with these corporations.

The Committee notes that individuals associated with American Continental, Lincoln and other related corporations contributed on the occasion of a fundraising event held by the Committee in Detroit in March of 1987. All of the contributions were screened by the Committee in the manner required by § 103

1/ Thus, your notification of November 6, 1989 is not accurate in referring to the McCain communication as a Complaint "which alleges that the Riegle Committee . . . violated [the Act]."

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of the Commission's regulations and all of those deposited appeared on their face in good order. To this date the Committee has no knowledge to suggest that these contributions were not lawful. Nevertheless, for reasons unrelated to any concern with legality, the Committee elected to refund these contributions in March, 1988.

The Commission has addressed the relevant legal obligations of Committee treasurers at length in the revision of § 103.3(b) of its regulations, and these obligations were met in full by the Committee in processing, reviewing and depositing the contributions in question. The regulations state generally that "[the] Treasurer shall be responsible for examining all contributions received for evidence of illegality . . . ." Where a check appears in good order -- e.g., drawn on an individual account and made out in an amount within the lawful limits -- the Treasurer has discharged in full his or her obligation.

The regulations also address the particular circumstances of concern to Mr. McCain. Section 103.3(b)(2) applies specifically to contributions "whose legality is not in question when received and deposited, but which are later discovered to be illegal." In its Explanation, the Commission noted further that:

> "This provision applies, for example, to prohibited corporate contributions made in the name of employees, and individual contributions made in the name of another, as well as contributions from foreign nationals or Federal contractors when there is no evidence of illegality on the face of the contributions themselves. The rule requires the amount of the contribution to be refunded to the contributor within thirty days after the discovery of the illegality." (Emphasis added).2/

52 Fed. Reg. 768-769 (January 9, 1987).

The Commission has elaborated on these legal requirements in public releases designed to familiarize treasurers and other political committee officials with the operation of

---

2/ As noted, for other than legal reasons, the Committee has already refunded the contributions received from individuals associated with American Continental and related corporations.

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the statute. See, e.g., "Late Discovery of Prohibited Contribution," FEC Campaign Guide for Congressional Candidates and Committees (July 1988) at p. 12.[3/] Moreover, the Commission has emphasized that refunds in "late discovery" cases opoerate to avoid liability. See, e.g., Advisory Opinion 1976-10, 1 Fed. Election Camp. Fin. Guide ¶ 5234 (January 13, 1977). (". . . the amount of [an impermissible corporate] contribution is required to be returned to the donor to avoid a violation 2 U.S.C. § 441b.")

In these circumstances, while the Commission may elect to proceed with an investigation, any such decision to investigate does not require a "reason to believe" finding against the Committee, and any such finding against the Committee would be inappropriate as well as unnecessary.

Very truly yours,

Robert F. Bauer
Counsel to Riegle for
Senate Committee

RFB:smb

3/ Thus, the Guide notes, by way of example, that "[a] committee might find out that a corporation reimbursed employees for their contributions to the committee (and had thus made corporate contributions and contributions in the name of another)." In those cases, the Guide states, the committee "must refund the contribution."

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Bucklay

FEDERAL ELECTION COMMISSION

In re:	)	
	)	
Senator John McCain, et al.,	)	MUR No. 2999
	)	
Respondents.	)	

89 DEC 18 PM 5:18

9304354000097

SUBMISSION OF THE JOHN GLENN FOR PRESIDENT COMMITTEE, INC. AND THE SENATOR JOHN GLENN COMMITTEE

Charles F.C. Ruff
Scott D. Gilbert
Dwight C. Smith III
COVINGTON & BURLING
1201 Pennsylvania Avenue, N.W.
P.O. Box 7566
Washington, D.C. 20044
(202) 662-6000

Attorneys for the John Glenn for President Committee, Inc. and the Senator John Glenn Committee

December 18, 1989

FEDERAL ELECTION COMMISSION

In re:	
Senator John McCain, et al.,	MUR No. 2999
Respondents.	

SUBMISSION OF THE JOHN GLENN FOR PRESIDENT COMMITTEE, INC. AND THE SENATOR JOHN GLENN COMMITTEE

Introduction

The John Glenn for President Committee, Inc. ("JGPC") and the Senator John Glenn Committee ("SJGC") make this joint submission in the above-captioned matter under review ("MUR").[1/]

On October 30, 1989, Senator John McCain requested the Federal Election Commission ("the Commission") to determine whether contributions made to his campaigns for the House of Representatives in 1982 and 1984 and for the Senate

1/ The materials provided by the Commission in connection with this MUR refer to activities of the National Council on Public Policy ("NCPP"), a political action committee for which Senator Glenn was principal spokesman. While the NCPP has been terminated and has not been named as a respondent, the JGPC and SJGC address the activities of the NCPP in this submission in order to assist the Commission in disposing of this matter.

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in 1986 by individuals associated with American Continental Corporation ("ACC") and its subsidiary Lincoln Savings & Loan Association "complied with the [Federal Election Campaign] Act." Senator McCain enclosed with his correspondence a letter filed on October 13, 1989, by Common Cause with the Senate Select Committee on Ethics.

Relying solely on various newspaper stories, Common Cause asserts that two meetings between Senator Glenn and Senators McCain, DeConcini, Cranston and Riegle and officials of the Federal Home Loan Bank Board ("FHLBB") regarding Lincoln were linked to contributions made by Lincoln, its parent ACC or by its chief executive, Charles H. Keating, Jr., and Mr. Keating's acquaintances to certain of the Senators' campaign committees and other political committees with which they were associated.

With respect to the JGPC and the SJGC, Common Cause proffers a complicated assortment of facts, and, without specifying a particular violation of federal election laws, questions, by innuendo, whether the JGPC and the SJGC engaged in untoward activities of some kind. Common Cause complains that the NCPP received a total of $200,000 in nonfederal contributions from ACC in August 1985 and February 1986. Common Cause then contends that a portion of these contributions was used to pay expenses of the JGPC and SJGC -- although, as Common Cause notes, long before the current savings-and-loan controversy arose, the JGPC and SJGC had made

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reimbursements to the NCPP. Common Cause also alleges that Mr. Keating, members of his family, business associates and acquaintances made a series of individual contributions to the JGPC in 1984 and to the SJGC in 1985. Common Cause's contention appears to be that Mr. Keating "organized and channeled" these contributions to the campaign committee. Finally, Common Cause makes other allegations that relate to Senator Glenn's meetings with the FHLBB -- allegations wholly outside the scope of this MUR.[2/]

In order to make some sense of the matters raised in the Common Cause letter, this response sifts out those allegations concerning the JGPC and the SJGC that are within the Commission's jurisdiction. Accordingly, we address below the following issues:

(1) Whether the JGPC or the SJGC received some improper benefits by virtue of the ACC contributions to the nonfederal corporate account of the NCPP. This involves three subsidiary questions:

(a) Whether the ACC contributions to the NCPP nonfederal account were lawful;

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2/ The Commission does not have authority to review the propriety of Senator Glenn's contacts with the FHLBB or, for that matter, with any other administrative agency -- matters that presently are being reviewed by the Senate Select Committee on Ethics. Indeed, as Senator Glenn has made clear with respect to that investigation, his contacts with the FHLBB were wholly within the scope of his ordinary duties as a Senator. Senator Glenn regularly and repeatedly contacts federal agencies on behalf of various citizens, as do most if not all other Senators and Congressmen.

(b) Whether the NCPP's use of the American Continental contributions was lawful; and

(c) Whether the reimbursements by the JGPC and the SJGC to the NCPP of certain payments that inadvertently may have been made on behalf of the JGPC or the SJGC complied with the federal election laws.

(2) Whether the individual contributions by Mr. Keating, members of his family, and apparent acquaintances to the JGPC and the SJGC were lawful?

The JGPC and SJGC discuss each of these issues below. As the facts show and the law makes clear, all of the contributions made by Mr. Keating and any corporations or individuals associated with him to the NCPP, the JGPC and the SJGC were entirely lawful, and there is no reason to believe that any of these committees committed any violation of the Federal Election Campaign Act ("FECA"). Indeed, upon discovery that certain nonfederal funds may possibly have been used by the NCPP to pay some limited expenses of the JGPC and the SJGC, these committees promptly made all reimbursements that conceivably could have been required and disclosed them fully in reports filed with the Commission.

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THE FACTS

1. The Structure and Purpose of the Committees

Before addressing the issues in the Common Cause letter, we believe it would be helpful to describe the background of the three committees in question.

The John Glenn for President Committee, Inc. was organized in 1983 as the Senator's principal campaign

committee to accept contributions and to make expenditures in connection with Senator Glenn's campaign for the Presidency in 1984. Since Senator Glenn's withdrawal from the race in March 1984, JGPC has remained active in order to wind up its affairs and to repay its debts, and it continues in existence for this purpose today. Robert A. Farmer was Treasurer of the JGPC from its inception until approximately April 1984. William R. White succeeded him and continues to serve as Treasurer. White Aff. ¶¶ 1-2.[3/]

The Senator John Glenn Committee was organized in 1974 as the successor to the Citizens for John Glenn Committee, the principal campaign committee in connection with Senator Glenn's 1974 campaign for the U.S. Senate. The SJGC has remained in existence as Senator Glenn's principal campaign committee for subsequent re-election campaigns. Mr. White served as Treasurer of the SJGC in connection with the 1974 and 1980 campaigns. William J. Brown succeeded Mr. White as Treasurer in 1985 and continues to serve in that position. During the years in question in the Common Cause letter, the SJGC did not have a chairman or a board of directors. The

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3/ In support of the facts provided in this Response, we have attached affidavits of the Treasurers of the JGPC and the SJGC -- William R. White (attachment A) and William J. Brown (attachment B), respectively -- and the former Treasurer of the NCPP, Herbert E. Hedden (attachment C).

campaign manager for Senator Glenn in 1986 was Ruppert Rupert. Brown Aff. ¶ 1; White Aff. ¶¶ 1, 3.

The NCPP was a multi-candidate political committee (within the meaning of 11 C.F.R. § 100.5(e)(3)) that was established in 1982 and terminated on May 31, 1988. Jacob E. Davis II served as President and Treasurer of the NCPP from 1982 to September 1983. He was succeeded by Mark H. Tuohey III, who served as President and Treasurer until April 1984. Herbert E. Hedden succeeded Mr. Tuohey as President and Treasurer, and took the title of Executive Director. In January 1987, Mr. White succeeded Mr. Hedden as Treasurer and served in that post until the NCPP was terminated in 1988. Maureen Moriarty succeeded Mr. Hedden as Executive Director in late 1986. There was no successor President. Hedden Aff. ¶¶ 1-2.

The NCPP was originally incorporated in Ohio and was governed by a three-member board of trustees. The trustees were Mr. Tuohey, G. Ross Bridgman and John E. Gillick. In 1985, the NCPP was dissolved in Ohio and incorporated in the District of Columbia.[4/] The new directors were Jeffrey Berman, Reginald Gilliam, and Herbert P. McKim. Mr. Hedden became the fourth director in 1985 or 1986. Hedden Aff. ¶ 3.

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4/ The Articles of Incorporation and related papers filed in the District of Columbia are attached to Mr. Hedden's affidavit as Exh. 1.

The purpose of NCPP was to promote moderate and centrist views in the Democratic Party. Senator Glenn was NCPP's principal spokesman. From its inception until Senator Glenn entered the presidential race in 1983, NCPP paid the Senator's expenses in connection with this role.[5/] The NCPP was dormant throughout Senator's Glenn's presidential race. After the Senator withdrew from the race in March 1984, the NCPP was revived. White Aff. ¶ 4; Hedden Aff. ¶¶ 4-5.

Prior to its revival, the NCPP had not required any office space, but in July 1984, it began to sublet a room from the JGPC in its suite of offices at 444 North Capitol St., N.W. The terms of the lease were negotiated at arm's length and are set forth in a contract between Mr. Hedden and Judith A. Shrader, a copy of which is attached to Mr. Hedden's affidavit. Hedden Aff. ¶ 5, Exh. 2. The SJGC was not active

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5/ In 1982 the NCPP established two bank accounts pursuant to 11 C.F.R. § 102.5(a): A federal account that received contributions and made expenditures on behalf of candidates for federal office subject to the provisions and limitations of the Federal Election Campaign Act ("FECA"), and a separate, segregated nonfederal account that accepted contributions from corporations for use in activities other than campaigns for federal office. In 1984, a second nonfederal account was opened to receive contributions from individuals for use in activities unrelated to federal elections.

When he became Treasurer in 1984, Mr. Hedden, with advice of counsel and in accordance with FEC regulations, established a system to allocate administrative and overhead expenses between the NCPP's federal and nonfederal accounts in order to reflect each account's share of these expenses. The basis for apportioning expenses was each account's proportional share of the total contributions made in the preceding four quarters.

at this time and did not require space. In 1985, the JGPC and the NCPP moved to 236 Massachusetts Ave., N.E. The SJGC also took space in the building. The JGPC leased the space from third parties and sublet rooms to the SJGC and the NCPP. Each committee's share of the rent was determined on the basis of square footage, and these were reflected in written sublease agreements. Hedden Aff. ¶ 5, Exh. 3. In February 1988, the current operating files of the JGPC, the SJGC and the NCPP were moved to a secretarial bay in Mr. White's law office. (The remaining files were sent to storage.) The JGPC and the SJGC paid rent to the law firm for the two months during which the records remained in his office; the NCPP did not. In April 1988, the current operating records of the JGPC and SJGC were moved to 202 E Street, N.E. The NCPP files remained in Mr. White's office until the NCPP was terminated. White Aff. ¶ 8(b).

2. Contributions to the JGPC and the SJGC

Common Cause asserts that the JGPC received a total of $12,000 in contributions in 1984 from Mr. Keating, members of his family and other alleged associates. We have reviewed the FEC report filed by the JGPC for August 1984, as well as certain donor lists generated by the JGPC. These documents show that on July 24, 1984, the JGPC received several contributions amounting to $10,000 from Mr. Keating and his apparent associates. It is unclear whether other contributors had any association or relationship with Mr. Keating. The list below

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includes all donors possibly related to Mr. Keating. Those marked by an asterisk are persons included simply because they contributed on July 24 and reside in Arizona.

NAME	CITY/STATE	AMOUNT GIVEN
Charles H. Keating, Jr.	Paradise Valley, AZ	$1,000.00
Mary E. Keating	Paradise Valley, AZ	1,000.00
Charles H. Keating, III	Paradise Valley, AZ	500.00
Krista Keating	Paradise Valley, AZ	500.00
Robert Kielty	Paradise Valley, AZ	500.00
Elizabeth A. Kielty	Paradise Valley, AZ	500.00
*Gary Hall	Phoenix, AZ	500.00
*Mary A. Hall	Phoenix, AZ	500.00
*Carol B. Loback	Scottsdale, AZ	500.00
*Donald B. Loback	Scottsdale, AZ	500.00
*Michele C. Mencuccini	Phoenix, AZ	250.00
Andre A. Niebling	Paradise Valley, AZ	500.00
Helen M. Niebling	Paradise Valley, AZ	500.00
*Mark A. Voigt	Phoenix, AZ	250.00
*Ellen R. Weiner	Scottsdale, AZ	250.00
*Sheldon Weiner	Scottsdale, AZ	250.00
George J. Wischer	Mesa, AZ	500.00
Judy E. Wischer	Mesa, AZ	500.00

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*Elizabeth A. Wurzelbacher	Phoenix, AZ	500.00
*Robert A. Wurzelbacher	Phoenix, AZ	500.00
TOTAL		$10,000.00

For purposes of this response, we do not dispute the Common Cause assertion that Mr. Keating and his alleged acquaintances contributed $12,000 to the JGPC in 1984.

Common Cause also contends that in July and August, 1985, Mr. Keating and several of the same family members and alleged acquaintances made contributions totalling $22,000 to the SJGC. The FEC report filed by the SJGC for the second half of 1985 lists the following contributions from persons that may have been related to Mr. Keating in some way (again, we have marked with an asterisk those contributors whose connection to Mr. Keating, if any, we do not know):

DATE	NAME	CITY/STATE	AMOUNT GIVEN
*7/31/85	Michele C. Mencuccini	Phoenix, AZ	$2,000
7/31/85	R.S. Symes	Laguna Niguel, CA	2,000
*7/31/85	Mark Voight	Phoenix, AZ	2,000
*7/31/85	Sheldon K. Weiner	Scottsdale, AZ	2,000
7/31/85	Charles H. Keating, Jr.	Paradise Valley, AZ	2,000
7/31/85	Mary E. Keating	Paradise Valley, AZ	2,000
7/31/85	Maureen Keating	Paradise Valley, AZ	2,000
8/15/85	Elizabeth A. Kielty	Paradise Valley, AZ	2,000
8/15/85	Robert J. Kielty	Paradise Valley, AZ	2,000

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8/15/85	George J. Wischer	Paradise Valley, AZ	2,000
8/15/85	Judy E. Wischer	Paradise Valley, AZ	2,000
TOTAL			$22,000

For purposes of this response we do not dispute the Common Cause assertion that Mr. Keating and his acquaintances contributed $22,000 to the SJGC in 1985.

3. Contributions to the NCPP

As the foregoing contributions show, Mr. Keating was a strong supporter of Senator Glenn. His corporation, ACC -- which was prohibited from contributing to the JGPC and SJGC -- expressed its support for the centrist Democratic positions promoted by Senator Glenn on behalf of the NCPP by providing two contributions of $100,000 each to the nonfederal account of the NCPP. The contributions were made on August 28, 1985 and February 28, 1986, subsequent to ACC having obtained an opinion from outside counsel, Jan Baran of Wiley & Rein, that such corporate contributions to a nonfederal account of a multicandidate political committee were lawful. White Aff. ¶ 6, Exh. 1; Hedden Aff. ¶¶ 6-7.

In addition to the ACC contributions, the NCPP received during its existence a total of $16,545 in contributions that it deposited to its nonfederal accounts. The NCPP also earned $11,495.86 in interest on these and the ACC contributions. Out of the nonfederal funds it received, the NCPP made contributions to state and local candidates totalling $10,305. In addition, it spent over $13,000 on

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various public events. The remainder was used to pay taxes, overhead, administrative, and travel expenses, as well as salaries and consulting fees. White Aff. ¶ 7.

A review of the quarterly reports filed by the NCPP with the Commission disclosing amounts in its federal account shows that the federal account received $182,851 in contributions. The NCPP made contributions out of this account in connection with federal elections, totalling $23,100, and contributions totalling $12,450 to state and local candidates.[6/] There were also contributions totalling $27,050 to a variety of other political committees. The JGPC received $5,000 from the NCPP in 1983; the SJGC received $2,500 in 1983 and $1,000 in 1986 in connection with the 1986 election and $10,000 in 1988 in connection with the 1992 primary and general elections.

4. Review of Expenditures by the NCPP

In mid-April 1988, Mr. White began to examine the NCPP's books in detail. In the course of his examination, Mr. White discovered that the NCPP appeared to have made payments that may have benefitted the JGPC and the SJGC. White Aff.

6/ The NCPP federal account also paid expenses of Senator Glenn and his staff in connection with appearances on behalf of federal, state and local candidates. These payments, which were duly disclosed as in-kind contributions on the NCPP's FEC reports, totalled $22,612.33 for federal and $3,431.28 for nonfederal candidates.

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¶ 8. These payments, which are discussed in detail below, included payments for rent and telephone in 1987 and one month in 1988; compensation of three months' work by NCPP staff; a misdirected credit card payment; certain unattributable travel expenses paid for through a MasterCard account; and the payment for the anticipated rental of a mailing list. In view of the foregoing, and because the NCPP had become inactive and there was no real prospect that Senator Glenn would become more active as spokesman, Mr. White recommended that the NCPP be terminated, and Messrs. Hedden and Berman, members of the NCPP board, voted to do so. Mr. White also requested that the JGPC and the SJGC promptly reimburse the NCPP for all payments made by it that may possibly have been to their benefit. Accordingly, on May 31, 1988, the JGPC reimbursed the NCPP $20,457.65, and the SJGC reimbursed the NCPP $23,341.76. These payments were duly disclosed, without prompting from the news media or any other source, in reports filed with the Commission. The NCPP was terminated on May 31, 1988. White Aff. ¶¶ 8-9, Exhs. 2, 3. Details of the reimbursements follow.

A. Rent and Related Office Expenses

In 1987, the NCPP began to pay the entire rent ($15,600), as well as all telephone charges ($5,219.65) for the offices at 236 Massachusetts Avenue, N.E. Mr. White discovered the payments by the NCPP during his review of the books in 1988. He assumed that these expenses should have

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been split three ways, and he requested immediate reimbursement. Accordingly, on May 31, 1988, the JGPC and the SJGC each reimbursed the NCPP $5,200 for 1987 rent and $1,739.88 for telephone services in 1987. White Aff. ¶ 8(a).

In May 1988, after the JGPC and the SJGC had moved from Mr. White's office to 202 E Street, N.E., Monica Bramlish, a part-time employee of the JGPC and the NCPP, erroneously used NCPP checks, rather than checks drawn on the JGPC and SJGC accounts, for a rental deposit of $1,000 and the May rent of $500. Moving expenses of $315 and the purchase of a telephone for $63.55 were similarly (and erroneously) paid in May 1988 out of NCPP funds. When this was discovered, Mr. White requested that the JGPC and SJGC repay the NCPP in equal shares for all of these accounts. On May 31, 1988, the two committees did so. White Aff. ¶ 8(b).

In summary, the reimbursements made on May 31, 1988 by the JGPC and the SJGC to the NCPP for rent, telephone and related expenses (White Aff. ¶ 8(c)) were as follows:

Date Discovered	Item	Reimbursement By JGPC	Reimbursement by SJGC
4/88	Rent at 236 Mass. Ave.	$5,200	$ 5,500
5/88	Rent and deposit at 202 E St., N.E.	$ 750	$ 750
4/88	Telephone at 236 Mass. Ave.	$1,739.88	$1,739.88
5/88	Telephone at 202 E St., N.E.	$ 31.77	$ 31.77
5/88	Moving Expenses	$ 157.00	$ 157.00
	Total	$7,878.65	$7,878.65

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B. Compensation

The NCPP's only compensated staff members in 1984 were its Executive Director, Mr. Hedden, and L. Jeffrey Steen, who served as Finance Director for two months.[7/] Mr. Hedden ceased receiving compensation on January 15, 1985, and continued in an unpaid capacity as Director and Treasurer in 1985 and 1986. The NCPP had no paid staffers in 1985. Through most of 1986, its only paid staff member was David Bergman, who held the title "co-coordinator" and handled the NCPP's day-to-day affairs for a month and a half in July and August. In late 1986, the NCPP hired Ms. Moriarty and Marian Murphy. Hedden Aff. ¶¶ 2, 8.

During Mr. White's review of the books in 1988, and his discussions with Mary Jane Veno, Administrative Assistant to Senator Glenn, who was familiar with fundraising on behalf of the JGPC, it appeared that Mmes. Moriarty and Murphy had devoted a portion of their time to JGPC fundraising. There were no time records that would have enabled Mr. White to determine precisely the amount of time spent on this activity, but Mr. White estimated that Ms. Moriarty had spent the equivalent of two months' work on the event and Ms. Murphy the

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7/ Messrs. Hedden and Steen were responsible for their own benefits and for social security and federal and local taxes. Hedden Aff. ¶ 8.

equivalent of one month's work. Ms. Moriarty's pro-rata compensation for that period amounted to $2,060, and Ms. Murphy's compensation to $1,019. Mr. White requested the JGPC to reimburse the NCPP a total of $3,079 for these compensation payments. The JGPC made this reimbursement on May 31, 1988. White Aff. ¶ 8(d).

C. Credit Card Charges

The SJGC paid for certain of its travel expenses through a VISA account. In 1983, the NCPP mistakenly paid $10,657.04 to this VISA account. The SJGC had sought to make a reimbursement to cover these payments but erroneously reimbursed the JGPC rather than the NCPP. The error was discovered in 1987, during a follow-up FEC audit of the JGPC, when the Commission inquired about a reimbursement by the SJGC to the JGPC for VISA payments reported in the JGPC filing.

The final FEC order (Interim Addendum to the Final Audit Report) required the SJGC-JGPC transaction to be reversed and the SJGC to reimburse the NCPP. The SJGC complied with the order on May 31, 1988. White Aff. ¶ 8(e).

D. Travel Expenses

As part of his review of the NCPP books, Mr. White examined the MasterCard payments that NCPP had made to cover travel expenses. Mr. White attempted to identify the purposes of all of the NCPP's MasterCard charges. Of the total of roughly $15,000 in charges in 1985 and 1986, Mr. White was able to account for all but $4,806.07. The records did not contain sufficient detail to determine whether the $4,806.07

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was correctly attributable to the NCPP or erroneously paid on behalf of the SJGC. Although he had no reason to believe that any error had occurred, Mr. White assumed, out of an abundance of caution given the matters noted above, that this amount could be attributable to the Senate campaign, and he requested that the SJGC reimburse NCPP in that amount. The SJGC made the requested reimbursement on May 31, 1988. White Aff. ¶ 8(f).

E. Mailing List

The NCPP paid $9,500 to the JGPC in early 1986 in anticipation of renting that committee's mailing list for the purpose of a direct-mail solicitation. The NCPP made 50% of the payment out of its federal account and the other half out of the nonfederal corporate account. The NCPP direct-mail campaign was repeatedly delayed and finally abandoned, but the JGPC did not refund the money. Mr. White discovered this omission in his review of the NCPP books, and he requested the JGPC to return the $9,500 to the NCPP. It did so on May 31, 1988. White Aff. ¶ 8(g).

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ANALYSIS

We turn now to the legal issues raised by the Common Cause letter.

First Issue

Whether the JGPC or the SJGC received some improper benefits by virtue of the ACC contributions to the nonfederal corporate account of the NCPP.

Common Cause asserts that Senator Glenn "received the benefit of. . . . corporate donations of $200,000 to a political committee controlled by Senator Glenn." Common Cause letter at 1. Common Cause bases this allegation only on news accounts of receipts and expenditures of NCPP. As we noted above, this assertion raises three subsidiary questions.

(a) Whether the ACC contributions to the NCPP nonfederal corporate account were lawful?

Common Cause states that

> "Senator Glenn received the benefit of $200,000 in corporate donations provided by Mr. Keating to the National Council on Public Policy, a political committee controlled by Senator Glenn. The contributions were made in August 1985 and February 1986. Under federal law, these corporate funds could not be used by Senator Glenn for his own campaign activities or given to other candidates for federal office." Common Cause letter at 5.

Response

The ACC contributions to the NCPP's separate, segregated nonfederal corporate account were entirely lawful. Corporate contributions to be used for nonfederal campaigns have expressly been approved by the Commission in a series of advisory opinions. In Advisory Opinion 1979-17, the Commission determined that FECA permits corporations to

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contribute, and political committees to accept and spend, corporate funds "for the exclusive and limited purpose of influencing the nomination or election of candidates for non-federal office." Adv. Op. 1979-17, 1 Fed. Election Camp. Fin. Guide (CCH) ¶ 5416.[8/] In addition, if a political committee establishes a separate segregated bank account "for the deposit and disbursement of funds designated specifically and exclusively to finance . . . activity limited to influencing the nomination or election of candidates for public office other than election to 'federal office,'" then the nonfederal account, and contributions to it, are not subject to FECA. Id.

Similarly, in Advisory Opinion 1975-59, the Commission permitted a state party committee to accept corporate contributions, on the condition that the Committee "deposit such contributions in a special bank account" and that they "be used for state candidates only." 1 Fed. Election Camp. Fin. Guide (CCH) ¶ 5143. Cf. Adv. Op. 1977-65, 1 Fed. Election Camp. Fin. Guide (CCH) ¶ 5295 (political committee organized under FECA may not accept contributions from state

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8/ FECA makes it unlawful "for any corporation whatever . . . to make a contribution or expenditure in connection with any election at which presidential and vice presidential electors or a Senator or Representative in . . . Congress are to be voted for, or in connection with any primary election for any of the foregoing offices." 2 U.S.C. § 441b(a).

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committee whose funds include prohibited corporate contributions); Adv. Op. 76-110, 1 Fed. Election Camp. Fin. Guide (CCH) ¶ 5234 (corporate contributions lawfully made to state candidates may not be included in transfer of funds to campaign committee of federal candidates).

(b) Whether the NCPP's use of the ACC contributions was lawful?

Common Cause contends that

> "The $200,000 in corporate donations, according to a July 23, 1989 article in The (Cleveland) Plain Dealer, constituted most of the committee's income. As to expenditures, according to the article, 'only $24,000 went for public events or as contributions to state and local candidates. The rest was spent on overhead, and other fees of consultants and lawyers.'" Common Cause Letter at 5.

Response

What Common Cause is complaining about is, in essence, that the NCPP was not more effective. That is, in Common Cause's view, the effectiveness of the nonfederal account of a political committee should be measured by the degree to which it makes contributions to state and local candidates. Notwithstanding the fact that ineffectiveness is not a violation of the federal election laws, Common Cause's yardstick for measuring the effectiveness of such a committee is entirely inappropriate. Indeed, Common Cause ignores the fact that a major goal of the NCPP was to promote a centrist Democratic philosophy, oftentimes more effectively accomplished by appearances by public figures than by making discrete political contributions.

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Of course, the effectiveness of, or the level of contributions by, a political committee does not determine the legality of that committee's activities. The federal election laws clearly intend that political committees serve different purposes other than the making of contributions. By design, the only limit that FECA places on nonfederal accounts is that they may not be used to receive contributions or make expenditures "for the purpose of influencing any election for Federal office." 2 U.S.C. § 431(8)(A)(i), (9)(A)(i). The purpose of the NCPP was to make use of Senator Glenn as a spokesman for moderate and centrist views in the Democratic Party, and in order for Senator Glenn to do so, the NCPP reimbursed him for travel and expenses. This purpose was followed to the end; as Mr. White states in his affidavit, the reason that the NCPP was terminated was because Senator Glenn could no longer be active as spokesman. Thus the NCPP satisfied the requirements of FECA, and the NCPP's decision to use funds to support Senator Glenn's role as spokesman, rather than to make contributions, was fully within the law.

(c) Whether the reimbursements by the JGPC and the SJGC to the NCPP of certain payments that inadvertently may have been made on behalf of the JGPC or SJGC complied with the federal election laws?

Common Cause claims that

> "According to The Plain Dealer, approximately $43,000 of the National Council on Public Policy's funds was used during 1987 to pay for expenses of Senator Glenn's presidential and senatorial campaign committees, 'an apparent violation of federal election law.' These funds were repaid in May 1988 to the National Council on Public Policy by Senator Glenn's campaign committees." Common Cause Letter at 5.

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Response

As discussed above, in April and May 1988, Mr. White discovered that the NCPP may have erroneously made payments that benefitted the SJGC and the JGPC. These included payments for office rent and telephone charges in 1987 and one month in 1988; three months' compensation of the NCPP staff members; a misdirected VISA payment; MasterCard payments that could not be attributed either to the NCPP or the SJGC; and rental of a mailing list. Mr. White requested the JGPC and the SJGC to reimburse the NCPP for these payments. On May 31, 1988, these two committees did so. The JGPC reimbursed its share of all of these expenses, $20,457.65, and the SJGC paid its share of all of these expenses, $23,341.76.

The Commission regulations do not deal explicitly with the return of apparently inappropriate in-kind contributions, which is the situation presented here. The regulations do, however, address the situation involving the receipt of questionable direct contributions later found to be unlawful. Under the regulations, a treasurer must use his "best efforts" to determine the legality of contributions, and once a contribution is found to be illegal it must be refunded "within thirty days of the date on which the illegality is discovered." 11 C.F.R. § 103.3(b)(1), (2). As the Commission has indicated, time limits may be relaxed when the committee lacks sufficient funds to make a complete refund. See Adv. Op. 1985-8, 2 Fed. Election Camp. Fin. Guide (CCH) ¶ 5836.

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The actions of the JGPC and the SJGC satisfy the foregoing "best efforts" requirements. Each of the reimbursements required a reexamination of a complicated transaction, and the reimbursements were made within six weeks of the time the review began. The errors in the payments by the NCPP of rent and telephone (and, with respect to the JGPC, three months' staff time) were discoverable only from a detailed review of the books because the payments by the NCPP were not in the form of direct payments to the JGPC and the SJGC, which are the kind of contributions envisioned by 11 C.F.R. § 103.3(b)(2). Thus the reimbursements for these payments, which were made six weeks after review began and in connection with the termination of the NCPP, represented the due exercise of best efforts. In addition, payments by Ms. Bramlish in May 1988 for rent, telephone, and other charges, which benefitted the JGPC and the SJGC, were discovered that same month and reimbursed at the end of that month, thereby satisfying the 30-day condition.

The other reimbursements were equally correct. The reimbursement by the SJGC of the VISA card payments was simply a correction of an earlier accounting error, as required by an FEC order. The reimbursement by SJGC for certain MasterCard payments assumed the worst case about the payments; it was unclear whether the payments benefitted the NCPP, in which case no reimbursement would have been required, or the SJGC. With respect to the JGPC, its refund of the rental fee paid by the NCPP for a rental that had failed to occur corrected an

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oversight and, in any event, at the time in 1986 when the payment had been made by the NCPP, the JGPC was engaged in debt retirement activity and, as its FEC reports show, lacked the funds necessary both to pay its outstanding obligations and to make reimbursement. Accordingly, the JGPC and the SJGC did not derive unlawful benefits from the nonfederal account of the NCPP.

Second Issue

Whether the individual contributions by Mr. Keating, members of his family and apparent acquaintances to the JGPC and the SJGC were lawful?

Common Cause contends that Senator Glenn "received the benefit of substantial corporate donations, significant gifts, and/or large campaign contributions from Mr. Keating, his family and other associates,. . . campaign contributions organized and channeled by Mr. Keating of. . . $34,000[.]" Common Cause letter at 1-2.

The Common Cause letter further elaborates:

> Under federal law, an individual can give up to $1,000 in a primary and $1,000 in a general election to a candidate for the U.S. Senate. This was not a situation, however, where a Senator received a $1,000 or $2,000 contribution from an individual. Rather, each of the Senators was the beneficiary of tens of thousands of dollars in campaign contributions that were organized and channeled to them by Mr. Keating and his associates." Common Cause letter at 5.

Response

As we explained above, the JGPC received a series of individual contributions from Mr. Keating and others whom we assume were associates in 1984 that totaled $12,000. One year

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later, the SJGC received contributions totalling $22,000 that also came from Mr. Keating and assumed associates. These contributions were fully within FECA's limits. As Common Cause states, any individual can give up to $1,000 to a presidential or senatorial candidate, for each of the primary and general elections. 2 U.S.C. § 441a(a)(1)(A). In the case of the JGPC, Senator Glenn had withdrawn from the race by the time of the July 24 contribution. Accordingly, individuals were permitted to contribute $1,000 -- and all of the July 24 contributions were within that limit. As to the SJGC, because Senator Glenn ran in both the primary and general elections, the SJGC could accept individual contributions up to $2,000. See 11 C.F.R. § 102.9(e). No contribution from Mr. Keating or his associates exceeded that amount.

The Common Cause allegation that Mr. Keating "organized" contributions in lawful amounts and transmitted -- "channeled" -- them to the two committees does not render otherwise lawful contributions unlawful. At most, the allegation that Mr. Keating "organized" the contributions may mean that Mr. Keating and his fellow contributors constituted a political committee. In Advisory Opinion 1976-51, the Commission advised that a group assembled to promote a particular foreign policy view and that also wished to pass on individual contributions to candidates would constitute a political committee. Adv. Op. 1976-51, 1 Fed. Election Camp. Fin. Guide (CCH) ¶ 5215. In the facts presented in that Advisory Opinion, however, the Commission noted that the donors may

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have wished to present themselves as a group in making the contributions. In this case, the JGPC and the SJGC are unaware of any evidence of such a wish.

Indeed, the Commission regulations provide that any individual contributions "which are in any way earmarked or otherwise directed to the candidate through an intermediary or conduit, are contributions from the person to the candidate." 11 C.F.R. § 110.6(a) (emphasis supplied). Whether the conduit or intermediary is a committee or an individual, "[a] conduit or intermediary's contribution limits are not affected by passing on earmarked contributions, except when the conduit exercises any direction or control over the choice of the recipient candidate." 11 C.F.R. § 110.6(d) (emphasis supplied). The FEC reports indicate that the checks from Keating and his apparent associates were made out to the JGPC and the SJGC themselves (not to an intermediary) and thus were earmarked or otherwise directed to Senator Glenn. See 11 C.F.R. § 110.6(b). Thus, whether or not Mr. Keating and his alleged associates constituted a political committee, the only applicable contribution limits are those concerning individuals. These were complied with.

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CONCLUSION

As the foregoing makes clear, there is no reason to believe that there has been any violation of federal election laws by the JGPC or SJGC with respect to the matters raised in this matter under review. With regard to the payments by the NCPP that may have benefited the JGPC and the SJGC, the

treasurer of the NCPP reviewed the payments in April 1988 and recommended that the JGPC and the SJGC reimburse the NCPP. The reimbursements covered payments by the NCPP for rent and telephone expenses in 1987 and one month's rent and related expenses in 1988; compensation of a total of three months of work by staff members; a misdirected VISA payment; certain unattributable travel expenses paid through a MasterCard account; and the rental of a mailing list. The reimbursements were made on May 31, 1988. As to the individual contributions from Mr. Keating, members of his family and other persons that may have been associated with him, these contributions all came within the limitations of the FECA.

Respectfully submitted,

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Attorneys for the John Glenn for President Committee, Inc. and the Senator John Glenn Committee

Dated: December 18, 1989

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FEDERAL ELECTION COMMISSION

In re:	)	
	)	
Senator John McCain, et al.	)	MUR No. 2999
	)	
Respondents.	)	

AFFIDAVIT OF WILLIAM R. WHITE

William R. White, being duly sworn, deposes and says:

1. I have been Treasurer of the John Glenn for President Committee, Inc. ("JGPC") since April 1984. I succeeded Robert A. Farmer, who had been Treasurer since the JGPC's inception. Previously, I had served as Treasurer of the Senator John Glenn Committee ("SJGC") from 1974 until 1985.

2. The JGPC was created in 1983 as the principal campaign committee to accept contributions and make expenditures in connection with Senator Glenn's campaign for the Presidency in 1984. For purposes of District of Columbia corporate reporting requirements, the directors of the JGPC were Geoffrey L. Hockman, William P. Blair, and me. After Senator Glenn withdrew from the race in March 1984, JGPC remained active in order to wind up its affairs and to repay its debts, and it continues in existence today for the latter purpose.

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3. The SJGC was established in 1974 as the successor to the Citizens for John Glenn Committee, which was the principal campaign committee in connection with Senator Glenn's 1974 campaign for the Senate. The SJGC has remained in existence since then as the principal campaign committee for the re-election campaigns in 1980, 1986, and 1992. The SJGC has never had a board of directors or other governing board. The campaign manager for the 1986 campaign was Ruppert Rupert.

4. In 1987, I became Treasurer of the National Council on Public Policy ("NCPP"), succeeding Herbert Hedden. The NCPP was a multi-candidate political committee established in 1982 and terminated on May 31, 1988. The NCPP promoted moderate and centrist views in the Democratic Party, and Senator Glenn was its principal spokesman.

5. In my capacities as Treasurer of the JGPC and the SJGC, I did not have the authority to exercise any control over the activities of the NCPP. Likewise, as Treasurer of the NCPP, I did not have any similar authority or power with respect to the JGPC or the SJGC. Indeed, when (as discussed below) I discovered that the NCPP may have made payments for expenses that benefitted the JGPC and the SJGC, it was necessary to request reimbursements from the two committees.

6. The NCPP received two contributions of $100,000 each from the American Continental Corporation on August 28, 1985 and February 28, 1986. I learned in June 1985 from James

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Grogan, counsel to American Continental Corporation, that Charles Keating wished to support Senator Glenn's work. I informed Mr. Grogan about the different limits on contributions applicable to the campaign committees and the NCPP. Mr. Grogan later told me that Mr. Keating already had given the maximum permissible amount to the campaign committees and that American Continental wished to contribute to the non-federal corporate account of the NCPP. To ensure the lawfulness of such a contribution, Mr. Grogan asked me to recommend an election law expert who could provide a legal opinion. I referred him to Jan Baran, who provided an opinion that concluded that the contributions were lawful, provided they were not used to promote candidates for federal office. Copies of Mr. Baran's opinion were included with each of the $100,000 contributions. A copy of Mr. Baran's opinion is attached hereto as Exhibit 1. Mr. Hedden supervised the deposit of both contributions.

7. In addition to the American Continental contributions, the NCPP received during its existence a total of $16,545 in contributions that it deposited to its nonfederal accounts. The NCPP also earned $11,495.86 in interest on these and the American Continental contributions. Out of the nonfederal funds it received, the NCPP made contributions to state and local candidates totalling $10,305. In addition, it spent over $13,000 on various public events.

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The remainder was used to pay taxes, overhead, administrative, and travel expenses, as well as salaries and consulting fees.

8. In mid-April 1988, I began to examine in detail the NCPP's books. In the course of my examination, I discovered that it appeared that the NCPP had made certain payments that may have benefited the JGPC and the SJGC. I requested that appropriate reimbursements should be made by the JGPC and the SJGC to the NCPP. The reimbursements, which are described as follows, were made on May 31, 1988 and duly disclosed in reports to the Federal Election Commission, copies of which are attached hereto as Exhibits 2 and 3.

(a) I discovered that in 1987 the NCPP had paid the entire office rent ($15,600.00), as well as telephone charges ($5,219.65), for itself and the JGPC and the SJGC. I assumed that these expenses should have been split three ways. Accordingly, on May 31, 1988, the JGPC and the SJGC each reimbursed the NCPP $5,200 for 1987 rent and $1,739.88 for telephone services in 1987.

(b) In February 1988, the current operating records of the JGPC, the SJGC, and the NCPP were moved to a secretarial bay in my law office. (The remaining records were sent to storage.) The JGPC and the SJGC paid rent to the law firm for the two months in which the records remained in

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my office; the NCPP did not. In April 1988, the current operating records of the JGPC and the SJGC were moved to 202 E Street, N.E. In May, Monica Bramlish, a part-time employee of the JGPC and the NCPP, erroneously used NCPP checks to pay for a deposit of $1,000.00 and the May rent of $500.00 at 202 E Street, N.E. Moving expenses of $315.00 and the purchase of a telephone at $63.55 were similarly (and erroneously) paid out of NCPP funds. When this was discovered, I requested the JGPC and the SJGC to repay the NCPP in equal shares for all of these amounts, and they did so on May 31, 1988.

(c) The repayments by the JGPC and SJGC to the NCPP for rent and related expenses totalling $15,757.30 were as follows:

Date of Discovery	Item	By JGPC	By SJGC
4/88	Rent at 236 Mass. Ave.	$5,200.00	$5,200.00
5/88	Rent & deposit at 202 E Street, N.E.	$ 750.00	$ 750.00
4/88	Telephone at 236 Mass. Ave.	$1,739.88	$1,739.88
5/88	Telephone at 202 E Street, N.E.	$ 31.77	$ 31.77
5/88	Moving Expenses	$ 157.00	$ 157.00
	TOTAL	$7,878.65	$7,878.65

9304354012 9

(d) In late 1986, the NCPP hired Maureen Moriarty and Marian Murphy. During my review of the NCPP books in 1988, and my discussions with Mary Jane Veno, Senator Glenn's Administrative Assistant, who was familiar with fundraising on behalf of the JGPC, it appeared that both women may have devoted a portion of their time to JGPC fundraising. There were no time records that would have enabled me to determine precisely the amount of time spent on such matters. Based on my discussions with Ms. Veno, I estimated that Ms. Moriarty had spent the equivalent of two months' work on JGPC matters and Ms. Murphy the equivalent of one month's work. Ms. Moriarty's pro-rata compensation amounted to $2,060.00, and Ms. Murphy's to $1,019.00. I requested the JGPC to reimburse the NCPP a total of $3,079.00 for these payments. The JGPC made the reimbursement on May 31, 1988.

(e) The SJGC paid for certain of its travel expenses through a VISA account. In 1983, the NCPP paid $10,657.04 to this VISA account. The SJGC had sought to make a reimbursement to cover these payments, but the SJGC erroneously

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reimbursed the JGPC rather than the NCPP. In 1987, the erroneous reimbursement was discovered during a follow-up FEC audit of the JGPC, when the FEC inquired about a reported reimbursement by the SJGC to the JGPC for VISA payments. The final FEC order (Interim Addendum to the Final Audit Report) required the SJGC-JGPC transaction to be reversed and the SJGC to reimburse the NCPP. The SJGC complied with the order on May 31, 1988.

(f) The NCPP paid for its travel expenses through a MasterCard account. As part of my review in 1988 of the NCPP books, I examined the Master-Card payments that the NCPP had made to cover those expenses. Of the total of roughly $15,000 in charges in 1985 and 1986, I was able to account for all but $4,806.07 of the charges. The records did not contain sufficient detail to determine whether the charges totalling $4,806.07 were correctly attributable to the NCPP or erroneously paid on behalf of the SJGC. Out of an abundance of caution and to correct any possible error by the NCPP, I assumed that this amount might be attributable to the Senate campaign, and I requested the SJGC to reimburse the NCPP in

23043540131

that amount. The SJGC made the reimbursement on May 31, 1988.

(g) The NCPP paid $9,500.00 to the JGPC in early 1986 in anticipation of renting that committee's mailing list for the purpose of a direct-mail solicitation. The NCPP direct-mail campaign was repeatedly delayed and never occurred, but the JGPC did not refund the money. I discovered this omission in my 1988 review of the NCPP books, and I requested the JGPC to return the $9,500.00 to the NCPP. The JGPC made this payment on May 31, 1988.

9. In light of the findings described above in paragraph 8, and because the NCPP had been inactive for several months and because there was no real prospect that Senator Glenn would become more active as spokesman, I recommended in April 1988 that the NCPP be terminated. Mr. Hedden and Jeffrey Berman, members of the board of the NCPP, voted to dissolve the NCPP. The JGPC and the SJGC made all

9304354013 2

reimbursements to the NCPP on May 31, 1988, and the NCPP was terminated on the same day.

William R. White

City of Washington :
: ss:
District of Columbia :

SWORN TO AND SUBSCRIBED before me this 15th day of December, 1989.

Notary Public

My Commission expires: My Commission Expires April 14, 1991

9304354013 3

RECEIVED
AUG 16 1985

WILEY & REIN

1776 K STREET, N.W.
WASHINGTON, D.C. 20006
(202) 429-7000

August 15, 1985

WRITER'S DIRECT DIAL NUMBER

(202)429-7330

Robert J. Kielty, Esq.
Senior Vice President and
General Counsel
American Continental Corporation
2735 East Camelback Road
Phoenix, Arizona 85016

Dear Mr. Kielty:

This letter has been requested on behalf of American Continental Corporation ("Corporation") regarding the application of the Federal Election Campaign Act of 1971, as amended[1] ("Act") to a specific contemplated transaction as set forth below.

FACTS

The Corporation intends to make a donation to the National Council on Public Policy ("Council"). The Council is a political organization which maintains three bank accounts:

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1 2 U.S.C. §§ 431-455 (1982 & Supp. I 1983) (originally enacted as Federal Election Campaign Act of 1971, Pub. L. No. 92-225, § 301, 86 Stat. 11, as amended by Federal Election Campaign Act Amendments of 1974, Pub. L. No. 93-443, § 201, 88 Stat. 1272; Federal Election Campaign Act Amendments of 1976, Pub. L. No. 94-283, § 101, 90 Stat. 475; and Federal Election Campaign Act Amendments of 1979, Pub. L. No. 96-187, § 101, 93 Stat. 1339).

9304354013 4

a federal account, a non-federal individual account and a non-federal corporate account. The Council's federal account supports candidates for federal office[2] and is registered as a political committee with the Federal Election Commission ("FEC") pursuant to the Act. The Council's other accounts do not support any candidates for federal office. The non-federal corporate account accepts donations from corporations and supports candidates for state or local offices in those states which permit the use of corporate funds for such purpose.

The Corporation's donation to the Council would be made to and received by the non-federal corporate account and would be used solely for the limited purpose described above. We have been asked to confirm that such a donation under these conditions would be lawful under the Act.

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DISCUSSION

Section 441b of Title 2 of the United States Code makes it unlawful "for any corporation whatever . . . to make a contribution or expenditure in connection with any election at which presidential and vice presidential electors or a Senator

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2 "Federal office" includes the offices of United States Representative, Senator, Vice President and President. 2 U.S.C. § 431(3)(1982).

or Representative in . . . Congress are to be voted for, or in connection with any primary election for any of the foregoing offices."[3] The FEC has ruled that the Act permits corporations to give, and political committees to accept and spend, corporate funds "for the exclusive and limited purpose of influencing the nomination or election of candidates for nonfederal office." Advisory Opinion 1979-17, Fed. Election Camp. Fin. Guide (CCH) ¶ 5416 (July 16, 1979). The FEC further determined that if a separate segregated bank account is maintained "for the deposit and disbursement of funds designated specifically and exclusively to finance . . . activity limited to influencing the nomination or election of candidates for public office other than elective 'Federal office,'" such an account and donations to it would not be subject to

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3 Id. § 441b(a)(1982). Certain corporations are barred from making political expenditures in connection with any elections, including state or local election campaigns. In particular, national banks and corporations organized by authority of any law of Congress, such as federally chartered savings and loan associations, are prohibited from making a contribution or expenditure in connection with an election to any political office. Id; 11 C.F.R. § 114.2(a)(1985). Holding companies whose subsidiaries include national banks or federal savings and loan associations may contribute to state or local elections under certain conditions. See Advisory Opinion 1981-61, Fed. Election Camp. Fin. Guide (CCH) ¶ 5641 (Feb. 5, 1982); Advisory Opinion 1981-49, Fed. Election Camp. Fin. Guide (CCH) ¶ 5638 (Jan. 29, 1982). We are advised that neither the Corporation nor any of its subsidiaries is a national bank or a corporation authorized by a law of Congress.

the Act in any respect, provided that the donations were not from a national bank, a corporation chartered by Congress, or a foreign national. Id.

Political committees which finance both federal and non-federal election activities are permitted, indeed required, to establish separate accounts for their respective activities. 11 C.F.R. § 102.5(a)(1)(1985). FEC Advisory Opinions pertaining to activities of federal and non-federal accounts or committees of a particular organization indicate that, not only is the practice lawful, it is widespread.[4]

Accordingly, a corporation may lawfully contribute corporate funds to a political committee provided such funds are deposited into a non-federal account and are used for the exclusive and limited purpose of influencing the nomination or election of candidates for non-federal office. Such funds can be used to finance non-federal activities in those states or localities which do not prohibit the use of corporate monies in their election campaigns.[5]

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4 See Advisory Opinion 1980-8, Fed. Election Camp, Fin. Guide (CCH) ¶ 5470 (Mar. 13, 1980); Advisory Opinion 1981-21, Fed. Election Camp. Fin. Guide (CCH) ¶ 5611 (June 4, 1981); Advisory Opinion 1981-59, Fed. Election Camp. Fin. Guide (CCH) ¶ 5460 (Feb. 5, 1982); Advisory Opinion 1983-3, Fed. Election Camp. Fin. Guide (CCH) ¶ 5710 (Feb. 24, 1983).

5 State laws purporting to limit or prohibit use of certain kinds of funds for state election purposes are not preempted or superseded by the Act and must be complied with. Advisory

(footnote continued

CONCLUSION

On the basis of the facts and the statutory and administrative provisions cited herein, it is our opinion that the Act does not bar the Corporation from donating corporate funds to the Council, provided that such donations are paid to and deposited into the Council's non-federal corporate account, that such account is separate and segregated from any federal account and provided further that none of the donations are used in connection with an election campaign for federal office.

Sincerely,

WILEY & REIN

By: Jan W. Baran

9304354013 8

(footnote continued from previous page)
Opinion 1983-42, Fed. Election Camp. Fin. Guide (CCH) ¶ 5744 (Jan. 5, 1984).

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2777

NAME OF COUNSEL: William R. White

ADDRESS: 1215 17TH ST., NW
WASHINGTON DC
20036

TELEPHONE: 887-0353

90 JAN 19 AM 10:14

FEDERAL ELECTION COMMISSION

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.

1-17-90
Date

William R White
Signature

RESPONDENT'S NAME: WILLIAM R WHITE, TREAS & JOHN GLENN PRESIDENTIAL COMMITTEE INC

ADDRESS: 1215 17TH ST. NW
WASHINGTON, DC
20036

HOME PHONE:

BUSINESS PHONE: 887-0353

9304354013 9

DOC 5103

FEDERAL ELECTION COMMISSION

STATEMENT OF DESIGNATION OF COUNSEL

90 JAN 19 AM 10: 14

MUR 2999

NAME OF COUNSEL: Dwight Smith & Charles Ruff

ADDRESS: Covington & Burling
1201 Pennsylvania Ave. NW, PO Box 7566
Washington, DC 20044

TELEPHONE: (202) 662-6000

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.

1-17-90
Date

William R White
Signature

RESPONDENT'S NAME: WILLIAM R. WHITE, TREAS & JOHN GLENN PRESIDENTIAL COMMITTEE, INC

ADDRESS: 1215 17TH ST. NW
WASHINGTON DC
20036

HOME PHONE: -

BUSINESS PHONE: 887-0353

9304354014O

C

STATEMENT OF DESIGNATION OF COUNSEL

89 DEC 18 AM 10:23

MUR 2999

NAME OF COUNSEL: Wyman Bautzer Kuchel & Silbert (Peter J. Tennyson)

ADDRESS: 2600 Michelson Drive, Suite 700
Irvine, California 92715

TELEPHONE: 714/852-4700

89 DEC 18 PM 12:34

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.

12/15/89
Date

Benjamin W. Bull
Signature
Benjamin W. Bull
American Continental Corporation
Corporate Counsel

RESPONDENT'S NAME: American Continental Corporation

ADDRESS: 2735 East Camelback Road
Phoenix, Arizona 85016

HOME PHONE:

BUSINESS PHONE: 602/957-7170

9304354014 1

OGC 4968

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 DEC 26 AM 11:41

MORRISON, HECKER, CURTIS, KUDER & PARRISH

1600 FINANCIAL CENTER
3443 NORTH CENTRAL AVENUE
PHOENIX, ARIZONA 85012
(602) 279-1600

KANSAS CITY, MISSOURI
WASHINGTON, D.C.
DALLAS, TEXAS

TELECOPIER (602) 240-6925

OVERLAND PARK, KANSAS
WICHITA, KANSAS

MUR 2999

89 DEC 26 PM 4:18

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

December 11, 1989

Mr. Anthony Buckley, Esquire
Federal Election Commission
Washington, D.C. 20463

VIA TELECOPIER

Dear Mr. Buckley:

This letter will confirm our recent conversation in which you granted Lincoln Savings and Loan Association ("Lincoln") an extension of time in which to respond to the Federal Election Commission's letter dated November 6, 1989 regarding certain campaign contributions. Due to the variety of actions that are currently pending, we hereby request an extension until January 15, 1990 in which to respond. Unless otherwise notified, I will assume that Lincoln will have until January 15, 1990 in which to answer the November 6, 1989 letter.

Thank you for your kind consideration in this matter.

Very truly yours,

MORRISON, HECKER, CURTIS, KUDER & PARRISH

Michael L. Parrish

MLP/gd

2304354014 2

DENNIS DeCONCINI
ARIZONA

COMMITTEES:
APPROPRIATIONS
JUDICIARY
VETERANS' AFFAIRS
INDIAN AFFAIRS
RULES AND ADMINISTRATION
INTELLIGENCE

COMMISSION ON
SECURITY AND COOPERATION
IN EUROPE/CHAIRMAN

OGC 872

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

United States Senate

89 DEC 22 PM 12:05

WASHINGTON, DC 20510

WASHINGTON OFFICE:
328 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-4521

PHOENIX OFFICE:
3225 WEST ROOSEVELT #C-100
PHOENIX, AZ 85003
(602) 261-6756

SOUTHERN ARIZONA OFFICE:
2424 EAST BROADWAY
TUCSON, AZ 85719
(602) 629-6831

EAST VALLEY OFFICE:
40 NORTH CENTER STREET #110
MESA, AZ 85211
(602) 261-4998

December 13, 1989

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 DEC 26 PM 4:20

Mr. Lawrence M. Noble
General Counsel
Federal Election Commission
999 E Street, N. W.
Washington, D. C. 20463

Dear Mr. Noble:

This letter is to complete the information not readily available to me in the November 27, 1989, letter to you (Re: MUR 2999).

The $100 contribution from Mr. and Mrs. Bradley Boland listed with an unknown date in my earlier letter was in fact contributed on October 24, 1988.

If you have any further questions, please contact me.

Sincerely,

Dennis DeConcini

DENNIS DeCONCINI
United States Senator

DDC/GKJ

Enclosure

2304354014 3

OGC 4985

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 DEC 27 PM 3:25

QUINN, KULLY AND MORROW
A PROFESSIONAL LAW CORPORATION
EIGHTH FLOOR
520 SOUTH GRAND AVENUE
LOS ANGELES, CALIFORNIA 90071
TELEPHONE (213) 622-0300
TELECOPIER (213) 622-3799

JOHN J. QUINN
RUSSEL I. KULLY
MARGARET M. MORROW
RICHARD C. SMITH
LAURENCE J. HUTT
GREGORY C. FANT
J. DAVID OSWALT
LAWRENCE A. COX
POLLY HORN
ERIC L. DOBBERTEEN
DAVID S. EISEN
JAMES I. HAM
JANINE K. JEFFERY
LISA S. KANTOR
M. JEANNETTE CLARK
JULIE M. WARD
PATRICIA A. LIBBY
MICHAEL H. WALIZER
ELAINE M. LEMKE
MICHAEL J. NELSON
D. JAY RITT
JANET R. RICH
KATHY L. HIBBS

December 26, 1989

VIA FEDERAL EXPRESS

HAND DELIVERED

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM
89 DEC 27 AM 11:42

Ms. Lois G. Lerner
Associate General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: Charles H. Keating, Jr./MUR 2999

Dear Ms. Lerner:

This letter is in response to your letter of November 6, 1989 in which you advised our client, Charles H. Keating, Jr., that you have received a "complaint" against him alleging possible violations of the Federal Election Campaign Act of 1971. In your letter you solicited a response and any factual or legal materials which our client believed were relevant to the Commission's analysis of this matter. By letter of December 7, 1989, you granted an extension of time for our response to December 27, 1989. This firm has previously submitted its Statement of Designation of Counsel as executed by Mr. Keating.

At the outset we would note that the "complaint" in this case is comprised of a letter dated October 30, 1989 from Senator John McCain to the Honorable Danny L. McDonald in which the Senator refers to questions which "have been raised in publicized news accounts" as referenced in a letter from the public lobbying group Common Cause to the Honorable Howell Heflin of the Senate Select Committee on Ethics, dated October 13, 1989. Apparently, Senator McCain's letter enclosed the Common Cause letter to provide certain factual allegations to support his "complaint". We respectfully submit that Senator McCain's letter and its enclosure do not satisfy the requirements of 2 United States Code §437g(a)(1) which provides that any complaint to the Commission "shall be in writing, signed and sworn to by the person filing such complaint, shall be notarized, and shall be made under penalty of perjury and subject to the provisions of 1001 of Title 18." Senator McCain's letter is not sworn to under

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penalty of perjury in any jurisdiction, and indeed, could not be since the "allegations" he raises are nothing more than third or fourth hand hearsay contained in the Common Cause letter which in turn quotes publicized news accounts from newspapers throughout the country. Accordingly, we respectfully submit that the Commission has no jurisdiction to conduct an investigation in this matter.

Beyond this jurisdictional impediment, we have advised members of your staff that the United States Attorneys Office for the Central District of California is now in the midst of a grand jury investigation into similar allegations regarding possible violations of the Federal Election Campaign Act of 1971. It is our understanding that Mr. Keating is a subject, if not a target, of that investigation and during the pendency of that investigation our client will defer any response to Senator McCain's "complaint".

Please call me if you have any questions regarding this matter. Thank you again for your consideration and cooperation in granting the above-referenced extension to us.

Very truly yours,

Eric L. Dobberteen

ELD:gu

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OGC 4992

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 DEC 28 AM 9:31

WYMAN BAUTZER KUCHEL & SILBERT
A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

EUGENE L. WYMAN (1924-1973)

GREGSON BAUTZER (1911-1987)

THOMAS H. KUCHEL
OF COUNSEL

TWO CENTURY PLAZA, FOURTEENTH FLOOR
2049 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067
213-556-8000 213-879-8000
CABLE ADDRESS: WYBAROK
TELECOPIER: 213-553-0764

2600 MICHELSON DRIVE, SUITE 700
IRVINE, CALIFORNIA 92715
714-852-4700

2300 N STREET, N.W., SUITE 600
WASHINGTON, D.C. 20037
202-663-9026

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 DEC 28 PM 12:57

December 19, 1989

Anthony Buckley, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: American Continental Corporation - MUR 2999

Dear Mr. Buckley:

Thank you for your courtesy during our phone conversation on December 6, 1989. As I explained to you at that time, Wyman Bautzer Kuchel & Silbert is general counsel to American Continental Corporation ("ACC") as debtor in possession in this Chapter 11 case. Pursuant to the direction of the Chief United States District Judge for the District of Arizona, Richard M. Bilby, ACC has been establishing a document depository into which it is depositing all of its documents and related material from 1983 through 1989.

I explained to you, that as a result of Judge Bilby's order, the substantial efforts of the ACC and its lawyers have been directed towards that depository and reorganization effort. However, ACC does intend to cooperate with your investigation and provide you with whatever information the company has available. One of my partners, Peter Tennyson, resident in our Irvine, California office, will be coordinating this effort on behalf of ACC and will be contacting you shortly. In the meantime, I would respectfully request that the Federal Election Commission grant ACC an extension of time to comply with your request for facts related to the contributions in question. If you could extend this time to February 1, 1990, it would be greatly appreciated.

Please contact me or Peter Tennyson [(714) 852-4700] if you have any questions.

Cordially,

James J. Feder

JJF/pr

cc: Peter Tennyson, Esq.

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OGC 5014

DENNIS

DeCONCINI

U.S. SENATOR

RECEIVED
MAIL ROOM
90 JAN -2 PM12:17

P.O. Box 39337, Phoenix, Arizona 85069 / (602) 371-1499

December 22, 1989

FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 JAN -2 PM 1:27

Mr. Lawrence M. Noble
General Counsel
Federal Election Commission
999 E Street N.W.
Washington, D.C. 20463

RE: MUR 2999

Dear Mr. Noble:

This is in response to your letter to Michael D. Hawkins of the DeConcini '88 Committee concerning a complaint by Common Cause which alleges that the Committee violated the Federal Election Campaign Act of 1971.

Senator Dennis DeConcini responded to this complaint by letter to you dated November 27, 1989 (copy enclosed). The DeConcini '88 Committee is adopting Senator DeConcini's response to the allegations made by Common Cause.

Sincerely,

Lynda S. Schmitz

LYNDA S. SCHMITZ
Treasurer
DeConcini '88 Committee

/ls

Enclosure

9304354014 7

Contributions to this political committee are not tax-deductible.
Paid for by the DeConcini '88 Committee

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT
89 DEC 19 PM 4:18

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

December 19, 1989

MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

SUBJECT: MUR 2999
Request for Extension of Time

By letter dated December 11, 1989, counsel for Lincoln Savings and Loan requested an extension of 35 days, until January 15, 1990, in which to respond to the complaint in this matter. (Attachment 1). The letter explains that an extension is necessary due to the variety of actions which are currently pending against this respondent.

The Office of the General Counsel recommends that the Commission grant the requested extension.

RECOMMENDATIONS

1. Grant an extension of 35 days to Lincoln Savings and Loan Association.

2. Approve the attached letter.

Attachments
1. Request for Extension
2. Letter

9304354014 8

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Request for Extension of Time) MUR 2999

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 8, 1990, the Commission decided by a vote of 6-0 to take the following actions in MUR 2999:

1. Grant an extension of 35 days to Lincoln Savings and Loan Association, as recommended in the General Counsel's Report dated December 19, 1989.

2. Approve the letter as recommended in the General Counsel's Report dated December 19, 1989.

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

Attest:

1/9/90
Date

for Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Tuesday, December 19, 1989, 4:17
Circulated to the Commission: Wednesday, December 20, 1989, 11:00
Deadline for vote: Monday, January 8, 1990, 4:00

9304354014 9

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 11, 1990

Michael L. Parrish, Esq.
Morrison, Hecker, Curtis,
Kuder & Parrish
1600 Financial Center
3443 North Central Avenue
Phoenix, AZ 85012

RE: MUR 2999
Lincoln Savings and Loan
Association

Dear Mr. Parrish:

This is in response to your letter dated December 11, 1989, which we received on that same date, requesting an extension until January 15, 1990 to respond to the complaint in this matter. After considering the circumstances presented in your letter, the Federal Election Commission has granted the requested extension. Accordingly, your response is due by the close of business on January 15, 1989.

If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

9304354015O

OGC 5116

MORRISON, HECKER, CURTIS, KUDER & PARRISH

1600 FINANCIAL CENTER
3443 NORTH CENTRAL AVENUE
PHOENIX, ARIZONA 85012
(602) 279-1600

KANSAS CITY, MISSOURI
WASHINGTON, D.C.
DALLAS, TEXAS

TELECOPIER (602) 240-6925

OVERLAND PARK, KANSAS
WICHITA, KANSAS

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

90 JAN 16 PM 4:02

90 JAN 16 AM 11:25

HAND DELIVERED

January 15, 1990

Via Federal Express

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

Re: MUR2999

Dear Counsel:

By letter from your office dated November 6, 1989, Lincoln Savings and Loan Association, F.A. was notified that a complaint had been received by your office alleging that Lincoln Savings and Loan Association may have violated provisions of the Federal Election Campaign Act of 1971 ("Complaint"). This letter is in response to that Complaint and sets forth the factual and legal support for the Resolution Trust Corporation's position that no action should be taken against Lincoln Savings and Loan Association or Lincoln Savings and Loan Association, F.A. in this matter.

Regardless of the substance or merit of the allegations in the Complaint, no action against Lincoln Savings and Loan Association, F.A. ("New Lincoln") is warranted because it did not come into existence until August 2, 1989 -- well after the time periods relevant to the violations alleged in the Complaint. Thus, New Lincoln is not the proper party to be deterred from future violations or punished for alleged past violations. In addition, no action against Lincoln Savings and Loan Association ("Old Lincoln") is warranted because that entity, in practical effect, no longer exists. Pursuant to federal thrift law, Old Lincoln has been liquidated and is under the receivership of the Resolution Trust Corporation ("RTC"). All of its assets and liabilities have been transferred to New Lincoln, which is under the conservatorship of the RTC. Therefore, the Federal Election Commission ("FEC") cannot deter or punish the alleged culpable party by taking action against Old Lincoln. In fact, any penalty assessed against Old

9304354015 1

Lincoln will not be borne by the alleged wrongdoers, but will pass through to New Lincoln, and eventually rest upon the shoulders of United States' taxpayers by virtue of New Lincoln's conservatorship status.

At all times relevant to the allegations in the Complaint, Old Lincoln was under the direction and control of its parent holding companies, First Lincoln Financial Corporation ("First Lincoln") and American Continental Corporation ("ACC"). ACC owns all of the issued and outstanding voting securities of First Lincoln which, in turn, owns all of the issued and outstanding voting securities of Old Lincoln. ACC is controlled and dominated by its principal shareholder, Charles H. Keating, Jr.

On April 14, 1989, the Federal Home Loan Bank Board ("FHLBB") found that Old Lincoln was in an unsafe and unsound condition to transact business and had experienced a substantial dissipation of its assets and earnings due to violations of law and unsafe and unsound practices. Therefore, pursuant to FHLBB Resolution No. 89-1328P, and in accordance with federal law, the FHLBB appointed the Federal Savings and Loan Insurance Corporation ("FSLIC") as conservator for Old Lincoln. On the same date, the FHLBB designated the Federal Deposit Insurance Corporation ("FDIC") as the managing agent ("Managing Agent") for the Conservator.

On August 2, 1989, the FHLBB replaced the Conservator with the FSLIC as Receiver for Old Lincoln pursuant to FHLBB Resolution No. 89-2163P and in accordance with federal law. The FHLBB then directed the FSLIC as Receiver to liquidate Old Lincoln and, pursuant to Resolutions Nos. 89-2164P through 89-2166P, also directed the FSLIC to organize a new federal mutual thrift to be known as Lincoln Savings and Loan Association, F.A. ("New Lincoln"). Finally, the FHLBB authorized the FSLIC as Receiver for Old Lincoln to enter into a purchase and assumption transaction with New Lincoln by executing an Acquisition Agreement with New Lincoln. Pursuant to this Agreement, New Lincoln purchased all of the Receiver's right, title and interest in Old Lincoln's assets and assumed substantially all of Old Lincoln's liabilities.

Due to the insolvency of Old Lincoln and by virtue of the purchase and assumption transaction described above, New Lincoln is insolvent. On August 2, 1989, the FHLBB, therefore, pursuant to Resolution No. 89-2169P and in accordance with federal law, appointed the FSLIC as Conservator for New Lincoln, effective upon consummation of the transactions described in the resolutions

9304354015 2

identified above, and designated the FDIC as Managing Agent for the Conservator.[1]

The result of the transactions described above is that Old Lincoln, the entity which is the subject of the Complaint, in practical effect no longer exists. All of its assets, rights and liabilities have been transferred to New Lincoln which, in turn, operates under the direction and control of the RTC. Even if the allegations in the Complaint are true, there is no reason for the FEC to act to prevent future violations by Old Lincoln because that already has been accomplished by the federal regulators' actions in liquidating Old Lincoln, organizing New Lincoln and placing its management under the direction and control of the RTC.

Further, the FEC's exercise of its punitive powers is similarly inappropriate in this case. Because of New Lincoln's assumption of all of Old Lincoln's liabilities, any penalty or fine assessed against Old Lincoln for the alleged violations will become a liability of New Lincoln. Thus, the alleged wrongdoers will go unpunished and the fine or penalty will increase the amount of losses incurred by Old Lincoln which eventually will be borne by United States' taxpayers.

Federal courts have recognized that the imposition of punitive damages against a financial institution in conservatorship or receivership is inappropriate because neither the goal of deterrence nor punishment is furthered in that circumstance. For example, in Professional Asset Management, Inc. v. Penn Square Bank, 566 F. Supp. 134 (W.D. Okla. 1983), plaintiff sought punitive damages from the FDIC, receiver for Penn Square Bank. The FDIC moved to dismiss the punitive damages claim and the court granted the motion on the theory that a receiver cannot be liable for punitive damages on account of the failed bank's wrongdoing. Thus, the court stated:

> [T]o award punitive damages against the receiver would be contrary to the theory underlying such awards and would be manifestly unjust. Punitive or exemplary damages, which are an exception to the general remedial principle of compensation for injury, are

---

[1] Pursuant to the terms of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 ("FIRREA"), Pub. L. No. 1-73, 103 Stat. 183 (Aug. 9, 1989), RTC is the successor in interest to FSLIC. Therefore, RTC now is Receiver for Old Lincoln, with FDIC as its Managing Agent, as well as Conservator for New Lincoln.

2304354015 3

> imposed for two reasons, to punish the wrongdoers and to deter others . . . . [A]n award of punitive damages against the receiver would not punish the bank, but its innocent creditors and uninsured depositors. Furthermore, this is too high a price to pay to deter others, especially when it is levied against those who are without fault.

Id. at 136-137 (emphasis added). See also Summers v. FDIC, 592 F. Supp. 1240, 1242 (W.D. Okla. 1984) (same rationale bars assessment of RICO treble damages against FDIC as receiver).

Action by FEC against Lincoln in these circumstances is inappropriate for the same reasons that punitive damages against receivers or conservators are inappropriate. No deterrent or punitive purpose will be served by taking action against Lincoln in this case. Even if the facts as stated in the Complaint are true, action against Lincoln will not deter possible future violations because the entity allegedly culpable for the past violations no longer exists. Further, because New Lincoln currently is under the direction and control of the RTC, there is adequate assurance that there will be no future violations of federal election laws. Similarly, FEC is not able to punish the alleged wrongdoer by taking action against Lincoln because any punishment will be borne by the existing entity - New Lincoln - and eventually will be added to the taxpayers' burden as a cost of the Lincoln receivership and conservatorship.

Very truly yours,

MORRISON, HECKER, CURTIS, KUDER & PARRISH

Terri Kimker

Teresa J. Kimker

TLK:mz

2304354015 4

OGC 5170
2999

Law Offices
Kaplan Russin & Vecchi

1215 Seventeenth Street, N.W. Washington, D.C. 20036

TELEPHONE: (202) 887-0353
CABLE: KAPRUS WASHINGTON
TELEX: 248413 KAPRUS
TELEFAX: (202) 293-8684

333 SILOM ROAD, BANGKOK
CARRERA 7, NO. 17-51 BOGOTA
PASEO DE LA CASTELLANA, 155, MADRID 28046
800 BRICKELL AVENUE, MIAMI 33131
135 EAST 57th STREET, NEW YORK 10022
580 CALIFORNIA STREET, SAN FRANCISCO 94104
EDIFICIO LA CUMBRE, SANTO DOMINGO
205 TUN HWA N. ROAD, TAIPEI

January 19, 1990

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

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 JAN 19 PM 3:58

9304354015 5

Dear Tony:

This follows up on our conversation today with respect to the Treasurer of the John Glenn Presidential Committee, Inc. Mr. Michael Petro will be serving as the Committee's Treasurer. You should withdraw my designation of counsel to represent the committee in connection with MUR 2999. Convington & Burling remains as counsel to represent the Committee, and has been authorized to represent the Committee, from the inception of the Committee's involvement in MUR 2999. I have forwarded a designation of counsel form to Mr. Petro with respect to Covington & Burling, which he will sign and send to you.

I also request that Mr. Petro's name, rather than my name, appear on all future documents and correspondence from the FEC with respect to MUR 2999.

Sincerely,

Bill

William R. White

WRW/mbd

MUR 2999

COVINGTON & BURLING
1201 PENNSYLVANIA AVENUE, N. W.
P. O. BOX 7566
WASHINGTON, D.C. 20044
(202) 662-6000

FACSIMILE: (202) 662-6291
TELEX: 89-593 (COVLING WSH)
CABLE: COVLING

DWIGHT C. SMITH III
DIRECT DIAL NUMBER
(202) 662-5528

LONDON OFFICE
46 HERTFORD STREET
LONDON W1Y7TF ENGLAND
01-495-5655

February 7, 1990

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 FEB -7 AM 11:32

BY HAND

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

Re: MUR 2999

Dear Mr. Buckley:

Since we filed the response of the John Glenn for President Committee, Inc. ("JGPC") and the Senator John Glenn Committee ("SJGC") with respect to the above-captioned matter under review, two additional facts have come to our attention.

First, we have confirmed that Charles Keating, members of his family, and other alleged associates contributed a total of $34,000 to the JGPC and the SJGC, but in slightly different proportions from those asserted by Common Cause. On pages 8-11 of our December 18 submission, we listed a total of $10,000 in contributions to the JGPC in 1984 and $22,000 to the SJGC in 1985. We also stated that we had no objection to Common Cause's assertion that $12,000 and $22,000 were contributed to the two respective committees in those respective years.

We have since located photocopies of the checks from Mr. Keating and his apparent associates. From these records, it appears that the list of contributors to the JGPC on pages 9-10 of the December 18 submission is complete and accurate and that only $10,000 was in fact contributed to the JGPC. With respect to the SJGC, it appears that a total of $24,000 was contributed in 1985. In addition to the contributors listed on pages 10-11, Ray C. Fidel of Newport Beach,

9304354015 6

California contributed $2,000 by personal check dated July 30, 1985.[1/]

Second, we are able to clarify one of the transactions involving the National Council on Public Policy ("NCPP") that are discussed on pages 12-17 of our December 18 submission. On page 16 of the submission, we referred to a mistaken expenditure in the amount of $10,657.04 by the NCPP to the VISA account of the SJGC. We stated that the SJGC later made a reimbursement, but erroneously paid $10,657.04 to the JGPC rather than to the NCPP. This error was discovered during the FEC audit of the JGPC in 1987. We also stated that the final FEC order arising out of that audit imposed two requirements: reversal of the SJGC-JGPC transaction and reimbursement of the NCPP by the SGJC. We reported that the SJGC complied with the order.

The reimbursement of the NCPP in fact occurred as reported in the SJGC's FEC report for the second quarter of 1988. We recently discovered, however, that the SJGC-JGPC transaction had not been reversed. We have instructed the JGPC to reimburse the SJGC in the amount of $10,657.04, and we expect the payment to be made this week. Because this payment previously was included in the report of the JGPC to the FEC for the second quarter of 1988, we are not amending that report or listing the payment as a new disbursement by the JGPC. The payment by the JGPC has not previously been reported as a receipt by the SJGC (although it did report its reimbursement of the NCPP in 1988) and will be included in the SJGC's FEC report for the current period.

Sincerely,

Dwight C. Smith III

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1/ All of the checks comprising the $34,000 in contributions were drawn on personal accounts.

OGC 5388

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

90FEB 12 AM11:07

Mr. Michael J. Petro
Treasurer
John Glenn Presidential Committee, Inc.
2715 M Street, N.W.
Suite 300
Washington, D.C. 20007

90FEB 12 PM 2:21

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

February 7, 1990

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

Dear Mr. Buckley:

On January 17, 1990, I assumed responsibilities as Treasurer of the John Glenn Presidential Committee, Inc. Before taking on this assignment, William R. White was the Treasurer of the Committee. On November 6, 1989, Mr. White received a letter from the FEC regarding a complaint against the Committee which has been numbered MUR 2999. Mr. White was asked to complete the designation of Counsel form and return to the FEC within 15 days. I have since discovered that Mr. White never filled out this form. Therefore, I have attached a completed designation of Counsel form as it relates to the matter of MUR 2999.

If there are any problems or questions regarding this matter, please feel free to contact me.

Thanks for your patience.

Sincerely,

Michael J. Petro

Michael J. Petro

9304354015 58

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2999

NAME OF COUNSEL: Covington & Burling
(Charles Ruff, Scott Gilbert
Dwight Smith, III

ADDRESS: 1201 Pennsylvania Ave., N.W.
Washington, D.C.
20044

TELEPHONE: 662-6000

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

2-7-90
Date

Michael J. Petro
Signature

RESPONDENT'S NAME: The John Glenn Presidential
Committee, Inc.
Michael Petro, Treasurer

ADDRESS: 2715 M Street, N.W.
Suite 300
Washington, D.C. 20007

HOME PHONE:

BUSINESS PHONE: 333-8830

2304354015 9

OGC 5463

MORRISON, HECKER, CURTIS, KUDER & PARRISH

1600 FINANCIAL CENTER
3443 NORTH CENTRAL AVENUE
PHOENIX, ARIZONA 85012
(602) 279-1600

KANSAS CITY, MISSOURI
WASHINGTON, D.C.
DALLAS, TEXAS

TELECOPIER (602) 240-6925

OVERLAND PARK, KANSAS
WICHITA, KANSAS

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

90 FEB 20 PM 10: 39

February 16, 1990

90 FEB 20 PM 3: 51
RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

Mr. Andrew Buckley
FEDERAL ELECTION COMMISSION
Office of the General Counsel
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR2999

Dear Mr. Buckley:

Enclosed is the Statement of Designation of Counsel in the above-named matter, which has been executed by Mr. Mark Randall, Managing Agent for the Resolution Trust Corporation, as Conservator for Lincoln Savings & Loan Association, F.A.

Please call if you have any further questions.

Sincerely,

MORRISON, HECKER, CURTIS, KUDER & PARRISH

Terri Kimker

Teresa J. Kimker

lc\kimker\buckley.ltr

2304354011 60

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2999

NAME OF COUNSEL: Michael C. Manning, Teresa J. Kimker

ADDRESS: Morrison, Hecker, Curtis, Kuder & Parrish
3443 N. Central Ave., Ste 1600
Phoenix, Arizona 85012

TELEPHONE: (602)279-1600

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.

2-15-90
Date

Signature

RESPONDENT'S NAME: Resolution Trust Corporation, as Conservator for: Lincoln Savings & Loan Assn. F.A

ADDRESS: 2747 E. Camelback
Phoenix, Arizona
85016

HOME PHONE:

BUSINESS PHONE: (602)955-8833

9304354016 1

0GC5974

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

90 APR 20 AM 9:01

BENJAMIN W. BULL
ATTORNEY AT LAW
2845 East Camelback Road, Suite 740
Phoenix, Arizona 85016
Tel. (602) 224-5505 Fax (602) 381-1613

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 APR 19 PM 9:40

April 12, 1990

Ms. Lois g. Lerner
Associate General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: Charles H Keating, Jr./MUR 2999

Dear Ms. Lerner:

Please be advised that as of April 9, 1990, I will assume the representation of the above-noted individual(s) in your investigation. My assumption of this representation is in the place of the law firm of Quinn, Kylly and Morrow and all correspondence, pleadings or other communications regarding your investigation should now be directed exclusively to my office. I have attached a letter from the Quinn firm confirming this substitution and will provide any necessary acknowledgment from the clients which you may require.

Please address all communications to the following address.

Benjamin W. Bull
Attorney At Law
Suite 740
2845 East Camelback Road
Phoenix, Arizona 85016
(602) 224-5505

Please feel free to call me if you have any questions.

Very truly yours,

Benjamin W. Bull

:tjo
Enc.

9304354016 2

QUINN, KULLY AND MORROW
A PROFESSIONAL LAW CORPORATION
EIGHTH FLOOR
520 SOUTH GRAND AVENUE
LOS ANGELES, CALIFORNIA 90071
TELEPHONE (213) 622-0300
TELECOPIER (213) 622-3799

JOHN J. QUINN
RUSSEL I. KULLY
MARGARET M. MORROW
RICHARD C. SMITH
LAURENCE J. HUTT
GREGORY C. FANT
J. DAVID OSWALT
LAWRENCE A. COX
POLLY HORN
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JAMES I. HAM
JANINE K. JEFFERY
LISA S. KANTOR
M. JEANNETTE CLARK
JULIE M. WARD
PATRICIA A. LIBBY
MICHAEL H. WALIZER
ELAINE M. LEMKE
MICHAEL J. NELSON
D. JAY RITT
JANET R. RICH
KATHY L. HIBBS
ANDREW H. KAYTON
JOHN C. MILLER, JR.
WARREN O. HODGES, JR.

April 12, 1990

Benjamin Bull, Esq.
2845 E. Camelback Road
Suite 740
Phoenix, AZ 85016

2304354016 63

Re: Federal Election Commission

Dear Mr. Bull:

This will confirm your assumption as of April 9, 1990 of the representation of certain Keating family members before the Federal Election Commission. We understand that you will notify this agency in writing and will supply them a copy of this letter to confirm your substitution in our place.

Please call me if there is anything further I can provide.

Very truly yours,

Eric L Dobberteen/gu

Eric L. Dobberteen

ELD:gu

cc: Charles H. Keating, Jr.
Charles H. Keating, III
Bradley J. Boland
Robert M. Wurzelbacher, Jr.
Thomas D. Mulhern
Gary Hall, M.D.
Robert J. Hubbard, Jr.

06C 7099

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

90 JUL 30 AM 10:50

BENJAMIN W. BULL
ATTORNEY AT LAW
2845 East Camelback Road, Suite 740
Phoenix, Arizona 85016
Tel. (602) 224-5505 Fax (602) 381-1613

July 24, 1990

Lois G. Lerner
Associate General Counsel
Federal Election Commission
999 "E" Street, N.W.
Washington, D.C. 20463

MUR 2999

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 JUL 30 PM 2:18

Dear Ms. Lerner:

Please be advised that the undersigned no longer represents the following persons in any matters concerning the Federal Elections Commission:

1) Charles H Keating, Jr.
2) Robert J. Hubbard, Jr.
3) Robert M. Wurzelbacher, Jr.
4) Gary W. Hall, M.D.
5) Thomas D. Mulhern

Very truly yours,

Benjamin W. Bull

Benjamin W. Bull

2304354016 4

MUR 3068

COMPLAINT - MAY 29, 1990

9304354016 5

OGC 6347

JOHN WRZESINSKI for CONGRESS
REPUBLICAN
A TRADITION OF CARING
3108-2 S. McClintock, Tempe, AZ 85282
(602) 838-2565

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM
90 MAY 25 PM 2:19

MUR 3068

May 21,1990

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 MAY 29 PM 3:52

General Counsel Noble
999 "E" St. N.W.
Washington D.C. 20463

Dear General Counsel Noble:

The following information is to be reviewed as a complaint concerning a perceived violation of Federal election law regulations.

Charles Keating, Junior, a noted Phoenix developer, is under investigation by the Resolution Trust Corp. concerning his involvement and subsequent receivership of Lincoln Savings and Loan and its myriad of interrelated companies.

It is well known and publicized that Keating purposely donated money to many campaigns in the state of Arizona, California and Ohio, to name a few, to buy political influence.

On August 28, 1986, nine contributions of one thousand dollars each were made by Charles Keating Junior and his organization to the John Jacob Rhodes III-Rhodes for Congress Committee. Based upon a news article in the Mesa Tribune, dated October 29,1989, "Keating generally donated the legal maximum per campaign. So did his wife, his son, his daughters, their husbands and key American Continental employees. Often, the individual contributions were bundled together and presented to the politician on one day.", I feel that the law was violated with regard to earmarking contributions (11 CFR 110.6) and acting as a conduit to influence an election.

PAID FOR BY THE WRZESINSKI FOR CONGRESS CAMPAIGN COMMITTEE

9304354001666

I also feel there was another violation of the election law with regard to the total amount exceeding twenty-five thousand dollars aggregate, per individual, in one year. Keating contributed at least nine thousand dollars to the Rhodes campaign in 1986. According to a news article in the Arizona Republic, dated December 25, 1989, Keating was asked the question if his contributions to political candidates was meant to influence them. He stated, "I certainly hope so."

Sincerely,

Rep. John T. Wrzesinski M.D.

JTW:pf



Subscribed and sworn to before me this 21st day of May, 1990.

Karen S. Johnson
Notary Public

Mesa, Arizona

My commission expires on the 19th day of October, 1993.

PAID FOR BY THE WRZESINSKI FOR CONGRESS CAMPAIGN COMMITTEE

9304354001167

Even Keating has said he expected his contributions to politicians to influence lawmakers.

"I want to say in the most forceful way I can: I certainly hope so," Keating said in April.

The federal government has alleged in a $1.1 billion civil fraud and racketeering suit that Keating looted federally insured thrift deposits and funneled them into his favorite political candidates and causes.

Having accepted money from Keating sources now is considered a stain on a politician's reputation, and the list reads like a Who's Who of American politics.

Candidates ranging from George Bush to Gary Hart benefited from the largess of the Keating empire. And the unusual patterns of giving that emerge from federal election documents are under scrutiny.

Opposites attracted cash

Reviews of such documents show donors' often giving to candidates who opposed each other, to ideological opposites and to candidates in races far from the donor's home state, practices that the FEC termed puzzling.

"Most individual contributions come from people in their own state," said Scott Moxley, an FEC spokesman.

He said individual contributors normally give to only one candidate and do not usually give to opponents in the same race, as the Keating associates did.

In May 1986, for example, Lincoln Savings director Robert J. Kielty gave $1,000 to the Ed Zschau for U.S. Senate Committee, records show. Zschau, a California Republican, was trying to defeat incumbent Democrat Alan Cranston. In the same election, Kielty and his wife also gave a total of $4,000 to Cranston, the Senate majority whip.

Such apparent contradictions abound among Keating associates.

Scores of Phoenix-based employees gave $2,000 contributions to Sen. Donald Riegle, D-Mich., who as Banking Committee chairman was important to Keating but who had little else to do with Arizona.

The $66,000 from Keating and his associates, which Riegle since has returned, poured into his campaign weeks after Riegle took a helicopter tour of Keating's American Continental headquarters and gave a speech to company employees. Riegle claimed Keating as a constituent because the Phoenix financier was renovating the Pontchartrain Hotel in Detroit.

In position to help

Most, if not all, of the politicians receiving the money were in posts critical to the success of Keating's firms, including the now-defunct Lincoln Savings, based in Irvine, Calif..

Hefty contributions were made to Banking Committee members in both houses of Congress, as well as to



Keatcon

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GAME DAY: Cardinals meet tough-talking Cowboys / C1

Sunday
October 29, 1989

Vol. 41, No. 274
© Tribune Newspapers
Mesa, Arizona - 290 pages - $1.50

Mesa Tribune

Weather

Sunny today with a high in the upper 70s. Low tonight about 50.

The Pick

Saturday's winning numbers:
2 9 21
24 31 33
Bonus number: 27
Estimated jackpot: $4.8 million



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Crossword	B6	Sports	C1
Food	E5	Travel	I1
Landers	E4	Weather	A8

News tips	898-6514
Classified	898-6465
Home delivery	964-5000

Keating's generosity knew no bounds or political party

By Bill Roberts
and Jim Callie
Tribune Writers

As president of American Continental Corp., Charles Keating and his associates forged a game plan in the 1980s the likes of which Arizona politics has never seen.

A review of the campaign finances of 125 politicians now indicates Keating and associates donated nearly $1.8 million to 63 politicians at all levels of government. Those totals almost assuredly are low.

As in the other major examination of Keating donations, also conducted by the *Tribune* in late 1986, the sheer volume of records precluded checking all politicians.

Most of the politicians involved are from Arizona, and one has returned the money amid allegations that it was illegally funneled to him. Other politicians say they either have spent it or haven't decided what to do.

Sen. John McCain, R-Ariz., called on the Federal Election Commission Saturday to investigate the $112,000 he received during three campaigns from Keating and associates. "I will certainly abide by the advice given me by the FEC," McCain said in a letter to the federal campaign watchdog.

The media spotlight last week centered on McCain, Sen. Dennis DeConcini, D-Arizona, and three other U.S. senators who allegedly used their influence to slow an investigation of Keating's Lincoln Savings and Loan in 1987. The government took over Lincoln earlier this year — a move federal regulators contend was stalled in part by influential politicians who had been received large American Continental campaign contributions.

As he has been for years, Keating is at the center of the controversy. In the political sense, those who know him say he is a man of obsession. When he became involved in politics, he followed it to the ultimate overstatement.

Observes one former colleague and thrift executive: "Charlie is like a bulldog who

Please see Donations / A6

What Top Arizona Politicians Received

A Tribune search of campaign documents showed Charles Keating and American Continental Corp. officials donated the following totals to members of Arizona's Congressional delegation mostly in the mid-1980s:


John McCain
$112,000


Dennis DeConcini
$48,000


Jim Kolbe
$26,000


John Kyl
$25,400


John J. Rhodes III
$9,000


Bob Stump
$3,300


Morris K. Udall
None

2 3 0 4 3 5 4 0 1 / 0

Donations

From page A1

gloms onto something and won't let go. He loses sight of what's going on. He's the bull, and someone else is waving the red cape."

DeConcini puts it differently: "I don't know if he has any (friends) because of his personality. He's one of these dominating guys to be around."

In fairness to DeConcini and other senators who received so much from Keating and associates, most all politicians of consequence in Arizona accepted similar but smaller contributions. Donations also were heaped upon city officials who later decided American Continental's zoning cases, county and state politicians who made and interpreted the law, and ultimately, to congressmen and a few high-profile senators in a trail that led to the president's cabinet.

Observes Dana Larson, Arizona director of Common Cause: "It was always very clear that he (Keating) wielded enormous political power with his campaign contributions. But there wasn't ever a direct linkage to single him out until this savings and loan thing came out. Money buys access, it always buy votes. I don't think access and representation in our society should be based on the ability to pay."

Keating contributed to all but two major politicians in Arizona, Congressman Morris Udall, D-Tucson, and Gov. Rose Mofford, a Democrat who was appointed rather than elected to office.

A review of the campaign documents clearly suggests that the political or personal persuasion of recipients — which Keating maintains guided his contributions — mattered little. In most cases, the politicians supply were in positions that could help Keating's American Continental or its subsidiaries.

For example, had Evan Mecham not been impeached last year, Keating and associates still would have a big marker out. He and his associates covered all bases in the 1986 gubernatorial campaign by pledging nearly $100,000 to the four candidates most likely to win.

Mecham steadfastly denied last week that he accepted any Keating money, and it is true that he received no money from Keating personally. Keating himself donated only to Mecham's opponents, but 13 of his high-ranking executives and their spouses donated more than $28,000 to Mecham, according to records at the Secretary of State's office.

The records tell a similar story with other candidates. Keating generally donated the legal maximum per campaign. So did his wife, his son, his daughters, their husbands and key American Continental employees. Often, the individual contributions were bundled together and presented to the politician on one day.

Although federal and state campaign finance laws differ, they generally try to limit the amount any one individual or company can donate to a single candidate. Hence, their influence would be kept in check.

Keating's practice probably violates the spirit but not the letter of campaign laws, although federal regulators recently have alleged other laws may have been broken. They contend the Keating contributions were, in reality, Lincoln deposits that were funneled to politicians through the inflated salaries of American Continental employees.

At the height of his contributions in 1986, Keating and associates pumped hundreds of thousands of dollars into political campaigns at all levels.

For example, Attorney General Robert Corbin received $51,250 when he was considering running for governor that year. Although he later decided against it, Corbin retained the money, which today accounts for 80 percent of his campaign fund.

"If the money was illegally obtained, then hell yes, I'll give it back," Corbin now says. "It certainly wasn't given with any strings." The response from other politicians is much the same.

Keating has maintained he contributed to candidates who morally and politically were in tune with him. That held especially true, he said, of Corbin, whose strong anti-pornography stands agree with his own.

Yet when Corbin bowed out of the governor's race, Keating and associates donated $20,000 to then-House Speaker Burton Barr, the early Republican front-runner.

When Barr was defeated by Mecham after a bitter primary campaign, Keating and associates donated $40,000 to the Democratic campaign of Carolyn Warner, $28,750 to Mecham and at least $5,000 to a dark horse, independent Bill Schulz.

None of the candidates plans to return the money. As Warner explains it: "The campaign's over. The money's spent." Barr puts it just as bluntly: "As far as I'm concerned, it's over. At this time, I'm not doing anything about it because I don't know anything about it."

Ironically, the person who eventually attained that office upon Mecham's impeachment, Rose Mofford, never has received Keating contributions. However, she has yet to undergo an expensive gubernatorial campaign.

American Continental's contributions to state officeholders, perhaps in part because of a tough new campaign law that took effect in 1987, were scaled back recently.

Nevertheless, at the federal level, Republican Congressman Jim Kolbe of Tucson last year accepted an additional $5,000 on one day from essentially the same American Continental group that in past years gave him $21,000. Kolbe's office said Saturday the $26,000 amount was correct.

The aide also said Kolbe met Keating only once, when McCain introduced them several years ago.

In Congress, both the House Banking Committee and the Senate Ethics Committee are trying to determine, among other things, what effect the Keating contributions had on actions of five U.S. senators, including McCain and DeConcini. Together, they accepted $160,000 from Keating and associates and have been linked to him in other ways.

McCain's relationship with Keating exemplifies how American Continental operated politically. McCain accepted his campaign contributions from Keating as a late-comer to his first congressional campaign in 1982. Less than a year later, after winning office, two of his 11 Washington assistants had close ties to Keating.

Bradley Bolin, who later became a top executive at American Continental, was named McCain's legislative assistant. Diane McClellan, who had been American Continental's executive legal secretary, became an office worker for McCain.

The $112,000 that McCain eventually accepted from Keating and associates evolved over three campaigns, never in a single package. His relationship with Keating evolved much the same way. Eventually, as with Kolbe as a freshman senator in 1985, McCain introduced Keating to other politicians.

Part of the issue being addressed before the House Banking Committee is this: At what point do large campaign contributions — and possibly the relationships they foster — inordinately influence the politician? In other words, were the senators simply acting on behalf of a constituent — as they maintain — or acting because of American Continental's heavy contributions and a longstanding personal relationship?

In answer to those broad questions, thrift regulator Mike Patriarca told the House Banking Committee Thursday that Keating persuaded McCain, DeConcini and the other three U.S. senators to lean on regulators who were investigating Lincoln in early 1987.

"I think this meeting was the result of some extraordinary political influence, the like of which I have never seen," Patriarca said.

Another top regulator in charge of overseeing Lincoln, Bill Black, said Keating succeeded, through McCain and then-Treasury Secretary Donald Regan, in having Lee Henkel appointed to the bank board in 1986. Henkel, who had received large loans from Lincoln, resigned after the Keating-Lincoln connection was exposed by the *Tribune* and *Wall Street Journal* in late 1986.

At a much lower level of government, coincidences involving contributions and government action have gone on for years in Arizona.

City councilmen have long accepted large Keating campaign contributions, and the recipients tended to act favorably later upon land developments owned by American Continental.

For example, Keating bought 798 acres south of Phoenix in the early 1980s for $104,000. He then asked the Phoenix City Council, the members of which by then had received $20,000 in Keating-related contributions, to annex the land. It did. The land, which was known as the Lakewood development, sold out within four years, and American Continental reported gross profits of $18 million.

Lakewood set the trend for future annexations and zoning matters that American Continental took before the Phoenix council and those in surrounding suburbs.

Over the years, Keating and associates donated $135,000 to Phoenix City Council members.

One of the councilmen who voted, Calvin Goode, expressed the opinion of others when asked if the contributions bought influence.

"I never thought of it in those terms," he said at the time. "He has never leaned on my by asking special favors."

In the East Valley, Chandler councilmen received $9,950 in contributions before they were asked to approve plans for American Continental's Andersen Springs development in 1985. They did.

To be fair, American Continental's projects, including Andersen Springs, generally have been considered first-rate over the years, and Keating contributions in other East Valley cities were much smaller, even in those where American Continental had developments.

Even today, politicians find it difficult to criticize Keating — a man who had no natural enemies among them, only cautious friends.

As testimony to his lingering influence, even Udall — the one genuinely big-time politician who never accepted Keating money — shies away from criticizing the man.

An aide said that Udall said last week that the senior congressman did not want to offend his political friends who had accepted Keating contributions.

AMERICAN CONTINENTAL CAMPAIGN CONTRIBUTIONS

Total: 63 candidates, $1,787,800

Here is a summary of donations made by Charles H Keating and his employees of American Continental Corp. to 63 politicians, mostly in the mid-1980s. The *Tribune* reviewed more than 20,000 pages of campaign financial documents of 125 Arizona politicians in Congress, the state, the Legislature and local governments in Mesa, Chandler, Tempe, and Phoenix.

U.S. Senate

Sen. Alan Cranston, D-Calif., $889,000
(includes $850,000 for Cranston voter registration drives)
Sen. John McCain: $112,000
(plus $13,000 in vacation trips, etc.
Sen. John Glenn, D-Ohio, $234,000
(includes $200,000 from American Continental through a political action committee).
Sen. Donald Riegle, D-Mich., $66,100
Sen. Dennis DeConcini, D-Ariz.: $48,000
Sen. Mack Mattingly, R-Ga., $11,000

U.S. House

Rep. Jim Kolbe, R-Ariz., $26,000
Rep. Charles Pashayan, R-Calif., $26,000
Rep. John Kyl, R-Ariz., $25,400
Rep. Doug Barnard, D-Ga., $25,000
Rep. John J. Rhodes III, R-Ariz., $9,000
Rep. Bob Stump, R-Ariz., $3,300
Rep. Morris K. Udall, D-Ariz., none

State office candidates

Attorney General Robert Corbin, $51,250
Gov. Rose Mofford: none

1986 Gubernatorial candidates:

* Carolyn Warner, $40,000 pledged, at least $15,000 collected
* Evan Mecham, $28,750
* Burton Barr, $20,000
* Bill Schulz, $5,000

Maricopa County offices

Supervisor Hawley Atkinson, $5,000
* Sheriff Dick Godbehere, $4,250
* County Attorney Tom Collins, $4,000
Supervisor Ed Pastor, $1,000

Phoenix City Council

* Pete Dunn $21,400
Mary Rose Wilcox, $15,500
Paul E. Johnson Jr. $15,000
Howard Adams $12,300
Calvin Goode $12,250
* Barry Starr $11,925
* Jim Gardiner, $10,000
* Jim White, $7,850
* John Nelson, $7,000
* Bernard Pfeiffer, $5,000
Terry Goddard, $1,000
* Duane Pell, $200

Chandler City Council

Jay Tibshraeny, $4,750
*Jerry Brooks, $3,000
John Huppenthal, $600
*Jerry McGhee, $600

Other Cities

Tempe Mayor Harry Mitchell, $2,500
* Mesa Mayor Al Brooks, $100

Arizona Legislature

*Rep. Jim White, R-Phoenix, $1,575
Sen. Robert B. Usdane, R-Scottsdale, $1,500
Rep. Earl Wilcox, D-Phoenix, $1,300
*The late Rep. James B. Ratliff, R-Sun City, $500
*Rep. Sterling Ridge, R-Glendale, $400
Rep. Nancy Wessel, R-Phoenix, $350
Rep. Bev Harmon, R-Tempe, $350
Rep. Carmen Cajero, D-Tucson, $350
Rep. Jack Jewett, R-Tucson, $300
Rep. Henry Evans, D-Phoenix, $300
* Rep. Joe Lane, R-Wilcox, $300
Rep. Debbie McClure, D-Phoenix, $250
* Sen. Carl Kunasek, R-Mesa, $250
Rep. Leslie Whiting Johnson, R-Mesa, $250
Rep. Bill English, R-Sierra Vista, $250
*Sen. Tony West, R-Phoenix, $250
Rep. Herbert R. Guenther, D-Tacna, $200
Rep. Karen Mills, R-Glendale, $200
Rep. Mark Killian, R-Mesa, $200
Sen. Doug Todd, R-Tempe, $200
*Rep. Bob Hungerford, R-Phoenix, $200
Sen. Alan Stephens, D-Phoenix, $100
Rep. Lela Stanley, R-Mesa, $150
*Rep. Don Strauch, R-Mesa , $100

* No longer in office

Source: Records on file at Secretary of State's office, city and county offices

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 4, 1990

Kent H. Mulkey, Treasurer
Rhodes for Congress Committee
P.O. Box 1381
Mesa, AZ 85201

RE: MUR 3068

Dear Mr. Mulkey:

The Federal Election Commission received a complaint which alleges that the Rhodes for Congress Committee and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3068. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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

2304354017 1

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

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 4, 1990

Charles H. Keating, Jr.
2735 E. Camelback Road
Phoenix, AZ 85016

RE: MUR 3068

Dear Mr. Keating:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3068. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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2304354017 3

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Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

9304354017 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 4, 1990

Rep. John T. Wrzesinski, M.D.
3108-2 S. McClintock
Tempe, AZ 85282

RE: MUR 3068

Dear Dr. Wrzesinski:

This letter acknowledges receipt on May 25, 1990, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by Charles Keating, Jr. and the Rhodes for Congress Committee. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 3068. Please refer to this number in all future correspondence. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

If you have any questions, please contact Retha Dixon, Docket Chief, at (202) 376-3110.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Procedures

9304354017 5

OOC 6693

LAW OFFICES
MALONEY & BURCH
1100 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036
Phone (202) 293-1414
Fax (202) 293-1702

June 25, 1990

BY HAND

Anthony Buckley, Esquire
Office of the General Counsel
Federal Election Commission
999 E Street, N.W., Suite 657
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 JUN 25 PM 1:09

RE: MUR 3068

Dear Mr. Buckley:

Enclosed is the response of the Rhodes To Congress Committee and its Treasurer in this matter.

Also enclosed is the designation of counsel letter, signed by Rep. Rhodes.

Please call me if you have any questions.

Sincerely,

Daniel J. Swillinger

DJS/dmr

9304354017 6

Before the

Federal Election Commission

Washington, D.C. 20463

Re: MUR 3068

RESPONSE OF RHODES TO CONGRESS COMMITTEE
AND ITS TREASURER, KENT MULKEY

Now comes the Rhodes To Congress Committee, the principal campaign committee of Rep. John J. Rhodes, III, and its Treasurer, Kent Mulkey, and responds to the Federal Election Commission's letter dated June 4, 1990, received by the Committee on June 8, 1990.

The Commission's letter transmits a complaint filed by John Wrzesinski, Rep. Rhodes' opponent in the 1990 Republican primary election.

The complaint appears to question the propriety of contributions made to the 1986 Rhodes To Congress Committee by Charles Keating, members of his family, and others. The complaint then attempts to relate these contributions -- wholely legitimate as far as the Committee can determine -- to Mr. Keating's current savings and loan difficulties.

9304354017 7

Four years later the Committee is unable to determine who solicited the contributions. Since Mr. Keating was a well-known Arizona political contributor, it is likely that more than one member of the Rhodes finance committee would have contacted him or his associates. In any event these contributions were received within the two weeks before the primary, when fund-raising was a major activity.

Committee records, as well as recollections of persons involved with the campaign, do not indicate anything improper with the contributions in question. Indeed, the complaint appears to be merely a feeble attempt to make a political attack by linking the Rhodes campaign to Mr. Keating's high-profile troubles.

Based on the foregoing, the Rhodes To Congress Committee, and its Treasurer, Kent Mulkey, request the Commission to dismiss this complaint and to take no further action.

Respectfully submitted,

Daniel J. Swillinger
Counsel for the Committee

9304354017 8

MUR 3068

NAME OF COUNSEL: Daniel J. Swillinger

ADDRESS: Maloney & Burch
1100 Connecticut Avenue, N.W.
Washington, D.C. 20036

TELEPHONE: 202/293-1414

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.

June 18, 1990
Date

Signature

RESPONDENT'S NAME: John J. Rhodes, III
for the Rhodes To Congress Committee

ADDRESS: 412 Cannon HOB
Washington, D.C. 20515

HOME PHONE:

BUSINESS PHONE: 202/225-2635

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MUR 3121

COMPLAINT - AUGUST 30, 1990

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90 AUG 30 AM 11:29

BEFORE THE
FEDERAL ELECTION COMMISSION
999 E. Street, NW
Washington, D.C. 20463

OHIO REPUBLICAN PARTY 172 East State Street Suite 400 Columbus, Ohio 43215-4387	:	
Complainant,	:	MUR 3121
vs.	:	
THE JOHN GLENN PRESIDENTIAL COMMITTEE, INC. Suite 210 236 Massachusetts Avenue, NW Washington, D.C. 20002,	:	COMPLAINT
and	:	
NATIONAL COUNCIL ON PUBLIC POLICY COMMITTEE Suite 210 236 Massachusetts Avenue, NE Washington, D.C. 20002,	:	
Respondents.	:	

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 AUG 30 PM 2:49

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Robert T. Bennett, Chairman of the Ohio Republican State Central and Executive Committee, hereafter called the Ohio Republican Party, states as follows for and on behalf of the Ohio Republican Party, Complainant:

1. This is a Complaint filed pursuant to 2 U.S.C. §437g(a)(1). Complainant is the "State committee" of the Ohio Republican Party, a "Political Party," as those terms are defined

in the Federal Election Campaign Act.1/ Respondents are, respectively, the principal campaign committee for John H. Glenn, Jr., in his capacity as presidential candidate ("Presidential Committee"), and an organization set up allegedly outside the Federal Election Campaign Act, as amended, ("Policy Committee") which purported served to provide the public with access to John H. Glenn, Jr.'s ideas, but operated on Complainant's information and belief, as a conduit for illegal contributions into the Presidential Committee.

2. The Presidential Committee is registered with the Federal Election Commission and the Secretary of the Senate, as appropriate. On Complainant's information and belief, the Policy Committee is not and never was.

3. For some period of time, ending in mid-1988, on Complainant's information and belief, the Policy Committee made illegal contributions to the Presidential Committee by providing personnel and other overhead items to it. Funds raised by the Policy Committee were expressly kept outside the Federal Election Campaign Act's rules governing contribution limits, recordkeeping, and reporting. On the information and belief of Respondent, the bulk, if not all, of the funds used by the Policy Committee to subsidize the Presidential Committee came from one

2304354018 2

1/ 2 U.S.C. §§431(15),(16)

donor, Charles H. Keating, or from companies which he owned or controlled.

4. In May, 1988, on Complainant's information and belief, the Presidential Committee returned $43,000.00 to the Policy Committee in an acknowledgement that it had improperly received that amount of services. (See article attached.)

5. The Policy Committee appears from available information to have existed solely to pay overhead, certainly after John H. Glenn, Jr.'s abortive Presidential race. In fact, personnel who worked for the Policy Committee also worked consistently for the other committees according to the attached newspaper articles and on Complainant's information and belief. The Treasurer of all three committees, William R. White, effectively admitted that the Policy Committee existed solely to pay rent and salaries. (See attached newspaper article: Tom Deimer and Keith C. Epstein, "Election Law Loopholes Used On Glenn's Behalf", The Plain Dealer, August 6, 1989.) This would indicate that all its funds were expended in connection with John H. Glenn, Jr.'s, abortive Presidential campaign.

6. Maureen T. Moriaty, Executive Director of the National Council on Public Policy, a staff member of the Policy Committee, whose entire salary and allocable overhead were paid by the Policy Committee, on Complainant's information and belief,

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acknowledged that she routinely raised money for the Presidential Committee without making any effort to allocate her time and without receiving any reimbursement from the Presidential Committee for the work she did.

7. The Policy Committee, upon Complainant's information and belief, used all the money contributed by Charles H. Keating, or by companies which he owns or controls, solely for the purpose of paying rent and overhead expenses, in the same headquarters which were shared by the Presidential Committee.

8. The foregoing activities constitute violations of Act as follows:

(a) Presidential Committee

(1) 2 U.S.C. §441a(a)(1)(A); to wit, the Presidential Committee accepted in excess of $1,000.00 from the Policy Committee, which was not a qualified multi-candidate committee because it had not registered with the Federal Election Commission;

(2) 2 U.S.C. §441a(a)(8); to wit, accepting contributions in the name of another by taking money from Charles H. Keating or from companies owned or controlled by him, through the Policy Committee;

(3) 2 U.S.C. §434; to wit, a failure to report the receipt and expenditures of these contributions in kind;

(b) Policy Committee

(1) 2 U.S.C. §441a(a)(1)(A); to wit, the Policy Committee made contributions to the Presidential Committee in excess $1,000.00 by funds which were not qualified under the Federal Election Campaign Act. These funds were received in amounts exceeding the Act's contribution limits, and, on information and belief of Respondent, from corporate donors.

9304354018 4

(2) 2 U.S.C. §§433, 434; to wit, failure to register and report as a political committee, in accordance with the Act.

9. For the foregoing reasons, Respondent respectfully requests that the Commission take this matter under review and issue an appropriate finding.

Respectfully submitted,

OHIO REPUBLICAN PARTY

By: Robert T. Bennett

Robert T. Bennett
Chairman
172 East State Street
Columbus, Ohio 43215-4387
(614) 228-2481

STATE OF OHIO)
) SS
COUNTY OF FRANKLIN)

Sworn and subscribed before me on this 27th day of August, 1990, by Robert T. Bennett, who duly cautioned, acknowledged the foregoing document.

Bobbi J. Crabtree
Notary Public
My Commission Expires

Notary Public, State of Ohio
My Commission Expires
May 1, 1995

GMS/ed5

9304354018 5

Election law loopholes used on Glenn's behalf

By TOM DIEMER
and KEITH C. EPSTEIN
PD BUREAU

WASHINGTON — Handlers of an obscure and supposedly independent political fund routinely and casually crossed the legal barrier meant to separate them from efforts to cut Sen. John Glenn's staggering campaign debts.

The practice, as detailed in documents obtained from Glenn's organization and described by former and current advisers, illustrates how Glenn operatives took advantage of loopholes in the much-maligned federal election law.

They were able to collect a $200,000 corporate contribution, far beyond normal campaign limits, and channel thousands of dollars of the proceeds for use by the senator's debt-ridden presidential committee.

In so doing, Glenn's organization at least partially skirted laws meant to restrict the political clout of any single person or company, and limit the way in which contributions are used.

Were Glenn's aides taking advantage of a loophole? Responded one source familiar with Glenn's operation: "Oh, yeah. Election law is full of loopholes."

The infusion of cash also was used to pay William R. White, a longtime financial adviser to Glenn, and treasurer of the struggling debt retirement committee.

The previously unreported payment, $33,254 over 10 months in 1986, represented virtually the only fee White received for any work done for Glenn.

White got paid because the independent fund, a dormant if not comatose political action committee (PAC), was suddenly rolling in money.

A savings and loan executive, Charles Keating, revived the PAC with two $100,000 checks. The executive, his associates, and company, already had given directly to the campaign as much as was permissible by law.

When Keating and his S&L later came under investigation by government regulators, Glenn went to unusual lengths to help Keating resolve the dispute.

The political action committee, meanwhile, properly segregated the $200,000 from reported contributions that can be used on federal campaigns, by putting it in a separate bank account.

Called "soft money," such donations can be given in boundless quantities and don't have to be reported. That is why reform lobbies such as Common Cause want the Federal Election Commission to crack down on unreported money and place restrictions on PACs.



AP

SEN JOHN GLENN: Aided by PAC.

The PAC itself, while formed on Glenn's behalf, officially was meant to be unconnected with his campaigns. The substantial donations from Keating were used to pay the expenses and salaries of Glenn's operatives at the PAC.

However, besides paying White, those operatives allowed at least $43,000 in PAC money to directly or indirectly benefit the presidential committee.

Glenn still is wrestling with a $2 million-plus debt from 1984.

In contrast to the "soft" donations, contributions toward retirement of such a campaign debt are limited and closely monitored by the Federal Election Commission.

Maureen T. Moriarty, the PAC's executive director, who has her office next door to the presidential committee, acknowledged she routinely crossed the line to help raise money to pay off the presidential debt.

"It was just kind of like you exist in the same neighborhood with them and never felt there was a brick wall between the committees that you couldn't sit and talk about where they could find new money," she said.

"If I ever thought it would harm the senator in any way down the line, I probably would have to stop." Political harm to Glenn aside, the situation involving a nearly dormant PAC, a massive debt, and a $200,000 "soft money" contribution from a fat cat supporter is symptomatic of the murky state of campaign finance law — a situation that begs for reform.

Lawyer White, a confidant of Glenn for a decade, ran his presidential campaign — and still oversees efforts to reduce that campaign's obligation to banks and vendors as an unpaid treasurer.

White wasn't about to ask Glenn to pay him in a way that would add to the campaign debt, aides say.

However, White said the PAC's payments to him, detailed in documents prepared by the lawyer, were for work he performed for the committee, which was given an innocuous name that sounded more like a think tank than a political operation. Disbanded about a year ago, it was called the National Committee for Public Policy.

Moriarty, who worked on the 1986 Senate race, took over as executive director of the PAC in 1987. The services of Moriarty, an experienced political fundraiser, were not reported as an in-kind contribution, as required by election law, nor was her salary initially reimbursed by the debt retirement committee.

Even when it was, White merely guessed at the amount of time she spent on debt-retirement activities.

ANALYSIS

He estimated two months; she says she can't remember and never kept track. Her salary was $36,106.

"When we felt there was a need ... in raising money for John Glenn's debt retirement, we would lend a hand to accomodate the senator in that aspect," Moriarty said of her activities and the only other full-time PAC staffer, Marian Murphy.

'If I ever thought it would harm the senator in any way down the line, I probably would have to stop.'

— Maureen T. Moriarty, PAC executive director

"But we were still trying to raise money for the PAC at the same time, trying to keep it going for the senator to go and speak on its behalf. So it was a little combination of trying to do both. One was not a full time job and neither was the other."

As Glenn's treasurer, White closed the political committee down a year ago May and reimbursed it $43,000 from the debt retirement group for services rendered.

A month or so after the PAC was shut down, investigators for the presidential campaign of Michael S. Dukakis, who was considering Glenn as a running mate, checked into the activities of the loosely-run organization and questioned Moriarty.

The PAC, of a type that would be barred in President Bush's proposal for campaign finance reform, had been in a state of drift. One Glenn adviser said the problem was the PAC never knew what it was going to do with the money; another said the money was "just frittered away" on administrative expenses.

"I was just kind of taking my guidance from the senator," said Moriarty, who met personally with Glenn from time to time to brief him on the PAC's progress. "He didn't volunteer and call us and say, 'I want you to do this, this and this.'"

Moriarty, who helped raise money for the presidential campaign of Walter F. Mondale in 1984, said, when possible, she pitched in on the debt-retirement effort during her lunch hour, or after normal work hours.

"Nobody told us, 'make sure you keep an hourly log on telephone calls or talks' (with donors)," she said. "There was never a conscious effort of trying to do that. As you go along you were kind of filling in with both. I didn't feel pressed to strictly stay with doing PAC stuff."

"You don't think you have done anything wrong."

9304354018 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 6, 1990

William R. White, Treasurer
National Council On
Public Policy Committee
Suite 210
236 Massachusetts Avenue, N.E.
Washington, D.C. 20002

RE: MUR 3121

Dear Mr. White:

The Federal Election Commission received a complaint which alleges that the National Council On Public Policy Committee may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3121. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the National Council On Public Policy Committee in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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

9304354018 8

If you have any questions, please contact Dawn Odrowski, the staff member assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

9304354018 9

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 6, 1990

The John Glenn
Presidential Committee, Inc.
Michael J. Petro, Treasurer
2715 M Street, N.W.
Suite 300
Washington, D.C. 20007

RE: MUR 3121

Dear Mr. Petro:

The Federal Election Commission received a complaint which alleges that the John Glenn Presidential Committee, Inc. ("the Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3121. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Committee and you, as treasurer, in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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If you have any questions, please contact Dawn Odrowski, the staff member assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

cc: The Honorable John Glenn
SH-503
Hart Senate Office Building
Washington, D.C. 20510-3501

9304354019 1

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

September 6, 1990

Ohio Republican Party
Robert T. Bennett, Chairman
172 East State Street
Suite 400
Columbus, OH 43215-4387

RE: MUR 3121

Dear Mr. Bennett:

This letter acknowledges receipt on August 30, 1990, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by The John Glenn Presidential Committee, Inc., Michael J. Petro, as treasurer, and the National Council on Public Policy Committee. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 3121. Please refer to this number in all future correspondence. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

If you have any questions, please contact Retha Dixon, Docket Chief, at (202) 376-3110.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Procedures

9304354019 2

OGC 7918

COVINGTON & BURLING
1201 PENNSYLVANIA AVENUE, N.W.
P.O. BOX 7566
WASHINGTON, D.C. 20044
(202) 662-6000

TELEFAX: (202) 662-6291
TELEX: 89-593 (COVLING WSH)
CABLE: COVLING

ACHESON HOUSE
46 HERTFORD STREET
LONDON W1Y7TF ENGLAND
TELEPHONE 44-71-495-5655
TELEFAX 44-71-495-3101

BRUSSELS CORRESPONDENT OFFICE
44 AVENUE DES ARTS
BRUSSELS 1040 BELGIUM
TELEPHONE 32-2-512-9890
TELEFAX 32-2-502-1598

RICHARD D. SHORE
DIRECT DIAL NUMBER
(202) 662-5452

September 19, 1990

RECEIVED
FEDERAL ELECTION COMMISSION
90 SEP 20 AM 9:26
OFFICE OF GENERAL COUNSEL

Dawn Odrowski, Esq.
General Counsel's Office
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 3121

Dear Ms. Odrowski:

I appreciated the opportunity to speak with you and Anthony Buckley yesterday concerning the above-captioned matter under review.

As I mentioned to you, this firm represents the John Glenn for President Committee, Inc. ("JGPC") in this matter. You should receive the formal designation of counsel from the treasurer of the JGPC, Mr. Michael J. Petro, shortly.

We have reviewed the complaint in MUR 3121 forwarded with the Commission's letter of September 6, 1990, and it appears to allege the identical activities that are currently before the Commission in MUR 2999, in which the JGPC is also a respondent. Mr. Buckley, who has been handling MUR 2999 for the Commission, advised me that he concurs in that assessment. That being the case, we expect that the Commission will consolidate the two matters and, in the interim, we adopt as our response in this matter our response of December 18, 1989 to MUR 2999, along with any supplemental submissions thereto.

Thank you for your attention to this matter.

Sincerely,

Richard D. Shore

9304354019 3

OGC 7958

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

STATEMENT OF DESIGNATION OF COUNSEL

90 SEP 24 AM 9:36

MUR 3121

NAME OF COUNSEL Covington & Burling (Scott Gilbert & Richard Shore

ADDRESS 1201 Pennsylvania Avenue, N.W.

P. O. Box 7566

Washington, D.C. 20044

TELEPHONE (202) 662-6000

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 SEP 24 PM 2:54

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

9-20-90

Date

Michael J. Petro

Signature
By: Michael J. Petro, Treasurer

RESPONDENTS NAME John Glenn Presidential Committee, Inc.

ADDRESS 2715 M Street, N.W., Suite 300

Washington, D.C. 20007

TELEPHONE (202) 333-8830

9304354019 4

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

October 11, 1990

National Council on Public Policy
Committee
William R. White, Treasurer
c/o Kaplan, Russin & Vecchi
1215 17th St., N.W.
Washington, D.C. 20036

RE: MUR 3121

Dear Mr. White:

The Federal Election Commission received a complaint which alleges that the National Council on Public Policy Committee ("the Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. The complaint was previously mailed to you at another address but was returned by the Post Office.

We have numbered this matter MUR 3121. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Committee and you, as treasurer, in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed

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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.

If you have any questions, please contact Dawn M. Odrowski, the staff member assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

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STATEMENT OF DESIGNATION OF COUNSEL

FEDERAL ELECTION COMMISSION
PAC ROOM

90 OCT 16 AM 11:22

MUR 3121

NAME OF COUNSEL: Donald O. Clark

ADDRESS: Kaplan Russin & Vecchi
1215 17th Street, N.W.
Washington, D.C. 20036

TELEPHONE: (202) 887-0353

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 OCT 16 PM 2:00

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 OCT 16 PM 3:32

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.

October 15th, 1990
Date

William R. White
Signature

RESPONDENT'S NAME: National Council on Public Policy Committee

ADDRESS: 1215 17th Street, N.W.
Washington, D.C. 20036

HOME PHONE:

BUSINESS PHONE: (202) 887-0353

9304354001197

0c8513

Law Offices

Kaplan Russin & Vecchi

1215 Seventeenth Street, N.W. Washington, D.C. 20036

TELEPHONE: (202) 887-0353
CABLE: KAPRUS WASHINGTON
TELEX: 248413 KAPRUS
TELEFAX: (202) 293-8684

333 SILOM ROAD, BANGKOK
CARRERA 7, NO. 17-51 BOGOTA
PASEO DE LA CASTELLANA, 155, MADRID 28046
800 BRICKELL AVENUE, MIAMI 33131
135 EAST 57th STREET, NEW YORK 10022
580 CALIFORNIA STREET, SAN FRANCISCO 94104
EDIFICIO LA CUMBRE, SANTO DOMINGO
205 TUN HWA N. ROAD, TAIPEI

November 1, 1990

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 NOV -5 PM 2:43

Ms. Dawn Odrowski
Office of the General Counsel
Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

Dear Ms. Odrowski:

The National Council on Public Policy (NCPP) requests an extension to November 12, 1990 to submit its response with respect to MUR 3121. Donald O. Clark, who was designated by the undersigned as counsel for NCPP, is out of town and this request is submitted with his approval by the undersigned as Treasurer of NCPP.

The reason for the request is that both Mr. Clark and the undersigned have been on extended travel, and NCPP's files were in storage because the organization was officially and formally terminated in 1988. There was insufficient time to adequately review necessary records within the 15 day period. Thank you for your consideration.

Sincerely,

William R. White

WRW/taj

9304354019 98

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 16, 1990

Donald O. Clark, Esq.
Kaplan, Russin & Vecchi
1215 17th Street, N.W.
Washington, D.C. 20036

RE: MUR 3121
National Council on Public
Policy Committee and
William R. White, as
treasurer

Dear Mr. Clark:

This is in response to your client William R. White's November 1, 1990 letter, which we received on November 5, 1990, requesting an extension until November 12, 1990, i.e., thirteen days, to respond to the complaint in MUR 3121. After considering the circumstances presented in Mr. White's letter, I have granted you an extension of 14 days, since November 12th was a federal holiday. Accordingly, your response was timely filed on November 13, 1990

If you have any questions, please contact Dawn M. Odrowski, the attorney 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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OGC 8628

Law Offices

Kaplan Russin & Vecchi

1215 Seventeenth Street, N.W. Washington, D.C. 20036

TELEPHONE: (202) 887-0353
CABLE: KAPRUS WASHINGTON
TELEX: 248413 KAPRUS
TELEFAX: (202) 293-8684

333 SILOM ROAD, BANGKOK
CARRERA 7, NO. 17-51 BOGOTA
PASEO DE LA CASTELLANA, 155, MADRID 28046
800 BRICKELL AVENUE, MIAMI 33131
135 EAST 57th STREET, NEW YORK 10022
580 CALIFORNIA STREET, SAN FRANCISCO 94104
EDIFICIO LA CUMBRE, SANTO DOMINGO
205 TUN HWA N. ROAD, TAIPEI

November 13, 1990

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 NOV 13 PM 4:26

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

Re: MUR 3121, National Council
on Public Policy

Dear Ms. Odrowski:

I am enclosing three copies of the memorandum of the National Council on Public Policy in the above captioned matter. We requested an extension to November 12 not realizing that it was a holiday, and are accordingly making the filing today.

Sincerely,

Donald O. Clark
For the Firm

DOC/taj

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FEDERAL ELECTION COMMISSION

OHIO REPUBLICAN PARTY Complainant, vs. THE JOHN GLENN PRESIDENTIAL COMMITTEE, INC. and NATIONAL COUNCIL ON PUBLIC POLICY Respondents.	)	MUR 3121

MEMORANDUM OF THE NATIONAL COUNCIL ON PUBLIC POLICY
(A TERMINATED COMMITTEE)

KAPLAN, RUSSIN & VECCHI

By: Donald O. Clark
1215 17th Street, N.W.
Washington, D.C. 20036
(202) 887-0353
Attorneys for National Council on Public Policy

9304354020 1

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I. Statement Of Facts

The facts in this MUR are, in many respects, identical to the facts in pending MUR 2999. Affidavits by William R. White ("White Aff. No. 1") and Herbert A. Hedden ("Hedden Aff.") are part of the memorandum submitted by the John Glenn Presidential Committee and the Senator John Glenn Committee on December 18, 1989 in MUR 2999. A supplemental affidavit by Mr. White ("White Aff. No. 2") is included as part of this memorandum. Relevant facts are summarized below with references made to all three affidavits.

The National Council on Public Policy ("NCPP") was incorporated in Ohio in 1982 by Jacob E. Davis, its first Treasurer. In 1985, NCPP was dissolved in Ohio and organized in the District of Columbia (Hedden Aff. ¶¶2,3). NCPP was originally organized to defray the expenses of Senator John Glenn as he campaigned on behalf of other candidates during the 1982 general election cycle. This activity also enabled Senator Glenn to evaluate his potential presidential campaign. NCPP was inactive in 1983, and in 1984 NCPP began to function to promote moderate and centrist views within the Democratic Party with Senator Glenn as NCPP's principal spokesman (White Aff. No. 1 ¶2; White Aff. No. 2 ¶14; Hedden Aff. ¶4).

Herbert A. Hedden became President and Treasurer of NCPP in April, 1984 (Hedden Aff. ¶2). While Mr. Hedden was Treasurer NCPP operated with a federal checking account subject to FEC Act, and a non-federal checking account that

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was not specifically governed by the FEC Act (Hedden Aff. ¶¶6,7; White Aff. No. 2 ¶3). During this time NCPP shared office space with the John Glenn Presidential Committee and the Senator John Glenn Committee. Mr. Hedden had full time employment elsewhere and did not utilize such space (Hedden Aff. ¶8; White Aff. No. 2 ¶¶4,7).

In November, 1986 Ms. Maureen Moriarity became the full-time Executive Director of NCPP, assumed all operational control of NCPP from Mr. Hedden, and moved into the NCPP office space. (Hedden Aff. ¶2; White Aff. No. 2 ¶¶3,7) In March, 1987, Mr. White succeeded Mr. Hedden as NCPP Treasurer under the FEC Act for purposes of reviewing and filing FEC reports for NCPP's federal account. Mr. White, who at the time was also Treasurer of the John Glenn Presidential Committee, did not exercise any functions with respect to NCPP other than filing FEC reports. He did not have check signing authority, did not receive copies of bank statements, was not aware of how NCPP's non-federal funds were utilized, and made no operational or financial decisions. (White Aff. No. 2 ¶5).

Ms. Moriarity left the NCPP staff on September, 1987 and NCPP ceased to operate. A part-time employee paid bills, answered mail, and prepared FEC reports for Mr. White's signature. (White Aff. No. 2 ¶6). NCPP records were placed in storage where they remained until April, 1988 (White Aff. No. 2 ¶8)

In April, 1988, Mr. White began to review NCPP's records, and learned that Ms. Moriarity had mistakenly paid

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certain overhead expenses and other items from the NCPP non-federal account that should have been paid in part from the accounts of the Presidential Committee and the Senate Committee (White Aff. No. 2 ¶9).

Mr. White met with Senator Glenn and recommended that appropriate reimbursements be made to correct the situation, and that NCPP be terminated. Senator Glenn agreed with both recommendations (White Aff. No. 2 ¶10).

Mr. White thereafter reviewed the records of the three organizations, calculated the amounts of reimbursements, and reimbursements were made to NCPP from the Presidential Committee and Senate Committee in the amount of approximately $43,000 (White Aff. No. 2 ¶11).

These reimbursements were voluntarily made by the Presidential Committee and Senate Committee without any prompting or inducement from the media, the FEC, or any other source, and the reimbursements were fully disclosed to the FEC in the two committees' next quarterly reports (White Aff. No. 2 ¶¶12,13).

NCPP then filed a termination statement with the FEC on May 31, 1988, and received a certificate of corporate dissolution from the government of the District of Columbia on June 1, 1988. NCPP was advised by the FEC on October 28, 1988 that its termination statement had been accepted as a valid termination (White Aff. No. 2 ¶12).

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II. The Commission Should Dismiss The Complaint With Respect To Respondent National Council On Public Policy Because Respondent No Longer Exists; More Than Three Years Have Elapsed Since The Events In Question; And Respondent Is Not Able To Effectively Participate In This Proceeding.

This memorandum is being filed by the undersigned as counsel for an entity that no longer exists, and for a former Treasurer who has no entity to serve. As a practical matter, we do not have a client (only a former client when it did exist) and we respectfully submit that the Commission's jurisdiction should not be construed to require us to continue in these proceedings on behalf of a non-existent party respondent. We are more than happy to cooperate with the Commission with respect to the provision of any requested records or testimony.

The National Council on Public Policy ("NCPP) filed a termination statement with the FEC on May 31, 1988, and received a certificate of dissolution from the government of the District of Columbia on June 1, 1988. On October 28, 1988, over two years ago, the FEC advised NCPP that its termination was accepted as a valid termination.

The events to which complainant objects occurred during the tenure of a particular staff member of NCPP who was employed from November, 1986 to mid-September, 1987. Respondent received a copy of the complaint from the FEC by letter dated October 11, 1990. More than three years have elapsed since that employee left NCPP employment.

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NCPP recognizes that the three year time periods set forth in the law relate to violations (2 USC §455) and to record keeping requirements (11 CFR §104.14(a)(3)) rather than to the precise question of whether NCPP should be a party respondent. NCPP submits, however, that the policy underlying a three year limitation in the context of political activity is sound. NCPP also submits that such policy, when added to the fact that the committee in this case has been terminated and its corporate existence has been dissolved, strongly suggests that such committee should be dismissed as a party.

NCPP does not question the Commission's subpoena power or its ability to compel the testimony of witnesses. Many non-party witnesses appear and provide documents. NCPP does believe, however, that it is not necessary to retain NCPP in this matter as a party respondent merely to properly consider the complaint.

III. The Commission Should Find There Is No Reason To Believe That A Violation Of The Act Has Been Committed For The Reasons Set Forth In The Submissions In Pending MUR 2999.

In any event, the issues presented in this MUR are identical to certain of the issues presented in MUR 2999. The respondent John Glenn Presidential Committee, Inc. filed a memorandum in MUR 2999 on December 18, 1989. That memorandum presents cogent and persuasive arguments as to why there has been no violation of the FEC Act. NCPP adopts that memorandum as part of its memorandum in this MUR, and respectfully

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submits that the Commission should make a finding that there is no reason to believe a violation has occurred.

With respect to a procedural matter, NCPP only recently learned that it had been named as a respondent in MUR 2999. We are advised that the notification letter from the Commission was mailed to 202 E Street, N.W., which has never been NCPP's address although it was erroneously used on one of its quarterly reports. Although NCPP worked with the Presidential Committee in preparing the latter's response in MUR 2999, NCPP did not have actual knowledge that it also was a respondent. NCPP accordingly requests that sections I, II, V, VI and VII of this memorandum be treated as its response in MUR 2999.

IV. The Commission Should Find There Is No Reason To Believe That A Violation Of The Act Has Been Committed Because The Complaint Is Clearly Politically Motivated, And Complainant Seeks To Use The Act And The Commission For Its Own Purposes.

It is interesting to note that the only source of information upon which complainant relies is a newspaper article dated August 6, 1989, more than one year before this complaint was filed with the Commission. If complainant was truly interested in the fair administration of election laws it would seem that complainant would have been more diligent in raising this matter with the Commission.

It is also interesting to note that the complaint was filed shortly after articles appeared in the press suggesting that Senator Glenn and Senator McCain might be dropped from

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the pending inquiry by the Senate Select Committee on Ethics involving the so-called "Keating Five".

It is finally interesting to note that the complainant is the Ohio Republican Party, which has attempted to defeat Senator Glenn in four elections. All these factors taken together compel the conclusion that complainant became worried that Senator Glenn might be vindicated by the Senate Ethics Committee, and that complainant would no longer be able to use the so-called "Charles Keating" issue with respect to Senator Glenn.

It is difficult to imagine a complaint before this Commission that is so clearly inspired by partisan politics of the worst sort. This is not a legitimate attempt by an opposing party or an opposing candidate to expeditiously seek assistance from the Commission in protecting the integrity of the political process. This is nothing more than a late filed sour grapes effort by complainant to use the Commission for its own political ends. NCPP respectfully submits that the Commission should not sanction such activity.

V. The Commission Should Find There Is No Reason To Believe That A Violation Of The Act Has Been Committed Because Respondent Was Operating In Good Faith As A Legitimate Political Organization; The Actions Of Respondent Were Not Intentional; Proper Remedial Action Was Timely Taken And Approriate Disclosures Were Made, All On A Voluntary Basis Without Prompting Or Pressure From The Media, The FEC, Or Any Other Source.

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This is a classic case of a political committee discovering a mistake, and then voluntarily acting on its own to correct the situation. We respectfully submit that the policy of the Federal Election Commission should be to encourage, rather than to punish, such remedial action. This suggestion would appear to be especially appropriate when the mistake did not occur in the context of an ongoing campaign where one candidate or the other might be unfairly prejudiced. In fact, the two respondents in this case are a now defunct political action committee that was never able to be effective, and a debt-laden presidential committee struggling from the 1984 campaign. It is difficult to imagine two respondents where the facts alleged in the complaint could have less impact or influence on the political process. Respondent NCPP was a legitimate political committee operating on a good faith basis, and made an inadvertent mistake that was timely corrected when discovered.

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A. Respondent Was A Proper Political Organization. It Was Not A Conduit, Nor Did It Exist To Pay Rent And Salaries As Complainant Alleges.

Complainant alleges that NCPP was nothing more than a conduit for illegal contributions; that NCPP existed solely to pay rent and salaries from funds provided by one contributor; and that NCPP failed to register with the FEC. The facts are set forth below.

First, NCPP did not operate as a conduit, but was a legitimate political committee attempting to serve legitimate political objectives. Documents attached to Mr. White's affidavit as Exhibit D are representative of NCPP's efforts to carry out its proper purposes.

Second, although it turned out that a substantial portion of NCPP's revenues were used for rent and salaries, the plan was that larger amounts would have been raised. In any event, it is not a violation of the FEC Act to raise less money than planned, and thus cause rent and salaries be a larger percentage of revenues.

Third, the fact that the funds originated principally with one donor is irrelevant. Complainant fails to even allege a violation with respect to the receipt of funds from that donor. In fact, NCPP is unaware that anyone has ever seriously asserted that it was a violation of law for NCPP to receive contributions from that donor. A legal opinion attesting to the validity of contributions from that donor is at Tab 1 of the memorandum submitted by the John Glenn Presidential Committee in MUR 2999.

Fourth, NCPP did register with the FEC and report the activity in its federal account. In addition, FEC regulations specifically require a non-federal account to be established to receive funds not intended for use in federal elections. 11 CFR §102.5 (a)(1)(i). NCPP also fully complied with this requirement.

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B. The Commission's "Best Efforts" Policy Was Fully Met In This Case.

Although FEC regulations do not expressly deal with correcting the type of inadvent mistake that occurred in this case, the regulations do address similar situations in which a committee is required to use "best efforts" to take remedial action with respect to apparent violations.

For example, a treasurer must use "best efforts" to determine the legality of contributions, and to refund contributions within thirty days after the determination of illegality. 11 CFR §103.3(b)(i). If this remedial action occurs, the Commission may choose to make no findings with respect to other employees of the committee who received or solicited the contributions.

Another example includes the opportunity for a committee to show that best efforts were used to obtain, maintain, and submit information required for reporting purposes. Upon such a showing, the committee reports will be considered in compliance with the Act, even though by definition they are technically not in compliance. 11 CFR §104.7(a).

This policy recognizes the difficulty in monitoring all receipts and expenditures by political committees, and reflects an intent that good faith efforts by candidates and committee Treasurers should be encouraged. This policy also recognizes that technical non-complaince that is not prejudicial to anyone need not be treated as a violation in an appropriate case when the situation is corrected in good faith as quickly as possible.

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This case fits squarely within the above described policy. Steps were taken by NCPP to immediately remedy the matter. Substantial time and effort was required because the problem in question occurred over a period beginning more than a year and one-half before the time of its discovery, records were required to be retrieved from storage, key former committee personnel who had moved out of town were unavailable on short notice for explanations, neither of the respondent committees had any employees or operations, and the records of three committees were required to be reviewed and analyzed. NCPP submits that it resolved a complex situation without delay.

In addition, the appropriate reimbursements were made by the Presidential Committee and Senate Committee within the same FEC reporting period during which the problems were discovered, and full and timely disclosure was made to the FEC without any urgency or inducement from the media, the FEC, or any other source.

We respectfully submit that best efforts were made in this matter, and that the Commission should find no reason to believe that a violation was committed.

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VI. Conclusion

NCPP should be dismissed as a party respondent. In any event this MUR is an after-the-fact partisan political effort by complainant that was only filed after it appeared that Senator Glenn might be vindicated by the Senate Ethics Committee. Furthermore, best efforts were used to timely correct the situation once it was discovered. This is an appropriate case by the Commission to find no reason to believe that a violation of the FEC Act occurred.

Respectfully Submitted
KAPLAN RUSSIN & VECCHI

By Donald O. Clark

Donald O. Clark
1215 17th Street N.W.
Washington, D.C.
(202)887-0353
Attorneys For National
Council on Public Policy

9304354021 4

9304354021 5

VII. Affidavit

9304354021

AFFIDAVIT

I, WILLIAM R. WHITE, being duly sworn, depose and state as follows:

1. This affidavit supplements the affidavit of the undersigned in MUR 2999, which involves the same questions as are raised in this MUR. The facts set forth in this affidavit with respect to NCPP operations, as well as such facts in my affidavit in MUR 2999, are based principally upon information obtained beginning with and subsequent to a review of records of the National Council on Public Policy ("NCPP") after NCPP ceased operations, all of which is more fully described in paragraphs 9 through 11.

2. In November, 1986, after the 1986 general election, Maureen Moriarity became Executive Director of NCPP. Prior to that time, Herb Hedden was the Treasurer of NCPP, was the designated recipient of and had possession of all NCPP bank records, signed all NCPP checks, and filed all required NCPP reports with Federal Election Commission ("FEC").

3. When Ms. Moriarity assumed her duties, Mr. Hedden transferred his duties and responsibilities to her, delivered all bank records and other documents to her, and transferred check signing authority to her. A copy of a memorandum from Mr. Hedden to Ms. Moriarity implementing this transfer is attached as Exhibit A. At the time of this transfer, the records show that NCPP had a federal checking account containing approximately $11,000, and three non-federal

accounts (one checking account and two interest-bearing money market accounts) containing approximately $120,000.

4. Mr. Hedden thereafter resigned as Treasurer of NCPP because he had begun his studies in law school in addition to working in a full time position with a trade association in Washington, D.C. Mr. Hedden filed the January 31, 1987 report for the NCPP federal account with the FEC.

5. In March 1987, I was designated as Treasurer of NCPP on FEC Form 1 filed with the FEC. This designation was made so that NCPP would continue to have a Treasurer for FEC purposes with respect to contributions, expenditures, and reports governed by the FEC Act. My responsibilities as Treasurer related only to reviewing and signing FEC reports for the federal account that were prepared for my signature by NCPP staff. Since I was also Treasurer of the John Glenn Presidential Committee at that time, it was appropriate not to take any management or administrative role with NCPP other than that of serving as Treasurer for FEC filing purposes. I did not seek nor was I requested to take a larger role. At that time neither FEC Form 1, nor any other act or resolution of NCPP, conferred any authority upon me with respect to NCPP's non-federal accounts or NCPP's operations. I did not have check signing authority with respect to the non-federal accounts or the federal account, did not receive ban statements with respect to the non-federal accounts or the federal account, and did not become aware of the payments from the non-federal accounts of NCPP until April, 1988 when I began to review all NCPP records as described in paragraph 9.

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Financial activity of NCPP was carried out by Ms. Moriarity from the time of her employment on November, 1986 to the time of her departure in September, 1987.

6. NCPP records show that Ms. Moriarity's last payroll check was dated September 15, 1987. It is my understanding from my subsequent review of NCPP records as described in paragraph 9 that she left employment of NCPP on or about that date; that NCPP ceased at that time to carry on any further programs and functions; and that Mr. Paul Shipman, who was at the time an employee of the John Glenn Presidential Committee, became partially employed by NCPP on a split payroll basis for the purpose of paying any outstanding NCPP bills, answering any NCPP mail, and preparing NCPP's FEC reports. I also understand from my subsequent review of NCPP records and related work that Ms. Moriarity, prior to or after her departure from NCPP, signed several NCPP checks in blank and might have returned to the NCPP office to sign additional checks as needed. These checks were used by Mr. Shipman and his successor to pay many of the residual accounts payable of NCPP.

7. At the time Ms. Moriarity became employed by NCPP in November, 1986, NCPP shared office space with the John Glenn Presidential Committee and the Senator John Glenn Committee at 236 Massachusetts Avenue, N.E. Ms. Moriarity and her assistant occupied the NCPP portion of the space on a full time basis. A few months after Ms. Moriarity left NCPP the lease for the entire space expired and was not renewed. As of

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January 31, 1987 all three committees vacated the [redacted]. Mr. Shipman left his position of dual employment with the [redacted] Glenn Presidential Committee and NCPP and moved away fr[redacted] Washington D.C. Just prior to his departure, Mr. Shipma[redacted] arranged for the non-current records of the Presidentia[redacted] Committee, the Senate Committee, and NCPP to be sent to off-site commercial storage, and the current records for all three organizations were delivered to the offices of my law firm, Kaplan, Russin & Vecchi, at 1215 17th Street, N.W.

8. These current records for the Presidential Committee and Senate Committee remained at the firm during February and March, 1988, and both committees paid rent for the space. During this time NCPP's minimal bills were paid by Ms. Monica Bramlish utilizing checks previously signed by Ms. Moriarity. Ms. Bramlish had succeeded Mr. Shipman as a part-time NCPP employee for the purpose of dealing with residual NCPP matters. In April, 1988, the Presidential Committee and Senate Committee records were moved from the firm back to new space on Capitol Hill at 202 E. Street, N.E. NCPP records remained at the firm.

9. On April 14, 1988, I signed the first quarter 1988 FEC report for the federal account that was prepared by Ms. Bramlish. This report, like the report for the previous quarter, showed zero receipts and zero expenses in the federal account. This fact, along with NCPP's complete inactivity, prompted me to begin a more detailed review of the NCPP records in the firm's office for the purpose of making a

recommendation as to the future, if any, of NCPP. During this review, I found that Ms. Moriarity had mistakenly paid certain overhead expenses and other items from the NCPP non-federal account that should have been paid in part from the accounts of the Presidential Committee and Senate Committee, with which NCPP shared space at the time at 236 Massachusetts Avenue, N.W.

10. Although the NCPP non-federal account was generally not covered by the FEC regulations, the Presidential Committee and Senate Committee were covered, and I was aware that the FEC regulations contained a "best efforts policy" with respect to the return of contributions that are not received in conformity with the FEC Act. I concluded that the proper course of action would be for the Presidential Committee and Senate Committee to reimburse NCPP for the expenses NCPP paid that should have been shared, and that NCPP should be terminated because Senator Glenn had not devoted any effort to NCPP for a substantial period of time. As a result, I requested an appointment with Senator Glenn to brief him on my findings, and to recommend reimbursement and termination. Senator Glenn concurred with both recommendations, and said that I should do whatever was necessary to correct the situation.

11. I thereafter began the work of reviewing the records of NCPP, the Presidential Committee, and the Senate Committee. This necessitated retrieving records from the off-site storage facility referred to earlier, and attempting to reconstruct events. Ms. Moriarity had returned to Connecticut and did not

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participate in this activity. I obtained the assistance of Mr. Jeffrey Berman (a former Glenn staffer) to assist in making the proper tax and regulatory filings and payments with respect to the various federal, state, and local authorities having jurisdiction. I then made the calculations for reimbursements that were suggested by the records review, and the reimbursements were made. A copy of a memorandum to file providing additional detail on these calculations is attached as Exhibit B.

12. The reimbursements to NCPP were reported to the FEC by the Presidential Committee and the Senate Committee in their quarterly reports for July 15, 1988. NCPP filed a termination statement with the FEC on May 31, 1988, and received a certificate of corporate dissolution from the government of the District of Columbia on June 1, 1988. NCPP was thereafter advised by the FEC on October 28, 1988 that its termination statement had been accepted as a valid termination. Copies of these documents are attached as Exhibit C.

13. All of the above described actions with respect to reimbursements were taken voluntarily without the media, the FEC, or any other authorities being aware that remedial action was appropriate. There was no external prompting or inducement. The matter eventually did come to the attention of the press, but by that time all reimbursements had been made and disclosed, and NCPP had been terminated.

14. The Complaint filed in this matter by the Ohio Republican Party refers to a newspaper article and concludes

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that I admitted NCPP existed solely to pay rent and salaries. I have made no such admission, and was not even quoted in the article. The facts are that NCPP was created to defray expenses as Senator Glenn traveled around the country to campaign for other candidates during the 1982 general election. This activity not only assisted the other candidates, but also provided Senator Glenn the opportunity to evaluate his own presidential interests and prospects. NCPP was inactive during 1983, although it made a few contributions. In 1984, after the presidential campaign was over, the focus of NCPP shifted to serving as a mechanism to advance moderate and centrist views in the Democratic Party with Senator Glenn as NCPP's principal spokesman. NCPP was a legitimate and viable organization that operated to serve proper purposes in the political context. NCPP was not as effective as hoped because Senator Glenn was not able to devote time to his role as NCPP's principal spokesman. Copies of NCPP documents describing its activities are attached as Exhibit D.

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William R. White

SWORN TO AND SUBSCRIBED before me this 13th day of November, 1990.

Karen S. Knight
Notary Public

My commission expires: 10/31/95

EXHIBIT A

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MEMORANDUM

TO: MAUREEN MORIARITY, EXECUTIVE DIRECTOR, NATIONAL COUNCIL ON PUBLIC POLICY

FROM: HERBERT HEDDEN, HH TREASURER

DATE: NOVEMBER 21, 1986

RE: TRANSFER OF RESPONSIBILITIES

Congratulations on your new position. I have compiled the following notes to serve as a memorandum for your files to partially memorialize our meeting today.

1. Information on Herb Hedden

Herbert A. Hedden
Treasurer, President and Trustee
Assistant Director of Government Relations
International Franchise Association
1350 New York Avenue, N.W.
Suite 900
Washington, D.C. 20005
(O) (202) 628-8000
(H) (703) 960-6722

2. Other Officers and Trustees

A) Jeffrey G. Berman, Secretary, Trustee, Assistant Treasurer
B) Herbert G. McKim, Trustee (inactive)
C) Reginald Gilliam, Trustee (inactive)
D) Jeff Steen, Assistant Treasurer (inactive)
E) William R. White, General Counsel
F) National Advisory Board (see list in file) (inactive)

3. NCPP Financial Assets

A) Federal Account
(1) NS&T Checking Acct. #024-100-7111 Balance 11/22/86 $11013.06

B) NonFederal Corporate Account
(1) NS&T Checking Acct. #024-1007004 Balance 11/22/86 $1174.35
(2) NS&T Money Market Acct. #014-117458 Balance 11/22/86 $109895.75
(3) NS&T Money Market Acct. #014-117897 Balance 11/22/86 $9822.41

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C) Master Card Account
The NCPP holds Account #5291-0712-4915-9144 with a line of credit totaling $10,000. We were issued 3 cards. The only one that has been issued is in Mary Jane Veno's possession.

4. NCPP Debts

A) Debt owed to "The Glenn Partnership" from 1984 for airplane travel provided for trips on which Senator Glenn campaigned for other political candidates. Total: $9335.21

This debt can be subdivided into two portions, as follows:
(1) Federal $5066.89
(2) NonFederal Individual $4268.32
It can be paid in either the subdivided manner, as outlined above, or totally from federal account. Only the federal portion ($5066.89) has been reflected on the NCPP FEC reports as a debt.

B) Mastercard bills (includes 11/4/86 reception in Columbus)
C) National Democratic Club
D) U. S. Postmaster for P. O. Box rental

5. Post Office Box
The NCPP Post Office Box is P. O. Box 2000 located at Ben Franklin Station next to the Old Post Office on Pennsylvania Avenue. A post office box address should be retained.

6. NCPP Stationery
At last inventory, the following quantities of NCPP stationery were on hand:

(1)	Fine-quality	25-30 sheets	20 envelopes	(In folder)
(2)	Plain white	700 sheets	700 envelopes	(At office)
(3)	Monarch-sized	300 sheets	300 envelopes	(At office)

7. NCPP Physical Assets
A) The computer, printer, etc. and the furniture it is on.
B) PFS: File software and campaign manager software
C) 1-2 drawers of files at committee offices
D) Various books and publications at committee offices
E) Stationery
F) Box of files from Herb Hedden's office

8. FEC Reports
The NCPP must file reports with the FEC according to the schedule promulgated by the FEC. The reports are quarterly, except in Election years. The next two reports are due December 4, 1986 for the period October 1 - November 24, 1986 and January 31, 1987 for the period November 25, 1986 - December 31, 1986. The report only covers the activity in the federal bank account. All back FEC reports are included in the files I am turning over to you.

9. Payments to and from Senate Reelection Committee
The NCPP pays the Senate Committee for its share of the rent, telephone expenses, etc. The Senate committee pays the NCPP for rental of the computer. This billing and exchange of checks for administrative/overhead

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expenses takes place roughly quarterly. Shannon Billings will work with you to bring this matter up to date.

10. Federal Income Taxes
The NCPP must pay income taxes on the total amount of interest earned on its money market accounts. This should be done by March 1, 1987.

11. Mission Statement
A copy of the original NCPP mission statement is attached.

12. Senator Glenn's Role
Senator Glenn is the "principal spokesman" for the NCPP.

13. Allocation of Federal and NonFederal Money
This is a complicated issue which we will discuss. You may need to do your own memorandum to file with your understanding of this which I could review.

14. Types of Expenditures the NCPP Makes
A) Rent & office overhead (postage, telephone)
B) P. O. Box rental
C) Salaries of staff (consulting fees, thus far)
D) Materials & publications
E) Travel expenses for Senator Glenn and staff on non-personal, non-Senate, non-campaign trips
F) Contributions to candidates and causes as directed by Mary Jane Veno
G) National Democratic Club membership
H) Reimbursements to staff
I) Miscellaneous

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EXHIBIT B

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MEMORANDUM

TO: FILE

FROM: WRW

DATE: MAY 31, 1988

RE: REVIEW IN PREPARATION FOR TERMINATION OF NCPP

This review relates to NCPP expenditures with reference to JGPC and SJGC, and is designed to ensure that, prior to termination of NCPP, all expenditures are aligned with the proper committees. Based upon a review of NCPP records delivered to KRV in February, 1988, as well as additional records in archives, certain repayments from JGPC and SJGC to NCPP should be made.[1]

This review does not embrace the receipt by NCPP of non-federal contributions, or the allocation of NCPP expenses between its federal and non-federal accounts. A legal opinion was provided by Jan Baran (now counsel to the Bush Committee) approving NCPP's receipt of non-federal contributions, and by Carol Darr (now counsel to the Dukakis Committee) detailing how expenses should be allocated between the NCPP federal and non-federal accounts.

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[1]Records delivered in February, 1988 commenced with August, 1987. Earlier records were obtained from archives earlier this month. Analysis of expenditures is based upon the check registers, which correspond to bank statements. Individual invoices to back-up such payments were not filed in an organized way, and appear to be mixed in with other records. Reliance was placed upon the check registers.

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Herb Hedden appears to have followed the guidance provided by Baran and Darr until he turned the books over to Maureen Moriarty in late 1986. Since that time, NCPP made no expenditures for or on behalf of federal candidates. It accordingly is assumed that because no expenditures were being made for federal elections, NCPP staff relied on 11 C.F.R. § 106.1(e) and did not consider it necessary to allocate expenditures between the federal and non-federal accounts.[2]

Summary of Activities

On July 1, 1984, NCPP entered into a sub-lease with JGPC for one room office in the old presidential campaign headquarters at 444 North Capitol Street. SJGC was not yet operating on behalf of JHG, and thus was not a party to financial arrangements.

In 1984, NCPP paid JGPC $996.61 for rent for its one room office in the JGPC suite.[3]

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[2]The reimbursements described below will result in all NCPP expenditures during this time to be expenditures for overhead only. The termination of NCPP's affairs will, however, involve distributions to federal committees, and funds from the federal account will be used to defray those expenses.

[3]The attached Exhibit A reflects all rental payments made by NCPP from 1984 to date.

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$19,644.29 on its MasterCard.[5] Charges of $17,555.22 can be identified with NCPP activities that, because of the dates or locations thereof, appear to be unrelated to JGPC or SJGC.[6] Detail is not available to explain either the difference or the existing unpaid balance. It will accordingly be assumed, purely as a "worst-case" situation, that all charges made in Ohio in 1985 and 1986 might have been related to JHG's re-election campaign, even though they could also have been related to an NCPP activity.[7] Those Ohio charges, which were paid by NCPP, total $4,806.07, and will be reimbursed by SJGC to NCPP.

No other repayments are suggested for this time period. The FEC conducted a follow-up audit of JGPC at 236 Massachusetts Avenue through the period ending June 30, 1986. The completion of that audit, which necessarily included attention to inter-committee activity, did not raise problems. The reimbursements for the two items suggested herein (list rental and MasterCard charges) are appropriate because it is possible they were not considered by the auditors.

In November, 1986, however, after JHG's re-election, three changes occurred with respect to NCPP. First, NCPP

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[5]The attached Exhibit B reflects MasterCard payments made by NCPP.

[6]See Exhibit C.

[7]See Exhibit D.

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acquired its own employees (Maureen, Murph, and Paul; Paul also received partial payments of salary from JGPC). Second, NCPP became the prime lessee of office space. Third, NCPP made all payments for equipment (typewriters and copier) and telephone bills.

With respect to salaries, all employees are now gone, and it is difficult to ascertain if Maureen's and Murph's work should be allocated, at least in part, to other committees. With respect to SJGC, it is my understanding that they did no significant work for SJGC (other than possibly assist with FEC reports) because the re-election campaign was over and SJGC had no ongoing operations. As a result, no reimbursement from SJGC to NCPP is necessary.

It also is my understanding that Maureen, and to some extent, Murph, did help with the small JGPC debt-retirement fundraising program.[8] It is not clear whether this work was done on vacation time, week-ends, after-hours, or NCPP time. It is probable that some work was done on NCPP time. According to MJV, she is not aware of any money raised by Maureen from fundraising events. Murph apparently helped with a Cincinnati event. They also might have obtained some PAC contributions, but there are no specific records suggesting that fact. During this time, other employees (Anne and

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[8]Paul, as I understand, was principally an administrative person, and was also partially paid by JGPC.

Shannon) were partially paid by JGPC, and worked on JGPC affairs, including fund-raising.

It is assumed that if Maureen and Murph kept time records of the hours they spent on NCPP time actually working on JGPC debt-retirement (as distinguished from NCPP time at leisure or otherwise not specifically billable to JGPC) Maureen could have billed JGCP for not more than 375 hours of work, and Murph could have billed JGPC for not more than 185 hours. Since such hours would be equivalent to two months' and one month's salaries respectively, those amounts will be reimbursed by JGPC to NCPP. Those amounts are $2,060 and $1,019, respectively.

With respect to equipment (typewriters and copier), an agreement is in the files reflecting a fair value exchange whereby NCPP would use office <u>furniture</u> owned by JGPC, and JGPC would use office <u>equipment</u> owned by NCPP. As a result, no reimbursement is suggested.

The remaining items are office rent and telephone charges. NCPP paid rent to Congressional House in the total amount of $15,600 (see Exhibit A). It is assumed this amount should have been divided equally among the three committees. Thus, JGPC and SJGC will each reimburse NCPP $5,200.

A similar situation exists with respect to telephone service. NCPP paid $5,219.65 to C&P Telephone Company and

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AT&T.[9] Again, assuming a three way split because it is now impossible to reconstruct telephone records, each committee will accordingly reimburse NCPP $1,739.88.

Two additional reimbursements must be made because of erroneous payments. They are described below.

The first results from the Interim Addendum to the Final Audit Report of the FEC with respect to the audit of JGPC. The FEC inquired about a reported reimbursement by SJGC to JGPC for VISA payments. It was determined, however, that NCPP rather than JGPC made the original payment of $10,657.04 to VISA, and that SJGC inadvertently reimbursed JGPC instead of NCPP in the belief that JGPC made the original payment.[10] The final FEC order requires the transaction to be reversed, and reimbursement made by SJGC to NCPP.

Second, earlier this month, Monica paid certain costs from NCPP accounts that were allocable to JGPC and SJGC. Specifically, the $1,000 deposit for space at 202 E Street, along with a $500 payment for May rent, were made by NCPP when, in fact, the space is being occupied only by JGPC and SJGC. A payment to Radio Shack for $63.55 for a phone at 202

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[9]See Exhibit E.

[10]See pages 5 through 7 of the response of JGPC to the Interim Addendum, copies of which are attached as Exhibit F.

E Street was also made by NCPP. All of these amounts must be reimbursed. For purposes of reimbursement, it will be assumed that costs are are borne equally by JGPC and SJGC. Those committees are, of course, free to work out a different allocation for the future.

Monica also paid Metropolitan Moving and Storage $315.00 from NCPP's account to move SJGC and JGPC materials to 202 E Street. This was not an NCPP expense.

The total of these checks is $1,878.55, which will be split between JGPC and SJGC. Since Monica should not have paid the above expenses from the NCPP account, we will merely reverse transactions that erroneously occurred. Further, since NCPP was repaid by JGPC and SJGC, all aspects of the transactions occurred during the same FEC reporting period, and the FEC termination report for NCPP will disregard the original NCPP disbursements and the JGPC and SJGC subsequent reimbursements.

JGPC and SJGC will, however, be required to report such expenditures inasmuch as the effect of the reimbursement to NCPP is equivalent to payment of the original vendors by JGPC and SJGC. This applies to all reimbursements made by JGPC and SJGC to NCPP. The effect of the reimbursements means that, in reality, JGPC and SJGC ultimately paid the original vendor or provider of services, and must report the reimbursements as being made to the original vendors. JGPC and SJGC cannot

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simply report lump sum reimbursements to NCPP. The original vendors must be identified and disclosed.[11]

Summary of Reimbursements

Item	From JGPC	From SJGC
List Rental	$9,500.00[12]	
MasterCard		$4,806.07
Salary (Maureen)	2,060.00	
Salary (Murph)	1,019.00	
Rent	5,200.00	5,200.00
Telephone	1,739.88	1,739.88
Visa Reimbursement (FEC)		10,657.04[13]
Monica Checks (May)	939.27[14]	939.28[14]
TOTAL	$20,458.15	$23,342.27

[11]See 11 CFR § 104.3(b)(3) with regard to itemization of expenditures, and 11 CFR 100.8(a)(1)(ii), which excludes payments of outstanding obligations from the definition of expenditures, but requires reporting pursuant to 11 CFR § 104.3(b).

[12]$4,750.00 will be reimbursed to the NCPP federal account, and an equal amount will be reimbursed to the non-federal account. This corresponds to the original payments.

[13]This amount will be reimbursed entirely to the NCPP federal account.

[14]$500.00 of each of these amounts will be reimbursed to the NCPP federal account because the deposit was made with a check from the federal account. The balance will be reimbursed to the non-federal account. All other amounts not footnoted will be reimbursed to the non-federal account.

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EXHIBIT A - RENTAL PAYMENTS BY NCPP

			FEDERAL	NON-FEDERAL
1984				
8 20	JGPC		3586	
8 30	JGPC			67776
1985				
9 5	JGPC	(INCL. TELEPHONE)		468677
1986				
3 15	SJGC		209821	209832
3 15	JGPC		50154	
7 21	SJGC		65552	65553
12 11	SJGC		65012	65013
1987				
2 9	CONGRESSIONAL HOUSE			130000
3 12	"			130000
4 1	"			130000
4 28	"			130000
6 4	"			130000
7 1	"			130000
8 7	"			130000
8 31	"			130000
10 1	"			130000
10 30	"			130000
11 27	"			130000
12 31	"			130000

EXHIBIT 2 - MASTERCARD PAYMENTS

		Federal	Non-Federal
1985			
1 7	BANK OF VIRGINIA	2000 00	
4 15	"	500 00	
5 9	"	300 00	
9 4	"		1914 49
10 1	"		325 87
11 8	"		3831 17
1986			
1 4	"		7450 46
2 3	"		685 65
2 28	"		142 69
4 1	"	15 85	
7 9			378 11
1987			
3 27			350 00
4 29			350 00
7 13			350 00
9 15			350 00
11 27			350 00
12 31			350 00

9 3 0 4 3 5 4 0 2 3 7

MASTERCARD CHARGES UNRELATED
EXHIBIT C - TO JGPC OR SJGC

STMT		
1985		
1 13	ALL EXCEPT AVIS (1524.61 - 59.35)	1465.26
10 13	ALL EXCEPT TOLELO (3831.17 - 138.49)	3692.68
11 13	PIEDMONT	332.00
12 13	COMPUTERLAND	5450.95
	ARISTOTLE	750.00
	NORTHWEST (966.00 + 236.00)	1202.00
	GUEST QTRS	104.00
1986		
1 13	PIEDMONT	125.00
	ARISTOTLE	500.00
6 13	CROWN	30.45
7 13	ALL	120.82
8 13	ALL	798.68
10 13	ALL EXCEPT BUDGET (727.87 - 35.87)	692.00
1987		
3 13	EASTERN	150.00
	CHEVY CHASE	141.90
4 13	ALL	938.00
6 13	AVIS	55.11
	VANDERBILT	205.22
8 13	NORTHWEST	772.00
7 13	MONGOLE	29.15
		17555.22

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EXHIBIT D - OHIO CHARGES

1 85		59 35	
2 85		43 59	
3 85		—	
4 85		59 19	
5 85		71 64	
6 85		108 31	
7 85		—	
8 85		—	
9 85		—	
10 85		138 49	
11 85		819 37	
12 85		528 14	
			1828 08
1 86		60 65	
2 86		142 69	
3 86		15 85	
4 86	} ASSUMED 150 - (PER AVG. OF PRIOR 3 MO)	150 00	
5 86			
6 86		347 66	
7 86		—	
8 86		—	
9 86		197 53	
10 86		35 87	
11 86		1870 27	
12 86		157 47	
			2977 99
			4806 07

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EXHIBIT E - TELEPHONE PAYMENTS BY NCPP

(FROM NOV. 1986)

1987			FEDERAL	NO. FEDERAL
2 4	ATT			595
3 19	ATT			595
3 17	C&P			2296
3 25	C&P			3485
4 1	ATT			10312
4 27	ATT			2801
4 29	C&P			1205
4 29	C&P			2232
6 30	ATT			10067
6 30	C&P			8543
7 27	C&P			4895
8 7	ATT			534
8 31	ATT			534
8 31	C&P			4750
10 1	C&P			3473
10 1	ATT			534
10 30	C&P			2734
10 30	ATT			534
11 27	C&P	TOTAL AT&T		16867
12 11	ATT			534
12 31	ATT			534
12 31	C&P	TOTAL CP		13975
1988				
		1/3 ATT		
1 28	C&P			1151
2 22	ATT			485
2 29	C&P	1/3 CP		1168
3 10	ATT			364
5 2	C&P			261
				52196

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EXHIBIT F

certain services provided to Bank One. The check should not have been written, and was refunded to the Committee by the firm. The firm was paid by the bank, and the check does not reflect a committee obligation.

Amendments to the Committee's reports reflecting the above adjustments will be made after the Commission acts upon this Interim Addendum, unless the Committee is requested to do so earlier.

B. VISA Payments

Senator John Glenn's structure of organizations consists of the Senator John Glenn Committee (SJGC), the John Glenn Presidential Committee, Inc. (JGPC), and the National Council on Public Policy (NCPP). All are registered with, and file reports with, the Federal Election Commission. It has been the practice of SJGC and JGPC to use VISA cards for certain expenses related primarily to travel, food, and lodging.

At various times during Senator Glenn's presidential campaign and thereafter, certain payments totalling $35,010.04 were made by JGPC and NCPP and credited to outstanding balances on VISA cards held by SJGC. Then, on August 15, 1985 and September 17, 1985, JGPC received $11,125.00 and $23,885.04 respectively from SJGC as reimbursement for the above-described payments.

The September, 1985 payment of $23,885.04 to JGPC corresponded to the following credits to SJGC VISA accounts in 1983 and 1984:

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1) a credit of $10,657.04 on January 25, 1983;

2) a credit of $3,674.00 on July 25, 1983; and

3) a credit of $10,000.00 on March 29, 1984.[2]

The August, 1985 payment of $11,125.00 to JGPC corresponded to the total of 14 monthly payments made by JGPC which were credited to SJGC's VISA accounts from May 16, 1984 through June 18, 1985.[3]

The Audit Division reviewed these credits and payments, and in its Interim Addendum requested the following additional materials and information:

1) documentation of the $10,657.04 payment on January 25, 1983, along with additional information as to how the initial payment and the underlying obligation were reported;

2) documentation of the $3,674.00 payment on July 25, 1983, along with additional information as to how the initial payment and underlying obligation were reported;

3) copies of VISA statements of SJGC demonstrating that the 14 payments totalling $11,125.00 were actually credited to SJGC's VISA accounts; and

4) additional evidence that none of the payments were for expenses of Senator Glenn's presidential campaign.

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<u>$10,657.04 Payment, January 25, 1983</u>: On December 30, 1982, NCPP wrote six checks to VISA totalling $10,657.04. These amounts were for expenses incurred by Senator Glenn

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[2]Additional detail with respect to these three credits is set forth on Attachment IV to the Interim Addendum. The credit of $10,000.00 on March 29, 1984 was verified, and is not at issue in that respect.

[3]Additional detail with respect to these 14 credits are set forth in Attachment VI to the Interim Addendum.

during various trips around the United States to campaign for other candidates during the 1982 general election campaign.

Actual cash contributions were made to selected candidates from the NCPP account. Certain other expenses for travel, food, and lodging were charged to SJGC's VISA accounts.[4] All expenditures were reported in the 1982 pre-election and post-election reports of NCPP filed with the Federal Election Commission. A portion of the VISA charges were reported as in-kind contributions allocable to the various candidates on whose behalf the trips were made. The balance was attributed at the time to Senator Glenn's activities as a public figure.

As a result, the amount of $10,657.04 was inadvertently and mistakenly paid by SJGC to JGPC rather than to NCPP. In the absence of other instructions, the transaction will accordingly be reversed with JGPC refunding the entire amount to SJGC, which will in turn remit the amount to NCPP.

JGPC cannot state with certainty why this error was made. It is likely to have resulted from the confusion following Senator Glenn's withdrawal from the presidential campaign; the exodus of campaign staff to other jobs as JGPC wound up its affairs; the re-staffing of the post-campaign operation with individuals not personally familiar with prior transactions; and the beginning of Senator Glenn's 1986 U.S. Senate re-

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[4]NCPP at the time did not hold a VISA card and neither JGPC nor its predecessor (John Glenn Presidential Exploratory Committee) had yet been formed.

9304354024 3

EXHIBIT C

9304354024 4

REPORT OF RECEIPTS AND DISBURSEMENTS
For Other Than An Authorized Committee
(Summary Page)

FEDERAL ELECTION COMMISSION
88 JUN -7 PM 4:45

USE FEC MAILING LABEL OR TYPE OR PRINT

1. NAME OF COMMITTEE (in full)
National Council on Public Policy

ADDRESS (number and street) [x] Check if different than previously reported
1215 17th Street, N.W.

CITY, STATE and ZIP CODE
Washington, D.C. 20036

2. FEC IDENTIFICATION NUMBER
C 00161794

3. [ ] This committee qualified as a multicandidate committee DURING THIS Reporting Period on _____ (date).

4. TYPE OF REPORT

(a) [ ] April 15 Quarterly Report
[ ] July 15 Quarterly Report
[ ] October 15 Quarterly Report
[ ] January 31 Year End Report
[ ] July 31 Mid Year Report (Non-election Year Only)
[x] Termination Report

Monthly Report Due On:
[ ] February 20 [ ] June 20 [ ] October 20
[ ] March 20 [ ] July 20 [ ] November 20
[ ] April 20 [ ] August 20 [ ] December 20
[ ] May 20 [ ] September 20 [ ] January 31

[ ] Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____

[ ] Thirtieth day report following the General Election on _____ in the State of _____

(b) Is this Report an Amendment? [x] YES [ ] NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 4-1-88 through 5-31-88		
6. (a) Cash on Hand January 1, 19____		$ 21,327.08
(b) Cash on Hand at Beginning of Reporting Period	$21,327.08	
(c) Total Receipts (from Line 18)	$15,390.94	$ 15,390.94
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$36,718.02	$ 36,718.02
7. Total Disbursements (from Line 28)	$36,718.02	$ 36,718.02
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ -0-	$ -0-
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	$ -0-	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	$ -0-	

For further information contact:
Federal Election Commission
999 E Street, NW
Washington, DC 20463
Toll Free 800-424-9530
Local 202-376-3120

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer
William R. White

Signature of Treasurer
William R. White

Date
5-31-88

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

FEC FORM 3X
(revised 4/87)

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A000372

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUSINESS REGULATION ADMINISTRATION

CERTIFICATE

THIS IS TO CERTIFY that all applicable provisions of the DISTRICT OF COLUMBIA NONPROFIT CORPORATION ACT have been complied with and accordingly, this CERTIFICATE of DISSOLUTION is hereby issued to

NATIONAL COUNCIL ON PUBLIC POLICY

as of June 1st , 1988 .

Donald G. Murray
Director

Henry C. Lee, III
Acting Administrator
Business Regulation Administration

Vandy L. Jamison, Jr
Assistant Superintendent of Corporations
Corporations Division

Marion Barry, Jr.
Mayor

9304350246

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MSF

88

William R. White, Treasurer
National Council on Public Policy
202 E. Street, N.E.
Washington, DC 20002

Identification Number: C00161794

Reference: Termination Report (dated 10/21/88)

Dear Mr. White:

Your committee's filing has been accepted as a valid termination because it meets the conditions set forth in 2 U.S.C. §433(d) and 11 CFR 102.3. Your committee is no longer required to file reports on a periodic basis. However, 2 U.S.C. §432(d) and 11 CFR 102.9(c) and 104.14(b)(3) require that you maintain your records and copies of reports for inspection for at least three (3) years. In addition, you may be required to respond to Commission requests for information regarding your committee's federal election activity and previously filed reports.

If your committee again becomes active in federal elections, it will be required to re-register with the Commission in accordance with the Federal Election Campaign Act and applicable Regulations. Your committee will be treated as a new entity by the Commission and should register as a new committee on FEC FORM 1, pursuant to 2 U.S.C. §§432(g) and 433(a).

Political committees and separate segregated funds which once attained multicandidate committee status and subsequently terminated will, upon re-registration, again be required to meet the criteria set forth in 2 U.S.C. §441a(a)(4).

If you have any questions concerning your status and requirements, please contact the Reports Analysis Division on the toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,

David J. Blakeley

David J. Blakeley
Reports Analyst
Reports Analysis Division

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EXHIBIT D

9304354024 8

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"The National Council on Public Policy and John Glenn were a key factor in assuring my victory in 1982, and I urge both the Council and Senator Glenn to continue their efforts."

U.S. Rep. Lindsay Thomas
1st District Georgia

"The election of 1984 will be a watershed for the Democratic Party and the American people. If we are to regain the leadership of this nation, then we as Democrats must present a vision and a platform to America that looks beyond the policies of the past, or the issue of the moment, to the future.

We must offer the American people a party that is true to its old values of compassion, excellence, equal opportunity and peace.

The National Council on Public Policy and I need your help to continue our work towards these goals."

John Glenn United States Senate

National Council On Public Policy



"The National Council on Public Policy and John Glenn have been of great assistance to the Democratic Party in our home state of Ohio, and to Democrats nationwide."

U.S. Rep. Dennis E. Eckart
11th District Ohio

YES, I WANT TO JOIN JOHN GLENN & THE NATIONAL COUNCIL ON PUBLIC POLICY AND WORK FOR DEMOCRATIC VICTORY.

- COUNCIL MEMBER $50.00 annually
- COUNCIL SPONSOR $100.00 annually
- CORPORATE SPONSOR $250.00 annually

Name: _____

Address: _____

City/State: _____

Telephone: _____

NATIONAL COUNCIL ON PUBLIC POLICY
P.O. BOX 2000, BEN FRANKLIN STA
WASHINGTON, DC 20044



The National Council on Public Policy
National Advisory Board

James C. Calaway Houston, Texas
Roxanne Barton Conlin Des Moines, Iowa
Edwin L. Cox, Jr. Dallas, Texas
Charles E. Curry Washington, DC
U.S. Rep. Dennis E. Eckart Washington, DC
Jane G. Eskind Nashville, Tennessee
Reginald E. Gilliam Washington, DC
Stuart Gordon Washington, DC
Herbert P. McKim Wilmington, North Carolina

Officers

Herbert A. Hedden, President and Treasurer
L. Jeff Steen, Finance Director

9304354025O

The National Council on Public Policy is a multi-candidate political action committee established in 1982 to promote the candidacies of Democratic candidates and to assist in the development of sound and effective public policies relating to domestic issues, national security, foreign policy and arms control. Senator John Glenn serves as the principal spokesperson for the Council, and since 1982 has campaigned for over sixty candidates in 25 states.

As it enters the most critical part of the 1984 election cycle, the Council plans to continue its sucessful programs of the past two years, while developing and implementing new programs which allow it to be more effective in promoting the concerns, issues, and electoral good fortunes of Democrats nationwide. The programs that the Council proposes for 1984 are briefly described below.

- Continue to support Democratic candidates by having Senator Glenn campaign with them in their state or district.
- Continue to expand a program to provide financial support through direct contributions to candidates for state and federal office whose philosophies and policy positions are consistent with those of the Council ar s principal spokesperson.
- Monitor developments at the Democratic National Convention, in Congress and with Democratic National Committee in areas of election law reform and Democratic delegate selection rules which could have dramatic effects on future Presidential elections.



"Having Senator Glenn campaign in Texas was a boost to my efforts and to the entire Texas Democratic ticket. The continued support of the National Council on Public Policy will be important to all Democrats."

U.S. Rep. Mike Andrews
25th District Texas



"It will be of extreme importance for Democratic leaders like John Glenn to continue to travel and campaign for Democratic unity nationwide."

Roxanne Barton Conlin
Des Moines, Iowa

"As a Trustee and Advisory Board member, I fully support the efforts of the National Council on Public Policy and Senator John Glenn to aid Democratic candidates nationwide."

Reginald E. Gilliam
Washington, DC



Democrats supported by The National Council on Public Policy

U.S. Rep. Mike Andrews Texas
U.S. Rep. Berkley Bedell Iowa
Senator Lloyd Bentsen Texas
Senator Bill Bradley New Jersey
U.S. Rep. Robin Britt North Carolina
U.S. Rep. George Brown California
Jerry Brown California
U.S. Rep. John Bryant Texas
Senator Robert Byrd West Virginia
Governor Richard Celeste Ohio
U.S. Rep. Jamie Clarke North Carolina
Governor Martha Layne Collins Kentucky
The Congressional Hispanic Caucus
Roxanne Barton Conlin Iowa
Lynn Cutler Iowa
U.S. Rep. Norm D'Amours New Hampshire
Senator Dennis DeConcini Arizona
Democratic Governors Association
Democratic National Committee
District of Columbia Democratic Committee
U.S. Rep. Richard Durbin Illinois
U.S. Rep. Lane Evans Illinois
U.S. Rep. Ed Feighan Ohio
U.S. Rep. James Florio New Jersey
Mayor Wilson Goode Philadelphia, PA
U.S. Rep. Tom Harkin Iowa
U.S. Rep. Gus Hawkins California
Lt. Governor Bill Hobby Texas
County Executive Don Hutchinson Baltimore, MD
U.S. Rep. Marcy Kaptur Ohio
U.S. Rep. Peter Kostmayer Pennsylvania
Senator Frank Lautenberg New Jersey
U.S. Rep. Mickey Leland Texas
U.S. Rep. Elliott Levitas Georgia
U.S. Rep. Mike Lowry Washington
U.S. Rep. Marty Martinez California
U.S. Rep. Robert Mrazek New York
State Senator Harry Meshel Ohio
Senator George Mitchell Maine
U.S. Rep. Austin Murphy Pennsylvania
U.S. Rep. Stephen Neal North Carolina
North Carolina Campaign Fund
Senator Sam Nunn Georgia
U.S. Rep. Richard Ray Georgia
U.S. Rep. John Seiberling Ohio
U.S. Rep. Ike Skelton Missouri
U.S. Rep. Paul Simon Illinois
U.S. Rep. Neal Smith Iowa
U.S. Rep. Louis Stokes Ohio
U.S. Rep. Esteban Torres California
U.S. Rep. Robert Torricelli New Jersey
U.S. Rep. Tom Vandergriff Texas
Voter Education Project Atlanta, GA
U.S. Rep. Doug Walgren Pennsylvania
Mayor Harold Washington Chicago
U.S. Rep. Alan Wheat Missouri
Assemblyman Bruce Young California
U.S. Rep. Robert Young Missouri
U.S. Rep. Jim Wright Texas

A000288

National Council On Public Policy

The National Council on Public Policy (NCPP) is a multi-candidate political action committee established in 1982 and filed with the Federal Election Committee.

The NCPP was initially established to assist the candidacies of moderate Democratic candidates and to assist in the development of sound and effective public policies relating to domestic issues, national security, foreign policy and arms control. To these ends, the NCPP asked Senator John Glenn to become its principal spokesperson and to act on its behalf in campaigning for other Democrats in 1982. He agreed, and since its inception Senator Glenn and the National Council on Public Policy have supported more than sixty Democratic candidates for state, local and federal office, contributing more than $90,000 to Democratic candidates, national, state, and local party committees and voter registration drives.

As it enters the most critical part of the 1984 election cycle, the NCPP plans to continue its successful programs of the past two years, while developing and implementing new programs which allow it to be more effective in promoting the concerns, issues, and electoral good fortunes of moderate Democrats. The programs that the NCPP proposes for 1984 are briefly described below.

- Continue to support Democratic candidates by arranging for Senator Glenn to campaign with them in their state or district.
- Continue and expand a program to provide financial support through direct contributions to candidates for state and federal office whose philosophies and policy positions are consistent with those of the NCPP and its principal spokesman.
- Develop a policy marketing system to disseminate and make public the policy positions of Senator Glenn and other moderate Democrats.
- Develop a series of seminars, lectures, meetings and other events designed to assemble national political leaders, policy experts, and candidates to discuss and formulate moderate and straightforward public policies.
- Monitor developments at the Democratic National Convention, in Congress, and with the Democratic National Committee in the important areas of election law reform and Democratic delegate selection rules which could have dramatic effects on future Presidential campaigns.
- Develop a newsletter which keeps NCPP advisory board members and supporters updated on NCPP activities and on other events of interest and political significance.

Paid for by the National Council On Public Policy
P.O. Box 2000, Ben Franklin Station, Washington, D.C. 20044

9304354025

The National Council on Public Policy (NCPP) may accept contributions from:

INDIVIDUALS: An individual may contribute up to $5000 per calendar year to the NCPP Federal Account. In addition, the individual's spouse may also contribute up to $5000 per calendar year to the NCPP Federal Account. Funds in the Federal Account may be used for the support of candidates for federal office, as well as for administrative and overhead expenses.

Over and above the initial $5000 contribution to the NCPP Federal Account, an individual may contribute an unlimited amount to the NCPP Nonfederal Account. Funds in the NCPP Nonfederal Account may be used for the support of candidates for non-federal office, as well as for administrative and overhead expenses.

CORPORATIONS: A corporation may contribute an unlimited amount to the NCPP Nonfederal Corporate Account. These funds may be used to support candidates for non-federal office in certain states and for administrative and overhead expenses.

UNIONS: A union may contribute an unlimited amount to the NCPP Nonfederal Union Account. These funds may be used to support candidates for non-federal office in certain states and for administrative and overhead expenses.

POLITICAL COMMITTEES: A political committee may contribute up to $5000 per calendar year to the NCPP. These funds may be used to support candidates for non-federal office and for administrative and overhead expenses.

ALL CONTRIBUTIONS should be made out to:

National Council on Public Policy
Post Office Box 2000
Ben Franklin Station
Washington, D.C. 20044

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MEMORANDUM

TO: Senator John Glenn

FROM: Herb Hedden, Treasurer

DATE: September 9, 1985

RE: Activities of National Council on Public Policy

The National Council has received a $100,000 corporate contribution from Charles Keating's firm, American Continental Corporation. These funds have enabled the National Council to pay certain bills incurred in 1984, primarily in connection with your travel in Ohio and other states. We have carefully reviewed Jan Baran's opinion letter, which describes permissible uses of the corporate contribution.

The purpose of this memorandum is to briefly describe the various categories of usage for the corporate contribution and to suggest specific allocations of funds among such categories.

The National Council may use the corporate contribution for the following activities:

(1) To pay a percentage (roughly 50%) of the National Council's administrative expenses, i.e., rent, telephone, postage, salaries. At this time, the National Council pays a share of the rent and telephone expenses of the offices at 236 Massachusetts Avenue, N.E., Washington, D.C. There have been no paid employees since January, 1985.

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(2) To contribute to state and local candidates and political committees in those states which permit corporate contributions (Ohio does not permit corporate contributions).

(3) To pay a percentage (roughly 50%) of travel-related expenses when such expenses are not for the purpose of supporting any candidate for Federal office or state or local candidates in states where corporate contributions are permitted. For example, if you went to Texas to give a speech to a non-partisan group on national issues, corporate contributions could be used to pay a share of your travel expenses.

(4) To pay a percentage (roughly 50%) of fundraising expenses for the National Council.

Suggested allocations (September 1, 1985 - September 1, 1986) are as follows:

(1)	administrative expenses	15%
(2)	candidate contributions	5%
(3)	travel expenses	10%
(4)	fundraising	20%
(5)	contingency or future use	50%

The corporate contribution will be earning interest in a money market account.

It is important to note that, in order to make maximum use of the corporate contribution, the National Council must raise "federal" or "hard" money (such as that received from individual contributions of up to $5000 or contributions from political action committees of up to $5000). These "federal" contributions not only permit maximum flexibility in the use of the corporate, "nonfederal" funds, but also permit the National Council to make contributions to candidates for federal office and other activities for which corporate funds cannot be spent. Thus, the suggested allocations above envision the expenditure of current funds to raise "federal" or "hard" contributions from individuals and other political action committees.

I look forward to the opportunity to discuss these suggestions with you at your convenience.

9304354025 4

OPERATIONAL PLAN

1) Establish PAC Administrative support systems
   - secure office space, equipment, stationery
   - secure telephone service
   - develop budget

2) Develop national political organization information system
   - identify desired files and reports
   - purchase or develop software
   - purchase computer hardware from JGPC
   - input campaign files and lists
   - produce reports as appropriate for staff use
   - input new information on regular basis

3) Develop national political organization communications system
   - mailing to national political organization notifying them of existence of PAC, inviting contribution
   - followup telephone call to organization
   - identification and additional communication with members of the national political organization who will attend the Democratic National Convention

4) Develop suggested schedule of appearances by JG of national political significance
   - research and draft recommended list of appearances in the pre-convention period
   - research and draft recommended list of appearances in the period between the convention and the general election

5) Plan and supervise implementation of JG 1984 Convention plan
   - Secure convention schedule and details on arrangements
   - Draft convention plan and budget and secure approval
   - Provide coverage of significant pre-convention meetings and standing committee meetings
   - Implement convention plan

6) Develop a policy marketing system to disseminate JG's issue and policy positions on a national basis
   - Identify policy positions for dissemination
   - Determine likely market for each policy position
   - Target mailings to these individuals and organizations

7) Develop a series of seminars, lectures, meetings, and other events designed to assemble national political and policy leaders
   - Identify topics for seminars and likely participants
   - Identify a date in the post-convention period for such a seminar, pick the issue focus and organize the event.
   - Evaluate initial event and proceed with additional events

8) Develop and implement a surrogate program
   - Identify events which a JG representative should attend
   - Identify an effective surrogate or representative for each event and facilitate their attendance

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9) Develop and implement a program to provide financial support to state and federal candidates
   - Identify candidates and races where such assistance would be beneficial and prepare recommended list of such races for review
   - Forward contributions to candidates on final approved list.

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MEMORANDUM

TO: Mary Jane Veno
Bill White

FROM: Herb Hedden

DATE: November 13, 1985

RE: Proposals for National Council on Public Policy Activities and Expenditures

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1. The National Council should continue to pay for those non-campaign related, non-Senate related travel expenses incurred by Sen. Glenn and staff.

2. The National Council should continue to pay its fair share of rent, overhead, telephone expenses, supplies, postage, etc. at joint committee offices.

3. The National Council should maintain cash reserves of $20,000 - 40,000 (ideally, equal amounts of hard and soft dollars) at all times, to be used for contingencies and/or for raising additional funds.

4. The National Council should continue to pay for non-Senate related "political" expenses, such as postage for political mail from the Senate office, and public relations expenses, such as the ad in the Cleveland Jewish News, as long as any expenditures that might be judged "campaign expenditures" do not take place during the campaign period.

5. The "campaign period" will extend from February 20 to Election Day, 1986.

6. The National Council shall purchase and maintain a computer system, including software which it will use to maintain its own records and which it may lease to other committees at a fair market rent.

7. The National Council should pay a share of the expenses of fundraising personnel, who will spend a portion of their time raising primarily hard dollars for the National Council.

8. The National Council should begin a small direct mail campaign to raise funds.

9. The National Council should maintain its cash reserves in interest-bearing money market accounts, with interest used for operating expenses.

10. The National Council, when funds are available, should make contributions to those groups and candidates which Sen. Glenn requests be supported.

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10. (con't.) Requests for contributions will either be routed from JHG to the PAC TReasurer or submitted by the PAC Treasurer to MJV for approval.

11. The National Council should direct efforts at raising hard dollars to permit maximum flexibility of use of present soft dollar reserves.

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Law Offices

Kaplan Russin & Vecchi

1215 Seventeenth Street, N.W. Washington, D.C. 20036

TELEPHONE (202) 887-0353
CABLE: KAPRUS WASHINGTON
TELEX: 248413 KAPRUS
TELEFAX (202) 887-0460

233 SILOM ROAD, BANGKOK
CARRERA 7, NO. 17-51 BOGOTA
PASEO DE LA CASTELLANA, 155, MADRID 28046
28 WEST 44th STREET, NEW YORK 10036
580 CALIFORNIA STREET, SAN FRANCISCO 94104
EDIFICIO LA CUMBRE, SANTO DOMINGO
205 TUN HWA N. ROAD, TAIPEI

June 22, 1988

Ms. Mary Jane Veno
Executive Assistant
Office of Senator John Glenn
503 Hart Senate Office Building
Washington, D.C. 20510

Dear Mary Jane:

This letter provides background information on the National Council on Public Policy (NCPP).

NCPP was an independent multi-candidate political action committee, formed in September, 1982, for the general purpose of advancing moderate and centrist policies for the Democratic party and Democratic candidates. Senator Glenn was NCPP's principal spokesman. A copy of the NCPP brochure, printed in 1984, is attached. NCPP has been terminated and does not exist.

Senator Glenn's relationship to NCPP was similar to relationships between Walter Mondale and the Committee for the Future of America, and Senator Kennedy and the Fund for a Democratic Majority, which were multi-candidate political action committees created in 1981. Walter Mondale and Senator Kennedy were principal spokesmen for those committees, which were used to underwrite the costs of political appearances prior to the formation of their presidential campaign committees.

NCPP was patterned after the Kennedy and Mondale PACs, and served a similar function with respect to Senator Glenn during the 1982 general election cycle when he campaigned around the country on behalf of other Democratic candidates. Specifically, NCPP made contributions to certain candidates, and defrayed costs of Senator Glenn's travel during that time.

Senator Glenn discontinued activities on behalf of NCPP in November, 1982 in order to concentrate on his presidential campaign. Senator Glenn's presidential exploratory committee was formed in November, 1982, and his principal presidential campaign committee was formed in January, 1983. During 1983, NCPP made certain contributions to candidates it wished to support. Senator Glenn was not involved in those decisions.

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In May, 1984, after Senator Glenn's withdrawal from the campaign, NCPP assumed a more active role. Herb Hedden became the Treasurer and only full time employee. It was hoped that NCPP could develop a fund raising program around supporters of Senator Glenn's presidential bid, and that he would be able to utilize NCPP as a forum to advocate some of the policies of his presidential campaign. For reasons discussed later herein, that hope did not materialize.

NCPP maintained two checking accounts. One was for contributions and expenditures relating to federal campaigns, and all detail on this account was reported to the FEC. This account was opened when NCPP was formed in 1982. The other account was for non-federal activities, which are not required to be reported to the FEC. This account was opened by Mr. Hedden in 1984 after Senator Glenn's presidential campaign ended. Mr. Hedden obtained a legal memorandum from Carol Darr, an election law attorney, on how the two accounts should be operated and how expenditures should be allocated in order to comply the FEC Act. Mr. Hedden followed that guidance.

Contributions to NCPP's federal account during its existence totalled $191,790.01. Contributions to the non-federal account totalled $216,545.00. Interest income was $11,495.86. Funds in both accounts have been expended, except for reserves for possible unliquidated obligations. A summary of non-federal receipts and expenditures is attached.[1]

Robert A. Farmer was the first contributor to the federal account, and was the most productive individual fundraiser thereafter. The largest contributor to the non-federal account was American Continental Corporation of Phoenix, Arizona. Mr. James Grogan, Corporate Counsel for American Continental since early 1984, was instrumental in developing the company's support. Mr. Grogan was a member of Senator Glenn's staff from 1976 through 1981, and his wife, Mary Jo, managed Senator Glenn's Cincinnati office in 1982 and 1983. American Continental Corporation obtained a legal opinion from Mr. Jan Baran (who is now counsel to the Bush for President Committee), indicating the contribution could be legally made.

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[1]Receipts and expenditures with respect to the federal account have been previously reported to the FEC, and are not detailed herein.

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The remaining contributors to the NCPP non-federal account can be identified in some way with Senator Glenn's presidential campaign. Individual contributors to NCPP had already given the statutory limit to the presidential committee. Corporate contributions to NCPP came from companies whose officers had given individually to the presidential committee. This was consistent with NCPP's purpose of serving as a vehicle to carry forward some of the positions and policies advocated by Senator Glenn during his campaign.

From 1984 through 1986, the NCPP non-federal account made 12 contributions to state candidates, other non-federal accounts, and charities. All other expenditures related to overhead. Contributions to federal candidates were made from the federal account through the 1986 elections. During this time, Mr. Hedden allocated expenditures between the federal and non-federal accounts pursuant to Ms. Darr's guidance. NCPP had no federal expenditures subsequent to November, 1986, and the NCPP staff determined that the allocation factor should thereafter be zero.[2]

NCPP's activities after the 1984 presidential campaign turned out to be minimal because of the debt remaining from the campaign, and the demands of Senator Glenn's re-election campaign in 1986. NCPP's activities after the 1986 re-election campaign remained minimal, although, again, that was not the intent. NCPP hired two employees in November, 1986 in the hope that NCPP could come back to life and finally be a force advocating the moderate and centrist views and positions that Senator Glenn supports.

The plan was not effective. Senator Glenn was unable to devote any time to the activity. In fact, he had not made any appearances on behalf of, or acted for the benefit of, NCPP since the 1982 general elections. Since the end of 1986 the federal account received only $11,416.10. The last contribution to the non-federal account was in March, 1986. The NCPP staff was simply depleting its funds for salaries, rent, and overhead without any meaningful revenues being raised.

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[2]This result is consistent with 11 C.F.R. § 106.1(e) which provides that allocations may be "... in proportion to the amount of funds expended on Federal and non-Federal elections ..."

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As a result, the two NCPP employees hired in November, 1986 left the organization in September, 1987. NCPP then defrayed a portion of the salary of a presidential committee employee so that he could prepare FEC reports for NCPP, answer mail, and pay bills. This employee left both payrolls in January, 1988, and current NCPP records were moved to my office in February, 1988 in preparation for the winding-up of NCPP's affairs. This work was completed, and NCPP was terminated in May, 1988.

I hope this is helpful. Please let me know if you have questions or need additional information.

Sincerely,

William R. White

WRW/id

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9304354026263

NATIONAL COUNCIL ON PUBLIC POLICY

Non-Federal Account Activity
May 1984 - May 1988

Receipts

Contributions Received

Larry Lawrence, San Diego, CA	$5,000.00
Edward Cox, Dallas, TX	1,000.00
Transco Energy Co., Houston, TX	1,000.00
James Calaway, Houston, TX	3,000.00
Sam Cordova, Los Angeles, CA	250.00
Jeff Steen, Washington, D.C.	45.00
American Stock Exchange, New York, NY	2,000.00
Lomas & Nettleton, Inc., Dallas, TX	1,000.00
Ed Richard, Cleveland, OH	250.00
Brown & Williamson Co., Louisville, KY	2,000.00
New Haven Terminal Co., New Haven, CT	1,000.00
American Continental Corp., Phoenix, AZ	100,000.00
American Continental Corp., Phoenix, AZ	100,000.00
Total Contributions	216,545.00
Interest Income	11,495.86
Total Receipts	228,040.86

Expenditures

Contributions to Candidates and Organizations	10,305.00 ✓
Salaries, Consultants, and Fees	106,851.16
Expense Reimbursements	4,181.80 ✓
MasterCard	17,980.17
Event Expenses	13,417.82 ✓
Printing	619.10 ✓
Postage	1,707.39 ✓
Books, Supplies, and Materials	3,959.67 ✓
Equipment Rental	4,394.98 ✓
Memberships	788.84 ✓
Taxes	30,664.34 ✓
Telephone	3,442.36
Rent	14,488.60
Petty Cash	1,100.00 ✓
Storage	2,915.00
Miscelleneous	919.38
Reserve	10,307.25
Total Expenditures	228,040.86

MEMORANDUM

TO: Chuck Babcock

FROM: Bill White

DATE: July 20, 1989

RE: Detail Supplementing Letter Of June 22, 1988 With Respect To NCPP Contributions

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1.	Harold Washington for Mayor (1984 Chicago Mayor's race)	$4,000.00
2.	Dave Leland for State Rep. (1984 Ohio legislative race)	50.00
3.	Richard Fitzpatrick Committee (1986 Michigan legislative race)	250.00
4.	Evan Bayh for Governor (1986 Indiana campaign)	500.00
5.	Elaine Farmer for Representative (1986 Massachusetts legislative race)	200.00
6.	Baxley for Governor (1986 Alabama campaign)	500.00
7.	Jewish National Congress	1,000.00
8.	Democratic Leadership Council	1,000.00
9.	National Mental Health Ass'n	2,000.00
10.	American Cancer Society	125.00
11.	Cleveland Labor Agency	500.00
12.	Nat'n Multiple Sclerosis Soc.	180.00
	Total	$10,305.00

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NATIONAL COUNCIL ON PUBLIC POLICY

Re: Detail Supplementing Letter Of June 22, 1988

Name	Federal		Non-Federal		Total	
June 1984 - Dec. 1984[1]						
Gary Caruso	40.00		236.44		276.44	
Charles Duncan	581.00		252.50		833.50	
Herbert Hedden	10,123.33		11,913.66		22,036.99[2]	
Margaret Hill	141.00		259.00		400.00	
Richard Rosen	708.00		249.06		957.06	
Skadden, Arps, et al.	1,900.00		0.00		1,900.00	
Jeff Steen	1,532.77		2,566.88		4,099.65	
Vorys, Sater, et al.	180.57		193.97		374.54	
Total:		15,206.67		15,671.51		30,878.18
June 1985 - Dec. 1985[3]						
James Dentzer	0.00		775.50		775.50	
Total:		0.00		775.50		775.50
June 1986 - Oct. 1986[4]						
David Bergman	937.50		937.50		1,875.00	
Kaplan Russin et al.	0.00		15,000.00		15,000.00	
Topping & Swillinger	0.00		1,978.85		1,978.85	
William White	0.00		18,254.00		18,254.00	
Total:		937.50		36,170.35		37,107.85
Nov. 1986 - Sep. 1987[5]						
Maureen Morarity	0.00		36,106.48		36,106.48	
Marian Murphy	0.00		10,109.30		10,109.30	
Total:		0.00		46,215.78		46,215.78
Oct. 1987 - April 1988[6]						
Monica Bramlish	0.00		950.12		950.12	
Paul Shipman	0.00		5,236.34		5,236.34	
Thomas Watson	0.00		1,219.24		1,219.24	
Total:		0.00		7,405.70		7,405.70
Cumulative Total:		16,144.17		106,238.84		122,383.01

[1]During this time Herbert Hedden served as Executive Director and Treasurer, and NCPP began its program to become reactivated.

[2]A portion of this amount was paid in 1985 for services performed in 1984.

[3]Herb Hedden resigned as Executive Director in January 1985 to take a full-time position with IFA. He remained as Treasurer. NCPP's activities in 1985 were substantially reduced from 1984 levels. The receipt of the American Continental contribution in August set the stage for increased action in 1986.

[4]NCPP began a more active program intended to raise funds, principally by direct mail, and to utilize Senator Glenn as a spokesman. As these efforts developed, however, Senator Glenn's re-election campaign also developed, and the NCPP program was eventually put aside unfulfilled because all efforts at this time went into the re-election campaign.

[5]With the competing demands of Senator Glenn's re-election campaign out of the way, NCPP obtained a full-time Executive Director with fund-raising experience. Herb Hedden resigned as Treasurer. The Executive Director (Maureen Morarity) assumed full control of NCPP finances and expenditures. William White became Treasurer and filed FEC reports for the NCPP federal account.

[6]NCPP was unsuccessful in implementing its program. Both staff members resigned in September 1989. NCPP became brain-dead, and the plug was pulled in April, 1988.

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National Council On Public Policy

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JULY 24, 1984

REPORT TO THE TRUSTEES OF THE NATIONAL COUNCIL ON PUBLIC POLICY

On May 21, 1984, as the newly-selected President and Treasurer of the National Council on Public Policy (NCPP), I began directing the efforts of the political action committee. The purpose of this Report to the Trustees is to record the status of the affairs of the NCPP at the time of the transition, to describe our progress to date, and to outline some preliminary plans for the period between August 1 through November 1, 1984.

History of the National Council on Public Policy

The NCPP was established in September of 1982 with Jacob E. Davis, Jr. as the Treasurer and sole member of the Council. During the fall 1982 election period the greatest amount of NCPP-sponsored activity took place, as it funded the travel of Senator Glenn on behalf of a large number of Democratic candidates. In the period from September 1 through December 31, 1982 the NCPP raised $49,826.00 and spent $37,463.84. Sixty-one percent (61%) of the NCPP's expenditures were either direct or in-kind contributions to candidates and the remaining thirty-nine percent (39%) was expended on overhead. Virtually all of the overhead expenses were expenses for travel on behalf of other candidates which could not be attributed as an in-kind contribution to any candidate.

In January 1983, Senator Glenn's presidential committee was established, and he was no longer available to travel on behalf of other candidates. The NCPP's contributions during 1983 were largely direct contributions to candidates. During 1983 the NCPP raised $80,006.35 and spent $78,114.28. Eighty-six percent (86%) of its expenditures were in contributions to candidates and fourteen percent (14%) were for overhead expenses. Also, on February 3, 1983, the NCPP became a corporation registered with the State of Ohio, and a corporate board of three trustees was established with Jacob E. Davis, Jr., Mark H. Tuohey III, and G. Ross Bridgeman serving as the Trustees. Jake Davis resigned as a Trustee in August 1983 to take an active role in Senator Glenn's Presidential campaign, and, at that time, Mark Tuohey III became Treasurer and John E. Gillick a Trustee.

From January through April 1984 the NCPP had been relatively inactive. No funds were raised and only $1416.35 was spent -- eighty-five percent (85%) on contributions and fifteen percent (15%) on overhead expenses. At the time that the transition was made to the new trustees and treasurer, the NCPP's bank account balances were $12,722.62 in the two federal accounts and $960.95 in the nonfederal corporate account.

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Progress To Date

A. NCPP Office The NCPP has subleased an office from the John Glenn Presidential Committee, secured local and long distance telephone service, and purchased furniture for its office from the John Glenn Presidential Committee. The current space and furniture should serve the NCPP's needs for the near future.

B. Legal Counsel I have retained as Counsel for the NCPP Carol C. Darr, Esq. Ms. Darr is a federal election law specialist in the Washington office of Skadden, Arps, Slate, Meagher & Flom. Ms. Darr has reviewed the NCPP's second quarter FEC report which was submitted on July 13 and has provided advice on operating procedures.

C. Structure of Bank Accounts Ms. Darr has advised us on the proper method for structuring the bank accounts for the NCPP which would facilitate the separation of funds permissable for use in connection with federal elections and those funds permissable for use in connection with nonfederal elections. She has advised me, as well, on the proper allocation of administrative and overhead expenses to the federal and non-federal accounts in accordance with Federal Election Commission regulations.

D. Fundraising On May 30, 1984 Mr. L. Jeff Steen joined the staff as Finance Director. His duties include raising funds for operating expenses, for the convention operation (described below) and for the fall program of Democratic candidate support. Mr. Steen was formerly employed by the John Glenn Presidential Committee as the Southwestern Political Coordinator and was responsible for political operations in Texas, Oklahoma and Arkansas.

Thus far, our fundraising efforts have focused on requesting support from large contributors to Senator Glenn's presidential campaign. As of July 9, the NCPP's bank balances were $13,805.24 in the consolidated federal account, $1692.21 in the nonfederal corporate account and $1000.00 in the new nonfederal individual account. Our efforts were successful in raising money to support a small NCPP-sponsored effort at the national convention.

In the near future we plan to begin a membership program which will focus on a broader base of contributors and contributions of smaller amounts of money.

E. Brochure We have developed and printed a brochure for our use in informing interested parties about the National Council's activities and in our fundraising efforts. I have enclosed a copy of the brochure for your information.

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F. Convention operation At the Democratic National Convention the staff of the NCPP was active in raising the Council's visibility and in aiding the efforts of Senator Glenn. The NCPP maintained an office in the Hyatt Union Square Hotel which served as a base of operations for Senator Glenn's press operation, scheduling and advance operation and the NCPP's activities. The NCPP sponsored a reunion brunch for supporters of Senator Glenn's presidential campaign who were present in San Francisco and who were prospective supporters of the NCPP, as well as a dinner at L'Etoile with prospective financial supporters. The NCPP provided room, travel reimbursement, and compensation to personnel assigned to facilitate these events. In addition, Jeff Steen and I were present to develop new financial contacts for the NCPP and to secure credentials and other amenities for the NCPP's current supporters who were attending the Convention. In sum, the activities at the convention should prove beneficial to Senator Glenn and the NCPP, justifying the major expense that this project represented.

G. National Advisory Board Our initial period of recruitment of members for the NCPP National Advisory Board is complete, and the following individuals have agreed to serve as Board members:

James C. Calaway, independent oil and gas producer, Houston, Texas
Roxanne Barton Conlin, attorney, Des Moines, Iowa
Edwin L. Cox, Jr.,agribusiness executive, Dallas, Texas
Charles E. Curry, foundation executive, Washington, D.C.
U. S. Rep. Dennis E. Eckart, Congressman, 11th CD, Ohio
Jane G. Eskind, Public Service Commissioner, Nashville, Tennessee
Reginald E. Gilliam, University Professor, Washington, D.C.
Stuart Gordon, attorney, Washington, D.C.
Herbert P. McKim, architect, Wilmington, North Carolina

While the present Board is a strong and representative one, we will continue to recruit additional Board members to enlarge the NCPP's base of support.

H. Locus of Corporation On the recommendation of the former Treasurer, Jake Davis, and of our legal counsel, we have decided to relocate the corporation from Ohio to the District of Columbia. It was felt that Ohio election law is unclear on a number of questions with regard to the operation of a multi-candidate political action committee and that the District of Columbia would be a more desirable location. Jeff Berman, the corporate secretary, is preparing the documents to accomplish this move, and these will be forwarded to you for your signature in the near future. I will be happy to answer any questions that you may have regarding this matter.

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Objectives For The Period August 1 - November 6, 1984

1) Hold a meeting of the National Advisory Board to discuss NCPP objectives, operations, and the fall program of candidate support. (This meeting will include the development of recommendations to be presented to Senator Glenn regarding his involvement in the NCPP program.)

2) Continue the large donor fundraising program while initiating the new NCPP membership program.

3) Implement the fall program of candidate support.

Conclusion

I believe that our progress to date has been steady, although we certainly have substantial work to be done in developing new sources of funds and in developing our plans for the fall program of political support. The Board meeting in August should give us all the opportunity to discuss the objectives and programs that the NCPP should be pursuing.

Herbert A. Hedden
Treasurer

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CANDIDATES SUPPORTED BY THE
NATIONAL COUNCIL ON PUBLIC POLICY
1982 - 1984

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September 14, 1984

1982 Candidates for Statewide Office		In-kind	Cash
Richard Celeste	Gov, Ohio	$ 179.28	$ 1000.00
Roxanne Conlin	Gov, Iowa	599.46	5000.00
Alan Ertel	Gov. PA.	182.68	
Ernest Abate	Gov. CT.	89.00	
Mark White	Gov. Texas	255.20	
Bill Hobby	Lt.Gov. Texas	283.20	
Tony Celebreeze	Atty. Gen. Ohio	24.99	
Sherrod Brown	Sec. of St. Ohio	24.99	
Mary Ellen Withrow	Treas. Ohio	24.99	
Tom Ferguson	Auditor Ohio	24.99	

1982 Candidates for United States Senator		In-kind	Cash
Jerry Brown	Calif.	$ 670.65	$
Harriett Woods	MO.	581.74	
Frank Lautenberg	N.J.	454.29	
George Mitchell	Maine	427.84	
Lloyd Bentsen	Texas	367.00	
Robert Byrd	W.V.	246.62	
Dennis DeConcini	AZ.	93.50	
Jim Sasser			1000.00

1982 Candidates for State Legislature		In-kind	Cash
Gene Branstool	State Senate, Ohio,31st	$ 329.57	
Don Schuler	State Senate, Ohio,1st	357.57	
Bruce Young	State Assembly, CA,22nd	230.91	

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1982 Candidates for U.S. House		In-kind	Cash
John Bryant	5th, TX	$ 283.59	
Mickey Leland	18th, TX	304.98	
Steve Neal	5th, NC	290.62	
Robin Britt	6th, NC	336.07	
Jamie Clarke	11th, NC	290.62	
Robert Young	2nd, MO	565.89	
Ike Skelton	4th, MO	565.89	
Jerry Ford	8th, MO	411.60	
Alan Wheat	5th, MO	411.60	
Jim Russell	6th, MO	63.40	
Jim Florio	1st, NJ	386.79	
Peter Kostmayer	8th, PA	394.33	
Lynn Cutler	3rd, IA	614.79	
Berkeley Bedell	6th, IA	533.46	
Neal Smith	4th, IA	584.13	
Tom Harkin	5th, IA	599.46	
Dick Fellman	2nd, NE	561.58	
George Brown	36th, CA	894.65	
Esteban, Torres	34th, CA	782.65	
Robert Erwin	35th, CA	667.45	
Marty Martinez	30th, CA	782.65	
Gus Hawkins	29th, CA	782.65	
Robert Mrazak	3rd, NY	891.81	
Lane Evans	17th, IL	277.15	
Carl Schwerdtfeger	16th, IL	264.20	
Doug Stephens	18th, IL	264.94	
Richard Durbin	20th, IL	272.79	
Paul Simon	22nd, IL	521.14	
Bob Shamansky	12th, OH	601.43	
Robert Torricelli	9th, NJ	154.29	
Lou Stokes	21st, OH	154.29	
Jim Wright	12th, TX	434.29	
Tom Vandergriff	26th, TX	154.29	

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1982 Candidates for U.S. House (Con't)		In-kind	Cash
Mike Andrews	25th, TX	$ 378.65	$
Doug Walgren	18th, PA	64.18	
Joe Kolter	4th, PA	65.79	
Richard Orlonski	15th, PA	7.19	
Robert Rafalko	10th, PA	6.77	
John Gwinn	19th, IL	25.36	
Austin Murphy	22nd, PA	6.67	
Larry Hochendoner	17th, PA	16.07	
Richard Ray	3rd, GA	544.28	
Lindsay Thomas	1st, GA	565.46	
Jim Wood	6th, GA	565.46	
Eliot Levitas	4th, GA	230.50	
Don Pease	13th, OH	16.70	
John Seiberling	14th, OH	16.70	
Brent Appel	2nd, IA	66.00	
Norm D'Amours	1st, NH		300.00

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1983 Candidates for Mayor		In-kind	Cash
Harold Washington	Chicago, IL		$ 5000.00
Wilson Goode	Philadelphia, PA		2500.00
Mike Dorrian	Columbus, OH		1500.00
Sam Purses	Canton, OH		500.00
Don Hutchinson	Baltimore, MD (county executive)		500.00

1983 Political and Party Committees	Cash
Voter Education Project, Atlanta, GA	$10,000.00
Democratic National Committee	5,000.00
D.C. Democratic Committee	2,500.00
New Hampshire Democratic Party	2,000.00
North Carolina Campaign Fund	2,000.00
Cuyahoga County Democratic Party	1,250.00
Independent Action	1,000.00
Ohio Democratic Party	500.00
Georgia Legislative Black Caucus	500.00
Manchester, NH Democratic Committee	250.00
Congressional Hispanic Caucus	150.00
ArtPAC	50.00

1983 Candidate for United States Senate 1983		Cash
Mike Lowry	Washington	$ 5000.00

1983 Candidate for Governor		Cash
Martha Layne Collins	Kentucky	$ 1000.00

1983 Candidate for President 1984	Cash
John Glenn	$ 5000.00

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1983 Candidates for United States Senate 1984		Cash
Norm D'Amours	New Hampshire	$ 5000.00
Sam Nunn	Georgia	1000.00
Bill Bradley	New Jersey	1000.00

1983 Candidate for Statewide Office 1984		Cash
Harriett Woods	Lt. Gov., Missouri	$ 1000.00

1983 Candidates for U.S. House 1984		Cash
Marcy Kaptur	9th, Ohio	$ 500.00
Ed Feighan	19th, Ohio	250.00

1983 Candidates for State Legislature		Cash
Ohio House Democratic Committee		$ 4000.00
Harry Meshel	Ohio State Senate	500.00

1983 Candidate for United States Senate 1986		Cash
John Glenn	Ohio	$ 2500.00

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1984

Candidate or Committee	Office Sought	Cash
Shirley Watson	City commissioner, Jackson Mississippi	$ 200.00
Democratic Governors Assn		1000.00
Democrats For The 80s	U.S. Senate races	66.00
Ed Feighan	U.S. House, 19th, Ohio	350.00
Jim Hunt Committee	U.S. Senate, North Carolina	50.00
Alan Cranston	President, (debt retirement)	2000.00

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RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT
91 JAN 29 PM 4:35

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

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

MUR # 2999, 3068 and 3121
DATE COMPLAINTS RECEIVED BY OGC:
October 30, 1989; June 1, 1990 and August 30, 1990
DATE OF NOTIFICATIONS TO RESPONDENTS:
November 6, 1989; June 4, 1990; September 6, 1990 and October 11, 1990
STAFF MEMBER: Tony Buckley

COMPLAINANTS: Sua Sponte - Senator John McCain (MUR 2999)
John T. Wrzesinski, M.D. (MUR 3068)
Ohio Republican State Central and Executive Committee (MUR 3121)

RESPONDENTS: Charles H. Keating, Jr.
American Continental Corporation
Lincoln Savings and Loan Association

Senator Alan Cranston
Cranston for Senate '92, Inc. and Solomon M. Kamm, as treasurer

Center for Participation in Democracy
Forum Institute
New Dimension Resources, Inc.
Robert J. Stein

Senator Dennis DeConcini
Dennis DeConcini Re-Election Committee and Tom Karlsen, as treasurer
DeConcini '88 Committee and Michael D. Hawkins, as treasurer

Senator John Glenn
John Glenn Presidential Committee Inc. and Michael Petro, as treasurer
Senator John Glenn Committee and William J. Brown, as treasurer
National Council on Public Policy and William R. White, as treasurer

93043540280

Senator John McCain
McCain for Congress Committee and Eveline Hyde, as treasurer
McCain Re-Election Committee and Thomas R. Holtrup, as treasurer
John McCain for Senate and Timothy Baughman, as treasurer

Senator Donald W. Riegle, Jr.
Riegle for Senate Committee and William C. Shedd, as treasurer

Rhodes for Congress Committee and Kent H. Mulkey, as treasurer

Ninety-Four Other Individuals listed in Attachment 1, including:
Mary E. Keating
Krista K. Keating
Charles H. Keating, III

RELEVANT STATUTES: 2 U.S.C. § 433
2 U.S.C. § 434
2 U.S.C. § 441a(a)(1)(A)
2 U.S.C. § 441a(a)(3)
2 U.S.C. § 441b(a)
2 U.S.C. § 441f
11 C.F.R. § 110.1(i)(1)
11 C.F.R. § 114.4(c)(2)

INTERNAL REPORTS CHECKED: Committee Reports

FEDERAL AGENCIES CHECKED: None

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Introduction

The Commission has received three complaints alleging violations of the Federal Election Campaign Act of 1971, as amended (the "Act"), involving Charles H. Keating, Jr., two entities associated with Mr. Keating -- American Continental Corporation ("ACC") and Lincoln Savings and Loan Association ("Lincoln"), several voter registration groups, and numerous candidate committees.

Based on those complaints, the responses received thereto, and other available information, it appears that Charles

Keating[1] and ACC may have made corporate contributions to various political committees, including committees associated with the so-called "Keating Five" Senators, often in the names of others. At this time, however, there is no evidence that the recipient committees were aware of the possible unlawful nature of these contributions. It further appears that one of the voter registration groups may have engaged in partisan activity in connection with a federal election, and that two federal political committees associated with Senator John Glenn accepted contributions from the non-federal account of a third Glenn committee, which had received monies directly from ACC.

For the reasons discussed below, the Office of General Counsel recommends that the Commission merge the three Matters Under Review generated by the complaints, and find reason to believe that Charles H. Keating, Jr. and American Continental Corporation each violated 2 U.S.C. §§ 441b(a) and 441f. In addition, the General Counsel's Office recommends that the Commission find reason to believe that 94 other individual respondents (the "conduits") violated 2 U.S.C. § 441f. This Office further recommends that the Commission find no reason to believe that Charles H. Keating, Jr. violated 2 U.S.C. § 441a(a)(3).

Additionally, this Office recommends that the Commission find reason to believe that the Center for Participation in

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1. References in this report to "Charles Keating" refer to Charles H. Keating, Jr. References to Mr. Keating's son (Charles H. Keating, III) include the suffix.

Democracy violated 2 U.S.C. §§ 433, 434 and 441b(a), but that that the Commission find no reason to believe that Robert J. Stein and New Dimension Resources, Inc. or the Forum Institute violated the Act. Finally, this Office recommends that the Commission find reason to believe that the committees associated with Senator Glenn violated 2 U.S.C. § 441b(a).

This Office also recommends that the Commission approve the proposed subpoenas for these respondents and certain non-respondent witnesses regarding these contributions.

I. GENERATION OF MATTERS

On October 30, 1989, Senator John McCain of Arizona wrote to the Commission requesting that the Commission institute an investigation as to whether certain contributions received by him and his various House and Senate campaign committees violated the Act. As support for this request, Senator McCain attached and incorporated by reference a letter from Common Cause to the Senate Select Committee on Ethics, in which Common Cause alleged violations of the Senate's ethics rules and standards by Senator McCain and four other senators -- Alan Cranston, Dennis DeConcini, John Glenn, John McCain, Donald W. Riegle, Jr. -- as well as by various political committees and corporations.[2]

The Common Cause letter alleges that the five Senators involved "received the benefit of substantial corporate donations, significant gifts, and/or large campaign

2. Senator McCain's letter and its attached Common Cause letter appear collectively as Attachment 2 to this report.

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contributions from Mr. Keating, his family and other associates, and his company." Attachment 2 at 4. The Common Cause letter alleges that such contributions include

> corporate donations of $850,000 to three private organizations founded or controlled by Senator Cranston; corporate donations of $200,000 to a political committee controlled by Senator Glenn; corporate gifts valued at $13,433 to Senator McCain and his family; campaign contributions organized and channeled by Mr. Keating of $47,000 to Senator Cranston, $55,000 to Senator DeConcini, $34,000 to Senator Glenn, $112,000 to Senator McCain, and $76,100 to Senator Riegle; and $85,000 to the California Democratic Party for a 1986 get-out-the-vote drive which benefited Senator Cranston.

Id. at 4-5. Common Cause further alleges that, subsequent to receiving these funds, the five senators intervened in a regulatory proceeding involving Lincoln Savings and Loan Association on Keating's behalf. Id. at 5. This matter was designated MUR 2999.

Similarly, on June 1, 1990, the Commission received a complaint from John Wrzesinski, M.D., a candidate for Congress from Arizona in the 1990 primary election, in which he alleges that violations of the Commission's earmarking and conduit regulations occurred in connection with nine contributions of $1,000 each made by Charles H. Keating, Jr. and his family and business associates, which were allegedly bundled together and delivered to the Rhodes for Congress Committee on the same day. Attachment 3. Wrzesinski contends that these contributions were part of a pattern of contributions to local, state and federal candidates by Keating to "buy political influence." Id. at 1.

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He further alleges that Charles H. Keating, Jr. violated 2 U.S.C. § 441a(a)(3) by making contributions in a calendar year totalling more than $25,000. Id. at 2. This complaint was captioned MUR 3068.

Finally, on August 30, 1990, the Ohio Republican State Central and Executive Committee, through its Chairman, Robert T. Bennett, filed a complaint against the John Glenn Presidential Committee, Inc. ("Presidential Committee") and the National Council on Public Policy Committee ("Policy Committee"), both of which had previously been mentioned in the Common Cause letter in MUR 2999. Attachment 4. This complaint alleges that the Policy Committee served as a conduit for illegal contributions to the Presidential Committee. Specifically, the complaint alleges that funds provided by Charles H. Keating, Jr. and/or companies which he owned or controlled were used by the Policy Committee until 1988 to pay for personnel and overhead expenses which, in turn, directly or indirectly benefited the Presidential Committee. Id. at 4. In addition to alleging violations of 2 U.S.C. § 441b(a) by the two committees, the complaint also alleged that registration and reporting violations by those entities had occurred. Id. at 4-5. This complaint was captioned MUR 3121.

Most of the 22 respondents have submitted responses to the complaints. Attachments 5-17. In response to the latter two complaints, many of the respondents incorporated their prior responses by reference. The numerous responses raise various issues, which are discussed in turn below.

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II. FACTUAL AND LEGAL ANALYSIS

A. Sufficiency of the Complaint

Preliminarily, this report considers questions regarding the sufficiency of the complaint raised by seven of the respondents in MUR 2999 who seek to have the McCain complaint dismissed because they believe it does not satisfy the requirements of 2 U.S.C. § 437g(a)(1) and the accompanying Commission regulations.[3]

According to the Cranston Committee, whose response is representative, Senator McCain's letter does not state that he believes a violation of any statute or regulation over which the Commission has jurisdiction has occurred as required by 11 C.F.R. § 111.4(a), does not clearly identify as a respondent any person or entity who is alleged to have committed such a violation as required by 11 C.F.R. § 111.4(d)(1), and does not contain a clear and concise recitation of facts which describe a violation of a statute or regulation over which the Commission has jurisdiction as required by 11 C.F.R. § 111.4(d)(4). Attachment 13 at 1-2. Mr. Keating also objected because "Senator McCain's letter is not sworn to under penalty of

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3. The Policy Committee also objects because, it argues, the complaint by the Ohio Republican Party is politically motivated. Attachment 12 at 8-9. It believes that the Commission should find no reason to believe that any violation has been committed so as to prevent this complainant from using the Commission to further its political ends. As this Office has argued in past matters, see, e.g., MUR 2782, it is not the motivation of the complainant that is of concern, but whether the evidence presented to the Commission demonstrates that a violation of the Act has occurred. Accordingly, this Office believes that the Commission should reject this objection.

perjury in any jurisdiction." Attachment 5 at 1-2.

The Commission's regulations do not require that a complainant state that he or she believes a violation of any particular section of the statutes or regulations over which the Commission has jurisdiction has occurred. Rather, section 111.4(d) allows anyone who believes that a violation of the Act has occurred to file a complaint, leaving it to the Commission to determine which sections are involved. Furthermore, the Common Cause letter attached to the McCain complaint clearly identifies the potential respondents. In any event, according to the Explanation and Justification for section 111.4(d), that provision merely sets forth requirements

> which should be complied with in order to provide the Commission with sufficient information to address a complaint fully. The Commission may find that a complaint which does not comply with subsection (d) provides insufficient information, and for that reason, may vote to take no action on a complaint.

45 Fed. Reg. 15088 (1980). This Office believes, therefore, that the complaint in MUR 2999 is sufficient given the information in the Common Cause letter attached to, and used as a basis for, the McCain complaint.

The additional objection put forth by Mr. Keating is similarly without merit. Pursuant to 11 C.F.R. § 111.4(b)(2), the contents of a complaint must be sworn to and signed in the presence of a notary public and must be notarized. Senator McCain's complaint meets all of these requirements and is thus valid.

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B. Substantive Legal Provisions

Pursuant to 2 U.S.C. § 441b(a), it is unlawful for any any corporation to make a contribution or expenditure in connection with a Federal election. It is also unlawful for any candidate, political committee, or other person knowingly to accept any such corporate contribution, or for any officer or director of any corporation to consent to any contribution by the corporation. However, a corporation may donate funds to be used for nonpartisan voter registration drives to State and local agencies responsible for the administration of elections and to nonprofit organizations which are exempt from federal taxation under 26 U.S.C. § 501(c)(3) or (4) and which do not support, endorse or oppose candidates or political parties. 11 C.F.R. § 114.4(c)(2).

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution, or for any person to knowingly accept a contribution made by one person in the name of another. Pursuant to 2 U.S.C. § 441a(a)(3), no individual shall make contributions aggregating more than $25,000 in any calendar year.

Pursuant to 2 U.S.C. § 433(a), all political committees other than authorized campaign committees shall file a statement of organization within 10 days after becoming a political committee within the meaning of 2 U.S.C. § 431(4). Pursuant to that section, a political committee is any committee, club,

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association, or other group of persons which receives contributions aggregating in excess of $1,000 during a calendar year or which makes expenditures aggregating in excess of $1,000 during a calendar year. For purposes of these sections, a contribution is 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, 2 U.S.C. § 431(8)(A)(i), and an expenditure is any purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value, made by any person for the purpose of influencing any election for Federal office. 2 U.S.C. § 431(9)(A)(i).

Pursuant to 2 U.S.C. § 434(a)(1), each political committee shall file reports of receipts and disbursements with the Federal Election Commission.

C. **Relevant Facts**

1. **Background**

Ohio native Charles H. Keating, Jr. was until recently the chairman and principal shareholder of the American Continental Corporation, an entity incorporated under the laws of Ohio but with its principal place of business in Scottsdale, Arizona. ACC functioned as a holding company owning numerous subsidiaries, including the Lincoln Savings and Loan Association, a federally insured savings and loan chartered

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under the laws of California.[4] Lincoln was headquartered in Irvine, California.

According to the Common Cause letter, under Keating's and ACC's ownership, Lincoln down-played the traditional role of home lending and concentrated on riskier, but possibly higher-yielding investments. Attachment 2 at 7. Lincoln's policies in this regard led the San Francisco office of the Federal Home Loan Bank Board (the "FHLBB") to initiate an investigation of Lincoln in March 1986. Id. Because numerous problems with Lincoln were discovered in this investigation, the Washington headquarters of the FHLBB authorized the San Francisco office, in December 1986, to pursue a broader investigation of Lincoln's operations and of its possible violations of applicable statutes and regulations. Id. The FHLBB subsequently referred certain security transactions by Lincoln and its subsidiaries to the Securities and Exchange Commission. Id.

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According to statements attributed to Mr. Keating, during this period he carried out a program of using corporate donations, gifts and campaign contributions to influence Members of Congress "to take up [his] cause." Id. (citing The Wall Street Journal, April 18, 1989). In an effort to stave off federal regulators, in late March 1987 Keating called on Senators Cranston, DeConcini, Glenn, McCain and Riegle to make

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4. A chart showing the structure of ACC in relation to its subsidiaries is provided at Attachment 18. For the purposes of this report, a person who worked for one of these subsidiary corporations is viewed as associated with ACC.

his case for him. Id. at 2, 9-10. Keating had previously raised money for all five, and his ACC had given directly to Glenn's Policy Committee. Id. at 7-9. In addition, according to a December 2, 1990 Baltimore Sun article, Keating's Lincoln Savings and Loan had authorized a $300,000 line of credit for Senator Cranston just prior to the November 1986 elections. Attachment 19. Subsequent to the March 1987 meeting with the regulators, ACC contributed $850,000 to voter registration groups associated with Senator Cranston. Attachment 2 at 5. Keating allegedly also made major lobbying expenditures on behalf of Lincoln. Id. at 9. Of these efforts Keating has been quoted as saying: "One question, among the many raised in recent weeks, had to do with whether my financial support in any way influenced several politicians to take up my cause. I want to say in the most forceful way I can: I certainly hope so." The Wall Street Journal, April 18, 1989.

Ultimately, however, Keating's efforts failed. On April 13, 1989, ACC filed for bankruptcy. On the following day, Lincoln was seized by the FHLBB, which claimed, according to a December 26, 1989 Washington Post article, that Keating and ACC were operating Lincoln in an unsafe and unsound manner. Attachment 20. Subsequently, Keating mounted a legal effort to regain control of Lincoln from federal regulators, but, according to an August 24, 1990 Washington Post article, his suit was dismissed by U.S. District Judge Stanley Sporkin on August 23, 1990. Attachment 21. Keating appealed Judge Sporkin's ruling, but subsequently withdrew this appeal.

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Several news stories have raised the suggestion that the monies donated by Charles Keating, his family members and business associates actually comprised corporate funds which were given to these individuals for the purpose of making contributions. A November 14, 1989 Associated Press report states that the FBI is investigating whether the funds which comprised contributions to Senator Cranston were diverted from the accounts of depositors at Lincoln Savings and Loan. Attachment 22. Similarly, an October 26, 1989 Los Angeles Times article states that FBI agents "are questioning former officers and employees of . . . Lincoln . . . to determine if top executives were paid excessively high salaries with the understanding they would contribute some of that money to political candidates." Attachment 23.[5] Similarly, a November 9, 1989 New York Times article states: "Regulators note that to get around individual contribution limits, Mr. Keating would pay high salaries to his employees and either directly or indirectly instruct them to contribute to certain campaigns; Keating family members would also make contributions." Attachment 24. This assertion, however, is disputed by ACC personnel.

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5. However, the article quotes Bradley Boland, an ACC employee who has contributed extensively to political committees, as saying that employees' contributions were purely voluntary and that they were not reimbursed at all. Id. A separate ACC spokesman is cited as denying that executives were paid high salaries for the purpose of financing political contributions, and further denying that there was pressure on employees to contribute money to politicians. Id.

Numerous other federal and state agencies are investigating various aspects of the Keating/ACC situation. The Senate Select Committee on Ethics is investigating the actions of Senators Cranston, DeConcini, Glenn, McCain and Riegle on behalf of Charles Keating due to their acceptance of financial support from Mr. Keating. According to a September 19, 1990 Los Angeles Times article, the State of California has indicted Keating, Judy Wischer, Ray C. Fidel and Robin S. Symes for securities fraud and other violations. Attachment 25. The Resolution Trust Corporation ("RTC") has instituted a $1.1 billion civil racketeering and fraud suit against Keating, his family members and business associates which alleges, inter alia, that ACC diverted assets of Lincoln in order to make political contributions. Attachment 2 at 9. Likewise, according to a communication received in this Office from the Securities and Exchange Commission, that agency is investigating whether ACC and persons associated with ACC made campaign contributions and the sources of the funds used for any such contributions. Attachment 26.

The complaint from Senator McCain raises the same concerns raised by the news articles, questioning whether contributions his campaigns received from Charles H. Keating, Jr. and other contributors "resulted from illegal activities of the corporations who employed these contributors." Attachment 2 at 1. Likewise, the Common Cause letter quotes Senator DeConcini as stating that he personally reimbursed all contributors associated with Charles Keating because, in Senator

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DeConcini's view, the RTC lawsuit "'raises the serious possibility that money from Lincoln Savings may have been illegally funneled into a number of political campaigns.'" Id. at 13. The other complaints raise these issues as well, although to a lesser degree.

The responses received by this Office address the substance of certain of the allegations in the three complaints, thus providing additional information. In addition, this Office has performed analysis of the Commission's computerized database using the new Contributor Search System and has discovered other instances where large numbers of persons associated with Charles Keating or ACC made contributions to certain committees on the same days or within a few days of each other. This creates the same concerns attendant to the contributions to Senators Cranston, DeConcini, Glenn, McCain and Riegle.[6] The allegations as to individual respondents, as well as more concrete information culled from Commission records, are discussed below.

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2. Allegations and Responses

a. Charles H. Keating, Jr.

The response on behalf of Mr. Keating does not address the substance of the allegations, deferring such response due to a grand jury investigation. Attachment 5. Commission records show numerous contributions over the years by Keating to various political committees. These contributions are listed as part of

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6. The computer printouts produced during this analysis are available for review in the Office of the General Counsel.

the discussions of the various recipient committees below. See also Attachment 1 at 5-6.

b. American Continental Corporation

ACC has not responded to the substance of the allegations. Attachment 6. However, ACC has provided a number of documents relating to contributions by ACC personnel for elections at both the state and federal levels. Although many of these documents are in the form of memoranda from business and charitable organizations, others deal directly with contributions to political candidates.

Certain of these documents should not logically have been found in ACC's corporate files. These include: 1) a typed thank-you letter from the Finance Director of the Kolbe for Congress Committee to Krista K. Keating; 2) a handwritten thank-you letter from Representative Kolbe to "Mr. and Mrs. Keating"; and 3) copies of checks from Mark A. Voigt and Michele C. Mencuccini, employees of ACC, used to make contributions to John McCain for Senate.[7] Other unusual documents include listings of contributions made in an election cycle by individuals, as well as memos recommending that certain individuals make contributions in certain amounts to specific candidates.[8] The presence of these documents in the corporate

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7. The checks of Michele C. Mencuccini are dated March 5, 1986, while the checks of Mark A. Voigt are dated March 6, 1986. The contributions are reported by the McCain Committee has having been made on March 17, 1986.

8. All of the above-mentioned documents appear collectively as Attachment 27.

files strongly suggests corporate involvement in the making of the contributions.

ACC is presently a debtor in possession under Chapter 11 of the bankruptcy laws. According to counsel retained by the bankruptcy estate, approximately 11 million documents relating to ACC have been placed into a document depository established by the United States District Court for the District of Arizona. Presumably, other documents relating to contributions, and thus relevant to any inquiry of whether corporate funds were involved in such contributions, may be stored there.

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c. Lincoln Savings and Loan Association

As discussed supra, Lincoln Savings and Loan Association ("Old Lincoln") was taken over by the Resolution Trust Corporation ("RTC") and reorganized as Lincoln Savings and Loan Association, F.A. ("New Lincoln"). New Lincoln has not responded to the substance of the allegations. Rather, New Lincoln argues that no action should be taken against it as it is presently constituted because it did not come into existence until August 2, 1989. Attachment 7. Moreover, New Lincoln also argues that no action can be taken against Lincoln Savings and Loan Association as it existed prior to August 2, 1989 (Old Lincoln), as that entity no longer exists. New Lincoln argues that Old Lincoln has been liquidated and is under the receivership of the Resolution Trust Corporation ("RTC"), while all of the assets and liabilities of Old Lincoln have been transferred to New Lincoln, which is under the conservatorship of the RTC. New Lincoln states that any penalty assessed

against Old Lincoln will not be borne by the alleged wrongdoers, but will pass through to New Lincoln and eventually be borne by the U.S. taxpayers. New Lincoln further argues that there is no reason for the Commission to act to prevent future violations of the Act by Old Lincoln because, it argues, that goal has already been accomplished by the liquidation of Old Lincoln and the organization and the placing of New Lincoln under the direction and control of the RTC.

d. Senator John McCain; McCain Re-Election Committee and Thomas R. Holtrup, as treasurer

The McCain Re-Election Committee was Senator McCain's principal campaign committee in his 1984 House race in Arizona. In July 1985, this committee was terminated and its assets were transferred to the John McCain for Senate Committee, Senator McCain's principal campaign committee for the 1986 Senate election. This committee was terminated in July 1987, and its assets were transferred to another committee, also named McCain Re-Election Committee, which is Senator McCain's principal campaign committee for the 1992 elections.

The letter from Senator McCain expresses concern that contributions from Charles Keating and his family and business associates may have resulted "from illegal activities of the corporations who employed these contributors." Attachment 2. According to a May 30, 1989 Los Angeles Times article, with the help of his firms, family members, business associates and employees, Charles Keating channeled more than $100,000 to Senator McCain in the last five years. Attachment 28. The

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article, apparently the same as one cited in the Common Cause letter, further states that 51 donations from Keating, family members and associates were made to Senator McCain on the same day: March 17, 1986. These contributions were received by the John McCain for Senate committee. A November 1989 Washington Post article states that Keating has raised $112,000 for McCain over the years. Attachment 29.

The response to the complaint from the McCain Re-Election Committee states that they have no knowledge that any of these contributions were made contrary to law or by persons other than those listed as contributors on the reports, although they are aware of press reports that some contributions may have been improperly made. Attachment 8.

Commission records show the following contributions to have been made to the various McCain committees by persons associated with Charles Keating, whether by working for ACC, being married to someone who worked for ACC, or being a member of Keating's family.[9] Figures are shown as reported by the McCain committees. Where two $1,000 contributions are shown as having been made on the same date, $1,000 was designated for the primary election and $1,000 was designated for the general election:

Contributor	Amount	Date
Bruce F. Dickson	$ 1,000	10/17/83
Rebecca H. Dickson	1,000	10/17/83

9. The actual relationship of each individual to Charles Keating and/or Keating's businesses is listed in Attachment 1. This holds true for all individuals listed in the discussions of other committees as well.

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Ray C. Fidel	1,000	10/17/83
Charles H. Keating, III	1,000	10/17/83
Krista K. Keating	1,000	10/17/83
Charles H. Keating, Jr.	1,000	10/17/83
Mary E. Keating	1,000	10/17/83
Carol B. Loback	1,000	10/17/83
Donald B. Loback	1,000	10/17/83
Michele C. Mencuccini[10]	1,000	10/17/83
Everett L. Pfeiff	1,000	10/17/83
Mrs. Everett L. Pfeiff	1,000	10/17/83
Mark A. Voigt	1,000	10/17/83
Kathleen Wade	1,000	10/17/83
Robert J. Wade	1,000	10/17/83
Ellen R. Weiner	1,000	10/17/83
Sheldon R. Weiner	1,000	10/17/83
George J. Wischer	1,000	10/17/83
Judy E. Wischer	1,000	10/17/83
Elizabeth A. Wurzelbacher	1,000	10/17/83
Robert M. Wurzelbacher	1,000	10/17/83
Bradley J. Boland	1,000	03/17/86
	1,000	
Elaine Boland	1,000	03/17/86
	1,000	
Bruce F. Dickson	1,000	03/17/86
	1,000	
James J. Grogan	1,000	03/17/86
	1,000	
Mary J. Grogan	1,000	03/17/86
	1,000	
Gary W. Hall	1,000	03/17/86
	1,000	
Mary A. Hall	1,000	03/17/86
	1,000	
Kathleen M. Hubbard	1,000	03/17/86
	1,000	
Robert J. Hubbard	1,000	03/17/86
	1,000	
Krista K. Keating	1,000	03/17/86
	1,000	
Mary E. Keating	1,000	03/17/86
	1,000	
Charles H. Keating, III	1,000	03/17/86
	1,000	

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10. Ms. Mencuccini is actually listed on the McCain Committee report regarding these contributions as "Michele C. Mencuccini-Voigt." She is married to Mark A. Voigt, an officer of ACC, and is listed on various other filings described in this report as either Michele C. Mencuccini or Michele Voigt. For uniformity's sake, she will be referred to as Michele C. Mencuccini throughout this report.

Charles H. Keating, Jr.	1,000 1,000	03/17/86
Elizabeth A. Kielty	1,000 1,000	03/17/86
Robert J. Kielty	1,000 1,000	03/17/86
Michele C. Mencuccini	1,000 1,000	03/17/86
Maureen T. Mulhern	1,000 1,000	03/17/86
Thomas D. Mulhern	1,000 1,000	03/17/86
Andre A. Niebling	1,000 1,000	03/17/86
Mark A. Voigt	1,000 1,000	03/17/86
Ellen R. Weiner	1,000 1,000	03/17/86
Sheldon K. Weiner	1,000 1,000	03/17/86
Timothy C. Westfall	1,000 1,000	03/17/86
George J. Wischer	1,000 1,000	03/17/86
Judy E. Wischer	1,000 1,000	03/17/86
	$71,000	

e. Senator DeConcini; DeConcini '88 Committee and Michael D. Hawkins, as treasurer

The DeConcini '88 Committee was Senator DeConcini's principal campaign committee in the 1988 elections. It has since been terminated. Senator DeConcini's current principal campaign committee is the DeConcini '94 Committee.

Regarding Senator DeConcini, a September 20, 1989 Los Angeles Times article states that Charles H. Keating, Jr. collected $48,000 in contributions for him. Attachment 30. The May 30, 1989 Los Angeles Times article cited above stated that more than $55,000 went to Senator DeConcini. Attachment 28. The latter is the figure used in the Common Cause letter. Attachment 2 at 5.

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Senator DeConcini acknowledges that Mr. Keating raised a total of $48,100 on his behalf, $47,100 of which was given to his 1988 re-election campaign and $1,000 of which was given to a political committee with which Senator DeConcini is associated, the Arizona Leadership for America Search Committee PAC. Attachment 9 at 1. Senator DeConcini further states that he was informed and believed that the contributions were raised from Mr. Keating's family members, friends and business associates, and that he had no reason to believe that any of these contributions were in actuality corporate funds. Id. He has provided documentation which shows the amount given by each individual, and has further demonstrated that he has reimbursed $48,100 to their donors. Id. at 4-38. Senator DeConcini states that he has made the reimbursements out of his personal account, and not from the campaign account. Id. at 3. He states that he did not believe at the time that any or all of the contributions were made with corporate funds. Id. at 1.

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Commission records show the following contributions having been made to the DeConcini Committee by persons associated with Charles H. Keating, Jr., whether by working for ACC, being married to someone who worked for ACC, or being a member of Keating's family:

Contributor	Amount	Date
Ray C. Fidel	$ 1,000	07/31/85
	1,000	07/31/85
Gary W. Hall	1,000	07/31/85
Mary A. Hall	1,000	07/31/85
Charles H. Keating, III	1,000	07/31/85
Krista K. Keating	1,000	07/31/85
Elizabeth A. Kielty	1,000	07/31/85
Robert J. Kielty	1,000	07/31/85

Michele C. Mencuccini	1,000	07/31/85
Maureen Mulhern[11]	1,000	07/31/85
	1,000	
Thomas D. Mulhern	1,000	07/31/85
	1,000	
Mark A. Voigt	1,000	07/31/85
Ellen R. Weiner	1,000	07/31/85
Sheldon K. Weiner	1,000	07/31/85
George J. Wischer	1,000	07/31/85
Judy E. Wischer	1,000	07/31/85
Mary E. Keating	500	07/31/85
	500	
Charles Keating, Jr.	500	07/31/85
	500	
Andre Niebling	1,000	08/15/85
Helen Niebling	1,000	08/15/85
Robert Wurzelbacher	1,000	11/26/85
Bradley J. Boland	500	11/26/85
Elaine Boland	500	11/26/85
Elizabeth Wurzelbacher	1,000	12/02/85
James Grogan	500	04/18/86
Mary Grogan	500	04/18/86
Bradley J. Boland	500	07/21/86
Elaine Boland	500	07/21/86
Gary W. Hall	1,000	08/20/86
Mary A. Hall	1,000	08/20/86
Krista K. Keating	1,000	08/20/86
Charles H. Keating, III	1,000	08/20/86
Elizabeth A. Kielty	1,000	08/20/86
Robert J. Kielty	1,000	08/20/86
Michele C. Mencuccini	1,000	08/20/86
Mark A. Voigt	1,000	08/20/86
Ellen R. Weiner	1,000	08/20/86
Sheldon K. Weiner	1,000	08/20/86
George J. Wischer	1,000	08/20/86
Judy E. Wischer	1,000	08/20/86
Elizabeth Wurzelbacher	1,000	09/02/86
Robert Wurzelbacher	1,000	09/02/86
Mary Hinz	500	12/18/86
William Hinz	500	12/18/86

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11. Maureen Mulhern is listed as Maureen Keating on the report filed with the Commission by the DeConcini Committee. Subsequent to this contribution, she married Thomas Mulhern. Because she has made more contributions as Maureen Mulhern than Maureen Keating, she is listed here as Maureen Mulhern for uniformity's sake.

William Hinz	1,000	05/14/87
Mary Hinz	500	10/27/87
William Hinz	500	10/27/87
Kathy Hubbard	2,000	10/29/87
Robert Hubbard	2,000	10/29/87
James Grogan	500	10/29/87
Mary J. Grogan	500	10/29/87
Kathleen Wade	1,000	12/21/87
Robert Wade	1,000	12/21/87
James Grogan	500	06/28/88
Mary Grogan	500	06/28/88
Carol Loback	1,000	08/29/88
Don Loback	1,000	08/29/88
	$54,000	

f. Senator Riegle and Riegle for Senate Committee and William C. Shedd, as treasurer

Riegle for Senate in '88 Committee was Senator Riegle's principal campaign committee for the 1988 election. This committee has amended its Statement of Organization to reflect its new name, the Riegle for Senate Committee.

Regarding Senator Riegle, the November 1989 Washington Post article cited above asserts that Keating forwarded him $78,250 in mid-1987 as the result of a Keating-sponsored fundraiser. Attachment 29. The May 30, 1989 Los Angeles Times article cited above also refers to this fundraiser as the source of any money forwarded from Keating to Senator Riegle. Attachment 28.

These respondents note that individuals associated with American Continental, Lincoln and other related corporations made contributions to them on the occasion of a fundraising event held in March 1987. Attachment 10 at 1. The respondents

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state that all of the contributions were screened by the Committee in the manner required by 11 C.F.R. § 103 and that all of the contributions that were deposited appeared on their face to be in good order. Id. at 1-2. They further state that while the Committee to this day has no knowledge to suggest that these contributions were illegal, the Committee refunded these contributions in March 1988. Id. at 2.

Commission records show the following contributions having been made to the Riegle Committee by persons associated with Charles Keating, whether by working for ACC, being married to someone who worked for ACC, or being a member of Keating's family. Where a contribution of $2,000 appears, it was reported as such by the committee, with $1,000 designated for the primary election and $1,000 designated for the general election.:

Contributor	Amount	Date
Mary E. Keating	$ 2,000	03/11/87
Charles H. Keating, III	2,000	03/11/87
Charles H. Keating, Jr.	2,000	03/11/87
Sheldon Weiner	2,000	03/11/87
Timothy Westfall	2,000	03/11/87
George Wischer	2,000	03/11/87
Judy Wischer	2,000	03/11/87
Eva Anau	1,000	03/11/87
Bradley Boland	1,000	03/11/87
Lynn Borushko	1,000	03/11/87
James Grogan	1,000	03/11/87
Mary J. Grogan	1,000	03/11/87
Randal Hyatt	1,000	03/11/87
Larry Dannenfeldt	500	03/11/87
Benno Jurgemeyer	500	03/11/87
Deborah Karbo	500	03/11/87
Robert Mulhern	500	03/11/87
Allen Van Loo	500	03/11/87
Maureen Mulhern	2,000	03/12/87
Thomas Mulhern	2,000	03/12/87
Andre Niebling	2,000	03/12/87
Elizabeth Wurzelbacher	2,000	03/12/87
Robert Wurzelbacher	2,000	03/12/87

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John Brunst	1,000	03/12/87
Bruce Dickson	1,000	03/12/87
Ray Fidel	1,000	03/12/87
Sandra Klotz	1,000	03/12/87
Andrew Ligget	1,000	03/12/87
Larry Nelson	1,000	03/12/87
Robin Symes	1,000	03/12/87
Randy Ecklund	750	03/12/87
Jeff Carlson	500	03/12/87
Chris Chambers	500	03/12/87
Julie Collins	500	03/12/87
Gary Crow	500	03/12/87
Donald Donnelly	500	03/12/87
Corey Edens	500	03/12/87
Brenda Elmer	500	03/12/87
James Farney	500	03/12/87
Leroy Liebermann	500	03/12/87
Timothy Murray	500	03/12/87
Michael Ripson	500	03/12/87
Barbara Schmidt	500	03/12/87
Ronald Sova	500	03/12/87
David Stevens	500	03/12/87
Helen Thompson	500	03/12/87
James Upchurch	500	03/12/87
Terence Wilson	500	03/12/87
Michael S. Murray	2,000	03/18/87
Robert Kielty	2,000	03/24/87
Robert Kipp	2,000	03/24/87
Mark Sauter	2,000	03/24/87
Ronald Stoll	2,000	03/24/87
Mark Voigt	2,000	03/24/87
James Connor	1,500	03/24/87
Jeffrey Erhart	1,000	03/24/87
Kathleen Hubbard	1,000	03/24/87
Robert Hubbard, Jr.	1,000	03/24/87
Edward Novak	1,000	03/24/87
Mary V. Novak	1,000	03/24/87
Thomas Hott	500	03/24/87
James Hubbard	500	03/24/87
Timothy Kruckeberg	500	03/24/87
Scott Siebels	500	03/24/87
David Thompson	500	03/24/87
Donald W. Crocker	500	04/28/87
	$70,250	

On March 7, 1988, the Riegle Committee returned all contributions except for the following: Donald W. Crocker

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($500), Robert Mulhern ($500), Robin Symes ($2,000), George Wischer ($1,000), Judy Wischer ($1,000), Elizabeth Wurzelbacher ($1,000), and Robert M. Wurzelbacher, Jr. ($1,000).

g. **Senator John Glenn; John Glenn Presidential Committee Inc. and Michael Petro, as treasurer; Senator John Glenn Committee and William J. Brown, as treasurer; National Council on Public Policy and William R. White, as treasurer**

According to these respondents, the Presidential Committee was organized in 1983 as the principal campaign committee for Senator Glenn's 1984 presidential campaign. Attachment 11 at 5-6. The Presidential Committee is still active today in order to retire debts remaining from that campaign. Id. The Senatorial Committee is the successor to Senator Glenn's principal campaign committee in the 1974 senatorial election, and has remained in existence as Senator Glenn's principal campaign committee for subsequent re-election campaigns. Id. The Policy Committee was a multi-candidate political committee which was terminated on May 31, 1988. Id. Senator Glenn was the principal spokesman of the Policy Committee, which maintained both federal and non-federal accounts, and expenses he incurred in his role as spokesman for the Policy Committee were paid for by that committee. Id. The Policy Committee was terminated in October 1988.

An article appearing in the August 6, 1989 issue of the Cleveland Plain Dealer states that the Policy Committee received corporate donations totalling $200,000 from ACC. Attachment 31. The article further states that the Policy Committee segregated this money from reported contributions that could be used on

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federal campaigns by putting it in a separate bank account, and that this money was used to pay the expenses and salaries of Glenn's operatives at the Policy Committee.

The Plain Dealer article further states that the funds received from ACC by the Policy Committee were used to pay William R. White for his services as treasurer of the Presidential Committee, and that the Policy Committee reimbursed the Presidential Committee $43,000 for services rendered. Further, the article alleges that the Policy Committee's executive director "acknowledged she routinely crossed the line to help raise money to pay off the presidential debt," although she has stated that she pitched in on the debt retirement effort during her lunch hour or after normal working hours.

In their responses, the committees concede that ACC provided two contributions of $100,000 to the non-federal account of the Policy Committee, and that this was done after ACC had obtained an opinion from outside counsel that such contributions were legal. Attachment 11. They further state that out of the non-federal funds that it received, the Policy Committee made contributions to state and local candidates totalling $10,305 and spent over $13,000 on various public events. The remainder was used to pay taxes, overhead, administrative, and travel expenses, as well as salaries and consulting fees. Separate contributions in connection with federal elections were made from the Policy Committee's federal account, and expenses of Senator Glenn and his staff on behalf of certain candidates were also paid out of the federal account.

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Mr. White contends that money received by him from the Policy Committee was for work performed for the Policy Committee. Attachment 31. The responses do admit, however, that certain individuals who worked for the Policy Committee, Maureen Moriarty and her assistant, Marian Murphy, devoted a portion of their time to raising funds for the Presidential Committee, but that their salaries for this time was still paid by the Policy Committee. Attachment 11. Maureen Moriarty ceased working for the Policy Committee in September 1987, and thus any such fundraising had to have occurred before this time. Since it has been stated that Ms. Murphy was Ms. Moriarty's assistant, it appears that Ms. Murphy performed fundraising along with or at the direction of Ms. Moriarty, and thus sometime before September 1987. The treasurer of the Policy Committee determined that the total compensation for these individuals for such time spent raising funds was $3,079, and this amount was also reimbursed by the Presidential Committee to the Policy Committee on May 31, 1988.

The response also details a series of events which resulted in both the Presidential Committee and the Senatorial Committee receiving benefits from the Policy Committee. These benefits occurred in the following manner: The Policy Committee paid the entire rental cost and all telephone charges for the offices occupied by all three organizations from its non-federal account for the entire year of 1987. This amounted to benefits of $6,939.88 each to the Presidential Committee and the Senatorial Committee. This error was discovered by the treasurer of the

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Policy Committee in April 1988, and both the Presidential Committee and the Senatorial Committee reimbursed the Policy Committee for their appropriate shares on May 31, 1988. Similarly, checks drawn on a Policy Committee non-federal account were used to pay the entire rental deposit, first month's rent, moving expenses and the cost of a telephone when the organizations changed locations in May 1988. These latter amounts, amounting to benefits of $938.77 each to the Presidential Committee and the Senatorial Committee, were reimbursed by the appropriate parties on May 31, 1988.

The response further admits that the Policy Committee mistakenly paid $10,657.04 to a credit card account of the Senatorial Committee in 1983, and that the Senatorial Committee erroneously reimbursed the Presidential Committee initially, but that all parties were rightfully compensated pursuant to a Commission order, which resulted from the audit of the Presidential Committee, on May 31, 1988. Similarly, a review of other credit card payments on a Policy Committee account resulted in all but $4,806.07 charged during 1985 and 1986 being accounted for. The Senatorial Committee reimbursed this amount to the Policy Committee on May 31, 1988.

Finally, the parties state that in early 1986, the Policy Committee paid $9,500 to the Presidential Committee in anticipation of renting a mailing list for the purpose of a direct mail solicitation, and that half of this amount came from the Policy Committee's non-federal account. The direct mail

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campaign never occurred, and the money was refunded by the Presidential Committee to the Policy Committee on May 31, 1988.

Regarding contributions from Mr. Keating to the Presidential Committee and the Senatorial Committee, the committees state that Presidential Committee records show that Mr. Keating and his associates contributed $12,000 to the Presidential Committee, including contributions amounting to $10,000 from Mr. Keating and his apparent associates which were all received on July 24, 1984. They also do not dispute the claim that Mr. Keating and his acquaintances gave $22,000 to the Senatorial Committee in 1985. The Committee argues that all such contributions were within the Act's limitations, and thus implies that they had no knowledge of any impropriety involving the contributions.

Commission records show the following contributions having been made to the individual Glenn committees by persons associated with Charles Keating, whether by working for ACC, being married to someone who worked for ACC, or being a member of Keating's family:

John Glenn Presidential Committee, Inc.

Contributor	Amount	Date
Charles Keating	$ 1,000	07/24/84
Mary E. Keating	1,000	07/24/84
Gary W. Hall	500	07/24/84
Mary A. Hall	500	07/24/84
Krista K. Keating	500	07/24/84
Charles H. Keating, III	500	07/24/84
Elizabeth A. Kielty	500	07/24/84
Robert J. Kielty	500	07/24/84
Carol B. Loback	500	07/24/84
Donald B. Loback	500	07/24/84
Andre A. Niebling	500	07/24/84
Helen M. Niebling	500	07/24/84

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George J. Wischer	500	07/24/84
Judy E. Wischer	500	07/24/84
Robert M. Wurzelbacher	500	07/24/84
Elizabeth A. Wurzelbacher	500	07/24/84
Subtotal	$ 9,000	

Glenn Senatorial Committee

Contributor	Amount	Date
Mary E. Keating	$ 2,000	07/31/85
Maureen Keating	2,000	07/31/85
Charles H. Keating, Jr.,	2,000	07/31/85
Michele C. Mencuccini	2,000	07/31/85
Mark Voigt	2,000	07/31/85
Sheldon K. Weiner	2,000	07/31/85
Elizabeth A. Kielty	2,000	08/15/85
Robert J. Kielty	2,000	08/15/85
George J. Wischer	2,000	08/15/85
Judy E. Wischer	2,000	08/15/85
Subtotal	$20,000	
Total Glenn Committees	**$29,000**	

h. Senator Alan Cranston; Cranston for Senate '92, Inc. and Solomon M. Kamm, as treasurer

The Cranston for Senate Committee 1986 was Senator Cranston's principal campaign committee for the 1986 elections. This committee has amended its Statement of Organization and is now Cranston for Senate '92, Inc.

A September 20, 1989 Los Angeles Times article states that Keating raised $39,000 in campaign contributions for Senator Cranston for the Senator's 1986 re-election campaign. Attachment 30. A May 30, 1989 Los Angeles Times article lists Senator Cranston has having received $39,100 from Keating, his family, and his associates. Attachment 28. A June 14, 1988 Los Angeles Times article states that the $39,100 was raised during two fundraisers held by Keating, and that Keating and his son

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contributed at least $3,000 directly to the campaign. Attachment 32.

Commission records show the following contributions having been made to the Cranston committee by persons associated with Charles Keating, whether by working for ACC, being married to someone who worked for ACC, or being a member of Keating's family:

Contributor	Amount	Date
Charles H. Keating, Jr.	$ 1,000	04/04/85
Mary E. Keating	1,000	04/04/85
Maureen Mulhern	1,000	04/05/85
Kathleen Wade	1,000	04/05/85
Elizabeth A. Kielty	1,000	04/09/85
Robert J. Kielty	1,000	04/09/85
Andre A. Niebling	1,000	04/09/85
Helen Niebling	1,000	04/09/85
Mark Voigt	1,000	04/09/85
Sheldon K. Weiner	1,000	04/09/85
George Wischer	1,000	04/09/85
Judy Wischer	1,000	04/10/85
Charles H. Keating, Jr.	1,000	10/14/85
Mary E. Keating	1,000	10/14/85
Gary W. Hall	1,000	10/18/85
George J. Wischer	1,000	10/18/85
Judy E. Wischer	1,000	10/18/85
Michele C. Mencuccini	1,000	10/24/85
Mark A. Voigt	1,000	10/24/85
Robert J. Hubbard, Jr.	1,000	10/25/85
Krista K. Keating	1,000	11/01/85
Elizabeth A. Kielty	1,000	08/04/86
Robert J. Kielty	1,000	08/04/86
Sheldon K. Weiner	1,000	08/04/86
John E. Brunst	1,000	08/05/86
Ray C. Fidel	1,000	08/05/86
Charles H. Keating, III	1,000	08/05/86
Andrew Ligget	1,000	08/05/86

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Thomas D. Mulhern	1,000	08/05/86
Andre A. Niebling	1,000	08/05/86
Robin S. Symes	1,000	08/05/86
Helen M. Niebling	1,000	08/06/86
	$32,000	

On November 3, 1986, the Cranston Committee returned $1,000 each to George J. Wischer and Judy E. Wischer.

i. **Robert J. Stein and New Dimension Resources, Inc.; Forum Institute; Center for Participation in Democracy**

An August 11, 1989 San Francisco Chronicle article states that, at Senator Cranston's behest, "Keating's American Continental Corp. made $850,000 in tax-deductible contributions to 1988 voter registration projects, including $400,000 to [the Center for Participation in Democracy.]" Attachment 33. An August 20, 1989 Los Angeles Times article states, inter alia, that "Keating . . . directed American Continental to give $85,000 to the California Democratic Party during Cranston's re-election campaign and donated $850,000 to three voter registration groups closely identified with Cranston." Attachment 34. An October 22, 1989 Los Angeles Times article states that Senator Cranston helped establish several voter registration projects, including the Center for Participation in Democracy, the Forum Institute, and USA Votes (identified in the Common Cause letter as a committee of New Dimension Resources, Inc.). Attachment 35.

The San Francisco Chronicle article cited above quotes former employees of the Center for Participation in Democracy as

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stating that the operation was designed to register Democrats. Attachment 33. Toward this end, according to the article, certain geographic areas were targeted, workers were penalized if they registered too many Republicans, and staff members were evaluated on the basis of how many Democrats they registered each day. Additionally, the article quotes workers as saying that voters were registered as Democrats without being told or agreeing to this, that registration cards had already been checked off as "Democrat" before the worker even went out into the community, or that the workers would check off "Democrat" after the individual had gone away. Similar allegations appear in the October 22, 1989 Los Angeles Times article. Attachment 35.

All three voter registration organizations involved, USA Votes,[12] Forum Institute, and the Center for Participation in Democracy, are exempt from taxation under 26 U.S.C. § 501(c)(3) according to Internal Revenue Service Publication 78. Additionally, the Forum Institute states that, in recent years, it has provided grants to qualified non-partisan voter participation programs and that it does not receive or make political contributions. Attachment 15. The Forum Institute further denies that it was founded or is controlled by Senator Cranston. Id.

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12. As noted, USA Votes is a project of Robert J. Stein and New Dimension Resources, Inc., who were notified of the complaint.

j. **Rhodes for Congress Committee and Kent H. Mulkey, as treasurer**

The Rhodes Committee has provided a response to the complaint filed against it, stating that its records do not indicate anything improper with the contributions in question. Attachment 17.

Commission records show the following contributions having been made to the Rhodes Committee by persons associated with Charles Keating, whether by working for ACC, being married to someone who worked for ACC, or being a member of Keating's family:

Contributor	Amount	Date
Jean E. Brunst	$ 1,000	08/28/86
Charles H. Keating, III	1,000	08/28/86
Krista K. Keating	1,000	08/28/86
Charles H. Keating, Jr.	1,000	08/28/86
Mary E. Keating	1,000	08/28/86
Michele Mencuccini	1,000	08/28/86
Andre Niebling	1,000	08/28/86
Helen Niebling	1,000	08/28/86
Ellen Weiner	1,000	08/28/86
Sheldon Weiner	1,000	08/28/86
	$10,000	

k. **Other Committees**

In researching the contributions of Charles Keating and his family members and business associates to the committees named in the various complaints, this Office discovered numerous other contributions by these same individuals which follow the pattern shown above: large contributions by numerous numbers of persons associated with Charles Keating to certain committees made at

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certain times.[13] These factors raise concerns that these contributions may in some way be tainted. These contributions are listed below.

(1). **Committee for Tim Wirth, Inc. and Joanne C. Bryant, as treasurer**

Contributor	Amount	Date
Bradley J. Boland	$ 1,000	02/13/87
Robert J. Hubbard, Jr.	1,000	02/13/87
Charles H. Keating, III	1,000	02/13/87
Robert M. Wurzelbacher, Jr.	1,000	02/13/87
Andre A. Niebling	1,000	02/27/87
Judy Wischer	1,000	02/27/87
James J. Grogan	1,000	03/18/87
Robert J. Kielty	1,000	03/18/87
Maureen Mulhern	1,000	03/18/87
Terence Wilson	1,000	03/18/87
	$10,000	

(2). **John Kyl Re-Election Committee (formerly known as Jon Kyl for Congress Committee) and Clarence A. DeLong, as treasurer**

Contributor	Amount	Date
Robert J. Kielty	$ 800	08/22/86
John E. Brunst	750	08/22/86
Ray C. Fidel	750	08/22/86
James J. Grogan	750	08/22/86
Kathleen M. Hubbard	750	08/22/86
Robert J. Hubbard, Jr.	750	08/22/86
Charles H. Keating, III	750	08/22/86
Krista Keating	750	08/22/86
Charles H. Keating, Jr.	750	08/22/86
Elizabeth Kielty	750	08/22/86
Andrew Ligget	750	08/22/86
Michele Mencuccini	750	08/22/86
Andre A. Niebling	750	08/22/86
Helen Niebling	750	08/22/86
Robin Symes	750	08/22/86

13. This Office has also determined that individuals associated with Charles Keating have made additional contributions to other political committees. However, because those contributions did not seem to be part of a pattern, they are not included in this report nor listed in Attachment 1.

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Mark A. Voigt	750	08/22/86
Ellen Weiner	750	08/22/86
Sheldon K. Weiner	750	08/22/86
Timothy C. Westfall	750	08/22/86
Elizabeth Wurzelbacher	750	08/22/86
Robert M. Wurzelbacher	750	08/22/86
Bradley J. Boland	750	08/26/86
Elaine Boland	750	08/26/86
Mary A. Hall	750	08/26/86
Maureen Mulhern	750	08/26/86
Thomas D. Mulhern	750	08/26/86
Gary W. Hall	500	08/26/86
George Wischer	900	09/03/86
Judy Wischer	900	09/03/86
Mark S. Sauter	800	09/04/86
Donald R. Loback	1,000	08/19/87
Charles H. Keating, Jr.	1,000	09/16/87
Mary Keating	1,000	09/16/87
	$25,650	

(3). **Kolbe '88 and William H. Kelley, as treasurer**

Contributor	Amount	Date
Mary E. Keating	$1,000	10/16/84
Charles H. Keating, III	1,000	10/16/84
Charles H. Keating, Jr.	1,000	10/16/84
Donald B. Loback	1,000	10/16/84
Andre A. Niebling	1,000	10/16/84
George Wischer	1,000	10/16/84
Judy Wischer	1,000	10/16/84
Elizabeth Kielty	500	10/16/84
Sheldon K. Weiner	500	10/16/84
Elaine Boland	1,000	03/03/86
Bradley J. Boland	1,000	03/03/86
Kathleen M. Hubbard	1,000	03/03/86
Robert J. Hubbard, Jr.	1,000	03/03/86
Krista K. Keating	1,000	03/03/86
Mary E. Keating	1,000	03/03/86
Charles H. Keating, III	1,000	03/03/86
Charles H. Keating, Jr.	1,000	03/03/86
Robert J. Kielty	1,000	03/03/86
Michele C. Mencuccini	1,000	03/03/86
Maureen Mulhern	1,000	03/03/86
Mark A. Voigt	1,000	03/03/86
Judy Wischer	1,000	03/03/86

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William D. Hinz	1,000	02/02/88
Mary E. Keating	1,000	02/02/88
Charles H. Keating, III	1,000	02/02/88
Charles H. Keating, Jr.	1,000	02/02/88
	$25,000	

(4). **Chip Pashayan for Congress Committee (formerly known as Pashayan for Congress Committee) and Jay R. Weed, as treasurer**

Contributor	Amount	Date
Bradley J. Boland	$ 1,000	06/02/86
Mary A. Hall	1,000	06/02/86
Kathleen M. Hubbard	1,000	06/02/86
Robert J. Hubbard, Jr.	1,000	06/02/86
Mary E. Keating	1,000	06/02/86
Charles H. Keating, Jr.	1,000	06/02/86
Robert J. Kielty	1,000	06/02/86
Michele C. Mencuccini	1,000	06/02/86
Thomas D. Mulhern	1,000	06/02/86
Andre A. Niebling	1,000	06/02/86
George J. Wischer	1,000	06/02/86
Robert M. Wurzelbacher	1,000	06/02/86
Bradley J. Boland	1,000	08/14/86
Elaine Boland	1,000	08/14/86
Mary A. Hall	1,000	08/14/86
Kathleen M. Hubbard	1,000	08/14/86
Robert J. Hubbard, Jr.	1,000	08/14/86
Krista K. Keating	1,000	08/14/86
Michele C. Mencuccini	1,000	08/14/86
Thomas D. Mulhern	1,000	08/14/86
Gary W. Hall	1,000	08/15/86
Charles H. Keating, III	1,000	08/15/86
Robin S. Symes	1,000	08/15/86
Mark A. Voigt	1,000	08/15/86
Ray C. Fidel	1,000	08/16/86
Maureen T. Mulhern	1,000	08/17/86
	$26,000	

On November 16 and 20, 1989, the Pashayan Committee refunded all of these contributions.

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(5). Californians for Senator Pete Wilson and F. Laurence Scott, Jr., as treasurer

Contributor	Amount	Date
Gary W. Hall	$ 1,000	04/08/85
Mary Hall	1,000	04/08/85
Elaine Keating	1,000	04/08/85
Krista K. Keating	1,000	04/08/85
Mary E. Keating	1,000	04/08/85
Michele Mencuccini	1,000	04/08/85
Maureen Mulhern	1,000	04/08/85
Robin Symes	1,000	04/08/85
Mark A. Voigt	1,000	04/08/85
Sheldon K. Weiner	1,000	04/08/85
Kathleen R. Wade	500	04/08/85
Donald B. Loback	1,000	04/17/85
Andre A. Niebling	1,000	04/17/85
George J. Wischer	1,000	04/30/85
Judy E. Wischer	1,000	04/30/85
Charles H. Keating, III	1,000	08/08/85
Charles H. Keating, Jr.	1,000	08/08/85
	$16,500	

On December 20, 1989, the Wilson Committee refunded all of these contributions except for those from Robin Symes, George J. Wischer and Judy E. Wischer.

(6). Doug Barnard for Congress, Committee for Druie Douglas Barnard, Jr. and Nancy J. McJunkin, as treasurer

Contributor	Amount	Date
Bradley J. Boland	$ 1,000	07/28/86
Elaine Boland	1,000	07/28/86
Kathleen M. Hubbard	1,000	07/28/86
Robert Hubbard, Jr.	1,000	07/28/86
Krista K. Keating	1,000	07/28/86
Mary E. Keating	1,000	07/28/86
Charles H. Keating, III	1,000	07/28/86
Charles H. Keating, Jr.	1,000	07/28/86
Elizabeth A. Kielty	1,000	07/28/86
Robert J. Kielty	1,000	07/28/86
Michele C. Mencuccini	1,000	07/28/86
Maureen Mulhern	1,000	07/28/86
Andre A. Niebling	1,000	07/28/86
Mark S. Sauter	1,000	07/28/86

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Mark A. Voigt	1,000	07/28/86
Ellen Weiner	1,000	07/28/86
Sheldon K. Weiner	1,000	07/28/86
George J. Wischer	1,000	07/28/86
Judy E. Wischer	1,000	07/28/86
Thomas D. Mulhern	1,000	07/30/86
	$20,000	

(7). Hecht Re-Election Committee and Glen N. Mauldin, as treasurer

Contributor	Amount	Date
Robert Kipp	$ 1,000	09/30/88
George Wischer	1,000	10/06/88
Jack Atchison	1,000	10/18/88
Bruce Dickson	1,000	10/18/88
Kathi Fidel	1,000	10/18/88
James Grogan	1,000	10/18/88
Mary J. Grogan	1,000	10/18/88
Mary A. Hall	1,000	10/18/88
Kathleen M. Hubbard	1,000	10/18/88
Robert J. Hubbard, Jr.	1,000	10/18/88
Carol D. Kassick	1,000	10/18/88
Gregory J. Kassick	1,000	10/18/88
Krista K. Keating	1,000	10/18/88
Charles H. Keating, III	1,000	10/18/88
Elizabeth Kielty	1,000	10/18/88
Robert J. Kielty	1,000	10/18/88
Andrew Ligget	1,000	10/18/88
Michael Ligget	1,000	10/18/88
Michele C. Mencuccini	1,000	10/18/88
Maureen T. Mulhern	1,000	10/18/88
Thomas D. Mulhern	1,000	10/18/88
Larry Nelson	1,000	10/18/88
Mark G. Sauter	1,000	10/18/88
Elizabeth M. Stoll	1,000	10/18/88
Ronald M. Stoll	1,000	10/18/88
Barbara Symes	1,000	10/18/88
Robin Symes	1,000	10/18/88
Mark G. Voigt	1,000	10/18/88
Ellen Weiner	1,000	10/18/88
Sheldon Weiner	1,000	10/18/88
George J. Wischer	1,000	10/18/88
Judy E. Wischer	1,000	10/18/88
Robert Wurzelbacher, Jr.	1,000	10/18/88
Bradley Boland	1,000	10/24/88
Elaine Boland	1,000	10/24/88
Mary V. Novak	1,000	10/24/88

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Carol K. Sauder	1,000	10/24/88
Scott Siebels	1,000	10/24/88
	$38,000	

(8). **Republican National Committee - Contributions and William J. McManus, as treasurer**

Contributor	Amount	Date
Jack Atchison	$ 10,000	06/08/88
Robyn Atchison	10,000	06/08/88
James J. Grogan	10,000	06/08/88
Mary J. Grogan	10,000	06/08/88
Charles H. Keating	10,000	06/08/88
Elizabeth Kielty	10,000	06/08/88
Robert J. Kielty	10,000	06/08/88
George Wischer	10,000	06/08/88
Judy Wischer	10,000	06/08/88
Mary E. Keating	10,000	06/09/88
Daniele Bodini	500	09/02/88
	$100,500	

(9). **Hatch Election Committee and Stanley R. DeWaal, as treasurer**

Contributor	Amount	Date
Anaki L. Anau	$ 500	04/09/88
David E. Stevens	500	04/09/88
Corey Edens	1,000	04/09/88
Kathleen M. Hubbard	2,000	04/09/88
Robert J. Hubbard, Jr.	2,000	04/09/88
Mary E. Keating	2,000	04/09/88
Charles H. Keating, Jr.	2,000	04/09/88
	$10,000	

(10). **National Action Committee (FKA Dave Evans for Congress Committee) and Dave Evans, as treasurer**

Contributor	Amount	Date
Charles Keating	$ 1,000	03/03/87
Mary Keating	1,000	03/03/87
Elizabeth Kielty	1,000	03/03/87
Robert Kielty	1,000	03/03/87
Terence Wilson	1,000	03/03/87
George Wischer	1,000	03/03/87
Judy Wischer	1,000	03/03/87

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Charles Keating	5,000	03/11/88
Mary Keating	5,000	03/11/88
	$17,000	

(11). **The Armstrong Committee, Inc. and Thomas E. Rodriguez, as treasurer**

Contributor	Amount	Date
Charles H. Keating, Jr.	$ 1,000	04/20/84
Mary E. Keating	1,000	04/20/84
Elizabeth A. Kielty	1,000	04/20/84
Robert J. Kielty	1,000	04/20/84
Andre A. Niebling	1,000	04/20/84
Kathleen Wade	1,000	04/20/84
George Wischer	1,000	04/20/84
Judy E. Wischer	1,000	04/20/84
Elizabeth Wurzelbacher	1,000	04/20/84
Robert M. Wurzelbacher	1,000	04/20/84
	$10,000	

(12). **Citizens for Jack Kemp and Malcolm K. Buckley, as treasurer**

Contributor	Amount	Date
Gary W. Hall	$ 1,000	11/13/85
Kathleen M. Hubbard	1,000	11/13/85
Mary A. Hall	1,000	11/13/85
Mary E. Keating	1,000	11/13/85
Robert J. Kielty	1,000	11/13/85
Charles H. Keating, Jr.	1,000	11/13/85
Robert J. Hubbard, Jr.	1,000	11/13/85
Judy E. Wischer	1,000	11/13/85
	$ 8,000	

(13). **Committee to Re-Elect United States Senator Paula Hawkins and Genean McKinnon, as treasurer**

Contributor	Amount	Date
Bradley J. Boland[14]	$ 2,000	07/25/86
Charles H. Keating, III	2,000	07/25/86

14. Reports of the Hawkins Committee identify a Bradley J. Ballard as having made these contributions. However, the address for the individual is the same for Bradley J. Boland which appears on other reports filed with the Commission.

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Krista K. Keating	2,000	07/25/86
George J. Wischer	2,000	07/25/86
Judy Wischer	2,000	07/25/86
Charles H. Keating, Jr.	2,000	07/25/86
Mary E. Keating	2,000	07/25/86
Robert J. Hubbard, Jr.	2,000	07/25/86
Kathleen M. Hubbard	2,000	07/25/86
Maureen T. Mulhern	2,000	07/25/86
Thomas D. Mulhern	2,000	07/25/86
Elizabeth A. Wurzelbacher	2,000	07/25/86
Robert M. Wurzelbacher	2,000	07/25/86
Elaine Boland	2,000	07/25/86
	$28,000	

(14). Friends of Mattingly and Donald P. Gammon, as treasurer

Contributor	Amount	Date
Charles H. Keating, Jr.	$ 1,000	04/04/86
Charles H. Keating, III	1,000	04/04/86
Mary E. Keating	1,000	04/04/86
Krista K. Keating	1,000	04/04/86
Judy E. Wischer	1,000	04/04/86
	$ 5,000	

D. Application of the Law to the Facts

1. Merger

The three complaints each involve contributions to various committees by Charles Keating and/or ACC. In fact, the complaint filed by the Ohio Republican Party reiterates allegations made in the Common Cause letter attached to Senator McCain's complaint. Likewise, the committee named in Dr. Wrzesinski's complaint is one of those which this Office identified through its research of contributions made by Charles Keating and others. Because the complaints in all three matters are thus inexorably intertwined, this Office recommends that the matters be merged.

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2. Corporate Involvement in Contributions

Commission records show numerous instances where employees of ACC and their family members each contributed like amounts on certain dates to the same committee. The total of all contributions reported and detailed in this report is $605,900.[15] Given the number of committees involved here and the scope of contributions by ACC employees, it appears that such contributions were not coincidental, but may have been the result of corporate involvement by ACC as discussed in the complaints and newspaper articles mentioned previously. Such involvement may have taken the form of collecting legitimate contributions from employees and then forwarding them on to various committees, or, as has been suggested, may have involved the channeling of corporate funds through employees in the guise of legitimate contributions.

As note above, the Common Cause letter attached to the McCain complaint quotes Senator DeConcini as stating that he personally reimbursed all contributors associated with Charles Keating because, in Senator DeConcini's view, the RTC lawsuit "'raises the serious possibility that money from Lincoln Savings may have been illegally funneled into a number of political campaigns.'" Id. at 13. More directly, several news stories have raised the suggestion that the monies donated by Charles Keating, his family members and business associates actually

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15. This amount represents only those monies contributed to the various candidate committees, as detailed above. It does not include corporate money given by ACC to the various voter registration groups or to Senator Glenn's policy committee.

comprised corporate funds which were given to these individuals for the purpose of making contributions, possibly in the form of high salaries. See Attachments 23 and 24.

In several prior situations, the Commission has determined that if salaries are augmented in order to allow the individual receiving the salary to make contributions, those contributions would be considered to come from the corporation, and would justify findings of violations of 2 U.S.C. §§ 441b(a) and 441f. See Advisory Opinion 1986-41; see also MUR 2981, In the Matter of Unisys Corporation (compensation to consultants).

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These concerns are raised not only in the Common Cause article and various newspaper articles, but also in the reports on file with the Commission, which detail the contribution patterns of Charles Keating, his family members, and his employees.

Even if the evidence does not support findings that contributions were made in the names of others, the prohibition against corporate contributions is still implicated if there was excessive corporate involvement in the raising of contributions. Such involvement may take the form of aiding in the collection and delivery of contributions by its employees and being instrumental in having the employees make the actual contributions, see MUR 1690, In the Matter of Congoleum Corporation, or by hosting a fundraiser and soliciting

contributions in connection with that fundraiser. See MUR 1690, In the Matter of Donaldson, Lufkin & Jenrette, Inc.[16]

In prohibiting corporate contributions and expenditures, the Act imposes liability on both the corporate officers and on the corporation itself. See 2 U.S.C. § 441b(a). The Act reflects the fact that a corporation can only act through its officers and other agents and that these actions can be imputed to the corporation itself. The Commission therefore has also made findings against corporate officials. See MUR 2575.

While it is too early to conclusively determine at this time, the activity here may have involved both contributions in the name of another and excessive corporate involvement in fundraising. Because the contributions would constitute corporate contributions by ACC under either scenario, this Office recommends that the Commission find reason to believe that American Continental Corporation and Charles H. Keating, Jr., as president, violated 2 U.S.C. § 441b(a) by making, and

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16. This Office is aware of only one instance in the present matter where contributions were received at a fundraiser, that of the Riegle Committee, which was held in March 1987 at a Keating-owned hotel in Detroit.
It is unknown at this time to what extent ACC was involved coordinating this fundraiser, but this Office notes the location of the event and that contributions were first delivered on March 11, 1987 and subsequently delivered as late as March 24, 1987. This Office further notes that the individuals who apparently attended this fundraiser in Detroit were exclusively members of Charles Keating's family or associated with one of his companies. These individuals do not live in or around Detroit, with the exception of one or two people, but rather live in Arizona and California near ACC or Lincoln headquarters. Thus it appears that ACC may have been intimately involved in organizing and conducting this fundraiser, and perhaps even securing the attendance of ACC employees.

consenting to, these corporate contributions.[17] Moreover, since there is some indication that contributions were made in the names of others, this Office further recommends that the Commission find reason to believe that American Continental Corporation and Charles H. Keating, Jr., as president, violated 2 U.S.C. § 441f.[18]

The complainant in MUR 3068 has specifically alleged that Charles H. Keating, Jr. made contributions in excess of $25,000 in a calendar year, in violation of 2 U.S.C. § 441a(a)(3). This Office has discovered no evidence that Mr. Keating exceeded this limit. At most, Commission's records showing that Charles H. Keating, Jr. made contributions totalling $22,500 in 1988.[19] Accordingly, this Office recommends that the Commission find no reason to believe that Charles H. Keating, Jr. violated 2 U.S.C. § 441a(a)(3).

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17. As the relative positions of the individual respondents within the corporate structure of ACC becomes known, this Office may make additional recommendations that other corporate officials violated 2 U.S.C. § 441b(a) as well.

18. Given the uncertain status of the Lincoln Savings and Loan Association, this Office is making no recommendation regarding that entity at this time. This Office believes that recommendations against ACC, as the parent company for the various corporations which employed the individuals mentioned in this report, are sufficient to address all violations, at least at this stage.

19. This amount includes $4,500 which was actually contributed in 1987, but which would be considered to have been made in calendar year 1988 because these contributions were made to a candidate with respect to an election to be held in 1988 See 2 U.S.C. § 441(a)(3). This amount also includes all contributions reported as having been made by Charles H. Keating (without any suffix), even though this may refer to Charles H. Keating, III.

This Office further recommends that the Commission find reason to believe that the Keating/ACC connected individuals who made contributions to those committees violated 2 U.S.C. § 441f by knowingly allowing their names to be used to make contributions by another.

Each of the political committee respondents has provided a response stating or implying that it believed that the contributions were proper at the time they were received, and there is no evidence contradicting those assertions at this time. Accordingly, this Office makes no recommendations at this time against any of the committees or the five U.S. Senators regarding knowing acceptance of corporate contributions made in the names of others. In the event that contrary information surfaces during the Commission's investigation, however, this Office will make appropriate recommendations.

3. Get-Out-The-Vote Organizations

The Act recognizes that corporate money may be beneficial to the electoral process when it is used in a non-partisan fashion to encourage and enable people to vote. Accordingly, the Act permits corporations to donate without limit funds to be used for nonpartisan registration drives to State or local agencies responsible for the administration of elections and to nonprofit organizations which are exempt from taxation under 26 U.S.C. § 501(c)(3) or (4) and which do not support, endorse or oppose candidates or political parties. See 11 C.F.R. § 114.4(c)(2). Organizations cannot be exempt from taxation if they participate in, or intervene in, any political campaign on

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behalf of or in opposition to any candidate for public office. See 26 U.S.C. § 501(c)(3).

Here, all three voter registration organizations involved, USA Votes, Forum Institute, and the Center for Participation in Democracy, are exempt from taxation under 26 U.S.C. § 501(c)(3). However, as noted above, individuals who have worked for the Center for Participation in Democracy have made statements indicating that that organization may be conducting its business in a partisan manner. If the Center for Participation in Democracy did conduct its get-out-the-vote activities in a partisan manner, then costs incurred in this effort and monies donated to aid in this effort would constitute expenditures and contributions under the Act, and it clearly would have exceeded the thresholds for political committee status. As a result, the Center for Partcipation in Democracy would be forbidden from accepting corporate contributions. This Office therefore recommends that the Commission find reason to believe that the Center for Participation in Democracy violated 2 U.S.C. §§ 433 and 434 by failing to register as a political committee and report receipts and disbursements, and violated 2 U.S.C. § 441b(a) by accepting corporate contributions. This Office has no evidence that either USA Votes or the Forum Institute conducts itself in a partisan manner, and there were no suggestions that those organizations were partisan, other that the insinuation that they must be partisan since Senator Cranston was somehow involved with them. Accordingly, this Office recommends that the Commission find no reason to believe

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that Robert J. Stein and New Dimension Resources, Inc. or the Forum Institute violated any section of the Act.

4. Glenn Committees

The responses of the various Glenn-related committees to the complaints admit certain violations of the Act.

First, the committees admit that certain individuals who worked for the Policy Committee devoted a portion of their time to raising funds for the Presidential Committee. This occurred at some time prior to October 1987. The Presidential Committee subsequently reimbursed the Policy Committee $3,079 on May 31, 1988 for this activity.

The committees further admit that the Policy Committee paid the entire rental cost and all telephone charges for the offices occupied by all three organizations from its non-federal account for the year 1987, and that this amounted to benefits of $6,939.88 each to the Presidential Committee and the Senatorial Committee. Similarly, checks drawn on an Policy Committee non-federal account were used to pay certain expenses when the organizations changed locations in May 1988. This amounted to benefits of $938.77 each to the Presidential Committee and the Senatorial Committee. These amounts were reimbursed on May 31, 1988.

Additionally, the Policy Committee mistakenly paid $10,657.04 to a credit card account of the Senatorial Committee in 1983, and the Senatorial Committee initially erroneously reimbursed the Presidential Committee. This amount was later reimbursed to the Policy Committee pursuant to a Commission

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order in connection with the final audit report for the Presidential Committee. Similarly, a review of other credit card payments on a Policy Committee account resulted in all but $4,806.07, which had been charged in 1985 and 1986, being accounted for. The Senatorial Committee also reimbursed this amount to the Policy Committee on May 31, 1988.

Finally, the parties state that in early 1986, the Policy Committee paid $9,500 to the Presidential Committee in anticipation of renting a mailing list for the purpose of a direct mail solicitation. The direct mail campaign never occurred, and the money was refunded by the Presidential Committee to the Policy Committee on May 31, 1988.

According to the committees, reimbursements to the Policy Committee by the Senatorial Committee total $23,341.76. Reimbursements to the Policy Committee by the Presidential Committee total $31,164.69.[20] Of these amounts, $12,684.72 by the Senatorial Committee and $20,507.65 by the Presidential Committee have not been the subject of prior enforcement action by the Commission. The initial payments by the Policy Committee to the Presidential Committee and the Senatorial Committee came from the Policy Committee's non-federal account. While all repayments occurred on May 31, 1988, some of the activities for

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20. These amounts each include the $10,657.04 which was first improperly paid by the Policy Committee to the Senatorial Committee, improperly reimbursed by the Senatorial Committee to the Presidential Committee, and then reimbursed by the Presidential Committee to the Policy Committee.

which repayment was required occurred as long as five years prior to the repayment date.

In prior matters, the Commission has found reason to believe that 2 U.S.C. § 441b(a) has been violated when a non-federal account transfers, and a politcal committee accepts, funds which contained corporate money. See MUR 2535, In the Matter of Treen for Congress Committee. These respondents contend that the Commission's regulations at 11 C.F.R. § 103.3(b) regarding examination of contributions do not apply to this case, but that the considerations inherent in those regulations nevertheless should.[21] Viewing their activity in this context, Respondents argue that the Commission should not take any action with regard to the violations that have occurred, which they regard as mere "technical non-compliance." Attachment 12 at 11-12.

This Office disagrees with these respondents in that this Office believes that 11 C.F.R. § 103.3(b) does in fact apply here, as the expenditures by the Policy Committee on behalf of the Presidential Committee and the Senatorial Committee constitute contributions, since those funds were distributions,

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21. The regulations do not apply, they argue, because the transfer of funds from the Policy Committee to the other committees were not contributions.

Specifically, where there is a genuine question as to whether a contribution has been made by a corporation, the regulations require the treasurer of a committee to request a statement from the contributor as to why the contribution is legal. In the absence of evidence demonstrating that the contribution is legal, the contribution must be returned within 30 days of its receipt.

loans, advances or things of value in connection with federal elections. See 2 U.S.C. § 441b(b)(2).

This Office also does not believe Respondents adequately "examined" the contributions here to avoid liability for accepting illegal contributions.[22] Respondents clearly should have been aware of the activity by the other committees which resulted in the violations, but apparently either did not recognize the legal implications or took no steps to correct the situation. This Office first notes that the three committees in question are all interrelated; they each were created to advance the various causes of Senator Glenn.[23] The three committees have had a common treasurer in William R. White over the years. Mr. White's status as treasurer ran concurrently for a period at the Policy Committee and the Presidential Committee, and at the

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22. Of course, even if these regulations did offer some protections, none would be available to the Policy Committee, the organization which made the illegal contributions.

23. This interrelationship raises the question of affiliation among the three committees. This question was first raised in a memorandum to the Commission from the Audit Division dated March 11, 1987. The Audit Division had concluded, inter alia, that debts and obligations asserted to be owed by the committees to each other suggested possible affiliation of the organizations, and recommended that this matter be referrred to this Office. On March 22, 1988, the Commission decided not to refer this matter to this Office, relying in part on Advisory Opinion 1987-4. In that advisory opinion, the Commission determined that those portions of the Act and the regulations which governed transfers between affiliated committees did not bar a transfer from the Senatorial Committee to the Presidential Committee.

Additionally, although the Commission has never stated that a principal campaign committee and a multicandidate committee cannot be affiliated, the practice is to apply the contribution limits of 2 U.S.C. § 441a to transactions between such organizations. See, e.g., MUR 2161, In the Matter of Antonovich. Of course, such contributions are subject to the prohibitions of the Act, and must be composed of permissible funds.

Senatorial Committee and the Presidential Committee. Many of the contributions involved payments of the Policy Committee of rent or credit card bills rightfully owed by the other two committees. This Office does not believe that the other two committees could have reasonably not noticed that they did not pay these debts. Given the close relationships between the committees, this Office also does not believe that the discovery in April 1988 of certain violations, in some instances five years after the violation occurred, satisfies the regulatory requirement that committee treasurers prevent impermissible contributions from occurring.[24]

Accordingly, this Office recommends that the Commission find reason to believe that the National Council for Public Policy violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a) by making contributions from its non-federal account which contained corporate funds, and that the John Glenn Presidential Committee Inc. and Michael Petro, as treasurer, and the Senator John Glenn Committee and William J. Brown, as treasurer, each violated 2 U.S.C. § 441b(a) by accepting these corporate funds.

III. PROPOSED DISCOVERY

Numerous federal and state law enforcement agencies, including the Senate Ethics Committee, are already conducting investigations into the activities of Charles Keating. The

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24. This Office also notes that the continued acceptance of corporate funds over several years is not "technical non-compliance that is not harmful to anyone," as these respondents claim.

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records of Keating, American Continental Corporation and other related corporations have already been subpoenaed by these agencies. Furthermore, ACC has gone into bankruptcy and Lincoln has been taken over by the Resolution Trust Corporation, thereby further complicating matters. In addition, Mr. Keating has been indicted in state court in California for some of his financial dealings.

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Finally, this Office recommends that the Commission approve the attached Factual and Legal Analyses, (collectively Attachment 41), as well as the appropriate letters.[25]

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25. Distinct factual and legal analyses have been drafted for Charles H. Keating, Jr., American Continental Corporation, the Center for Participation in Democracy, the National Council on Public Policy, the Senator John Glenn Committee and the John Glenn Presidential Committee. A sample factual and legal analysis has been drafted for the 94 other individuals.

IV. RECOMMENDATIONS

1. Merge MURs 2999 and 3068 with MUR 3121.

2. Find reason to believe that Charles H. Keating, Jr. violated 2 U.S.C. §§ 441b(a) and 441f.

3. Find reason to believe that American Continental Corporation violated 2 U.S.C. §§ 441b(a) and 441f.

4. Find reason to believe that the following individuals each violated 2 U.S.C. § 441f: Anaki L. Anau, Eva Anau, Jack Atchison, Daniele Bodini, Bradley Boland, Elaine Boland, Lynn Borushko, John Brunst, Jeff Carlson, Chris Chambers, Julie Collins, James Connor, Donald W. Crocker, Gary Crow, Larry Dannenfeldt, Bruce F. Dickson, Rebecca H. Dickson, Donald Donnelly, Randy Ecklund, Corey Edens, Brenda Elmer, Jeffrey Erhart, James Farney, Kathi Fidel, Ray Fidel, James Grogan, Mary J. Grogan, Gary W. Hall, Mary A. Hall, Mary Hinz, William Hinz, Thomas Hott, James Hubbard, Kathleen Hubbard, Robert Hubbard, Jr., Randal Hyatt, Benno Jurgemeyer, Deborah Karbo, Carol D. Kassick, Gregory J. Kassick, Mary E. Keating, Krista K. Keating, Charles H. Keating, III, Elizabeth Kielty, Robert Kielty, Robert Kipp, Sandra Klotz, Timothy Kruckeberg, Leroy Liebermann, Andrew Ligget, Michael Ligget, Carol B. Loback, Donald B. Loback, Michele C. Mencuccini, Maureen Mulhern, Robert Mulhern, Thomas Mulhern, Michael S. Murray, Timothy Murray, Larry Nelson, Andre Niebling, Helen Niebling, Edward Novak, Mary V. Novak, Everett L. Pfeiff, Mrs. Everett L. Pfeiff, Michael Ripson, Carol K. Sauder, Mark Sauter, Barbara Schmidt, Scott Siebels, Ronald Sova, David Stevens, Elizabeth M. Stoll, Ronald Stoll, Barbara Symes, Robin Symes, David Thompson, Helen Thompson, James Upchurch, Allen Van Loo, Mark Voigt, Kathleen Wade, Robert J. Wade, Ellen R. Weiner, Sheldon Weiner, Timothy Westfall, George Wischer, Judy Wischer, Terence Wilson, Elizabeth Wurzelbacher, and Robert Wurzelbacher.

5. Find no reason to believe that Charles H. Keating, Jr. violated of 2 U.S.C. § 441a(a)(3).

6. Find no reason to believe that Robert J. Stein and New Dimension Resources, Inc. violated the Act.

7. Find no reason to believe that the Forum Institute violated the Act.

8. Find reason to believe that the Center for Participation in Democracy violated 2 U.S.C. §§ 433, 434 and 441b(a).

9. Find reason to believe that the National Council for Public Policy violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a).

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10. Find reason to believe that the John Glenn Presidential Committee Inc. and Michael Petro, as treasurer, violated 2 U.S.C. § 441b(a).

11. Find reason to believe that the Senator John Glenn Committee and William J. Brown, as treasurer, violated 2 U.S.C. § 441b(a).

12. Approve the appropriate letters, the attached Factual and Legal Analyses, and the attached sample subpoenas.

1/29/91
Date

Lawrence M. Noble
General Counsel

Attachments:
1. List of Individual Respondents
2. McCain Complaint
3. Wrzesinski Complaint
4. Ohio GOP Compliant
5. Keating Response
6. ACC Response
7. Lincoln Response
8. McCain Response
9. DeConcini Response
10. Riegle Response
11. Presidential Committee/ Senatorial Committee Response
12. Policy Committee Response
13. Cranston Response
14. Stein/New Dimension Resources, Inc. Response
15. Forum Institute Response
16. Center for Participation in Democracy Response
17. Rhodes Response
18. ACC Organizational Chart
19. December 2, 1990 Baltimore Sun article
20. December 26, 1989 Washington Post article
21. August 24, 1990 Washington Post article
22. November 14, 1989 AP Report
23. October 26, 1989 Los Angeles Times article
24. November 9, 1989 New York Times article
25. September 19, 1990 Los Angeles Times article

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26. Securities and Exchange Commission communication
27. Contribution-related documents from ACC
28. May 30, 1989 Los Angeles Times article
29. November 1989 Washington Post article
30. September 20, 1989 Los Angeles Times article
31. August 6, 1989 Cleveland Plain Dealer article
32. June 14, 1988 Los Angeles Times article
33. August 11, 1989 San Francisco Chronicle article
34. August 20, 1989 Los Angeles Times article
35. October 22, 1989 Los Angeles Times article
36. Proposed subpoena and order for Charles H. Keating, Jr.
37. Proposed subpoena and order for American Continental Corporation
38. Proposed subpoena and order for Lincoln Savings and Loan Association
39. Proposed subpoena and order for the individual respondents
40. Proposed subpoena and order for the Center for Participation in Democracy
41. Factual and Legal Analyses

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MURs 2999,
Charles H. Keating, Jr.;	)	3068 and
American Continental Corporation;	)	3121
Lincoln Savings and Loan Association;	)	
Senator Alan Cranston;	)	
Cranston for Senate '92, Inc. and Solomon M. Kamm, as treasurer;	)	
Center for Participation in Democracy;	)	
Forum Institute;	)	
New Dimension Resources, Inc.;	)	
Robert J. Stein;	)	
Senator Dennis DeConcini;	)	
Dennis DeConcini Re-Election Committee and Tom Karlsen, as treasurer;	)	
DeConcini '88 Committee and Michael D. Hawkins, as treasurer;	)	
DeConcini '88 Committee and Michael D. Hawkins, as treasurer;	)	
Senator John Glenn;	)	
John Glenn Presidential Committee Inc. and Michael Petro, as treasurer;	)	
Senator John Glenn Committee and William J. Brown, as treasurer;	)	
National Council on Public Policy and William R. White, as treasurer;	)	
Senator John McCain;	)	
McCain for Congress Committee and Eveline Hyde, as treasurer;	)	
McCain Re-Election Committee and Thomas R. Holtrup, as treasurer;	)	
John McCain for Senate and Timothy Baughman, as treasurer;	)	
Senator Donald W. Riegle, Jr.;	)	
Riegle for Senate Committee and William C. Shedd, as treasurer;	)	
Rhodes for Congress Committee and Kent H. Mulkey, as treasurer;	)	
Ninety-Four Other Individuals listed in Attachment 1 of the FEC General Counsel's Report signed January 29, 1991 including Mary E. Keating, Krista K. Keating, and Charles H. Keating, III.	)	

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CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on February 12, 1991, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions with respect to the above-captioned matters:

1. Merge MURs 2999 and 3068 with 3121.

2. Find reason to believe that Charles H. Keating, Jr. violated 2 U.S.C. §§ 441b(a) and 441f.

3. Find reason to believe that American Continental Corporation violated 2 U.S.C. §§ 441b(a) and 441f.

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4. Find reason to believe that the following individuals each violated 2 U.S.C. §441f: Anaki L. Anau, Eva Anau, Jack Atchison, Daniele Bodini, Bradley Boland, Elaine Boland, Lynn Borushko, John Brunst, Jeff Carlson, Chris Chambers, Julie Collins, James Connor, Donald W. Crocker, Gary Crow, Larry Dannenfeldt, Bruce F. Dickson, Rebecca H. Dickson, Donald Donnelly, Randy Ecklund, Corey Edens, Brenda Elmer, Jeffrey Erhart, James Farney, Kathi Fidel, Ray Fidel, James Grogan, Mary J. Grogan, Gary W. Hall, Mary A. Hall, Mary Hinz, William Hinz, Thomas Hott, James Hubbard, Kathleen Hubbard, Robert Hubbard, Jr., Randal Hyatt, Benno Jurgemeyer, Deborah Karbo, Carol D. Kassick, Gregory J. Kasssick, Mary E. Keating, Krista K. Keating, Charles H. Keating, III, Elizabeth Kielty, Robert Kielty, Robert Kipp, Sandra Klotz, Timothy Kruckeberg, Leroy Liebermann, Andrew Ligget, Michael Ligget, Carol B. Loback, Donald B. Loback, Michele C. Mencuccini, Maureen Mulhern, Robert Mulhern, Thomas Mulhern, Michael S. Murray, Timothy Murray, Larry Nelson, Andre Niebling, Helen Niebling, Edward Novak, Mary V. Novak, Everet L. Pfeiff, Mrs. Everett L. Pfeiff, Michael Ripson, Carol K. Sauder, Mark Sauter, Barbara Schmidt, Scott Siebels, Ronald Sova, David Stevens, Elizabeth M. Stoll, Ronald Stoll, Barbara Symes, Robin Symes, David Thompson, Helen Thompson, James Upchurch, Allen Van Loo, Mark Voigt, Katlhleen Wade, Robert J. Wade, Ellen R. Weiner, Sheldon Weiner, Timothy Westfall, George Wischer, Judy Wischer, Terence Wilson, Elizabeth Wurzelbacher, and Robert Wurzelbacher.

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5. Take no action at this time with respect to the General Counsel's recommendation to find no reason to believe that Charles H. Keating, Jr. violated 2 U.S.C. § 441a (a)(3).

6. Take no action at this time with respect to the General Counsel's recommendation to find no reason to believe that Robert J. Stein and New Dimension Resources, Inc. violated the Act.

7. Take no action at this time with respect to the General Counsel's recommendation to find no reason to believe that the Forum Institute violated the Act.

8. Find reason to believe that the Center for Participation in Democracy violated 2 U.S.C. §§ 433, 434 and 441b(a).

9. Find reason to believe that the National Council for Public Policy violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a).

10. Find reason to believe that the John Glenn Presidential Committee Inc. and Michael Petro, as treasurer, violated 2 U.S.C. § 441b(a).

11. Find reason to believe that the Senator John Glenn Committee and William J. Brown, as treasurer, violated 2 U.S.C. § 441b(a).

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12. Approve the appropriate letters, the Factual and Legal Analyses, and the subpoenas as recommended in the General Counsel's report signed January 29, 1991.

Commissioners Aikens, Elliott, McDonald, McGarry, and Thomas voted affirmatively for the decision; Commissioner Josefiak was not present.

Attest:

2-14-91
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Helen Niebling
6000 Berneil Lane
Paradise Valley, AZ 85253

RE: MUR 3121
Helen Niebling

Dear Mrs. Niebling:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Helen Niebling

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1983 to present (the "relevant period").

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

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QUESTIONS AND DOCUMENT REQUESTS

1. State your full name, address, phone number and current employer.

2. List your occupation(s) and employer(s) during the relevant period. Describe your position(s) with each employer.

3. Describe your relationship, if any, to Charles Keating, Jr. and American Continental Corporation ("ACC") and all of its subsidiaries and associated companies, including Lincoln Savings & Loan Association ("Lincoln"), during the relevant period.

4. For each bonus or other compensation in addition to your salary which you received, provide the following information:

   a. the amount of such bonus or other compensation;
   b. the justification for such bonus or other compensation;
   c. date of receipt of such bonus or other compensation.

5. Identify each federal political contribution and expenditure you made during the relevant period by date, amount and recipient. For each contribution:

   a. State whether the contribution was made by check or other written instrument. If so, provide a copy (both sides) of the check or other written or instrument.

   b. Describe the circumstances under which each contribution was made. If a contribution was made as the result of a solicitation, describe the circumstances surrounding each solicitation, including the identity of the person(s) who made such solicitation and when and where it occurred. If any such solicitation was written, provide a copy of it.

   c. State whether any contribution was made at the direction or suggestion of any person, including Charles Keating, Jr. or any person associated with him, ACC,

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Lincoln or any other company associated with Charles Keating. If so, identify such person and describe the circumstances.

d. State whether any contribution was made in connection with a particular fundraising event. If so, state when and where the event was held and whether or not you attended. Identify who sponsored the event and on whose behalf the event was held. If you did attend the event, identify any persons who also attended. Identify any person(s) who provided you with transportation to and from the event.

e. State whether you received an advance, bonus, payment or other compensation or reimbursement in connection with any contribution. If so, identify the person or entity who provided the reimbursement or compensation and the date it was provided.

6. In addition to the documents produced in response to Questions 5a and b, produce all documents relating or in any way pertaining to each federal political contribution you identified in Question 5, including check registers, bank statements, correspondence and notes.

7. Identify any federal contribution made by others which you facilitated, arranged, solicited or delivered to any federal candidate or committee during the relevant period.

8. Provide all documents relating to any federal contributions made by others which you arranged, solicited or delivered to any federal candidate or committee during the relevant period.

9. Provide copies of all documents, including correspondence, notes, memos and phone messages relating to any communication with a federal political committee to which you made a contribution during the relevant period.

10. Identify any person other than counsel who provided information, or was consulted or assisted in any way in the preparation of answers to these questions and document requests.

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Helen Niebling **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Helen Niebling made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
John Glenn Presidential Committee, Inc.	24-JUL-1984	$500
Cranston for Senate Committee 1986	09-APR-1985	$1,000
DeConcini '88 Committee	15-AUG-1985	$1,000
Cranston for Senate Committee 1986	06-AUG-1986	$1,000
John Kyl for Congress Committee	22-AUG-1986	$750
Rhodes for Congress Committee	28-AUG-1986	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore,

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there is reason to believe Helen Niebling violated 2 U.S.C. § 441f.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Andre Niebling

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Andre Niebling
6000 Berneil Lane
Paradise Valley, AZ 85253

RE: MUR 3121
Andre Niebling

Dear Mr. Niebling:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Andre Niebling **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Andre Niebling made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
The Armstrong Committee, Inc.	20-APR-1984	$1,000
John Glenn Presidential Committee, Inc.	24-JUL-1984	$500
Kolbe '84	16-OCT-1984	$1,000
Cranston for Senate Committee 1986	09-APR-1985	$1,000
Californians for Senator Pete Wilson	17-APR-1985	$1,000
DeConcini '88 Committee	15-AUG-1985	$1,000
John McCain for Senate Committee	17-MAR-1986	$2,000
Chip Pashayan for Congress Committee	02-JUN-1986	$1,000
Doug Barnard for Congress	28-JUL-1986	$1,000
Cranston for Senate Committee 1986	05-AUG-1986	$1,000
John Kyl for Congress Committee	22-AUG-1986	$750
Rhodes for Congress Committee	28-AUG-1986	$1,000
Committee for Tim Wirth, Inc.	27-FEB-1987	$1,000
Riegle for Senate in '88 Committee	12-MAR-1987	$2,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these

contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Andre Niebling violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Larry Nelson
5443 East Kings Avenue
Scottsdale, AZ 85254

RE: MUR 3121
Larry Nelson

Dear Mr. Nelson:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entertained 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Larry Nelson

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Larry Nelson **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Larry Nelson made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	12-MAR-1987	$1,000
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Larry Nelson violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Michael Murray
6552 North Maryland Circle
Phoenix, AZ 85013

RE: MUR 3121
Michael Murray

Dear Mr. Murray:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entertained 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
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)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Michael Murray

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th. day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Michael Murray **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Michael Murray made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	18-MAR-1987	$2,000

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Michael Murray violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Brenda Elmer
729 West Collidge, #215
Phoenix, AZ 85013

RE: MUR 3121
Brenda Elmer

Dear Ms. Elmer:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
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) MUR 3121
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SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Brenda Elmer

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354037 3

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Brenda Elmer **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Brenda Elmer made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	12-MAR-1987	$500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Brenda Elmer violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Donald O. Clark, Esq.
Kaplan, Russin & Vecchi
1215 17th Street, N.W.
Washington, D.C. 20036

RE: MUR 3121
National Council for Public Policy and William R. White, as treasurer

Dear Mr. Clark:

On November 6, 1989 and September 6, 1990, the Federal Election Commission notified your clients, the National Council for Public Policy ("Committee") and William R. White, as treasurer, of complaints alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). Copies of the complaints were enclosed with those notifications.

Upon further review of the allegations contained in the complaints, and information supplied by your clients and others, the Commission, on February 12, 1991, found that there is reason to believe your clients violated 2 U.S.C. § 441b(a), a provision of the Act, and 11 C.F.R. § 102.5(a), 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 your clients. 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 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 your clients, 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.

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§ 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission 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.

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

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: National Council on Public Policy and William R. White, as treasurer

MUR: 3121

Pursuant to 2 U.S.C. § 441b(a), it is unlawful for any corporation to make, and any political committee to accept, a contribution or expenditure in connection with any Federal election. The term "contribution or expenditure" includes any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value to any candidate or campaign committee in connection with any election to Federal office. 2 U.S.C. § 441b(b)(2). In prior matters, the Commission has found reason to believe that Section 441b(a) has been violated when a political committee accepts funds from a non-federal account which contained corporate money. See MUR 2535, In the Matter of Treen for Congress Committee. Pursuant to 11 C.F.R. § 102.5(a), no committee shall transfer funds from its non-federal account to a federal account.

The John Glenn Presidential Committee (the "Presidential Committee") was organized in 1983 as the principal campaign committee for Senator John Glenn's 1984 presidential campaign. The Senator John Glenn Committee (the "Senatorial Committee") is the successor to Senator Glenn's principal campaign committee in the 1974 senatorial election, and has remained in existence as Senator Glenn's principal campaign committee for subsequent

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re-election campaigns. The National Council on Public Policy (the "Policy Committee") was a multi-candidate political committee which was terminated on May 31, 1988. Senator Glenn was the principal spokesman of the Policy Committee, which maintained both federal and non-federal accounts, and expenses he incurred in his role as spokesman for the Policy Committee were paid for by that committee. The Policy Committee voluntarily terminated in October 1988.

An article appearing in the August 6, 1989 issue of the Cleveland Plain Dealer states that the Policy Committee received corporate donations totalling $200,000 from American Continental Corporation ("ACC"). The article further states that the Policy Committee segregated this money from reported contributions that could be used on federal campaigns by putting it in a separate bank account, and that this money was used to pay the expenses and salaries of Glenn's operatives at the Policy Committee.

The committees concede that ACC provided two contributions of $100,000 to the non-federal account of the Policy Committee. The committees admit that certain individuals who worked for the Policy Committee devoted a portion of their time to raising funds for the Presidential Committee. This occurred at some time prior to October 1987. The Presidential Committee subsequently reimbursed the Policy Committee $3,079 on May 31, 1988 for this activity.

The committees further admit that the Policy Committee paid the entire rental cost and all telephone charges for the offices occupied by all three organizations from its non-federal account

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for the year 1987, and that this amounted to benefits of $6,939.88 each to the Presidential Committee and the Senatorial Committee. Similarly, checks drawn on an Policy Committee non-federal account were used to pay certain expenses when the organizations changed locations in May 1988. This amounted to benefits of $938.77 each to the Presidential Committee and the Senatorial Committee. These amounts were reimbursed on May 31, 1988.

Additionally, a review of credit card payments on a Policy Committee account resulted in all but $4,806.07 charged during 1985 and 1986 being accounted for. Because the Policy Committee had earlier paid certain credit card payments of the Senatorial Committee, the Senatorial Committee reimbursed this amount to the Policy Committee.

Finally, the parties state that in early 1986, the Policy Committee paid $9,500 to the Presidential Committee in anticipation of renting a mailing list for the purpose of a direct mail solicitation. The direct mail campaign never occurred. All monies which comprised benefits from the Policy Committee to the Senatorial Committee and the Presidential Committee were refunded on May 31, 1988.

These respondents contend that the Commission's regulations at 11 C.F.R. § 103.3(b) regarding examination of contributions do not apply to this case, but that the considerations inherent

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in those regulations nevertheless should.[1] Viewing their activity in this context, Respondents argue that the Commission should not take any action with regard to the violations that have occurred, which they regard as mere "technical non-compliance."

The Commission believes that 11 C.F.R. § 103.3(b) does in fact apply here, as the transfers of monies from the Policy Committee to the Presidential Committee and the Senatorial Committee constitute contributions, since those funds were distributions, loans, advances or things of value in connection with federal elections. See 2 U.S.C. § 441b(b)(2).

Where there is a genuine question as to whether a contribution has been made by a corporation, the regulations require the treasurer of a committee to request a statement from the contributor as to why the contribution is legal. In the absence of evidence demonstrating that the contribution is legal, the contribution must be returned within 30 days of its receipt. 11 C.F.R. § 103.3(b)(1). This regulation clearly applies to a committee which receives illegal contributions, rather than a committee, as here, which makes illegal contributions. Therefore, there is reason to believe that the National Council for Public Policy violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a)

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1. The regulations do not apply, they argue, because the transfers of funds from the Policy Committee to the other committees were not contributions.

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert Hubbard
4723 East Saguaro Place
Paradise Valley, AZ 85253

RE: MUR 3121
Robert Hubbard

Dear Mr. Hubbard:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Robert Hubbard

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354038 4

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Robert Hubbard **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Robert Hubbard made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Cranston for Senate Committee 1986	25-OCT-1985	$1,000
Citizens for Jack Kemp	13-NOV-1985	$1,000
Kolbe '86	03-MAR-1986	$1,000
John McCain for Senate Committee	17-MAR-1986	$2,000
Chip Pashayan for Congress Committee	02-JUN-1986	$1,000
Committee to Re-Elect United States Senator Paula Hawkins	25-JUL-1986	$2,000
Doug Barnard for Congress	28-JUL-1986	$1,000
Chip Pashayan for Congress Committee	14-AUG-1986	$1,000
John Kyl for Congress Committee	22-AUG-1986	$750
Committee for Tim Wirth, Inc.	13-FEB-1987	$1,000
Riegle for Senate in '88 Committee	24-MAR-1987	$1,000
DeConcini '88 Committee	29-OCT-1987	$2,000
Hatch Election Committee	09-APR-1988	$2,000
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these

contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Robert Hubbard violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barbara Schmidt
5601 East Tierra Buena Lane
Scottsdale, AZ 85254

RE: MUR 3121
Barbara Schmidt

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Dear Ms. Schmidt:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Barbara Schmidt

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Barbara Schmidt **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Barbara Schmidt made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	12-MAR-1987	$500

Commission records further show that on or about this same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Barbara Schmidt violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Carol Sauter
8405 East Via De Jardin
Scottsdale, AZ 85258

RE: MUR 3121
Carol Sauter

Dear Mrs. Sauter:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Carol Sauter

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354039 5

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Carol Sauter **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Carol Sauter made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Hecht Re-Election Committee	24-OCT-1988	$1,000

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Carol Sauter violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mark Sauter
8405 East Via De Jardin
Scottsdale, AZ 85258

RE: MUR 3121
Mark Sauter

9304354039 8

Dear Mr. Sauter:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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.

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Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Mark Sauter

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354040 0

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Mark Sauter **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Mark Sauter made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Doug Barnard for Congress	28-JUL-1986	$1,000
John Kyl for Congress Committee	04-SEP-1986	$800
Riegle for Senate in '88 Committee	24-MAR-1987	$2,000
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Mark Sauter violated 2 U.S.C. § 441f.

9304354042

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Michael Ripson
3500 North Hayden Road #1902
Scottsdale, AZ 85251

RE: MUR 3121
Michael Ripson

Dear Mr. Ripson:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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9304354004

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Michael Ripson

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354040 5

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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9304354040406

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Michael Ripson **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Michael Ripson made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	12-MAR-1987	$500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Michael Ripson violated 2 U.S.C. § 441f.

9304354047

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert Stoll
128 West Moon Valley Drive
Phoenix, AZ 85023

RE: MUR 3121
Robert Stoll

Dear Mr. Stoll:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354040 8

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 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, requests for pre-probable cause conciliation will not be entered into 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Robert Stoll

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354041 0

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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9304354041

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Robert Stoll **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Robert Stoll made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	24-MAR-1987	$2,000
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Robert Stoll violated 2 U.S.C. § 441f.

9304354041 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Elizabeth Stoll
128 West Moon Valley Drive
Phoenix, AZ 85023

RE: MUR 3121
Elizabeth Stoll

Dear Mrs. Stoll:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354041 3

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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Elizabeth Stoll

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Elizabeth Stoll **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Elizabeth Stoll made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Elizabeth Stoll violated 2 U.S.C. § 441f.

9304354047

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

David Stevens
3813 East Acoma Drive
Phoenix, AZ 85032

RE: MUR 3121
David Stevens

Dear Mr. Stevens:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354041 8

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 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, requests for pre-probable cause conciliation will not be entered 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.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: David Stevens

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354042O

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: David Stevens **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that David Stevens made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	12-MAR-1987	$500
Hatch Election Committee	09-APR-1988	$500

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe David Stevens violated 2 U.S.C. § 441f.

9304354042

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ronald Sova
7249 East Mercer Lane
Scottsdale, AZ 85260

RE: MUR 3121
Ronald Sova

Dear Mr. Sova:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354042 3

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 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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Ronald Sova

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354042 5

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Ronald Sova **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Ronald Sova made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	12-MAR-1987	$500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Ronald Sova violated 2 U.S.C. § 441f.

9304354027

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Scott Siebels
15239 North 50th Place
Scottsdale, AZ 85254

RE: MUR 3121
Scott Siebels

9304354042 8

Dear Mr. Siebels:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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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 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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Scott Siebels

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354043O

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Scott Siebels **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Scott Siebels made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	24-MAR-1987	$500
Hecht Re-Election Committee	24-OCT-1988	$1,000

Commission records further show that on or about these same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Scott Siebels violated 2 U.S.C. § 441f.

9304354043 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Randall Hyatt
616 North Stewart
Mesa, AZ 85201

RE: MUR 3121
Randall Hyatt

Dear Mr. Hyatt:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entertained 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

Enclosures
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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Randall Hyatt

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354043 5

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

Attachments
Instructions
Definitions
Questions and Document Requests

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Randall Hyatt **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Randall Hyatt made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	11-MAR-1987	$1,000

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Randall Hyatt violated 2 U.S.C. § 441f.

9304354037

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles F.C. Ruff, Esq.
Scott D. Gilbert, Esq.
Dwight C. Smith, III, Esq.
Covington & Burling
1201 Pennsylvania Avenue, N.W.
P.O. Box 7566
Washington, D.C. 20044

RE: MUR 3121
John Glenn for President Committee, Inc. and Michael Petro, as treasurer

Gentlemen:

On November 6, 1989 and September 6, 1990, the Federal Election Commission notified your clients, the John Glenn for President Committee, Inc. ("Committee") and Michael Petro, as treasurer, of complaints alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). Copies of the complaints were enclosed with those notifications.

Upon further review of the allegations contained in the complaints, and information supplied by you and others, the Commission, on February 12, 1991, found that there is reason to believe your clients violated 2 U.S.C. § 441b(a), a provision of 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 your clients. 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 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 your clients, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

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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 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.

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

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: John Glenn Presidential Committee Inc. and Michael Petro, as treasurer

MUR: 3121

Pursuant to 2 U.S.C. § 441b(a), it is unlawful for any corporation to make, and any political committee to accept, a contribution or expenditure in connection with any Federal election. The term "contribution or expenditure" includes any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value to any candidate or campaign committee in connection with any election to Federal office. 2 U.S.C. § 441b(b)(2). In prior matters, the Commission has found reason to believe that Section 441b(a) has been violated when a political committee accepts funds from a non-federal account which contained corporate money. See MUR 2535, In the Matter of Treen for Congress Committee.

The John Glenn Presidential Committee (the "Presidential Committee") was organized in 1983 as the principal campaign committee for Senator John Glenn's 1984 presidential campaign. The National Council on Public Policy (the "Policy Committee") was a multi-candidate political committee of which Senator Glenn was the principal spokesman. The Policy Committee maintained both federal and non-federal accounts, and expenses Senator Glenn he incurred in his role as spokesman for the Policy

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Committee were paid for by that committee. The Policy Committee voluntarily terminated in October 1988.

An article appearing in the August 6, 1989 issue of the Cleveland Plain Dealer states that the Policy Committee received corporate donations totalling $200,000 from American Continental Corporation. The article further states that the Policy Committee segregated this money from reported contributions that could be used on federal campaigns by putting it in a separate bank account, and that this money was used to pay the expenses and salaries of Glenn's operatives at the Policy Committee.

The committees concede that ACC provided two contributions of $100,000 to the non-federal account of the Policy Committee. The committees further admit that certain individuals who worked for the Policy Committee, Maureen Moriarty and her assistant, Marian Murphy, devoted a portion of their time to raising funds for the Presidential Committee, but that their salaries for this time was still paid by the Policy Committee. Additionally, the Policy Committee paid the entire rental cost and all telephone charges for the offices occupied by both organizations from its non-federal account for the entire year of 1987. Similarly, checks drawn on a Policy Committee non-federal account were used to pay the entire rental deposit, first month's rent, moving expenses and the cost of a telephone when the organizations changed locations in May 1988. Finally, the committees admit that in early 1986, the Policy Committee paid $9,500 to the Presidential Committee in anticipation of renting a mailing list for the purpose of a direct mail solicitation, and that half of

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this amount came from the Policy Committee's non-federal account. However, the direct mail campaign never occurred. All monies which comprised a benefit from the Policy Committee to the Presidential Committee were refunded on May 31, 1988.

These respondents contend that the Commission's regulations at 11 C.F.R. § 103.3(b) regarding examination of contributions do not apply to this case, but that the considerations inherent in those regulations nevertheless should.[1] Viewing their activity in this context, Respondents argue that the Commission should not take any action with regard to the violations that have occurred, which they regard as mere "technical non-compliance."

The Commission believes that 11 C.F.R. § 103.3(b) does in fact apply here, as the transfers of monies from the Policy Committee to the Presidential Committee and the Senatorial Committee constitute contributions, since those funds were distributions, loans, advances or things of value in connection with federal elections. See 2 U.S.C. § 441b(b)(2).

Where there is a genuine question as to whether a contribution has been made by a corporation, the regulations require the treasurer of a committee to request a statement from the contributor as to why the contribution is legal. In the absence of evidence demonstrating that the contribution is legal, the contribution must be returned within 30 days of its

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1. The regulations do not apply, they argue, because the transfers of funds from the Policy Committee to the other committees were not contributions.

receipt. 11 C.F.R. § 103.3(b)(1). The Commission does not believe Respondents adequately "examined" the contributions here to avoid liability for accepting illegal contributions. Respondents clearly should have been aware of the activity by the other committee which resulted in the violations, but apparently either did not recognize the legal implications or took no steps to correct the situation. The committees in question are interrelated; they were created to advance the various causes of Senator Glenn. The committees have had a common treasurer in William R. White over the years. Mr. White's status as treasurer ran concurrently for a period at both committees. Many of the contributions involved payments by the Policy Committee of rent rightfully owed by the other committee. The Presidential Committee could not have reasonably not noticed that they did not pay these debts, or not have realized that it never forwarded a mailing list for which it had received $9,500. Given the close relationships between the committees, the Commission also does not believe that the discovery in April 1988 of certain violations, in some instances two years after the violation occurred, satisfies the regulatory requirement that committee treasurers prevent impermissible contributions from occurring.[2] Therefore, there is reason to believe that the John Glenn Presidential Committee Inc. and Michael Petro, as treasurer, violated 2 U.S.C. § 441b(a).

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2. The Commission also notes that the continued acceptance of corporate funds over several years is not "technical non-compliance that is not harmful to anyone," as these respondents claim.

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles F.C. Ruff, Esq.
Scott D. Gilbert, Esq.
Dwight C. Smith, III, Esq.
Covington & Burling
1201 Pennsylvania Avenue, N.W.
P.O. Box 7566
Washington, D.C. 20044

RE: MUR 3121
Senator John Glenn Committee
and William J. Brown, as
treasurer

Gentlemen:

On November 6, 1989, the Federal Election Commission notified your clients, the Senator John Glenn Committee ("Committee") and William J. Brown, as treasurer, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was enclosed with that notification.

Upon further review of the allegations contained in the complaint, and information supplied by you and others, the Commission, on February 12, 1991, found that there is reason to believe your clients violated 2 U.S.C. § 441b(a), a provision of 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 your clients. 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 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 your clients, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

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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 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.

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

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

Enclosures
Factual & Legal Analysis

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Senator John Glenn Committee and William J. Brown, as treasurer **MUR:** 3121

Pursuant to 2 U.S.C. § 441b(a), it is unlawful for any corporation to make, and any political committee to accept, a contribution or expenditure in connection with any Federal election. The term "contribution or expenditure" includes any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value to any candidate or campaign committee in connection with any election to Federal office. 2 U.S.C. § 441b(b)(2). In prior matters, the Commission has found reason to believe that Section 441b(a) has been violated when a political committee accepts funds from a non-federal account which contained corporate money. See MUR 2535, In the Matter of Treen for Congress Committee.

The Senator John Glenn Committee (the "Senatorial Committee") is the successor to Senator Glenn's principal campaign committee in the 1974 senatorial election, and has remained in existence as Senator Glenn's principal campaign committee for subsequent re-election campaigns. The National Council on Public Policy (the "Policy Committee") was a multi-candidate political committee of which Senator Glenn was the principal spokesman. The Policy Committee maintained both federal and non-federal accounts, and expenses Senator Glenn

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incurred in his role as spokesman for the Policy Committee were paid for by that committee. The Policy Committee voluntarily terminated in October 1988.

An article appearing in the August 6, 1989 issue of the Cleveland Plain Dealer states that the Policy Committee received corporate donations totalling $200,000 from American Continental Corporation ("ACC"). The article further states that the Policy Committee segregated this money from reported contributions that could be used on federal campaigns by putting it in a separate bank account, and that this money was used to pay the expenses and salaries of Glenn's operatives at the Policy Committee.

The committees concede that ACC provided two contributions of $100,000 to the non-federal account of the Policy Committee. The committees further admit that the Policy Committee paid the entire rental cost and all telephone charges for the offices occupied by both organizations from its non-federal account for the entire year of 1987. Similarly, checks drawn on a Policy Committee non-federal account were used to pay the entire rental deposit, first month's rent, moving expenses and the cost of a telephone when the organizations changed locations in May 1988. Finally, a review of credit card payments on a Policy Committee account resulted in all but $4,806.07 charged during 1985 and 1986 being accounted for. Because the Policy Committee had earlier paid certain credit card payments of the Senatorial Committee, the Senatorial Committee reimbursed this amount to the Policy Committee. All monies which comprised a benefit from

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the Policy Committee to the Senatorial Committee were refunded on May 31, 1988.

These respondents contend that the Commission's regulations at 11 C.F.R. § 103.3(b) regarding examination of contributions do not apply to this case, but that the considerations inherent in those regulations nevertheless should.[1] Viewing their activity in this context, Respondents argue that the Commission should not take any action with regard to the violations that have occurred, which they regard as mere "technical non-compliance."

The Commission believes that 11 C.F.R. § 103.3(b) does in fact apply here, as the transfers of monies from the Policy Committee to the Presidential Committee and the Senatorial Committee constitute contributions, since those funds were distributions, loans, advances or things of value in connection with federal elections. See 2 U.S.C. § 441b(b)(2).

Where there is a genuine question as to whether a contribution has been made by a corporation, the regulations require the treasurer of a committee to request a statement from the contributor as to why the contribution is legal. In the absence of evidence demonstrating that the contribution is legal, the contribution must be returned within 30 days of its receipt. 11 C.F.R. § 103.3(b)(1). The Commission does not believe Respondents adequately "examined" the contributions here

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1. The regulations do not apply, they argue, because the transfers of funds from the Policy Committee to the other committees were not contributions.

to avoid liability for accepting illegal contributions. Respondents clearly should have been aware of the activity by the other committee which resulted in the violations, but apparently either did not recognize the legal implications or took no steps to correct the situation. The committees in question are interrelated; they were created to advance the various causes of Senator Glenn. The committees have had a common treasurer in William R. White over the years. Mr. White's status as treasurer ran concurrently for a time at both committees. Many of the contributions involved payments by the Policy Committee of rent rightfully owed by the other committee, or of credit card bills owed by the other committee. The Senatorial Committee could not have reasonably not noticed that they did not pay these debts. Given the close relationships between the committees, the Commission also does not believe that the discovery in April 1988 of certain violations, in some instances five years after the violation occurred, satisfies the regulatory requirement that committee treasurers prevent impermissible contributions from occurring.[2] Therefore, there is reason to believe that the Senator John Glenn Committee and William J. Brown, as treasurer, violated 2 U.S.C. § 441b(a).

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2. The Commission also notes that the continued acceptance of corporate funds over several years is not "technical non-compliance that is not harmful to anyone," as these respondents claim.

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Rebecca Dickson
6311 East Montecito Avenue
Scottsdale, AZ 85251

RE: MUR 3121
Rebecca Dickson

Dear Mrs. Dickson:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Rebecca Dickson

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354045 2

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Attachments
Instructions
Definitions
Questions and Document Requests

9304335404453

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Rebecca Dickson **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Rebecca Dickson made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
McCain Re-Election Committee	17-OCT-1983	$1,000

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Rebecca Dickson violated 2 U.S.C. § 441f.

9304354045

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Elaine Boland
5801 Via Los Caballos
Paradise Valley, AZ 85253

RE: MUR 3121
Elaine Boland

Dear Mrs. Boland:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Elaine Boland

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354045 7

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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Instructions
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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Elaine Boland **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Elaine Boland made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Californians for Senator Pete Wilson	08-APR-1985	$1,000
DeConcini '88 Committee	26-NOV-1985	$500
Kolbe '86	03-MAR-1986	$1,000
John McCain for Senate Committee	17-MAR-1986	$2,000
DeConcini '88 Committee	21-JUL-1986	$500
Committee to Re-Elect United States Senator Paula Hawkins	25-JUL-1986	$2,000
Doug Barnard for Congress	28-JUL-1986	$1,000
Chip Pashayan for Congress Committee	14-AUG-1986	$1,000
John Kyl for Congress Committee	26-AUG-1986	$750
Hecht Re-Election Committee	24-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental

Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Elaine Boland violated 2 U.S.C. § 441f.

93043540460

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Helen Thompson
4816 East Kathleen Road
Scottsdale, AZ 85254

RE: MUR 3121
Helen Thompson

Dear Mrs. Thompson:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Helen Thompson

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354040463

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

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2304354040464

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Helen Thompson **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Helen Thompson made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	12-MAR-1987	$500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Helen Thompson violated 2 U.S.C. § 441f.

9304354046

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

David Thompson
7701 East Cochise Drive
Scottsdale, AZ 85258

RE: MUR 3121
David Thompson

9304354040466

Dear Mr. Thompson:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 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, requests for pre-probable cause conciliation will not be entertained 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: David Thompson

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpcena.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

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9304354040469

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: David Thompson **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that David Thompson made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	24-MAR-1987	$500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe David Thompson violated 2 U.S.C. § 441f.

9304354047O

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robin Symes
24182 D'Onde
Laguna Niguel, CA 92677

RE: MUR 3121
Robin Symes

Dear Mr. Symes:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Robin Symes

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354047 3

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Robin Symes **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Robin Symes made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Californians for Senator Pete Wilson	08-APR-1985	$1,000
Cranston for Senate Committee 1986	05-AUG-1986	$1,000
Chip Pashayan for Congress Committee	15-AUG-1986	$1,000
John Kyl for Congress Committee	22-AUG-1986	$750
Riegle for Senate in '88 Committee	12-MAR-1987	$1,000
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore,

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there is reason to believe Robin Symes violated 2 U.S.C. § 441f.

9304354047 6

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Andrew Ligget
6252 East Beverly Lane
Scottsdale, AZ 85254

RE: MUR 3121
Andrew Ligget

Dear Mr. Ligget:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Andrew Ligget

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354047 9

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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9304354040480

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Andrew Ligget **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Andrew Ligget made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Cranston for Senate Committee 1986	05-AUG-1986	$1,000
John Kyl for Congress Committee	22-AUG-1986	$750
Riegle for Senate in '88 Committee	12-MAR-1987	$1,000
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore,

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there is reason to believe Andrew Ligget violated 2 U.S.C. § 441f.

9304354048 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Leroy Liebermann
11815 North 76th Place
Scottsdale, AZ 85260

RE: MUR 3121
Leroy Liebermann

Dear Mr. Liebermann:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Leroy Liebermann

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354048 5

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Leroy Liebermann **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Leroy Liebermann made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	12-MAR-1987	$500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Leroy Liebermann violated 2 U.S.C. § 441f.

9304354048 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Maureen Mulhern
2315 East Rancho Drive
Phoenix, AZ 85016

RE: MUR 3121
Maureen Mulhern

Dear Mrs. Mulhern:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

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

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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 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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Maureen Mulhern

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354049O

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Maureen Mulhern **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Maureen Mulhern made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Cranston for Senate Committee 1986	05-APR-1985	$1,000
Californians for Senator Pete Wilson	08-APR-1985	$1,000
DeConcini '88 Committee	31-JUL-1985	$2,000
Senator John Glenn Committee	31-JUL-1985	$2,000
Kolbe '86	03-MAR-1986	$1,000
John McCain for Senate Committee	17-MAR-1986	$2,000
Committee to Re-Elect United States Senator Paula Hawkins	25-JUL-1986	$2,000
Doug Barnard for Congress	28-JUL-1986	$1,000
Chip Pashayan for Congress Committee	17-AUG-1986	$1,000
John Kyl for Congress Committee	26-AUG-1986	$750
Riegle for Senate in '88 Committee	12-MAR-1987	$2,000
Committee for Tim Wirth, Inc.	18-MAR-1987	$1,000
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these

contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Maureen Mulhern violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mary Hall
6326 North 38th Street
Paradise Valley, AZ 85253

RE: MUR 3121
Mary Hall

Dear Mrs. Hall:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Mary Hall

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354049 6

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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9304354040497

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Mary Hall **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Mary Hall made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
John Glenn Presidential Committee, Inc.	24-JUL-1984	$500
Californians for Senator Pete Wilson	08-APR-1985	$1,000
DeConcini '88 Committee	31-JUL-1985	$1,000
Citizens for Jack Kemp	13-NOV-1985	$1,000
John McCain for Senate Committee	17-MAR-1986	$2,000
Chip Pashayan for Congress Committee	02-JUN-1986	$1,000
Chip Pashayan for Congress Committee	14-AUG-1986	$1,000
DeConcini '88 Committee	20-AUG-1986	$1,000
John Kyl for Congress Committee	26-AUG-1986	$750
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental

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Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Mary Hall violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Gary Hall
6326 North 38th Street
Paradise Valley, AZ 85253

RE: MUR 3121
Gary Hall

9304354050 0

Dear Dr. Hall:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Gary Hall

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354050502

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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9304354050503

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Gary Hall **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Gary Hall made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
John Glenn Presidential Committee, Inc.	24-JUN-1984	$500
Californians for Senator Pete Wilson	08-APR-1985	$1,000
DeConcini '88 Committee	31-JUL-1985	$1,000
Cranston for Senate Committee 1986	18-OCT-1985	$1,000
Citizens for Jack Kemp	13-NOV-1985	$1,000
John McCain for Senate Committee	17-MAR-1986	$2,000
Chip Pashayan for Congress Committee	15-AUG-1986	$1,000
DeConcini '88 Committee	20-AUG-1986	$1,000
John Kyl for Congress Committee	26-AUG-1986	$500

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Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the

names of its employees (or their family members). Therefore, there is reason to believe Gary Hall violated 2 U.S.C. § 441f.

9304354050505

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles H. Keating, III
2301 East Bethany Home Road
Phoenix, AZ 85016

RE: MUR 3121
Charles H. Keating, III

Dear Mr. Keating:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entertained 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Charles H. Keating, III

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354050 8

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Charles H. Keating, III **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Charles H. Keating, III made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
McCain Re-Election Committee	17-OCT-1983	$1,000
John Glenn Presidential Committee, Inc.	24-JUL-1984	$500
Kolbe '84	16-OCT-1984	$1,000
DeConcini '88 Committee	31-JUL-1985	$1,000
Californians for Senator Pete Wilson	08-AUG-1985	$1,000
Kolbe '86	03-MAR-1986	$1,000
John McCain for Senate Committee	17-MAR-1986	$2,000
Friends of Mattingly	04-APR-1986	$1,000
Committee to Re-Elect United States Senator Paula Hawkins	25-JUL-1986	$2,000
Doug Barnard for Congress	28-JUL-1986	$1,000
Cranston for Senate Committee 1986	05-AUG-1986	$1,000
Chip Pashayan for Congress Committee	15-AUG-1986	$1,000
DeConcini '88 Committee	20-AUG-1986	$1,000
John Kyl for Congress Committee	22-AUG-1986	$750
Rhodes for Congress Committee	28-AUG-1986	$1,000
Committee for Tim Wirth, Inc.	13-FEB-1987	$1,000
Riegle for Senate in '88 Committee	11-MAR-1987	$2,000
Kolbe '88	02-FEB-1988	$1,000
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like

amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Charles H. Keating, III violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mary E. Keating
6326 North 38th Street
Paradise Valley, AZ 85253

RE: MUR 3121
Mary E. Keating

Dear Mrs. Keating:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Mary E. Keating

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354051 4

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Mary E. Keating **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Mary E. Keating made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
McCain Re-Election Committee	17-OCT-1983	$1,000
The Armstrong Committee, Inc.	20-APR-1984	$1,000
John Glenn Presidential Committee, Inc.	24-JUL-1984	$1,000
Kolbe '84	16-OCT-1984	$1,000
Cranston for Senate Committee 1986	04-APR-1985	$1,000
Californians for Senator Pete Wilson	08-APR-1985	$1,000
DeConcini '88 Committee	31-JUL-1985	$500
DeConcini '88 Committee	31-JUL-1985	$500
Senator John Glenn Committee	31-JUL-1985	$2,000
Cranston for Senate Committee 1986	14-OCT-1985	$1,000
Citizens for Jack Kemp	13-NOV-1985	$1,000
Kolbe '86	03-MAR-1986	$1,000
John McCain for Senate Committee	17-MAR-1986	$2,000
Friends of Mattingly	04-APR-1986	$1,000
Chip Pashayan for Congress Committee	02-JUN-1986	$1,000
Committee to Re-Elect United States Senator Paula Hawkins	25-JUL-1986	$2,000
Doug Barnard for Congress	28-JUL-1986	$1,000
Rhodes for Congress Committee	28-AUG-1986	$1,000
National Action Committee	03-MAR-1987	$1,000
Riegle for Senate in '88 Committee	11-MAR-1987	$2,000
John Kyl Re-Election Committee	16-SEP-1987	$1,000
Kolbe '88	02-FEB-1988	$1,000
National Action Committee	11-MAR-1988	$5,000

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Hatch Election Committee Republican National Committee - Contributions	09-APR-1988	$2,000
	09-JUN-1988	$10,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Mary E. Keating violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Elizabeth Kielty
8714 North 65th Street
Paradise Valley, AZ 85253

RE: MUR 3121
Elizabeth Kielty

Dear Mrs. Kielty:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354051 8

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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Elizabeth Kielty

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354052O

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Elizabeth Kielty **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Elizabeth Kielty made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
The Armstrong Committee, Inc.	20-APR-1984	$1,000
John Glenn Presidential Committee, Inc.	24-JUL-1984	$500
Kolbe '84	16-OCT-1984	$500
Cranston for Senate Committee 1986	09-APR-1985	$1,000
DeConcini '88 Committee	31-JUL-1985	$1,000
Senator John Glenn Committee	15-AUG-1985	$2,000
John McCain for Senate Committee	17-MAR-1986	$2,000
Doug Barnard for Congress	28-JUL-1986	$1,000
Cranston for Senate Committee 1986	04-AUG-1986	$1,000
DeConcini '88 Committee	20-AUG-1986	$1,000
John Kyl for Congress Committee	22-AUG-1986	$750
National Action Committee	03-MAR-1987	$1,000
Republican National Committee - Contributions	08-JUN-1988	$10,000
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these

contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Elizabeth Kielty violated 2 U.S.C. § 441f.

9304335405523

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert Kielty
8714 North 65th Street
Paradise Valley, AZ 85253

RE: MUR 3121
Robert Kielty

Dear Mr. Kielty:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354052 4

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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Robert Kielty

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354052 6

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

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9304354005527

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Robert Kielty **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Robert Kielty made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
The Armstrong Committee, Inc.	20-APR-1984	$1,000
John Glenn Presidential Committee, Inc.	24-JUL-1984	$500
Cranston for Senate Committee 1986	09-APR-1985	$1,000
DeConcini '88 Committee	31-JUL-1985	$1,000
Senator John Glenn Committee	15-AUG-1985	$2,000
Citizens for Jack Kemp	13-NOV-1985	$1,000
Kolbe '86	03-MAR-1986	$1,000
John McCain for Senate Committee	17-MAR-1986	$2,000
Chip Pashayan for Congress Committee	02-JUN-1986	$1,000
Doug Barnard for Congress	28-JUL-1986	$1,000
Cranston for Senate Committee 1986	14-AUG-1986	$1,000
DeConcini '88 Committee	20-AUG-1986	$1,000
John Kyl for Congress Committee	22-AUG-1986	$800
National Action Committee	03-MAR-1987	$1,000
Committee for Tim Wirth, Inc.	18-MAR-1987	$1,000
Riegle for Senate in '88 Committee	24-MAR-1987	$2,000
Republican National Committee - Contributions	08-JUN-1988	$10,000
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and

newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Robert Kielty violated 2 U.S.C. § 441f.

9304335405529

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert Kipp
Tchefuncta Oaks
Marina Boulevard #302
Mandeville, LA 70448

RE: MUR 3121
Robert Kipp

Dear Mr. Kipp:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354053O

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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Robert Kipp

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354053 2

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Robert Kipp **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Robert Kipp made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	24-MAR-1987	$2,000
Hecht Re-Election Committee	30-SEP-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Robert Kipp violated 2 U.S.C. § 441f.

9304354053 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Sandra Klotz
10177 East San Salvador Drive
Scottsdale, AZ 85258

RE: MUR 3121
Sandra Klotz

Dear Ms. Klotz:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354053535

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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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9304354053536

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Sandra Klotz

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354053 7

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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9304335405538

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Sandra Klotz **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Sandra Klotz made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	12-MAR-1987	$1,000

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Sandra Klotz violated 2 U.S.C. § 441f.

9304354053 9

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Timothy Kruckeberg
6602 East Juniper Avenue
Scottsdale, AZ 85254

RE: MUR 3121
Timothy Kruckeberg

Dear Mr. Kruckeberg:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354054O

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 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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Timothy Kruckeberg

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354054 2

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Timothy Kruckeberg **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Timothy Kruckeberg made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	24-MAR-1987	$500

Commission records further show that on or about this same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Timothy Kruckeberg violated 2 U.S.C. § 441f.

9304354054

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mary Hinz
3850 North Pantano Road
Tucson, AZ 85715

RE: MUR 3121
Mary Hinz

Dear Mrs. Hinz:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

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

9304354054 5

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 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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Mary Hinz

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354054 7

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Mary Hinz **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Mary Hinz made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
DeConcini '88 Committee	18-DEC-1986	$500
DeConcini '88 Committee	27-OCT-1987	$500

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Mary Hinz violated 2 U.S.C. § 441f.

9304354049

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Elizabeth Wurzelbacher
2214 East Bethany Home Road
Phoenix, AZ 85016

RE: MUR 3121
Elizabeth Wurzelbacher

9304354055O

Dear Mrs. Wurzelbacher:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 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, requests for pre-probable cause conciliation will not be entertained 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Elizabeth Wurzelbacher

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354055 2

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

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9304354053

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Elizabeth Wurzelbacher **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Elizabeth Wurzelbacher made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
McCain Re-Election Committee	17-OCT-1983	$1,000
The Armstrong Committee, Inc.	20-APR-1984	$1,000
John Glenn Presidential Committee, Inc.	24-JUL-1984	$500
DeConcini '88 Committee	02-DEC-1985	$1,000
Committee to Re-Elect United States Senator Paula Hawkins	25-JUL-1986	$2,000
John Kyl for Congress Committee	22-AUG-1986	$750
DeConcini '88 Committee	02-SEP-1986	$1,000
Riegle for Senate in '88 Committee	12-MAR-1987	$2,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the

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names of its employees (or their family members). Therefore, there is reason to believe Elizabeth Wurzelbacher violated 2 U.S.C. § 441f.

9304354055

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert Wurzelbacher
2214 East Bethany Home Road
Phoenix, AZ 85016

RE: MUR 3121
Robert Wurzelbacher

9304354055 6

Dear Mr. Wurzelbacher:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Robert Wurzelbacher

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354058

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Robert Wurzelbacher **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Robert Wurzelbacher made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
McCain Re-Election Committee	17-OCT-1983	$1,000
The Armstrong Committee, Inc.	20-APR-1984	$1,000
John Glenn Presidential Committee, Inc.	24-JUL-1984	$500
DeConcini '88 Committee	26-NOV-1985	$1,000
Chip Pashayan for Congress Committee	02-JUN-1986	$1,000
Committee to Re-Elect United States Senator Paula Hawkins	25-JUL-1986	$2,000
John Kyl for Congress Committee	22-AUG-1986	$750
DeConcini '88 Committee	02-SEP-1986	$1,000
Committee for Tim Wirth, Inc.	13-FEB-1987	$1,000
Riegle for Senate in '88 Committee	12-MAR-1987	$2,000
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these

contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Robert Wurzelbacher violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jack Atchison
3619 North 60th Street
Scottsdale, AZ 85251

RE: MUR 3121
Jack Atchison

Dear Mr. Atchison:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354056 2

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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Jack Atchison

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354056 4

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Jack Atchison **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Jack Atchison made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Republican National Committee - Contributions	08-JUN-1988	$10,000
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Jack Atchison violated 2 U.S.C. § 441f.

9304354056

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robin Atchison
3619 North 60th Street
Scottsdale, AZ 85251

RE: MUR 3121
Robin Atchison

Dear Mrs. Atchison:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

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

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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 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, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Robin Atchison

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Robin Atchison **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Robin Atchison made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Republican National Committee - Contributions	08-JUN-1988	$10,000

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Robin Atchison violated 2 U.S.C. § 441f.

9304354057

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Benno Jurgemeyer
5530 East Beverly
Scottsdale, AZ 85254

RE: MUR 3121
Benno Jurgemeyer

2304354057 2

Dear Mr. Jurgemeyer:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

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In the absence of any additional information which demonstrates that no further action should be taken against you, 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 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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Benno Jurgemeyer

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

2304354057 4

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Benno Jurgemeyer **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Benno Jurgemeyer made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	11-MAR-1987	$500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Benno Jurgemeyer violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Deborah Karbo
6032 East Redfield
Scottsdale, AZ 85254

RE: MUR 3121
Deborah Karbo

Dear Ms. Karbo:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

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

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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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Deborah Karbo

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354057 9

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

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9304354054580

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Deborah Karbo **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Deborah Karbo made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	11-MAR-1987	$500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Deborah Karbo violated 2 U.S.C. § 441f.

9304354058 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Kathleen Wade
10307 East San Salvador Drive
Scottsdale, AZ 85258

RE: MUR 3121
Kathleen Wade

Dear Mrs. Wade:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354058 2

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 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, requests for pre-probable cause conciliation will not be entered into 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Kathleen Wade

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354058 4

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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9304354005885

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Kathleen Wade **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Kathleen Wade made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
McCain Re-Election Committee	17-OCT-1983	$1,000
The Armstrong Committee, Inc.	20-APR-1984	$1,000
Cranston for Senate Committee 1986	05-APR-1985	$1,000
Californians for Senator Pete Wilson	08-APR-1985	$500
DeConcini '88 Committee	21-DEC-1987	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore,

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there is reason to believe Kathleen Wade violated 2 U.S.C. § 441f.

9304354058 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert Wade
10307 East San Salvador Drive
Scottsdale, AZ 85258

RE: MUR 3121
Robert Wade

9304354058 8

Dear Mr. Wade:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Robert Wade

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354059 0

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Robert Wade **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Robert Wade made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
McCain Re-Election Committee	17-OCT-1983	$1,000
DeConcini '88 Committee	21-DEC-1987	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Robert Wade violated 2 U.S.C. § 441f.

9304354059 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mark Voigt
1646 East Orchid Lane
Phoenix, AZ 85020

RE: MUR 3121
Mark Voigt

Dear Mr. Voigt:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354059 3

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 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, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Mark Voigt

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354059 5

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Mark Voigt **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Mark Voigt made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
McCain Re-Election Committee	17-OCT-1983	$1,000
Californians for Senator Pete Wilson	08-APR-1985	$1,000
Cranston for Senate Committee 1986	09-APR-1985	$1,000
DeConcini '88 Committee	31-JUL-1985	$1,000
Senator John Glenn Committee	31-JUL-1985	$2,000
Cranston for Senate Committee 1986	24-OCT-1985	$1,000
Kolbe '86	03-MAR-1986	$1,000
John McCain for Senate Committee	17-MAR-1986	$2,000
Doug Barnard for Congress	28-JUL-1986	$1,000
Chip Pashayan for Congress Committee	15-AUG-1986	$1,000
DeConcini '88 Committee	20-AUG-1986	$1,000
John Kyl for Congress Committee	22-AUG-1986	$750
Riegle for Senate in '88 Committee	24-MAR-1987	$2,000
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these

contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Mark Voigt violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Carol Kassick
5725 East Tierra Buena Lane
Scottsdale, AZ 85254

RE: MUR 3121
Carol Kassick

Dear Mrs. Kassick:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Carol Kassick

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354060 01

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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2304354006 02

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Carol Kassick **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Carol Kassick made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Carol Kassick violated 2 U.S.C. § 441f.

9304354063

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

William Hinz
3850 North Pantano Road
Tucson, AZ 85715

RE: MUR 3121
William Hinz

Dear Mr. Hinz:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354060 4

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 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, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: William Hinz

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354060606

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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9304354060607

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: William Hinz **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that William Hinz made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
DeConcini '88 Committee	18-DEC-1986	$500
DeConcini '88 Committee	14-MAY-1987	$1,000
DeConcini '88 Committee	27-OCT-1987	$500
Kolbe '88	02-FEB-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore,

9304354060 8

there is reason to believe William Hinz violated 2 U.S.C. § 441f.

9304354060609

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James Upchurch
11245 South Bannock
Phoenix, AZ 85044

RE: MUR 3121
James Upchurch

Dear Mr. Upchurch:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: James Upchurch

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354061 2

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: James Upchurch **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that James Upchurch made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	12-MAR-1987	$500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe James Upchurch violated 2 U.S.C. § 441f.

9304354061 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Everett Pfeiff
33208 Alta Vista Drive
Evergreen, CO 80439

RE: MUR 3121
Everett Pfeiff

Dear Mr. Pfeiff:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered into 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.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Everett Pfeiff

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354061 7

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Everett Pfeiff **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Everett Pfeiff made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
McCain Re-Election Committee	17-OCT-1983	$1,000

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Everett Pfeiff violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Linda S. Pfeiff
33208 Alta Vista Drive
Evergreen, CO 80439

RE: MUR 3121
Linda S. Pfeiff

Dear Mrs. Pfeiff:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

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

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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 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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Mrs. Everett Pfeiff

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354062 2

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

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9304354006623

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Linda S. Pfeiff **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Linda S. Pfeiff made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
McCain Re-Election Committee	17-OCT-1983	$1,000

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Linda S. Pfeiff violated 2 U.S.C. § 441f.

9304354062 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Donald Loback
9850 North 83rd Way
Scottsdale, AZ 85258

RE: MUR 3121
Donald Loback

Dear Mr. Loback:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

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

9304354062 5

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 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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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9304354006226

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Donald Loback

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354062 7

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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9304354006628

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Donald Loback **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Donald Loback made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
McCain Re-Election Committee	17-OCT-1983	$1,000
John Glenn Presidential Committee, Inc.	24-JUL-1984	$500
Kolbe '84	16-OCT-1984	$1,000
Californians for Senator Pete Wilson	17-APR-1985	$1,000
John Kyl Re-Election Committee	19-AUG-1987	$1,000
DeConcini '88 Committee	29-AUG-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore,

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there is reason to believe Donald Loback violated 2 U.S.C. § 441f.

9304354006630

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barbara Symes
10910 East Tierra Drive
Scottsdale, AZ 85259

RE: MUR 3121
Barbara Symes

Dear Mrs. Symes:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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.

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

9304354063 1

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 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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Barbara Symes

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

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9304354063 3

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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9304354006634

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Barbara Symes **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Barbara Symes made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Barbara Symes violated 2 U.S.C. § 441f.

9304354063 5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Gregory Kassick
5725 East Tierra Buena Lane
Scottsdale, AZ 85254

RE: MUR 3121
Gregory Kassick

Dear Mr. Kassick:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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.

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9304354063 6

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 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, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Gregory Kassick

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

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9304354063 8

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John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Gregory Kassick **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Gregory Kassick made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Gregory Kassick violated 2 U.S.C. § 441f.

9304354060

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Sheldon Weiner
5321 East Sahuaro
Scottsdale, AZ 85254

RE: MUR 3121
Sheldon Weiner

Dear Mr. Weiner:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entertained 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Sheldon Weiner

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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9304354006444

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Sheldon Weiner **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Sheldon Weiner made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
McCain Re-Election Committee	17-OCT-1983	$1,000
Kolbe '84	16-OCT-1984	$500
Californians for Senator Pete Wilson	08-APR-1985	$1,000
Cranston for Senate Committee 1986	09-APR-1985	$1,000
DeConcini '88 Committee	31-JUL-1985	$1,000
Senator John Glenn Committee	31-JUL-1985	$2,000
John McCain for Senate Committee	17-MAR-1986	$2,000
Doug Barnard for Congress	28-JUL-1986	$1,000
Cranston for Senate Committee 1986	04-AUG-1986	$1,000
DeConcini '88 Committee	20-AUG-1986	$1,000
John Kyl for Congress Committee	22-AUG-1986	$750
Rhodes for Congress Committee	28-AUG-1986	$1,000
Riegle for Senate in '88 Committee	11-MAR-1987	$2,000
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these

contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Sheldon Weiner violated 2 U.S.C. § 441f.

9304354006446

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ellen Weiner
5321 East Sahuaro
Scottsdale, AZ 85254

RE: MUR 3121
Ellen Weiner

Dear Mrs. Weiner:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Ellen Weiner

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354064 9

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warner McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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9304354006550

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Ellen Weiner **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Ellen Weiner made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
McCain Re-Election Committee	17-OCT-1983	$1,000
DeConcini '88 Committee	31-JUL-1985	$1,000
John McCain for Senate Committee	17-MAR-1986	$2,000
Doug Barnard for Congress	28-JUL-1986	$1,000
DeConcini '88 Committee	20-AUG-1986	$1,000
John Kyl for Congress Committee	22-AUG-1986	$750
Rhodes for Congress Committee	28-AUG-1986	$1,000
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the

9304354065 1

names of its employees (or their family members). Therefore, there is reason to believe Ellen Weiner violated 2 U.S.C. § 441f.

9304354006552

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Timothy Westfall
4540 East Calla Ventura
Phoenix, AZ 85018

RE: MUR 3121
Timothy Westfall

9304354065 3

Dear Mr. Westfall:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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9304354006654

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Timothy Westfall

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354065 5

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

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9304354006556

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Timothy Westfall **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Timothy Westfall made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
John McCain for Senate Committee	17-MAR-1986	$2,000
John Kyl for Congress Committee	22-AUG-1986	$750
Riegle for Senate in '88 Committee	11-MAR-1987	$2,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Timothy Westfall violated 2 U.S.C. § 441f.

9304354065 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Terence Wilson
10203 East Caron Street
Scottsdale, AZ 85260

RE: MUR 3121
Terence Wilson

Dear Mr. Wilson:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Terence Wilson

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354006660

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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9304354006611

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Terence Wilson **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Terence Wilson made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
National Action Committee	03-MAR-1987	$1,000
Riegle for Senate in '88 Committee	12-MAR-1987	$500
Committee for Tim Wirth, Inc.	18-MAR-1987	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Terence Wilson violated 2 U.S.C. § 441f.

9304354062

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

George Wischer
6216 North 47th Place
Paradise Valley, AZ 85253

RE: MUR 3121
George Wischer

Dear Mr. Wischer:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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9304354006664

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: George Wischer

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th. day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

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9304354006666

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: George Wischer **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that George Wischer made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
McCain Re-Election Committee	17-OCT-1983	$1,000
The Armstrong Committee, Inc.	20-APR-1984	$1,000
John Glenn Presidential Committee, Inc.	24-JUL-1984	$500
Kolbe '84	16-OCT-1984	$1,000
Cranston for Senate Committee 1986	09-APR-1985	$1,000
Californians for Senator Pete Wilson	30-APR-1985	$1,000
DeConcini '88 Committee	31-JUL-1985	$1,000
Senator John Glenn Committee	15-AUG-1985	$2,000
Cranston for Senate Committee 1986	18-OCT-1985	$1,000
John McCain for Senate Committee	17-MAR-1986	$2,000
Chip Pashayan for Congress Committee	02-JUN-1986	$1,000
Committee to Re-Elect United States Senator Paula Hawkins	25-JUL-1986	$2,000
Doug Barnard for Congress	28-JUL-1986	$1,000
DeConcini '88 Committee	20-AUG-1986	$1,000
John Kyl For Congress Committee	03-SEP-1986	$900
National Action Committee	03-MAR-1987	$1,000
Riegle for Senate in '88 Committee	11-MAR-1987	$2,000
Republican National Committee - Contributions	08-JUN-1988	$10,000
Hecht Re-Election Committee	06-OCT-1988	$1,000
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and

their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe George Wischer violated 2 U.S.C. § 441f.

9304354006668

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Judy Wischer
6216 North 47th Place
Paradise Valley, AZ 85253

RE: MUR 3121
Judy Wischer

Dear Mrs. Wischer:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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9304354006670

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Judy Wischer

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354067 1

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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9304354006722

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Judy Wischer **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Judy Wischer made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
McCain Re-Election Committee	17-OCT-1983	$1,000
The Armstrong Committee, Inc.	20-APR-1984	$1,000
John Glenn Presidential Committee, Inc.	24-JUL-1984	$500
Kolbe '84	16-OCT-1984	$1,000
Cranston for Senate Committee 1986	10-APR-1985	$1,000
Californians for Senator Pete Wilson	30-APR-1985	$1,000
DeConcini '88 Committee	31-JUL-1985	$1,000
Senator John Glenn Committee	15-AUG-1985	$2,000
Cranston for Senate Committee 1986	18-OCT-1985	$1,000
Citizens for Jack Kemp	13-NOV-1985	$1,000
Kolbe '86	03-MAR-1986	$1,000
John McCain for Senate Committee	17-MAR-1986	$2,000
Friends of Mattingly	04-APR-1986	$1,000
Committee to Re-Elect United States Senator Paula Hawkins	25-JUL-1986	$2,000
Doug Barnard for Congress	28-JUL-1986	$1,000
DeConcini '88 Committee	20-AUG-1986	$1,000
John Kyl For Congress Committee	03-SEP-1986	$900
Committee for Tim Wirth, Inc.	17-FEB-1987	$1,000
National Action Committee	03-MAR-1987	$1,000
Riegle for Senate in '88 Committee	11-MAR-1987	$2,000
Republican National Committee - Contributions	08-JUN-1988	$10,000
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental

Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Judy Wischer violated 2 U.S.C. § 441f.

9304354006674

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Krista Keating
2302 East Bethany Home Road
Phoenix, AZ 85016

RE: MUR 3121
Krista Keating

9304354067 5

Dear Mrs. Keating:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 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, requests for pre-probable cause conciliation will not be entertained 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Krista Keating

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354067 7

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, nc answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1983 to present (the "relevant period").

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

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QUESTIONS AND DOCUMENT REQUESTS

1. State your full name, address, phone number and current employer.

2. List your occupation(s) and employer(s) during the relevant period. Describe your position(s) with each employer.

3. Describe your relationship, if any, to Charles Keating, Jr. and American Continental Corporation ("ACC") and all of its subsidiaries and associated companies, including Lincoln Savings & Loan Association ("Lincoln"), during the relevant period.

4. For each bonus or other compensation in addition to your salary which you received, provide the following information:

   a. the amount of such bonus or other compensation;
   b. the justification for such bonus or other compensation;
   c. date of receipt of such bonus or other compensation.

5. Identify each federal political contribution and expenditure you made during the relevant period by date, amount and recipient. For each contribution:

   a. State whether the contribution was made by check or other written instrument. If so, provide a copy (both sides) of the check or other written or instrument.

   b. Describe the circumstances under which each contribution was made. If a contribution was made as the result of a solicitation, describe the circumstances surrounding each solicitation, including the identity of the person(s) who made such solicitation and when and where it occurred. If any such solicitation was written, provide a copy of it.

   c. State whether any contribution was made at the direction or suggestion of any person, including Charles Keating, Jr. or any person associated with him, ACC,

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Lincoln or any other company associated with Charles Keating. If so, identify such person and describe the circumstances.

d. State whether any contribution was made in connection with a particular fundraising event. If so, state when and where the event was held and whether or not you attended. Identify who sponsored the event and on whose behalf the event was held. If you did attend the event, identify any persons who also attended. Identify any person(s) who provided you with transportation to and from the event.

e. State whether you received an advance, bonus, payment or other compensation or reimbursement in connection with any contribution. If so, identify the person or entity who provided the reimbursement or compensation and the date it was provided.

6. In addition to the documents produced in response to Questions 5a and b, produce all documents relating or in any way pertaining to each federal political contribution you identified in Question 5, including check registers, bank statements, correspondence and notes.

7. Identify any federal contribution made by others which you facilitated, arranged, solicited or delivered to any federal candidate or committee during the relevant period.

8. Provide all documents relating to any federal contributions made by others which you arranged, solicited or delivered to any federal candidate or committee during the relevant period.

9. Provide copies of all documents, including correspondence, notes, memos and phone messages relating to any communication with a federal political committee to which you made a contribution during the relevant period.

10. Identify any person other than counsel who provided information, or was consulted or assisted in any way in the preparation of answers to these questions and document requests.

9304354006882

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Krista Keating **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Krista Keating made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
McCain Re-Election Committee	17-OCT-1983	$1,000
John Glenn Presidential Committee, Inc.	24-JUL-1984	$500
Californians for Senator Pete Wilson	08-APR-1985	$1,000
DeConcini '88 Committee	31-JUL-1985	$1,000
Cranston for Senate Committee 1986	01-NOV-1985	$1,000
Kolbe '86	03-MAR-1986	$1,000
John McCain for Senate Committee	17-MAR-1986	$2,000
Friends of Mattingly	04-APR-1986	$1,000
Committee to Re-Elect United States Senator Paula Hawkins	25-JUL-1986	$2,000
Doug Barnard for Congress	28-JUL-1986	$1,000
Chip Pashayan for Congress Committee	14-AUG-1986	$1,000
DeConcini '88 Committee	20-AUG-1986	$1,000
John Kyl for Congress Committee	22-AUG-1986	$750
Rhodes for Congress Committee	28-AUG-1986	$1,000
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided

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to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Krista Keating violated 2 U.S.C. § 441f.

9304354006884

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Thomas Mulhern
2315 East Rancho Drive
Phoenix, AZ 85016

RE: MUR 3121
Thomas Mulhern

Dear Mr. Mulhern:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Thomas Mulhern

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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9304354006888

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Thomas Mulhern **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Thomas Mulhern made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
DeConcini '88 Committee	31-JUL-1985	$2,000
John McCain for Senate Committee	17-MAR-1986	$2,000
Chip Pashayan for Congress Committee	02-JUN-1986	$1,000
Committee to Re-Elect United States Senator Paula Hawkins	25-JUL-1986	$2,000
Doug Barnard for Congress	30-JUL-1986	$1,000
Chip Pashayan for Congress Committee	14-AUG-1986	$1,000
Cranston for Senate Committee 1986	05-AUG-1986	$1,000
John Kyl for Congress Committee	26-AUG-1986	$750
Riegle for Senate in '88 Committee	12-MAR-1987	$2,000
Hecht Re-Election Committee	18-OCT-1988	$1,000

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Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental

Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Thomas Mulhern violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James Farney
5326 East Larkspur Drive
Scottsdale, AZ 85254

RE: MUR 3121
James Farney

Dear Mr. Farney:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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9304354006922

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: James Farney

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354006693

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th. day of March, 1991.

John Warren McGarry

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: James Farney **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that James Farney made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	12-MAR-1987	$500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe James Farney violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ray Fidel
308 Lugonia Street
Newport Beach, CA 92663

RE: MUR 3121
Ray Fidel

Dear Mr. Fidel:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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9304354006997

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Ray C. Fidel

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354069 98

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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9304354006999

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Ray C. Fidel **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Ray C. Fidel made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
McCain Re-Election Committee	17-OCT-1983	$1,000
DeConcini '88 Committee	31-JUL-1985	$2,000
Cranston for Senate Committee 1986	05-AUG-1986	$1,000
Chip Pashayan for Congress Committee	08-AUG-1986	$1,000
John Kyl for Congress Committee	22-AUG-1986	$750
Riegle for Senate in '88 Committee	12-MAR-1987	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore,

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there is reason to believe Ray C. Fidel violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James Grogan
10326 East Bella Vista
Scottsdale, AZ 85258

RE: MUR 3121
James Grogan

Dear Mr. Grogan:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entertained 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: James Grogan

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354070 4

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th. day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: James Grogan **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that James Grogan made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
John McCain for Senate Committee	17-MAR-1986	$2,000
DeConcini '88 Committee	18-APR-1986	$500
John Kyl for Congress Committee	22-AUG-1986	$750
Riegle for Senate in '88 Committee	11-MAR-1987	$1,000
Committee for Tim Wirth, Inc.	18-MAR-1987	$1,000
DeConcini '88 Committee	29-OCT-1987	$500
Republican National Committee - Contributions	08-JUN-1988	$10,000
DeConcini '88 Committee	28-JUN-1988	$500
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental

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Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe James Grogan violated 2 U.S.C. § 441f.

9304354070 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Thomas Hott
9020 North 82nd Street
Scottsdale, AZ 85258

RE: MUR 3121
Thomas Hott

Dear Mr. Hott:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entertained 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Thomas Hott

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Thomas Hott **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Thomas Hott made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	24-MAR-1987	$500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Thomas Hott violated 2 U.S.C. § 441f.

9304354071 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James Hubbard
3222 East Medlock
Phoenix, AZ 85018

RE: MUR 3121
James Hubbard

Dear Mr. Hubbard:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: James Hubbard

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354071 5

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th. day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: James Hubbard **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that James Hubbard made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	24-MAR-1987	$500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe James Hubbard violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Eva Anau
7700 North 14th Street
Phoenix, AZ 85020

RE: MUR 3121
Eva Anau

Dear Mrs. Anau:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354071 8

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 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, requests for pre-probable cause conciliation will not be entertained 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Eva Anau

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354072 0

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Eva Anau **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Eva Anau made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	11-MAR-1987	$1,000

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Eva Anau violated 2 U.S.C. § 441f.

9304354072 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Bradley J. Boland
5801 Via Los Caballos
Paradise Valley, AZ 85253

RE: MUR 3121
Bradley J. Boland

Dear Mr. Boland:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354072 3

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 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, requests for pre-probable cause conciliation will not be entertained 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Bradley J. Boland

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354072 5

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th. day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Bradley J. Boland **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Bradley J. Boland made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
DeConcini '88 Committee	26-NOV-1985	$500
Kolbe '86	03-MAR-1986	$1,000
John McCain for Senate Committee	17-MAR-1986	$2,000
Chip Pashayan for Congress Committee	02-JUN-1986	$1,000
DeConcini '88 Committee	21-JUL-1986	$500
Committee to Re-Elect United States Senator Paula Hawkins	25-JUL-1986	$2,000
Doug Barnard for Congress	28-JUL-1986	$1,000
Chip Pashayan for Congress Committee	14-AUG-1986	$1,000
John Kyl for Congress Committee	26-AUG-1986	$750
Committee for Tim Wirth, Inc.	13-FEB-1987	$1,000
Riegle for Senate in '88 Committee	11-MAR-1987	$1,000
Hecht Re-Election Committee	24-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these

contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Bradley J. Boland violated 2 U.S.C. § 441f.

9304354072 8

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Lynn Borushko
30 East Brown
Suite 2078
Mesa, AZ 85201

RE: MUR 3121
Lynn Borushko

Dear Ms. Borushko:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354072 9

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 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, requests for pre-probable cause conciliation will not be entertained 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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2304354073O

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Lynn Borushko

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354073 1

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th. day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Lynn Borushko **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Lynn Borushko made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	11-MAR-1987	$1,000

Commission records further show that on or about this same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Lynn Borushko violated 2 U.S.C. § 441f.

9304354073 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John Brunst
9250 North 96th Place
Scottsdale, AZ 85258

RE: MUR 3121
John Brunst

Dear Mr. Brunst:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354073 4

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 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, requests for pre-probable cause conciliation will not be entered 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.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: John Brunst

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354073 6

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: John Brunst **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that John Brunst made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Cranston for Senate Committee 1986	05-AUG-1986	$1,000
John Kyl for Congress Committee	22-AUG-1986	$750
Riegle for Senate in '88 Committee	12-MAR-1987	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe John Brunst violated 2 U.S.C. § 441f.

9304354073 8

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jean Brunst
9250 North 96th Place
Scottsdale, AZ 85258

RE: MUR 3121
Jean Brunst

Dear Mrs. Brunst:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354073 9

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 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, requests for pre-probable cause conciliation will not be entertained 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.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Jean Brunst

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354074 1

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Jean Brunst **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Jean Brunst made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Rhodes for Congress Committee	28-AUG-1986	$1,000

Commission records further show that on or about this same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Jean Brunst violated 2 U.S.C. § 441f.

9304354074 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Kathi Fidel
3142 Court Hermosa
Newport Beach, CA 92660

RE: MUR 3121
Kathi Fidel

Dear Mrs. Fidel:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354074 4

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 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, requests for pre-probable cause conciliation will not be entertained 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Kathi Fidel

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354074 6

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Kathi Fidel **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Kathi Fidel made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Kathi Fidel violated 2 U.S.C. § 441f.

9304354074 8

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Allen Van Loo
10617 North 23rd Place
Phoenix, AZ 85028

RE: MUR 3121
Allen Van Loo

Dear Mr. Van Loo:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354074 9

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 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, requests for pre-probable cause conciliation will not be entertained 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.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Allan Van Loo

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354075 1

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th. day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Allen Van Loo **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Allen Van Loo made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	11-MAR-1987	$500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Allen Van Loo violated 2 U.S.C. § 441f.

9304354075 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Timothy Murray
17002 South 32nd
Phoenix, AZ 85044

RE: MUR 3121
Timothy Murray

Dear Mr. Murray:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

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

2304354075 4

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 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, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Timothy Murray

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Timothy Murray **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Timothy Murray made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	12-MAR-1987	$500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Timothy Murray violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mary Novak
329 West El Camino Drive
Phoenix, AZ 85021

RE: MUR 3121
Mary Novak

Dear Mrs. Novak:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entertained 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Mary Novak

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th. day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Mary Novak **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Mary Novak made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	24-MAR-1987	$1,000
Hecht Re-Election Committee	24-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Mary Novak violated 2 U.S.C. § 441f.

9304354076 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Edward Novak
329 West El Camino Drive
Phoenix, AZ 85021

RE: MUR 3121
Edward Novak

Dear Mr. Novak:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

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

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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 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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Edward Novak

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354076 6

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th. day of March, 1991.

John Warren McGarry

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Mary Novak **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Mary Novak made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	24-MAR-1987	$1,000
Hecht Re-Election Committee	24-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Mary Novak violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Donald W. Crocker
14 Cinchring
Rolling Hills, CA 90274

RE: MUR 3121
Donald W. Crocker

Dear Mr. Crocker:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Donald W. Crocker

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354077 1

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Donald W. Crocker **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Donald W. Crocker made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	28-MAR-1987	$500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Donald W. Crocker violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mary Grogan
10326 East Bella Vista
Scottsdale, AZ 85258

RE: MUR 3121
Mary Grogan

Dear Mrs. Grogan:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

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

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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 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, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Mary Grogan

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354077 6

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Mary Grogan **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Mary Grogan made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
John McCain for Senate Committee	17-MAR-1986	$2,000
DeConcini '88 Committee	18-APR-1986	$500
Riegle for Senate in '88 Committee	11-MAR-1987	$1,000
DeConcini '88 Committee	29-OCT-1987	$500
Republican National Committee - Contributions	08-JUN-1988	$10,000
DeConcini '88 Committee	28-JUN-1988	$500
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the

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names of its employees (or their family members). Therefore, there is reason to believe Mary Grogan violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Daniele Bodini
800 5th Avenue, Apt. 21-B
New York, N.Y. 10021

RE: MUR 3121
Daniele Bodini

Dear Mr. Bodini:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

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

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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 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, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Daniele Bodini

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Daniele Bodini **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Daniele Bodini made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Republican National Committee - Contributions	02-SEP-1988	$500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Daniele Bodini violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jeff Carlson
10675 East Sahuaro
Scottsdale, AZ 85259

RE: MUR 3121
Jeff Carlson

9304354078 85

Dear Mr. Carlson:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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.

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Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Jeff Carlson

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Jeff Carlson **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Jeff Carlson made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	12-MAR-1987	$500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Jeff Carlson violated 2 U.S.C. § 441f.

9304354078 9

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James Conner
P.O. Box 44986
Phoenix, AZ 85064

RE: MUR 3121
James Conner

Dear Mr. Conner:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

2304354079 0

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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: James Conner

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354079 2

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: James Conner **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that James Conner made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	24-MAR-1987	$1,500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe James Conner violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Julie Collins
1648 North Ventura
Tempe, AZ 85281

RE: MUR 3121
Julie Collins

Dear Ms. Collins:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354079795

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 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, requests for pre-probable cause conciliation will not be entertained 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.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Julie Collins

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

2304354079 7

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Julie Collins **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Julie Collins made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	12-MAR-1987	$500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Julie Collins violated 2 U.S.C. § 441f.

9304354079 9

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Chris Chambers
4750 North 65th Street
Scottsdale, AZ 85251

RE: MUR 3121
Chris Chambers

Dear Mr. Chambers:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354080800

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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Chris Chambers

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354080802

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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9304354080803

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Chris Chambers **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Chris Chambers made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	12-MAR-1987	$500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Chris Chambers violated 2 U.S.C. § 441f.

9304354080804

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Kathleen Hubbard
4723 East Saguaro Place
Paradise Valley, AZ 85253

RE: MUR 3121
Kathleen Hubbard

Dear Mrs. Hubbard:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354080805

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 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, requests for pre-probable cause conciliation will not be entered 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.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Kathleen Hubbard

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354080807

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Kathleen Hubbard **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Kathleen Hubbard made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Citizens for Jack Kemp	13-NOV-1985	$1,000
Kolbe '86	03-MAR-1986	$1,000
John McCain for Senate Committee	17-MAR-1986	$2,000
Chip Pashayan for Congress Committee	02-JUN-1986	$1,000
Committee to Re-Elect United States Senator Paula Hawkins	25-JUL-1986	$2,000
Doug Barnard for Congress	28-JUL-1986	$1,000
Chip Pashayan for Congress Committee	14-AUG-1986	$1,000
John Kyl for Congress Committee	22-AUG-1986	$750
Riegle for Senate in '88 Committee	24-MAR-1987	$1,000
DeConcini '88 Committee	29-OCT-1987	$2,000
Hatch Election Committee	09-APR-1988	$2,000
Hecht Re-Election Committee	18-OCT-1988	$1,000

9304354080809

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these

contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Kathleen Hubbard violated 2 U.S.C. § 441f.

93043540810

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Gary Crow
One Nantucket
Irvine, CA 92720

RE: MUR 3121
Gary Crow

Dear Mr. Crow:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354081

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 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, requests for pre-probable cause conciliation will not be entered into after briefs on probable cause have been mailed to the respondent.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Gary Crow

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Gary Crow **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Gary Crow made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	12-MAR-1987	$500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Gary Crow violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Larry Dannenfeldt
5356 East Kings Avenue
Scottsdale, AZ 85254

RE: MUR 3121
Larry Dannenfeldt

Dear Mr. Dannenfeldt:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

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

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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 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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Larry Dannenfeldt

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Larry Dannenfeldt **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Larry Dannenfeldt made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	11-MAR-1987	$500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Larry Dannenfeldt violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Bruce Dickson
6311 East Montecito Avenue
Scottsdale, AZ 85251

RE: MUR 3121
Bruce Dickson

Dear Mr. Dickson:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354082 1

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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Bruce Dickson

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354080823

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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9304354080824

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Bruce Dickson **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Bruce Dickson made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
McCain Re-Election Committee	17-OCT-1983	$1,000
John McCain for Senate Committee	17-MAR-1986	$2,000
Riegle for Senate in '88 Committee	12-MAR-1987	$1,000
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore,

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there is reason to believe Bruce Dickson violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jeffery Erhart
616 East Broadmor Drive
Tempe, AZ 85282

RE: MUR 3121
Jeffery Erhart

Dear Mr. Erhart:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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9304354082828

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Jeffery Erhart

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354082829

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Jeffrey Erhart **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Jeffrey Erhart made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	24-MAR-1987	$1,000

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Jeffrey Erhart violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Anaki L. Anau
7700 North 14th Street
Phoenix, AZ 85020

RE: MUR 3121
Anaki L. Anau

Dear Mr. Anau:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354083 2

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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Anaki L. Anau

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354083 4

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

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9304354008835

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Anaki L. Anau **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Anaki L. Anau made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Hatch Election Committee	09-APR-1988	$500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Anaki L. Anau violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Randy Ecklund
9012 East Sutton Drive
Scottsdale, AZ 85260

RE: MUR 3121
Randy Ecklund

Dear Mr. Ecklund:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Randy Ecklund

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th. day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Randy Ecklund **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Randy Ecklund made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	12-MAR-1987	$750

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Randy Ecklund violated 2 U.S.C. § 441f.

9304354084 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert Mulhern
3581 Fenn Street
Irvine, CA 92714

RE: MUR 3121
Robert Mulhern

Dear Mr. Mulhern:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

9304354084 2

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 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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Robert Mulhern

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Robert Mulhern **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Robert Mulhern made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	11-MAR-1987	$500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Robert Mulhern violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Michele Mencuccini
1646 East Orchid Lane
Phoenix, AZ 85020

RE: MUR 3121
Michele Mencuccini

Dear Ms. Mencuccini:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

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

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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 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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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9304354084848

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Michele Mencuccini

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354084 9

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Michele Mencuccini **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Michele Mencuccini made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
McCain Re-Election Committee	17-OCT-1983	$1,000
Californians for Senator Pete Wilson	08-APR-1985	$1,000
DeConcini '88 Committee	31-JUL-1985	$1,000
Senator John Glenn Committee	31-JUL-1985	$2,000
Cranston for Senate Committee 1986	24-OCT-1985	$1,000
Kolbe '86	03-MAR-1986	$1,000
John McCain for Senate Committee	17-MAR-1986	$2,000
Chip Pashayan for Congress Committee	02-JUN-1986	$1,000
Doug Barnard for Congress	28-JUL-1986	$1,000
Chip Pashayan for Congress Committee	14-AUG-1986	$1,000
DeConcini '88 Committee	20-AUG-1986	$1,000
John Kyl for Congress Committee	22-AUG-1986	$750
Rhodes for Congress Committee	28-AUG-1986	$1,000
Hecht Re-Election Committee	18-OCT-1988	$1,000

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Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these

contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Michele Mencuccini violated 2 U.S.C. § 441f.

29043540852

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Carol Loback
9850 North 83rd Way
Scottsdale, AZ 85258

RE: MUR 3121
Carol Loback

9304354085 53

Dear Mrs. Loback:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 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, requests for pre-probable cause conciliation will not be entertained 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Carol Loback

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354085 5

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Carol Loback **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Carol Loback made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
McCain Re-Election Committee	17-OCT-1983	$1,000
John Glenn Presidential Committee, Inc.	24-JUL-1984	$500
DeConcini '88 Committee	29-AUG-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Carol Loback violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Michael Ligget
6252 East Beverly Lane
Scottsdale, AZ 85254

RE: MUR 3121
Michael Ligget

Dear Sir or Madam:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3121

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Michael Ligget

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354086O

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Michael Ligget **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Michael Ligget made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Hecht Re-Election Committee	18-OCT-1988	$1,000

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Michael Ligget violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Corey Edens
1222 Paradise Village Parkway, South
#130-a
Phoenix, AZ 85032

RE: MUR 3121
Corey Edens

Dear Sir or Madam:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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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 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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Cory Edens

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

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9304354086 5

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Cory Edens **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Cory Edens made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	12-MAR-1987	$500
Hatch Election Committee	09-APR-1988	$1,000

Commission records further show that on or about these same dates, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committees. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Cory Edens violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Donald Donnelly
9802 East Mission Lane
Scottsdale, AZ 85258

RE: MUR 3121
Donald Donnelly

Dear Mr. Donnelly:

On February 12, 1991, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

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

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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 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, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Donald Donnelly

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354087O

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th. day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Donald Donnelly **MUR:** 3121

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

Commission records show that Donald Donnelly made contributions to federal political committees as follows:

Recipient Committee	Date of Contribution	Amount
Riegle for Senate in '88 Committee	12-MAR-1987	$500

Commission records further show that on or about this same date, numerous other employees of American Continental Corporation and its subsidiaries or affiliated entities, and their spouses or family members, made contributions in like amounts to the same committee. Based on this information and newspaper articles suggesting that corporate funds were provided to these individuals for the purpose of making these contributions (copies attached), it appears that these contributions were actually made by American Continental Corporation (or its subsidiaries or affiliated entities) in the names of its employees (or their family members). Therefore, there is reason to believe Donald Donnelly violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles H. Keating, Jr.
6326 North 38th Street
Paradise Valley, AZ 85253

RE: MUR 3121
Charles H. Keating, Jr.

Dear Mr. Keating:

On November 6, 1989 and June 4, 1990, the Federal Election Commission notified you of complaints alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). Copies of the complaints were enclosed with those notifications.

Upon further review of the allegations contained in the complaints, and information supplied by others, the Commission, on February 12, 1991, found that there is reason to believe you violated 2 U.S.C. §§ 441b(a) and 441f, provisions of 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted to the General Counsel's Office within 15 days of your receipt of this letter. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 notification or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against

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you, 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 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.

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If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Charles H. Keating, Jr.

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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QUESTIONS AND DOCUMENT REQUESTS

1. State your relationship to American Continental Corporation ("ACC") and its subsidiaries, including Lincoln Savings and Loan ("Lincoln") during the period between 1983 and present ("the relevant period").

2. Identify all of your relatives, by blood and/or marriage, who worked for ACC or its subsidiaries.

3. For all individuals identified in Question 2, state the name of the company for which that individual worked, the date(s) during which that individual was employed by such company, and that individual's job title, job description and salary.

4. Identify each federal political contribution and expenditure you made during the relevant period by date, amount and recipient. For each contribution:

   a. State whether the contribution was made by check or other written instrument. If so, provide a copy (both sides) of the check or other written or instrument.

   b. State whether the contribution was made as a result of a solicitation. If so, describe the circumstances surrounding the solicitation, including the identity of the person(s) who made such solicitation and when it occurred. If any such solicitation was written, provide a copy of it.

   c. State whether the contribution was made in connection with a fundraising event. If so, state when and whether the event was held, who sponsored it, on whose behalf the event was held and whether or not you attended.

   d. State whether you received an advance, bonus, payment or other compensation or reimbursement for the contribution. If so, identify the person or entity who provided the reimbursement or compensation and the date it was provided.

5. In addition to the documents produced in response to Question 4a, produce all documents relating or in any way pertaining to each federal political contribution you identified in Question 4, including check registers, bank statements, correspondence and notes.

6. Identify all federal political contributions made by others which you facilitated, arranged, solicited or delivered to any federal candidate or political committee during the relevant period.

7. Provide all documents relating to the payment or reimbursement to any relative, friend or employee, consultant, contractor officer or director of ACC or its subsidiaries, or

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their spouses other family members, for any contribution made by such person to a federal candidate or political committee.

8. Provide all documents relating to all fundraisers held on behalf of federal candidates or committees which you or employees, officers or directors of ACC and its subsidiaries, acting in their corporate capacities, organized or in which you or they participated, including lists of persons solicited, lists of contributions collected, letters transmitting contributions, notes of meetings or communications concerning the making of such contributions.

9. Describe your involvement in all fundraisers held on behalf of federal candidates or committees during the relevant time period, including the date of and places in which such fundraisers were held, list of participants and contributions collected. Provide all documents releating to these fundraisers.

10. Describe fully, including dates and places, all meetings, discussions, phone calls and other communications concerning the solicitation and making of contributions for all federal candidates or political committees which involved employees, officers and directors of ACC or its subsidiaries acting in their corporate capacities, or the use of corporate funds.

11. Provide all documents relating to communications between you and any federal political committee in any way related to contributions to such committee, including correspondence, notes, memoranda, and phone messages.

12. Provide all documents relating to communications between you and employees, contractors, consultants, officers, directors and shareholders of ACC or its subsidiaries concerning any federal election, candidate or political committee.

13. Provide all documents relating to all contributions, payments, expenditures or reimbursements you made to any organization, association or corporation for voter registration or get-out-the-vote drives, including, but not limited to, the Center for Participation in Democracy.

14. Provide copies of all documents, if any, you have provided to the Senate Ethics Committee or any state or federal agency relating to contributions you made to federal candidates or political committees during the relevant time period.

15. Identify all persons other than counsel who provided information, or consulted or assisted in any way in the preparation of answers to these questions and document requests.

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Charles H. Keating, Jr. **MUR:** 3121

Pursuant to 2 U.S.C. § 441b(a), it is unlawful for any corporation to make a contribution or expenditure in connection with any election for Federal office, or for any officer or director of any corporation to consent to any contribution by the corporation. The term "contribution or expenditure" includes "any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value . . . to any candidate, campaign committee, or political party or organization, in connection with any election" to such office. 2 U.S.C. § 441b(b)(2).

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution. A corporation is considered a person. 2 U.S.C. § 431(11).

The Commission has also found reason to believe that contributions were made by a corporation in the names of others

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salaries have been augmented in order to allow the individual receiving the salary to make contributions. See Advisory Opinion 1986-41; see also MUR 2981, In the Matter of Unisys Corporation (compensation to consultants).

The prohibition against corporate contributions is also implicated if there was excessive corporate involvement in the raising of contributions. Such involvement may take the form of aiding in the collection and delivery of contributions by its employees and being instrumental in having the employees make the actual contributions, see MUR 1690, In the Matter of Congoleum Corporation, or by hosting a fundraiser and soliciting contributions in connection with that fundraiser. See MUR 1690, In the Matter of Donaldson, Lufkin & Jenrette, Inc.

Commission records show that on numerous occasions, employees of American Continental Corporation ("ACC") and its subsidiaries or other affiliated entities, and many of these employees' spouses or other family members, made contributions on or about the same date in like amounts to the same political committee(s).[1] Charles H. Keating, Jr. was the chairman and principal shareholder of ACC. These occasions are as follows:

1. **Senator John McCain; McCain Re-Election Committee and Thomas R. Holtrup, as treasurer**

Contributor	Amount	Date
Bruce F. Dickson	$ 1,000	10/17/83
Rebecca H. Dickson	1,000	10/17/83

1. Where two $1,000 contributions are shown as having been made by one individual to one committee within an election cycle, or where one $2,000 contribution is shown as having been made by one individual, $1,000 was designated for the primary election and $1,000 was designated for the general election.

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Ray C. Fidel	1,000	10/17/83
Charles H. Keating, III	1,000	10/17/83
Krista K. Keating	1,000	10/17/83
Charles H. Keating, Jr.	1,000	10/17/83
Mary E. Keating	1,000	10/17/83
Carol B. Loback	1,000	10/17/83
Donald B. Loback	1,000	10/17/83
Michele C. Mencuccini	1,000	10/17/83
Everett L. Pfeiff	1,000	10/17/83
Mrs. Everett L. Pfeiff	1,000	10/17/83
Mark A. Voigt	1,000	10/17/83
Kathleen Wade	1,000	10/17/83
Robert J. Wade	1,000	10/17/83
Ellen R. Weiner	1,000	10/17/83
Sheldon R. Weiner	1,000	10/17/83
George J. Wischer	1,000	10/17/83
Judy E. Wischer	1,000	10/17/83
Elizabeth A. Wurzelbacher	1,000	10/17/83
Robert M. Wurzelbacher	1,000	10/17/83
Bradley J. Boland	1,000	03/17/86
	1,000	
Elaine Boland	1,000	03/17/86
	1,000	
Bruce F. Dickson	1,000	03/17/86
	1,000	
James J. Grogan	1,000	03/17/86
	1,000	
Mary J. Grogan	1,000	03/17/86
	1,000	
Gary W. Hall	1,000	03/17/86
	1,000	
Mary A. Hall	1,000	03/17/86
	1,000	
Kathleen M. Hubbard	1,000	03/17/86
	1,000	
Robert J. Hubbard	1,000	03/17/86
	1,000	
Krista K. Keating	1,000	03/17/86
	1,000	
Mary E. Keating	1,000	03/17/86
	1,000	
Charles H. Keating, III	1,000	03/17/86
	1,000	
Charles H. Keating, Jr.	1,000	03/17/86
	1,000	
Elizabeth A. Kielty	1,000	03/17/86
	1,000	
Robert J. Kielty	1,000	03/17/86
	1,000	
Michele C. Mencuccini	1,000	03/17/86
	1,000	
Maureen T. Mulhern	1,000	03/17/86
	1,000	

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Thomas D. Mulhern	1,000	03/17/86
	1,000	
Andre A. Niebling	1,000	03/17/86
	1,000	
Mark A. Voigt	1,000	03/17/86
	1,000	
Ellen R. Weiner	1,000	03/17/86
	1,000	
Sheldon K. Weiner	1,000	03/17/86
	1,000	
Timothy C. Westfall	1,000	03/17/86
	1,000	
George J. Wischer	1,000	03/17/86
	1,000	
Judy E. Wischer	1,000	03/17/86
	1,000	
	$71,000	

2. **Senator DeConcini; DeConcini '88 Committee and Michael D. Hawkins, as treasurer**

Contributor	Amount	Date
Ray C. Fidel	$ 1,000	07/31/85
	1,000	07/31/85
Gary W. Hall	1,000	07/31/85
Mary A. Hall	1,000	07/31/85
Charles H. Keating, III	1,000	07/31/85
Krista K. Keating	1,000	07/31/85
Elizabeth A. Kielty	1,000	07/31/85
Robert J. Kielty	1,000	07/31/85
Michele C. Mencuccini	1,000	07/31/85
Maureen Mulhern	1,000	07/31/85
	1,000	
Thomas D. Mulhern	1,000	07/31/85
	1,000	
Mark A. Voigt	1,000	07/31/85
Ellen R. Weiner	1,000	07/31/85
Sheldon K. Weiner	1,000	07/31/85
George J. Wischer	1,000	07/31/85
Judy E. Wischer	1,000	07/31/85
Mary E. Keating	500	07/31/85
	500	
Charles Keating, Jr.	500	07/31/85
	500	
Andre Niebling	1,000	08/15/85
Helen Niebling	1,000	08/15/85
Robert Wurzelbacher	1,000	11/26/85
Bradley J. Boland	500	11/26/85
Elaine Boland	500	11/26/85
Elizabeth Wurzelbacher	1,000	12/02/85

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James Grogan	500	04/18/86
Mary Grogan	500	04/18/86
Bradley J. Boland	500	07/21/86
Elaine Boland	500	07/21/86
Gary W. Hall	1,000	08/20/86
Mary A. Hall	1,000	08/20/86
Krista K. Keating	1,000	08/20/86
Charles H. Keating, III	1,000	08/20/86
Elizabeth A. Kielty	1,000	08/20/86
Robert J. Kielty	1,000	08/20/86
Michele C. Mencuccini	1,000	08/20/86
Mark A. Voigt	1,000	08/20/86
Ellen R. Weiner	1,000	08/20/86
Sheldon K. Weiner	1,000	08/20/86
George J. Wischer	1,000	08/20/86
Judy E. Wischer	1,000	08/20/86
Elizabeth Wurzelbacher	1,000	09/02/86
Robert Wurzelbacher	1,000	09/02/86
Mary Hinz	500	12/18/86
William Hinz	500	12/18/86
William Hinz	1,000	05/14/87
Mary Hinz	500	10/27/87
William Hinz	500	10/27/87
Kathy Hubbard	2,000	10/29/87
Robert Hubbard	2,000	10/29/87
James Grogan	500	10/29/87
Mary J. Grogan	500	10/29/87
Kathleen Wade	1,000	12/21/87
Robert Wade	1,000	12/21/87
James Grogan	500	06/28/88
Mary Grogan	500	06/28/88
Carol Loback	1,000	08/29/88
Don Loback	1,000	08/29/88
	$54,000	

3. **Senator Riegle and Riegle for Senate Committee and William C. Shedd, as treasurer**

Contributor	Amount	Date
Mary E. Keating	$ 2,000	03/11/87
Charles H. Keating, III	2,000	03/11/87

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Charles H. Keating, Jr.	2,000	03/11/87
Sheldon Weiner	2,000	03/11/87
Timothy Westfall	2,000	03/11/87
George Wischer	2,000	03/11/87
Judy Wischer	2,000	03/11/87
Eva Anau	1,000	03/11/87
Bradley Boland	1,000	03/11/87
Lynn Borushko	1,000	03/11/87
James Grogan	1,000	03/11/87
Mary J. Grogan	1,000	03/11/87
Randal Hyatt	1,000	03/11/87
Larry Dannenfeldt	500	03/11/87
Benno Jurgemeyer	500	03/11/87
Deborah Karbo	500	03/11/87
Robert Mulhern	500	03/11/87
Allen Van Loo	500	03/11/87
Maureen Mulhern	2,000	03/12/87
Thomas Mulhern	2,000	03/12/87
Andre Niebling	2,000	03/12/87
Elizabeth Wurzelbacher	2,000	03/12/87
Robert Wurzelbacher	2,000	03/12/87
John Brunst	1,000	03/12/87
Bruce Dickson	1,000	03/12/87
Ray Fidel	1,000	03/12/87
Sandra Klotz	1,000	03/12/87
Andrew Ligget	1,000	03/12/87
Larry Nelson	1,000	03/12/87
Robin Symes	1,000	03/12/87
Randy Ecklund	750	03/12/87
Jeff Carlson	500	03/12/87
Chris Chambers	500	03/12/87
Julie Collins	500	03/12/87
Gary Crow	500	03/12/87
Donald Donnelly	500	03/12/87
Corey Edens	500	03/12/87
Brenda Elmer	500	03/12/87
James Farney	500	03/12/87
Leroy Liebermann	500	03/12/87
Timothy Murray	500	03/12/87
Michael Ripson	500	03/12/87
Barbara Schmidt	500	03/12/87
Ronald Sova	500	03/12/87
David Stevens	500	03/12/87
Helen Thompson	500	03/12/87
James Upchurch	500	03/12/87
Terence Wilson	500	03/12/87
Michael S. Murray	2,000	03/18/87
Robert Kielty	2,000	03/24/87
Robert Kipp	2,000	03/24/87
Mark Sauter	2,000	03/24/87
Ronald Stoll	2,000	03/24/87

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Mark Voigt	2,000	03/24/87
James Connor	1,500	03/24/87
Jeffrey Erhart	1,000	03/24/87
Kathleen Hubbard	1,000	03/24/87
Robert Hubbard, Jr.	1,000	03/24/87
Edward Novak	1,000	03/24/87
Mary V. Novak	1,000	03/24/87
Thomas Hott	500	03/24/87
James Hubbard	500	03/24/87
Timothy Kruckeberg	500	03/24/87
Scott Siebels	500	03/24/87
David Thompson	500	03/24/87
Donald W. Crocker	500	04/28/87
	$70,250	

4. **Senator John Glenn; John Glenn Presidential Committee, Inc. and Michael Petro, as treasurer; Senator John Glenn Committee and William J. Brown, as treasurer**

John Glenn Presidential Committee, Inc.

Contributor	Amount	Date
Charles Keating	$ 1,000	07/24/84
Mary E. Keating	1,000	07/24/84
Gary W. Hall	500	07/24/84
Mary A. Hall	500	07/24/84
Krista K. Keating	500	07/24/84
Charles H. Keating, III	500	07/24/84
Elizabeth A. Kielty	500	07/24/84
Robert J. Kielty	500	07/24/84
Carol B. Loback	500	07/24/84
Donald B. Loback	500	07/24/84
Andre A. Niebling	500	07/24/84
Helen M. Niebling	500	07/24/84
George J. Wischer	500	07/24/84
Judy E. Wischer	500	07/24/84
Robert M. Wurzelbacher	500	07/24/84
Elizabeth A. Wurzelbacher	500	07/24/84
Subtotal	$ 9,000	

Glenn Senatorial Committee

Contributor	Amount	Date
Mary E. Keating	$ 2,000	07/31/85
Maureen Keating	2,000	07/31/85
Charles H. Keating, Jr.,	2,000	07/31/85
Michele C. Mencuccini	2,000	07/31/85

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Mark Voigt	2,000	07/31/85
Sheldon K. Weiner	2,000	07/31/85
Elizabeth A. Kielty	2,000	08/15/85
Robert J. Kielty	2,000	08/15/85
George J. Wischer	2,000	08/15/85
Judy E. Wischer	2,000	08/15/85
Subtotal	$20,000	
Total Glenn Committees	**$29,000**	

5. **Senator Alan Cranston; Cranston for Senate '92, Inc. and Solomon M. Kamm, as treasurer**

Contributor	Amount	Date
Charles H. Keating, Jr.	$ 1,000	04/04/85
Mary E. Keating	1,000	04/04/85
Maureen Mulhern	1,000	04/05/85
Kathleen Wade	1,000	04/05/85
Elizabeth A. Kielty	1,000	04/09/85
Robert J. Kielty	1,000	04/09/85
Andre A. Niebling	1,000	04/09/85
Helen Niebling	1,000	04/09/85
Mark Voigt	1,000	04/09/85
Sheldon K. Weiner	1,000	04/09/85
George Wischer	1,000	04/09/85
Judy Wischer	1,000	04/10/85
Charles H. Keating, Jr.	1,000	10/14/85
Mary E. Keating	1,000	10/14/85
Gary W. Hall	1,000	10/18/85
George J. Wischer	1,000	10/18/85
Judy E. Wischer	1,000	10/18/85
Michele C. Mencuccini	1,000	10/24/85
Mark A. Voigt	1,000	10/24/85
Robert J. Hubbard, Jr.	1,000	10/25/85
Krista K. Keating	1,000	11/01/85
Elizabeth A. Kielty	1,000	08/04/86
Robert J. Kielty	1,000	08/04/86
Sheldon K. Weiner	1,000	08/04/86
John E. Brunst	1,000	08/05/86
Ray C. Fidel	1,000	08/05/86
Charles H. Keating, III	1,000	08/05/86

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Andrew Ligget	1,000	08/05/86
Thomas D. Mulhern	1,000	08/05/86
Andre A. Niebling	1,000	08/05/86
Robin S. Symes	1,000	08/05/86
Helen M. Niebling	1,000	08/06/86
	$32,000	

6. Rhodes for Congress Committee and Kent H. Mulkey, as treasurer

Contributor	Amount	Date
Jean E. Brunst	$ 1,000	08/28/86
Charles H. Keating, III	1,000	08/28/86
Krista K. Keating	1,000	08/28/86
Charles H. Keating, Jr.	1,000	08/28/86
Mary E. Keating	1,000	08/28/86
Michele Mencuccini	1,000	08/28/86
Andre Niebling	1,000	08/28/86
Helen Niebling	1,000	08/28/86
Ellen Weiner	1,000	08/28/86
Sheldon Weiner	1,000	08/28/86
	$10,000	

7. Committee for Tim Wirth, Inc. and Joanne C. Bryant, as treasurer

Contributor	Amount	Date
Bradley J. Boland	$ 1,000	02/13/87
Robert J. Hubbard, Jr.	1,000	02/13/87
Charles H. Keating, III	1,000	02/13/87
Robert M. Wurzelbacher, Jr.	1,000	02/13/87
Andre A. Niebling	1,000	02/27/87
Judy Wischer	1,000	02/27/87
James J. Grogan	1,000	03/18/87
Robert J. Kielty	1,000	03/18/87
Maureen Mulhern	1,000	03/18/87
Terence Wilson	1,000	03/18/87
	$10,000	

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8. **John Kyl Re-Election Committee (formerly known as Jon Kyl for Congress Committee) and Clarence A. DeLong, as treasurer**

Contributor	Amount	Date
Robert J. Kielty	$ 800	08/22/86
John E. Brunst	750	08/22/86
Ray C. Fidel	750	08/22/86
James J. Grogan	750	08/22/86
Kathleen M. Hubbard	750	08/22/86
Robert J. Hubbard, Jr.	750	08/22/86
Charles H. Keating, III	750	08/22/86
Krista Keating	750	08/22/86
Charles H. Keating, Jr.	750	08/22/86
Elizabeth Kielty	750	08/22/86
Andrew Ligget	750	08/22/86
Michele Mencuccini	750	08/22/86
Andre A. Niebling	750	08/22/86
Helen Niebling	750	08/22/86
Robin Symes	750	08/22/86
Mark A. Voigt	750	08/22/86
Ellen Weiner	750	08/22/86
Sheldon K. Weiner	750	08/22/86
Timothy C. Westfall	750	08/22/86
Elizabeth Wurzelbacher	750	08/22/86
Robert M. Wurzelbacher	750	08/22/86
Bradley J. Boland	750	08/26/86
Elaine Boland	750	08/26/86
Mary A. Hall	750	08/26/86
Maureen Mulhern	750	08/26/86
Thomas D. Mulhern	750	08/26/86
Gary W. Hall	500	08/26/86
George Wischer	900	09/03/86
Judy Wischer	900	09/03/86
Mark S. Sauter	800	09/04/86
Donald R. Loback	1,000	08/19/87
Charles H. Keating, Jr.	1,000	09/16/87
Mary Keating	1,000	09/16/87
	$25,650	

9. **Kolbe '88 and William H. Kelley, as treasurer**

Contributor	Amount	Date
Mary E. Keating	$1,000	10/16/84
Charles H. Keating, III	1,000	10/16/84
Charles H. Keating, Jr.	1,000	10/16/84

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Donald B. Loback	1,000	10/16/84
Andre A. Niebling	1,000	10/16/84
George Wischer	1,000	10/16/84
Judy Wischer	1,000	10/16/84
Elizabeth Kielty	500	10/16/84
Sheldon K. Weiner	500	10/16/84
Elaine Boland	1,000	03/03/86
Bradley J. Boland	1,000	03/03/86
Kathleen M. Hubbard	1,000	03/03/86
Robert J. Hubbard, Jr.	1,000	03/03/86
Krista K. Keating	1,000	03/03/86
Mary E. Keating	1,000	03/03/86
Charles H. Keating, III	1,000	03/03/86
Charles H. Keating, Jr.	1,000	03/03/86
Robert J. Kielty	1,000	03/03/86
Michele C. Mencuccini	1,000	03/03/86
Maureen Mulhern	1,000	03/03/86
Mark A. Voigt	1,000	03/03/86
Judy Wischer	1,000	03/03/86
William D. Hinz	1,000	02/02/88
Mary E. Keating	1,000	02/02/88
Charles H. Keating, III	1,000	02/02/88
Charles H. Keating, Jr.	1,000	02/02/88
	$25,000	

10. **Chip Pashayan for Congress Committee (formerly known as Pashayan for Congress Committee) and Jay R. Weed, as treasurer**

Contributor	Amount	Date
Bradley J. Boland	$ 1,000	06/02/86
Mary A. Hall	1,000	06/02/86
Kathleen M. Hubbard	1,000	06/02/86
Robert J. Hubbard, Jr.	1,000	06/02/86
Mary E. Keating	1,000	06/02/86
Charles H. Keating, Jr.	1,000	06/02/86
Robert J. Kielty	1,000	06/02/86
Michele C. Mencuccini	1,000	06/02/86
Thomas D. Mulhern	1,000	06/02/86
Andre A. Niebling	1,000	06/02/86
George J. Wischer	1,000	06/02/86
Robert M. Wurzelbacher	1,000	06/02/86
Bradley J. Boland	1,000	08/14/86
Elaine Boland	1,000	08/14/86
Mary A. Hall	1,000	08/14/86
Kathleen M. Hubbard	1,000	08/14/86
Robert J. Hubbard, Jr.	1,000	08/14/86
Krista K. Keating	1,000	08/14/86
Michele C. Mencuccini	1,000	08/14/86

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Thomas D. Mulhern	1,000	08/14/86
Gary W. Hall	1,000	08/15/86
Charles H. Keating, III	1,000	08/15/86
Robin S. Symes	1,000	08/15/86
Mark A. Voigt	1,000	08/15/86
Ray C. Fidel	1,000	08/16/86
Maureen T. Mulhern	1,000	08/17/86
	$26,000	

11. Californians for Senator Pete Wilson and F. Laurence Scott, Jr., as treasurer

Contributor	Amount	Date
Gary W. Hall	$ 1,000	04/08/85
Mary Hall	1,000	04/08/85
Elaine Keating	1,000	04/08/85
Krista K. Keating	1,000	04/08/85
Mary E. Keating	1,000	04/08/85
Michele Mencuccini	1,000	04/08/85
Maureen Mulhern	1,000	04/08/85
Robin Symes	1,000	04/08/85
Mark A. Voigt	1,000	04/08/85
Sheldon K. Weiner	1,000	04/08/85
Kathleen R. Wade	500	04/08/85
Donald B. Loback	1,000	04/17/85
Andre A. Niebling	1,000	04/17/85
George J. Wischer	1,000	04/30/85
Judy E. Wischer	1,000	04/30/85
Charles H. Keating, III	1,000	08/08/85
Charles H. Keating, Jr.	1,000	08/08/85
	$16,500	

12. Doug Barnard for Congress, Committee for Druie Douglas Barnard, Jr. and Nancy J. McJunkin, as treasurer

Contributor	Amount	Date
Bradley J. Boland	$ 1,000	07/28/86
Elaine Boland	1,000	07/28/86
Kathleen M. Hubbard	1,000	07/28/86
Robert Hubbard, Jr.	1,000	07/28/86
Krista K. Keating	1,000	07/28/86
Mary E. Keating	1,000	07/28/86
Charles H. Keating, III	1,000	07/28/86
Charles H. Keating, Jr.	1,000	07/28/86

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Elizabeth A. Kielty	1,000	07/28/86
Robert J. Kielty	1,000	07/28/86
Michele C. Mencuccini	1,000	07/28/86
Maureen Mulhern	1,000	07/28/86
Andre A. Niebling	1,000	07/28/86
Mark S. Sauter	1,000	07/28/86
Mark A. Voigt	1,000	07/28/86
Ellen Weiner	1,000	07/28/86
Sheldon K. Weiner	1,000	07/28/86
George J. Wischer	1,000	07/28/86
Judy E. Wischer	1,000	07/28/86
Thomas D. Mulhern	1,000	07/30/86
	$20,000	

13. **Hecht Re-Election Committee and Glen N. Mauldin, as treasurer**

Contributor	Amount	Date
Robert Kipp	$ 1,000	09/30/88
George Wischer	1,000	10/06/88
Jack Atchison	1,000	10/18/88
Bruce Dickson	1,000	10/18/88
Kathi Fidel	1,000	10/18/88
James Grogan	1,000	10/18/88
Mary J. Grogan	1,000	10/18/88
Mary A. Hall	1,000	10/18/88
Kathleen M. Hubbard	1,000	10/18/88
Robert J. Hubbard, Jr.	1,000	10/18/88
Carol D. Kassick	1,000	10/18/88
Gregory J. Kassick	1,000	10/18/88
Krista K. Keating	1,000	10/18/88
Charles H. Keating, III	1,000	10/18/88
Elizabeth Kielty	1,000	10/18/88
Robert J. Kielty	1,000	10/18/88
Andrew Ligget	1,000	10/18/88
Michael Ligget	1,000	10/18/88
Michele C. Mencuccini	1,000	10/18/88
Maureen T. Mulhern	1,000	10/18/88
Thomas D. Mulhern	1,000	10/18/88
Larry Nelson	1,000	10/18/88
Mark G. Sauter	1,000	10/18/88
Elizabeth M. Stoll	1,000	10/18/88
Ronald M. Stoll	1,000	10/18/88
Barbara Symes	1,000	10/18/88
Robin Symes	1,000	10/18/88
Mark G. Voigt	1,000	10/18/88
Ellen Weiner	1,000	10/18/88
Sheldon Weiner	1,000	10/18/88
George J. Wischer	1,000	10/18/88

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Judy E. Wischer	1,000	10/18/88
Robert Wurzelbacher, Jr.	1,000	10/18/88
Bradley Boland	1,000	10/24/88
Elaine Boland	1,000	10/24/88
Mary V. Novak	1,000	10/24/88
Carol K. Sauder	1,000	10/24/88
Scott Siebels	1,000	10/24/88
	$38,000	

14. Republican National Committee - Contributions and William J. McManus, as treasurer

Contributor	Amount	Date
Jack Atchison	$ 10,000	06/08/88
Robyn Atchison	10,000	06/08/88
James J. Grogan	10,000	06/08/88
Mary J. Grogan	10,000	06/08/88
Charles H. Keating	10,000	06/08/88
Elizabeth Kielty	10,000	06/08/88
Robert J. Kielty	10,000	06/08/88
George Wischer	10,000	06/08/88
Judy Wischer	10,000	06/08/88
Mary E. Keating	10,000	06/09/88
Daniele Bodini	500	09/02/88
	$100,500	

15. Hatch Election Committee and Stanley R. DeWaal, as treasurer

Contributor	Amount	Date
Anaki L. Anau	$ 500	04/09/88
David E. Stevens	500	04/09/88
Corey Edens	1,000	04/09/88
Kathleen M. Hubbard	2,000	04/09/88
Robert J. Hubbard, Jr.	2,000	04/09/88
Mary E. Keating	2,000	04/09/88
Charles H. Keating, Jr.	2,000	04/09/88
	$10,000	

16. National Action Committee (FKA Dave Evans for Congress Committee) and Dave Evans, as treasurer

Contributor	Amount	Date
Charles Keating	$ 1,000	03/03/87
Mary Keating	1,000	03/03/87

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Elizabeth Kielty	1,000	03/03/87
Robert Kielty	1,000	03/03/87
Terence Wilson	1,000	03/03/87
George Wischer	1,000	03/03/87
Judy Wischer	1,000	03/03/87
Charles Keating	5,000	03/11/88
Mary Keating	5,000	03/11/88
	$17,000	

17. The Armstrong Committee, Inc. and Thomas E. Rodriguez, as treasurer

Contributor	Amount	Date
Charles H. Keating, Jr.	$ 1,000	04/20/84
Mary E. Keating	1,000	04/20/84
Elizabeth A. Kielty	1,000	04/20/84
Robert J. Kielty	1,000	04/20/84
Andre A. Niebling	1,000	04/20/84
Kathleen Wade	1,000	04/20/84
George Wischer	1,000	04/20/84
Judy E. Wischer	1,000	04/20/84
Elizabeth Wurzelbacher	1,000	04/20/84
Robert M. Wurzelbacher	1,000	04/20/84
	$10,000	

18. Citizens for Jack Kemp and Malcolm K. Buckley, as treasurer

Contributor	Amount	Date
Gary W. Hall	$ 1,000	11/13/85
Kathleen M. Hubbard	1,000	11/13/85
Mary A. Hall	1,000	11/13/85
Mary E. Keating	1,000	11/13/85
Robert J. Kielty	1,000	11/13/85
Charles H. Keating, Jr.	1,000	11/13/85
Robert J. Hubbard, Jr.	1,000	11/13/85
Judy E. Wischer	1,000	11/13/85
	$ 8,000	

19. Committee to Re-Elect United States Senator Paula Hawkins and Genean McKinnon, as treasurer

Contributor	Amount	Date
Bradley J. Boland	$ 2,000	07/25/86
Charles H. Keating, III	2,000	07/25/86
Krista K. Keating	2,000	07/25/86
George J. Wischer	2,000	07/25/86

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Judy Wischer	2,000	07/25/86
Charles H. Keating, Jr.	2,000	07/25/86
Mary E. Keating	2,000	07/25/86
Robert J. Hubbard, Jr.	2,000	07/25/86
Kathleen M. Hubbard	2,000	07/25/86
Maureen T. Mulhern	2,000	07/25/86
Thomas D. Mulhern	2,000	07/25/86
Elizabeth A. Wurzelbacher	2,000	07/25/86
Robert M. Wurzelbacher	2,000	07/25/86
Elaine Boland	2,000	07/25/86
	$28,000	

20. Friends of Mattingly and Donald P. Gammon, as treasurer

Contributor	Amount	Date
Charles H. Keating, Jr.	$ 1,000	04/04/86
Charles H. Keating, III	1,000	04/04/86
Mary E. Keating	1,000	04/04/86
Krista K. Keating	1,000	04/04/86
Judy E. Wischer	1,000	04/04/86
	$ 5,000	

While the patterns shown above are sufficient to support a find of reason to believe, in addition, several news stories have raised the suggestion that the monies donated by Charles Keating, his family members and business associates actually comprised corporate funds which were given to these individuals for the purpose of making contributions. A November 14, 1989 Associated Press report states that the FBI is investigating whether the funds which comprised contributions to Senator Cranston were diverted from the accounts of depositors at Lincoln Savings and Loan. Similarly, an October 26, 1989 Los Angeles Times article states that FBI agents "are questioning former officers and employees of . . . Lincoln . . . to determine if top executives were paid excessively high salaries with the understanding they would contribute some of that money

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to political candidates." Similarly, a November 9, 1989 New York Times article states: "Regulators note that to get around individual contribution limits, Mr. Keating would pay high salaries to his employees and either directly or indirectly instruct them to contribute to certain campaigns; Keating family members would also make contributions."

The Commission is aware of only one instance in the present matter where contributions were received at a fundraiser, that of the Riegle Committee, which was held in March 1987 at a Keating-owned hotel in Detroit.

It is unknown at this time to what extent ACC was involved coordinating this fundraiser, but the Commission notes the location of the event and that contributions were first delivered on March 11, 1987 and subsequently delivered as late as March 24, 1987. Furthermore, the individuals who apparently attended this fundraiser in Detroit were exclusively members of Charles Keating's family or associated with one of his companies. These individuals do not live in or around Detroit, with the exception of one or two people, but rather live in Arizona and California near ACC or Lincoln headquarters. Thus it appears that ACC may have been intimately involved in organizing and conducting this fundraiser, and perhaps even securing the attendance of ACC employees.

Additionally, ACC has provided a number of documents relating to contributions by ACC personnel for elections at both the state and federal levels. Although many of these documents are in the form of memoranda from business and charitable

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organizations, others deal directly with contributions to political candidates.

Certain of these documents should not logically have been found in ACC's corporate files. These include: 1) a typed thank-you letter from the Finance Director of the Kolbe for Congress Committee to Krista K. Keating; 2) a handwritten thank-you letter from Representative Kolbe to "Mr. and Mrs. Keating"; and 3) copies of checks from Mark A. Voigt and Michele C. Mencuccini, employees of ACC, used to make contributions to John McCain for Senate.[2] Other unusual documents include listings of contributions made in an election cycle by individuals, as well as memos to Charles H. Keating, Jr. recommending that certain individuals make contributions in certain amounts to specific candidates. The presence of these documents in the corporate files strongly suggests corporate involvement in the making of the contributions.

While it is too early to conclusively determine at this time, the activity here may have involved both contributions in the name of another and excessive corporate involvement in fundraising. Because the contributions would constitute corporate contributions by ACC under either scenario, there is reason to believe Charles H. Keating, Jr. violated 2 U.S.C. §§ 441b and 441f.

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2. The checks of Michele C. Mencuccini are dated March 5, 1986, while the checks of Mark A. Voigt are dated March 6, 1986. The contributions are reported by the McCain Committee has having been made on March 17, 1986.

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James J. Feder. Esq.
Wyman, Bautzer, Kuchel & Silbert
Two Century Plaza, Fourteenth Floor
2049 Century Park East
Los Angeles, CA 90067

RE: MUR 3121
American Continental
Corporation

Dear Mr. Feder:

On November 6, 1989, the Federal Election Commission notified your client, American Continental Corporation, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was enclosed with that notification.

Upon further review of the allegations contained in the complaint, and information supplied by you and others, the Commission, on February 12, 1991, found that there is reason to believe American Continental Corporation violated 2 U.S.C. §§ 441b(a) and 441f, provisions of 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 your client. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted to the General Counsel's Office within 15 days of your receipt of this letter. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

In the absence of any additional information which demonstrates that no further action should be taken against

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your client, 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 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.

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

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: American Continental Corporation

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Attachments
Instructions
Definitions
Questions and Document Request

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QUESTIONS AND DOCUMENT REQUESTS

1. Identify all subsidiaries of American Continental Corporation ("ACC") as well as all companies in which ACC had an ownership interest during the relevant period.

2. For each employee, officer or director of ACC or its subsidiaries who received bonuses or other compensation in addition to their salaries during the relevant period, provide the following information for each:

   a. amount of bonus or additional compensation
   b. justification for such bonus or additional compensation
   c. the date of receipt of such bonus or additional compensation

3. Provide all documents relating to all contributions made by ACC or any of its subsidiaries, or any of their officers, directors, shareholders and employees, to any federal candidate or political committee during the relevant period.

4. Provide all documents relating to the policies and practices of ACC and its subsidiaries relating to the solicitation and making of contributions to federal candidates by corporate employees.

5. Provide all documents relating to all fundraisers held on behalf of or relating to federal candidates or political committees which employees, officers, directors or shareholders of ACC and its subsidiaries, acting in their corporate capacities, organized or in which they in any way participated, including lists of persons solicited, lists of contributions collected, letters transmitting contributions, notes of meetings or communications concerning the making of such contributions.

6. Describe fully, including dates and places, all meetings, discussions, phone calls and other communications concerning the solicitation or making of contributions to federal candidates and/or political committees which involved corporate employees, officers, directors or shareholders or the use of corporate funds.

7. Provide all documents relating to the payment or reimbursement to contractors, consultants, employees, officers, directors or shareholders of ACC or any of its subsidiaries, or any of their spouses or other family members, for any contribution made by such person to a federal candidate or political committee.

8. Provide all documents relating to communications between ACC (or any of its subsidiaries) and any federal political committee during the relevant period, including correspondence, notes, memoranda, and phone messages.

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9. Provide all documents relating to all contributions, payments, expenditures or reimbursements made by ACC or any of its subsidiaries to any organization, association or corporation for voter registration or get-out-the-vote drives, including, but not limited to, contributions made to the Center for Participation in Democracy.

10. Provide copies of all documents ACC and its subsidiaries have provided to the Senate Ethics Committee relating to contributions made to federal candidates or committees by employees, officers, directors, shareholders, contractors, or consultants of ACC and its subsidiaries.

11. Identify all persons other than counsel who provided information, or consulted or assisted in any way in the preparation of answers to these questions and document requests.

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: American Continental Corporation **MUR:** 3121

Pursuant to 2 U.S.C. § 441b(a), it is unlawful for any corporation to make a contribution or expenditure in connection with any election for Federal office. The term "contribution or expenditure" includes "any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value . . . to any candidate, campaign committee, or political party or organization, in connection with any election" to such office. 2 U.S.C. § 441b(b)(2).

Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution. A corporation is considered a person. 2 U.S.C. § 431(11). In prior matters, where several employees of a corporation and their family members make contributions of like amounts on or about the same date, the Commission has found reason to believe that such contributions were made by the corporation in the names of the employees and their family members. The Commission has also found reason to believe that contributions were made by a corporation in the names of others salaries have been augmented in order to allow the individual receiving the salary to make contributions. See Advisory Opinion 1986-41.

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The prohibition against corporate contributions is also implicated if there was excessive corporate involvement in the raising of contributions. Such involvement may take the form of aiding in the collection and delivery of contributions by its employees and being instrumental in having the employees make the actual contributions, or by hosting a fundraiser and soliciting contributions in connection with that fundraiser.

Commission records show that on numerous occasions, employees of American Continental Corporation and its subsidiaries or other affiliated entities, and many of these employees' spouses or other family members, made contributions on or about the same date in like amounts to the same political committee(s).[1] These occasions are as follows:

1. **Senator John McCain; McCain Re-Election Committee and Thomas R. Holtrup, as treasurer**

Contributor	Amount	Date
Bruce F. Dickson	$ 1,000	10/17/83
Rebecca H. Dickson	1,000	10/17/83
Ray C. Fidel	1,000	10/17/83
Charles H. Keating, III	1,000	10/17/83
Krista K. Keating	1,000	10/17/83
Charles H. Keating, Jr.	1,000	10/17/83
Mary E. Keating	1,000	10/17/83
Carol B. Loback	1,000	10/17/83
Donald B. Loback	1,000	10/17/83
Michele C. Mencuccini	1,000	10/17/83
Everett L. Pfeiff	1,000	10/17/83
Mrs. Everett L. Pfeiff	1,000	10/17/83
Mark A. Voigt	1,000	10/17/83
Kathleen Wade	1,000	10/17/83
Robert J. Wade	1,000	10/17/83
Ellen R. Weiner	1,000	10/17/83

1. Where two $1,000 contributions are shown as having been made by one individual to one committee within an election cycle, or where one $2,000 contribution is shown as having been made by one individual, $1,000 was designated for the primary election and $1,000 was designated for the general election.

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Sheldon R. Weiner	1,000	10/17/83
George J. Wischer	1,000	10/17/83
Judy E. Wischer	1,000	10/17/83
Elizabeth A. Wurzelbacher	1,000	10/17/83
Robert M. Wurzelbacher	1,000	10/17/83
Bradley J. Boland	1,000	03/17/86
	1,000	
Elaine Boland	1,000	03/17/86
	1,000	
Bruce F. Dickson	1,000	03/17/86
	1,000	
James J. Grogan	1,000	03/17/86
	1,000	
Mary J. Grogan	1,000	03/17/86
	1,000	
Gary W. Hall	1,000	03/17/86
	1,000	
Mary A. Hall	1,000	03/17/86
	1,000	
Kathleen M. Hubbard	1,000	03/17/86
	1,000	
Robert J. Hubbard	1,000	03/17/86
	1,000	
Krista K. Keating	1,000	03/17/86
	1,000	
Mary E. Keating	1,000	03/17/86
	1,000	
Charles H. Keating, III	1,000	03/17/86
	1,000	
Charles H. Keating, Jr.	1,000	03/17/86
	1,000	
Elizabeth A. Kielty	1,000	03/17/86
	1,000	
Robert J. Kielty	1,000	03/17/86
	1,000	
Michele C. Mencuccini	1,000	03/17/86
	1,000	
Maureen T. Mulhern	1,000	03/17/86
	1,000	
Thomas D. Mulhern	1,000	03/17/86
	1,000	
Andre A. Niebling	1,000	03/17/86
	1,000	
Mark A. Voigt	1,000	03/17/86
	1,000	
Ellen R. Weiner	1,000	03/17/86
	1,000	
Sheldon K. Weiner	1,000	03/17/86
	1,000	
Timothy C. Westfall	1,000	03/17/86
	1,000	
George J. Wischer	1,000	03/17/86
	1,000	

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Judy E. Wischer	1,000	03/17/86
	1,000	
	$71,000	

2. **Senator DeConcini; DeConcini '88 Committee and Michael D. Hawkins, as treasurer**

Contributor	Amount	Date
Ray C. Fidel	$ 1,000	07/31/85
	1,000	07/31/85
Gary W. Hall	1,000	07/31/85
Mary A. Hall	1,000	07/31/85
Charles H. Keating, III	1,000	07/31/85
Krista K. Keating	1,000	07/31/85
Elizabeth A. Kielty	1,000	07/31/85
Robert J. Kielty	1,000	07/31/85
Michele C. Mencuccini	1,000	07/31/85
Maureen Mulhern	1,000	07/31/85
	1,000	
Thomas D. Mulhern	1,000	07/31/85
	1,000	
Mark A. Voigt	1,000	07/31/85
Ellen R. Weiner	1,000	07/31/85
Sheldon K. Weiner	1,000	07/31/85
George J. Wischer	1,000	07/31/85
Judy E. Wischer	1,000	07/31/85
Mary E. Keating	500	07/31/85
	500	
Charles Keating, Jr.	500	07/31/85
	500	
Andre Niebling	1,000	08/15/85
Helen Niebling	1,000	08/15/85
Robert Wurzelbacher	1,000	11/26/85
Bradley J. Boland	500	11/26/85
Elaine Boland	500	11/26/85
Elizabeth Wurzelbacher	1,000	12/02/85
James Grogan	500	04/18/86
Mary Grogan	500	04/18/86
Bradley J. Boland	500	07/21/86
Elaine Boland	500	07/21/86
Gary W. Hall	1,000	08/20/86
Mary A. Hall	1,000	08/20/86
Krista K. Keating	1,000	08/20/86
Charles H. Keating, III	1,000	08/20/86
Elizabeth A. Kielty	1,000	08/20/86
Robert J. Kielty	1,000	08/20/86
Michele C. Mencuccini	1,000	08/20/86

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Mark A. Voigt	1,000	08/20/86
Ellen R. Weiner	1,000	08/20/86
Sheldon K. Weiner	1,000	08/20/86
George J. Wischer	1,000	08/20/86
Judy E. Wischer	1,000	08/20/86
Elizabeth Wurzelbacher	1,000	09/02/86
Robert Wurzelbacher	1,000	09/02/86
Mary Hinz	500	12/18/86
William Hinz	500	12/18/86
William Hinz	1,000	05/14/87
Mary Hinz	500	10/27/87
William Hinz	500	10/27/87
Kathy Hubbard	2,000	10/29/87
Robert Hubbard	2,000	10/29/87
James Grogan	500	10/29/87
Mary J. Grogan	500	10/29/87
Kathleen Wade	1,000	12/21/87
Robert Wade	1,000	12/21/87
James Grogan	500	06/28/88
Mary Grogan	500	06/28/88
Carol Loback	1,000	08/29/88
Don Loback	1,000	08/29/88
	$54,000	

3. **Senator Riegle and Riegle for Senate Committee and William C. Shedd, as treasurer**

Contributor	Amount	Date
Mary E. Keating	$ 2,000	03/11/87
Charles H. Keating, III	2,000	03/11/87
Charles H. Keating, Jr.	2,000	03/11/87
Sheldon Weiner	2,000	03/11/87
Timothy Westfall	2,000	03/11/87
George Wischer	2,000	03/11/87
Judy Wischer	2,000	03/11/87
Eva Anau	1,000	03/11/87
Bradley Boland	1,000	03/11/87
Lynn Borushko	1,000	03/11/87
James Grogan	1,000	03/11/87
Mary J. Grogan	1,000	03/11/87
Randal Hyatt	1,000	03/11/87
Larry Dannenfeldt	500	03/11/87
Benno Jurgemeyer	500	03/11/87
Deborah Karbo	500	03/11/87

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Robert Mulhern	500	03/11/87
Allen Van Loo	500	03/11/87
Maureen Mulhern	2,000	03/12/87
Thomas Mulhern	2,000	03/12/87
Andre Niebling	2,000	03/12/87
Elizabeth Wurzelbacher	2,000	03/12/87
Robert Wurzelbacher	2,000	03/12/87
John Brunst	1,000	03/12/87
Bruce Dickson	1,000	03/12/87
Ray Fidel	1,000	03/12/87
Sandra Klotz	1,000	03/12/87
Andrew Ligget	1,000	03/12/87
Larry Nelson	1,000	03/12/87
Robin Symes	1,000	03/12/87
Randy Ecklund	750	03/12/87
Jeff Carlson	500	03/12/87
Chris Chambers	500	03/12/87
Julie Collins	500	03/12/87
Gary Crow	500	03/12/87
Donald Donnelly	500	03/12/87
Corey Edens	500	03/12/87
Brenda Elmer	500	03/12/87
James Farney	500	03/12/87
Leroy Liebermann	500	03/12/87
Timothy Murray	500	03/12/87
Michael Ripson	500	03/12/87
Barbara Schmidt	500	03/12/87
Ronald Sova	500	03/12/87
David Stevens	500	03/12/87
Helen Thompson	500	03/12/87
James Upchurch	500	03/12/87
Terence Wilson	500	03/12/87
Michael S. Murray	2,000	03/18/87
Robert Kielty	2,000	03/24/87
Robert Kipp	2,000	03/24/87
Mark Sauter	2,000	03/24/87
Ronald Stoll	2,000	03/24/87
Mark Voigt	2,000	03/24/87
James Connor	1,500	03/24/87
Jeffrey Erhart	1,000	03/24/87
Kathleen Hubbard	1,000	03/24/87
Robert Hubbard, Jr.	1,000	03/24/87
Edward Novak	1,000	03/24/87
Mary V. Novak	1,000	03/24/87
Thomas Hott	500	03/24/87
James Hubbard	500	03/24/87
Timothy Kruckeberg	500	03/24/87
Scott Siebels	500	03/24/87
David Thompson	500	03/24/87
Donald W. Crocker	500	04/28/87

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$70,250

4. **Senator John Glenn; John Glenn Presidential Committee, Inc. and Michael Petro, as treasurer; Senator John Glenn Committee and William J. Brown, as treasurer**

John Glenn Presidential Committee, Inc.

Contributor	Amount	Date
Charles Keating	$ 1,000	07/24/84
Mary E. Keating	1,000	07/24/84
Gary W. Hall	500	07/24/84
Mary A. Hall	500	07/24/84
Krista K. Keating	500	07/24/84
Charles H. Keating, III	500	07/24/84
Elizabeth A. Kielty	500	07/24/84
Robert J. Kielty	500	07/24/84
Carol B. Loback	500	07/24/84
Donald B. Loback	500	07/24/84
Andre A. Niebling	500	07/24/84
Helen M. Niebling	500	07/24/84
George J. Wischer	500	07/24/84
Judy E. Wischer	500	07/24/84
Robert M. Wurzelbacher	500	07/24/84
Elizabeth A. Wurzelbacher	500	07/24/84
Subtotal	$ 9,000	

Glenn Senatorial Committee

Contributor	Amount	Date
Mary E. Keating	$ 2,000	07/31/85
Maureen Keating	2,000	07/31/85
Charles H. Keating, Jr.,	2,000	07/31/85
Michele C. Mencuccini	2,000	07/31/85
Mark Voigt	2,000	07/31/85
Sheldon K. Weiner	2,000	07/31/85
Elizabeth A. Kielty	2,000	08/15/85
Robert J. Kielty	2,000	08/15/85
George J. Wischer	2,000	08/15/85
Judy E. Wischer	2,000	08/15/85
Subtotal	$20,000	
Total Glenn Committees	$29,000	

5. **Senator Alan Cranston; Cranston for Senate '92, Inc. and Solomon M. Kamm, as treasurer**

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Contributor	Amount	Date
Charles H. Keating, Jr.	$ 1,000	04/04/85
Mary E. Keating	1,000	04/04/85
Maureen Mulhern	1,000	04/05/85
Kathleen Wade	1,000	04/05/85
Elizabeth A. Kielty	1,000	04/09/85
Robert J. Kielty	1,000	04/09/85
Andre A. Niebling	1,000	04/09/85
Helen Niebling	1,000	04/09/85
Mark Voigt	1,000	04/09/85
Sheldon K. Weiner	1,000	04/09/85
George Wischer	1,000	04/09/85
Judy Wischer	1,000	04/10/85
Charles H. Keating, Jr.	1,000	10/14/85
Mary E. Keating	1,000	10/14/85
Gary W. Hall	1,000	10/18/85
George J. Wischer	1,000	10/18/85
Judy E. Wischer	1,000	10/18/85
Michele C. Mencuccini	1,000	10/24/85
Mark A. Voigt	1,000	10/24/85
Robert J. Hubbard, Jr.	1,000	10/25/85
Krista K. Keating	1,000	11/01/85
Elizabeth A. Kielty	1,000	08/04/86
Robert J. Kielty	1,000	08/04/86
Sheldon K. Weiner	1,000	08/04/86
John E. Brunst	1,000	08/05/86
Ray C. Fidel	1,000	08/05/86
Charles H. Keating, III	1,000	08/05/86
Andrew Ligget	1,000	08/05/86

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Thomas D. Mulhern	1,000	08/05/86
Andre A. Niebling	1,000	08/05/86
Robin S. Symes	1,000	08/05/86
Helen M. Niebling	1,000	08/06/86
	$32,000	

6. **Rhodes for Congress Committee and Kent H. Mulkey, as treasurer**

Contributor	Amount	Date
Jean E. Brunst	$ 1,000	08/28/86
Charles H. Keating, III	1,000	08/28/86
Krista K. Keating	1,000	08/28/86
Charles H. Keating, Jr.	1,000	08/28/86
Mary E. Keating	1,000	08/28/86
Michele Mencuccini	1,000	08/28/86
Andre Niebling	1,000	08/28/86
Helen Niebling	1,000	08/28/86
Ellen Weiner	1,000	08/28/86
Sheldon Weiner	1,000	08/28/86
	$10,000	

7. **Committee for Tim Wirth, Inc. and Joanne C. Bryant, as treasurer**

Contributor	Amount	Date
Bradley J. Boland	$ 1,000	02/13/87
Robert J. Hubbard, Jr.	1,000	02/13/87
Charles H. Keating, III	1,000	02/13/87
Robert M. Wurzelbacher, Jr.	1,000	02/13/87
Andre A. Niebling	1,000	02/27/87
Judy Wischer	1,000	02/27/87
James J. Grogan	1,000	03/18/87
Robert J. Kielty	1,000	03/18/87
Maureen Mulhern	1,000	03/18/87
Terence Wilson	1,000	03/18/87
	$10,000	

8. **John Kyl Re-Election Committee (formerly known as Jon Kyl for Congress Committee) and Clarence A. DeLong, as treasurer**

Contributor	Amount	Date
Robert J. Kielty	$ 800	08/22/86
John E. Brunst	750	08/22/86

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Ray C. Fidel	750	08/22/86
James J. Grogan	750	08/22/86
Kathleen M. Hubbard	750	08/22/86
Robert J. Hubbard, Jr.	750	08/22/86
Charles H. Keating, III	750	08/22/86
Krista Keating	750	08/22/86
Charles H. Keating, Jr.	750	08/22/86
Elizabeth Kielty	750	08/22/86
Andrew Ligget	750	08/22/86
Michele Mencuccini	750	08/22/86
Andre A. Niebling	750	08/22/86
Helen Niebling	750	08/22/86
Robin Symes	750	08/22/86
Mark A. Voigt	750	08/22/86
Ellen Weiner	750	08/22/86
Sheldon K. Weiner	750	08/22/86
Timothy C. Westfall	750	08/22/86
Elizabeth Wurzelbacher	750	08/22/86
Robert M. Wurzelbacher	750	08/22/86
Bradley J. Boland	750	08/26/86
Elaine Boland	750	08/26/86
Mary A. Hall	750	08/26/86
Maureen Mulhern	750	08/26/86
Thomas D. Mulhern	750	08/26/86
Gary W. Hall	500	08/26/86
George Wischer	900	09/03/86
Judy Wischer	900	09/03/86
Mark S. Sauter	800	09/04/86
Donald R. Loback	1,000	08/19/87
Charles H. Keating, Jr.	1,000	09/16/87
Mary Keating	1,000	09/16/87
	$25,650	

9. **Kolbe '88 and William H. Kelley, as treasurer**

Contributor	Amount	Date
Mary E. Keating	$1,000	10/16/84
Charles H. Keating, III	1,000	10/16/84
Charles H. Keating, Jr.	1,000	10/16/84
Donald B. Loback	1,000	10/16/84
Andre A. Niebling	1,000	10/16/84
George Wischer	1,000	10/16/84
Judy Wischer	1,000	10/16/84
Elizabeth Kielty	500	10/16/84
Sheldon K. Weiner	500	10/16/84

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Elaine Boland	1,000	03/03/86
Bradley J. Boland	1,000	03/03/86
Kathleen M. Hubbard	1,000	03/03/86
Robert J. Hubbard, Jr.	1,000	03/03/86
Krista K. Keating	1,000	03/03/86
Mary E. Keating	1,000	03/03/86
Charles H. Keating, III	1,000	03/03/86
Charles H. Keating, Jr.	1,000	03/03/86
Robert J. Kielty	1,000	03/03/86
Michele C. Mencuccini	1,000	03/03/86
Maureen Mulhern	1,000	03/03/86
Mark A. Voigt	1,000	03/03/86
Judy Wischer	1,000	03/03/86
William D. Hinz	1,000	02/02/88
Mary E. Keating	1,000	02/02/88
Charles H. Keating, III	1,000	02/02/88
Charles H. Keating, Jr.	1,000	02/02/88
	$25,000	

10. **Chip Pashayan for Congress Committee (formerly known as Pashayan for Congress Committee) and Jay R. Weed, as treasurer**

Contributor	Amount	Date
Bradley J. Boland	$ 1,000	06/02/86
Mary A. Hall	1,000	06/02/86
Kathleen M. Hubbard	1,000	06/02/86
Robert J. Hubbard, Jr.	1,000	06/02/86
Mary E. Keating	1,000	06/02/86
Charles H. Keating, Jr.	1,000	06/02/86
Robert J. Kielty	1,000	06/02/86
Michele C. Mencuccini	1,000	06/02/86
Thomas D. Mulhern	1,000	06/02/86
Andre A. Niebling	1,000	06/02/86
George J. Wischer	1,000	06/02/86
Robert M. Wurzelbacher	1,000	06/02/86
Bradley J. Boland	1,000	08/14/86
Elaine Boland	1,000	08/14/86
Mary A. Hall	1,000	08/14/86
Kathleen M. Hubbard	1,000	08/14/86
Robert J. Hubbard, Jr.	1,000	08/14/86
Krista K. Keating	1,000	08/14/86
Michele C. Mencuccini	1,000	08/14/86
Thomas D. Mulhern	1,000	08/14/86
Gary W. Hall	1,000	08/15/86
Charles H. Keating, III	1,000	08/15/86

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Robin S. Symes	1,000	08/15/86
Mark A. Voigt	1,000	08/15/86
Ray C. Fidel	1,000	08/16/86
Maureen T. Mulhern	1,000	08/17/86
	$26,000	

11. Californians for Senator Pete Wilson and F. Laurence Scott, Jr., as treasurer

Contributor	Amount	Date
Gary W. Hall	$ 1,000	04/08/85
Mary Hall	1,000	04/08/85
Elaine Keating	1,000	04/08/85
Krista K. Keating	1,000	04/08/85
Mary E. Keating	1,000	04/08/85
Michele Mencuccini	1,000	04/08/85
Maureen Mulhern	1,000	04/08/85
Robin Symes	1,000	04/08/85
Mark A. Voigt	1,000	04/08/85
Sheldon K. Weiner	1,000	04/08/85
Kathleen R. Wade	500	04/08/85
Donald B. Loback	1,000	04/17/85
Andre A. Niebling	1,000	04/17/85
George J. Wischer	1,000	04/30/85
Judy E. Wischer	1,000	04/30/85
Charles H. Keating, III	1,000	08/08/85
Charles H. Keating, Jr.	1,000	08/08/85
	$16,500	

12. Doug Barnard for Congress, Committee for Druie Douglas Barnard, Jr. and Nancy J. McJunkin, as treasurer

Contributor	Amount	Date
Bradley J. Boland	$ 1,000	07/28/86
Elaine Boland	1,000	07/28/86
Kathleen M. Hubbard	1,000	07/28/86
Robert Hubbard, Jr.	1,000	07/28/86
Krista K. Keating	1,000	07/28/86
Mary E. Keating	1,000	07/28/86
Charles H. Keating, III	1,000	07/28/86
Charles H. Keating, Jr.	1,000	07/28/86
Elizabeth A. Kielty	1,000	07/28/86
Robert J. Kielty	1,000	07/28/86
Michele C. Mencuccini	1,000	07/28/86
Maureen Mulhern	1,000	07/28/86

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Andre A. Niebling	1,000	07/28/86
Mark S. Sauter	1,000	07/28/86
Mark A. Voigt	1,000	07/28/86
Ellen Weiner	1,000	07/28/86
Sheldon K. Weiner	1,000	07/28/86
George J. Wischer	1,000	07/28/86
Judy E. Wischer	1,000	07/28/86
Thomas D. Mulhern	1,000	07/30/86
	$20,000	

13. Hecht Re-Election Committee and Glen N. Mauldin, as treasurer

Contributor	Amount	Date
Robert Kipp	$ 1,000	09/30/88
George Wischer	1,000	10/06/88
Jack Atchison	1,000	10/18/88
Bruce Dickson	1,000	10/18/88
Kathi Fidel	1,000	10/18/88
James Grogan	1,000	10/18/88
Mary J. Grogan	1,000	10/18/88
Mary A. Hall	1,000	10/18/88
Kathleen M. Hubbard	1,000	10/18/88
Robert J. Hubbard, Jr.	1,000	10/18/88
Carol D. Kassick	1,000	10/18/88
Gregory J. Kassick	1,000	10/18/88
Krista K. Keating	1,000	10/18/88
Charles H. Keating, III	1,000	10/18/88
Elizabeth Kielty	1,000	10/18/88
Robert J. Kielty	1,000	10/18/88
Andrew Ligget	1,000	10/18/88
Michael Ligget	1,000	10/18/88
Michele C. Mencuccini	1,000	10/18/88
Maureen T. Mulhern	1,000	10/18/88
Thomas D. Mulhern	1,000	10/18/88
Larry Nelson	1,000	10/18/88
Mark G. Sauter	1,000	10/18/88
Elizabeth M. Stoll	1,000	10/18/88
Ronald M. Stoll	1,000	10/18/88
Barbara Symes	1,000	10/18/88
Robin Symes	1,000	10/18/88
Mark G. Voigt	1,000	10/18/88
Ellen Weiner	1,000	10/18/88
Sheldon Weiner	1,000	10/18/88
George J. Wischer	1,000	10/18/88
Judy E. Wischer	1,000	10/18/88
Robert Wurzelbacher, Jr.	1,000	10/18/88

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Bradley Boland	1,000	10/24/88
Elaine Boland	1,000	10/24/88
Mary V. Novak	1,000	10/24/88
Carol K. Sauder	1,000	10/24/88
Scott Siebels	1,000	10/24/88
	$38,000	

14. Republican National Committee - Contributions and William J. McManus, as treasurer

Contributor	Amount	Date
Jack Atchison	$ 10,000	06/08/88
Robyn Atchison	10,000	06/08/88
James J. Grogan	10,000	06/08/88
Mary J. Grogan	10,000	06/08/88
Charles H. Keating	10,000	06/08/88
Elizabeth Kielty	10,000	06/08/88
Robert J. Kielty	10,000	06/08/88
George Wischer	10,000	06/08/88
Judy Wischer	10,000	06/08/88
Mary E. Keating	10,000	06/09/88
Daniele Bodini	500	09/02/88
	$100,500	

15. Hatch Election Committee and Stanley R. DeWaal, as treasurer

Contributor	Amount	Date
Anaki L. Anau	$ 500	04/09/88
David E. Stevens	500	04/09/88
Corey Edens	1,000	04/09/88
Kathleen M. Hubbard	2,000	04/09/88
Robert J. Hubbard, Jr.	2,000	04/09/88
Mary E. Keating	2,000	04/09/88
Charles H. Keating, Jr.	2,000	04/09/88
	$10,000	

16. National Action Committee (FKA Dave Evans for Congress Committee) and Dave Evans, as treasurer

Contributor	Amount	Date
Charles Keating	$ 1,000	03/03/87
Mary Keating	1,000	03/03/87
Elizabeth Kielty	1,000	03/03/87
Robert Kielty	1,000	03/03/87
Terence Wilson	1,000	03/03/87

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George Wischer	1,000	03/03/87
Judy Wischer	1,000	03/03/87
Charles Keating	5,000	03/11/88
Mary Keating	5,000	03/11/88
	$17,000	

17. The Armstrong Committee, Inc. and Thomas E. Rodriguez, as treasurer

Contributor	Amount	Date
Charles H. Keating, Jr.	$ 1,000	04/20/84
Mary E. Keating	1,000	04/20/84
Elizabeth A. Kielty	1,000	04/20/84
Robert J. Kielty	1,000	04/20/84
Andre A. Niebling	1,000	04/20/84
Kathleen Wade	1,000	04/20/84
George Wischer	1,000	04/20/84
Judy E. Wischer	1,000	04/20/84
Elizabeth Wurzelbacher	1,000	04/20/84
Robert M. Wurzelbacher	1,000	04/20/84
	$10,000	

18. Citizens for Jack Kemp and Malcolm K. Buckley, as treasurer

Contributor	Amount	Date
Gary W. Hall	$ 1,000	11/13/85
Kathleen M. Hubbard	1,000	11/13/85
Mary A. Hall	1,000	11/13/85
Mary E. Keating	1,000	11/13/85
Robert J. Kielty	1,000	11/13/85
Charles H. Keating, Jr.	1,000	11/13/85
Robert J. Hubbard, Jr.	1,000	11/13/85
Judy E. Wischer	1,000	11/13/85
	$ 8,000	

19. Committee to Re-Elect United States Senator Paula Hawkins and Genean McKinnon, as treasurer

Contributor	Amount	Date
Bradley J. Boland	$ 2,000	07/25/86
Charles H. Keating, III	2,000	07/25/86
Krista K. Keating	2,000	07/25/86
George J. Wischer	2,000	07/25/86
Judy Wischer	2,000	07/25/86
Charles H. Keating, Jr.	2,000	07/25/86
Mary E. Keating	2,000	07/25/86

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Robert J. Hubbard, Jr.	2,000	07/25/86
Kathleen M. Hubbard	2,000	07/25/86
Maureen T. Mulhern	2,000	07/25/86
Thomas D. Mulhern	2,000	07/25/86
Elizabeth A. Wurzelbacher	2,000	07/25/86
Robert M. Wurzelbacher	2,000	07/25/86
Elaine Boland	2,000	07/25/86
	$28,000	

20. Friends of Mattingly and Donald P. Gammon, as treasurer

Contributor	Amount	Date
Charles H. Keating, Jr.	$ 1,000	04/04/86
Charles H. Keating, III	1,000	04/04/86
Mary E. Keating	1,000	04/04/86
Krista K. Keating	1,000	04/04/86
Judy E. Wischer	1,000	04/04/86
	$ 5,000	

While the patterns shown above are sufficient to support a finding of reason to believe, in addition, several news stories have raised the suggestion that the monies donated by Charles Keating, his family members and business associates actually comprised corporate funds which were given to these individuals for the purpose of making contributions. A November 14, 1989 Associated Press report states that the FBI is investigating whether the funds which comprised contributions to Senator Cranston were diverted from the accounts of depositors at Lincoln Savings and Loan. Similarly, an October 26, 1989 Los Angeles Times article states that FBI agents "are questioning former officers and employees of . . . Lincoln . . . to determine if top executives were paid excessively high salaries with the understanding they would contribute some of that money to political candidates." Similarly, a November 9, 1989 New

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York Times article states: "Regulators note that to get around individual contribution limits, Mr. Keating would pay high salaries to his employees and either directly or indirectly instruct them to contribute to certain campaigns; Keating family members would also make contributions."

The Commission is aware of only one instance in the present matter where contributions were received at a fundraiser, that of the Riegle Committee. It is unknown at this time to what extent ACC was involved coordinating this fundraiser, but the the event was held at a Keating-owned hotel in Detroit, and contributions were first delivered on March 11, 1987 and subsequently delivered as late as March 24, 1987. Furthermore, the individuals who apparently attended this fundraiser in Detroit were exclusively members of Charles Keating's family or associated with one of his companies. These individuals do not live in or around Detroit, with the exception of one or two people, but rather live in Arizona and California near ACC or Lincoln headquarters. Thus it appears that ACC may have been intimately involved in organizing and conducting this fundraiser, and perhaps even securing the attendance of ACC employees.

Additionally, ACC has provided a number of documents relating to contributions by ACC personnel for elections at both the state and federal levels. Although many of these documents are in the form of memoranda from business and charitable organizations, others deal directly with contributions to political candidates.

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Certain of these documents should not logically have been found in ACC's corporate files. These include: 1) a typed thank-you letter from the Finance Director of the Kolbe for Congress Committee to Krista K. Keating; 2) a handwritten thank-you letter from Representative Kolbe to "Mr. and Mrs. Keating"; and 3) copies of checks from Mark A. Voigt and Michele C. Mencuccini, employees of ACC, used to make contributions to John McCain for Senate.[2] Other unusual documents include listings of contributions made in an election cycle by individuals, as well as memos recommending that certain individuals made contributions in certain amounts to specific candidates. The presence of these documents in the corporate files strongly suggests corporate involvement in the making of the contributions.

While it is too early to conclusively determine at this time, the activity here may have involved both contributions in the name of another and excessive corporate involvement in fundraising. Because the contributions would constitute corporate contributions by ACC under either scenario, there is reason to believe American Continental Corporation violated 2 U.S.C. § 441b. Moreover, since there is some indication that contributions were made in the name of others, there is reason to believe that American Continental Corporation violated 2 U.S.C. § 441f.

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2. The checks of Michele C. Mencuccini are dated March 5, 1986, while the checks of Mark A. Voigt are dated March 6, 1986. The contributions are reported by the McCain Committee has having been made on March 17, 1986.

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Theresa J. Kimker, Esq.
Morrison, Hecker, Curtis,
Kuder & Parrish
1600 Financial Center
3443 North Central Avenue
Phoenix, AZ 85012

RE: MUR 3121

Dear Ms. Kimker:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission has issued the attached order and subpoena which requires your client, Lincoln Savings and LOan Association, to provide certain information in connection with an investigation it is conducting. The Commission does not consider your client a respondent in this matter at this time, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

You are required to submit the information within 15 days of your receipt of this subpoena and order. All answers to questions must be submitted under oath.

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If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (800) 424-9530.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosure
Subpoena and Order

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Lincoln Savings and Loan Association

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th. day of March, 1991.

John Warren McGarry

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Attachments
Instructions
Definitions
Questions and Document Request

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QUESTIONS AND DOCUMENT REQUESTS

1. Identify all subsidiaries of Lincoln Savings and Loan Association ("Lincoln") as well as all companies in which Lincoln had an interest during the relevant period.

2. For each employee, officer or director of Lincoln or its subsidiaries who received bonuses or other compensation in addition to their salaries during the relevant period, provide the following information for each:

   a. amount of such bonus or other compensation
   b. justification for such bonus or other compensation
   c. date of receipt of such bonus or other compensation

3. Provide all documents relating to all contributions made by ACC or any of its subsidiaries, or any of their employees, to any federal candidate or committee during the relevant period.

4. Provide all documents relating to the policies and practices of Lincoln and its subsidiaries relating to the solicitation of contributions to federal candidates by corporate employees and the use of corporate facilities for other than business purposes.

5. Provide all documents relating to any fundraisers held on behalf of federal candidates or committees which employees, officers, or directors of Lincoln and its subsidiaries organized or in which they participated, including lists of persons solicited, lists of contributions collected, letters transmitting contributions, notes of meetings or communications concerning the making of such contributions.

6. Describe fully, including dates and places, all meetings, discussions, phone calls and other communications concerning the raising of contributions for any federal candidate or committee which involved corporate employees, officers and directors or the use of corporate funds.

7. Provide all documents relating to the payment or reimbursement to any contractor, consultant, employee, officer or director of Lincoln or its subsidiaries for any contribution made by such person to a federal candidate or political committee.

8. Provide all documents relating to communications between Lincoln or any of its subsidiaries and any federal political committee during the relevant period, including correspondence, notes, memoranda, and phone messages.

9. Provide all documents relating to any communications between Lincoln or its subsidiaries and its contractors, consultants, employees, officers or directors concerning any federal election, candidate, or political committee or such company's

9304354092 5

position on any pending or proposed federal legislation or regulation or any existing federal statute or regulation relating to Lincoln's business interests.

10. Identify employees, officers, directors, consultants or contractors of Lincoln or its subsidiaries who worked for or were associated with a federal legislator, U.S. House or Senate committee, federal candidate or federal political committee prior, during or subsequent to the employee's association with Lincoln or its subsidiaries.

11. Provide all documents relating to all contributions, payments, expenditures or reimbursements made by Lincoln or any of its subsidiaries to any organization, association or corporation for voter registration or get-out-the-vote drives, including, but not limited to, contributions made to the Center for Participation in Democracy.

12. Provide copies of all documents Lincoln or its subsidiaries have provided to the Senate Ethics Committee relating to contributions made to federal candidates or committees by employees, officers or directors of Lincoln and its subsidiaries.

13. Identify any person other than counsel who provided information, or consulted or assisted in any way in the preparation of answers to these questions and document requests.

9304354092 6

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Greg Colvin, Esq.
Silk, Adler & Colvin
235 Montgomery Street, Suite 1010
San Francisco, CA 94104

RE: MUR 3121
Center for Participation in Democracy

Dear Mr. Colvin:

On November 6, 1989, the Federal Election Commission notified your client, the Center for Participation in Democracy, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was enclosed with that notification.

Upon further review of the allegations contained in the complaint, and information supplied by others, the Commission, on February 12, 1991, found that there is reason to believe the Center for Participation in Democracy violated 2 U.S.C. §§ 433, 434 and 441b(a), provisions of 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 your client. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted to the General Counsel's Office within 15 days of your receipt of this letter. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

In the absence of any additional information which demonstrates that no further action should be taken against your client, 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

9304354092 7

General Counsel will make recommendations to the Commission 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.

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

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis

2304354092 8

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Center for Participation in Democracy

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

9304354092929

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 6th, day of March, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Instructions
Definitions
Questions and Document Requests

9304354093 0

QUESTIONS AND DOCUMENT REQUESTS

1. Identify each paid and volunteer employee of the Center for Participation in Democracy (the "Center") during the relevant period.

2. Identify all corporations which made contributions to the Center during the relevant period and state the date and amount of each contribution.

3. Provide all employee training, policy or procedure manuals which were in effect during the relevant period or other documents furnished to employees or agents of the Center relating to voter registration procedures and activities during the relevant period.

4. Provide all documents relating to voter registration drives or other similar activities sponsored or directed by the Center or in which the Center participated during the relevant period.

5. Identify any person other than counsel who provided information, or consulted or assisted in any way in the preparation of answers to these questions and document requests.

9304354093 1

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Center for Participation in Democracy **MUR:** 3121

Pursuant to 2 U.S.C. § 433(a), all political committees other than authorized campaign committees shall file a statement of organization within 10 days after becoming a political committee within the meaning of 2 U.S.C. § 431(4). Pursuant to that section, a political committee is any committee, club, association, or other group of persons which receives contributions aggregating in excess of $1,000 during a calendar year or which makes expenditures aggregating in excess of $1,000 during a calendar year. A contribution is 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. 2 U.S.C. § 431(8)(A)(i). An expenditure is any purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value, made by any person for the purpose of influencing any election for Federal office. 2 U.S.C. § 431(9)(A)(i).

Pursuant to 2 U.S.C. § 434(a)(1), each political committee shall file reports of receipts and disbursements with the Federal Election Commission. Pursuant to 2 U.S.C. § 441b(a), no political committee shall accept contributions from any corporation. Corporations may donate without limit funds to be

9304354093 2

used for nonpartisan registration drives to State or local agencies responsible for the administration of elections and to nonprofit organizations which are exempt from taxation under 26 U.S.C. § 501(c)(3) or (4) and which do not support, endorse or oppose candidates or political parties. See 11 C.F.R. § 114.4(c)(2).

An August 11, 1989 San Francisco Chronicle article states that American Continental Corporation made $850,000 in contributions to 1988 voter registration projects, including $400,000 to the Center for Participation in Democracy. This same article quotes former employees of the Center for Participation in Democracy as stating that the operation was designed to register Democrats. Toward this end, according to the article, certain geographic areas were targeted, workers were penalized if they registered too many Republicans, and staff members were evaluated on the basis of how many Democrats they registered each day. Additionally, the article quotes workers as saying that voters were registered as Democrats without being told or agreeing to this, that registration cards had already been checked off as "Democrat" before the worker even went out into the community, or that the workers would check off "Democrat" after the individual had gone away. Similar allegations appear in an October 22, 1989 Los Angeles Times article.

It appears that the Center for Participation in Democracy has conducted its business in a partisan manner. If so, costs incurred in this effort and monies donated to aid in this effort

9304354093 3

would constitute expenditures and contributions under the Act, and it clearly would have exceeded the thresholds for political committee status. As a result, the Center for Partcipation in Democracy would be forbidden from accepting corporate contributions. Therefore, there is reason to believe that the Center for Participation in Democracy violated 2 U.S.C. §§ 433, 434 and 441b(a).

9304354093 4

J.E. ROBERT COMPANIES
11 Canal Center Plaza
Alexandria, Virginia 22314
Tel (703) 739-4440

91 MAR 13 AM 10:43

March 12, 1991

Donald W. Crocker
President and Chief Operating Officer

91 MAR 13 AM 11:33

Mr. Tony Buckley, Esq.
Federal Election Commission
Washington, DC 20463

Re: MUR 3121
Donald W. Crocker

Dear Mr. Buckley:

Pursuant to our phone conversation this morning, I am enclosing response to your questions. I can assure you that my contribution had absolutely nothing to do with Charles Keating, either directly or indirectly.

<u>Response to Questions</u>

1. Donald W. Crocker
14 Cinchring Road
Rolling Hills, CA 90274

and

404 Bashford Lane, No. 202
Alexandria, VA 22314
(O) 703-739-4440

J.E. Robert Companies
11 Canal Center
Alexandria, VA 22314

2. Western Region Director
Federal Savings and Loan Insurance Corp. ("FSLIC")
Los Angeles, CA

3. None

4. Not Applicable, None

9304354093 5

5.

A. Contribution of $500 to Riegle for Senate in '88 Committee, March 28, 1987.

B. Carol Schatz, who was Deputy Director of the FSLIC-Western Region, and a long time supporter of Democratic causes requested my contribution so that she could attend a function relating to Riegle for Senate in '88. She had absolutely no relationship with Charles Keating or his affiliates either.

C. No

D. It was my understanding that there was a cocktail/buffet function in Beverly Hills. I vaguely recall that it may have been at Jimmy's Restaurant where many such functions occurred. I did not attend.

E. None

6. As mentioned above, the check was written on my money market account and those checks are not returned to me. My check register is in Los Angeles. I believe the reason for my name coming up was that Senator Riegle did not substitute the current disclosure card which I furnished as it related to this gift and merely retained my old card showing my employment with Lincoln Savings pre 2/24/84. I sold all of my stock in Lincoln Savings and resigned effective that date and have had nothing to do with Mr. Keating or his affiliates and have received no compensation from him after that date.

7. None

8. None

9. None

10. None

Furnished under penalty of perjury this 12th day of March, 1991.

Signed: _____
Donald W. Crocker

DWC:cd

2304354092936

OGC 0383

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 MAR 15 PM 4:49

COVINGTON & BURLING
1201 PENNSYLVANIA AVENUE, N.W.
P.O. BOX 7566
WASHINGTON, D.C. 20044
(202) 662-6000

TELEFAX: (202) 662-6291
TELEX: 89-593 (COVLING WSH)
CABLE: COVLING

ACHESON HOUSE
46 HERTFORD STREET
LONDON W1Y7TF ENGLAND
TELEPHONE: 44-71-495-5655
TELEFAX: 44-71-495-3101

BRUSSELS CORRESPONDENT OFFICE
44 AVENUE DES ARTS
BRUSSELS 1040 BELGIUM
TELEPHONE: 32-2-512-9890
TELEFAX: 32-2-502-1598

RICHARD D. SHORE
DIRECT DIAL NUMBER
(202) 662-5452

March 15, 1991

BY MESSENGER

The Honorable John Warren McGarry
Chairman
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 3121

Dear Chairman McGarry:

We have received your letters of March 6, 1991, in which you inform us that the Commission has found reason to believe that the Senator John Glenn Committee and the John Glenn for President Committee, and their treasurers, violated the Federal Election Campaign Act in connection with certain activities at issue in Matter Under Review ("MUR") 3121. In a phone conversation earlier today, Anthony Buckley, the FEC attorney assigned to this matter, advised me that former MUR 2999 has been consolidated with and into MUR 3121 for all purposes.

We hereby request pre-probable-cause conciliation of MUR 3121 pursuant to 11 C.F.R. § 111.18(d). In order to facilitate such conciliation, we further request that the Commission stay any investigation or other activity with respect to this matter during the pendency of conciliation negotiations. We of course reserve our right to file a response to the reason-to-believe finding, if we deem it necessary, following the conclusion of such negotiations; and we assume that the time for our response will be tolled in the interim.

Thank you for your attention to this request.

Sincerely yours,

Richard D. Shore

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SECRETARIAT
91 MAR 15 PM 4:38

9304354093 7

OGC 0391

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MAIL ROOM

CHRISTY & VIENER

620 FIFTH AVENUE
NEW YORK, NEW YORK 10020
(212) 632-5500

FACSIMILE
(212) 632-5555

DIRECT DIAL NUMBER
(212) 632-5511

RICHARD A. ANDERMAN
ROBERT S. APPEL
STEVEN R. BERGER
JAMES S. BOYNTON
JOHN F. CAMBRIA
ANTHONY J. CARROLL
ARTHUR H. CHRISTY
L. DAVID CLARK, JR.
RUSSELL J. DaSILVA
RICHARD M. ESTES
P. GREGORY HESS
DAVID G. LEVERE
JEROME M. LEWINE
LAURENCE S. MARKOWITZ
JON J. MASTERS
WAYNE C. MATUS
RICHARD SALOMON
DANIEL J. SULLIVAN
KENNETH W. TABER
FRANKLIN B. VELIE
JOHN D. VIENER

91 MAR 18 AM 11:50

91 MAR 18 PM 3:45

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

March 14, 1991

Tony Buckley, Esq.
Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR3121--Daniele Bodini

Dear Mr. Buckley:

This letter will confirm our recent conversation. We represent Mr. Bodini, who is presently travelling on business in Europe, and his office forwarded to us your letter of March 7 seeking additional information which is relevant to the Commission's consideration of this matter. It is readily apparent from the materials which were sent to Mr. Bodini that the Commission's staff is under the erroneous belief that Mr. Bodini has some relationship to American Continental Corporation, a company which is under investigation not only by the Commission but by a number of other regulatory and law enforcement agencies. Such is not the case.

Neither Mr. Bodini nor any of the other employees of his company have ever had any relationship with American Continental Corporation, Charles Keating, Lincoln Savings and Loan or any other affiliate of that company. It appears that Mr. Bodini from time to time does personally make some small political contributions, none of which are reimbursed by any company, and as far as we can determine none of the employees of Mr. Bodini's company make any political contributions. If they do, none are reimbursed in any way.

The confusion arises by reason of the similarity in name of his company, American Continental Properties, Inc., whose sole office is in New York, with companies of a similar name controlled by Mr. Keating. At the time American Continental Properties, Inc. was organized in 1978, Mr. Bodini

9304354093 8

was not aware that there was a company in Ohio which also used the words "American Continental" in its corporate style. This subsequently came to light when American Continental Properties, Inc. applied for a service mark for the name "American Continental Properties" with the United States patent office, at which time Mr. Keating's company opposed the application. Litigation ensued, with American Continental Properties, Inc. prevailing and having the service mark granted. Even at that time, Mr. Bodini and others were not aware of the activities of Mr. Keating's company which later came to light, or it might have made more sense for Mr. Bodini at that time to change the name of his company in order to avoid the unfortunate confusion which has followed.

Your inquiry is not the first occasion where Mr. Bodini and his company have suffered by reason of being erroneously thought to be somehow connected to the Keating group by reason of the name similarity. To be thought guilty by association is bad enough, but to be thought guilty when you are not even associated, is even worse. The goodwill that American Continental Properties, Inc. has built up over the last 13 years has been eroded.

We requested and received from Mr. Keating's counsel a letter confirming that there is no connection between the ownership or management of American Continental Corporation and Mr. Bodini's company, American Continental Properties, Inc. Enclosed herewith for your files is a photocopy of the letter of Miller & Chevalier, Mr. Keating's counsel, certifying to that effect.

I trust that the foregoing information will be dispositive of your inquiry, but if you would like any further clarification, please contact me.

Very truly yours,

John D. Viener

JDV:sbc

9304354093 9

ACP-058

MILLER & CHEVALIER
CHARTERED

METROPOLITAN SQUARE
655 FIFTEENTH STREET, N. W.
SUITE 900
WASHINGTON, D. C. 20005-5701

(202) 626-5800

WRITER'S DIRECT LINE

(202) 626-6030

JOHN S. NOLAN
JOHN M. BIXLER
CLARENCE T. KIPPS, JR.
PHILIP S. NEAL
ROBERT L. MOORE, II
DONALD B. CRAVEN
PHILLIP L. MANN
A. JOHN GABIG
DENNIS P. BEDELL
JOHN LLOYD PICE
JAY L. CARLSON
MARK L. EVANS
HOMER E. MOYER, JR.
LEONARD BICKWIT, JR.
F. BROOK WOGHT
FREDERICK M. ROBINSON
JOHN B. MAGEE
EMMETT B. LEWIS
CRAIG D. MILLER
ROBERT K. HUFFMAN
ALEXANDER ZARUPOWSKY, JR.
GERALD GOLDMAN
C. FREDERICK GLIPHANT III
RONALD D. AUCUTT
EDWIN A. JAMES
ALAN R. YUSPEH
JAMES A. BENSFIELD
TERRY BANCROFT DOAR
THOMAS D. JOHNSTON
JAMES R. TUITE
CATHERINE T. PORTER
ALAN C. BROWN
DAVID B. CUBETA
THOMAS W. MAHONEY, JR.
ANNE E. MORAN
ROBERT E. LILES, II
SCOTT E. PICKENS
PATRICIA J. SWEENEY
GRANT D. ALDONAS

T. TIMOTHY TUERFF
JAMES B. ALTMAN
CATHERINE CURTISS
J. BRADFORD ANWYLL
FRANCES J. HENDERSON
SERENA G. SIMONS
WILLARD L. BOYD III
F. SCOTT FARMER
CATHERINE VEHMEYER HUGHES
MARY LOU SOLLER
KEVIN C. DWYER
HAL T. GANN
*KEVIN L. KENWORTHY
PAUL L. GLENCHUR
ROBIN L. GREENHOUSE
CHRISTOPHER S. RIZEK
KATHRYN BUCHER
PATRICIA M. LACEY
THOMAS D. DINACKUS
DANIEL F. DANELLO
F. JEFFERSON HUGHES
JOHN J. ROONEY*
CATHERINE L. CREECH
ANTHONY F. SHELLEY
PHILIP J. FERNEAU
WILLIAM M. MCGLONE
BARBARA H. RYLAND
MICHAEL R. GILES
KENDALL W. DAINES
HALVOR N. ADAMS III
JULIA P. FINK
DANIEL M. FLORES
HARRY A. FRANKS, JR.
JEAN A. CHMIELEWSKI
PATRICIA A. MILLETT*
ANSLEY T. MOSES
AHMAD A. PIRASTEH*
SUSAN G. WHITMAN*
DALE KEATS LIPNICK*

*NOT ADMITTED IN THE DISTRICT OF COLUMBIA

ROBERT N. MILLER
1879-1968
STUART CHEVALIER
1879-1956

DAVID W. RICHMOND
NUMA L. SMITH, JR.
CHARLES T. AKRE
BARRON K. GRIER
WALTER D. HAYNES
COUNSEL

CABLE: MILCHEV
TELECOPIER: (202) 628-0858
628-0859
TELEX: 440250

August 21, 1990

9304354094O

John D. Viener, Esquire
Christy & Viener
620 5th Avenue
New York, New York 10020

Dear Mr. Viener:

As you requested, this letter will confirm that there is no connection between the ownership or management of our client, American Continental Corporation, which is headquartered in Phoenix, Arizona, and that of the corporations named American Continental Properties, Inc. and American Continental Property of New Jersey, Inc. that are headquartered at 400 Park Avenue, New York, New York, 10022. Although American Continental Corporation does have a subsidiary by the name of American Continental Properties, Inc., that subsidiary is headquartered in Phoenix, not New York.

I hope this letter satisfies your needs.

Yours sincerely,

Leonard Bickwit, Jr.

OGC 0389

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 MAR 18 AM 11:45

LAYMAN, JONES & DYE
LAWYERS
2600 MICHELSON DRIVE
SUITE 1000
P. O. BOX 19798
IRVINE, CALIFORNIA 92713-9798
TELEPHONE (714) 261-2345
FAX (714) 261-8666

WILBUR D. LAYMAN
STANLEY R. JONES
ROBERT E. DYE
STEVEN H. SUNSHINE
BRUCE H. CHARLES
STEPHEN M. KANE
DAVID W. WIECHERT
GARY J. HIGHLAND
SUSAN R. WIECH
ROBERT B. BEAUCHAMP
DINA M. McKENNA
REN R HAYHURST
EDWARD R. McGAH, JR.

DAVID J. GARIBALDI, III
OF COUNSEL

REFER TO FILE NO.

~~32027.001~~

March 14, 1991

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 MAR 18 PM 3:45

Mr. Tony Buckley, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: Kathi Fidel
MUR 3121

Dear Mr. Buckley:

This office represents Kathi Fidel with regard to this matter and represents Ray Fidel with regards to matters arising out of his employment and affiliation with ACC and Lincoln Savings and Loan Association.

As I explained to you during our telephone conversations on March 12, 1991, Kathi Fidel has no information regarding the October 18, 1988, campaign contribution to the Hecht Re-Election Committee. Mrs. Fidel wrote the check at the direction of her husband Ray Fidel.

I further explained to you Mr. Fidel has entered into a plea agreement with the United States Attorney's Office regarding his employment and affiliation with ACC and Lincoln Savings and Loan Association. Mr. Fidel would be willing to cooperate with the FEC in its investigation of ACC and Lincoln if, in accordance with the plea agreement, he is directed to do so by the United States Attorney's Office. Once again, I suggest that you contact David Sklansky or Alice Hill of the United States Attorney's Office for the Central District (213/894-2434) at your earliest convenience to discuss the FEC's desire for Mr. Fidel's cooperation with its investigation.

2304354094 1

Based on Mrs. Fidel's lack of information and Mr. Fidel's willingness to assist the FEC in its investigation, I request an open extension of time to respond to the order and subpoena subject to a fifteen day written notice by the FEC to Mrs. Fidel to respond. An open extension of time would allow the FEC and the United States Attorney's Office to determine the nature and extent of Mr. Fidel's cooperation with the FEC. If the FEC and United States Attorney's Office are unable to reach an agreement regarding Mr. Fidel's cooperation with the FEC, then the FEC would need only serve notice on Mrs. Fidel to respond to the order and subpoena within fifteen days. This extension would prevent the waste of the precious resources of both the FEC and the Fidels.

I would greatly appreciate your contacting me at your earliest convenience to discuss the proposed extension. Please call me with any questions or comments you may have regarding the above.

Sincerely,

Dina M. McKenna

Dina M. McKenna
Of Layman, Jones & Dye

DMM:dmm
568W

9304354094 2

DGC 0423

STEPTOE & JOHNSON

ATTORNEYS AT LAW

PHOENIX, ARIZONA

TELEPHONE: (602) 266-6610
FACSIMILE: (602) 274-1970

1330 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036-1795

(202) 429-3000
FACSIMILE: (202) 429-9204
TELEX: 89-2503

S&J LEX INTERNATIONAL
AFFILIATE IN MOSCOW, U.S.S.R.

TELEPHONE: 011-7-095-290-5775
FACSIMILE: 011-7-095-415-2920

STEPHEN S. COWEN
(202) 429-6490

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 MAR 19 PM 4:16

March 19,1991

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

Re: MUR 3121
Edward F. and Mary Virginia Novak

Dear Mr. Buckley:

Following up on our telephone conversation of March 15, 1991, this is to confirm that I represent Edward F. Novak and Mary Virginia Novak in connection MUR 3121. An attorney authorization statement is enclosed.

As I indicated by phone, I have just been retained to represent the Novaks, who on March 11 received Commission subpoenas to produce documents and orders to submit written answers. The current return date for the documents and written answers is March 26. We request an extension of twenty days, to April 15, 1991 in which to provide responses to the document requests and questions. As I explained to you, good cause for such extension is the additional time needed for me to confer with the clients, who reside in Phoenix. You indicated that this should constitute good cause.

If you have any questions, please contact me. We appreciate the Commission's consideration of the extension request.

Sincerely,

Stephen S. Cowen

Enclosure

9304354094 3

March 15, 1991

Federal Election Commission
Washington, D.C. 20463

Re: MUR 3121 - Mary Novak and Edward Novak

This will authorize you to send any and all notifications and other communications to our counsel:

Stephen S. Cowen, Esq.
Steptoe & Johnson
1330 Connecticut Avenue, N.W.
Washington, D.C. 20036-1795

Sincerely,

Mary Virginia Novak

Mary Virginia Novak

Edward F. Novak

EFN/ah

9304354094 4

06C0434

SKADDEN, ARPS, SLATE, MEAGHER & FLOM
300 SOUTH GRAND AVENUE
LOS ANGELES, CALIFORNIA 90071-3144
(213) 687-5000

FAX (213) 687-5600
DIRECT DIAL
(213) 687-

BOSTON
BRUSSELS
CHICAGO
HONG KONG
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NEW YORK
SAN FRANCISCO
SYDNEY
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TORONTO
WASHINGTON D.C.
WILMINGTON

March 14, 1991

John Warren McGarry
Chairman
Federal Election Commission
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 MAR 19 PM 4:42

Re: American Continental Corporation-MUR 3121

Dear Mr. McGarry:

I received your letter of March 7, 1991 enclosing the Subpoena to Produce Documents and Order to Submit Written Answers. Please note that neither I nor Wyman, Bautzer, Kuchel & Silbert continue to represent the Chapter 11 Estate of American Continental Corporation. On November 30, 1990, a plan of reorganization was confirmed resulting in the liquidation of American Continental Corporation. Pursuant to that plan, Thomas E. Arnold, Jr. is now the responsible officer for the liquidation of the Corporation. He and his counsel, William S. Rose, Jr. can be reached at American Continental Corporation in Phoenix. I am forwarding your letter of March 7, 1991 and its enclosures to them under the cover letter attached.

I suggest that you contact those individuals for any further information.

Cordially,

James J. Feder

/lcm

cc: Thomas C. Arnold, Jr. (with enclosures)
William S. Rose, Jr., Esq. (without enclosures)
Linda McNulty, Esq. (with enclosures)

9304354094 5

SKADDEN, ARPS, SLATE, MEAGHER & FLOM
300 SOUTH GRAND AVENUE
LOS ANGELES, CALIFORNIA 90071-3144
(213) 687-5000

FAX (213) 687-5600
DIRECT DIAL
(213) 687-

BOSTON
BRUSSELS
CHICAGO
HONG KONG
LONDON
NEW YORK
SAN FRANCISCO
SYDNEY
TOKYO
TORONTO
WASHINGTON D.C.
WILMINGTON

March 14, 1991

Thomas E. Arnold, Jr.
American Continental Corporation
2735 E. Camelback Rd.
Phoenix, Arizona 85016

Re: Federal Election Commission Subpoena
/American Continental Corporation

Dear Tom:

In accordance with our conversation of March 13, 1991, enclosed please find the original letter of March 7, 1991 and the enclosures relating to the action by the Federal Election Commission described therein. As you will recall, American Continental Corporation produced a significant number of documents to the Federal Election Commission pursuant to an earlier issued request. I suggest that you may want to seek some further direction from the Court prior to responding to the Commission's request.

Please let me know if I can assist.

Cordially,

James J. Feder

/lcm

cc: William S. Rose, Jr., Esq.

9304354092946

00C0445

Law Offices

Kaplan Russin & Vecchi

1215 Seventeenth Street, N.W. Washington, D.C. 20036

TELEPHONE: (202) 887-0353
CABLE: KAPRUS WASHINGTON
TELEX: 248413 KAPRUS
TELEFAX: (202) 293-8684

333 SILOM ROAD, BANGKOK
PASEO DE LA CASTELLANA, 155, MADRID 28046
800 BRICKELL AVENUE, MIAMI 33131
135 EAST 57th STREET, NEW YORK 10022
PLAZA TURISOL, PUERTO PLATA
580 CALIFORNIA STREET, SAN FRANCISCO 94104
EDIFICIO MONTE MIRADOR, SANTO DOMINGO
205 TUN HWA N. ROAD, TAIPEI

March 19, 1991

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 MAR 20 PM 4:51

Lawrence M. Noble, Esq.
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 3121

Dear Mr. Noble:

The undersigned represents the National Council on Public Policy and William R. White, as treasurer, with respect to the above captioned matter.

The purpose of this letter is to request pre-probable cause conciliation pursuant to 11 C.F.R.§ 111.18(d), which was identified as an option in the Chairman's letter of March 6, 1991. We would be happy to provide any information that might be helpful in your evaluation of this request.

Sincerely,

Donald O. Clark
For The Firm

DOC/taj

9304354094947

OGC 0147

LAW OFFICES
ROSENFELD, MEYER & SUSMAN
9601 WILSHIRE BOULEVARD
FOURTH FLOOR
BEVERLY HILLS, CALIFORNIA 90210-5288

MARVIN B. MEYER
ALLEN E. SUSMAN
JEFFREY L. NAGIN
GARY A. SCHLESSINGER
LAWRENCE S. KARTIGANER
DAVID D. WEXLER
ROBERT H. THAU
MEL ZIONTZ
STEPHEN A. KROFT
ROBERT C. BOFFA
STEVEN FAYNE
GAIL HIGDAL TITLE
WALTER S. WEISS
MAREN CHRISTENSEN
JOHN J. STUMPFITER
ROBERT H. ROTSTEIN
DONALD E. KARL
MATTHEW H. SAVER
LEE M. CORT
HAROLD J. HERTZBERG
ROLAND A. CHILDS
OVVIE MILLER
JEFFREY B. WHEELER
WILLIAM M. ROSS
KIRK M. HALLAM
DIANA J. SIMON

JAMES L. SEAL
KATHRYN A. YOUNG
RONALD R. ROBINSON
DONALD J. TRINGALI
HUGO L. BLACK III
MARY JEAN RUMER
WILLIAM J. SKRZYNIARZ
LAWRENCE GOLDBERG
DAVID M. ELLIS
TODD W. BONDER
STACEY M. BYRNES
SHELLEY BROWNING
WILLIAM B. KIRSHENBAUM
DAVID C. ULICH
TERRI L. CHENEY
ALLISON WEINER FECHTER
J. ALAN DAVIS
ROSALYN E. JONES
DONNA SHAPIRO-CASTILLO
NICHOLAS R. DE BIASE
WENDY M. MYERS
HARRIS J. KANE
MITCHELL D. KAMARCK
LISSA M. CINAT
PETER SPELMAN
DAVID E. WHEELER
DAVID A. KARNES

DONALD T. ROSENFELD (1917-1986)

TELEPHONE: (213) 858-7700
CABLE ADDRESS: ROMERSU
TELECOPIER:
(213) 271-2620 · (213) 271-6430
TELEX: 194-195

OF COUNSEL
GEORGE C. ZACHARY
MICHAEL ROSENFELD
BERNARD A. GREENBERG
HOWARD S. SLUSHER*
RONALD M. GREENBERG*
P. JOHN BURKE
MARYBETH JACOBSEN
*A PROFESSIONAL CORPORATION

March 20, 1991

VIA TELECOPIER

and

VIA FEDERAL EXPRESS

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

Re: Sheldon and Ellen Weiner MUR 3121

Dear Mr. Buckley:

As reflected by the enclosed designations of counsel executed by Ellen and Sheldon Weiner, I have been asked to represent them in connection with the subpoenas served on them by the Federal Election Commission last week.

For the reasons we discussed on the phone, I would like the Commission to withdraw these subpoenas at this time, without prejudice to the Commission's service of the subpoenas at a later date.

If that is not possible, I would request an extension of at least four months for the Weiners to respond to the subpoenas. However, I believe it would be simpler for all parties, including the Commission, if the subpoenas were simply withdrawn.

Unless I hear from you to the contrary, I will assume that no further response to the pending subpoenas is due from the Weiners.

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM
91 MAR 21 AM 9:36
RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 MAR 21 AM 10:26

9304354094 8

Thank you for your courtesy and cooperation in this matter.

Very truly yours,

GAIL MIGDAL TITLE

GMT:cwc
Encls.

9304354009449

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: GAIL MIGDAL TITLE, ESQ.

ADDRESS: ROSENFELD, MEYER & SUSMAN
4th Floor
9601 Wilshire Boulevard
Beverly Hills, CA 90210

TELEPHONE: (213) 858-7700

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.

March 15, 1991
Date

Ellen R. Weiner
Signature

RESPONDENT'S NAME: Ellen R. Weiner

ADDRESS: 5321 E. Sahuaro Drive
Scottsdale, Arizona 85254

HOME PHONE:

BUSINESS PHONE: 602-996-8087

9304354095O

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: GAIL MIGDAL TITLE, ESQ
ROSENFELD, MEYER & SUSMAN

ADDRESS: 4th Floor
9601 Wilshire Boulevard
Beverly Hills, CA 90210

TELEPHONE: (213) 858-7700

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.

March 15,1991
Date

Signature

RESPONDENT'S NAME: Sheldon K. Weiner

ADDRESS: 5321 E. Sahuaro Drive
Scottsdale, Arizona 85254

HOME PHONE:

BUSINESS PHONE: 602-996-8087

2304354095 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 21, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dina M. McKenna, Esq.
Layman, Jones & Dye
2600 Michelson Drive
Suite 1000
P.O. Box 19798
Irvine, CA 92713-9798

RE: MUR 3121
Ray Fidel

Dear Ms. McKenna:

Enclosed are the materials which were originally sent to your client, Ray Fidel, on March 7, 1991, and which were returned to this Office due to an expired forwarding order. The materials are being sent to you pursuant to your agreement to accept service on your client's behalf. Thank you very much for your cooperation in this matter.

Sincerely,

Tony Buckley
Attorney

Enclosures
Notification Letter
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

9304354095 2

OGC 0465

TRYON, HELLER & RAYES, P.C.
ATTORNEYS AT LAW

2111 EAST HIGHLAND, SUITE 210
PHOENIX, ARIZONA 85016-4733

Tel: (602) 955-8661
FAX: (602) 955-0064

MICHAEL G. GAUGHAN
DAVID M. HELLER
DOUGLAS L. RAYES
G. MICHAEL TRYON

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 MAR 22 AM 9:44

MUR 3121

91 MAR 22 AM 10:48

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

March 15, 1991

Tony Buckley, Attorney
FEDERAL ELECTION COMMISSION
UNITED STATES OF AMERICA
Washington, D.C. 20463

Re: Mark Sauder

Dear Mr. Buckley:

Please be informed that I have been retained by Mark Sauder to represent him in connection with your Federal Election Commission matters. As you may know, there were two people with similar names employed in the Keating empire. One was Mark Sauder, who was an accountant and his wife's name was Carol and the other was Mark Sauter, who was an attorney and his wife's name was also Carol. All of the materials that you recently sent to Mark Sauder were addressed to Mark Sauter. We, therefore, shall take no action as we assume that these were mailed in error to the wrong person. If I can be of any assistance, please feel free to contact me at the above address or phone number.

Sincerely,

G. Michael Tryon

GMT/dms

9304354095 3

OGC 0470

Stroock & Stroock & Lavan

1150 Seventeenth Street N.W.
Washington, D.C. 20036-4982

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 MAR 22 PM 1:34

202 452 9250
Fax: 202 293 2293
Telex: 89401 STROOCK DC

Walter Pozen

MUR 3121

BY HAND

March 22, 1991

Tony Buckley, Esquire
Federal Election Commission
Washington, DC 20463

In re: Jack and Robin Atchison

Dear Tony:

Thank you for agreeing to see my associate Paul Murphy and myself at 11:00 a.m. on Wednesday, March 27.

In addition, I am enclosing the form forwarded to the Atchisons in your letter dated March 11, 1991, authorizing our Firm to serve as counsel for them, including the right to receive any notification or communication from the Commission.

Lastly, I note from your earlier letter to the Atchisons that any request for an extension of time in which to respond to the submitted materials had to be made five (5) days prior to the date on which the answers, etc., were due. Please take this letter to be our request pursuant to FEC rules for a twenty (20) day extension of time in which to file an answer to the interrogatories, etc.

I look forward to seeing you next week. Thank you for your courtesy.

Sincerely,

Walter Pozen

Enclosures

9304354095 4

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: Stroock & Stroock & Lavan

ADDRESS: 1150 17th Street, N.W., #600
Washington, D.C. 20036

TELEPHONE: (202) 452-9250
FAX: (202) 293-2293

The above-named firm 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.

3/22/91
Date

Jack D. Atchison
Signature Jack D. Atchison

Robyn Atchison
Signature Robyn Atchison

RESPONDENT'S NAME: Jack & Robyn Atchison

ADDRESS: 3619 North 60th Street
Scottsdale, Arizona 85251

HOME PHONE: Please contact counsel

BUSINESS PHONE:

9304354009555

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: Abbe Lowell
Stan Brand David Frulla

ADDRESS: 923 Fifteenth Street, N.W.
Washington, D.C. 20005

TELEPHONE: (202) 662-9700

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.

3/21/91
Date

George J. Wischer
Signature

RESPONDENT'S NAME: George J. Wischer

ADDRESS: 7112 E. Fanfol
Paradise Valley, AZ 85253

HOME PHONE:

BUSINESS PHONE: (602) 957-3995

9304354009556

Kim Cranston
2024 Camden Avenue
Los Angeles, Ca. 90025
(213) 479-1867

March 20, 1991

91 MAR 22 AM 10:01

Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463
Attention: Tony Buckley

Transmitted by FAX
to (202) 376-5280

Re: MUR 3121
Center for Participation in Democracy

Dear Mr. Buckley:

Pursuant to our conversation this morning, this is to request an extension of 20 days within which the Center for Participation in Democracy (the "Center") may respond to the Order to Submit Written Answers and Subpoena to Produce Documents (the "Order and Subpoena") which we received from the Federal Election Commission on March 11.

As I mentioned in our conversation, I am a member of the executive committee of the board of directors of the Center. Greg Colvin, the attorney for the Center to whom the Order and Subpoena were sent, has informed us that his office cannot represent the Center in this matter because they do not specialize in federal election law and we need representation by an attorney who specializes in that area of the law. The Center requests the 20 day extension of time to arrange for representation by new counsel and to respond to the Order and Subpoena.

Please call me if you have any questions. Thank you in advance for your cooperation with this matter.

Sincerely,

Kim Cranston,
Member of the Executive Committee
of the Board of Directors,
Center for Participation in Democracy

9304354095 7

Re: MUR 3121

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RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 MAR 25 PM 2:26

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 MAR 26 AM 10:26

1. Donald W. Donnelly
9802 E. Mission Lane
Scottsdale, Arizona 85258
(602) 860-0174
Retired

2. At the beginning of the "relevant period", January 1, 1985, & until the end of December 1984 I was Regional Appraiser for the Real Estate Investment Department of Equitable Life in its Denver office. At the end of December 1984 I retired from Equitable after 27 years of service. Commencing January 2, 1985 I was employed by American Continental Corp./Lincoln Savings as a Vice President. My primary function until early 1987 was real estate lending & investing. Beginning early 1987 & until my leaving ACC in August 1987 I was primarily involved in the marketing of real estate owned by the company in Denver. I have been fully retired since leaving ACC.

3. I had personal contact very frequently with Mr. Keating in carrying out my business dealings with ACC/Lincoln. A number of the investments which I initiated for the company were discussed directly with Mr. Keating. Mr. Keating was very much a "hands-on" manager & it was customary for him to be directly involved with

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his employer in matters of company business.

My relationship with ACC/Lincoln & various subsidiaries can best be described as generic. Investments which I brought into the company were allocated by others to the various entities under the ACC group & most of the time I was not aware which company actually made the investment.

9304354009559

5. During the "relevant period" I made one political contribution. This was $500 payable to Reigle for Senate by check dated Feb. 20, 1987, copy enclosed.

The reason for the contribution was a phone call from Carol Karsick, Mr. Keating's secretary, who told me Mr. Keating would like me to contribute $500 to Senator Reigle & to bring the check to her the following day. This I did.

I have since read in the papers & heard on TV that my check was probably part of a group presented to Senator Reigle at a fund raiser in Detroit. At the time I did not know of the fund-raiser & was told nothing about it by Mr. Keating or anyone else at ACC.

I received no advance, bonus, payment or other compensation or reimbursement in connection with this contribution.

6. I have nothing to produce in response to this question.

7. I was in no way involved in political contributions other than my own $500 contribution to Senator Reigle.

8. I have nothing to produce.

9. I have nothing to produce.

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10. I was assisted by no one nor did I consult with anyone in drafting the foregoing responses.

I believe the facts as stated show that no action should be taken against me.

Sincerely yours,

Ronald W. Donnelly

Dated: 3/18/91

9304354409961

DONALD H. DONNELLY
JOEY E. DONNELLY
9802 E. MISSION LN.
SCOTTSDALE, AZ 85258

837

Feb. 20, 1987 91-2/1221

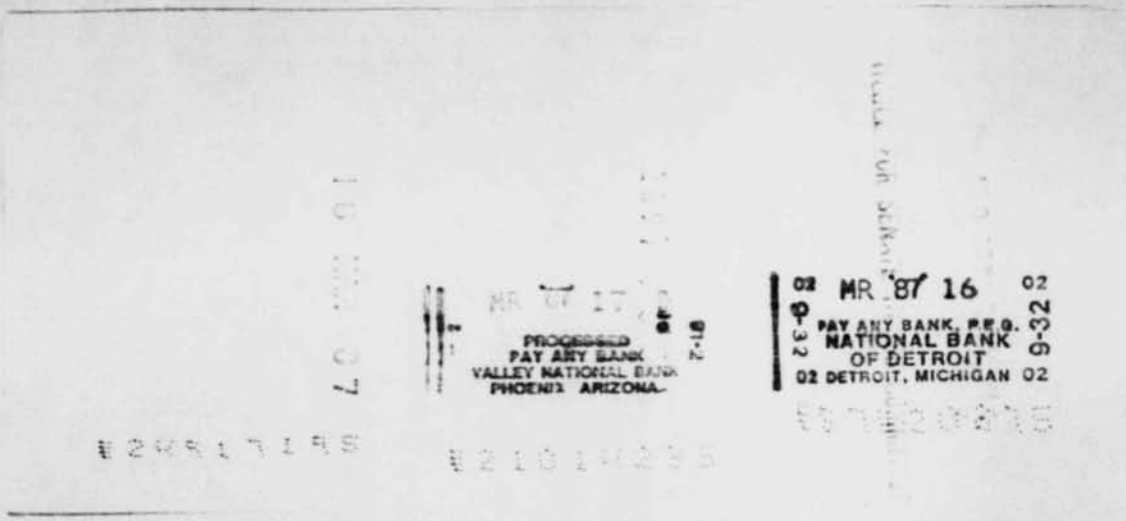
Pay to the order of Riegle for Senate $ 500.00

Five hundred and no/100

[redacted]

Donald H. Donnelly

930435409962



93043540963

MR 87 16

PAY ANY BANK, P.E.O.
NATIONAL BANK
OF DETROIT
02 DETROIT, MICHIGAN 02

9-32

MR 87 17

PROCESSED
PAY ANY BANK
VALLEY NATIONAL BANK
PHOENIX ARIZONA

9-32

⑈2101M295

⑈2MR17195

06L 0495

Continental Homes, Inc.
7001 North Scottsdale Road, Suite 2050
Scottsdale, Arizona 85250
Post Office Box 60010
Phoenix, Arizona 85082-0010
(602) 483-0006

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE SECRETARIAT
91 MAR 26 AM 10:26

March 22, 1991

Mr. John Warren McGarry
Chairman
Federal Election Commission
Washington, D.C. 20463

Re: MUR 3121
Robert Wade

Dear Mr. McGarry:

Enclosed please find my responses to the Order to Submit Written Answers and Subpoena to Produce Documents.

Sincerely,

Robert J. Wade

Robert J. Wade
President

RJW/mjc
Enclosures

9304354092564

Continental
Welcome Home

RESPONSES OF ROBERT J. WADE
TO QUESTIONS AND DOCUMENT REQUESTS

1. State your full name, address, phone number and current employer.

Response to #1: **Robert J. Wade**
10307 E. San Salvador Drive
Scottsdale, Arizona 85258

Current Employer: **CHI Construction Company**
7001 N. Scottsdale Road
Suite 2050
Scottsdale, Arizona 85250
602/483-0006

2. List your occupation(s) and employer(s) during the relevant period. Describe your position(s) with each employer.

Response to #2:

Dates	Position
1/83 - Approximately 5/83	Construction superintendent for Continental Homes, Inc., a division of ACC
Approximately 5/83 - 9/83	Self employed
9/83 - 3/85	Vice President of Construction of Continental Homes, Inc., a division of ACC
3/85 - 5/85	President of Continental Homes, Inc., a division of ACC
6/85 - Present	President of Continental Homes, Inc. (and its subsidiary, CHI Construction Company) (These are companies formed when homebuilding assets were sold to Donald R. Loback, my wife and me by ACC and/or its subsidiaries.)

3. Describe your relationship, if any, to Charles Keating, Jr. and American Continental Corporation ("ACC") and all of its

930435409965

subsidiaries and associated companies, including Lincoln Savings and Loan Association ("Lincoln"), during the relevant period.

Response to #3: As listed above, I was employed by ACC and/or its subsidiaries from 1983 through May, 1985 except for a short period when I was self employed. Charles H. Keating, Jr. was Chairman of the Board of ACC. I was one of three individuals (including my wife) who purchased homebuilding assets from ACC and its subsidiaries on May 31, 1985. Since that time, I have been President of the company formed (Continental Homes, Inc. and its subsidiary, CHI Construction Company) at the time the assets were acquired. Continental Homes, Inc. (formed in 1985) was not related to ACC, although the company borrowed from ACC and/or Lincoln and subsidiaries in connection with the original acquisition of those assets and in subsequent real estate activities.

4. For each bonus or other compensation in addition to your salary which you received, provide the following information:

   a. The amount of such bonus or other compensation;

   b. The justification for such bonus or other compensation;

   c. Date of receipt of such bonus or other compensation.

Response to #4:

5. Identify each federal political contribution and expenditure you made during the relevant period by date, amount and recipient. For each contribution:

   a. State whether the contribution was made by check or other written instrument. If so, provide a copy (both sides) of the check or other written instrument.

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b. Describe the circumstances under which each contribution was made. If a contribution was made as the result of a solicitation, describe the circumstances surrounding each solicitation, including the identity of the person(s) who made such solicitation and when and where it occurred. If any such solicitation was written, provide a copy of it.

c. State whether any contribution was made at the direction or suggestion of any person, including Charles Keating, Jr. or any person associated with him, ACC, Lincoln or any other company associated with Charles Keating. If so, identify such person and describe the circumstances.

d. State whether any contribution was made in connection with a particular fund raising event. If so, state when and where the event was held and whether or not you attended. Identify who sponsored the event and on whose behalf the event was held. If you did attend the event, identify any persons who also attended. Identify any person(s) who provided you with transportation to and from the event.

e. State whether you received an advance, bonus, payment or other compensation or reimbursement in connection with any contribution. If so, identify the person or entity who provided the reimbursement or compensation and the date it was provided.

Response to #5:

McCain Re-Election 10/7/83; $1000	**Check***	**No specific recollection of the circumstances under which this contribution was made. However, while employed at ACC, it was not unusual to receive a solicitation for funds from Charles H. Keating, Jr. or someone requesting for him (i.e., his secretary). Solicitations could have been made of either my wife or me. My wife generally writes the checks for our personal expenses.**

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DeConcini '88 Committee 12/23/87; $1000	Check*	I believe this contribution was made as a result of a mailing by DeConcini requesting "MAXI" contributions. Neither Charles H. Keating, Jr., nor any other ACC employees acting on his behalf or otherwise, solicited political contributions from me once I no longer worked at ACC (after 5/31/85).
Bob Stump Election Committee 3/23/90; $300	Check	This contribution was solicited by Marvin Lassila (Bob Stump's Finance Chairman) of my wife for Stump's Birthday Appreciation Dinner. The total contribution was for $300; the receipt received was addressed to my wife and me.

*The check was made out in the amount of $2000; $1000 contribution from me, $1000 from my wife.

I don't recall making any contribution in connection with a fund raising event other than as stated above in this response. I never received an advance, bonus, payment or other compensation or reimbursement in connection with any contribution.

6. In addition to the documents produced in response to Questions 5a and b, produce all documents relating or in any way pertaining to each federal political contribution you identified in Question 5, including check registers, bank statements, correspondence and notes.

Response to #6: The following copies have been enclosed relating to each of the below listed contributions:

Contribution	Check Date	Documents Produced
McCain Re-Election Committee	10/7/83	Check Bank Statement Check Register
DeConcini '88 Committee	12/3/87	Check Bank Statement Check Register Receipt Letter

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Contribution	Check Date	Documents Produced
Bob Stump Election Committee	**3/23/90**	**Check Bank Statement Check Register Receipt**

7. Identify any federal contribution made by others which you facilitated, arranged, solicited or delivered to any federal candidate or committee during the relevant period.

Response to #7: I did not facilitate, arrange, solicit or deliver any federal contributions from others.

8. Provide all documents relating to any federal contributions made by others which you arranged, solicited or delivered to any federal candidate or committee during the relevant period.

Response to #8: There are none.

9. Provide copies of all documents, including correspondence, notes, memos and phone messages relating to any communication with a federal political committee to which you made a contribution during the relevant period.

Response to #9: There are none.

10. Identify any person other than counsel who provided information, or was consulted or assisted in any way in the preparation of answers to these questions and documents requests.

Response to #10: My wife, Kathleen Wade.

I swear the above to be true and accurate to the best of my knowledge.

Date:

MARCH 22, 1991

Robert J. Wade

Robert J. Wade

State of Arizona
County of Maricopa

The foregoing instrument as acknowledged before me this 22nd day of March, 1991 by Robert J. Wade.

OFFICIAL SEAL
MARY JO COLUCCI
Notary Public - State of Arizona
MARICOPA COUNTY
My Comm. Expires Sept. 14, 1993

Mary Jo Colucci

Notary Public

2304354009669

93043540970

McCAIN RE-ELECTION COMMITTEE

ROBERT J. WADE OR
KATHLEEN WADE
1402 E. CAROLINE LN.
TEMPE, AZ 85284

10/7 1983 1644

91-265/1221

pay to the order of John McCain for Congress $ 2000.00

Two Thousand & no/100 Dollars

BASELINE & McCLINTOCK OFFICE
GREAT WESTERN BANK
1800 EAST BASELINE ROAD
TEMPE, ARIZONA 85283

Memo Dec. 4th

Kathleen Wade

930435409 71

FOR DEPOSIT ONLY

MC CAIN RE-ELECTION COMMITTEE

0195 4834



OT '83' 19 PM

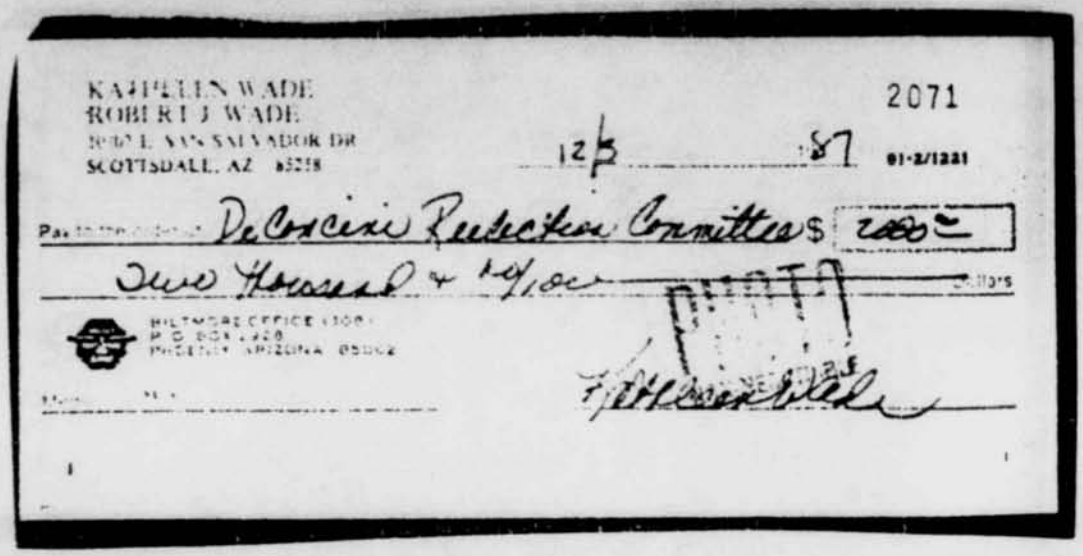
PROCESSED
PAY ANY BANK
VALLEY NATIONAL BANK
PHOENIX, ARIZONA

91-2

9304354097 2

93043540973

DeCONCINI '88 COMMITTEE



KATHLEEN WADE
ROBERT J WADE
[illegible] E SAN SALVADOR DR
SCOTTSDALE, AZ 85258

2071

12/5 1987

01-2/1221

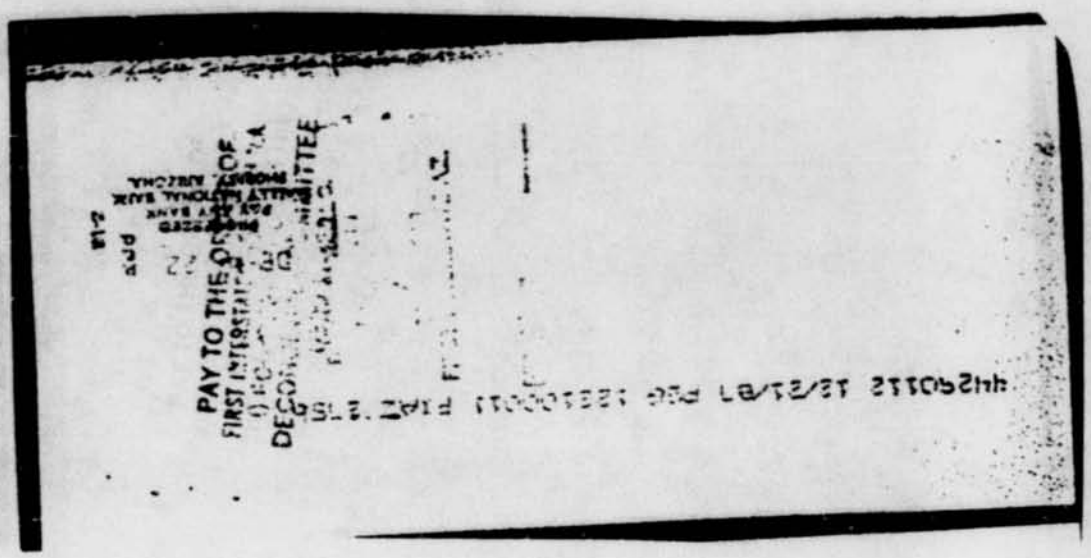
Pay to the order of DeConcini Reelection Committee $ 2000.00

Two Thousand & 00/100 Dollars

BILTMORE OFFICE (308)
P.O. BOX 2928
PHOENIX ARIZONA 85062

DUPLICATE

Kathleen Wade



PAY TO THE ORDER OF
FIRST INTERSTATE [illegible]
DECONCINI [illegible] COMMITTEE

93043540974

Dennis DeConcini
6014 Chesterbrook Road
McLean, Virginia 22101
703/241-1782

December 14, 1987

Mr. and Mrs. Robert Wade
10307 East San Salvador Drive
Scottsdale, Arizona 85258

Dear Kathleen and Bob:

I am so pleased that you continue to support my efforts in the Senate.

I am aware of your attendance at Rawhide -- and thanks for that.

The Maxi Committee is key to our efforts. I am appreciative; and I will do all I can to serve Arizona and our Country in a manner which merits such loyal support.

Your new business is a tremendous undertaking, and so I extend my best wishes for every success to you in the coming year.

Sincerely,

Dennis

Dennis DeConcini

DDC:mkv

9304354009975

Paid for by DeConcini '88 Committee, Tom Karlsen, Treasurer.
A copy of our report is on file with the Federal Election Commission and is available from the Government Printing Office.

93043540976

BOB STUMP ELECTION COMMITTEE

SECURITY PACIFIC BANK PRIVATE BANKING

ROBERT J. WADE
KATHLEEN R. WADE
10307 E. SAN SALVADOR DR.
SCOTTSDALE, AZ 85258

1307

91-170/1221

3/23 1990

Pay To The Order Of Bob Stump Election Committee $ 300.00

Three hundred + no/100 Dollars

SECURITY PACIFIC BANK ARIZONA
Private Banking (208)
6900 E. Camelback Rd. Suite 210
Scottsdale, Arizona 85251

Memo

Kathleen Wade

930435409777

...RSE HERE

FOR DEPOSIT ONLY
BOB STUMP ELECTION COMMITTEE
ACCT. # 54-5473

0111 7 0 6 3 2

NOT WRITE, STAMP OR SIGN BELOW THIS LINE
RESERVED FOR FINANCIAL INSTITUTION USE

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MARCH 29, , 1990

Received from ROBERT AND KATHLEEN WADE

Continental Homes, Inc., Scottsdale, Az.

$ 300.00 *for the* **Congressman Bob Stump** *Birthday Appreciation Dinner on March 31, 1990.*

Admit Ticket No.'s YOUR DONATION TO BOB IS SINCERELY APPRECIATED.

Mailed _____ *Delivered* _____

Thank You
Bob Stump Election Committee
Charles P. Thompson, Chairman
Terry Smalley, Co-Chairman

930435409979

00C 0494

Continental Homes, Inc.
7001 North Scottsdale Road, Suite 2050
Scottsdale, Arizona 85250
Post Office Box 60010
Phoenix, Arizona 85082-0010
(602) 483-0006

March 22, 1991

RECEIVED
FEDERAL ELECTION COMMISSION
91 MAR 26 AM 10:26

Mr. John Warren McGarry
Chairman
Federal Election Commission
Washington, D.C. 20463

Re: MUR 3121
Kathleen Wade

Dear Mr. McGarry:

Enclosed please find my responses to the Order to Submit Written Answers and Subpoena to Produce Documents.

Sincerely,

Kathleen R. Wade

Kathleen R. Wade
Co-Chief Executive Officer

KRW/mjc
Enclosures

9304354092880

Continental
Welcome Home

RESPONSES OF KATHLEEN R. WADE
TO QUESTIONS AND DOCUMENT REQUESTS

1. State your full name, address, phone number and current employer.

Response to #1: **Kathleen Ruth Wade**
10307 E. San Salvador Drive
Scottsdale, Arizona 85258

Current Employer: **Continental Homes, Inc.**
7001 N. Scottsdale Road
Suite 2050
Scottsdale, Arizona 85250
602/483-0006

2. List your occupation(s) and employer(s) during the relevant period. Describe your position(s) with each employer.

Response to #2:

Dates	Position
1983 - March 1984	Administrative Vice President of Continental Homes, a division of ACC
March 1984	Vice President of ACC
Approximately March 1984 - Approximately August 1984	Vice President of Lincoln Savings (subsidiary of ACC) and Lending Officer
Approximately August 1984 - May - 1985	Vice President of Finance and Treasurer of Lincoln Savings (subsidiary of ACC)
June 1985 - Present	Co-Chief Executive Officer of Continental Homes, Inc. (a company formed when homebuilding assets were sold to Donald R. Loback, my husband and me by ACC and/or its subsidiaries)

3. Describe your relationship, if any, to Charles Keating, Jr. and American Continental Corporation ("ACC") and all of its subsidiaries and associated companies, including Lincoln

9304354098 1

Savings and Loan Association ("Lincoln"), during the relevant period.

Response to #3: As listed above, I was employed by ACC and/or its subsidiaries from 1983 through May, 1985. Charles H. Keating, Jr. was Chairman of the Board of ACC. I was one of three individuals (including my husband) who purchased homebuilding assets from ACC and its subsidiaries on May 31, 1985. Since that time, I have been Co-Chief Executive Officer of the company formed (Continental Homes, Inc.) at the time the assets were acquired. Continental Homes, Inc. (formed in 1985) was not related to ACC, although the company borrowed from ACC and/or Lincoln and subsidiaries in connection with the original acquisition of those assets and in subsequent real estate activities.

4. For each bonus or other compensation in addition to your salary which you received, provide the following information:

   a. The amount of such bonus or other compensation;

   b. The justification for such bonus or other compensation;

   c. Date of receipt of such bonus or other compensation.

5. Identify each federal political contribution and expenditure you made during the relevant period by date, amount and recipient. For each contribution:

   a. State whether the contribution was made by check or other written instrument. If so, provide a copy (both sides) of the check or other written instrument.

9304354409882

b. Describe the circumstances under which each contribution was made. If a contribution was made as the result of a solicitation, describe the circumstances surrounding each solicitation, including the identity of the person(s) who made such solicitation and when and where it occurred. If any such solicitation was written, provide a copy of it.

c. State whether any contribution was made at the direction or suggestion of any person, including Charles Keating, Jr. or any person associated with him, ACC, Lincoln or any other company associated with Charles Keating. If so, identify such person and describe the circumstances.

d. State whether any contribution was made in connection with a particular fund raising event. If so, state when and where the event was held and whether or not you attended. Identify who sponsored the event and on whose behalf the event was held. If you did attend the event, identify any persons who also attended. Identify any person(s) who provided you with transportation to and from the event.

e. State whether you received an advance, bonus, payment or other compensation or reimbursement in connection with any contribution. If so, identify the person or entity who provided the reimbursement or compensation and the date it was provided.

Response to #5:

McCain Re-Election 10/7/83; $1,000	**Check***	**No specific recollection of the circumstances under which these contributions were made.**
The Armstrong Committee, Inc. 4/13/84; $1,000	**Check**	**However, while employed at ACC, it was not unusual to receive a solicitation for funds from Charles H. Keating, Jr. or**
Cranston for Senate Committee 1986 4/5/85; $1,000	**Check**	**someone requesting on his behalf (i.e. his secretary). Solicitations could have been made of either my husband or me.**
Californians for Senator Pete Wilson 3/15/85; $500	**Check**	**I generally write the checks for our personal expenses.**

***The check was made out in the amount of $2000; $1000 contribution from me, $1000 from my husband.**

9304354409883

DeConcini '88 Committee 12/3/87; $1,000	**Check***	**I believe this contribution was made as a result of a mailing by DeConcini requesting "MAXI" contributions. Neither Charles H. Keating, Jr., nor any other ACC employees acting on his behalf or otherwise, solicited political contributions from me once I no longer worked at ACC (after 5/31/85).**
Jon Kyl 5/5/86; $500	**Check**	**This contribution was made in connection with a fund raiser sponsored by Jack Henry, Managing Partner of the Phoenix Office of Arthur Andersen for Jon Kyl.**
Bob Stump Election Committee 3/23/90; $300	**Check**	**Solicited by Marvin Lassila (Bob Stump's Finance Chairman) for Stump's Birthday Appreciation Dinner. The total contribution was for $300; the receipt received was addressed to my husband and me.**
Re-Elect Jon Kyl 10/22/90; $500	**Check**	**This contribution was unsolicited. This contribution was made as a result of my satisfaction with the job done by Jon Kyl.**

***The check was made out in the amount of $2000; $1000 contribution from me, $1000 from my husband.**

I don't recall making any contribution in connection with a fund raising event other than stated above in this response. I never received an advance, bonus, payment or other compensation or reimbursement in connection with any contribution.

6. In addition to the documents produced in response to Questions 5a and b, produce all documents relating or in any way pertaining to each federal political contribution you identified in Question 5, including check registers, bank statements, correspondence and notes.

<u>Response to #6</u>: The following copies have been enclosed relating to each of the below listed contributions:

9304354009884

Contribution	Check Date	Documents Produced
McCain Re-Election Committee	10/7/83	Check Bank Statement Check Register
The Armstrong Committee, Inc.	4/13/84	Checks not returned from bank; Bank Statement Check Register
Cranston for Senate Committee 1986	4/5/85	Check Bank Statement Check Register
Californians for Senator Pete Wilson	3/15/85	Check Bank Statement Check Register
DeConcini '88 Committee	12/3/87	Check Bank Statement Check Register Receipt Letter
Jon Kyl	5/5/86	Check not returned from bank; Bank Statement Check Register Solicitation Letter
Bob Stump Election Committee	3/23/90	Check Bank Statement Check Register Receipt
Re-Elect Jon Kyl	10/22/90	Check Bank Statement Check Register

2304354409885

7. Identify any federal contribution made by others which you facilitated, arranged, solicited or delivered to any federal candidate or committee during the relevant period.

Response to #7: I did not facilitate, arrange, solicit or deliver any federal contributions from others.

8. Provide all documents relating to any federal contributions made by others which you arranged, solicited or delivered to any federal candidate or committee during the relevant period.

Response to #8: There are none.

9. Provide copies of all documents, including correspondence, notes, memos and phone messages relating to any communication with a federal political committee to which you made a contribution during the relevant period.

Response to #9: There are none.

10. Identify any person other than counsel who provided information, or was consulted or assisted in any way in the preparation of answers to these questions and documents requests.

Response to #10: My husband, Robert Wade.

I swear the above to be true and accurate to the best of my knowledge.

Date:
March 22, 1991

Kathleen R. Wade
Kathleen R. Wade

State of Arizona
County of Maricopa

The foregoing instrument was acknowledged before me this 22nd day of March, 1991 by Kathleen R. Wade.

Mary Jo Colucci
Notary Public

OFFICIAL SEAL
MARY JO COLUCCI
Notary Public - State of Arizona
MARICOPA COUNTY
My Comm. Expires Sept. 14, 1993

9304354409836

93043540987

McCAIN RE-ELECTION COMMITTEE

ROBERT J. WADE OR
KATHLEEN WADE
1402 E. CAROLINE LN.
TEMPE, AZ 85284

10/7 19 83 1644

91-265/1221

Pay to the order of John McCain for Congress $ 200.00

Two Hundred 00/100 Dollars

BASELINE & McCLINTOCK OFFICE
GREAT WESTERN BANK
1800 EAST BASELINE ROAD
TEMPE, ARIZONA 85283

Memo Dec. 4th

Kathleen Wade

930435409888

FOR DEPOSIT ONLY

MC CAIN RE-ELECTION COMMITTEE

0195 4834

OT '83 19 PM

PROCESSED
PAY ANY BANK
...LEY NATIONAL BANK
PHOENIX, ARIZONA

93043540989

93043540990

CRANSTON FOR SENATE COMMITTEE 1986

ROBERT J. WADE
KATHLEEN R. WADE
1402 E. CAROLING LN.
TEMPE, AZ 85284

4/5 19 85 0200

16-7011/3220

Pay to the order of Croxton for Senate $ 1000.00

One Thousand & 00/100 Dollars

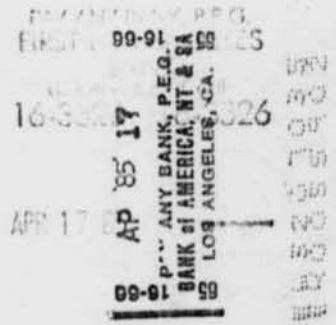
LINCOLN SAVINGS
AND LOAN ASSOCIATION
1631 N. BRISTOL ST., SANTA ANA, CA 92706

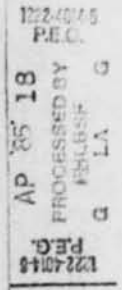
Memo

Kathleen Wade

930435409911

FOR DEPOSIT ONLY
CRANSTON FOR SENATE
COMMITTEE - 86
671-087-860





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PAY ANY BANK, P.E.G.
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APR 17 [illegible]

AP '85 17
PAY ANY BANK, P.E.G.
BANK of AMERICA, NT & SA
LOS ANGELES, CA.
65 16-66

1222-4014-5
P.E.G.

AP '85 18
PROCESSED BY
FEDERAL
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1222-4014-5
P.E.G.

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CALIFORNIANS FOR SENATOR PETE WILSON

ROBERT J. WADE
KATHLEEN R. WADE
1402 E. CAROLING LN.
TEMPE, AZ 85284

3/ 19 95 0192

16-7011/3220

Pay to the order of Celebrezzi for Senator Pete Wilson 500-

Five hundred + no/100 Dollars

LINCOLN SAVINGS
AND LOAN ASSOCIATION
1631 N. BRISTOL ST., SANTA ANA, CA 92706

Memo

Kathleen Wade

930435409924

PAY TO THE ORDER OF
FOR DEPOSIT ONLY
SECURITY PACIFIC NATIONAL BANK
CALIFORNIANS for SENATOR
PETE WILSON
ID #C00165720
411-132-847

411

4411 81045



16-4

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PROCESSED
PAY ANY BANK P.E.G.

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PROCESSED BY
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LA

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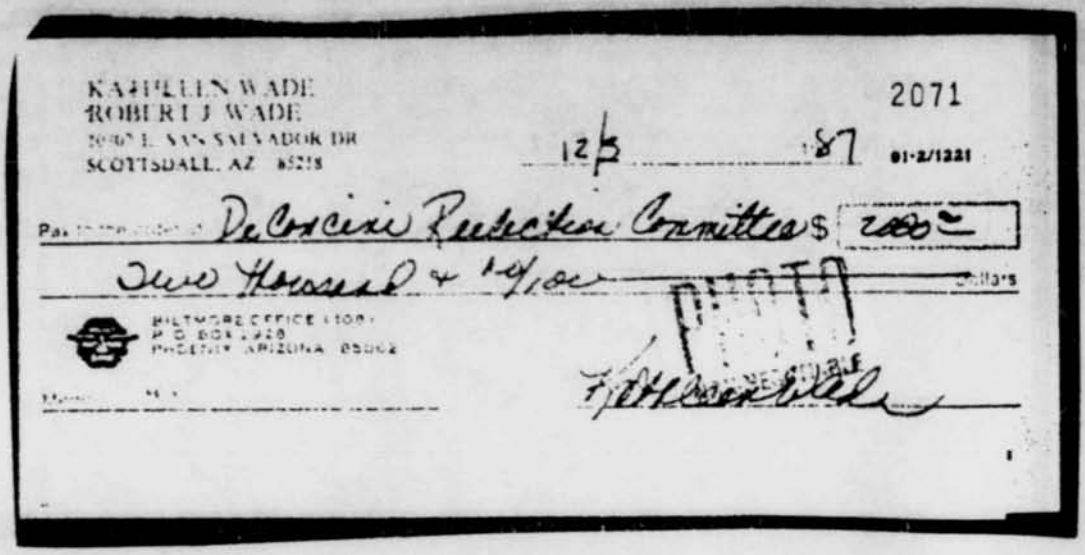
DeCONCINI '88 COMMITTEE



KATHLEEN WADE
ROBERT J WADE
20307 E. SAN SALVADOR DR
SCOTTSDALE, AZ 85218

2071

12/5 1987

91-2/1221

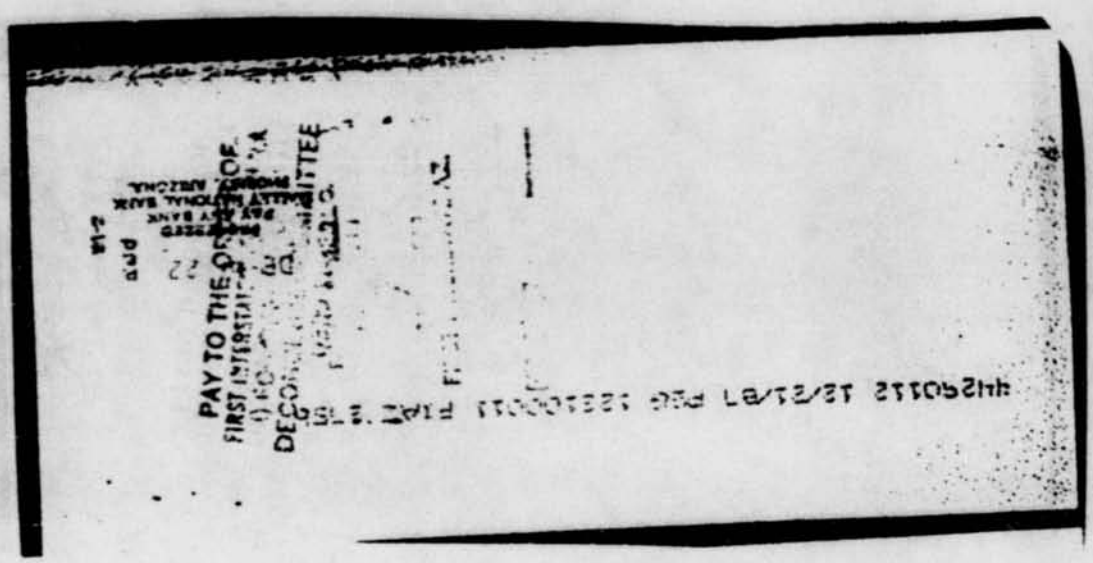
Pay to the order of DeConcini Reelection Committee $ 2000.00

Two Thousand & 00/100 Dollars

BILTMORE OFFICE (108)
P.O. BOX 2928
PHOENIX ARIZONA 85062

PHOTO

Kathleen Wade



PAY TO THE ORDER OF
FIRST INTERSTATE
DECONCINI
COMMITTEE

93043540997

Dennis DeConcini

6014 Chesterbrook Road
McLean, Virginia 22101
703/241-1782

December 14, 1987

Mr. and Mrs. Robert Wade
10307 East San Salvador Drive
Scottsdale, Arizona 85258

Dear Kathleen and Bob:

I am so pleased that you continue to support my efforts in the Senate.

I am aware of your attendance at Rawhide -- and thanks for that.

The Maxi Committee is key to our efforts. I am appreciative; and I will do all I can to serve Arizona and our Country in a manner which merits such loyal support.

Your new business is a tremendous undertaking, and so I extend my best wishes for every success to you in the coming year.

Sincerely,

Dennis

Dennis DeConcini

DDC:mkv

9304354099 8

Paid for by DeConcini '88 Committee, Tom Karlsen, Treasurer.
A copy of our report is on file with the Federal Election Commission and is available from the Government Printing Office.

9304354009999

JON KYL

JACK A. HENRY
SUITE 2100
101 NORTH FIRST AVENUE
PHOENIX, ARIZONA 85003

April 25, 1986

$500

Mr. and Mrs. Bob Wade
1402 East Caroline
Tempe, Arizona 85284

Dear Kathy and Bob:

Barb and I are sorry you could not make it to our reception to visit with Jon and Caryll Kyl on April 2nd.

Jon, as you know, is running for Congress from the Fourth District of Arizona. He is a superb candidate who will make a significant contribution to solving problems in Washington that we in Arizona are so concerned about. That is why Barb and I are doing everything possible to get Jon elected.

We have made a contribution to Jon's campaign, and if you have not already done so, are asking you to do so. Anything you can afford to give Jon -- $100, $200, $500 or more -- will be greatly appreciated. I can assure you it could not go to a better candidate, and, in addition, your donation will be used effectively.

So please, if you want the very best representation in Washington, send your contribution to Jon's campaign today. Enclosed is a support card with a postage-paid return envelope for your convenience.

Again, I am sorry you could not make it to our home, but I hope you will take this opportunity to contribute to Jon's campaign.

Sincerely,

Jack A. Henry

Enclosures

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BOB STUMP ELECTION COMMITTEE

SECURITY PACIFIC BANK PRIVATE BANKING

ROBERT J. WADE
KATHLEEN R. WADE
10307 E. SAN SALVADOR DR.
SCOTTSDALE, AZ 85258

1307

91-170/1221

3/23 1990

Pay To The Order Of Bob Stump Election Committee $ 300.00

Three hundred + no/100 Dollars

SECURITY PACIFIC BANK ARIZONA
Private Banking (208)
6900 E. Camelback Rd. Suite 210
Scottsdale, Arizona 85251

Memo

Kathleen Wade

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ENDORSE HERE

X

FOR DEPOSIT ONLY
BOB STUMP ELECTION COMMITTEE
ACCT. # 54-5473

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DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
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MARCH 29, , 1990

Received from ROBERT AND KATHLEEN WADE

Continental Homes, Inc., Scottsdale, Az.

$ 300.00 *for the* **Congressman Bob Stump** *Birthday Appreciation Dinner on March 31, 1990.*

Admit Ticket No.'s YOUR DONATION TO BOB IS SINCERELY APPRECIATED.

Mailed _____ *Delivered* _____

Thank You
Bob Stump Election Committee
Charles P. Thompson, Chairman
Terry Smalley, Co-Chairman

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RE-ELECT JON KYL

SECURITY PACIFIC BANK PRIVATE BANKING

00065 4

ROBERT J. WADE
KATHLEEN R. WADE
10307 E. SAN SALVADOR DR.
SCOTTSDALE, AZ 85258

1611

91-170/1221

10/22 19 90

Pay To The Order Of Re Elec & Jon Kyl $ 500—

Five hundred & no/100 Dollars

SECURITY PACIFIC BANK ARIZONA
Private Banking (208)
6900 E. Camelback Rd. Suite 210
Scottsdale, Arizona 85251

Memo

Kathleen Wade

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ENDORSE HERE

X

PAY TO THE ORDER OF
FIRST INTERSTATE BANK
JONKYL RE-ELECTION COMMITTEE
FOR DEPOSIT ONLY
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10/30/90

31116890

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 27, 1991

Walter Pozen, Esq.
Stroock, Stroock & Lavan
1150 Seventeenth Street, N.W.
Washington, D.C. 20036-4652

RE: MUR 3121
Jack and Robin Atchison

Dear Mr. Pozen:

This is in response to your letter dated March 22, 1991, which we received on that same date, requesting an extension of 20 days to respond to the Subpoena to Produce Documents and Order to Submit Written Answers issued by the Federal Election Commission to your clients, Jack and Robin Atchison. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on April 16, 1991.

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Robert W. Bonham, III
Assistant General Counsel

9304354100 8

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 27, 1991

Stephen S. Cohen, Esq.
Steptoe & Johnson
1330 Connecticut Avenue, N.W.
Washington, D.C. 20036-1795

RE: MUR 3121
Edward and Mary Novak

Dear Mr. Cohen:

This is in response to your letter dated March 15, 1991, which we received on March 22, 1991, requesting an extension of 20 days to respond to the Subpoena to Produce Documents and Order to Submit Written Answers issued by the Federal Election Commission to your clients, Edward and Mary Novak. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on April 15, 1991.

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Robert W. Bonham, III
Assistant General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 27, 1991

Kim Cranston
2024 Camden Avenue
Los Angeles, CA 90025

RE: MUR 3121
Center for Participation in
Democracy

Dear Mr. Cranston:

This is in response to your letter dated March 20, 1991, which we received on March 22, 1991, requesting an extension of 20 days to respond to the Subpoena to Produce Documents and Order to Submit Written Answers issued by the Federal Election Commission to your organization, the Center for Participation in Democracy. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on April 15, 1991.

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Robert W. Bonham, III
Assistant General Counsel

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FEDERAL ELECTION COMMISSION
MAIL ROOM
91 MAR 27 AM 10:59

KIRKLAND & ELLIS

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

200 East Randolph Drive
Chicago, Illinois 60601

312 861-2000

Facsimile:
312 861-2205

Stephen C. Neal, P.C.
To Call Writer Direct:
312 861-2284

91 MAR 27 PM 3:24
RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

March 25, 1991

Tony Buckley, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: **MUR 3121**

Dear Mr. Buckley:

This will confirm our telephone conversation of today. I am currently in receipt of orders to submit written answers and subpoenas to produce documents served on the following individuals in the above matter: Charles H Keating, Jr., Mary Elaine Keating, Bradley Boland, Elaine Boland, Gary Hall, Mary Hall, Tom Mulhern, Maureen Mulhern, and Carol Kassick. The return dates for these orders vary from individual to individual.

As I indicated to you today, I will probably appear as counsel on behalf of various of the above named individuals. On behalf of all of the individuals, I requested a reasonable extension of time in which certain individuals can either make other arrangements for counsel or prepare and file independently or through me their own responses.

To the extent I ultimately appear on behalf of certain of the above named individuals, I will send in a designation of counsel form.

By cover of a copy of this letter, I am forwarding the requests concerning Gary and Mary Hall to Mr. Stephen D. Miller of Miller & Nolan, Inc. in Los Angeles.

Yours very truly,

Stephen C. Neal, P.C.

SCN/lma

cc: Stephen D. Miller, Esq.

9304354101 1

OGC 0535

FEDERAL ELECTION COMMISSION

91 MAR 28 AM 11:11

MUR 3112

March 22, 1991

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

91 MAR 28 PM 2:53

FEDERAL ELECTION COMMISSION

Dear Mr. Buckley:

I received a subpoena to produce document with regard to my contribution to Senator Reigle. The following is my response to that subpoena.

1. Barbara Jean Schmidt
5601 E. Tierra Buena Lane
Scottsdale, Arizona 85254

My current employer is American Continental Corporation.

2. Jan 81 - Appx July 84 American Continental Corporation
Manager, Word Processing
Responsible for technical support and training for word processing.

Appx July 84 - April 89 Lincoln Savings & Loan
Manager, Office Support Systems
Responsible for all office automation statement of direction for hardware and software, technical support and training.

Appx Jan 89 - Sept 89 Phoenician Resort
Co-Director MIS
Responsible for technical support and training for office automation hardware and software, computer room operations, several other hotel systems such as remanco and infogenisis.

April 89 - Present American Continental Corporation

Responsible for computer support, document depository work, and assisting in the selling off of the equipment.

3. Mr. Keating was my employer during the entire period until he left the company in September 1990. I was employed by American Continental Corporation or a subsidiary of American Continental Corporation during the entire time.

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RECEIVED
COMMISSION
AM 11:11

4.

All amounts quoted are the amounts that were deposited to my account. These would reflect net amounts.

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5. 2/87 - $500.00 Senator Reigle - copy of check attached

My contribution to Senator Reigle was done several years ago. I do not recall the exact circumstances of the contribution. I do remember that Senator Reigle came to ACC and spoke. I do not remember whether I wrote the check before or after the speech.

The contribution I gave was given fully with no strings attached. It was neither demanded of me nor reimbursed to me in any way.

6. I have attached a copy of the canceled check for Senator Reigle, as well as my bank statement and check register for that period.

7. I have never facilitated, arranged, solicited or delivered any contribution to any federal or state candidate or committee.

8. I have never facilitated, arranged, solicited or delivered any contributiion to any federal or state candidate or committee. I have no documentation.

9. I have no correspondence, notes, memos or phone messages because none was done.

10. No one.

I hope I have answered each question adequately.

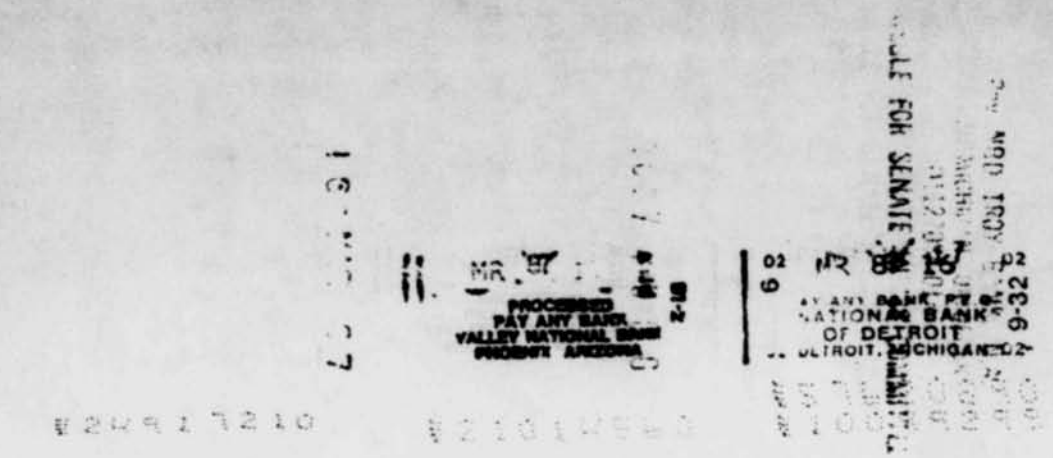
Respectfully,

Barbara Schmidt

Barbara J. Schmidt

/bjs

9304354101 4



93043541015

PROCESSED
PAY ANY BANK
VALLEY NATIONAL BANK
PHOENIX ARIZONA

PAY ANY BANK, P.T.O.
NATIONAL BANK
OF DETROIT
DETROIT, MICHIGAN

STEVE P. SCHMIDT
BARBARA J. SCHMIDT
5601 E. TIERRA BUENA LN.
SCOTTSDALE, AZ 85254

123

2/24 1987

91-283/1221

Pay to the order of Riegle for Senate $ 500.00

Five hundred 00/100 Dollars

CAMELBACK PLAZA OFFICE
UNITED BANK
OF ARIZONA
5601 E. Camelback Phoenix, Arizona 85018

Memo

Barbara J. Schmidt

06C0632

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 MAR 28 PM 1:48

JAMES B. CONNOR
P.O. BOX 44986
PHOENIX, ARIZONA 85064

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 MAR 28 PM 2:53

March 27, 1991

Mr. Tony Buckley
The Federal Election Commission
Washington, D.C. 20463

Re: MUR 3121 James B. Connor

Dear Mr. Buckley:

I am in receipt of the order and subpoena, factual and legal analysis, procedures, and designation of counsel forms sent by John Warren McGarry, Chairman of The Federal Election Commission dated March 7, 1991. As I believe I stated to you on the phone, your targeting of me, based upon your "reason to believe" a violation of The Federal Election Campaign Act occurred, is totally unfounded. Notwithstanding, I am willing to comply with your request for information and documents.

However, the same documents and information you have requested were provided previously, approximately 18 months ago, by me, to the Federal Grand Jury in Los Angeles, California pursuant to a subpoena issued by Mr. Stephen Mansfield, U.S. Attorney. Unfortunately, I am unable to find my response previously sent to him, (because I have moved twice over the last 18 months) and therefore must request that he provide me with a copy of my previously submitted information. Enclosed please find my letter to him with respect to this request.

Accordingly, I request an extension of 20 days in which to respond to your request for information and documents. Hopefully, at the end of such time I will have the copies to provide to you. Please be advised that the subpoena for the grand jury required original documents, and therefore, I no longer have the originals.

Please contact me at your earliest convenience either by mail or at my office number at (602) 957-7170.

Very truly yours,

James B. Connor

JBC/dil/121

9304354101 6

JAMES B. CONNOR
P.O. BOX 44986
PHOENIX, ARIZONA 85064

March 27, 1991

Stephen Mansfield
United States Attorney
1200 U.S. Courthouse
312 North Spring Street
Los Angeles, California 90012

Dear Mr. Mansfield:

Approximately 18 months ago, I was issued a subpoena with regard to the investigation by your office and the Federal Grand Jury proceedings relating to American Continental Corporation. The subpoena requested production of documents relating to all federal election campaign contributions made by me from, I believe, January 1, 1984 to the present. I recently received a request for production of the same materials from The Federal Elections Commission. Unfortunately, I have misplaced the copies I retained of the information previously sent to you. The reason for this is the fact that I have moved residences twice, since the document production. Therefore, I request that you provide me with a copy of the information I previously sent to you in response to the subpoena. If there is a problem in this, please contact me immediately. I have requested an extension from the FEC, which, if granted, will not exceed 20 days. Accordingly, I would appreciate your expeditious response.

Very truly yours,

James B. Connor

cc: Mr. Tony Buckley,
The Federal Elections Commission
Mr. Jeff Jaech,
Federal Bureau of Investigation

JBC/dil/122

9304354101 7

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

91 MAR 26 AM 10:12

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
TIMOTHY P. MURRAY) Mur 3121
)

Timothy P. Murray's
Verified Written Answers,
Production of Documents and
Response to Subpoena dated
March 6, 1991 and Received
March 11, 1991

9304354101 18

THE UNDERSIGNED, TIMOTHY P. MURRAY, BEING FIRST DULY SWORN UPON HIS OATH: (1) makes the following Answers, (2) Produces the following documents and (3) Responds to the inquiry concerning a possible violation by him of the Federal Election Campaign Act of 1971, as amended (hereinafter "the Act") stating further that he believes that the factual and legal materials submitted below demonstrate that there was no such violation and that no action should be taken against him.

Q. 1. State your full name, address, phone number and current employer.

Answer:

Timothy Patrick Murray
17002 S. 32nd Way
Phoenix, Arizona 85044

Western Savings and Loan Association F.A. (602) 468-5738

Q. 2. List your occupations and employers during the relevant period. Describe your positions with each employer.

Answer:

a) July, 1979 to November, 1983: Employer - Peat Marwick Mitchell and Co., Phoenix, Arizona. Position - Auditor. Graduated University of Notre Dame May, 1979, Notice of passing CPA examination received July, 1979.

b) November, 1983 to Mid 1984: Employer - American Continental Corporation/Continental Homes. Position - Assistant Controller.

c) Mid 1984 to April, 1989: Employer - American Continental Corporation/Lincoln Savings and Loan Association. Position - Originally a Financial Administrator and then a Financial Vice President of the Land Development Department and the Real Estate Division of the Company. Resigned April 7, 1989.

d) May 5, 1989 to Present: Employer - Western Savings and Loan Association and Western Savings and Loan Association, F.A. (Federal Association). Positions - Originally I worked as Asset Valuation and Review Manager.

Current: I am presently working for Western Savings and Loan Association (F.A.) with the Resolution Trust Corporation (R.T.C.), the Receiver, i.e. manager of the Receivership. I am presently functioning as a credit specialist in charge of administration for the Receivership. I report directly to Scott C. Adams, the Financial Institution Specialist, who is the R.T.C. employee who acts as the chief operating officer of the Receivership.

Q. 3. Describe your relationship, if any, to Charles Keating, Jr. and American Continental Corporation ("ACC") and all of its subsidiaries and associated companies, including Lincoln Savings & Loan Association ("Lincoln"), during the relevant period.

Answer:

My relationship with Charles Keating, Jr. was as an employee of Companies which he was a major owner of and the Chief Operating Officer of from November, 1983 to April, 1989.

9304354101 9

My relationship with ACC and Lincoln was as an employee working in the Home Building Subsidiary, the Land Development Department and the Real Estate Division during my period of employment from November, 1983 to April, 1989. During this time period I was either an Assistant Secretary or Financial Vice President of some of the entities related to ACC and Lincoln. These would include but not be limited to AMCOR Investments Corporation, Phoenician Commercial Properties, Inc., and Castle Meadows, Inc. I do not have records or personal recall to be more specific.

Q. 4. For each bonus or other compensation in addition to your salary which you received, provide the following information:

a) the amount of such bonus or other compensation;

b) the justification for such bonus or other compensation;

c) date of receipt of such bonus or other compensation.

Per my recall and a detailed review of my personal financial records, the following is a list of all bonuses and other compensation in addition to my salary, stated in chronological order:

2304354 1020

9304354102 1

There was never a hint or indication that the $500.00 personal contribution that I made to "Riegle For Senate" by my personal check dated February 25, 1987 nor the $50.00 contribution by my personal check of April 4, 1988, which I made to Hatch Election Committee, were ever to be reimbursed by or paid for by my employer or any other person or company.

The letter soliciting a contribution for the Riegle for Senate Committee came to my home. I felt free to contribute or not to contribute; to ignore it or to respond to it. A fellow employee and her husband did not respond with a contribution to a like letter at that time because her husband had negative feelings about Mr. Riegle. This had no effect on her position in the company, nor subsequent promotions which in fact came her way.

My $500.00 Riegle campaign contribution dated 2-8-87; and my $50.00 Hatch contribution of 4-4-88 are in no way connected with the chronology or amount of my bonuses which are outlined herein in 4 a) and 4 c) above.

My biggest bonuses came in 1985 as a result of my association with the Land Development Department following hard long working efforts that were very successful and profitable.

With respect to the two isolated political contributions which are the issue here:

(1) I did not make these two contributions in the name of another person, but they were my personal contributions made in my own name, from my own funds, by my own checks, copies of which are attached.

(2) I did not knowingly permit my name to be used by any other person or corporation to effect such contributions.

(3) I did not permit my name to be used by any other person or corporation to effect such contributions.

See 2 U.S.C. § 441f.

Q. 5. Identify each federal political contribution and expenditure you made during the relevant period by date, amount and recipient. For each contribution:

a. State whether the contribution was made by check or other written instrument. If so, provide a copy (both sides) of the check or other written instrument.

b. Describe the circumstances under which each contribution was made. If a contribution was made as the result of a solicitation, describe the circumstances surrounding each solicitation, including the identity of the person(s) who made such solicitation and when and where it occurred. If any solicitation was written, provide a copy of it.

c. State whether any contribution was made at the direction or suggestion of any person, including Charles Keating, Jr. or any person associated with him, ACC, Lincoln or any other company associated with Charles Keating. If so, identify such person and describe the circumstances.

d. State whether any contribution was made in connection with a particular fundraising event. If so, state when and where the event was held and whether or not you attended. Identify any persons who provided you with transportation to and from the event.

e. State whether you received an advance, bonus payment or other compensation or reimbursement in connection with any contribution. If so, identify the person or entity who provided the reimbursement or compensation and the date it was provided.

9304354102 2

Answer and Response:

I made two federal political contributions during the relevant period as detailed below with responses to the above questions detailed by letter reference (a through e):

Contribution #1: Date - 2/25/87 / Amount - $500.00
Recipient - Riegle for Senate

a. This contribution was made by check. A copy of the front of the check is enclosed. The original check was provided to the Grand Jury as requested per a subpoena dated September 28, 1989. I only retained a copy of the front of the check.

b. This contribution was made as a result of a written solicitation by Charles Keating, Jr. To the best of my recollection, this solicitation was a form letter sent directly to my home shortly before making the contribution on 2/25/87. I did not retain the original or a copy of this letter.

c. As stated above, this contribution was made as a result of a letter from Charles Keating, Jr. Prior to making the contribution, I discussed the amount that I was going to contribute with Jed Brunst, my immediate supervisor at the time.

d. Prior to receiving the letter from Charles Keating, Jr., Senator Riegle attended a company meeting at the offices of American Continental Corporation. To the best of my recollection, I attended the meeting and recall Senator Riegle as being very impressive and complimentary about what he saw at the company. Other than Charles Keating, Jr., I do not specifically recall who else was at this meeting.

e. I did not receive an advance, bonus, payment or other compensation or reimbursement in connection with this contribution. The contribution was later returned to me by the Riegle for Senate in '88 Committee in approximately March of 1988.

Contribution #2: Date - 4/3/88 / Amount - $50.00
Recipient - Hatch Election Committee

a. This contribution was made by check. A copy of the front of the check is enclosed. The original check was provided to the Grand Jury as requested per a subpoena dated September 28, 1989. I only retained a copy of the front of the check.

b. This contribution was made as a result of a written solicitation by Orrin G. Hatch. To the best of my recollection, this solicitation was in the form of a letter sent directly to my home shortly before making the contribution on 4/3/88. I did not retain the original or a copy of this letter.

c. I do not recall that this contribution was made at the direction or suggestion of any person, including Charles Keating, Jr. or any person associated with him, ACC, Lincoln or any other company associated with Charles Keating.

d. I did not make this contribution in connection with any fund raising event.

e. I did not receive an advance, bonus, payment or other compensation or reimbursement in connection with this contribution.

Q. 6. In addition to the documents produced in response to Questions 5a and b, Produce all documents relating or in any way pertaining to each federal political contribution you identified in Question 5, including check registers, bank statements, correspondence and notes.

Answer:

Copies of all such documents which to the best of my knowledge I possess are included with this response.

9304354102 3

Q. 7. Identify any federal contribution made by others which you facilitated, arranged, solicited or delivered to any federal candidate or committee during the relevant period.

Answer:

I do not recall any such activities on my part during this period.

Q. 8. Provide all documents relating to any federal contributions made by others which you arranged, solicited or delivered to any federal candidate or committee during the relevant period.

Answer:

There are none nor were there ever any such documents to my knowledge.

Q. 9. Provide copies of all documents, including correspondence, notes, memos and phone messages relating to any communication with a federal political committee to which you made a contribution during the relevant period.

Answer:

I do not recall any such communication during the relevant period other than referred to above. I do not have copies of the two solicitation letters. Copies of my two checks are attached. The originals were provided to the Grand Jury per subpoena dated September 28, 1989 as stated above. I did not make copies of the reverse side of these two checks.

Q. 10. Identify any person other than counsel who provided information, or was consulted or assisted in any way in the preparation of answers to these questions and document requests.

Answer:

No other such person was involved with this response.

9304354102 4

SUMMATION

In conclusion I wish to repeat that with respect to the two political contributions which are the issue here:

(1) I did not make these two contributions in the name of another person, but they were my personal contributions made in my own name, from my own funds, by my own checks, copies of which are attached.

(2) I did not knowingly permit my name to be used by any other person or corporation to effect such contributions.

(3) I did not permit my name to be used by any other person or corporation to effect such contributions.

See 2 U.S.C. § 441f.

Timothy P. Murray

Timothy P. Murray

VERIFICATION

The undersigned, Timothy P. Murray, being first duly sworn upon his oath states that the written answers to Interrogators and Production and the Responses made thereto under the "Instructions" received and under the "Description of Preliminary Procedures for Processing Possible Violations Discovered by the Federal Election Commission" are made under Oath and are true.

Timothy P. Murray

Timothy P. Murray

County of Maricopa
State of Arizona

Signed and Sworn to before me a Notary Public of and for the County of Maricopa, State of Arizona this 25th day of March, 1991.

Donna Zimmerman

My Commission Expires: _____

OFFICIAL SEAL
DONNA ZIMMERMAN
Notary Public - State of Arizona
MARICOPA COUNTY
My Comm. Expires May 31, 1992

9300435410025

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: Thomas L. Murray

ADDRESS: 16433 Foxcross Dr.
Granger, Indiana 46530

TELEPHONE: 219-272-3745

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.

March 20, 1991
Date

Timothy P. Murray
Signature Timothy P. Murray

RESPONDENT'S NAME: Timothy P. Murray

ADDRESS: 17002 South 32nd Way
Phoenix, Arizona 85044

HOME PHONE:

BUSINESS PHONE: 602-468-5738 (Western Saving & Loan Association, F.A.)

2304354102 6

KATHLEEN [illegible]RAY OR
TIMOTHY MURRAY
17002 S. 32ND
PHOENIX, AZ 85044

SPECIMEN

1376

2/25/87 19___ 91-7069/3221

Pay to the order of RIEGLE FOR SENATE $ 500.00

FIVE Hundred and no/100 Dollars

WESTERN SAVINGS
EAST CAMELBACK BRANCH 13
1950 E Camelback Rd., Phoenix, Az 85016

Memo Contribution Signed Timothy P Murray

Remember to Enter Your Automatic Payments and Deposits

930435410027

Riegle 1/2

KATHLEEN M[redacted]AY OR
TIMOTHY [redacted]RRAY
17002 S. 32ND
PHOENIX, AZ 85044

1723

4/3 1988

91-7069/3221

Pay to the order of HATCH Election Committee $ 50.00

Fifty and no/100 Dollars

WESTERN SAVINGS
EAST CAMELBACK BRANCH 13
1950 E. Camelback Rd., Phoenix, AZ 85016

Memo 039

Signed Timothy A. Murray

930435410 28

HATCH 1/3

ORRIN HATCH
UNITED STATES SENATOR

April 25, 1988

Timothy P. Murray
17002 South 32nd
Phoenix, Az 85044

Dear Tim:

Thank you for the generous financial contribution of $50.00 which will be used in my effort to be re-elected to the United States Senate. I sincerely appreciate and am encouraged by your expression of support. I assure you that your contribution will be used judiciously.

I feel it an honor to serve the people of Utah, and I have found my work in the Senate to be a rewarding experience. My strongest desire is to continue to promote and protect the principles that have made this nation great. I remain committed to using my role in the Senate to guard the rights of every American.

Again, thank you for your support.

Sincerely,

Orrin

Orrin G. Hatch
United States Senator

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HATCH 3/3

06C0545

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

91 MAR 26 AM 10:12

Timothy P. Murray
17002 South 32nd Way
Phoenix, Arizona 85044
602-759-1764

Saturday, March 23, 1991

RE: Mur 3121
Timothy Murray
Proof of Service

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 MAR 29 PM 12:52

Office of the General Counsel
Federal Election Commission
999 E. Street, NW
Washington, DC 20463

Attention: Marjorie W. Emmons
Secretary to the Commission

Please find enclosed my Answers, Responses to Production and Responses made to the Subpeona to Produce Documents and Order to Submit Written Answers. These are submitted under oath as required and in accord with the Instructions and the Description of Preliminary Procedures For Processing Possible Violations Discovered By The Federal Election Commission, which accompanied the subpoena and interogatories (questions).

I would be pleased to discuss these matters with you further. Please feel free to contact me or my attorney.

I received the documents on March 11, 1991 and am sending the enclosures by Federal Express so as to meet the 15 day deadline set forth in the subpoena.

Respectfully yours,

Timothy P. Murray

Timothy P. Murray

cc: Thomas L. Murray, Attorney
16433 Foxcross Drive
Granger, Indiana 46530
Telephone: 219-272-3745

9304354103 0

OGC 0547

Continental Homes, Inc.
7001 North Scottsdale Road, Suite 2050
Scottsdale, Arizona 85250
Post Office Box 60010
Phoenix, Arizona 85082-0010
(602) 483-0006

March 25, 1991

Mr. John Warren McGarry
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

Re: MUR 3121
Donald Loback
Carol Loback

Dear Mr. McGarry:

The response to your subpoena dated March 6, 1991 is enclosed.

I was shocked at the accusatory nature of the cover letter. I can't believe that the Commission would write such a threatening letter as a result of unsupported newspaper articles.

As you review the enclosed information you will see that I was associated with American Continental Corporation for only 1 1/2 years of the eight year relevant period. You will also notice that I have made more political contributions subsequent to my departure from ACC than during the time I was employed.

I can assure you that if this is the reward for supporting the political system of the United States that I will make no further contributions. I have also notified Senators McCain and DeConcini and Congressman Kyl of this harassment and asked them to remove me from their mailing lists.

FEDERAL RECEIVED
ELECTION COMMISSION
91 MAR 29 PM 3:20

2304354103 1

Continental
Welcome Home

In the future my only contributions will be to Peter Grace's worthwhile organization "Citizens Against Government Waste." When the government spends time and money on such a ridiculous subpoena, it is easy to see why it operates at such a ludicrous deficit.

Cordially,

Donald R. Loback
Co-Chief Executive Officer

DRL/mjc
Enclosure

2304354103 2

RESPONSES OF DONALD R. LOBACK
TO QUESTIONS AND DOCUMENT REQUESTS

1. State your full name, address, phone number and current employer.

Response to #1:

Donald Robert Loback
9850 N. 83rd Way
Scottsdale, Arizona 85258

Current Employer:

Continental Homes, Inc.
7001 N. Scottsdale Road
Suite 2050
Scottsdale, Arizona 85250
602/483-0006

2. List your occupation(s) and employer(s) during the relevant period. Describe your position(s) with each employer.

Response to #2:

Dates	Position
1983	Financial Vice President of American Continental Corporation ("ACC")
1984	Chief Financial Officer of ACC
January-May 1985	Board member of ACC and Chief Financial Officer
June 1985-Present	Co-Chief Executive Officer of Continental Homes, Inc. (a company formed in 1985 when homebuilding assets were purchased from ACC). Since that date I have not been affiliated with ACC or its subsidiaries.

9304354103 3

3. Describe your relationship, if any, to Charles Keating, Jr. and American Continental Corporation ("ACC") and all of its subsidiaries and associated companies, including Lincoln Savings and Loan Association ("Lincoln"), during the relevant period.

Response to #3: As listed above, I was employed by ACC and/or its subsidiaries from 1983 through May, 1985. Charles H. Keating, Jr. was Chairman of the Board of ACC. On May 31, 1985 I was part of a management team that purchased the homebuilding assets of ACC and its subsidiaries. Since that time, I have been Co-Chief Executive Officer of the company formed (Continental Homes, Inc.).

4. For each bonus or other compensation in addition to your salary which you received, provide the following information:

   a. The amount of such bonus or other compensation;

   b. The justification for such bonus or other compensation;

   c. Date of receipt of such bonus or other compensation.

Response to #4:

9304354103 4

5. Identify each federal political contribution and expenditure you made during the relevant period by date, amount and recipient. For each contribution:

   a. State whether the contribution was made by check or other written instrument. If so, provide a copy (both sides) of the check or other written instrument.

   b. Describe the circumstances under which each contribution was made. If a contribution was made as the result of a solicitation, describe the circumstances surrounding each solicitation, including the identity of the person(s) who made such solicitation and when and where it occurred.

If any such solicitation was written, provide a copy of it.

c. State whether any contribution was made at the direction or suggestion of any person, including Charles Keating, Jr. or any person associated with him, ACC, Lincoln or any other company associated with Charles Keating. If so, identify such person and describe the circumstances.

d. State whether any contribution was made in connection with a particular fund raising event. If so, state when and where the event was held and whether or not you attended. Identify who sponsored the event and on whose behalf the event was held. If you did attend the event, identify any persons who also attended. Identify any person(s) who provided you with transportation to and from the event.

e. State whether you received an advance, bonus, payment or other compensation or reimbursement in connection with any contribution. If so, identify the person or entity who provided the reimbursement or compensation and the date it was provided.

9304354103 5

Response to #5:

The following contributions were made while I was employed by ACC.

Recipient	Amount	Date
McCain Re-Election Committee	$1,000	10/17/83
John Glenn Presidential Committee	500	07/24/84
Kolbe "84"	1,000	10/16/84
Californians for Senator Pete Wilson	1,000	04/17/85

I believe all contributions were made by check. However, I do not have my canceled checks for the time periods indicated. The contribution to John Glenn was related to a fund raiser held by Charles Keating at his house. I do not recall the date. I have no specific recollection of the circumstances regarding the other contributions. However, during my employment at ACC it was not unusual to receive solicitations for funds from Charles H. Keating, Jr. or his secretary for various political candidates. At my discretion I contributed to the candidates of my choice. I did not receive an advance, bonus, payment or any other compensation or reimbursement in connection with any contribution.

The following contributions were made subsequent to my resignation from ACC.

Recipient	Amount	Date
Jon Kyl for Congress	$ 500	06/30/86
Jon Kyl Re-Election	1,000	08/11/87
Senator Dennis DeConcini	1,000*	03/27/88
Deconcini '88 Committee	1,000*	08/23/88
Jon Kyl	125	09/06/88

*check amount was $2,000 representing a $1,000 contribution from me and a $1,000 contribution from my wife.

All of the above contributions were made by check, copies of which are included with this response. The contribution to Jon Kyl in 1986 was in connection with a fund raiser held by Jack Henry, the managing partner of the Phoenix office of Arthur Andersen & Co. The remaining contributions were made in connection with solicitations received in the mail from the various candidates. I do not have copies of any such solicitations. Subsequent to my resignation from ACC in May of 1985, I received no solicitations for political contributions from Charles H. Keating, Jr. or any other employee of ACC.

6. In addition to the documents produced in response to Questions 5a and b, produce all documents relating or in any way pertaining to each federal political contribution you identified in Question 5, including check registers, bank statements, correspondence and notes.

Response to #6: The following copies have been enclosed relating to each of the below listed contributions:

Contribution	Check Date	Documents Produced
McCain Re-Election Committee	10/17/83	Nothing - Records from 1983 are not available.
John Glenn Presidential Committee	07/24/84	Nothing - Records from 1984 are not available.
Kolbe '84	10/16/84	Nothing - Records from 1984 are not available.
Californians for Senator Pete Wilson	04/17/85	Nothing - Records from 1985 are not available.

2304354103 36

Contribution	Check Date	Documents Produced
Jon Kyl for Congress	06/30/86	Cancelled Check Bank Statement
Jon Kyl Re-Election	08/11/87	Cancelled Check Bank Statement
Senator Dennis DeConcini	03/27/88	Cancelled Check Bank Statement
DeConcini '88	08/23/88	Cancelled Check Bank Statement
Jon Kyl	09/06/88	Cancelled Check Bank Statement

7. Identify any federal contribution made by others which you facilitated, arranged, solicited or delivered to any federal candidate or committee during the relevant period.

Response to #7: I did not facilitate, arrange, solicit or deliver any federal contributions from others.

8. Provide all documents relating to any federal contributions made by others which you arranged, solicited or delivered to any federal candidate or committee during the relevant period.

Response to #8: There are none.

9. Provide copies of all documents, including correspondence, notes, memos and phone messages relating to any communication with a federal political committee to which you made a contribution during the relevant period.

Response to #9: There are none.

10. Identify any person other than counsel who provided information, or was consulted or assisted in any way in the preparation of answers to these questions and documents requests.

Response to #10: None.

I swear the above to be true and accurate to the best of my knowledge.

Date:

March 25, 1991

Donald R. Loback

9304354410337

State of Arizona
County of Maricopa

The foregoing instrument was acknowledged before me this 25th day of March, 1991 by Donald R. Loback.

Mary Jo Colucci
Notary Public



93043541038

930435410339

JON KYL FOR CONGRESS

230435410440

DONALD R. LOBACK
CAROL B. LOBACK
9850 N. 83RD WAY
SCOTTSDALE, AZ 85258

2392

91-2/1221

June 30 1986

PAY TO THE ORDER OF Jon Kyl for Congress $ 500.00

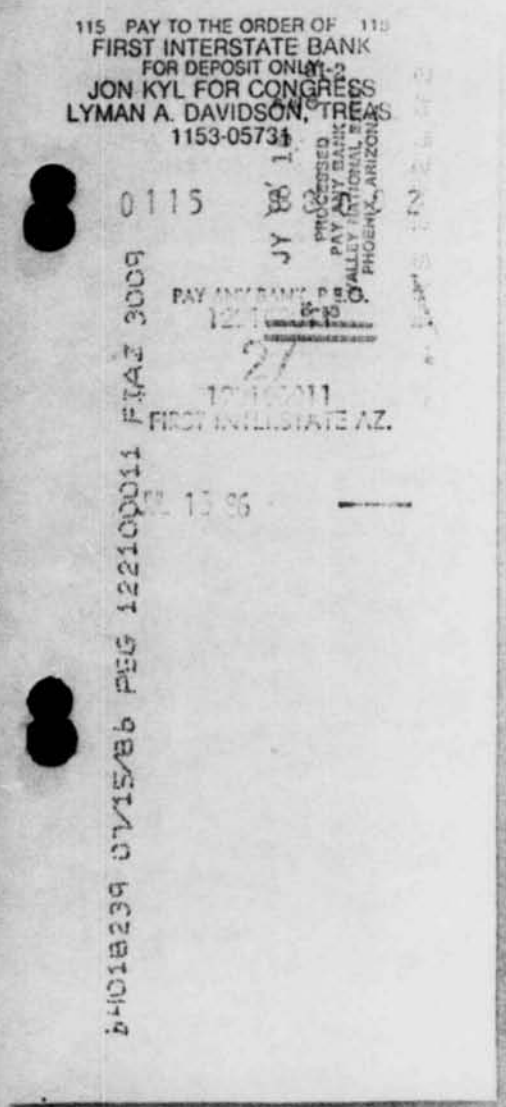
Five hundred and no/100's DOLLARS

VALLEY BANK CENTER - MAIN OFFICE 137
P. O. BOX 71
PHOENIX, ARIZONA 85001

MEMO

Donald R. Loback

64018239 07/15/86 PSG 122100011 FIAZ 3009



115 PAY TO THE ORDER OF 115
FIRST INTERSTATE BANK
FOR DEPOSIT ONLY
JON KYL FOR CONGRESS
LYMAN A. DAVIDSON, TREAS
1153-05731

0115

JY 86 11

PROCESSED
PAY ANY BANK
VALLEY NATIONAL BANK
PHOENIX, ARIZONA

PAY ANY BANK P.S.O.
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FIRST INTERSTATE AZ.

JUL 15 86

93043541041

93043541042

JON KYL RE-ELECTION

DONALD R. [illegible]CK
CAROL B. L[illegible]ACK
9850 N. 83RD WAY
SCOTTSDALE, AZ 85258

2832

Aug 11 1987

91-2/1221

PAY TO THE ORDER OF Jon Kyl for Congress Campaign Comm. $ 1,000.00

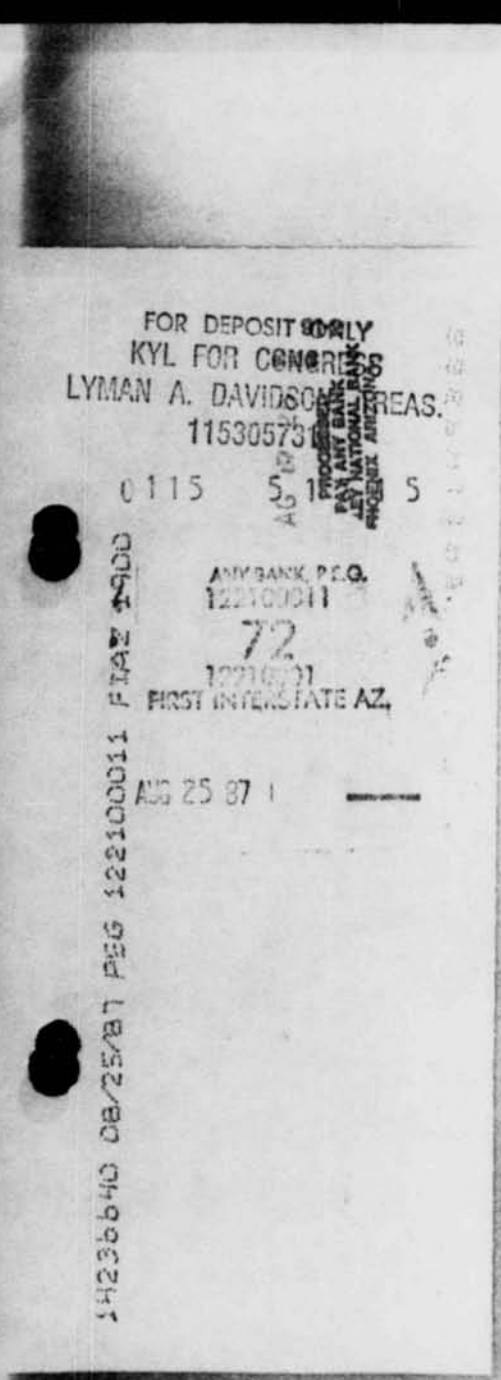
One thousand and no/100s DOLLARS

VALLEY BANK CENTER - MAIN OFFICE (137)
P. O. BOX 71
PHOENIX, ARIZONA 85001

MEMO

D M Colwell

93043541043



FOR DEPOSIT ONLY
KYL FOR CONGRESS
LYMAN A. DAVIDSON, TREAS.
115305731

0115 5 1 5

PROCESSED
PAY ANY BANK
LEY NATIONAL BANK
PHOENIX ARIZONA

ANY BANK, P.E.O.
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FIRST INTERSTATE AZ.

AUG 25 87

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23043541045

SENATOR DENNIS DeCONCINI

DONALD R. OR [illegible] B. LOBACK
9850 N[illegible] WAY
SCOTTSDALE, AZ 85258

Mar [illegible]

1023

PAY TO THE ORDER OF Senator Dennis DeConcini $ 2,000.00

Two thousand and no/100 DOLLARS

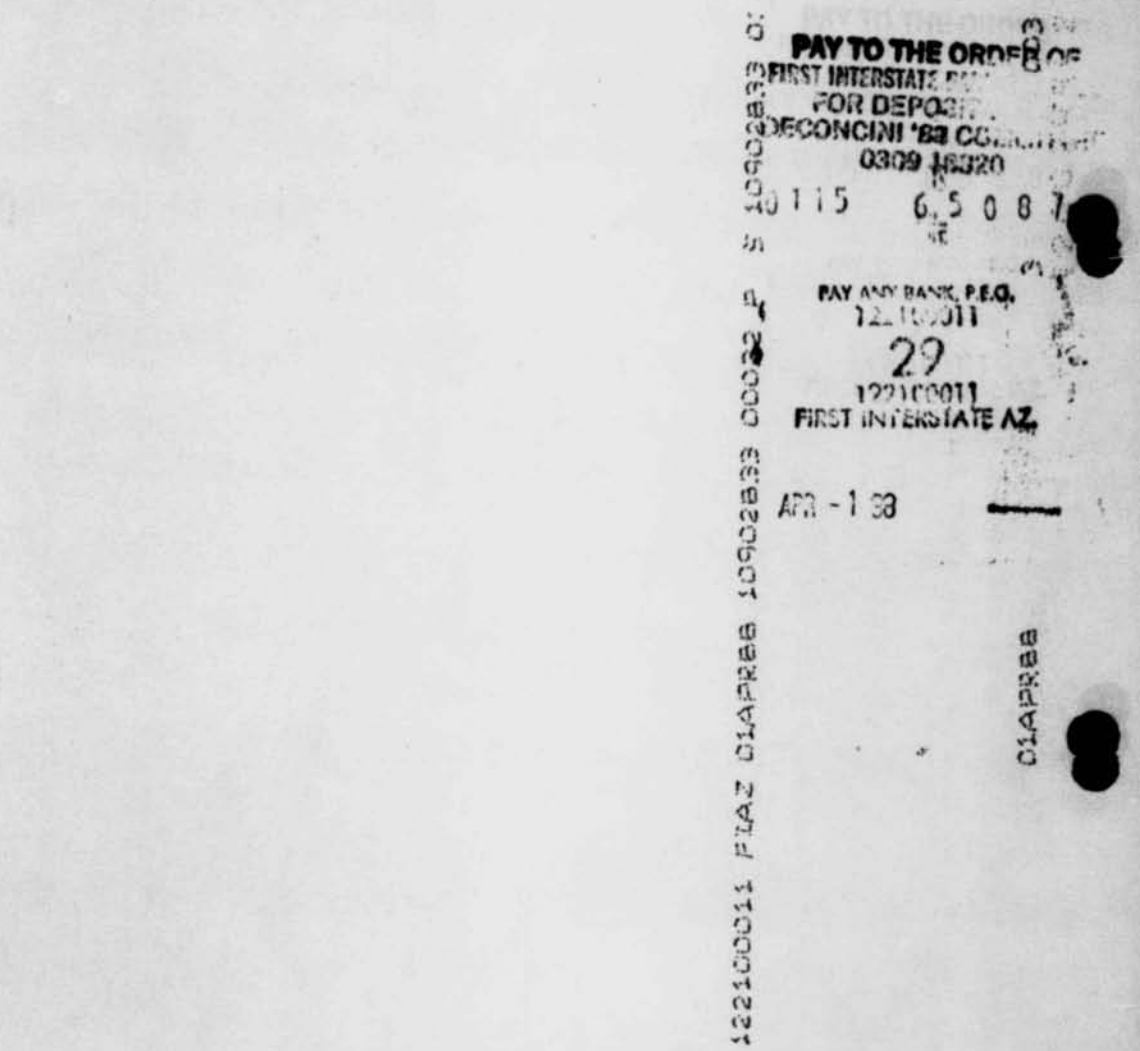
Scottsdale & Shea Office
UNITED BANK
OF ARIZONA
10921 N. Scottsdale Rd., Scottsdale, AZ 85254-5260

MEMO Max Thankyou Eric

DM [illegible]

9 3 0 4 3 5 4 1 0 4 6

9 3 0 4 3 5 4 1 0 4 7



9304354104 8

DeCONCINI '88

[redacted] 'ALD R. LOBACK
[redacted] .ROL B. LOBACK
9850 N. 83RD WAY
SCOTTSDALE, AZ 85258

REC'D 9/8

5001

Aug 23 19 88

91-2/1221

PAY TO THE ORDER OF DeConcini Re-election Campaign $ 2,000.00

Two thousand and no/100 DOLLARS

SCOTTSDALE-SHEA OFFICE (089)
P.O. Box 996
Scottsdale, Arizona 85252

FOR

Dr Loback

930435410049

11018779 00065 3 11018779 >122100011< FIAZ 08SEP88 P 0

PAY TO THE ORDER OF
FIRST INTERSTATE BANK OF ARIZONA
FOR DEPOSIT ONLY
DECORCIAL '88 COMMITTEE
0308 18820 0 8 9
SEP -8 '88
VALLEY NATIONAL BANK
PHOENIX, ARIZONA
122100011
57
FIRST INTERSTATE BANK
HIDDEN, ARIZONA
122100024

122100011 00065 3 11018779 1ST INTRST AZ 08SEP88 P 0

9 3 0 4 3 5 4 1 0 5 0

JON KYL

93043541051

DON[illegible] R. LOBACK
CA[illegible] LOBACK
9850 N. 83RD WAY
SCOTTSDALE, AZ 85258

5010

Sep 6 1988 91-2/1221

PAY TO THE ORDER OF Jon Kyl Re-election Committee $ 125.00

One hundred twenty five and 00/100 DOLLARS

SCOTTSDALE-SHEA OFFICE (089)
P.O. Box 996
Scottsdale, Arizona 85252

FOR

D M Loback

93043541052

10620276 00031 3 10620276 >122100011< FIAZ 16SEP88

PAY TO THE ORDER OF
FIRST INTERSTATE BANK
JON KYL RE-ELECTION COMMITTEE
FOR DEPOSIT ONLY
115305731

115 2 1 9

SE '88 19

VALLEY NATIONAL BANK
PHOENIX, ARIZONA

SEP 16 '88

FIRST INTERSTATE BANK
PHOENIX, ARIZONA

122100011

122100011 00031 3 10620276 1ST INTRST AZ 16SEP88

9 3 0 4 3 5 4 1 0 5 3

RESPONSES OF CAROL B. LOBACK
TO QUESTIONS AND DOCUMENT REQUESTS

1. State your full name, address, phone number and current employer.

Response to #1: **Carol Brown Loback**
9850 N. 83rd Way
Scottsdale, Arizona 85258

Current Employer: None

2. List your occupation(s) and employer(s) during the relevant period. Describe your position(s) with each employer.

Response to #2: I was unemployed during the relevant period.

3. Describe your relationship, if any, to Charles Keating, Jr. and American Continental Corporation ("ACC") and all of its subsidiaries and associated companies, including Lincoln Savings and Loan Association ("Lincoln"), during the relevant period.

Response to #3: I have never been employed by Charles H. Keating, Jr., ACC, its subsidiaries or Lincoln. My husband was employed by ACC from 1983 - May 1985.

4. For each bonus or other compensation in addition to your salary which you received, provide the following information:

   a. The amount of such bonus or other compensation;

   b. The justification for such bonus or other compensation;

   c. Date of receipt of such bonus or other compensation.

Response to #4: I received no compensation or bonuses during the relevant period.

5. Identify each federal political contribution and expenditure you made during the relevant period by date, amount and recipient. For each contribution:

   a. State whether the contribution was made by check or other written instrument. If so, provide a copy (both sides) of the check or other written instrument.

9304354105 4

b. Describe the circumstances under which each contribution was made. If a contribution was made as the result of a solicitation, describe the circumstances surrounding each solicitation, including the identity of the person(s) who made such solicitation and when and where it occurred. If any such solicitation was written, provide a copy of it.

c. State whether any contribution was made at the direction or suggestion of any person, including Charles Keating, Jr. or any person associated with him, ACC, Lincoln or any other company associated with Charles Keating. If so, identify such person and describe the circumstances.

d. State whether any contribution was made in connection with a particular fund raising event. If so, state when and where the event was held and whether or not you attended. Identify who sponsored the event and on whose behalf the event was held. If you did attend the event, identify any persons who also attended. Identify any person(s) who provided you with transportation to and from the event.

e. State whether you received an advance, bonus, payment or other compensation or reimbursement in connection with any contribution. If so, identify the person or entity who provided the reimbursement or compensation and the date it was provided.

Response to #5:

The following contributions were made by me.

Recipient	Amount	Date
McCain Re-Election Committee	$1,000	10/17/83
John Glenn Presidential Committee	500	07/24/84
Senator Dennis DeConcini	1,000*	03/27/88
Deconcini '88 Committee	1,000*	08/23/88

*check amount was $2,000 representing a $1,000 contribution from me and a $1,000 contribution from my husband.

I believe all contributions were made by check. However, I do not have my canceled checks for 1983 and 1984. The contribution to John Glenn was related to a fund raiser held by Charles Keating at his house. I do not recall the date. I have no specific recollection of the circumstances regarding the McCain contribution. However, I have known John and Cindy

2304354105 5

since 1981 and there children attend the same school as mine. The DeConcini contributions were made in connection with solicitations received in the mail. I do not have copies of any such solicitations.

6. In addition to the documents produced in response to Questions 5a and b, produce all documents relating or in any way pertaining to each federal political contribution you identified in Question 5, including check registers, bank statements, correspondence and notes.

Response to #6: The following copies have been enclosed relating to each of the below listed contributions:

Contribution	Check Date	Documents Produced
McCain Re-Election Committee	10/17/83	Nothing - Records from 1983 are not available.
John Glenn Presidential Committee	07/24/84	Nothing - Records from 1984 are not available.
Senator Dennis DeConcini	03/27/88	Cancelled Check Bank Statement
DeConcini '88	08/23/88	Cancelled Check Bank Statement

7. Identify any federal contribution made by others which you facilitated, arranged, solicited or delivered to any federal candidate or committee during the relevant period.

Response to #7: I did not facilitate, arrange, solicit or deliver any federal contributions from others.

8. Provide all documents relating to any federal contributions made by others which you arranged, solicited or delivered to any federal candidate or committee during the relevant period.

Response to #8: There are none.

9. Provide copies of all documents, including correspondence, notes, memos and phone messages relating to any communication with a federal political committee to which you made a contribution during the relevant period.

Response to #9: There are none.

10. Identify any person other than counsel who provided information, or was consulted or assisted in any way in the

9304354105 6

preparation of answers to these questions and documents requests.

Response to #10: None.

I swear the above to be true and accurate to the best of my knowledge.

Date:

3-25-91

Carol B Loback

Carol B. Loback

State of Arizona
County of Maricopa

The foregoing instrument was acknowledged before me this 25th day of March, 1991 by Carol B. Loback.

Mary Jo Colucci

Notary Public

OFFICIAL SEAL
MARY JO COLUCCI
Notary Public – State of Arizona
MARICOPA COUNTY
My Comm. Expires Sept. 14, 1993

93043541057

9304354 1058

SENATOR DENNIS DeCONCINI

DONALD R. OR CA[illegible] B. LOBACK
9850 N[illegible]WAY
SCOTTSDA[illegible] AZ 85258

Mar 2[illegible]

1023

91-783
1221

PAY TO THE ORDER OF Senator Dennis DeConcini $ 2,000.00

Two thousand and no/100 DOLLARS

Scottsdale & Shea Office
UNITED BANK
OF ARIZONA
10921 N. Scottsdale Rd., Scottsdale, AZ 85254-5260

MEMO Max Thankeye Eric

DM Loback

9304354105 9

9 3 0 4 3 5 4 1 0 6 0

PAY TO THE ORDER OF
FIRST INTERSTATE BANK
FOR DEPOSIT
DECONCINI '88 COMMITTEE
0309 18820

0115 6508

PAY ANY BANK, P.E.G.
122100011
29
122100011
FIRST INTERSTATE AZ.

APR - 1 88

122100011 FIAZ 01APR88 10902833 00032 P 5 10902833 0

01APR88

93043541061

DeCONCINI '88 COMMITTEE

[redacted] ALD R. LOBACK
[redacted]ROL B. LOBACK
9850 N. 83RD WAY
SCOTTSDALE, AZ 85258

REC'D [redacted] 9/8

5001

Aug 23 19 88

91-2/1221

PAY TO THE ORDER OF DeConcini Re-election Campaign $ 2,000.00

Two Thousand and no/100 DOLLARS

SCOTTSDALE-SHEA OFFICE (089)
P.O. Box 996
Scottsdale, Arizona 85252

FOR _____ Donald Loback

930435410062

11018779 00065 3 11018779 >122100011< FIAZ 08SEP88 P 0

PAY TO THE ORDER OF

122100011 00065 3 11018779 1ST INTRST AZ 08SEP88 P 0

930435410063

06C0583

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 APR -1 AM 10:53

LAW OFFICES
TALCOTT, LIGHTFOOT, VANDEVELDE
WOEHRLE & SADOWSKY
THIRTEENTH FLOOR
655 SOUTH HOPE STREET
LOS ANGELES, CALIFORNIA 90017-3211
TELEPHONE: (213) 622-4750
TELECOPIER: (213) 622-2690

ROBERT M. TALCOTT
MICHAEL J. LIGHTFOOT
JOHN D. VANDEVELDE
CARLA M. WOEHRLE
STEPHEN B. SADOWSKY
MARIA E. STRATTON
JOHN S. CROUCHLEY
JOHN P. MARTIN
MELISSA N. WIDDIFIELD
SEAN K. KENNEDY

OF COUNSEL AND
RESIDENT IN SACRAMENTO OFFICE
QUIN DENVIR
SUITE 250
555 CAPITOL MALL
SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 448-8868
TELECOPIER (916) 448-8965

MUR 3121

March 27, 1991

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 APR -1 PM 3:59

Tony Buckley
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: Bruce Dickson and Rebecca H. Dickson

Dear Mr. Buckley:

I am writing with regard to the letters dated March 7, 1991, from John Warren McGarry, Chairman of the Federal Election Commission, to my clients, Bruce and Rebecca H. Dickson. In those letters, Mr. and Mrs. Dickson are directed to submit written answers to certain questions and to produce certain documents.

The subject matter of your inquiry concerns the activities of Charles Keating, Jr. and American Continental Corporation ("ACC") and its affiliates, including Lincoln Savings and Loan ("Lincoln"). As you know, a federal grand jury in Los Angeles has been investigating the activities of Mr. Keating and those entities. Mr. Dickson has, in fact, received a subpoena to testify and produce documents before the grand jury.

As I told you on the phone on March 25, 1991, it is not yet clear what Mr. Dickson's status is with the United States Attorney's office with regard to the pending criminal investigation. I am confident that I will know the answer within the next couple of months. Until that time, however, I must advise Mr. Dickson to assert his Fifth Amendment privilege and Mrs. Dickson to assert her marital privileges with respect to any inquiries concerning the matter.

2304354110064

Since both Mr. and Mrs. Dickson would be asserting a privilege and not supplying any information or documents at this time in response to your requests, I would ask that your discovery requests be cancelled for the time being or postponed to a date two to three months into the future. I can assure you that should Mr. Dickson's dealings with the United States Attorney's office be appropriately resolved, he would be in a position to fully answer your questions and produce relevant documents.

If I do not hear from you within the next few days I will assume that you have acceded to my request. Please call me should you have any questions.

Very truly yours,

TALCOTT, LIGHTFOOT, VANDEVELDE
WOEHRLE & SADOWSKY

MICHAEL J. LIGHTFOOT

MJL:db

2304354106 5

OGC 0571

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 APR -1 AM 11:12

March 27, 1991

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

Re: Case No. MUR 3121

To whom it may concern:

I have enclosed the documents and questionaire required in connection with the above matter. Please let me know if you need any additional information.

Sincerely,

Deborah A. Karbo

Deborah A. Karbo

DAK/me

Enc.

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 APR -1 PM 3:58

9304354106 6

RESPONSES OF DEBORAH A. KARBO
TO QUESTIONS AND DOCUMENT REQUESTS

1. **State your full name, address, phone number and current employer.**

Response to #1:

Deborah A. Karbo
1710 Brandee Lane
Santa Rosa, California 95403

Current Employer:

Independent Contractor with
Sonoma Properties, Inc.
800 Mendocino Avenue
Santa Rosa, CA 95401

2. **List your occupation(s) and employer(s) during the relevant period. Describe your position(s) with each employer.**

Response to #2:

Dates	Position
January 1, 1983 - January 1989	Vice President, American Continental Properties. Shopping center development leasing and sales.
February 1989 - April 1989	Crescent Hotel - Sales department. Selling rooms.
May 1989 - May 1990	Independent Contractor with SKS Commercial Real Estate, Phoenix, Arizona. General commercial real estate brokerage a nd mgmt.

3. **Describe your relationship, if any, to Charles Keating, Jr. and American Continental Corporation ("ACC") and all of its subsidiaries and associated companies, including Lincoln Savings and Loan Association ("Lincoln"), during the relevant period.**

Response to #3:

Employee working directly for Robert M. Wurzelbacher, Jr. I am not related to Charles Keating, Jr. or any other individual that was with American Continental Corporation at that time.

9304354106 7

4. For each bonus or other compensation in addition to your salary which you received, provide the following information:

   a. The amount of such bonus or other compensation;

   b. The justification for such bonus or other compensation;

   c. Date of receipt of such bonus or other compensation.

5. Identify each federal political contribution and expenditure you made during the relevant period by date, amount and recipient. For each contribution:

   a. State whether the contribution was made by check or other written instrument. If so, provide a copy (both sides) of the check or other written instrument.

   b. Describe the circumstances under which each contribution was made. If a contribution was made as the result of a solicitation, describe the circumstances surrounding each solicitation, including the identity of the person(s) who made such solicitation and when and where it occurred. If any such solicitation was written, provide a copy of it.

   c. State whether any contribution was made at the direction or suggestion of any person, including Charles Keating, Jr. or any person associated with him, ACC, Lincoln or any other company associated with Charles Keating. If so, identify such person and describe the circumstances.

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d. State whether any contribution was made in connection with a particular fundraising event. If so, state when and where the event was held and whether or not you attended. Identify who sponsored the event and on whose behalf the event was held. If you did attend the event, identify any persons who also attended. Identify any person(s) who provided you with transportation to and from the event.

e. State whether you received an advance, bonus, payment or other compensation or reimbursement in connection with any contribution. If so, identify the person or entity who provided the reimbursement or compensation and the date it was provided.

Response to #5:

Expenditure; Date/Amount	(State if) Check	Circumstances Made Under
March 11, 1987	$500.00 Ck.	Senator Riegle gave a speech at the office dining room and many employees gave a donation afterward.

I believe I may have already given the cancelled check to the FBI or someone else, I cannot locate my copy.

I recall no other contribution ever being made.

I did not receive an advance, bonus, payment or other compensation as reimbursement in connection with the contribution I made.

6. In addition to the documents produced in response to Questions 5a and b, produce all documents relating or in any way pertaining to each federal political contribution you identified in Question 5, including check registers, bank statements, correspondence and notes.

Response to #6: The following copies have been enclosed relating to each of the below listed contributions:

Contribution	Check Date	Documents Produced
Senator Riegle $500.00	3/11/87	I cannot locate the document.

9304354106 9

7. Identify any federal contribution made by others which you facilitated, arranged, solicited or delivered to any federal candidate or committee during the relevant period.

Response to #7:

NONE

8. Provide all documents relating to any federal contributions made by others which you arranged, solicited or delivered to any federal candidate or committee during the relevant period.

Response to #8:

NONE

9. Provide copies of all documents, including correspondence, notes, memos and phone messages relating to any communication with a federal political committee to which you made a contribution during the relevant period.

Response to #9:

I HAVE NO DOCUMENTS RELATING TO CONTRIBUTIONS.

10. Identify any person other than counsel who provided information, or was consulted or assisted in any way in the preparation of answers to these questions and documents requests.

Response to #10:

THERE WAS NO-ONE.

9304354107O

OGC0569

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: Abbe David Lowell, Stanley M. Brand, David E. Frulla

ADDRESS: Brand & Lowell
923 Fifteenth Street, N.W.
Washington, DC 20005

TELEPHONE: (202) 662-9700

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 APR -1 AM 10:58

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.

3/29/91
Date

Judy J. Wischer
Signature

RESPONDENT'S NAME: Judy J. Wischer

ADDRESS:

HOME PHONE:

BUSINESS PHONE:

9304354107 1

06C0574

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 APR -1 AM 11:07

March 22, 1991

Mr. Tony Buckley
Federal Election Commission
Washington, D.C. 20463

Re: MUR 3121

91 APR -1 PM 2:58
RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

Dear Mr. Buckley:

On March 15, 1991 I received a package of documents by certified mail which included a cover letter from Mr. John Warren McGarry dated March 6, 1991. In this letter, the Federal Election Commission asserts that I violated provision 2 U.S.C. § 441f of the Federal Election Campaign Act of 1971 based on certain newspaper articles reviewed by the Commission. The Factual and Legal Analysis contained within these documents recites this violation as follows:

> "Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution."

I respectfully submit to the Commission that I have never made any contribution in the name of another person, nor have I permitted the use of my name to be used to effect any such contribution. Specifically, in reference to the $1,000 contribution I made on March 12, 1987 to the Riegle for Senate in '88 Committee, and the $1,000 contribution I made on October 18, 1988 to the Hecht Re-Election Committee, both contributions cited were made of my own free will, and I never received a payment of any kind, from anybody, to effect these contributions or reimburse me for these contributions.

Additionally, with respect to the Subpoena To Produce Documents / Order To Submit Written Answers, I will attempt to answer these questions and supply the requested documents to the best of my ability. Most of the information and documents you now request were previously submitted to the F.B.I., and may no longer be in my possession.

Please contact me at (303) 573-2800 if I can be of further assistance. I look forward to a swift resolve of this matter. Thank you.

Very Truly Yours,

Larry Nelson

Larry G. Nelson

2304354107 2

QUESTIONS AND DOCUMENT REQUESTS

1) State your full name, address, phone number and current employer.

Larry Gene Nelson
8481 East Long Avenue
Englewood, CO 80112

Coopers & Lybrand

2) List your occupation(s) and employer(s) during the relevant period. Describe your position(s) with each employer.

1/83-6/84; Deloitte Haskins & Sells; Senior Auditor.

7/84-3/86; Continental Homes, Incorporated; Chief Financial Officer.

4/86-8/86; American Continental Mortgage Corporation; President.

9/86-6/89; American Continental Corporation; Trader.

7/89-11/89; The Phoenician Resort; Chief Financial Officer.

12/89-8/90; Elmar Real Estate Corporation; Vice-President.

9/89-Present; Coopers & Lybrand; Manager.

3) Describe your relationship, if any, to Charles Keating, Jr. and American Continental Corporation ("ACC") and all of its subsidiaries and associated companies, including Lincoln Savings & Loan Association ("Lincoln"), during the relevant period.

I am not related to Charles Keating, Jr.

My relationship to the following corporations was that of employee:

7/84-3/86; Continental Homes, Incorporated.
4/86-8/86; American Continental Mortgage Corporation.
9/86-6/89; American Continental Corporation.
7/89-11/89; The Phoenician Resort.

2304354107 3

4) For each bonus or other compensation in addition to your salary which you received, provide the following information:

a. the amount of such bonus or other compensation;
b. the justification for such bonus or other compensation;
c. date of receipt of such bonus or other compensation.

5) Identify each federal political contribution and expenditure you made during the relevant period by date, amount and recipient.

03/12/87; $1,000.00; Senator Riegle.
10/18/88; $1,000.00; Senator Hecht.

For each contribution:

a. State whether the contribution was made by check or other written instrument. If so, provide a copy (both sides) of the check or other written or instrument.

Both contributions were made by check. I am unable to locate these canceled checks. I believe that they are in the possession of the F.B.I.

b. Describe the circumstances under which each contribution was made. If a contribution was made as the result of a solicitation, describe the circumstances surrounding each solicitation, including the identity of the person(s) who made such solicitation and when and where it occurred. If any such solicitation was written, provide a copy of it.

Both contributions were directly solicited by Charles Keating, Jr., in the offices of American Continental Corporation, on or about the dates listed above.

9304354107 4

c. State whether any contribution was made at the direction or suggestion of any person, including Charles Keating, Jr. or any person associated with him, ACC, Lincoln or any other company associated with Charles Keating. If so, identify such person and describe the circumstances.

See 5(b), above.

d. State whether any contribution was made in connection with a particular fundraising event. If so, state when and where the event was held and whether or not you attended. Identify who sponsored the event and on whose behalf the event was held. If you did attend the event, identify any persons who also attended. Identify any person(s) who provided you with transportation to and from the event.

Neither of the two contributions I made was in connection with a fundraising event.

e. State whether you received an advance, bonus, payment or other compensation or reimbursement in connection with any contribution. If so, identify the person or entity who provided the reimbursement or compensation and the date it was provided.

I never received an advance, bonus, payment, other compensation, or reimbursement for either of the two contributions I made.

6) In addition to the documents produced in response to Questions 5a and b, produce all documents relating or in any way pertaining to each federal political contribution you identified in Question 5, including check registers, bank statements, correspondence and notes.

There exist no other documents relating to or pertaining to those federal contributions listed in Question 5.

7) Identify any federal contribution made by others which you facilitated, arranged, solicited or delivered to any federal candidate or committee during the relevant period.

On or about October 18, 1988, my wife, Dixie Lee Nelson, made an identical $1,000.00 contribution to Senator Hecht. I believe the canceled check and any other related documents were forwarded by her to the F.B.I.

2304354107 5

8) Provide all documents relating to any federal contributions made by others which you arranged, solicited or delivered to any federal candidate or committee during the relevant period.

Outside of my answers to Questions 5 & 7, I have never arranged, solicited or delivered a contribution to any federal candidate.

9) Provide copies of all documents, including correspondence, notes, memos and phone messages relating to any communication with a federal political committee to which you made a contribution during the relevant period.

I do remember receiving form "thank you" letters from the two candidates I contributed to; however, I am unable to locate copies at this time, and believe that I threw them away when they were initially received.

10) Identify any person other than counsel who provided information, or was consulted or assisted in any way in the preparation of answers to these questions and document requests.

I did not seek assistance from anyone other than counsel to prepare these answers.

* * * * * * *

I, Larry Nelson, do herby affirm that the answers given in this document are true and correct to the best of my ability.

Larry Nelson
Respondent

Subscribed and affirmed before me this 22nd day of March, 1991.

Lori Weir
Notary Public

MY COMMISSION EXPIRES 05-30-1993

Lori Weir
6624 Zang Circle
Arvada, Colorado 80004

9304354107 6

CGC 0579

RECEIVED
FEDERAL ELECTION COMMISSION

91 APR -1 AM 11:03

Julie E. Collins
1648 North Ventura Lane
Tempe, Arizona 85281

91 APR -1 PM 3:59

March 25, 1991

Office of the General Counsel
FEDERAL ELECTION COMMISSION
999 East Street, N.W.
Washington, D.C. 20463

RE: MUR 3121 Julie Collins

To whom it may concern;

Pursuant to the order to submit written answers and subpoena to produce documents, please find enclosed my written answers and copies of the documents requested. Please note that original documents were unavailable to me as they had previously been subpoenaed by the Federal Grand Jury.

I declare under penalty of perjury under the laws of the United States that the statements contained herein are true and correct to the best of my knowledge and belief.

Sincerely,

Julie E. Collins

Julie E. Collins

enc.

JEC/lb

9304354107 7

RESPONSES TO QUESTIONS

1. (Q) STATE YOUR FULL NAME, ADDRESS, PHONE NUMBER AND CURRENT EMPLOYER:

Julie Edith Collins
1648 North Ventura Lane
Tempe, Arizona 85281

Current employer: CONTINENTAL HOMES
7001 North Scottsdale Road, Suite 2050
Scottsdale, Arizona 85250
(602) 483-0006

2. (Q) LIST YOUR OCCUPATION(S) AND EMPLOYER(S) DURING THE RELEVANT PERIOD. DESCRIBE YOUR POSITION(S) WITH EACH EMPLOYER:

January, 1983 - March, 1983
PEAT, MARWICK, MITCHELL AND COMPANY
Columbus, Ohio
- Student Intern-assistant on numerous audits

March, 1983 - August, 1983
OHIO STATE UNIVERSITY
Columbus, Ohio
- Student

September, 1983 - January, 1985
PEAT, MARWICK, MITCHELL AND COMPANY
Phoenix, Arizona
- Staff Accountant - performed audits of various companies

January, 1985 - June 1990
AMERICAN CONTINENTAL CORPORATION
Phoenix, Arizona
- Various positions held with American Continental Corporation ("ACC") and its subsidiaries, American Continental Mortgage Company ("ACMC") and Lincoln Savings and Loan Association ("LSLA"). As controller for ACC and AWMC I prepared financial statements, SEC filings, management reports, budgets, etc. As Financial Analyst for LSLA, I underwrote major loans and analyzed the corporate bond portfolio.

June, 1990 - Present
CONTINENTAL HOMES, INC.
Scottsdale, Arizona
- Controller - Mainly responsible for the day-to-day accounting of the mortgage subsidiary.

9304354107 8

3. (Q) DESCRIBE YOUR RELATIONSHIP, IF ANY, TO CHARLES KEATING, JR. AND AMERICAN CONTINENTAL CORPORATION ("ACC") AND ALL OF ITS SUBSIDIARIES AND ASSOCIATED COMPANIES, INCLUDING LINCOLN SAVINGS & LOAN ASSOCIATION ("LINCOLN"), DURING THE RELEVANT PERIOD:

I was first employed by American Continental Corporation in January 1985 as Controller for its mortgage banking subsidiary, ACMC. In September of that year, I was transferred to Assistant Controller for the parent company ACC. I held that position until April 1987 when I was transferred to LSLA as a financial analyst. I worked in that position until September 1987 when I transferred back to ACC as Controller. I held that position until June 1990 when I left the company.

4. (Q) FOR EACH BONUS OR OTHER COMPENSATION IN ADDITION TO YOUR SALARY WHICH YOU RECEIVED, PROVIDE THE FOLLOWING INFORMATION:
   - A. THE AMOUNT OF SUCH BONUS OR OTHER COMPENSATION;
   - B. THE JUSTIFICATION FOR SUCH BONUS OR OTHER COMPENSATION;
   - C. DATE OF RECEIPT OF SUCH BONUS OR OTHER COMPENSATION.

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5. (Q) IDENTIFY EACH FEDERAL POLITICAL CONTRIBUTION AND EXPENDITURE YOU MADE DURING THE RELEVANT PERIOD BY DATE, AMOUNT AND RECIPIENT. FOR EACH CONTRIBUTION:

DATE	AMOUNT	RECIPIENT
02/20/87	$ 500.00	Senator Riegle
10/17/88	$ 100.00	Deconcini 1988 Committee

5a. (Q) STATE WHETHER THE CONTRIBUTION WAS MADE BY CHECK OR OTHER WRITTEN INSTRUMENT. IF SO, PROVIDE A COPY (BOTH SIDES) OF THE CHECK OR OTHER WRITTEN OR INSTRUMENT.

Both contributions were made by check. See copies of checks attached.

5b. (Q) DESCRIBE THE CIRCUMSTANCES UNDER WHICH EACH CONTRIBUTION WAS MADE. IF A CONTRIBUTION WAS MADE AS THE RESULT OF A SOLICITATION, DESCRIBE THE CIRCUMSTANCES SURROUNDING EACH SOLICITATION, INCLUDING THE IDENTITY OF THE PERSON(S) WHO MADE SUCH SOLICITATION AND WHEN AND WHERE IT OCCURRED. IF ANY SUCH SOLICITATION WAS WRITTEN, PROVED A COPY OF IT.

The contribution to Senator Riegle was solicited by letter from Mr. Charles Keating,

Jr. I did not retain the letter. I cannot remember when I received the letter or if it was mailed to me at my home or if I received it at work. The contribution to Senator Deconcini was for a fundraising event to be held at the Phoenician Resort. I believe that I received a memo at work from Mr. Jim Grogan (at the time he was counsel for ACC). The memo asked if I would like to attend. I did not retain the memo. I do not remember the date that I received the memo.

5c. (Q) STATE WHETHER ANY CONTRIBUTION WAS MADE AT THE DIRECTION OR SUGGESTION OF ANY PERSON, INCLUDING CHARLES KEATING, JR. OR ANY PERSON ASSOCIATED WITH HIM, ACC, LINCOLN OR ANY OTHER COMPANY ASSOCIATED WITH CHARLES KEATING. IF SO, IDENTIFY SUCH PERSON AND DESCRIBE THE CIRCUMSTANCES.

The Riegle contribution was made at the suggestion of Mr. Charles Keating, Jr. by letter addressed to me. The Deconcini contribution was made at the suggestion of Mr. James Grogan by memo which I received while working at ACC. Mr. Grogan is currently Managing Attorney for Gallagher & Kennedy, 2600 North Central Avenue, Phoenix, Arizona 85004-3020, (602) 530-8320. The most current address I have for his home is 10326 East Bella Vista, Scottsdale, Arizona 85258,

Mr. Charles Keating, Jr. resides at 6447 N. Palo Cristi Road, Paradise Valley, Arizona 85253. I do not know his phone number.

5d. (Q) STATE WHETHER ANY CONTRIBUTION WAS MADE IN CONNECTION WITH A PARTICULAR FUNDRAISING EVENT. IF SO, STATE WHEN AND WHERE THE EVENT WAS HELD AND WHETHER OR NOT YOU ATTENDED. IDENTIFY ANY PERSON(S) WHO PROVIDED YOU WITH TRANSPORTATION TO AND FROM THE EVENT.

The Deconcini contribution was made in connection with a fundraiser to be held at the Phoenician Resort. I do not remember the date the fundraiser was held and I did not attend. I do not know who sponsored the event. It was held on behalf of Senator Deconcini.

5e. (Q) STATE WHETHER YOU RECEIVED AN ADVANCE, BONUS, PAYMENT OR OTHER COMPENSATION OR REIMBURSEMENT IN CONNECTION WITH ANY CONTRIBUTION. IF SO, IDENTIFY THE PERSON OR ENTITY WHO PROVIDED THE REIMBURSEMENT OR COMPENSATION AND THE DATE IT WAS PROVIDED.

I did not receive an advance, bonus, payment or other compensation or reimbursement in connection with any contribution. I did receive a refund from Senator Riegle of my contribution to him. I do not remember the date of the refund, however, I believe it was sometime in 1988.

6. (Q) IN ADDITION TO THE DOCUMENTS PRODUCED IN RESPONSE TO QUESTIONS 5A AND B, PRODUCE ALL DOCUMENTS RELATING OR IN AN;Y WAY PERTAINING TO EACH FEDERAL POLITICAL CONTRIBUTION YOU IDENTIFIED IN QUESTION 5, INCLUDING CHECK REGISTERS, BANK STATEMENTS, CORRESPONDENCE AND NOTES.

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See copies of attached bank statements and check registers which indicate the appropriate check clearing or being written. I do not have any other notes or correspondence regarding these contributions.

7. (Q) IDENTIFY ANY FEDERAL CONTRIBUTION MADE BY OTHERS WHICH YOU FACILITATED, ARRANGED, SOLICITED OR DELIVERED TO ANY FEDERAL CANDIDATE OR COMMITTEE DURING THE RELEVANT PERIOD.

None.

8. (Q) PROVIDE ALL DOCUMENTS RELATING TO ANY FEDERAL CONTRIBUTIONS MADE BY OTHERS WHICH YOU ARRANGED, SOLICITED OR DELIVERED TO ANY FEDERAL CANDIDATE OR COMMITTEE DURING THE RELEVANT PERIOD.

None.

9. (Q) PROVIDE COPIES OF ALL DOCUMENTS, INCLUDING CORRESPONDENCE, NOTES, MEMOS AND PHONE MESSAGES RELATING TO ANY COMMUNICATION WITH A FEDERAL POLITICAL COMMITTEE TO WHICH YOU MADE A CONTRIBUTION DURING THE RELEVANT PERIOD.

None.

10. (Q) IDENTIFY ANY PERSON OTHER THAN COUNSEL WHO PROVIDED INFORMATION, OR WAS CONSULTED OR ASSISTED IN any WAY IN THE PREPARATION OF ANSWERS TO THESE QUESTIONS AND DOCUMENT REQUESTS.

None.

11. Additional statement:
As is evident from the foregoing statements and documents, the contributions were not made in the name of another person. Neither did I knowingly permit my name to be used to effect the contributions. In addition, corporate funds were never provided to me for the purpose of making these contributions.

(Q) = Question

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5a

2/20 1982

Pledge for Senate $ 500.00

Five hundred & 00/100 Dollars

UNITED BANK
OF ARIZONA

Mesa

Julie Collins

93043541082

9304354 1083







Originals to Grand Jury
~~10/10/89~~

5a

10505220 OCT27 FIAZ PROC

JOHN M. COLLINS
JULIE E. COLLINS
1648 N. VENTURA LN.
TEMPE, ARIZONA 85281

489

91-1
1221

PAY TO THE ORDER OF DeConcini '88 Committee $ 100.00

One hundred and 00/100 DOLLARS

First Interstate Bank

First Interstate Bank of Arizona, N.A.
Papago Plaza Branch 053
1530 No. Scottsdale Rd.
Scottsdale, AZ 85257

SELECT BANKING™

FOR Julie Collins

16 10505220 27-OCT-1988 00033 P P041D 1050522003

PAY TO THE ORDER OF
FIRST INTERSTATE BANK
FOR DEPOSIT
DECOMMISSIONED

115 51504

93043541084

FEDERAL ELECTION COMMISSION
MAIL ROOM

91 APR -1 AM 10:58

Leroy H. Liebermann
11815 N. 76th Pl.
Scottsdale, AZ 85260

March 28, 1991

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

RE: Subpoena for documents and answers
MUR 3121

Response to questions and document requests:

1. Leroy H. Liebermann
11815 N. 76th Pl.
Scottsdale, AZ 85260

Current employer: The Rang Group, Inc.

2. Occupational history:
From February 1983 to July, 22, 1988 I was employed by subsidiaries of the American Continental Corporation ("ACC"):
February 1983 to 1984, Vice President and Controller of Insurance West, Inc., an independant insurance agency.
Approximately 1984 to 1988, Executive Vice President, Controller, and Treasurer - at various times- for Continental Fidelity Life Insurance Co.
April 1986 to 1988, Vice President and Chief Financial Officer of Amcon Insurance Group, Inc. and Treasurer of American Founders Life Insurance Co.
During these time periods, I served as a Director of Continental Fidelity Life and American Founders Life, although I do not recall the dates I held those positions. I may have been an officer of Continental Fire and Casualty Company, but I don't remember. I don't recall if I had held other titles or positions in the insurance subsidiaries.

From July, 1988 to September 1988 I was unemployed, although I received severence benefits from ACC in 1988 and 1989.

In October, 1988 I joined The Rang Group, Inc., a distributor of automotive service equipment, as Executive Vice President and General Manager.

91 APR -1 PM 3:59

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3. My relationships to ACC, Charles H. Keating and Lincoln are best summarized by my employment history with ACC and Lincoln, as follows:

From February 1983 to July, 22, 1988 I was employed by subsidiaries of the American Continental Corporation ("ACC"):

February 1983 to 1984, Vice President and Controller of Insurance West, Inc., an independant insurance agency.

Approximately 1984 to 1988, Executive Vice President, Controller, and Treasurer - at various times- for Continental Fidelity Life Insurance Co.

Sometime after ACC's acquisition of Lincoln Savings and Loan, the insurance subsidiaries were contributed from ACC to Lincoln Savings Savings and Loan ("Lincoln") for additional capitalization, and I became an indirect employee of Lincoln.

April 1986 to 1988, Vice President and Chief Financial Officer of Amcon Insurance Group, Inc. and Treasurer of American Founders Life Insurance Co. (both subsidiaries of Lincoln).

During these time periods, I served as a Director of Continental Fidelity Life and American Founders Life, although I do not recall the dates I held those positions. I may have been an officer of Continental Fire and Casualty Company, but I don't remember. I don't recall if I had held other titles or positions in the insurance subsidiaries.

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5. The following are federal campaign contributions I made and have a recollection of or record of from January, 1983 to present:

October 31, 1983 $2,000.00 McCain Re-election Committee

a. check no. 501, copy attached.

b. Circumstances: My wife and I were invited to attend a dinner dance for Congressman John McCain. Copy of dinner ticket attached.

c. I don't remember how we were invited, whether verbally or written.

d. The contribution was made in the form of dinner dance tickets for Congressman John McCain. As the tickets indicate, the reception, dance and dinner was held at the Arizona Biltmore Hotel on December 4, 1983. My wife, Shirley Liebermann, attended with me. I do not recall who also attended. I believe Charles Keating Jr. sponsored the event.

e. I do not recall being compensated or reimbursed in connection with my contribution.

Febraury 20, 1987 $ 500.00 "Riegle for Senate"

a. check no. 0335, copy attached.

b. Circumstances: I think I attended a company sponsored meeting in the employee cafeteria to hear Senator Riegle speak about political issues and views. I do not recall specific solicitation. I think I recall that arrangements were made within ACC/Lincoln to collect contributions to forward to the Riegle campaign.

c. The only suggestion of contribution I seem to recall was Charles Keating Jr. asking employees as a group in general to listen to the Senator, and if we felt inclined, to contribute to his campaign on a voluntary basis.

d. I do not remember the date of the employee meeting. I recall meeting in the employee cafeteria at the Phoenix, AZ office. I do not recall the numerous other employees that attended.

e. I did not receive compensation or reimbursement in connection with my contribution.

6. Document copies attached:
bank statement; United Bank 3/19/87 (re: Riegle contribution)
(note: I was unable to locate a bank statement for the 1983 contribution.)
I searched and did not find any notes or correspondence related to the contributions.

7. None.

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8. Not applicable; None.

9. None: I do not recall making any contributions to any federal political committee.

10. None; I solely prepared the preceeding answers and document requests.

Larry H. Litton
3/28/91

23043541088

LEROY H. LIEBERMANN OR
SHIRLEY LIEBERMANN
207 [illegible] EL CAMINITO
PHOENIX, ARIZONA 85020

501

October 31 19 83 91-2/1221

Pay to the [illegible] McCain Re-Election Committee $ 2000.00

two thousand 00/100 Dollars

[illegible] GLENDALE AVE. OFFICE (062)
[illegible] X 29[illegible]
[illegible] ARIZONA 85062

[illegible]

9 3 0 4 3 5 4 1 0 8 9

195-4834

PAY TO THE ORDER OF
WEST VAN BUREN OFFICE
Phoenix, Arizona 85007
FOR DEPOSIT ONLY
McCAIN RE-ELECTION COMMITTEE
RI #195-4834

063 347397 15 10 35 110483 00
DDA HLD 00000501 04353401

NO '83' 04

PROCESSED
PAY ANY BANK
BY NATIONAL BANK
PHOENIX, ARIZONA.

93043541090



Dinner Dance

in honor of

Congressman and Mrs. John McCain

The Grand Ballroom
Arizona Biltmore
Phoenix, Arizona

Sunday, December 4, 1983

Reception: 6:30 p.m.
$1000 per person

Dinner: 7:30
Black Tie
Medals

Music and Floor Show -
Peanuts Taylor and his Bahamian Band and Entertainers

0069

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Dinner Dance

in honor of

Congressman and Mrs. John McCain

The Grand Ballroom
Arizona Biltmore
Phoenix, Arizona

Sunday, December 4, 1983

Reception: 6:30 p.m.
$1000 per person

Dinner: 7:30
Black Tie
Medals

Music and Floor Show -
Peanuts Taylor and his Bahamian Band and Entertainers

0070

LEROY H. LIEBERMANN
SHIRLEY J. LIEBERMANN
11815 N. 76TH PL.
SCOTTSDALE, AZ 85260

Feb 20 1987 0335

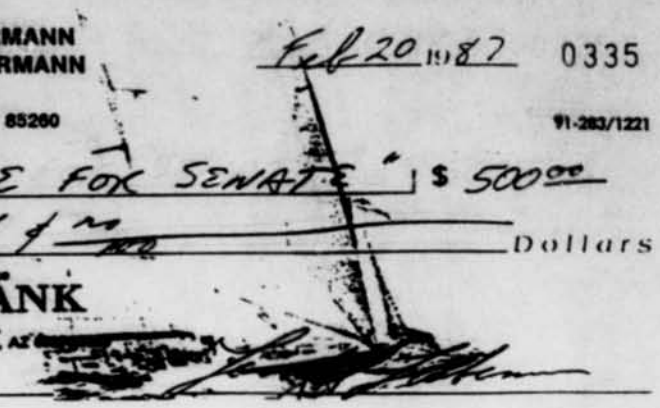
91-283/1221

Pay to the order of "RIEGLE FOR SENATE" $ 500.00

five hundred & no/100 Dollars

Scottsdale & Shea Office
UNITED BANK
OF ARIZONA
10921 N. Scottsdale Road, Scottsdale, AZ

Memo contribution



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16 MAR 87

2897

MR 87 17
PROCESSED
PAY ANY BANK
VALLEY NATIONAL BANK
PHOENIX ARIZONA

MR 87 17
PAY ANY BANK
NATIONAL BANK
OF DETROIT
02 DETROIT, MICHIGAN 02

Pay NBD TROY BANK, N.A.
TROY, MICHIGAN OR ORDER
RIEGLE FOR SENATE 88 COMMITTEE

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 APR -1 AM 11:03

91 APR -1 PM 3:59

23043541093

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

March 25, 1991

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

Re: MUR 3121
Benno Jurgemeyer

Gentleman:

In response to the Federal Election Commission's March 6, 1991, subpoena to produce documents and order to submit written answers, which I received March 12, 1991, I offer the following written answers and documentation. I have not retained legal counsel at this time to represent me in this matter.

1. Benno Edward Jurgemeyer
5530 East Beverly Lane
Scottsdale, Arizona 85254

Valley National Bank

2. Peat, Marwick, Mitchell & Company (January 1983 to July 1984)
Phoenix, Arizona

Worked as an audit staff person and later became a senior tax specialist. Primary concentrations were in the area of real estate taxation and tax return preparation for various corporations, partnerships and individuals.

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American Continental Properties, Inc. (August 1984 to May 1987) Phoenix, Arizona

During this period I worked for the commercial real estate subsidiaries of a holding company, American Continental Corporation. I began as a controller responsible for commercial real estate accounting, financial reporting, tax return preparation, debt compliance and project financial modeling. I was later promoted to a position of financial vice president. In this position I was primarily responsible for the procurement and maintenance of commercial real estate acquisition, construction and permanent financing. I also performed financial analysis of potential commercial real estate projects.

Lincoln Savings and Loan Association (June 1987 to April 1989) Phoenix, Arizona

Also a subsidiary of American Continental Corporation. I was a vice president of Lincoln Savings and Loan and participated in the management of a portfolio of high yield bonds, preferred and common stocks. Responsibilities included underwriting potential or existing investments and providing buy or sell recommendations to the institution's investment committee.

The Garrett Sweeney Company (May 1989 to September 1990) Phoenix, Arizona

The Garrett Sweeney Company was merged into Valley National Merchant Banking, a division of Valley National Bank, in October 1990. Job description same as shown below.

Valley National Merchant Banking (October 1990 to Present)
Phoenix, Arizona

This company provides investment banking services specializing in traditional corporate finance advisory services related to valuation, structuring, negotiation and capital raising through institutional private placements of debt and equity. As a managing director, I participate in all aspects of this profession.

3. My only relationship with Charles Keating, Jr. has been that of an employee during my employment with various subsidiaries of American Continental Corporation from August of 1984 to April of 1989. I would describe any interaction I may have had with Charles Keating, Jr. during my employment as infrequent and dealing strictly with my relevant job functions. The majority of my direct interactions would have occurred during the period from June 1987 to April 1989 when I was working for Lincoln Savings and Loan.

4.

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5. I made only one political contribution during the relevant period as follows:

Riegle for Senate in '88 Committee
March 11, 1987
$500.00

a. The contribution was made by check. I am unable to locate the canceled check but I have provided a copy of the relevant bank statement and check register which reflect the transaction.

b. This contribution was made within several weeks or so of my and other American Continental Corporation employees having met Senator Riegle at our company's corporate headquarters in Phoenix, Arizona. Senator Riegle spoke to a large group of American Continental Corporation employees, including myself, for about 30-45 minutes. I don't recall if Senator Riegle specifically solicited for campaign contributions during his speech, although I have received numerous written solicitations in the past couple of years.

c. Following Senator Riegle's speech it was conveyed to me that Senator Riegle would appreciate campaign contributions and that a minimal amount would constitute $500.00. This was communicated to me either by memo or a telephone call from one of Charles Keating, Jr.'s executive secretaries (I do not recall nor can I locate any record of the specific communication at this time). I was not directed to make a contribution nor was it in any way required that I make such a contribution.

d. This contribution was not made in connection with any fund raising event.

e. I did not receive any advance, bonus payment or other compensation or reimbursement in connection with the subject political contribution.

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6. See copies of bank statement and check register.

7. I have not facilitated, arranged, solicited or delivered any federal contribution made by others to any federal candidate or committee during the relevant period.

8. Not applicable.

9. Not applicable.

10. Not applicable.

Sincerely,

Benno E. Jurgemeyer

BEJ:crl
enclosures

Subscribed and sworn to before me this 25th day of MARCH, 1991.

Cynthia R. Reno
Notary Public

My Commission Expires Nov. 30, 1994

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AFFIDAVIT

STATE OF DELAWARE:

SS.

COUNTY OF NEW CASTLE:

NOW COMES Scott A. Siebels ("Affiant"), being duly sworn deposes and says as follows:

1. My name is Scott Allen Siebels. I reside at 28 Neponset Road, Wilmington, Delaware 19810. My telephone number is My current employer is Beneficial Corporation.

2. I am an attorney, admitted to practice in the State of Ohio in November of 1980 and a member in good standing of the State Bar of Ohio. I was employed by American Continental Corporation ("ACC") from approximately November 1, 1984 through May 30, 1990. During my entire tenure my title was Corporate Counsel. During a portion of my tenure I believe that my salary was apportioned between American Continental and Lincoln Savings & Loan Association ("Lincoln"), but this was done as an accounting matter and I do not know the details. I believe that for most if not all of my tenure I was on the ACC payroll, though for a brief time in 1988 I may have been switched to the Lincoln payroll. I had no control over when or why this may have been done, but I recollect that for a period of perhaps six months my payroll deposit receipt was a Lincoln one.

I am currently employed by Beneficial Corporation ("BC"). My title is Associate Counsel. I perform in house legal functions. I joined BC in this capacity on September 10, 1990. Between May 30, 1990 and September 10, 1990 I was unemployed.

3. As stated earlier, for approximately five and one-half years I was employed by ACC. I was at no time an officer or director of ACC, though for some period of time I believe I was listed as an Assistant Secretary. This permitted me to witness certain documents and perform other ministerial functions in the Legal Department, but was not internally considered an office.

At some point, I believe in 1987, I was made a Vice President of Lincoln. At this time all of the in house lawyers who were not Lincoln officers were given this title. I was not at the time informed that this had occurred, and the title carried with it no additional responsibilities or remuneration. I was later told that the Company's insurance department had recommended this, given that this would give the lawyers coverage under the Lincoln Officer & Director liability policy. It had apparently become very expensive to purchase legal malpractice coverage, and this move was seen as a cost saving mechanism. Management apparently agreed, but I was not consulted on the matter.

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I believe that at some point during my tenure I was made a Vice President of three of the Lincoln wholly-owned subsidiaries, those being Phoenician Financial Corporation ("PFC"); AMCOR Funding Corporation ("AMCOR"); and Continental Fidelity Life Insurance Company ("CFLIC"). I have no current recollection of when these appointments occurred. In each case the reason was that I was working closely on some legal matter that involved the entity and it was deemed helpful that I have signing authority. I did not perform formally as an officer of any of Lincoln, PFC, AMCOR, or CFLIC in the sense that I had stated duties or recurring functions in the manner normally associated with an office.

At some point following the bankruptcy filing of ACC, the senior management group of ACC caused an Arizona corporation to be formed. It was not a subsidiary of ACC, but its shareholder group consisted almost entirely of ACC officers, directors and shareholders. I believe that its name was initially Omahata, Inc., later changed to Phoenician Funding, Inc. ("PFI"). I am not certain of this last name. I believe that PFI was formed in June or July of 1989. I also believe that the purpose of PFI was to serve as the entity which would file a Plan of Reorganization in the Bankruptcy Court with respect to ACC. That Plan was eventually filed, but was never approved or seriously considered by the Court. I have no direct knowledge of PFI having any other activities, and believed it to be a shell formed for the purpose stated above. I believe that I was an Assistant Secretary of PFI. Several ACC employees, including myself were given an opportunity to purchase nominal amounts of PFI stock. To the best of my recollection I purchased 100 shares, for a total of $100, constituting something at or under 1% of the total shares. When I left ACC in May of 1990 I resigned as Assistant Secretary of PFI and tendered my stock certificate to the company asking that it be cancelled.

I do not believe that I held any other positions or titles within the ACC affiliated group during my tenure, but I do not have access to corporate records to verify this, nor am I able to verify the dates of the appointments discussed above.

My relationship to Charles H Keating, Jr. during the relevant period was that he was the Chairman and President initially, and later the Chairman of my employer, ACC.
I at no time had any personal relationship to him other than in his capacity as my employer.

4. I do not have records of the precise date and amount of the bonus income which I received from ACC during my employment. To the best of my knowledge and belief, the amounts discussed below were simply included in my W-2 income for the years in question. I do not have access to ACC corporate records to verify the information below, which is based on my best recollection and present belief.

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5. All of my original records of my political contributions during the period from 1984 to late 1989 were delivered to a Federal Grand Jury empaneled in Los Angeles, CA under the direction of a Ms. Alice Hill. The records, which included the original cancelled checks by which the contributions were made, **all** financial account statements and record of any nature for the periods surrounding any federal, state or local political contribution, as well as certain tax documents and filings and any correspondence relating in any way to the contributions were delivered pursuant to subpoena to the grand jury during November and December of 1989 and January of 1990. While I believe that at the time I retained copies of everything submitted to the grand jury, I am currently unable to find the majority of these materials. I have no knowledge of the whereabouts of these missing copies, I do not know how they came to be missing, and I did not intentionally destroy or discard them. I do not believe that any of the missing copies are in my possession.

As a result, the following summary of the requested information regarding my federal political contributions is from memory, and in some instances I have had to estimate the dates and amounts.

(a) Prior to my employment at ACC I lived and worked in Cincinnati, Ohio. I was employed as an attorney at a major law firm that was unaffiliated with ACC and\or Mr. Keating. During the 1984 election year, which was a presidential campaign, I performed some campaign work for the campaign of Sen. Gary Hart in Cincinnati, exclusively during the primaries. I believe that I may have made some nominal cash contributions to the campaign, but I have no record of this and this activity would be wholly unrelated to my subsequent employment at ACC.

(b) At some point in early 1985 I received a mail solicitation from the Americans With Hart (Sen. Gary Hart) Committee. The solicitation was seeking contributions to

assist in retiring Sen. Hart's 1984 campaign debt. I believe the request was for $19.88, and in response to the solicitation I made a contribution by check, which I believe was in that amount. This gift was unrelated to my employment, and neither ACC or Charles H Keating, Jr. or any other ACC officer had any knowledge of, or participation in the payment.

(c) I believe that at some point in 1987 I made an additional contribution to the Gary Hart campaign, in this instance associated with his abortive effort to obtain the Democratic Presidential Nomination in 1988. This contribution would have been by check, in response to a phone or mail solicitation, and I believe that the amount was less than $100. Again, this would have been made without the knowledge or partication of anyone associated with ACC.

(d) I believe that I made a contribution to the campaign of Bob Stump for Congress, which was made by check and I believe was made during mid-1987. I believe that the amount was $100, though it may have been $75. This contribution was made on request of one of the other in house lawyers at ACC; I believe that it was Timothy Westfall. I could very easily be wrong on this point. If it was in fact Mr. Westfall, he came by my office one afternoon and asked me whether I would be willing to make a contribution to this campaign, saying that Rep. Stump was an Arizona congressman, and important to ACC's Arizona-based activities, principally land development. He simply asked and I agreed, writing a personal check at that time and delivering it to him while he was present. There was no pressure applied of any kind or nature, and I do not know what his affiliation with the Stump campaign was, or why he was motivated to make the request. I have no other information about this. I believe that a similar request was made of the other in house lawyers. I made this contribution from my personal funds, and I was not reimbursed, recompensed or in any way provided with any offset or repayment for it, directly or indirectly, in any way, fashion or manner, and I was never led to believe that my failure to make the requested contribution would result in any way in a punishment or reduction in pay or other compensation or benefit.

(e) I did in fact make the contribution of $500 to the Riegle for Senate in '88 Committee referred to in the Factual and Legal Analysis. I believe that the date given there, March 24, 1987 is correct.

This contribution was made by personal check. As best as I can recall the circumstances surrounding the contribution were as follows. At or about the same time as the contribution, but perhaps the day before, a meeting of the entire legal department was called, which I attended. At this meeting the General Counsel, Mr. Robert J. Kielty, gave a general discussion of the importance of the political process to ACC, mentioning the importance of goverment given our involvement with a regulated industry (Lincoln). He asked James J. Grogan, another in house attorney who worked in political liason a great deal, to explain Sen. Riegle's particular importance. Mr. Grogan explained that Sen. Riegle

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was believed to be in line for appointment as the next head of the Senate Banking Committee. He discussed very generally the importance of this body to the Savings & Loan industry. I believe that he mentioned that Sen. Riegle was from Michigan, where ACC had a significant presence due to the Hotel Pontchartrain in Detroit. I believe that he also mentioned that ACC was sponsoring some sort of fundraiser at the Hotel. I could be wrong on this, instead having heard about this event later. In any event I did not attend and to the best of my knowledge or belief never received any materials or written solicitation about that specific fundraising event.

Mr. Kielty then told the group that over the next day or so he would be speaking to each of us privately about making a personal contribution to the Riegle Campaign. Later that day (I believe) Mr. Kielty visited my office. He suggested that I make a contribution, and I believe suggested an amount of $1500. I told him that this was out of the question, that my wife and I were not in a position to consider a gift of that size. He apologized and assured me that it was up to me, that I could do what I wanted to, and could make a gift in any amount that I was comfortable with. I asked if a gift of $500 would be appropriate. He stated that this would be fine, repeating that it was up to me. I made the $500 contribution by personal check. I believe that I either gave it to Mr. Kielty in person or to his secretary.

As to why I did this, I can only say that it was my impression that senior management felt that this effort was important to the company. I wanted to be perceived as a "team player". I was not threatened in any way with any negative consequences if I didn't make a gift, and any fears that I might have had that I would be viewed adversely were based on my own internal perceptions, and not on anything that was ever communicated to me.

I made this contribution from my personal funds, and I was not reimbursed, recompensed or in any way provided with any offset or repayment for it, directly or indirectly, in any way, fashion or manner, and I was never led to believe that my failure to make the requested contribution would result in any way in a punishment or reduction in pay or other compensation or benefit.

At some point after the contribution was made, I believe several months later, I received in the mail a letter accompanied by a check drawn on the account of the Riegle Campaign in the amount of $500. I do not have the letter or recall its contents, but believe that the gist of it was that to avoid the impression of any impropriety, the Riegle Campaign was returning contributions made by non-Michigan residents, specifically with respect to the ACC sponsored fundraiser, though the company's name may not have been mentioned. I deposited this check in my personal account.

(f) I did in fact make the contribution to the Hecht Re-Election Committee that is referred to in the Factual and Legal Analysis. The amount of $1000 is correct and I believe that the date of October 24, 1988 is accurate.

2304354102

The facts surrounding the contribution were as follows. On the same day as the contribution was made, which I believe was October 24, 1988, I received a telephone call, interoffice, from Ms. Carol Kassick, who at that time was personal secretary to Charles H Keating, Jr. It was my impression that she was in the process of calling a number of employees, though she did not say this. Ms. Kassick told me that Mr. Keating would very much like me to make a contribution to the Hecht Campaign. She told me that he was suggesting a contribution of $1000. I told her that I would do this. She asked whether I had my checkbook with me as she would like to pick it up immediately. I told her I did. I believe that she came to my office a few minutes later and I gave her the personal check. She is the only person that I discussed the contribution with.

I believe that the only explanation that Ms. Kassick gave me was that Sen. Hecht was in a very troubled campaign and needed immediate help. She said that a business associate of Mr. Keating's had called him and asked him to help with fundraising if he could. I believe that this individual was Sir James Goldsmith. I am not aware of any business contact which ACC or any of its officers or affiliates had with Sen. Hecht.

Again, I agreed to make the contribution because I wanted to be perceived to be a "team player". In this instance I have to admit the fact that the request appeared to be coming directly from Mr. Keating did influence me, though not because the request was threatening or applied any duress. I was not threatened in any way with any negative consequences if I didn't make a gift, and any fears that I might have had that I would be viewed adversely were based on my own internal perceptions, and not on anything that was ever communicated to me.

I made this contribution from my personal funds, and I was not reimbursed, recompensed or in any way provided with any offset or repayment for it, directly or indirectly, in any way, fashion or manner, and I was never led to believe that my failure to make the requested contribution would result in any way in a punishment or reduction in pay or other compensation or benefit.

(g) During 1988 (and perhaps early 1989) I believe that I made a series of 2 or 3 contributions to the Arizona Democratic Party. I do not know if these gifts were used for federal or state campaigns, but I believe that they were solicited primarily for the gubinatorial and state legislature races. They were made by personal check and I believe that they aggregated approximately $300-$400 in total. These contributions were made in response to telephone and mail solicitations which I received at my home, and were entirely unrelated to my employment. I do not believe that anyone associated with ACC or any of its officers or directors had any knowledge of these gifts, or any participation in or knowledge of the solicitations. They were made with my personal funds and I received no refund or benefit from anyone as a result of them.

2304354103

(h) I didn't attend any fundraising events associated with any of these contributions, and no one provided me with any transportation.

6. As explained earlier, I do not have any such documents in my possession, other than those which accompany this Affidavit. Please note the copy of the letter from the Reigle Committee which is enclosed. This was received at my home, and was an acknowledgement of my gift, which was later returned. The notation "500.00" on the letter is my handwriting, but I can't remember when I wrote it there. I believe that it was when I was putting together my reponse to the California Grand Jury.

7. I facilitated, arranged, solicited or delivered NO contributions to ANY candidate, federal, state or local during the relevant period, other than my personal contributions, those to federal candidates being made in the fashion described in this Affidavit. I arranged, solicited, facilitated or delivered NO contributions from any other individual or entity during the relevant period, to any candidate.

8. See answer to number 7 above. I engaged in no such activity.

9. While I have no such documents other than the copy of the April 13, 1987 Riegle Committee letter which is enclosed, I believe that I can summarize all those which I did receive. I also received the letter returning the Riegle contribution referred to at 5(e) above. I received mail solicitations on the Hart and Arizona Democratic Party gifts, but did not retain them. I believe that this is the extent of the written communications which I received on any of these gifts.

10. No one assisted me in preparing this response.

Scott A. Siebels, Affiant

SWORN TO AND SUBSCRIBED before me this 4th Day of April, 1991, A.D.

Notary Public under 29 DUS § 4323(a)(3)

93043541104

4/1/91

1. EVA JOY MILES ANAU
7700 N. 14TH STREET
PHOENIX, ARIZONA 85020

2. UNEMPLOYED, I HAVE NOT BEEN EMPLOYED SINCE MARCH 1973.

3. THE ONLY RELATIONSHIP I HAVE HAD WITH ACC, LINCOLN SAVINGS, OR MR. KEATING, JR. IS THROUGH MY HUSBAND, ANAUKI LIFUKA ANAU.

4. I HAVE NEVER RECEIVED A BONUS OR ANY OTHER COMPENSATION FROM ACC, LINCOLN OR ANY OF THEIR ASSOCIATES.

5. 11 MAR 1987 RIEGLE FOR SENATE IN 88 COMMITTEE. $1,000 MONEY RETURNED IN 1988 CHECK MADE OUT TO RIEGLE FOR SENATE COMMITTEE, I HAVE MISPLACED THIS CHECK WHEN I ASKED MY BANK IF THEY COULD DO A SEARCH, I WAS INFORMED THAT WITHOUT A CHECK NUMBER IT WOULD BE IMPOSSIBLE.

MY HUSBAND WAS CONTACTED BY TELEPHONE AT HIS OFFICE, AS WAS INFORMED THAT THEIR WAS A FUND RAISING GOING ON FOR MR. RIEGLE, AND IT WOULD BE APPRECIATED IF WE WOULD DONATE. WE TALKED IT OVER AND HE ASKED ME TO MAKE THE CHECK.

I DO NOT KNOW WHO CONTACTED MY HUSBAND, I DO KNOW IT WAS FROM THE MAIN OFFICE OF ACC.

I HAVE NO KNOWLEDGE IF WAS ANY FUNDRAISING EVENT IN THIS MATTER. IF THERE WAS WE DID NOT RECEIVE ANY NOTICE OF IT AND THEREFORE DID NOT ATTEND.

I HAVE NEVER RECEIVED ANY MONEY FROM ACC LINCOLN SAVINGS OR ANYONE CONNECTED WITH THE COMPANY.

6. I HAVE NEVER DONATED TO ANY OTHER PERSON IN FEDERAL GOVERNMENT.

7. NONE.

8. NONE.

9. I HAVE NEVER BEEN IN CONTACT WITH A FEDERAL POLITICAL COMMITTEE BEFORE.

10. NONE.

Eva Joy Miles Anau
EVA JOY MILES ANAU

STATE OF ARIZONA)
) SS.
MARICOPA COUNTY)

SWORN AND SUBSCRIBED BEFORE ME ON THIS 25TH OF MARCH, 1991.

Tongahai S Salatokoua
NOTARY

OFFICIAL SEAL
TONGAHAI NAVILI SALATOKOUA
Notary Public – State of Arizona
MARICOPA COUNTY
My Comm. Expires June 28, 1991

My Commission Expires June 28, 1991
EXPIRATION DATE

93043541105

1. ANAUKI LIFUKA ANAU
7700 N. 14TH STREET
PHOENIX, ARIZONA 85032

2. I WAS EMPLOYED AS VICE PRESIDENT/LANDSCAPING MANAGER FOR ACC AND LINCOLN SAVINGS.

3. MR. KEATING AND I HAD A PERSONAL FRIENDSHIPS WELL AS A EMPLOYER, EMPLOYEE RELATIONSHIP. WHILE WE WERE FRIENDS I NEVER WAS PARTY TO ANY OF HIS OR THE COMPANY'S POLITICAL POLICIES.

4. I RECEIVED SEVERAL BONUS BETWEEN THE YEARS 1984 AND 1988. THESE BONUSES WERE INCLUDED ON MY YEARLY W-2 FORMS AND I DID NOT KEEP A SEPARATE RECORD FOR THEM.

AS A SALARIED EMPLOYEE FOR ACC/LINCOLN SAVINGS I DID NOT RECEIVE OVERTIME FOR EXTRA HOURS WORKED. I WORKED BETWEEN 12 AND 14 HRS A DAY, SIX DAYS A WEEK, OFTEN WITHOUT VACATION. SEVERAL TIMES I WOULD SLEEP ON THE SITE, SLEEPING ONLY 4-5 HRS A NIGHT AND WORKING UNDER LIGHT TO COMPLETE A PROJECT BEFORE THE DEADLINE. THESE BONUS WERE GIVEN ME FOR EXTRA HOURS WORKED.

5. 09- APR. 1988 $500.00 HATCH ELECTION COMMITTEE

THIS DONATION WAS MAKE BY CHECK #1355 APR. 9, 1988. I DO NOT HAVE A COPY OF THIS CHECK, I HAVE CHECKED WITH THE BANK THEY INFORMED ME THAT I COULD GET A COPY, HOWEVER, IT WOULD TAKE A BOUT A WEEK TO GET IT. THEREFORE I WOULD NOT BE ABLE TO GET A COPY IN TIME FOR THIS STATEMENT I WOULD BE HAPPY TO SEND A COPY LATER IT IS NECESSARY.

I RECEIVED A PHONE CALL FROM THE MAIN OFFICE (ACC), I DO NOT REMEMBER WHO CALLED, INVITING ME TO ATTEND A FUNDRAISING EVENT AT THE CRESCENT HOTEL FOR MR. HATCH, AND TO DONATE IF I SO DESIRED.

AS I AM FROM THE STATE OF UTAH AND HAD VOTED FOR MR. HATCH BEFORE MY MOVE TO ARIZONA, I DECIDED TO DONATE. I DROVE MYSELF TO THE PARTY AND STAYED ABOUT ONE HOUR.

6. SEE COPY.

7. NONE.

8. NONE.

9. NONE.

10. NONE.

5* I NEVER RECEIVED ANY BONUSES OR ANY COMPENSATION FOR MY DONATION, NOR WAS I THREATENED WITH JOB LOSS OR ANYTHING OF THAT NATURE.

Anauki Lifuka Anau
ANAUKI LIFUKA ANAU

STATE OF ARIZONA)
) SS.
MARICOPA COUNTY)

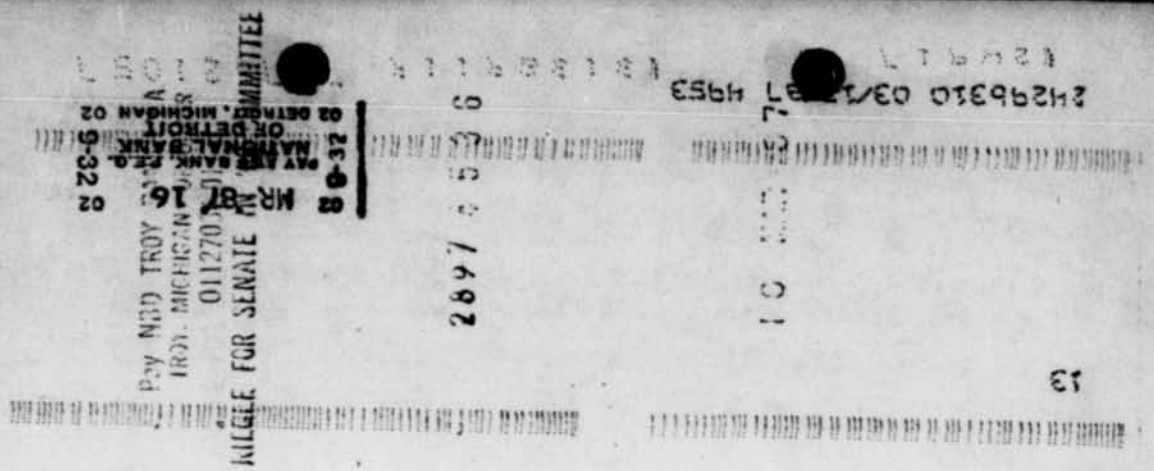
SWORN AND SUBSCRIBED BEFORE ME ON THIS 25th DAY OF MARCH, 1991.

Tongahai S. Salatokona
NOTARY

My Commission Expires June 28, 1991
EXPIRATION DATE

OFFICIAL SEAL
TONGAHAI SIKULI SALATOKONA
Notary Public — State of Arizona
MARICOPA COUNTY
My Comm. Expires June 28, 1991

9304354 1106



9304354111 07

I was able to locate this check after I signed the answers to the questions

The Gold One
ANAUKI L. ANAU OR EVA M. ANAU
7700 N. 14TH STREET
PHOENIX, AZ 85020

1546

3-5 1987

91-1/1221

Pay to the order of Reigle for Senate $1,000.00

One Thousand + 00 Dollars

First Interstate Bank
First Interstate Bank of Arizona, N.A.
12th St. & Northern Office 76
7832 N. 12th St.
Phoenix, Arizona 85020

For

Eva M Anau

OGC 0611

BRAND & LOWELL
A PROFESSIONAL CORPORATION
923 FIFTEENTH STREET, N.W.
WASHINGTON, D.C. 20005

TELEPHONE: (202) 662-9700
TELECOPIER: (202) 737-7565

April 2, 1991

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 APR -2 PM 3:21

BY HAND DELIVERY

Tony Buckley, Esquire
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Re: MUR 3121: George and Judy Wischer

Dear Mr. Buckley:

Thank you very much for meeting with me yesterday to discuss how best to proceed to resolve this MUR against our clients, Judy and George Wischer. Further to yesterday's meeting with you and Robert Bonham and as we discussed, we respectfully request a twenty day extension of time for George Wischer to respond to the Commission's "reason to believe" finding and subpoena, and a twenty day extension of time for Mrs. Wischer to respond to the "reason to believe" finding. As regards Mrs. Wischer's subpoena response, we respectfully request an extension of time to respond until such time as any and all pending or threatened criminal investigations into and proceedings relating to Mrs. Wischer's role in any alleged American Continental Corporation-reimbursed political contributions are concluded.

Taking the last issue first, as I informed you, the United States Attorney's Office for the Central District of California has been conducting a political contribution investigation regarding American Continental Corporation since at least last year. Assistant United States Attorney Terry Bowers has been coordinating that effort. AUSA Bowers can be reached at the following telephone number, (213) 894-5669, and can provide the best information into the status of that office's (and potentially other offices') investigation(s) as regards Mrs. Wischer.

As I stated yesterday, in the event that it can be confirmed that there is/are no threatened or pending criminal investigation(s) as to political contributions vis a vis Mrs. Wischer, Mrs. Wischer can then agree to provide substantive responses to your subpoenas. Until she can receive such assurances (and as you offered to consider yesterday), Mrs.

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Wischer would respectfully request an indefinite extension of time to respond to the Commission's subpoena.

Such an open-ended extension is the only equitable result. Mrs. Wischer has been named a respondent in this MUR based on three non-specific, speculative and anonymous source-based newspaper stories to the effect that certain contributions from American Continental Corporation employees might have been reimbursed through bonuses or some other means. The MUR contains no allegations as to Mrs. Wischer personally, other than that she made certain political contributions at about the same time as other American Continental Corporation employees.[1] Yet, on so little evidence and without any direct link or allegation that she committed wrongdoing over which the Commission has jurisdiction, Mrs. Wischer has been named a respondent. To make matters more difficult, because the record in this case is devoid of detail, Mrs. Wischer is left to guess at what to defend.

Moreover, and as Mr. Bonham admitted, in the event Mrs. Wischer must unfortunately continue to assert her Fifth Amendment rights,[2] the Commission could adjudge her liable and (at a minimum) fine her based on: (i) facially valid, First Amendment-protected, within-the-limits contributions; and (ii) three non-specific newspaper articles. As I explained today, Mrs. Wischer would like nothing better than to respond to the Commission's subpoena and clear her name on the political contributions issue. Right now and for reasons not relating to any alleged FECA-justiciable improper activity by her, she unfortunately cannot. Thus, the extension of time that you proposed appears to the best accommodation of the Commission's interest in long range fact-finding and Mrs. Wischer's interests in assisting the Commission as soon as she is able.

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[1] With all due respect, that is hardly surprising. Federal candidates now solicit contributions in a very and increasingly focused manner.

[2] We must hasten to add that Mrs. Wischer's assertion of her Fifth Amendment rights set against the swirl of allegations involving American Continental Corporation can be seen to offer nothing probative of any wrongdoing by her, civil presumption or not.

As regards Mr. and Mrs. Wischer's responses to the "reason to believe" finding, Mr. and Mrs. Wischer respectfully request a twenty day extension of time to respond. Mr. Wischer received these documents on March 19, 1991, so his "reason to believe" response would be due on April 3, 1991. (Mrs. Wischer's notice of charges was originally delivered to the wrong address, but she will agree to have received notification on the same day as Mr. Wischer.) The requested twenty day extension will allow the Wischers to more fully evaluate the charges such that their no "reason to believe" finding can be more comprehensive and helpful to the Commission.

The same is true for the subpoena directed to Mr. Wischer. The Commission has subpoenaed information for contributions as far back as 1983. Since that time, Mr. Wischer has both changed employers and moved his residence. To comply with the subpoena, Mr. Wischer must attempt to find (as best as he is able and while he is in the process of attempting to form a new business) these virtually decade-old payroll and contribution records. Mr. Wischer thus requires the extension of time requested to more fully undertake that task.

Thank you very much for your consideration of this request for an extension. Please telephone me in the event you have any questions or require further information.

Sincerely,

David E. Frulla

2304354110

06C 0609

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 APR -2 AM 9:43

LAW OFFICES

FENNEMORE CRAIG

A PROFESSIONAL CORPORATION

SUITE 290
6263 NORTH SCOTTSDALE ROAD
SCOTTSDALE, ARIZONA 85250-5402
(602) 257-5400
FACSIMILE: 602-945-4932

SUITE 2200
TWO NORTH CENTRAL AVENUE
PHOENIX, ARIZONA 85004-2390
(602) 257-8700
TWX: 910-950-4608
FACSIMILE: 602-257-8527

SUITE 1030
ONE SOUTH CHURCH AVENUE
TUCSON, ARIZONA 85701-1620
(602) 624-9312
FACSIMILE: 602-882-7383

MARC L. SPITZER
(602) 257-5480
PHOENIX

March 28, 1991

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

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

91 APR -2 PM 3:02

Re: **MUR 3121 Thomas Hott**

Dear Sirs:

The undersigned is Attorney for Mr. Thomas V. Hott. A Statement of Designation of Counsel executed by Mr. Hott is enclosed. Attached to this letter is Mr. Hott's response to your Subpoena to Produce Documents and Order to Submit Written Answers.

The evidence in this case reflects that during his lifetime Mr. Hott made only one contribution to a political campaign. Mr. Hott was not reimbursed by his employer nor by anyone else for this contribution. Clearly, no further action need be taken in this case. I look forward to discussing this matter further with your Office in the event should you have any questions concerning this case.

Very truly yours,

Marc L. Spitzer

df
Enclosures

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 3121
THOMAS V. HOTT)

RESPONSE TO SUBPOENA TO PRODUCE DOCUMENTS
AND ORDER TO SUBMIT WRITTEN ANSWERS

1. Thomas V. Hott
9020 North 82nd Street
Scottsdale, Arizona, 85258.

Current employer:
Linthicum Constructors, Inc.
9322 N. 94th Way, Suite 102
Scottsdale, Az 85258

2. Occupations and employers from January 1983 to present:

A. January 1983 to March 1983
Commercial Construction Project Manager
Osprey, Inc.
Fort Collins, CO.
Managed commercial construction projects for internal construction department of real estate development company.

B. March 1983 to August 1983
Construction Operations Manager
Pemco Builders, Inc.
Fort Collins, CO.
Managed construction operations for commercial real estate development/general contracting company.

C. August 1983 to January 1984
Commercial Construction Project Manager
Medema Homes, Inc. (subsidiary of American Continental Corporation)
Englewood, CO.
Managed construction of new corporate offices for Medema Homes, Inc.

D. January 1984 to October 1984
Commercial Construction Project Manager
American Continental Properties, Inc. (subsidiary of American Continental Corporation)
Phoenix, AZ.
Managed construction projects for commercial real estate development company.

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E. October 1984 to January 1987
Director of Facilities Management and Construction (1984 - 1985)
Vice President - Facilities Management and Construction (1985 - 1987)
Lincoln Savings and Loan Association (subsidiary of American Continental Corporation)
Irvine, CA.
Managed branch office facilities and properties, managed design and construction of new and renovated branch facilities, managed procurement and installation of bank equipment, furnishings, signage and other appurtenances, managed technical special voice/data communications projects.

F. January 1987 to September 1987
Interior Design Manager (no formal title)
Crescent Hotel Group (subsidiary of Lincoln Savings and Loan Association/American Continental Association)
Phoenix, AZ.
Assisted executive management with their decision-making on interior design and related matters for Crescent's Phoenician Resort.

G. September 1987 to August 1989
Project Manager-Corporate Hotel Development, Ramada, Inc.
Phoenix, AZ.
Managed design and construction of corporately owned and operated hotels for hotel operating company.

H. August 1989 to Present
Manager of Construction Services
Linthicum Constructors, Inc.
Scottsdale, AZ.
Managed construction operations for commercial general contracting company.

3. I had no personal relationship with Charles Keating, Jr. I was employed in various capacities by corporate entities affiliated with American Continental Corporation between August 1983 and September 1987.

With respect to my employment, I was hired by Medema Homes in August 1983 to manage construction of an office building complex in Colorado Springs, Colorado. Zoning complications caused a lengthy delay in Medema's Colorado Springs project. As a consequence of this delay, in early 1984 I was transferred to American Continental Properties, Inc., a commercial real estate development subsidiary of American Continental Corporation.

In October 1984, Mr. Robert Mulhern, Director of Real Estate at Lincoln Savings & Loan Association, asked me to accept a transfer from Phoenix to Southern California to manage branch remodeling and construction for Lincoln Savings. Less than one

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week later I accepted the transfer and began work at Lincoln's corporate headquarters in Irvine, California. My direct supervisor was Mr. Mulhern. During the last half of 1985 and 1986 I met with Mr. Keating approximately once a month to review and update branch office material and furnishing standards and to review floor plans for projected new construction and remodeling projects. Mr. Keating expressed an interest in the condition of Lincoln's facilities and furnishings. My dealings with Mr. Keating related solely to my construction management duties for Lincoln.

In December 1986 Mr. Keating asked me to relocate from Irvine, California to Phoenix as employee of the Crescent Hotel Group. At that time the Crescent Hotel Group was involved in the design and construction of the Phoenician Resort in Phoenix. I was reluctant to relocate to Phoenix and again disrupt my family, and I expressed my reservations to Mr. Keating. Mr. Keating offered me approximately $125,000 ($104,000 net of payroll deductions) as a bonus in late 1986 as consideration for my transfer from Irvine to Phoenix. After a consultation with my family, I ultimately accepted the transfer.

I was never given a formal job title or job description while employed by the Crescent Hotel Group. I hired several individuals as subordinates to work on the interior design process for the Phoenician Resort. I attended many meetings between January and April 1987 with Mrs. Keating to discuss design-related issues. I became dissatisfied with my duties at the Crescent Hotel Group and, in September 1987, I took a position with Ramada, Inc.

4. A. Attached as Exhibit "A" is a schedule of compensation and bonuses I received from entities related to American Continental Corporation from January 1, 1983 through the present time. Attached to Exhibit A are check stubs and bank Statements which reflect bonus payments.

9304354111 4

5. A. I made a contribution to the Riegle for Senate campaign made by personal check dated March 10, 1987 in the amount of $500 (Exhibit B).

B. My recollection is that Senator Riegle made a visit to American Continental's corporate headquarters in Phoenix in March 1987. By coincidence, I happened to meet Senator Riegle that day in the hallway. I recall that Senator Riegle approached me, introduced himself and we shook hands. I was impressed, because I had never met any members of the United States Congress from Arizona. My encounter with Senator Riegle lasted approximately five seconds.

When I arrived at the office the next day, I discovered printed Riegle For Senate campaign literature on my desk. I had no idea who placed this material on my desk, nor do I recall anyone else in my work area stating that they had received this information. I was not solicited for a campaign contribution by Senator Riegle or anyone on his staff, nor by Mr. Keating or anyone at American Continental Corporation.

I brought the Riegle For Senate materials home and shared them with my wife. My wife and I subsequently discussed my meeting with Senator Riegle. Since I had never met Arizona's Senators, McCain and DeConcini, I considered Senator Riegle's visit to our office to be significant. My wife and I decided to make a $500 contribution to Senator Riegle's campaign. At no other time in my life have I ever made a contribution to any political campaign or to any candidate for political office.

C. No individual, including Charles Keating, Jr., or any person associated with him, American Continental Corporation or any affiliate, ever directed or suggested that I make a contribution to any political campaign.

D. My contribution was not connected to any fundraising event. I was unaware of any fundraising event for Senator Riegle.

2304354115

E. I did not receive any bonus, advance payment, reimbursement or compensation in connection with this contribution. I discussed the $500 contribution to Senator Riegle's campaign with my wife, but not with anyone else. I do not believe that Mr. Keating or anyone at American Continental Corporation or its affiliates was aware of my contribution.

I have been informed that Senator Riegle has returned contributions from employees of American Continental Corporation and its affiliates to the donors. My contribution to Senator Riegle has never been returned.

6. I have no other documents relating to my contribution to the Riegle campaign, other than materials attached as Exhibits herein.

7. None.

8. None.

9. None.

10. None.

Thomas V. Hott, being first duly sworn, upon his oath, deposes and says that the foregoing answers are true, complete, and correct, to the best of his recollection.

Thomas V. Hott

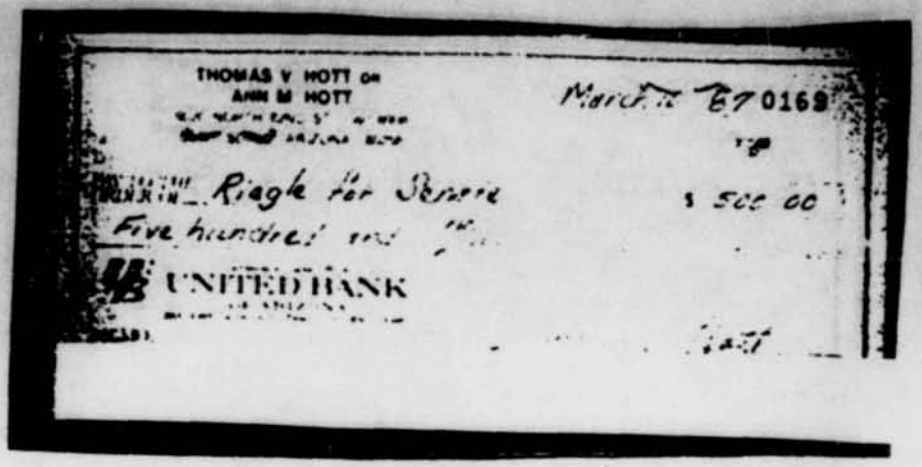
SUBSCRIBED AND SWORN TO before me this 28th day of March, 1991.

Notary Public

My Commission Expires:

My Commission Expires Nov. 22, 1993

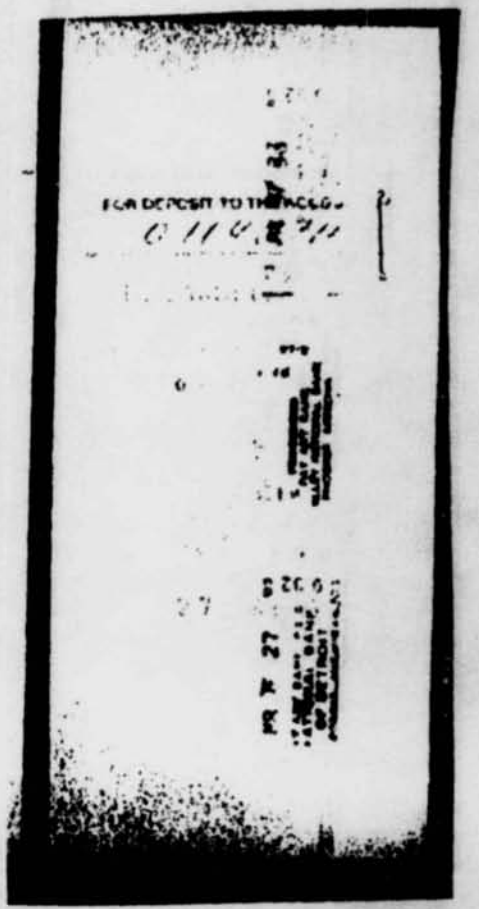
2304354111116



9304354111117

Exhibit B

9304354111 8



STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121 Thomas V. Hott

NAME OF COUNSEL: Marc L. Spitzer

ADDRESS: Fennemore Craig
Two North Central
Suite 2200
Phoenix, AZ 85004-2390

TELEPHONE: 602-257-5480

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.

March 22, 1991
Date

J. Thomas D. Hott
Signature

RESPONDENT'S NAME: Thomas V. Hott

ADDRESS: 9020 N. 82nd
Scottsdale, AZ 85258

HOME PHONE:

BUSINESS PHONE: (602) 860-2010

2304354111 9

006 0602

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 APR -2 AM 11:21

LAW OFFICES OF
COTSIRILOS & CAMPISANO
155 MONTGOMERY STREET
NINTH FLOOR
SAN FRANCISCO, CALIFORNIA 94104
OFFICE (415) 397-2373
FACSIMILE (415) 397-8680

GEORGE J. COTSIRILOS, JR.
GUY A. CAMPISANO, JR.

April 1, 1991

91 APR -2 PM 3:00
RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

VIA EXPRESS DELIVERY

Mr. Tony Buckley
Federal Election Commission
999 "E" Street N.W.
Washington, D.C. 20463

MUR
3121

Re: David I. Thompson

Dear Mr. Buckley:

This is to confirm our telephone conference of Wednesday, March 27, 1991 regarding David I. Thompson.

The Federal Election Commission has sent a package of materials to Mr. Thompson pertaining to the its finding of reason to believe that Mr. Thompson violated 2 U.S.C., Section 441f. These materials were sent to Mr,. Thompson at the wrong address on March 6, 1991 and March 11, 1991. In our conversation last week I explained that, because of the delay caused by this error, I would be requesting additional time in which to respond to the commission since Mr. Thompson had only just received these items and I had just been informed of them. You indicated no objection to such an extension of time.

Accordingly, we will respond to your correspondence within twenty days of today. Please contact me immediately should your recollection of our discussion in any way differ from mine.

Thanks for your courtesy and cooperation in this matter.

Yours truly,

George J. Cotsirilos, Jr.

GJC: eoc

2304354120

OGC 8638

LAW OFFICES OF
TOPEL & GOODMAN
A PROFESSIONAL CORPORATION
832 SANSOME STREET, FOURTH FLOOR
SAN FRANCISCO, CALIFORNIA 94111
TELEPHONE (415) 421-6140

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 APR -3 AM 10:21

April 2, 1991

91 APR -3 PM 3:28

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

Office of the General Counsel
Federal Election Commission
ATTN: Tony Buckley, Esq.
999 E Street, N.W.
Washington, D.C. 20463

Re: **MUR 3121**

Dear Mr. Buckley:

The purpose of this correspondence is to respond to your letter of March 7, 1991, to Mr. and Mrs. James J. Grogan[1] and to provide the Commission with all relevant information, documents, and facts regarding this Matter Under Review. Both Mr. and Mrs. Grogan are eager to cooperate fully with the Commission and to assist the Commission in any manner.

Mr. Grogan, an attorney, joined Lincoln as a Vice President in February, 1984. He at no time served as a member of Lincoln's Board of Directors, nor was he ever an officer or director of American Continental Corporation. Mr. Grogan served as a corporate attorney to both ACC and Lincoln until he resigned from Lincoln in April of 1989 and from ACC in May of 1990.

Mr. Grogan, from time to time, received requests from Mr. Charles H. Keating, Jr., or one of his secretaries to contribute to the campaigns of various political candidates. On occasion, Mr. Grogan was requested to ask his wife, Mary Jo Grogan, for a contribution as well. On some occasions, Mr. Grogan was also asked by Mr. Keating to solicit campaign contributions from colleagues.

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[1] A separate letter on behalf of Mr. and Mrs. Robert J. Kielty, whom we will also be representing in this matter, will follow; I expect to receive Designation of Counsel forms from the Kieltys by tomorrow.

2304354111 21

It should be emphasized, however, that there was no obligation to make such contributions. Moreover, we believe the evidence will show that Mr. and Mrs. Grogan were not reimbursed by either ACC or Lincoln for making the contributions they in fact made; any bonuses and/or salary increases received by Mr. Grogan were never a precondition to -- nor to the best of the Grogan's knowledge were they a result of -- their agreeing to make any political contributions.

Finally, it is important to note that there were occasions when Mr. and Mrs. Grogan chose not to contribute to a candidate for whom donations were requested by Mr. Keating. These refusals did not in any way affect Mr. Grogan's relationship with Mr. Keating or his position with the company.

By the same token, on those occasions when Mr. Grogan solicited contributions from colleagues, he was never instructed to suggest, even tacitly, nor did he ever suggest that either (1) a contribution was required, or (2) any contribution made would be reimbursed to the contributor by the company.

It should also be noted that both Mr. and Mrs. Grogan had been involved in various political compaigns and fundraising events long before Mr. Grogan joined ACC or Lincoln. The Grogans received, and continue to receive, numerous solicitations from candidates spanning the political spectrum (see enclosed samples).

I am in the process of preparing for the Commission a schedule of salary increases and bonuses received by Mr. Grogan while he was employed by ACC/Lincoln, as well as duplicating every political contribution check written by either Mr. or Mrs. Grogan during the time period covered by the Commission's request. I would expect to have those documents ready by the end of April, at the latest, and hereby request an extension of time until April 29, 1991, to forward those documents to the Commission for its review.

We are certain that, once it has had the opportunity to review the facts, the Commission will conclude that no violation has occurred and that no further action should be taken against these Respondents.

Sincerely,

DAVID R. CALLAWAY

2304354112 2

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: TOPEL & GOODMAN

ADDRESS: William Goodman/David R. Callaway
832 Sansome St., 4th Floor
San Francisco, CA 94111

TELEPHONE: (415) 421-6140

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.

March 20, 1991
Date

Mary Jo Grogan
Signature

RESPONDENT'S NAME: Mary Jo Grogan

ADDRESS: 10326 E. Bella Vista
Scottsdale , AZ 85258

HOME PHONE:

BUSINESS PHONE: none

2304354111123

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: TOPEL & GOODMAN

ADDRESS: William Goodman/David R. Callaway
832 Sansome St, 4th Floor
San Francisco, CA 94111

TELEPHONE: (415) 421-6140

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.

3-20-91
Date

Signature

RESPONDENT'S NAME: James J. Grogan

ADDRESS: 10326 E. Bella Vista
Scottsdale, AZ 85258

HOME PHONE:

BUSINESS PHONE: (602) 530-8000

2304354112

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 3, 1991

James B. Connor
P.O. Box 44986
Phoenix, AZ 85064

RE: MUR 3121

Dear Mr. Connor:

This is in response to your letter dated March 27, 1991, which we received on March 28, 1991, requesting an extension of 20 days to respond to the Subpoena to Produce Documents and Order to Submit Written Answers issued by the Federal Election Commission to you. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on April 16, 1991.

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Robert W. Bonham, III
Assistant General Counsel

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MUR 3121

RECEIVED
FEDERAL ELECTION COMMISSION
91 APR -3 AM 11:30

3/29/91

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

91 APR -3 PM 3:25

Dear Sir:

Please find enclosed my responses to your Questions and Document Requests in the Matter of MUR 3121. A copy of your letter to me dated March 7, 1991 is enclosed.

Sincerely,

Larry L. Dannenfeldt

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Larry J. Dannenfeldt

Larry J. Dannenfeldt

FLAGSTAFF, Arizona

March 29, 1991

23043541127

RE: Federal Election Commission

In the matter of: MUR 3121

RESPONSES TO
QUESTIONS AND DOCUMENT REQUESTS

1. State your full name, address, phone number and current employer.
ANSWER: Harry Joe Dannenfeldt
5356 E. KINGS AVE
Scottsdale, AZ 85254

employer: Northern Arizona Comprehensive
Guidance Center, Inc.
611 N. Leroux
Flagstaff, AZ 86001

2. List your occupation(s) and employer(s) during the relevant period. Describe your position(s) with each employer.
ANSWER:

Jan 1, 1983 - Director, Information Processing
Nov. 9, 1988 American Continental Corporation
Phoenix, AZ
Responsible for all application systems processing on the computers in the Phoenix data center; primarily: accounts payable, general ledger, loan administration,

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investment tracking. Also responsible for office automation applications and data communication networks.

April 1, 1989 - March 15, 1990 — Marketing Manager & Operations Manager
MICON, Inc.
Phoenix, AZ
Responsible for marketing efforts of proprietary packaged software.

March 16, 1990 - February 24, 1991 — Unemployed

February 25, 1991 - Present — Director, Research & Development
Northern Arizona Comprehensive Guidance Center, Inc.
Flagstaff, AZ
Responsible for information system support and overall management of the MIS department.

3. Describe your relationship, if any, to Charles Keating, Jr. and American Continental Corporation ("ACC") and all of its subsidiaries and associated companies, including Lincoln Savings & Loan Association ("Lincoln"), during the relevant period.

2304354111 29

ANSWER:

American Continental Corporation
1. Employee from 11/81 to 11/88.
2. Vice President and Officer from approximately 5/85 to 11/88.

Lincoln Savings and Loan Association
1. Titled Assistant Secretary from approximately 7/85 to 11/88.

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4. For each bonus or other compensation in addition to your salary which you received, provide the following information
   a. the amount of such bonus or other compensation;
   b. the justification for such bonus or other compensation;
   c. date of receipt of such bonus or other compensation.

ANSWER:

The only bonus I can recall receiving was an end-of-year "Christmas" bonus in December, 1985. The justification given to me for the bonus was as a distribution of some of the company's profits and for recognition of hard work & a job well done.

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5. Identify each federal political contribution and expenditure you made during the relevant period by date, amount and recipient. For each contribution:
   a. State whether the contribution was made by check or other written instrument. If so, provide a copy (both sides) of the check or other written instrument.

b. Describe the circumstances under which each contribution was made. If a contribution was made as the result of a solicitation, describe the circumstances surrounding each solicitation, including the identity of the person(s) who made such solicitation and when and where it occurred. If any such solicitation was written, provide a copy of it.

c. State whether any contribution was made at the direction or suggestion of any person, including Charles Keating, Jr. or any person associated with him, ACC, Lincoln or any other company associated with Charles Keating. If so, identify such person and describe the circumstances.

d. State whether any contribution was made in connection with a particular fundraising event. If so, state when and where the event was held and whether or not you attended. Identify who sponsored

2304354111 32

the event and on whose behalf the event was held. If you did attend the event, identify any persons who also attended. Identify any person(s) who provided you with transportation to and from the event.

e. State whether you RECEIVED an advance, bonus, payment or other compensation or reimbursement in connection with any contribution. If so, identify the person or entity who provided the reimbursement or compensation and the date it was provided.

ANSWER:

I have enclosed copies of my deposition given as part of the class action, securities and RTC charges filed against myself and other named defendants. I believe these pages will adequately answer points (a) through (d) of this question. I have also enclosed a copy of one of the deposition exhibits which is the only document I have

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or can obtain as it pertains to document requests in points (a) through (d) of this question. This deposition was given, of course, under oath and the particular enclosures I have attached were given over a two day period, October 26th and October 29th, 1990.

In answer to point (e) of this question, I have never received an advance, bonus, payment or other compensation or reimbursement in connection with any contribution.

6. In addition to the documents produced in response to Questions 5a and b, produce all documents relating or in any way pertaining to each federal political contribution you identified in Question 5, including check registers, bank statements, correspondence and notes.

Answer:

After attempting to discover any such additional documents, I am unable to do so.

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7. Identify any federal contribution made by others which you facilitated, arranged, solicited or delivered to any federal candidate or committee during the relevant period.

ANSWER:

I never facilitated, arranged, solicited or delivered any federal contribution made by others to any federal candidate or committee.

8. Provide all documents relating to any federal contributions made by others which you arranged, solicited or delivered to any federal candidate or committee during the relevant period.

ANSWER:

I have no such documents as I never made such arrangements, solicitations or deliveries.
See answer to Question 7 above.

9. Provide copies of all documents, including correspondence, notes, memos and phone

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messages relating to any communication with a federal political committee to which you made a contribution during the relevant period.

ANSWER:

I can not recall ever having any communication with a federal political committee and, as such, I have no such documents as requested in this Point #9.

10. Identify any person other than counsel who provided information, or was consulted or assisted in any way in the preparation of answers to these questions and document requests.

ANSWER:

No such person was consulted nor assisted me.

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RECEIVED
FEDERAL ELECTION COMMISSION
91 APR -3 AM 11:39

MUR 3121

AFFIDAVIT
OF
JAMES E. FARNEY

STATE OF ARIZONA]
] s.s.
COUNTY OF MARICOPA]

I, JAMES E. FARNEY, being first duly sworn on Oath, deposes and says: That the following are responces to questions attached to a subpoena [MUR 3121] issued by the Federal Elections Commission dated the 6th of March 1991. These responces are made to the best of my recolection.

91 APR -3 PM 3:24

Responce to question:

#1. James E. Farney
5326 E. Larkspur Dr.
Scottsdale, Ariz., 85254

I am currently unemployed.

#2. During the relavent period my occupation was a civil engineer.

Jan 83 - Mar 84 Evans Kuhn and Assoc., Phx., Az., Engineering Manager, supervised technical staff of 46-person civil engineering firm, assigned, assisted, and checked work.

Mar 84 - May 85 Continental Homes Inc., [wholly owned subsidiary of American Continental Corp.], Director of Engineering, coordinated the engineering activities of, at the time, Arizona's largest homebuilder.

May 85 - Dec 90 AMCOR Investments Corp., [wholly owned subsidiary of Lincoln Savings and Loan Assoc.], Vice-President, Director of Engineering, responcibilities included providing in house engineering support to staff, arrange for, coordinate, and supervise the services of engineers and other contracted professionals. Although I had the title of vice-President I was not a coporate officer.

Dec 90 - Present Unemployed.

#3. My relationship to American Continental Corp., Lincoln Savings and Loan Assoc., AMCOR Investments Corp., and Continental Homes Inc., was that of an employee. I worked long hours, took very little time off, and, I believe, did a good job. I would describe my relationship with Charles Keating Jr. as one of boss - employee and, at least from my point of view, a friend. Over the years that I was employed by 'ACC' and 'Lincoln' I had occosional work contact with Mr. Keating including severral months in 1988 when I worked with him almost daily at the Phoenician Resort.

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#5. I believe the only federal Political contribution I've ever made was to Senator Riegle's campaign. The amount was for $500 and was made in Feb 1987 by Personal check.

The contribution was made after I was contacted by one Mr. Keating's secretaries. She ask if I would consider making acontribution to the Riegle reelection effort. Mr. Keating has had many secretaries and I do not recall which one contacted me. I did, however, agree to contribute. I was not Pressured nor intimidated and was never reimbursed in any way, although the Senator later returned the funds.

#6. A copy of the check for the contribution described above is included herewith. I have no check registers or bank statements for it's issue date of Feb 1987.

#7. I have not arranged, solicited, or delivered from or for any others any federal contributions.

#8. I have not arranged, solicited, or delivered from or for any others any federal contributions, therefore there are no such documents.

#9. I have not made any contributions to any federal Political committee, therefore there are no such documents.

#10. No other Person assisted me in the PreParation of the foregoing resPonces.

Futher affiant saYeth not.

James E. Tarney
AFFIANT

SUBSCRIBED AND SWORN to before me, the undersigned Notary Public, this 30th day of October, 19 91, By James E. Tarney

MY COMMISSION EXPIRES
My Commission Expires June 30, 1991

NOTARY PUBLIC

2304354-1138

JAMES E. FARNEY

445

5326 E. LARKSPUR DR.
SCOTTSDALE, AZ 85254

23 Feb 1987 91-2/1221

Pay to the order of RIEGLE FOR SENATE $ 500 00

FIVE HUNDRED Dollars

PARK CENTRAL OFFICE (064)
P.O. BOX 2512
PHOENIX, ARIZONA 85062

Memo

James E Farney

⑆230435411139

PROCESSED
PAY ANY BANK
VALLEY NATIONAL BANK
PHOENIX, ARIZONA

Pay NBD TROY
TROY, MICHIGAN
011203

RIEGLE FOR SENATE COMMITTEE

MR

NATIONAL BANK
OF DETROIT
02 DETROIT, MICHIGAN 02

06C 0654

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 APR -5 AM 10: 35

LAW OFFICES

WATERFALL, ECONOMIDIS,
CALDWELL, HANSHAW & VILLAMANA
A PROFESSIONAL CORPORATION

WILLIAMS CENTRE
EIGHTH FLOOR
5210 EAST WILLIAMS CIRCLE
TUCSON, ARIZONA 85711

TELEPHONE
(602) 790-5828
—
FAX
(602) 745-1279

A. ALAN HANSHAW
GORDON G. WATERFALL
PETER ECONOMIDIS
HUGH M. CALDWELL, JR.
ROBERT L. VILLAMANA
W. PATRICK TRAYNOR
STEVEN M. COX
JAMES W. STUEHRINGER
CARY SANDMAN
JANE L. EIKLEBERRY
JOHN C. RAMBOW
SANDRA TEDLOCK
JOHN D. KENDALL
LISA RICE-WILMER
ROBERT C. CRAFF
CASEY J. NEWCOMB
DEE T. O'NEILL

April 2, 1991

WRITER'S DIRECT LINE

745-7818

VIA FAX NO. (202) 376-5280

91 APR -5 PM 12: 21

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

23043541140

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

Re: William D. Hinz
Mary F. Hinz
Mur 3121

Dear Mr. Buckley:

Enclosed are the following:

1. Statement of Designation of Counsel for Mary Hinz;

2. Response to Subpoena to Produce Documents and Order to Submit Written Answers by Mary F. Hinz;

3. Statement of Designation of Counsel for William Hinz; and

4. Response to Subpoena to Produce Documents and Order to Submit Written Answers by William D. Hinz.

In addition to the information contained in Mr. and Mrs. Hinzes Responses, I would like to further comment on this matter.

Bill Hinz is a very respected businessman/banker in Arizona. As a visible member of the community, Bill always has been, and continues to be, the recipient of many political contribution requests at local, state and federal levels, some of which he honors. As an example, during the same period you are investigating (i.e., the relevant period), Bill contributed to various campaigns for Arizona Governor, State Senator, City Council and County Board of Supervisors. I point this out to emphasize the fact that Bill, as a part of his everyday life contributes to political candidates, and in no way are his contributions tied to his employment, his employer, or the beliefs or desires of his employer.

We are obviously bothered by an investigation of the magnitude that appears to be taking place which is based upon "newspaper articles" which, I am sure your agree, does not constitute evidence by any stretch of the imagination, and which do not mention Mr. Hinz or his wife. In this regard, it appears that Mary Hinz is being dragged into this matter purely because she is a joint owner of the checking account from which checks were written to various political candidates. Obviously since Arizona is a community property state, the contributions are one-half Bill Hinz and one-half Mary Hinz, but that seems to be an incredibly weak link for bringing her into this matter.

From the facts as I know them, it appears that the Federal Election Commission is shot gunning this investigation by contacting anybody and everybody affiliated with American Continental Corporation, with its sole basis for such action being the coupling of political contributions by employees of American Continental Corporation and newspaper articles "suggesting" that corporate funds were provided for the purpose of said contributions. Although the Commission's position in this matter is set forth in a document called "Factual and Legal Analysis", it appears to be based neither on fact nor on legal analysis, but rather upon conjecture and supposition. Proceeding in such a manner is not only abusive, but also hints of the McCarthy Era accusations where people were wrongfully accused without any factual basis except for "guilt by association", which is exactly what we have in the Hinz case. Bill Hinz worked for an organization owned or controlled by Charles Keating, Jr., for less than three months, and he is being painted with the same brush as Keating.

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Now that I have aired my personal opinion regarding this matter, I would appreciate your reviewing the enclosed Responses at your earliest convenience so that this matter can be disposed of as soon as possible.

Very truly yours,

WATERFALL, ECONOMIDIS, CALDWELL, HANSHAW & VILLAMANA, P.C.

By Hugh M. Caldwell, Jr.

HMC:jh
Enc.
cc: Mr. and Mrs. William Hinz

2304354142

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 3121
MARY F. HINZ	)	
	)	RESPONSE TO SUBPOENA TO PRODUCE
	)	DOCUMENTS AND ORDER TO SUBMIT
	)	WRITTEN ANSWERS
	)	

Respondent, being first duly sworn, deposes and says:

The following Answers follow the numerical sequence of the Questions and Document Requests propounded in the Subpoena to Produce Documents and Order to Submit Written Answers served on Mary Hinz.

1. **Name:** Mary F. Hinz

   Address: 3850 North Pantano Road
   Tucson, Arizona 85715

   Phone Number:

   Current Employer: Housewife

2. Respondent was not employed outside of the home during the relevant period.

3. Respondent had no personal or business relationship with Charles Keating, Jr., Lincoln Savings & Loan Association, American Continental Corporation, or its any of its subsidiaries or associate companies, during the relevant period.

4. Respondent received no bonuses or other compensation from Lincoln Savings & Loan Association.

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5a.

Date of Contribution	Amount	Recipient	Form of Payment
6/25/84	$ 25	McNulty for Congress	Check [1]
12/18/86	500	DeConcini '88 Campaign	Check
5/14/87	500	DeConcini '88 Campaign	Check
6/ 8/87	500	Bush Campaign	Check
10/27/87	50	Kolbe Campaign	Check
2/ 2/88	500	Kolbe Campaign	Check
8/12/90	500	DeConcini '94 Campaign	Check [2]
10/11/90	125	Boschwitz for Senate	Check [3]

NOTE: All of the above contributions were from a joint checking account with Respondent's husband, William D. Hinz, and represent one-half (1/2) of the total contribution made, therefore, one-half (1/2) of the total contribution made will likewise be disclosed on the Response of William D. Hinz.

[1] Copy of canceled check attached.

[2] Copy of canceled check not available, but copy of Respondent's check register is attached.

[3] Copy of canceled check not available, but copy of Respondent's check register is attached.

Respondent cannot furnish a copies of checks for the period January 1, 1985 through December 31, 1988, as all of Respondent's canceled checks for said period were subpoenaed by United States Attorney Gary A. Faess for proceedings in the United States District Court, Central district of California, on or about October 17, 1989.

5b. The 6/8/87, 10/27/87 Kolbe and 10/11/90 Boschwitz campaign contributions were solicited verbally by Jim Click at or about the date of contribution.

The DeConcini '88 and '94 campaign contributions were made as the result of solicitation by the DeConcini Maxi Club at or about the date of the contributions, which solicitations could have been verbal or written, however, Respondent has no present recollection of same or copies of any written solicitation relating thereto.

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Respondent has no present recollection of whether the 6/25/84 McNulty campaign contribution was a verbal or written solicitation and has no copies of a written solicitation.

5c. None of the above contributions were made at the direction or suggestion of Charles Keating, Jr., or any person association with him, American Continental Corporation, Lincoln Savings & Loan Association, or any other company associated with Charles Keating, Jr.

5d. Respondent has no present recollection of whether the contribution was made in connection with a particular fund raising event, however, if same was in connection with a fund raising event, it is unlikely that Respondent attended the event.

5e. Respondent did not receive any advance, bonus, payment or other compensation or reimbursement in connection with the above contribution.

6. Respondent is unable to produce any documents in response to Questions 5a and 5b for the period January 1, 1985 through December 31, 1988, or in any way pertaining to each federal political contribution identified in Question 5 for the period January 1, 1985 through December 31, 1988, as all of Respondent's records for said period were subpoenaed by United States Attorney Gary A. Faess for proceedings in the United States District Court, Central District of California, on or about October 17, 1989.

Respondent has no documents in addition to the documents produced in response to Questions 5a and 5b relating or in any way pertaining to each federal political contribution identified in Question 5 outside of the period January 1, 1985 through December 31, 1988.

7. Respondent has never facilitated, arranged, solicited or delivered any federal contribution to any federal candidate or committee made by others during the relevant period. Notwithstanding the preceding sentence, inasmuch as all contributions were made from a joint checking account with Respondent's husband, William D. Hinz, Respondent in all likelihood discussed the contributions identified in Question 5 with her husband.

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8. Other than possible discussions with Respondent's husband, William D. Hinz, regarding the contributions identified in Question 5, Respondent has never facilitated, arranged, solicited or delivered any federal contribution to any federal candidate or committee made by others during the relevant period, and there are no documents relating thereto.

9. Except for any documents delivered to United States Attorney Gary A. Faess for proceedings in the United States District Court, Central district of California, on or about October 17, 1989, Respondent does not have any documents, notes, memos or phone messages relating to any communication with a federal political committee to which Respondent made a contribution during the relevant period.

10. Other than counsel for Respondent, Hugh M. Caldwell, Jr., the only other person who provided information or was consulted or assisted in any way in the preparation of Answers to these Questions and Document Requests was Respondent's husband, William D. Hinz.

RESPECTFULLY SUBMITTED this 2nd day of April, 1991.

Mary F. Hinz
MARY F. HINZ

STATE OF ARIZONA)
) ss.
COUNTY OF PIMA)

SUBSCRIBED AND SWORN TO before me this 2nd day of April, 1991, by MARY F. HINZ.

Linda S. Hutchinson
Notary Public

My Commission Expires:
June 19, 1991

2304354111146

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 3121
WILLIAM D. HINZ	)	
	)	RESPONSE TO SUBPOENA TO PRODUCE
	)	DOCUMENTS AND ORDER TO SUBMIT
	)	WRITTEN ANSWERS
_____	)	

Respondent, being first duly sworn, deposes and says:

The following Answers follow the numerical sequence of the Questions and Document Requests propounded in the Subpoena to Produce Documents and Order to Submit Written Answers served on William Hinz.

1. **Name:** William D. Hinz

   Address: 3850 North Pantano Road
   Tucson, Arizona 85715

   Phone Number:
   (602) 322-0102 (Bus)

   Current Employer: Hinz Investment, Inc.

2. 1/1/83 (i.e., commencement of relevant period) to 5/85
   Home Federal Savings & Loan of Arizona
   President

   5/85 to 11/87
   Great American Federal Savings Bank
   President

   11/19/87 to 2/15/88
   Lincoln Savings & Loan Association
   Chairman of the Board

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2/15/88 to present
Hinz Investment, Inc.
Chairman of the Board

3. Respondent first met Charles Keating, Jr., on or about November 1, 1987. Respondent had no personal or business relationship with Charles Keating, Jr., or American Continental Corporation, or its any of its subsidiaries or associate companies, during the relevant period, except for his brief employment as Chairman of the Board of Lincoln Savings & Loan Association from November 19, 1987 to February 15, 1988. Pursuant to Respondent's Agreement and Full Release with Lincoln Savings & Loan Association, Respondent terminated his employment with Lincoln Savings & Loan Association on February 15, 1988 but was thereafter to act as a consultant to Lincoln Savings & Loan Association and American Continental Corporation until November 18, 1990. The consulting agreement thereafter expired on or about December 31, 1988 due to the failure of Lincoln Savings & Loan Association/American Continental Corporation to pay Respondent the required monthly consultation fee. During the consulting period Respondent had no contact with Charles Keating, Jr., nor representatives of Lincoln Savings & Loan Association, nor American Continental Corporation. Further, Respondent was not called upon to provide any consulting services.

4.

5a.

Date of Contribution	Amount	Recipient	Form of Payment
6/25/84	$ 25	McNulty for Congress	Check [1]
12/18/86	500	DeConcini '88 Campaign	Check
5/14/87	500	DeConcini '88 Campaign	Check
6/ 8/87	500	Bush Campaign	Check
10/27/87	50	Kolbe Campaign	Check
2/ 2/88	500	Kolbe Campaign	Check
8/12/90	500	DeConcini '94 Campaign	Check [2]
10/11/90	125	Boschwitz for Senate	Check [3]

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NOTE: All of the above contributions were from a joint checking account with Respondent's wife, Mary F. Hinz, and represent one-half (1/2) of the total contribution made, therefore, one-half (1/2) of the total contribution made will likewise be disclosed on the Response of Mary F. Hinz.

[1] Copy of canceled check attached.

[2] Copy of canceled check not available, but copy of Respondent's check register is attached.

[3] Copy of canceled check not available, but copy of Respondent's check register is attached.

Respondent cannot furnish a copies of checks for the period January 1, 1985 through December 31, 1988, as all of Respondent's canceled checks for said period were subpoenaed by United States Attorney Gary A. Faess for proceedings in the United States District Court, Central district of California, on or about October 17, 1989.

5b. The 6/8/87, 10/27/87 Kolbe and 10/11/90 Boschwitz campaign contributions were solicited verbally by Jim Click at or about the date of contribution.

The DeConcini '88 and '94 campaign contributions were made as the result of solicitation by the DeConcini Maxi Club at or about the date of the contributions, which solicitations could have been verbal or written, however, Respondent has no present recollection of same or copies of any written solicitation relating thereto.

Respondent has no present recollection of whether the 6/25/84 McNulty campaign contribution was a verbal or written solicitation and has no copies of a written solicitation.

5c. None of the above contributions were made at the direction or suggestion of Charles Keating, Jr., or any person association with him, American Continental Corporation, Lincoln Savings & Loan Association, or any other company associated with Charles Keating, Jr.

5d. Respondent has no present recollection of whether any contribution was made in connection with a particular fund

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raising event, however, if any of same were in connection with a fund raising event, it is unlikely that Respondent attended the event.

5e. Respondent did not receive any advance, bonus, payment or other compensation or reimbursement in connection with any of the above contributions.

6. Respondent is unable to produce any documents in response to Questions 5a and 5b for the period January 1, 1985 through December 31, 1988, or in any way pertaining to each federal political contribution identified in Question 5 for the period January 1, 1985 through December 31, 1988, as all of Respondent's records for said period were subpoenaed by United States Attorney Gary A. Faess for proceedings in the United States District Court, Central District of California, on or about October 17, 1989.

Respondent has no documents in addition to the documents produced in response to Questions 5a and 5b relating or in any way pertaining to each federal political contribution identified in Question 5 outside of the period January 1, 1985 through December 31, 1988.

7. Respondent has never facilitated, arranged, solicited or delivered any federal contribution to any federal candidate or committee made by others during the relevant period. Notwithstanding the preceding sentence, inasmuch as all contributions were made from a joint checking account with Respondent's wife, Mary F. Hinz, Respondent in all likelihood discussed the contributions identified in Question 5 with his wife.

8. Other than possible discussions with Respondent's wife, Mary F. Hinz, regarding the contributions identified in Question 5, Respondent has never facilitated, arranged, solicited or delivered any federal contribution to any federal candidate or committee made by others during the relevant period, and there are no documents relating thereto.

9. Except for any documents delivered to United States Attorney Gary A. Faess for proceedings in the United States District Court, Central district of California, on or about October 17, 1989, Respondent does not have any documents, notes, memos or phone messages relating to any communication with a federal

23043541150

political committee to which Respondent made a contribution during the relevant period.

10. Other than counsel for Respondent, Hugh M. Caldwell, Jr., the only other person who provided information or was consulted or assisted in any way in the preparation of Answers to these Questions and Document Requests was Respondent's wife, Mary F. Hinz.

RESPECTFULLY SUBMITTED this 2nd day of April, 1991.

WILLIAM D. HINZ

STATE OF ARIZONA)
) ss.
COUNTY OF PIMA)

SUBSCRIBED AND SWORN TO before me this 2nd day of April, 1991, by WILLIAM D. HINZ.

Notary Public

My Commission Expires:
June 19, 1991

2304354111 51

HOME
FEDERAL SAVINGS & LOAN ASSOCIATION
33 N. STONE AVE.
TUCSON, AZ 85701

WILLIAM D. HINZ
MARY F. HINZ
3850 N. PANTANO ROAD
TUCSON, AZ 85715

0936

June 25 19 84

91-7003/3221



PAY TO THE ORDER OF McNulty for Congress Committee $ 50.00

fifty and 00/100 ---------- DOLLARS

MEMO Contribution

HOME
FEDERAL SAVINGS & LOAN ASSOCIATION
33 N. STONE AVE.
TUCSON, AZ 85701

WILLIAM D. HINZ
MARY F. HINZ
3850 N. PANTANO ROAD
TUCSON, AZ 85715

0937

June 25 19 84

91-7003/3221



PAY TO THE ORDER OF Morrison for Supervisor $100.00

one hundred and 00/100 ---------- DOLLARS

MEMO Contribution

⑈0043541152

2304354111153

PAY TO THE ORDER OF
HOME FEDERAL SAVINGS
FOR DEPOSIT ONLY
McNULTY FOR CONGRESS
010018378

PAY TO THE ORDER OF
THE ARIZONA BANK
FOR DEPOSIT ONLY
Branch No. 04

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121 Mary Hinz

NAME OF COUNSEL: Hugh M. Caldwell, Jr. Esq.

ADDRESS: 5210 East Williams Circle
Suite 800
Tucson, AZ 85711

TELEPHONE: (601) 745-7818

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.

3-13-91
Date

Mary J. Hinz
Signature

RESPONDENT'S NAME: Mary Hinz

ADDRESS: 3850 North Pantano
Tucson, AZ 85715

HOME PHONE:

BUSINESS PHONE: none

2304354111554

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121 William Hinz

NAME OF COUNSEL: Hugh M. Caldwell, Jr., Esq.

ADDRESS: 5210 East Williams Circle
Suite 800
Tucson, AZ 85711

TELEPHONE: (602) 745-7818

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

4/2/91
Date

Signature

RESPONDENT'S NAME: William Hinz

ADDRESS: 3850 North Pantano
Tucson, AZ 85715

HOME PHONE:

BUSINESS PHONE: (602) 322-0102

2304354111555

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

MUR 3121

Dear Mr McGarry,

In response to your letter of March 7, 1991 I respect fully provide the following information

1) Randall Christopher Ecklund
9012 E Sutton Dr
Scottsdale Az 85260
Phone
602 955-8833 (wk)

Current Employer - Castle Meadows Inc, a subsidiary of Lincoln Savings and Loan.

2) November 1986 - Present
Property Manager and Association Administrator for Amcor Investment Corporation and Castle Meadows Inc. Responsibilities include property management of Arizona holdings of Lincoln and subsidiaries. Became employee of Castle Meadows on March 8, 1991 as a result of Lincoln going into receivership.

May 1986 - April 1989
President - Continental Homes of Denver, a division of American Continental Corporation
Continental Homes built and sold over 13,000 single and multifamily homes in Colorado. My responsibilities were to resolve remaining warranty issues for homes after Continental stopped building in 1985.

91 APR -5 PM 12:20

23043541156

1985-1986 Continental Homes of Denver
Vice President of Warranty Services
supervised all day to day operations of customer service department

1984-1985 Continental Homes of Denver / Medema Homes
Field Manager of Customer Service Department
supervised 30+ field personnel

1983-1984 Continental Homes of Denver / Medema Homes
Field representative for Customer Service Department

3) Began working for Medema Homes in February 1983 as a customer service representative. Medema was a division of American Continental Corporation. Our service department handled all warranty matters relating to Medema's homebuilding operation in Denver, Colorado. Worked my way up in the department during the years 83, 84 and 85. In 1985 Medema changed its name to Continental Homes then shortly after, shut down its building operations. Knowing there was still a great deal of work to do and hoping to get the opportunity to work with other operations of American Continental I remained with the company and helped wind things down in Denver. In 1986 I was relocated to Phoenix where I continued to work on Denver matters while getting involved in property management for Amcor Investments Corporation. Amcor is a land development subsidiary of Lincoln Savings and Loan FA. In April 1989 the FDIC and RTC took over mangement of Lincoln and its subsidiaries and I continue to work for them on the same properties and in the same capacity as when I came to Phoenix in September 1986. My relationship with Mr keating was that of an employee.

4) To the best of my recollection this is an outline of bonus and or other compensation from Medema, Continental Homes, American Continental and Amcor respectively.

X30435411158

In March 1987 I donated $750 to Senator Riegle by check. I do not have a copy of the check but have enclosed my account statement for the period. I believe it was check # 111. On some later occasion I donated $50 to Senator Hatch but do not recall the date. With respect to both donations, I recieved no specific directions to contribute. I do recall that the employees, in general, were encouraged to support these gentlemen but there was certainly no obligation to do so. I recieved no advance, bonus, payment or other compensation

or reimbursement in connection with these contributions. Several months after my contribution to Senator Riegle I recieved my money back from Senator Riegle's Campaign Committee.

6.) I have enclosed the only information I have regarding my contributions.

7.) None

8.) None

9.) None

10.) None

Sincerely,

Rly C. Stell

93043541159

FEDERAL ELECTION COMMISSION
91 APR -4 AM 9:25
MUR 3121

1. Ronald M. Stoll
128 W. Moon Valley Drive
Phoenix, Arizona 85023

Employer: Ronald M. Stoll, P.C.

2. Employment since January 1, 1983

1/1/83 - approximately 10/15/84
Greyhound Leasing & Financial Corporation
Staff Attorney

approximately 10/15/84 - approximately 4/15/89
American Continental Corporation/Lincoln Savings and Loan Association
Staff Attorney

approximately 4/15/89 - present
Self-employed as an Attorney

91 APR -5 PM 12:20

2304354116O

3. I was an employee of American Continental Corporation or one of its subsidiaries from approximately 10/15/84 to approximately 4/15/89. During portions of that time frame, I was: a director of certain subsidiaries of Lincoln Savings and Loan Association; and an officer of American Continental Corporation and certain of its subsidiaries. I know Charles Keating, Jr., by virtue of my employment at American Continental Corporation.

4. The following is my total taxable compensation, including salary, from American Continental Corporation and its subsidiaries during the relevant period, as shown on W-2's:

23043541161

5. I do not recall what federal political contributions I made except on behalf of the following candidates:

a. Riegle
b. Hecht
c. Glenn
d. McCain
e. Kyl
f. Kolbe
g. Stump
h. Zchau

I may have made contributions to others, including De Concini and candidates for federal office from California and elsewhere.

While I was an employee at Greyhound Leasing & Financial Corporation, I contributed an amount I do not recall to a PAC, although I do not know how PAC funds were utilized.

I do not recall the amount of contributions made to particular candidates, except that the checks attached as part of Exhibit A show that contributions of $250.00 were made to Kolbe for Congress and the John Glenn for President Committee and a contribution of $25.00 was made to the McCain Re-election committee.. However, I believe that the aggregate of all contributions made by me was considerably less than $7,500 and probably less than $5,000.00.

My best recollection is that I made all contributions by: checks written on checking accounts maintained by my spouse and myself at Valley National Bank of Arizona ("VNB") or First Interstate Bank of Arizona ("FIAZ"); cashier's checks issued by VNB or FIAZ using funds from those checking accounts or other accounts in the names of my spouse and myself at those banks; or drafts drawn upon a personal line of credit held by my spouse and myself at Valley National Bank. I did not as a matter of course keep copies of the payment instruments or the check registers; and what few I did keep and were previously able to find, I have attached as Exhibit A.

I do not recall the circumstances under which any federal political contribution was solicited.

I do not recall who specifically solicited any federal political contribution. I recall generally that political contributions which I made were solicited by the following persons associated with American Continental Corporation: Robert Kiety, James Grogan and members of the American Continental legal department. Charles Keating, Jr. did not solicit any contribution from me. I was never directed to make any contribution. I know that I did not make every contribution solicited.

Except for a 6K race sponsored by McCain, I do not know if any of my contributions were made in connection with any fund raising event for a candidate for a federal political office. Other than participating in the race, I never attended any such fund raising event.

I never received nor was I promised or told I would get any advance, bonus, payment or other compensation (including salary) or reimbursement in connection with any contribution.

6. Except for the items attached as Exhibit A, I have no documents relating to federal contributions I identified in Question 5.

7. To the best of my recollection during the relevant period, I facilitated, arranged or solicited contributions from my spouse for candidates whose names I do not specifically recall, and I solicited from other members of the American Continental Corporation legal department contributions for Stump. I recall stating to the FBI that I believed that I solicited contributions

2304354116 2

from other members of the American Continental Corporation legal department for Hecht. My best recollection now is that I did not solicit contributions for Hecht.

8. I have no documents and, to my recollection, have never had any documents other than the original checks which relate to federal political contributions which I solicited during the relevant period.

9. I have never had any communication with a federal political committee during the relevant period, other than written solicitations, expressions of gratitude and a refund notice from Riegle which I no longer have.

10. No other person consulted with me or assisted me in any way in the preparation of answers to these questions and document requests.

RONALD M. STOLL

2304354111 63

1. Elizabeth A. Stoll
128 W. Moon Valley Drive
Phoenix, Arizona 85023

Employer: Hospice Services of the Sun Cities Area

2. Employment since January 1, 1983

approximately 7/89 - approximately 12/31/89
Casa Del Rio
Resident Assistant/Assistant Marketing Director

approximately 1/1/90 - present
Hospice Services of the Sun Cities Area
Volunteer Coordinator

3. My spouse, Ronald M. Stoll, was an employee of American Continental Corporation or one of its subsidiaries from approximately 10/15/84 to approximately 4/15/89. During portions of that time frame, He was: a director of certain subsidiaries of Lincoln Savings and Loan Association; and an officer of American Continental Corporation and certain of its subsidiaries. I know Charles Keating, Jr., by virtue of my spouse's employment at American Continental Corporation.

4. I received no compensation of any kind from American Continental Corporation and its subsidiaries during the relevant period.

5. I do not recall to whom I made federal political contributions or in what amounts I made them.

My best recollection is that I made all contributions by: checks written on checking accounts maintained by my spouse and myself at Valley National Bank of Arizona ("VNB") or First Interstate Bank of Arizona ("FIAZ"); cashier's checks issued by VNB or FIAZ using funds from those checking accounts or other accounts in the names of my spouse and myself at those banks; or drafts drawn upon a personal line of credit held by my spouse and myself at Valley National Bank. I did not as a matter of course keep copies of the payment instruments or the check registers; and what few I did keep and have been able to find, I have attached as Exhibit A.

All federal political contributions I made during the relevant period were made with community funds because of my husband, who is the only person who solicited such contributions from me. Charles Keating, Jr. did not solicit any contribution from me.

I do not know if any of my contributions were made in

2304354164

connection with any fund raising event for a candidate for a federal political office. I never attended any such fund raising event.

I never received nor was I promised or told that my spouse or I would get any advance, bonus, payment or other compensation (including salary) or reimbursement in connection with any contribution.

6. Except for the items attached as Exhibit A, I have no documents relating to federal contributions I identified in Question 5.

7. I did not facilitate, arrange or solicit any federal political contributions from others during the relevant period.

8. This question is not applicable.

9. I have never had any communication with a federal political committee during the relevant period, other than written solicitations, expressions of gratitude and (perhaps) a refund notice from Riegle which I no longer have.

10. My spouse has consulted with me or assisted me in the preparation of answers to these questions and document requests. Except for my spouse, no other person consulted with me or assisted me in any way in the preparation of answers to these questions and document requests.

Elizabeth A. Stoll

ELIZABETH A. STOLL

2304354116 5

EXHIBIT A

2304354111666

Congress of the United States

House of Representatives

Washington, D.C. 20515

ED ZSCHAU
12TH DISTRICT, CALIFORNIA

May 15, 1986

Mr. Ronald M. Stoll
128 W. Moon Valley Drive
Phoenix, Arizona 85023

Dear Ron:

Thank you for your most generous contribution to my U.S. Senate campaign. I deeply appreciate your support. It gives me enormous encouragement and is critical to our success.

Now we are in the crucial phase of the campaign. In the coming weeks I'll need your help. I hope you'll be able to talk to your friends about me and encourage them to support me as you have.

Let me know if there are people or organizations you feel I should talk to personally. Also, I shall appreciate and value your advice.

With warmest personal regards.

Sincerely,

Ed

Ed Zschau
Member of Congress

PAID FOR BY THE ED ZSCHAU FOR U.S. SENATE COMMITTEE

23043641167

June 7, 1988

Mr. and Mrs. Ronald M. Stoll
128 W. Moon Valley Drive
Phoenix, Arizona 85023

Dear Ron and Elizabeth:

Wanted to take this opportunity to thank you very much for your contribution to the recent fundraiser. Facing both a primary and general opponent makes fundraising necessary, but your generosity has insured that the 1988 re-election campaign gets off to a good start.

One of the most worthwhile parts of my job are the friendships that I have come to value over the years. One of the worst parts, and the hardest for me to do, is imposing on those friendships for support during campaign time.

Cannot thank you enough for your generosity, but can assure you that I will do my very best to fulfill the faith you have placed in me.

Best wishes.

Sincerely,

BOB STUMP

23043411168

RONALD M. STOLL OR
ELIZABETH A. STOLL
128 W. MOON VALLEY DR.
PHOENIX, AZ 85023

FEB. 02 1988 2598

91-2/1221

January 22 1988

PAY TO THE ORDER OF Kolbe for Congress $ 250.00

Two Hundred Fifty and 00/100 DOLLARS

BILTMORE OFFICE (108)
P. O. BOX 2928
PHOENIX, ARIZONA 85062

MEMO

Ronald M Stoll

93043541169

RONALD M. STOLL
ELIZABETH A. STOLL
128 W. MOON VALLEY DR.
PHOENIX, ARIZONA 85023

3945

December 26 1984

91-1/1221

Pay to the Order of John Glenn for Crusade Committee $ 250.00

Two Hundred Fifty and 00/100 Dollars

First Interstate Bank

First Interstate Bank of Arizona, N.A.
Main Office 1
100 W. Washington
Phoenix, Arizona 85036

memo

Signature Ronald M. Stoll

Rocky Mountain Bank Note 8

Regency

RONALD M. STOLL
ELIZABETH A. STOLL
128 W. MOON VALLEY DR.
PHOENIX, ARIZONA 85023

3895

October 26 1984

91-1/1221

Pay to the Order of McCain for Election Committee $ 25.00

Twenty-five and 00/100 Dollars

First Interstate Bank

First Interstate Bank of Arizona, N.A.
Main Office 1
100 W. Washington
Phoenix, Arizona 85036

memo

Signature Ronald M. Stoll

Rocky Mountain Bank Note 8

Regency

930 4 3 5 4 1 7 0

OGC 0668

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 APR -8 PM 12:41

March 27, 1991

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

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 APR -8 AM 4:05

Re: MUR 3121

Allen Van Loo

Please find attached documents and written answers ordered under Subpoena to produce documents order to submit written answers. The documents provided are all that I know exist at this time. My written answers are , to the best of my knowledge, complete and truthful.

Sincerely,

Allen H. Van Loo

2304354111 71

1. Allen Houston Van Loo

10617 N.23 Place

Phoenix.Arizona 85028

Unemployed

2.Director of Offsite Construction of Continental Homes , a subsidary of American Continental Corporation, from September 27,1982 until mid October 1984.

Director of Offsite Construction of Lincoln Savings and Loan subdidiaries, primarily Amcor Investments, from Mid October of 1984 until conservatorship of Lincoln Savings on April 15,1989. During this time of my employment, my salary was paid by Lincoln Savings and Loan.

Employee of Lincoln Savings and Loan and Lincoln Savings and Loan F.A. from date of conservatorship April 15, 1989 through December 4, 1990.

Unemployed from December 5, 1990 to present.

3. My relation to Charles Keating Jr. was that of an employee to an employer. I did not report directly to Mr. Keating nor did I have regular contact with him during most of the years of my employment with Continental Homes or Lincoln Savings.

930435411172

The only exception to this was from the end of July 1988 to the first of December 1988. During that time Mr. Keating had moved a number of employees, from their regular duties, to the Phoenician Resort to help finish that resort. We reported directly to him during that period of time.

2304354117 3

23043541174

5. I made three federal political contributions from January 1,1983 to the present. Unfortunately, I have no cancelled checks for any of these contributions. I have no records, other than a monthly budget sheet of my wife's , for the 1983 contribution I made. The receipt,date, and amount of the contributions are as follows:

John McCain	November 1983	$300
John McCain	September 28,1985	$1000
Donald Reigle,Jr.	March 4,1987	$500

Two of these contributions, John McCain $300 and Donald Reigle,Jr. $500 were made after an intercompany phone call from one of Mr. Keating's secretaries who simply asked if I was interested in making a contribution. The $1000 contribution to John McCain was made after I received a request for campaign funds through the mail from Mc Cain's office. This contribution had nothing to do with Mr. Keating.

To my knowledge, none of these contributions was the result of a fund raising event. In any event, I did not attend or contrubute during any fund raising event.

As far as the two contributions made after calls from Mr. Keating's secretaties , they were voluntary and were in no way reimbursed to me by either the company I was employed by or by Mr. Keating himself, nor were there any such suggestions or coercion.

The November 1983 contribution was made after a call from one of Mr.Keating's secretaries (I do not recall who was his secretary at this time). I do not recall the conversation regarding this contribution, but usually his secretaries when seeking contributions for political support, would call and ask if you would be interested in making a donation to a certain politician. I would then ask how much other individuals were contributing and Mr. Keating's secretaries would tell me the general amount other people were contributing. After deciding how much to contribute, I would make out a check in the next day or two

2304354175

and give it to Mr. Keating's secretary. The contribution was then made on my behalf through Mr. Keating's office.

The contribution made to Senator Reigle was made again after an intercompany phone call from one of Mr. Keating's secretaries. I am unsure which secretary called me but, I think it was one of the following: Mary Jo Colucci,5302 N.33rd Street, Phoenix, Arizona 85018; Suzan Klumker, 11402 N.40th Place, Phoenix, Arizona 85028; or Carol Kassick,5925 E. Tierra Buena Lane, Scottsdale, Arizona 85254. Again, I don't recall the conversation regarding this contribution, but I am sure that the conversation was generally as stated above. The check was then written and given to the secretary for contribution through Mr. Keating's office.

During phone conversations with secretaries seeking my support for these federal contributions, I was never lead to believe I must contribute to these campaigns. I was not threatened or lead to believe my job was in jeopardy if I did not contribute. These contributions were strictly voluntary and as I stated before, were not reimbursed by my employer or by Mr. Keating. Other than the $500 Senator Reigle refunded in March of 1988,I have received no reimbursement of the above mentioned contributions.

6. Check registers and bank statements ,except 1983, are attached for all Federal contributions discussed in answer #5. I have no check registers or bank statements prior to 1984.I have no cancelled checks for any of these contributions. I have no other documents, of which I am

2304354117 6

aware, relating to federal contributions except those addressed in answer #9.

7. I did not facilliate, arrange, solicit, or deliver any political contributions made by others.

8. I did not arrange, solicit, or deliver any political contributions made by others and have no records relation to contributions by others.

9. Attached are four letters; two from Senator Donald W. Reigle dated March 23,1987 and March 10,1988, one from Congressman John McCain dated December 23, 1983 and one from John McCain after he was elected to the Senate dated October 18, 1985. These are the only documents, notes,memos, and phone messages that I have relating to communications from a political person but I have none from a federal political committee.

10. My wife, Mary-Jo Hall Van Loo, assisted me in locating and copying documents. She also typed my response. I have not retained counsel in regard to this matter.

2304354111777

Riegle for Senate Committee

March 23, 1987

Mr. and Mrs. Allen Van Loo
10617 N. 23rd Place
Phoenix, AZ 85028

Dear Mr. and Mrs. Van Loo:

Just a brief note to extend my warmest thanks to you for your very generous contribution to my re-election effort.

As you are aware, the cost of running for public office has discouraged many fine people from entering a race and, at the same time, caused many incumbents to choose not to run for re-election.

Throughout the years, the financial support and counsel of good friends and organizations has enabled me to win and to continue to serve in the Congress. I am honored to have had that opportunity and I cherish the friends who have contributed so importantly to making it possible.

Again, thank you. Please know how truly grateful I am.

Warmest regards,

Donald W. Riegle, Jr.

DWR/jev

930435411178

Paid for by the Riegle for Senate Committee. A copy of our report is filed with and may be purchased from the Federal Election Commission, Washington, D.C.

John McCain
U.S. Senator

Advisory Committee
Chairman
Hon. Barry Goldwater
Co-Chairmen
Hon. Jim Kolbe
Hon. Eldon Rudd
Hon. Bob Stump
Hon. Burton Barr
Hon. Jamie Sossaman
Hon. Stan Turley
Hon. Bob Usdane

October 18, 1985

MR. ALLEN VAN LOO
10617 N. 23RD PL.
PHOENIX, AZ. 85028

DEAR ALLEN:

I am writing to thank you for your recent contribution to my campaign for the U.S. Senate. Your early support means a lot to me.

Thanks to the tremendous response we've received from friends such a yourself we are now in a position to launch our campaign. The saying that every dollar received early in a campaign is worth two dollars a year from now is very true. Thus, your contribution is enormously valuable a year before the election.

We will have a fight on our hands. The Democrats recognize that the Arizona seat currently held by Barry Goldwater is critically important to their hope to win control of the U.S. Senate in 1986. But with your continued support, I have no doubt that we will be victorious next November.

Again, thank you for your continued help and support. I am very grateful.

Sincerely,

John

John McCain
Member of Congress

9304354179

P.O. Box 710, Phoenix, Arizona 85001
Paid for by John McCain for Senator

Found after files sent in

UNITED STATES SENATOR
POST OFFICE BOX 2434
WASHINGTON, D.C. 20013

DONALD W. RIEGLE, JR.
MICHIGAN

March 10, 1988

Mr. and Mrs. Allen Van Loo
10617 N. 23rd Place
Phoenix, AZ 85028

Dear Mr. and Mrs. Van Loo:

Early in 1987, you made a financial contribution to my 1988 re-election campaign at a fundraising event hosted for me at the Pontchartrain Hotel in Detroit by Mr. Charles Keating.

Recently, a Michigan newspaper ran a story raising the possibility of an appearance of a personal conflict of interest with respect to contributions received at that fundraising event and a meeting a few weeks later that I attended with several Senate colleagues, at their request, regarding their concerns about Lincoln Savings and Loan Association.

While there was absolutely no conflict of interest involved in this situation, even the appearance of a personal conflict is sufficient to warrant the return of your contribution so that no mis-interpretation is possible.

While I appreciate the re-election support you demonstrated for me, I am sure you will understand and agree with my position. You will find a check enclosed in the amount of your contribution.

Sincerely,

Donald W. Riegle, Jr.

DWR/jv

Enclosure

2304354118O

Not Printed at Government Expense

CLC 6682

Federal Elections Commission Response
Robert J. Mulhern
RE: MUR 3121

91 APR -8 AM 9:44

QUESTIONS AND DOCUMENT REQUESTS

1. State your full name, address, phone number and current employer.

Robert J. Mulhern
3581 Fenn Street
Irvine, California 92714

(W) 714/863-1121

The Sammis Company

2. List your occupation(s) and employer(s) during the relevant period. Describe your position(s) with each employer.

I worked for American Continental Corporation ("ACC") and a number of its subsidiaries between 1983 and 1988.

I began my tenure at ACC as a part time employee in 1983 while attending graduate school at Arizona State University. After graduation in 1983 I was transferred to Continental Homes where I worked as an Administrative Assistant for Mark Voigt. In late 1983 / early 1984 I was transferred to American Continental Properties where I worked as an Administrative Assistant for Bob Wurzelbacher. Shortly after ACC purchased Lincoln Savings and Loan ("Lincoln") in the first quarter of 1984, I was transferred to Lincoln as an Administrative Assistant to Kathy Wade.

In all of my positions as an Administrative Assistant to various key executives, I was considered a "management trainee" and performed numerous functions which ranged from appearing before City Councils as a company representative to handling small administrative tasks.

In late 1984 I began to work more independently on various real estate matters involving Lincoln (selling repossessed properties, asset management of Lincoln branches, researching locations for new Lincoln branches, negotiating leases, relocating Lincoln branches, etc.), and by the end of 1984 I was named Lincoln's Director of Real Estate. During this time I began to report to Ray Fidel (as well as continuing to report to Kathy Wade).

In 1985 I was named a Vice President for Lincoln and eventually headed up a department of 20 people which handled Lincoln asset management, lease administration, branch network expansion and relocations, the construction and remodeling of

91 APR -8 AM 9:45

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branches, and the sale of repossessed properties in California. Beginning in 1986, and continuing through 1988, I worked mainly for Ray Fidel and Rob Symes.

In May of 1988 I was laid off from Lincoln by Rob Symes. In October of 1988 I began working for The Sammis Company as a Vice President of Development. I continue to work for Sammis today as the Vice President of Property Services.

3. Describe your relationship, if any, to Charles Keating, Jr. and American Continental Corporation ("ACC") and all of its subsidiaries and associated companies, including Lincoln Savings & Loan Association ("Lincoln"), during the relevant period.

I met Charles Keating during an interview at his office in 1983. Over the course of that meeting Mr. Keating offered me a position at ACC upon the completion of my M.B.A. at Arizona State University. A few days later I accepted his offer and began working part time for the company until the summer of 1983, when I began working full time. I remained an employee of the corporation and / or its subsidiaries until May, 1988.

In the early years of my tenure at ACC I worked closely with Mr. Keating while accomplishing my assigned responsibilities. In December of 1983 I introduced Mr. Keating to my younger brother, Tom, who Mr. Keating hired. My brother eventually married Mr. Keating's youngest daughter, Maureen. Through my relationship with Tom and Maureen I spent time, and periodically still spend time, with Mr. Keating in non-work environments.

A brief description of my career with ACC is as follows:

I began my tenure at ACC as a part time employee in 1983 while attending graduate school at Arizona State University. After graduation in 1988 I was transferred to Continental Homes where I worked as an Administrative Assistant for Mark Voigt. In late 1983 / early 1984 I was transferred to American Continental Properties where I worked as an Administrative Assistant for Bob Wurzelbacher. Shortly after ACC purchased Lincoln Savings and Loan ("Lincoln") in the first quarter of 1984, I was transferred to Lincoln as an Administrative Assistant to Kathy Wade.

In all of my positions as an Administrative Assistant to various key executives, I was considered a "management trainee" and performed numerous functions which ranged from appearing before City Councils as a company representative to handling small administrative tasks.

In late 1984 I began to work more independently on various real estate matters involving Lincoln (selling repossessed properties, asset management of Lincoln branches, researching locations for new Lincoln branches, negotiating leases, relocating Lincoln branches, etc.), and by the end of 1984 I was named Lincoln's Director of Real Estate. During this time I began to

2304354 | 82

report to Ray Fidel (as well as continuing to report to Kathy Wade).

In 1985 I was named a Vice President for Lincoln and eventually headed up a department of 20 people which handled Lincoln asset management, lease administration, branch network expansion and relocations, the construction and remodeling of branches, and the sale of repossessed properties in California. Beginning in 1986, and continuing through 1988, I worked mainly for Ray Fidel and Rob Symes.

In May of 1988 I was laid off from Lincoln by Rob Symes.

4. For each bonus or other compensation in addition to your salary which you received, provide the following information:

a. the amount of such bonus or other compensation;
b. the justification for such bonus or other compensation;
c. date of receipt of such bonus or other compensation.

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2304354118 4

5. Identify each federal political contribution and expenditure you made during the relevant period by date, amount and recipient. For each contribution:

a. State whether the contribution was made by check or other written instrument. If so, provide a copy (both sides) of the check or other written instrument.

b. Describe the circumstances under which each contribution was made. If a contribution was made as the result of a solicitation, describe the circumstances surrounding each solicitation, including the identity of the person(s) who made such solicitation and when and where it occurred. If any such solicitation was written, provide a copy of it.

c. State whether any contribution was made at the direction or suggestion of any person, including Charles Keating, Jr. or any person associated with him, ACC, Lincoln or any other

company associated with Charles Keating. If so, identify such person and describe the circumstances.

d. State whether any contribution was make in connection with a particular fundraising event. If so, state when and where the event was held and whether or not you attended. Identify who sponsored the event and on whose behalf the event was held. If you did attend the event, identify andy persons who also attended. Identify any person(s) who provided you with transportation to and from the event.

e. State whether you received an advance, bonus, payment or other compensation or reimbursement in connection with any contribution. If so, identify the person or entity who provided the reimbursement or compensation and the date it was provided.

Cranston for Senate, April 9, 1985: $1,000

a. The contribution was made by check, a copy of which is enclosed.

b. The contribution was solicited by Ray Fidel at the request of Jim Grogan. The solicitation was made verbally by Mr. Fidel and was personally collected by Mr. Grogan, in my office, shortly before Senator Cranston addressed Lincoln employees in the Irvine headquarters' lunchroom.

c. Mr. Fidel suggested that I make the contribution to show support for Senator Cranston, who was coming to personally address Lincoln employees.

d. The contribution was make in connection with Senator Cranston's visit to Lincoln. Employees from the Lincoln headquarters, along with Mr. Grogan, attended the Senator's speech and the buffet luncheon which followed.

e. I did not receive an advance, bonus, payment or other compensation or reimbursement in connection with this or any other contribution.

Riegle for Senate, February 29, 1987: $500.

a. The contribution was made by check, a copy of which is enclosed. (As a note: the contribution was later returned to me by Riegle for Senate.)

b. The contribution was made as the result of a solicitation by Charles Keating, Jr. Mr. Keating sent a letter to my home requesting support for Senator Riegle. When I did not respond to the letter, I received a follow up request to which I responded with a $500 contribution. I did not save either letter and therefore am not able to enclose them, as requested.

2304354185

c. Mr. Keating, in his letter, suggested that I make the contribution to show Lincoln's support for Senator Riegle.

d. The contribution was made in connection with a fundraiser held in Detroit which I did not attend.

e. I did not receive an advance, bonus, payment or other compensation or reimbursement in connection with this or any other contribution.

6. In addition to the documents produced in response to Questions 5a and b, produce all documents relating or in any way pertaining to each federal political contribution you identified in Question 5, including check registers, bank statements, correspondence and notes.

Attached are copies of the check register pages on which the checks to Cranston for Senate, Riegle for Senate and the refund from Riegle for Senate were recorded.

7. Identify any federal contribution made by others which you facilitated, arranged, solicited or delivered to any federal candidate or committee during the relevant period.

I did not facilitate, arrange, solicit or deliver any federal contribution made by others to any federal candidate or committee during the relevant period.

8. Provide all documents relating to any federal contributions made by others which you arranged, solicited or delivered to any federal candidate or committee during the relevant period.

Not applicable.

9. Provide copies of all documents, including correspondence, notes, memos and phone messages relating to any communication with a federal political committee to which you made a contribution during the relevant period.

I made no contribution to any federal political committee during the relevant period.

10. Identify any person other than counsel who provided information, or was consulted or assisted in any way in the preparation of answers to these questions and document requests.

No person, other than counsel, provided information, or was consulted or assisted in any way in the preparation of answers to these questions and document requests.

2304354118 6

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: AMES A. SCHMIDLING

ADDRESS: SCHMIDLING & BLIED
2101 S.E. MAIN STREET, SUITE 300
IRVINE, CA 92714

TELEPHONE: 714/863-1644

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.

3/20/91
Date

Signature

RESPONDENT'S NAME: ROBERT J MULHERN

ADDRESS: 3581 FENN ST.
IRVINE, CA 92714

HOME PHONE:

BUSINESS PHONE: 714/863-1121

2304354111187

9304354118 8

ROBERT J. MULHERN
3581 FENN ST.
IRVINE, CA 92714

924

2/28 19 87

16-7011/3222

PAY TO THE ORDER OF Riegle for Senate $ 500.00

five hundred and 00/100 DOLLARS

LAGUNA HILLS BRANCH
LINCOLN SAVINGS
23001 Mountain Parkway / Laguna Hills, CA 92653

MEMO

Robert J. Mulhern

MR 87 18
R.E.G.
F.R.B. LOS ANGELES
1290-0016-6

MR 87 16
PAY ANY BANK, P.E.G.
NATIONAL BANK OF DETROIT
DETROIT, MICHIGAN

RIEGLE FOR SENATE COMMITTEE

16 MAR 87

2897 4 5 4 7

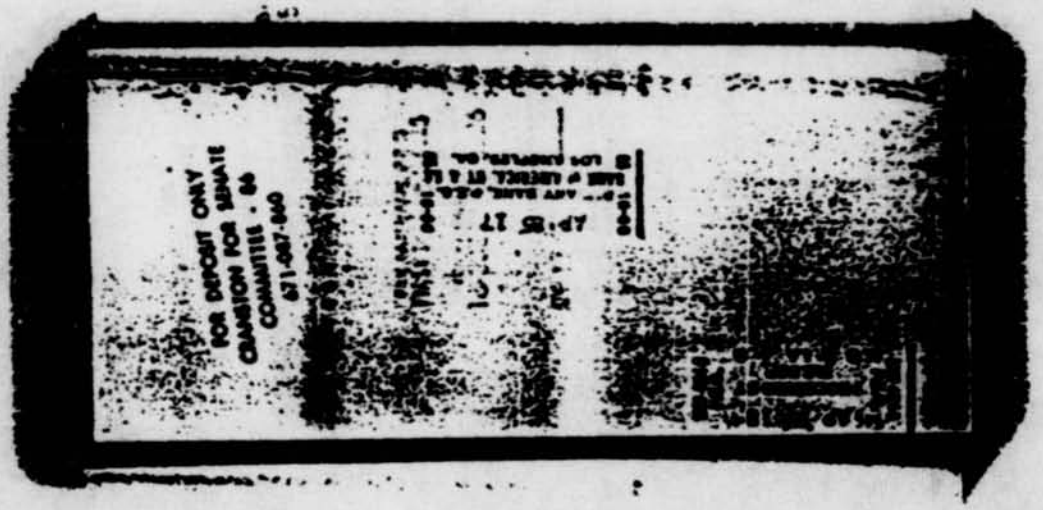
23043541189



ROBERT J. MULHERN

0237

LINCOLN SAVINGS
AND LOAN ASSOCIATION



00C8665

MUÑOZ, BORRIS & ASSOCIATES
ATTORNEYS AT LAW
1717 SOUTH STATE COLLEGE BOULEVARD
SUITE 125
ANAHEIM, CALIFORNIA 92806
TELEPHONE: (714) 978-6989 / (714) 978-1304

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 APR -8 AM 4:04

April 1, 1991

Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 90463

Reference: **Possible Violation of 2 U.S.C. §441F** (MUR 3121)

Attention: **Mr. John Warren McGarry**
Chairman

Dear Mr. McGarry:

Kindly be advised that my law office has been retained to represent Mr. Gary H. Crow relative to your March 1991, inquiry. Please find enclosed an executed designation of counsel statement to this effect. Thus, please forward any future notifications or communications pertaining to this matter to my office.

Also enclosed, are Mr. Crow's responses and supporting documentation relative to your subpoena to produce, received March 18, 1991.

Regards,

Edward R. Muñoz
EDWARD R. MUÑOZ

ERM/jo

Enclosures

2304354119O

RESPONSES TO QUESTIONS AND DOCUMENT REQUESTS

1. Gary H. Crow
Residence: 1 Nantucket
Irvine, CA 92720-2639

Current Employer (as of 2/13/91):
M&I Data Services, Inc.
770 West Water Street
Milwaukee, WI 53202

2. I was employed from 6/81 to 2/84 by Arthur Young & Company (now Ernst & Young Company), (a public accounting company) 1700 Valley Bank Center, Phoenix, Arizona.
I was employed as a manager in their management consulting practice.

I was employed from 2/6/84 to 6/5/89 by Lincoln Savings & Loan Association - 18200 Von Karman Avenue, Irvine, California
I was employed as the Management Information Services (MIS) Director. I was responsible for the computer processing support of the California Retail Branch Operation.

I was employed from 12/89 to 1/91 by American Savings Bank, Irvine, California.
I was hired as the Information Systems Architect i.e. to prepare an information technology strategic plan.
Subsequently, I was promoted to Retail Systems Manager.

I am currently employed, as of 2/16/91, by M&I Data Services, Inc.
I was hired as the Sales Support Manager for the Financial Services Group.

3. I was employed by Lincoln Savings & Loan Association and worked in California, at the Irvine office. Lincoln Savings was a subsidiary of American Continental Corporation.

4.

2304354-1-191

I've enclosed copies of my pay stubs which reflect the bonus amounts indicated (See Exhibit "A")

5. **POLITICAL CONTRIBUTIONS**

8/3/84	-	Armstrong for Senate	$125.00
11/8/84	-	Cranston Re-Election	$100.00
8/20/86	-	John Kyl for Congress	$250.00
2/24/87	-	Riegle for Senate	$500.00
11/30/88	-	Americans for Bush	$ 50.00

a. Each contribution was made by check. I've enclosed a copy of the front and back of the following checks:

No. 1001 - Armstrong contribution
No. 1981 - John Kyl contribution
No. 3831 - President Bush contribution

Unfortunately, I am unable to locate the check for the Cranston contribution. However, I have enclosed a copy of my personal checkbook ledger which reflects that the check No. was 420. This check was written from the same Lincoln Savings checking account as the others, i.e. on account No.

As for the Riegle contribution, I wrote out a check from my cash management account with Merrill Lynch (Account No. 207-49760). Checks written against this account were not returned to me, but were retained by Merrill Lynch. I've enclosed a copy of my letter which closed out this account in December 1988. I've also enclosed a copy of the closing statement of this account from Merrill Lynch.

Lastly, I've enclosed a copy of a letter by Mr. Donald W. Riegle which accompanied my returned check (No. 2173).

(See Exhibit "B" for all political contribution copies of information described above).

b. My contributions were made out and given directly to Mr. Robin S. Symes, after Mr. Symes solicited the contributions. These solicitations were verbal and all made at work. I never felt constrained to make a contribution.

c. These solicitations were made by my superior Mr. Robin Symes; refer to (b) above for the circumstances. My last known addresses for Mr. Symes are:

10910 E. Tierra Drive
Scottsdale, AZ 85258

2304354 1192

322 West Mohawk Drive
Malvern, Ohio 44644

d. I never personally attended a fundraising event. My contributions were made out and handed to Mr. Robin Symes at the work place.

e. None of the bonuses I received were conditioned or linked in any fashion to making political contributions.

6. Done; see enclosures; Exhibits "A" and "B"

7. None

8. I did not arrange, solicit or deliver a political contribution to any federal candidate.

9. None

10. None

23043541193

VERIFICATION

STATE OF CALIFORNIA)
) ss
COUNTY OF ORANGE)

I have read the foregoing responses and know its contents.

The matters stated in the foregoing responses are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

Executed on April 1, 1991 at ANAHEIM, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Gary H. Crow

GARY H. CROW

2304354119 4

PROOF OF SERVICE BY MAIL
(1013A, 2015.5 C.C.P)

STATE OF CALIFORNIA, COUNTY OF ORANGE) ss

I am employed in the county aforesaid; I am over the age of eighteen years and not a party to the within entitled action; my business address is: 1717 South State College Boulevard, Suite 125, Anaheim, CA 92806

On **April 3, 1991**, I served the within **RESPONSES TO QUESTIONS AND DOCUMENT REQUESTS** on the interested parties in said action by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Anaheim, California addressed as follows:

Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 90463

Attn: Mr. John W. McGarry
Chairman

I declare that I am familiar with the regular mail collection and processing practices of this business and that the envelope was deposited with the United States Postal Service on this date in the ordinary course of business.

I declare, under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on April 3, 1991, at Anaheim, California.

Julie Olson

JULIE OLSON

MINOZ, BORRIS & ASSOCIATES
ATTORNEYS AT LAW
1717 SOUTH STATE COLLEGE BOULEVARD, SUITE 125
ANAHEIM, CALIFORNIA 92806
TELEPHONE (714) 978-6989 / (714) 978-1304

9304

VERIFICATION

STATE OF CALIFORNIA)
) ss
COUNTY OF ORANGE)

I have read the foregoing responses and know its contents.

The matters stated in the foregoing responses are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

Executed on April 1, 1991 at ANAHEIM, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Gary H. Crow

GARY H. CROW

7304354119 96

MUÑOZ, BONDS & ASSOCIATES
ATTORNEYS AT LAW
1717 SOUTH STATE COLLEGE BOULEVARD, SUITE 125
ANAHEIM, CALIFORNIA 92806
TELEPHONE: (714) 978-6989 / (714) 978-1304

PROOF OF SERVICE BY MAIL
(1013A, 2015.5 C.C.P)

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999 E Street, N.W.
Washington, D.C. 90463

Attn: Mr. John W. McGarry
Chairman

I declare that I am familiar with the regular mail collection and processing practices of this business and that the envelope was deposited with the United States Postal Service on this date in the ordinary course of business.

I declare, under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on **April 3, 1991**, at Anaheim, California.

Julie Olson
JULIE OLSON

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: Edward R. Munoz

ADDRESS: MUNOZ, BORRIS & ASSOCIATES
1717 S. State College #125
Anaheim, CA 92806

TELEPHONE: (714) 978-6989

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.

3/24/91
Date

Gary H. Crow
Signature

RESPONDENT'S NAME: GARY H. CROW

ADDRESS: 1 NANTUCKET
IRVING, CA 92720

HOME PHONE:

BUSINESS PHONE: 1-800 236-3282

2304354119 8

Exhibit B

No. 1001

AUG. 30 19 84 16-7011/3220

Pay to the order of ARMSTRONG FOR SENATE $ 125.00

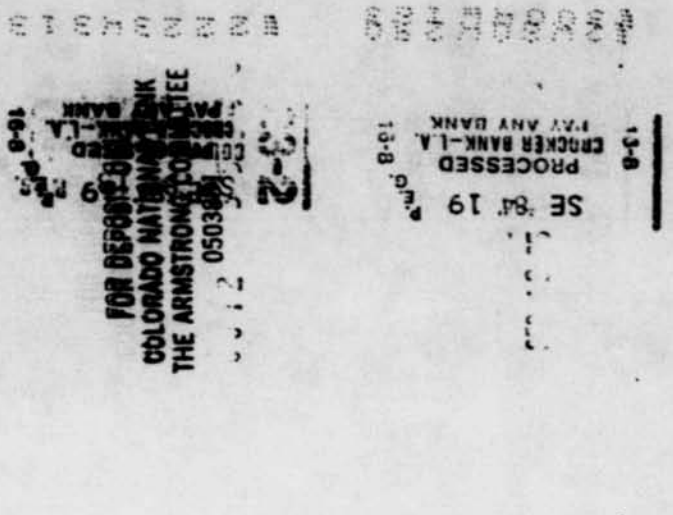
ONE HUNDRED TWENTY FIVE AND xx/100 ——— DOLLARS

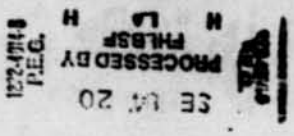
LINCOLN SAVINGS
AND LOAN ASSOCIATION
1631 North Bristol St.
Santa Ana, CA 92706

Memo

Gary H. Crow

230435411999





GARY H. CROW
BARBARA B. CROW
1 NANTUCKET
IRVINE, CA 92720

1981

AUGUST 20 1986

90-7011/3222

PAY TO THE ORDER OF JOHN KYL FOR CONGRESS $ 250.00

TWO HUNDRED FIFTY & xx/100 DOLLARS

SANTA ANA BRANCH
LINCOLN SAVINGS
1651 North Bristol St. / Santa Ana, CA 92706

MEMO

Gary H. Crow

93043541200

115 PAY TO THE ORDER OF 115
FIRST INTERSTATE BANK
FOR DEPOSIT ONLY
JON KYL FOR CONGRESS
LYMAN A. DAVIDSON, TRS.
1153-05731

237512012

GARY H. CROW
BARBARA B. CROW
1 NANTUCKET
IRVINE, CA 92720

3831

OCT 30 1988

90-7011/3222

PAY TO THE ORDER OF AMERICANS FOR [redacted] $ 50.00

FIFTY {XX}/100 DOLLARS

SANTA ANA BRANCH
LINCOLN SAVINGS
1631 North Bristol St. / Santa Ana, CA 92706

MEMO

Gary H. Crow

230435411201

05100002O

INFO. ON RIEGLE CONTRIBUTION

December 9, 1988

Mr. David R. Young
Merrill Lynch
19000 Mac Arthur Boulevard
Newport Beach, CA 92660

Dear Dave:

Please close out my Cash Management Account effective immediately. All checks and credit cards pertaining to this account have been destroyed.

Please issue a check to me for the remaining balance of the account. Thank you.

Very truly yours,

Gary H. Crow

Gary H. Crow
1 Nantucket
Irvine CA. 92720

(714) 553-0200 (Work)

23043541202

TED STATES SENATOR
POST OFFICE BOX 2434
WASHINGTON, D.C. 20013

DONALD W. RIEGLE, JR.
MICHIGAN

March 10, 1988

Mr. Gary Crow
1 Nantucket
Irvine, CA 92720

Dear Mr. Crow:

Early in 1987, you made a financial contribution to my 1988 re-election campaign at a fundraising event hosted for me at the Pontchartrain Hotel in Detroit by Mr. Charles Keating.

Recently, a Michigan newspaper ran a story raising the possibility of an appearance of a personal conflict of interest with respect to contributions received at that fundraising event and a meeting a few weeks later that I attended with several Senate colleagues, at their request, regarding their concerns about Lincoln Savings and Loan Association.

While there was absolutely no conflict of interest involved in this situation, even the appearance of a personal conflict is sufficient to warrant the return of your contribution so that no mis-interpretation is possible.

While I appreciate the re-election support you demonstrated for me, I am sure you will understand and agree with my position. You will find a check enclosed in the amount of your contribution.

Sincerely,

Donald W. Riegle, Jr.

DWR/jv

Enclosure

ck# 2173 3/7/88 $500.00

Not Printed at Government Expense

2304354120 3

06C0673

McCAMBRIDGE, DEIXLER, MARMARO & GOLDBERG
ATTORNEYS AT LAW
2029 CENTURY PARK EAST
SUITE 2700
LOS ANGELES, CALIFORNIA 90067
TELEPHONE (213) 277-2650
TELECOPIER (213) 203-8304

GEORGE R. McCAMBRIDGE
BERT H. DEIXLER
SHINAAN S. KRAKOWSKY
LARY A. RAPPAPORT
RICHARD MARMARO
STEVEN M. GOLDBERG
JAMES C. CHALFANT
MICHAEL A. FIRESTEIN
M. JOEY LYNCH
DONNA F. GRANDY
DENISE P. ASHWORTH
TIMOTHY B. SOTTILE
DANIEL A. PLATT
CRAIG H. MISSAKIAN
ANTHONY PACHECO
JACK P. DiCANIO
JOHN W. CRUMPACKER

April 3, 1991

RECEIVED
FEDERAL ELECTION COMMISSION
91 APR -8 AM 4:05

Tony Buckley, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: MUR 3121

Dear Mr. Buckley:

This letter will confirm our telephone conversation of Friday, during which I requested and you agreed that Mark Voigt and his wife Michelle Mencuccini have until and including April 15, 1991 to provide to you their responses to the interrogatories and document requests which have been propounded by the Federal Election Commission.

Thank you for your courtesy and cooperation in this matter.

Very truly yours,

Shinaan S. Krakowsky (mdw)

Shinaan S. Krakowsky
of McCambridge, Deixler
Marmaro & Goldberg

SSK/mdw

cc: Mark Voigt
Michelle Mencuccini

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM
91 APR -8 PM 12:25

23043541204

SCOTT A. SIEBELS
28 NEPONSET ROAD
WILMINGTON, DE 19810

91 APR -8 AM 4:05

April 4, 1991

Tony Buckley
Attorney
Federal Election Commission
Washington, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT
REQUESTED

Dear Mr. Buckley:

This letter, together with the enclosed Affidavit and other documents, are submitted in response to the Subpoena issued by your office on March 6, 1991. As I discussed with you on Monday, March 25, 1991, the Subpoena was sent to my former address in Scottsdale, Arizona. It was then forwarded to a box which we rent at a private mail and parcel shop where the proprietor signed for it but did not contact me. I received the Subpoena on Saturday, March 23, 1991. You agreed to permit me until April 8, 1991 to respond.

As is explained to some extent in the attached Affidavit, all of the original records which you seek are in the possession of a Federal grand jury, which was at the time under the direction of Ms. Alice Hill. I do not know whether this Grand Jury is still in session. The records were subpoenaed During early to mid-November, 1989. I believe that my appearance was in early December, 1989.

The original documents were retained by the Grand Jury, as were those of some 50-60 other American Continental Corp. ("ACC") employees and former employees. I submitted the originals of all checks by which I made any (federal, state or local) political contributions from six or nine months prior to my starting as an ACC employee in October of 1984 until my Grand Jury appearance. After that time I have made no political contributions and have no intentions of ever doing so again. The one exception to this is the PAC contribution which I make of $7.50 per pay period by payroll deduction, commencing several weeks ago. The PAC is administered by my current employer, Beneficial Corporation, and I have no idea how or to whom it contributes.

23043541205

In addition to the checks. I submitted all original statements pertaining to every financial institution account which I or my wife maintained during a period of nearly all of 1985-1989 (The first political contribution which I made during the covered period was in 1985). The submission required all statements covering periods six months before and after every contribution. It also covered all correspondence as well as certain tax filings and related information.

The enclosures which accompany the Affidavit consist of all of the copies of the documents which I submitted to the Grand Jury which I have been able to locate. It does not include copies of the materials which I submitted as a part of my original submission. These documents were either sent to the Grand Jury immediately prior to my appearance or carried with me to it. I do not recall which.

I am nearly certain that at the time I did retain photocopies of the other documents submitted to the Grand Jury. I believe that I had them at my office at ACC. The period of late 1989 and early 1990 was very hectic and confused. All documents from all offices were removed and taken to a court-supervised document depository in connection with ACC litigation. I left ACC in May of 1990. and was able to take very little with me from my office. I do not recall whether I took the photocopies of the Grand Jury documents. which were personal records. My wife and I then moved in August of 1990. Much of our possessions are still in boxes. as our current rental property is rather small. I did conduct a thorough search. however. and do not belief that I have any further copies of the documents which you seek. If I do locate any of the documents. which I do not anticipate. I will contact you immediately and provide them to you.

2304354120 6

In my Affidavit I have made every effort to answer your questions and to include general statements designed to answer your real concerns, despite my lack of documentary evidence to support my statements. In an effort to assist you in your inquiry, I have also enclosed a letter of instruction to the California Grand Jury, authorizing them to release copies of everything which I submitted to them to you. I would ask that if you are sucessful in getting these copies, that I be given a set of copies for my own records. I would be happy to pay for the reproduction of this set of copies.

In addition, as I told you during our telephone conversation, I would be happy to travel from Wilmington to Washington, D.C. at a mutually convenient time if you feel this to be necessary to your inquiry. At that time I would be happy to answer any questions which you might have about my political contributions, under oath if you desire.

Please feel free to contact me if you have questions or would like to discuss these matters further.

Sincerely,

Scott A. Siebels

Enclosures

2304354120 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 10, 1991

David E. Frulla, Esq.
Brand & Lowell
923 Fifteenth Street, N.W.
Washington, D.C. 20005

RE: MUR 3121
George and Judy Wischer

Dear Mr. Frulla:

This is in response to your letter dated April 2, 1991, which we received on that same date, requesting an extension of 20 days to respond to the reason to believe findings made by the Federal Election Commission against your clients, George and Judy Wischer, and to respond to the subpoena and order issued by the Commission to George Wischer. After considering the circumstances presented in your letter, I have granted the requested extensions. Accordingly, your responses are due by the close of business on April 23, 1991.

Because you requested an extension of time for Judy Wischer to respond to the Commission's subpoena and order for a greater period of time than this Office has the power to grant, your request must be submitted to the Commission for its approval. You will be notified as soon as the Commission acts upon your request.

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Robert W. Bonham, III
Assistant General Counsel

2304354208

U-C 8701

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: TALCOTT, LIGHTFOOT, VANDEVELDE, WOEHRLE + SADOWSKY c/o MICHAEL J. LIGHTFOOT

ADDRESS: 655 S. HOPE STREET
13TH FLOOR
LOS ANGELES, CA 90017

TELEPHONE: (213)-622-4750

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.

3-25-91
Date

Rebecca H. Dickson
Signature

RESPONDENT'S NAME: REBECCA H. DICKSON

ADDRESS: 4201 N. 64TH STREET
SCOTTSDALE, AZ 85251

HOME PHONE:

BUSINESS PHONE: –

91 APR 10 AM 10:26

91 APR 10 AM 9:36

93043541209

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: TALCOTT, LIGHTFOOT, VANIEVELDE, WOEHRLE & SADOWSKY
c/o MICHAEL J. LIGHTFOOT

ADDRESS: 655 S. HOPE ST.
13TH FLOOR
LOS ANGELES, CA 90017

TELEPHONE: (213)-622-4750

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.

3/26/91
Date

Bruce F. Dickson
Signature

RESPONDENT'S NAME: BRUCE F. DICKSON

ADDRESS: 4201 N. 64TH ST.
SCOTTSDALE, AZ. 85251

HOME PHONE:

BUSINESS PHONE: (602)-261-2750

2304354121 0

06C 0717

Stroock & Stroock & Lavan

1150 Seventeenth Street N.W.
Washington, D.C. 20036-4652

202 452 9250
Fax: 202 293 2293
Telex: 89401 STROOCK DC

Walter Pozen

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 APR 11 PM 1:01

HAND DELIVERED

April 11, 1991

Tony Buckley, Esquire
Federal Election Commission
999 E Street, N.W., Room 657
Washington, DC 20463

23043541211

In the matter of Jack and Robyn Atchison (MUR 3121)

Dear Tony:

As we discussed this morning, the status of our clients, Robin and Jack Atchison, has not been clarified with reference to on-going state and federal investigations. There is reason to believe this situation may be resolved in the near future. Under these circumstances, we hereby request that Mr. and Mrs. Atchison be given an extension of time of forty-five (45) days from the present due date of April 16, 1991, in which to respond to the materials previously submitted to them.

Thank you for your courtesy and cooperation.

Sincerely,

Walter Pozen

06C0744

MUR 3121

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

April 8, 1991 91 APR 12 AM 10:33

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 APR 12 PM 12:59

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

Gentlemen:

In response to your letter about my former husband, Charles H. Keating, III, you should know I was divorced in September, 1990. A copy of that Order is being sent with this letter.

I am unemployed, have three children, and Charles is not paying his child support or maintenance. I have no money to pay a lawyer, know little or nothing about campaign matters, and do not have any information about who got what or any papers you requested.

You suggested or mentioned a conciliation process, which I would like to do if possible. With this problem and the other lawsuits that have named me, there is only so much I can do. Please let me know how we can settle this.

Sincerely,

Krista Keating

Krista Keating

/KK

2304354212

OGC 0732

HELLER, EHRMAN, WHITE & McAULIFFE

ATTORNEYS

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

333 BUSH STREET
SAN FRANCISCO, CALIFORNIA 94104-2878
FACSIMILE (415) 772-6268
TELEPHONE (415) 772-6000

525 UNIVERSITY AVENUE
PALO ALTO, CALIFORNIA 94301-1908
FACSIMILE (415) 324-0638
TELEPHONE (415) 326-7600

1300 S.W. FIFTH AVENUE
PORTLAND, OREGON 97201-5696
FACSIMILE (503) 241-0950
TELEPHONE (503) 227-7400

601 SOUTH FIGUEROA STREET, 40TH FLOOR
LOS ANGELES, CALIFORNIA 90017-5758
TELEPHONE (213) 689-0200 · FACSIMILE (213) 614-1868

701 FIFTH AVENUE
SEATTLE, WASHINGTON 98104-7098
FACSIMILE (206) 447-0849
TELEPHONE (206) 447-0900

1201 PACIFIC AVENUE
TACOMA, WASHINGTON 98402-4308
FACSIMILE (206) 572-6743
TELEPHONE (206) 572-6666

550 WEST 7TH AVENUE
ANCHORAGE, ALASKA 99501-3571
FACSIMILE (907) 277-1920
TELEPHONE (907) 277-1900

April 9, 1991

WRITER'S DIRECT DIAL NUMBER

The Federal Election Commission
999 East E Street, NW
Washington, D.C. 20463

VIA FACSIMILE

Attention: Tony Buckley

Re: MUR 3121 - Center for Participation in Democracy

Dear Mr. Buckley:

Heller, Ehrman, White & McAuliffe has been asked to represent the Center for Participation in Democracy in MUR 3121. We are in the final stages of completing our conflicts check. Once that is done, we need to analyze the Subpoena to Produce Documents and Order to Submit wWitten Answers; review the documents; and prepare responses to both the Subpoena and Order.

We are writing to request an additional twenty (20) day extension of time so that we can complete the necessary work. We are mindful and appreciative of the prior twenty day extension you granted the Center for Participation in Democracy. It took longer for the Center to engage legal counsel than it had anticipated, and we would appreciate a reasonable amount of time to do the necessary work. We do not anticipate needing any further extension.

Inasmuch as the deadline currently is less than a week away, a prompt response would be greatly appreciated. If you have any questions, please do not hesitate to call.

Sincerely,

Ronald C. Peterson

RCP:mp
cc: Kim C. Cranston, Esq.

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 APR 12 PM 12:57

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM
91 APR 12 AM 11:46

23043541213

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 12, 1991

David R. Callaway, Esq.
Topel & Goodman
832 Sansome Street, Fourth Floor
San Francisco, California 94111

RE: MUR 3121
James and Mary Grogan

Dear Mr. Callaway:

This is in response to your letter dated April 2, 1991, which we received on April 3, 1991, requesting an extension of time until April 29, 1991, to respond to the Subpoenas to Produce Documents and Orders to Submit Written Answers issued by the Federal Election Commission to your clients, James and Mary Grogan. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your responses are due by the close of business on April 29, 1991.

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Robert W. Bonham, III
Assistant General Counsel

2304354214

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 12, 1991

Shinaan S. Krakowsky, Esq.
McCambridge, Deixler,
Marmaro & Goldberg
2029 Century Park East
Suite 2700
Los Angeles, California 90067

RE: MUR 3121
Mark Voigt
Michelle Mencuccini

Dear Mr. Krakowsky:

This is in response to your letter dated April 3, 1991, which we received on April 8, 1991, requesting an extension of time until April 15, 1991, to respond to the Subpoenas to Produce Documents and Orders to Submit Written Answers issued by the Federal Election Commission to your clients, Mark Voigt and Michelle Mencuccini. After considering the circumstances that you discussed in a telephone conversation with Tony Buckley of this Office, I have granted the requested extension. Accordingly, your responses are due by the close of business on April 15, 1991.

If you have any questions, please contact Tony Buckley at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Robert W. Bonham, III
Assistant General Counsel

9304354121 5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 12, 1991

Ronald C. Peterson, Esq.
Heller, Ehrman, White & McAuliffe
601 South Figueroa Street, 40th Floor
Los Angeles, California 90017-5758

RE: MUR 3121
Center for Participation
in Democracy

Dear Mr. Peterson:

This is in response to your letter dated April 9, 1991, which we received on that same date, requesting an additional extension of time of 20 days to respond to the Subpoena to Produce Documents and Order to Submit Written Answers issued by the Federal Election Commission to your client, the Center for Participation in Democracy. After considering the circumstances presented in your letter, I have granted the requested additional extension. Accordingly, your responses are due by the close of business on May 6, 1991.

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Robert W. Bonham, III
Assistant General Counsel

2304354121 6

MUR 0774

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 APR 15 PM 3:32

WILLIAM S. ROSE, JR.
ATTORNEY AT LAW
AMERICAN CONTINENTAL CORPORATION
2735 EAST CAMELBACK ROAD
PHOENIX, ARIZONA 85016

ADMITTED IN NORTH CAROLINA, CALIFORNIA, GEORGIA, TENNESSEE AND ARIZONA (FEDERAL COURTS ONLY)

TELEPHONE 602-957-7170
FACSIMILE 602-957-4431

VIA AIRBORNE EXPRESS

April 11, 1991

Mr. John Warren McGarry
Chairman
Federal Election Commission
Washington, D.C. 20463

RE: MUR 3121
American Continental Corporation

91 APR 15 PM 4:07
RECEIVED
FEDERAL ELECTION COMMISSION

Dear Mr. McGarry:

I represent American Continental Corporation and write in response to your letter of March 7, 1991 to James J. Feder, Esq. and Mr. Feder's March 14, 1991 letter to you.

First, the Commission's Subpoena to Produce Documents and Order to Submit Written Answers has not been properly served on American Continental Corporation. If you desire that I accept service, please direct the Subpoena to my attention at the address on this letterhead.

Second, American Continental Corporation is liquidating its assets pursuant to a confirmed Plan of Reorganization under the continued jurisdiction of the Honorable Richard M. Bilby, United States District Judge for the District of Arizona. Virtually all of former management has resigned and my client is operating with a reduced staff and limited resources. Thus, compliance with the requests of your Commission will be difficult, at best.

Third, pursuant to orders of Judge Bilby, pre-April 13, 1989 business records of American Continental Corporation have been deposited in a central Document Depository for use and review by both Federal and State regulatory/investigative agencies and parties to the civil litigation surrounding American Continental Corporation and Lincoln Savings and Loan Association (MDL 834). Subject to Judge Bilby's approval, I feel confident that your representatives could be allowed access to the Document Depository to conduct any investigation that you deem appropriate.

Fourth, so that there is no misunderstanding, my client will seek a protective order from Judge Bilby in the event that your Commission insists on full compliance with its Subpoena. Thus, we would like to discuss alternative methods of compliance, such as

2304354121 7

WILLIAM S. ROSE, JR.
ATTORNEY AT LAW

the Commission's access to the Document Depository, that do not deplete the resources of my client. In light of the fact that Mr. Thomas E. Arnold, the President and Chief Executive Officer of American Continental Corporation, had no involvement with American Continental Corporation prior to August 1990, I doubt that his answers to the Commission's written inquiry would prove to be illuminating.

Please feel free to have the Commission's attorney assigned to this matter, Mr. Tony Buckley, give me a call. American Continental Corporation will certainly attempt to cooperate with your Commission within the limits of its limited resources. We certainly do not desire an adversarial relationship with your Commission in its exercise of its statutory mandate. However, we must reach a practical business solution to your requests within the confines of my client's various limitations.

Very truly yours,

William S. Rose, Jr.

WSRjr/mjm
c: Linda McNulty, Esq.
Mr. Thomas E. Arnold, Jr.

930435412 18

MUR 0760

FEDERAL ELECTION COMMISSION

ROBERT R. KIPP
2526 AVENUE AU SOLEIL
GULF STREAM, FLORIDA 33483

91 APR 15 PM 1:30

April 11, 1991

91 APR 15 PM 4:04

Office of the General Counsel
Federal Elections Commission
999 E. St. N.W.
Washington, D.C. 20463

RE: MUR 3121
Robert Kipp

Dear Sir:

Enclosed please find my Affidavit and the documents referred to in Question #6.

In the undated letter from the Commission, reference was made in the last paragraph to the Commission's procedures being attached. They were not attached. Nor was the "Designation of Counsel" form.

If you require further information please let us know.

Yours very truly,

Robert Kipp

Robert Kipp

Encl.

2304354121 2 19

AFFIDAVIT OF ROBERT R. KIPP

I, Robert R. Kipp, to the best of my knowledge and belief, provide my answers as follows:

1. Full Name - ROBERT R. KIPP

   Address - 2526 Avenue Au Soleil
   Gulf Stream, FL 33483

   Current Employer - NONE

2. 1983 to present - Provided consulting services to Coral Industries which was a residential and commercial millwork and trim company in Boynton Beach, Florida.

   1984 to 1989 - Provided consulting services and property management services to American Continental Corp. and Lincoln Savings, with emphasis in engineering, construction and real estate development.

3. Relationship:

   Charles Keating, Jr. - Cousin

   American Continental Corp. - Consultant

   Lincoln Savings - Consultant

4. Bonus:

   a. None
   b. n/a
   c. n/a

5. Political Contributions:

   Riegle for Senate -

   a. Check #568, NCNB,

   b. Senator was doing a good job in Washington and was worthy of my support.

2304354122 0

c. None, although we believe that at the time Charles Keating, Jr. was supporting Riegle, we contributed solely upon our opinion of Riegle's job performance at that time.

d. None.

e. None.

Hecht Re-election Committee -

a. Check #155, NCNB,

b. Senator was doing a good job in Washington and was worthy of my support.

c. None, although we believe that at the time Charles Keating, Jr. was supporting Hecht, we contributed solely upon our opinion of Hecht's job performance at that time.

d. None.

e. None.

6. Checks referred to in Paragraph 5 above, and letter dated June 1, 1987, from Riegle for Senate Committee, and letter dated March 10, 1988 from U.S. Senator Donald W. Riegel Jr.

7. None

8. None

9. None

10. None

2304354122 1

Robert R. Kipp

State of Florida
County of Palm Beach

SWORN to and subscribed this 5th day of April, 1991.

"OFFICIAL NOTARY SEAL"
SHAREN A. BRADLEY
MY COMM. EXP. 9/17/94

Sharen A. Bradley
Notary Public
My commission expires:

ROBERT R. KIPP
MARGARET M. KIPP

56831195 568

CYCLE 01

March 3 19 87

63-623/670 902

PAY TO THE ORDER OF Riegle for Senate $ 2,000.00/100

2036 2040 08 03-30-87 124686510

Two Thousand and 00/100 DOLLARS

NCNB National Bank of Florida
Boca Raton, FL 33432

MEMO

Robert R. Kipp

93043541222

56831195 87MAR30 PROCESSED NCNB 06700000 020

PAY ANY BANK PEG FRB MIAMI 63-10
2036 2040 08 03-30-87 124686510

MR 87 27

PAY ANY BANK PEG
NATIONAL BANK OF DETROIT
DETROIT MICHIGAN

27 MAR 87

9-32

FOR DEPOSIT TO THE ACCOUNT OF
NBD TROY BANK
ABSENCE OF ENDORSEMENT
0119270

ROBERT R. KIPP
MARGARET M. KIPP

60011275 155

Sept. 19 1988 65-823/670 902

PAY TO THE ORDER OF Hecht Re-Election Committee $ 1,000.00/100

One Thousand and 00/100 DOLLARS

150823152 3001 3001 08 10-05-88

NCNB National Bank of Florida
Boca Raton, Florida

MEMO

Margaret M. Kipp

930435411223

60011275 NCNB BB279

150823152 10-05-88

DT # 03

056001079

FT LAUDERD

PAY TO THE ORDER OF
NS&T BANK N.A.
WASHINGTON, D.C. 20013
FOR DEPOSIT ONLY
HECHT RE-ELECTION
COMMITTEE
024 401764 7 5 2 9

Riegle for Senate Committee

June 1, 1987

Mr. Robert Kipp
Crescent Lending Corporation
Tchefuncta Oaks
302 Marina Boulevard
Mandeville, LA 70448

Dear Mr. Kipp:

I am writing to ask for your assistance with a technical matter.

The Federal Election Commission (FEC) permits candidates for federal offices to accept up to $2,000 in contributions from individuals, $1,000 for use in the primary election and $1,000 for use in the general election. You have generously contributed $2000, for which I am deeply grateful.

To satisfy FEC requirements, it is necessary for my campaign committee to have a written consent form signed by you to designate your contributions as $1000 for the primary election and $1000 for the general election.

For your convenience, I have enclosed a form which, when signed, satisfies the requirement for a written authorization.

Again, thank you for your generosity and show of support. Please know how deeply grateful I am.

Regards,

Donald W. Riegle, Jr.

DWR/jev

Enclosure

Paid for by the Riegle for Senate Committee. A copy of our report is filed with and may be purchased from the Federal Election Commission, Washington, D.C.

2304354124

UNITED STATES SENATOR
POST OFFICE BOX 2434
WASHINGTON, D.C. 20013

DONALD W. RIEGLE, JR.
MICHIGAN

March 10, 1988

Mr. and Mrs. Robert Kipp
Tehefuncta Oaks, #302 Marine Blvd.
Manderville, LA 70448

Dear Mr. and Mrs. Kipp:

Early in 1987, you made a financial contribution to my 1988 re-election campaign at a fundraising event hosted for me at the Pontchartrain Hotel in Detroit by Mr. Charles Keating.

Recently, a Michigan newspaper ran a story raising the possibility of an appearance of a personal conflict of interest with respect to contributions received at that fundraising event and a meeting a few weeks later that I attended with several Senate colleagues, at their request, regarding their concerns about Lincoln Savings and Loan Association.

While there was absolutely no conflict of interest involved in this situation, even the appearance of a personal conflict is sufficient to warrant the return of your contribution so that no mis-interpretation is possible.

While I appreciate the re-election support you demonstrated for me, I am sure you will understand and agree with my position. You will find a check enclosed in the amount of your contribution.

Sincerely,

Don Riegle

Donald W. Riegle, Jr.

DWR/jv

Enclosure

2304354125

Not Printed at Government Expense

06C 0764

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 APR 15 PM 12:34

KIRKLAND & ELLIS

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

200 East Randolph Drive
Chicago, Illinois 60601

312 861-2000

Facsimile:
312 861-2200

Stephen C. Neal, P.C.
To Call Writer Direct:
312 861-2284

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 APR 15 PM 4:05

April 12, 1991

Tony Buckley, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: MUR 3121

Dear Mr. Buckley:

By the first of next week I will be sending you designation of counsel forms from the following individuals: Charles & Mary Elaine Keating, Robert & Elizabeth Wurzelbacher, Bradley & Elaine Boland, Thomas & Maureen Mulhern, and Greg & Carol Kassick.

When it is convenient for you, I would like to discuss both the timing of and various ways to limit or narrow the scope of our responses to the information requests.

I look forward to hearing from you.

Yours very truly,

Stephen C. Neal, P.C.

SCN/lma

2304354122 6

DGC 0765

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 APR 15 PM12:03

LAYMAN, JONES & DYE
LAWYERS
2600 MICHELSON DRIVE
SUITE 1000
IRVINE, CALIFORNIA 92715
TELEPHONE (714) 261-2345
FAX (714) 261-8666

WILBUR D. LAYMAN
STANLEY R. JONES
ROBERT E. DYE
STEVEN H. SUNSHINE
BRUCE H. CHARLES
STEPHEN M. KANE
DAVID W. WIECHERT
GARY J. HIGHLAND
SUSAN R. WIECH
ROBERT B. BEAUCHAMP
DINA M. McKENNA
REN R HAYHURST
EDWARD R. McGAH, JR.

DAVID J. GARIBALDI, III
OF COUNSEL

REFER TO FILE NO.

32027.001

April 12, 1991

Mr. Tony Buckley, Esq.
Federal Election Commission
Washington, D.C. 20463

91 APR 15 PM 4:06

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

Re: Ray and Kathi Fidel
MUR 3121

Dear Mr. Buckley:

It is our understanding that Assistant United States Attorney James Asperger spoke with Lois Lerner of your office regarding the Fidels' responses to the interrogatories and document productions served on them by the FEC. During this conversation Ms. Lerner agreed to grant the Fidels a three week extension of time to respond to these discovery requests in order to provide the United States Attorney's Office and FEC with an opportunity to discuss the possibility of Mr. Fidel's cooperation with the FEC. Based on the above we request an extension on behalf of the Fidels' to respond until May 6, 1991.

Please call me with any questions or comments you may have regarding the above.

Sincerely,

Dina M. McKenna

Dina M. McKenna
Of Layman, Jones & Dye

DMM:dmm
592W

2304354112227

OGC 0758

STEPTOE & JOHNSON

ATTORNEYS AT LAW

1330 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036-1795

(202) 429-3000
FACSIMILE: (202) 429-9204
TELEX: 89-2503

PHOENIX, ARIZONA
CITIBANK TOWER

TELEPHONE: (602) 266-6610
FACSIMILE: (602) 274-1970

S&J LEX INTERNATIONAL
AFFILIATE IN MOSCOW, U.S.S.R.

TELEPHONE: (011-7-095) 290-5775
(011-7-095) 928-2982

STEPHEN S. COWEN
(202) 429-6490

April 15, 1991

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 APR 15 PM 3:38

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

Re: MUR 3121
Edward F. and Mary Virginia Novak

Dear Mr. Buckley:

Enclosed are the responses of Edward F. and Mary Virginia Novak to the Commission's subpoena to produce documents and order to submit written answers, returnable on April 15, 1991 (pursuant to an extension of time granted by letter of March 27).

As the answers establish, the Commission does not have a basis for determining that corporate funds of Mrs. Novak's then employer, American Continental Corporation, were provided to either Mr. or Mrs. Novak for the purpose of making campaign contributions. Because no violation has occurred, the Commission should dismiss its reason-to-believe findings as to both Mr. Novak and Mrs. Novak.

However, if the Commission determines to proceed further on this matter as to either Mr. or Mrs. Novak, I request the opportunity, prior to my filing briefs, to review with you the Commission's evidence and to discuss the matter, including pre-probable cause conciliation. You indicated when we initially spoke on March 13, 1991, that your office was not at the time prepared to discuss pre-probable cause conciliation.

Please keep me informed of the Commission's position. In the meantime, if you have any questions, please contact me.

Sincerely,

Stephen S. Cowen

Stephen S. Cowen

2304354128

RESPONSES OF EDWARD F. NOVAK
TO QUESTIONS AND DOCUMENT REQUESTS

1. State your full name, address, phone number, and current employer.

Edward F. Novak
10002 N. 7th Street, #3037
Phoenix. Arizona 85020

Self-employed at Lewis and Roca

2. List your occupation(s) and employer(s) during the relevant period. Describe your position(s) with each employer.

Lawyer at Lewis and Roca
40 North Central Avenue
Phoenix, Arizona 85004-4429
Associate through 5/31/83
Partner from 6/1/83 to present

3. Describe your relationship, if any, to Charles Keating, Jr., and American Continental Corporation ("ACC") and all of its subsidiaries and associated companies, including Lincoln Savings & Loan Association ("Lincoln"), during the relevant period.

From approximately March 1, 1984, through May 1990 my wife, Mary Virginia Novak, was employed at ACC and Lincoln as corporate counsel.

4. For each bonus or other compensation in addition to your salary which you received, provide the following information:

   a. The amount of such bonus or other compensation;
   b. The justification for such bonus or other compensation; and
   c. Date of receipt of such bonus or other compensation.

I received no compensation or bonus from Charles Keating, Jr., or ACC or Lincoln. Lewis and Roca has represented ACC and some of its subsidiaries and has received legal fees for its services.

2304354 12229

5. Identify each federal political contribution and expenditure you made during the relevant period by date, amount and recipient. For each contribution:

   a. State whether the contribution was made by check or other written instrument. If so, provide a copy (both sides) of the check or other written or instrument.

   b. Describe the circumstances under which each contribution was made. If a contribution was made as the result of a solicitation, describe the circumstances surrounding each solicitation, including the identity of the person(s) who made such solicitation and when and where it occurred. If any such solicitation was written, provide a copy of it.

   c. State whether any contribution was made at the direction or suggestion of any person, including Charles Keating, Jr., or any person associated with him, ACC, Lincoln, or other company associated with Charles Keating. If so, identify such person and describe the circumstances.

   d. State whether any contribution was made in connection with a particular fundraising event. If so, state when and where the event was held and whether or not you attended. Identify who sponsored the event and on whose behalf the event was held. If you did attend the event, identify any persons who also attended. Identify any person(s) who provided you with transportation to and from the event.

   e. State whether you received an advance, bonus, payment, or other compensation or reimbursement in connection with any contribution. If so, identify the person or entity who provided the reimbursement or compensation and the sate it was provided.

2304354123O

---

(1) John Glenn -- $250 on November 27, 1984
   a. Check.
   b. I do not recall.
   c. I do not recall, but believe that the contribution from me was made at the request of my wife, Mary Virginia Novak.
   d. I do not recall.
   e. No.

(2) Jon Kyle -- $250 on June 17, 1986
   a. Check.
   b. I do not recall, but probably a partner at my law firm.

c. I do not believe so.
d. I do not recall.
e. No.

(3) John McCain -- $125 on August 6, 1986
a. Check.
b. I do not recall, but probably a partner at my law firm.
c. I do not believe so.
d. I do not recall.
e. No.

(4) Jon Kyle -- $50 on October 31, 1986
a. Check.
b. I do not recall, but probably a partner at my law firm.
c. I do not believe so.
d. I do not recall.
e. No.

(5) Riegle for Senate -- $1,000 on March 6, 1987
a. Check.
b. I do not recall the specifics, except that my wife, Mary Virginia Novak, prepared the check with my permission.
c. I do not recall, but believe the contribution from me was made at the request of my wife, Mary Virginia Novak.
d. I do not recall.
e. No.

6. In addition to the documents produced in response to questions 5a and b, produce all documents relating or in any way pertaining to each federal political contribution you identified in question 5, including check registers, bank statements, correspondence and notes.

See attached.

7. Identify any federal contribution made by others which you facilitated, arranged, solicited, or delivered to any federal candidate or committee during the relevant period.

I do not recall any federal contribution made by others which I facilitated, arranged, solicited, or delivered to any federal candidate or a committee during the relevant period.

8. Provide all documents relating to any federal contributions made by others which you arranged, solicited, or delivered

2304354123 1

to any federal candidate or committee during the relevant period.

_____

No such documents exist that I recall or could locate.

9. Provide copies of all documents, including correspondence, notes, memos, and phone messages, relating to any communication with a federal political committee to which you made a contribution during the relevant period.

_____

No such documents exist that I recall or could locate.

10. Identify any person other than counsel who provided information, or was consulted or assisted in any way in the preparation of answers to these questions and document requests.

_____

None, except to the extent covered by marital privileges.

STATE OF ARIZONA)
) ss
COUNTY OF MARICOPA)

I affirm that the foregoing information is true to the best of my knowledge, information, and belief.

Subscribed and sworn before me
this 11th day of April, 1991.

Notary Public: Mary Lowenstein

My commission expires: June 2, 1994

23043541232

EDWARD F. NOVAK
M. VIRGINIA NOVAK
329 W. EL CAMINO DR.
PHOENIX, AZ 85021

149

Nov. 27 1984

91-2/1221

Pay to the order of JOHN GLENN PRESIDENTIAL COMMITTEE $ 250.00

Two Hundred Fifty and 00/100 Dollars

VALLEY BANK CENTER - MAIN OFFICE (137)
P. O. BOX 71
PHOENIX, ARIZONA 85001

Memo POLITICAL CONTRIBUTION

[signature]

93043541233

JA '85 02

P.E.G.
PROS ANGELES
1220-0008-6

R DEPOSIT
JOHN GLENN
PRESIDENTIAL COMMITTEE INC.
ACCOUNT NO. 824100501
NS&T BANK
WASHINGTON, D.C.
20005

PAY ANY BANK
NATIONAL BANK
PHOENIX, ARIZONA

31 DEC 84

15-52

15-52 PAY ANY BANK P.E.G. 15-52
NS&T BANK NA HASH DC 0548-0005
12-31-84 0509

EDWARD F. NOVAK
M. VIRGINIA NOVAK
329 W. EL CAMINO DR.
PHOENIX, AZ 85021

6/17 1986

388

91-2/1221

Pay to the order of Two Hundred Fifty and 00/100 $ 250.— Dollars

VALLEY BANK CENTER - MAIN OFFICE (137)
P. O. BOX 71
PHOENIX, ARIZONA 85001

Memo Jon Kyl Cont.

Edward F. Novak

93043541234

14058880 06/19/86 PEG 122100011 F3AZ 5002

115 PAY TO THE ORDER OF
FIRST INTERSTATE BANK
FOR DEPOSIT ONLY
JON KYL FOR CONGRESS
LYMAN A. DAVIDSON, TREA
1153-05731

0115 7 3 86 2

PAY ANY BANK PEG
122100011

62

122100011
FIRST INTERSTATE AZ

JUN 19 86

EDWARD F. NOVAK
M. VIRGINIA NOVAK
329 W. EL CAMINO DR.
PHOENIX, AZ 85021

8/6 19 86

355

91-2/1221

Pay to the order of John McCain for Senate $ 135.

One Hundred Thirty-five and 00/100 Dollars

VALLEY BANK CENTER - MAIN OFFICE (137)
P. O. BOX 71
PHOENIX, ARIZONA 85001

Memo Pol. Cont.

Edward F. Novak

230435412335

14115336 08/28/86 PEG 122100011 FIAZ

PAY TO THE ORDER OF

FIRST INTERSTATE BANK OF ARIZONA, N.A.
PHOENIX, ARIZONA

EDWARD F. NOVAK
M. VIRGINIA NOVAK
329 W. EL CAMINO DR.
PHOENIX, AZ. 85024

407

10/31 1986

91-2/1221

Pay to the order of Jon Kyl for Congress $ 50.—

Fifty and 00/100 Dollars

VALLEY BANK CENTER - MAIN OFFICE (137)
P. O. BOX 71
PHOENIX, ARIZONA 85001

Memo

Edward F. Novak

93043541236

24190601 11/07/86 PEG 122100011 FIAZ 4347

115 PAY TO THE ORDER OF
FIRST INTERSTATE BANK
FOR DEPOSIT ONLY
JON KYL FOR CONGRESS
LYMAN A. DAVIDSON, TREA.
01 1153-05731 9 9 6 2

PAY ANY BANK, P.E.G.
122100011
50
122100011
FIRST INTERSTATE AZ.
NOV -7 86

#20185068

MARY V. NOVAK
EDWARD F. NOVAK
329 W. EL CAMINO DRIVE
PHOENIX, AZ 85021

2244

3-6 19 87

91-1/1221

Pay to the order of Riegle for Senate $ 1000.00

One Thousand and no/100 Dollars

First Interstate Bank

First Interstate Bank of Arizona, N.A.
Main Office 1-2-24
100 W. Washington
Phoenix, Arizona 85003

For _____ Edward F. Novak

93043541237

MR '87 30

PAY ANY BANK
CONTINENTAL BK.
CHICAGO, IL.

03

MR '87 27

PAY ANY BANK
NATIONAL BANK
OF DETROIT
DETROIT MICHIGAN

10007356 03/30/87 4418

FOR DEPOSIT TO THE ACCOUNT OF
011467410
ABSENCE OF ENDORSEMENT GUARANTEED
NBD TROY BANK, N.A.

RESPONSES OF MARY VIRGINIA NOVAK
TO QUESTIONS AND DOCUMENT REQUESTS

1. State your full name, address, phone number, and current employer.

Mary Virginia Novak
329 W. El Camino
Phoenix, Arizona 85021

Fitness West, Phoenix, Arizona

2. List your occupation(s) and employer(s) during the relevant period. Describe your position(s) with each employer.

January 1, 1983 - February 1984
Lawyer, Associate status
Streich, Lang, Weeks & Cardon
Phoenix, Arizona

February 1984 - ?/1984
Corporate Counsel
American Continental Corporation
Phoenix, Arizona

In 1984 I was paid by American Continental as well as Lincoln Savings & Loan Association ("Lincoln"). I do not recall the date I first became employed by Lincoln.

January 1, 1985 - April 14, 1989
Lincoln
Phoenix, Arizona

April 15, 1989 - April 27, 1990
Corporate Counsel
Lincoln (in receivership)

May 1990 - Present
Part-time or Substitute Water Aerobics Instructor
Fitness West
Phoenix, Arizona

3. Describe your relationship, if any, to Charles Keating, Jr., and American Continental Corporation ("ACC") and all of its subsidiaries and associated companies, including Lincoln Savings & Loan Association ("Lincoln"), during the relevant period.

2304354123 8

Charles Keating, Jr. was Chairman of the Board of American Continental Corporation ("ACC"). I worked as an attorney in the Legal Department of ACC, as described in 3 above. I was, at various times, an officer (Assistant Secretary and/or Vice President) of Lincoln and also was an officer and/or director of some ACC and Lincoln subsidiaries.

4. For each bonus or other compensation in addition to your salary which you received, provide the following information:

   a. The amount of such bonus or other compensation;
   b. The justification for such bonus or other compensation; and
   c. Date of receipt of such bonus or other compensation.

2304354123 9

2304354124O

5. Identify each federal political contribution and expenditure you made during the relevant period by date, amount and recipient. For each contribution:

   a. State whether the contribution was made by check or other written instrument. If so, provide a copy (both sides) of the check or other written or instrument.

   b. Describe the circumstances under which each contribution was made. If a contribution was made as the result of a solicitation, describe the circumstances surrounding each solicitation, including the identity of the person(s) who made such solicitation and when and where it occurred. If any such solicitation was written, provide a copy of it.

   c. State whether any contribution was made at the direction or suggestion of any person, including Charles Keating, Jr., or any person associated with him, ACC, Lincoln, or other company associated with Charles Keating. If so, identify such person and describe the circumstances.

   d. State whether any contribution was made in connection with a particular fundraising event. If so, state when and where the event was held and whether or not you attended. Identify who sponsored the event and on

whose behalf the event was held. If you did attend the event, identify any persons who also attended. Identify any person(s) who provided you with transportation to and from the event.

e. State whether you received an advance, bonus, payment, or other compensation or reimbursement in connection with any contribution. If so, identify the person or entity who provided the reimbursement or compensation and the date it was provided.

See Note to 4, above.

---

(1) November 7, 1984 -- $250 to Cranston Campaign Committee
   a. Check.
   b. I do not recall.
   c. It was suggested by someone at ACC, but I do not recall who or the circumstances.
   d. I do not recall.
   e. No.

(2) December 28, 1984 -- $250 to John Glenn for President Committee
   a. Check.
   b. I do not recall.
   c. It was suggested by someone at ACC, but I do not recall by whom or the circumstances, except that I heard that Glenn had run up a large campaign debt.
   d. I do not recall.
   e. No.

(3) May 6, 1986 -- $100 to John Kyle for Congress
   a. Check.
   b. I do not recall.
   c. I do not recall.
   d. I do not recall.
   e. No.

(4) December 3, 1986 -- $850 to The Moynihan Committee
   a. Check.
   b. I do not recall.
   c. I do not recall, but believe it was suggested by someone at ACC.
   d. I do not recall.
   e. No.

(5) March 6, 1987 -- $1,000 to Riegle for Senate
   a. Check.
   b. I do not recall.

2304354124 1

c. I do not recall, but believe it was suggested by someone at ACC that I contribute to Riegle from Michigan.
d. I do not recall.
e. No.

(6) January 20, 1988 -- $250 to Kolbe for Congress
a. Check.
b. I do not recall.
c. It was suggested by someone at ACC, but I do not recall by whom or the circumstances.
d. I do not recall.
e. No.

(7) May 11, 1988 -- $75 to Bob Stump Election Committee
a. Check.
b. I do not recall.
c. It was suggested by someone at ACC, but I do not recall by whom or the circumstances.
d. I do not recall.
e. No.

(8) October 18, 1988 -- $1,000 to Hecht Re-election Committee
a. Check.
b. I do not recall.
c. It was suggested by someone at ACC, but I do not recall by whom or the circumstances.
d. I do not recall.
e. No.

6. In addition to the documents produced in response to questions 5a and b, produce all documents relating or in any way pertaining to each federal political contribution you identified in question 5, including check registers, bank statements, correspondence and notes.

See attached.

7. Identify any federal contribution made by others which you facilitated, arranged, solicited, or delivered to any federal candidate or committee during the relevant period.

See Note to 4, above.

I do not recall, but it is possible I suggested contributions on occasion.

2304354122

8. Provide all documents relating to any federal contributions made by others which you arranged, solicited, or delivered to any federal candidate or committee during the relevant period.

_____

I do not possess such documents.

9. Provide copies of all documents, including correspondence, notes, memos, and phone messages, relating to any communication with a federal political committee to which you made a contribution during the relevant period.

_____

I do not possess such documents.

10. Identify any person other than counsel who provided information, or was consulted or assisted in any way in the preparation of answers to these questions and document requests.

_____

None, except to the extent covered by marital privileges.

STATE OF ARIZONA)
) ss
COUNTY OF MARICOPA)

I affirm that the foregoing information is true to the best of my knowledge, information, and belief.

Mary Virginia Novak

Subscribed and sworn before me
this 12th day of April, 1991.

Notary Public: Carol A. Hommrich

My commission expires: My Commission Expires Jan. 12, 1994

23043541243

MARY V. NOVAK
EDWARD F. NOVAK
329 W. EL CAMINO DRIVE
PHOENIX, ARIZONA 85021

658

11/7 1984

91-1/1221

Pay to the order of Cranston Campaign Committee $ 250.00

Two hundred fifty and no/100 Dollars

First Interstate Bank

First Interstate Bank of Arizona, N.A.
Main Office 1
100 W. Washington
Phoenix, Arizona 85003

For

Mary V. Novak

PAY TO THE ORDER OF
NAME
FOR DEPOSIT ONLY
CRANSTON FOR PRESIDENT
COMMITTEE, INC
c/o William Landau
2134-24-1454

CYCLE-03

NO '84 20

20 NOV 84

PAY ANY BANK, E.E.A.
ALL TRANSMITTER BANK USA
OPERATIONS CENTER

PAY ANY BANK, E.E.A.
ALL TRANSMITTER BANK USA
OPERATIONS CENTER

2304354 1244

MARY V. NOVAK 972 0102 F1A2 PROC 769
EDWARD F. NOVAK
329 W. EL CAMINO DRIVE
PHOENIX, ARIZONA 85021

12/28 1984

91-1/1221

Pay to the order of John Glenn for President Committee $ 250.00

two hundred fifty and no/100 Dollars

First Interstate Bank
First Interstate Bank of Arizona, N.A.
Main Office 1
100 W. Washington
Phoenix, Arizona 85038

For Mary V. Novak

93043541245

FOR DEPOSIT ONLY
JOHN GLENN
PRESIDENTIAL COMMITTEE, INC.
ACCOUNT NO. 0241006501

JA 85 02

4
PAY ANY BANK
P.E.G.
NS&T BANK
WASHINGTON, DC
20005

15-52 10-52

31 DEC

15-52 PAY ANY BANK P.E.G.
NS&T BANK NA WASH DC 0540
12094972 01/02/85 3585

MARY V. NOVAK 14131721 0516 FIAZ PROC
EDWARD F. NOVAK
329 W. EL CAMINO DRIVE
PHOENIX, ARIZONA 85021

1706

5-6 1986

91-1/1221

Pay to the order of Jon Kyl for Congress $ 100.00

One hundred and no/100 Dollars

First Interstate Bank

First Interstate Bank of Arizona, N.A.
Main Office 1
100 W. Washington
Phoenix, Arizona 85003

For

Mary V. Novak

93043541246

03

14131721 05/16/86 5172

115 PAY TO THE ORDER OF 115
FIRST INTERSTATE BANK
FOR DEPOSIT ONLY
JON KYL FOR CONGRESS
LYMAN A. DAVIDSON, TREAS.
1103-05731

0115 12744

PAY ANY BANK, P.E.O.
12211 0011
33
12211 0011
FIRST INTERSTATE AZ.

MAY 16 86

MARY V. NOVAK
EDWARD F. NOVAK
329 W. EL CAMINO DRIVE
PHOENIX, ARIZONA 85021

2064

12-3 1986

91-1/1221

Pay to the order of The Moynihan Committee $ 850.00

Eighthundred fifty and no/100 Dollars

First Interstate Bank
First Interstate Bank of Arizona, N.A.
Main Office 1
100 W. Washington
Phoenix, Arizona 85003

For

Mary V. Novak

2304354 1247

DE '86 19 R
PAY ANY BANK
CONTINENTAL BK
CHICAGO, IL

03

DE '86 18 R
CHEMICAL BANK
NEW YORK
PAY ANY BANK

24066418 12/19/86 2356

PAY TO THE ORDER OF
CHEMICAL BANK
FOR DEPOSIT ONLY
THE MOYNIHAN COMMITTEE, INC.
114-073147
0 0 0 6 7 3 1 1 3

1-12 007
CHEM BANK
MIDTOWN
007 1-12

DEC 13 86

#11451292

#20836542

MARY V. NOVAK
EDWARD F. NOVAK
329 W. EL CAMINO DRIVE
PHOENIX, AZ 85021

2243

3-6 1987

91-1/1221

Pay to the order of Riegle for Senate $ 1000.00

One Thousand and no/100 Dollars

First Interstate Bank
First Interstate Bank of Arizona, N.A.
Main Office 1-2-24
100 W. Washington
Phoenix, Arizona 85003

For

Mary V. Novak

23043541248

03

MR 87 30
PAY ANY BANK
CONTINENTAL BK.
CHICAGO, IL.

FOR DEPOSIT TO THE ACCOUNT OF
011467
ABSENCE OF ENDORSEMENT GUARANTEED
NBD TROY BANK

MR 87 27
NATIONAL BANK
OF DETROIT
DETROIT, MICHIGAN 02

10007359 03/30/87 4418

MARY V. NOVAK
EDWARD F. NOVAK
329 W. EL CAMINO DRIVE
PHOENIX, AZ 85021

FEB. 02 1988 2738

1-20 1988 91-1/1221

Pay to the order of Kolbe for Congress $ 250.00

Two hundred fifty and no/100 Dollars

First Interstate Bank
First Interstate Bank of Arizona, N.A.
Main Office 1-2-24
100 W. Washington
Phoenix, Arizona 85003

For Mary V. Novak

2 3 0 4 3 5 4 1 2 4 9

PAY TO THE ORDER OF
UNION BANK
11 WILSON, ARIZONA
FOR DEPOSIT ONLY
KOLBE FOR CONGRESS
140-335 BAY BANK
INTERWEST BANK
OF ARIZONA
91-101

FEB -3 89

00769099 47 020388
INTERWEST BANK 12210101

03 6030733 9 04-FEB-1988 00003 1 10110 6030733900 3511

230435412550

MARY V. NOVAK PROC
EDWARD F. NOVAK
329 W. EL CAMINO DRIVE
PHOENIX, AZ 85021

FEB 02 1988

2738

1-20 1988

91-1/1221

Pay to the order of Kolbe for Congress $ 250.00

Two hundred fifty and no/100 Dollars

First Interstate Bank
First Interstate Bank of Arizona, N.A.
Main Office 1-2-24
100 W. Washington
Phoenix, Arizona 85003

For _____

Mary V. Novak

MARY V. NOVAK
EDWARD F. NOVAK
329 W. EL CAMINO DRIVE
PHOENIX, AZ 85021

3107

5-11 19 88

91-1/1221

Pay to the order of Bob Stump Election Committee $ 75.00

Seventy five and no/100 Dollars

First Interstate Bank
First Interstate Bank of Arizona, N.A.
Main Office 1-2-24
100 W. Washington
Phoenix, Arizona 85003

For

Mary V. Novak

03 20600161 07-JUN-1988 00020 I I0110 20600161 01591

FOR DEPOSIT ONLY
BOB STUMP ELECTION COMMITTEE
ACCT. # 54-5473

JE '88 06 2

PROCESSED
PAY ANY BANK
VALLEY NATIONAL BANK
PHOENIX, ARIZONA

20352902

93043541251

50723488 MARY V. NOVAK PROC

EDWARD F. NOVAK
329 W. EL CAMINO DRIVE
PHOENIX, AZ 85021

2966

10-18 19 88

91-1/1221

Pay to the order of Hecht Re-Election Committee $ 1000.00

One Thousand and no/100 Dollars

First Interstate Bank
First Interstate Bank of Arizona, N.A.
Main Office 1-2-24
100 W. Washington
Phoenix, Arizona 85003

For _____ Mary V. Novak

OT '88 25

071000013

03 50723488 25-OCT-1988 00040 P P0410 507 3488 9911

OT '88 24

051000020

PAY TO THE ORDER OF
N&T BANK
WASHINGTON, D.C.

FOR DEPOSIT ONLY
HECHT RE-ELECTION
COMMITTEE
024 1017649

930435412552



CHIC HECHT
United States Senator
Washington, D.C. 20510

October 27, 1988

Mr. and Mrs. Edward F. Novak
329 W. El Camino Drive
Phoenix, Arizona 85021

Dear Mr. and Mrs. Novak:

Thank you for contributing to my re-election campaign fund. Your support and confidence are greatly appreciated. This has been a long, hard and expensive campaign.

It is, therefore, very important that I have the necessary resources to carry through to a successful conclusion in November, and because of your help, I am confident the funds will be there.

Thanks once more, and if any member of my staff or I can ever be of assistance to you, please let us know.

Sincerely

Chic

Chic Hecht

11/10/88
Appreciate your help
We gave it our best
Chic

Paid for and authorized by the Hecht Re-election Committee

23043541253

FEDERAL ELECTION COMMISSION

JAMES B. CONNOR
217 WEST FLYNN LANE
PHOENIX, ARIZONA 85013

91 APR 15 AM 10:44

April 9, 1991

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

91 APR 15 P1:44

Re: MUR3121/ Subpoena to Produce Documents and Order to Submit Written Answers

Please accept this letter and the attached addendum as my response to the above referenced subpoena. Please be advised as follows:

1) I am unaware of any other person who is capable of furnishing testimony concerning my responses;

2) Although I do not claim a privilege with respect to the responses and production, I do not waive my right to challenge the legal basis and jurisdiction you assert in making this request. That is, I do not believe you have satisfied the requirement of establishing a "reason to believe a violation exists" based on the "Factual and Legal Analysis" which was sent to me. Further, I do not waive my right to challenge or object to jurisdiction or venue in this matter, generally.

3) I do not have originals of the documents you have requested but have only the copies of the originals I have already produced to, with respect to a subpoena I received from, the U.S. Department of Justice, Federal Bureau of Investigation.

4) This letter, and the attached addendum, are all submitted to you under oath.

Very truly yours,

James B. Connor

2304354125 4

Answers to: Questions and Document Requests

1) James B. Connor
217 West Flynn Lane
Phoenix, Arizona 85013
wk (602) 957-7170
current employer: American Continental Corporation

2) Corporate Counsel - American Continental Corporation
August, 1983 - present
Tax accountant - Coopers & Lybrand
August, 1982 - August, 1983

3) Charles H Keating, Jr. was a shareholder, director, and officer of American Continental Corporation, while I was an employee of ACC and certain of its subsidiaries and associated companies from August 1983 to the present. I was an officer of Lincoln Savings and Loan Association, and certain of its subsidiaries and associated companies as well.

4) For this question generally, I have no reference to respond in detail. However, to the best of my recollection, for the years, 1983, 1984, 1985, and 1986, I believe I received a bonus at year end. In addition, I believe I received at least 1 bonus of recognition for concluding a difficult transaction (e.g. sale of Eyeco assets).

5) - Check no. 1897 dated March 15, 1986, payable to "Dioguardi for Congress" in the amount of $250.

a) Contribution was made by check.
b) The candidate is a personal friend of mine who personally solicited the contribution. I no longer possess the written solicitation.
c) Mr. Dioguardi made the solicitation. He has no relationship to the persons listed.
d) I do not recall.
e) I did not receive any additional remuneration.

- Check no. 2020 dated June 17, 1986, payable to "Dioguardi for Congress" in the of $95. The answers to this question are the same as for check no. 1897, above.

- Check no. 2349 dated March 9, 1987, payable to "Riegle for Senate" in the amount of $1,500.

a) Contribution was by check.
b) I do not recall.
c) I do not recall these circumstances, but I have a general recollection that Robert J. Kielty, general counsel for ACC, informed me that he was collecting contributions. At no time did I believe that I was subject to any demand

2304354125 5

or requirement to make the contribution.

d) I do not recall.

e) To the best of my recollection, I did not receive any additional remuneration.

- Check no. 2544 dated May 12, 1988, payable to "Stump Reelection Committee" in the amount of $35.

a) Contribution was made by check.

b) I do not recall.

c) I do not recall.

d) I do not recall.

e) To the best of my recollection, I did not receive any additional remuneration.

6) I do not have the documents requested.

7) There are none.

8) No such documents exist, because no such contributions were made.

9) No such documents exist.

10) I contacted the U.S. Department of Justice, Federal Bureau of Investigation to provide copies of documents and information I had previously submitted to it. Otherwise, no other party or person was contacted.

JBC/dil/151

2304354125 6

STATE OF ARIZONA)
) ss.
County of Maricopa)

Subscribed and sworn before me on this 9th day of April, 1991.

My commission expires:
My Commission Expires Oct. 22, 1993

Notary

JBC/dil/153

93043541257

S2109708 0702 ! PROC

JAMES B. CONNOR
P.O. BOX 44986
PHOENIX, ARIZONA 85064

1656

6/25 19 85

91-1/1221

Pay to the order of HOWARD ADAMS CAMPAIGN FUND $ 250.00

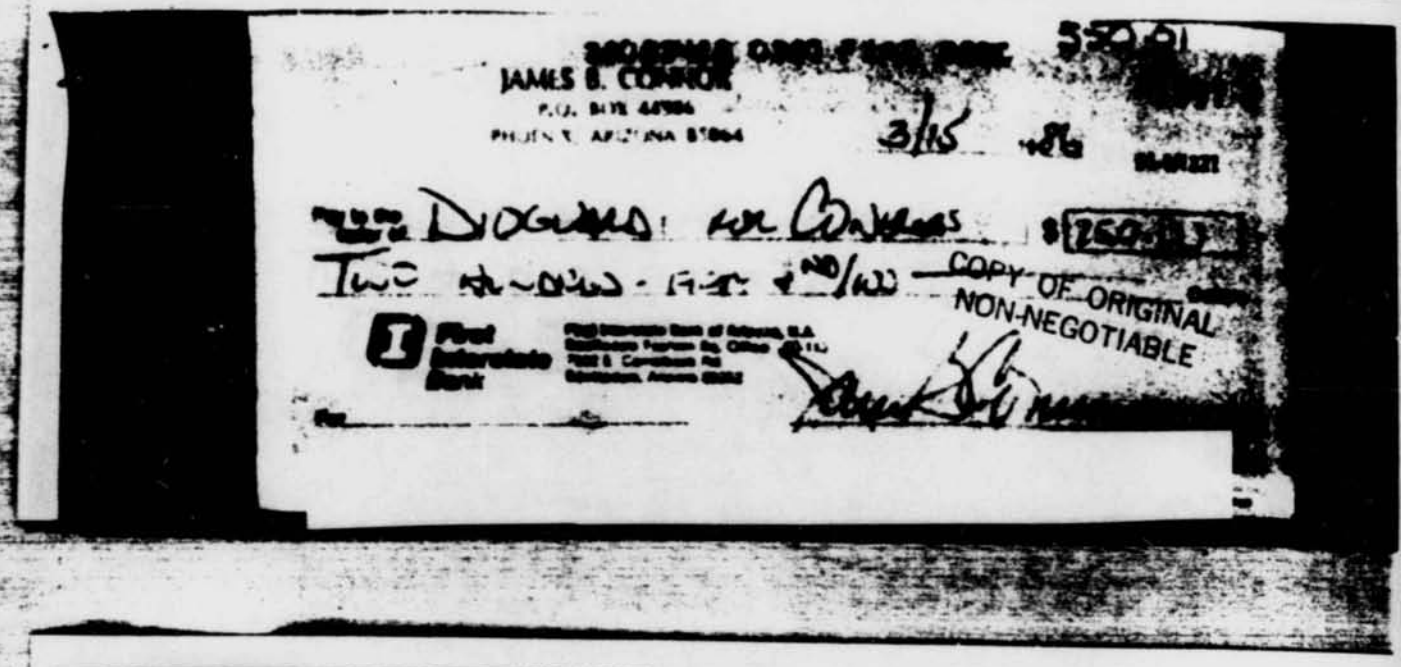
TWO HUNDRED - FIFTY - NO/100 Dollars

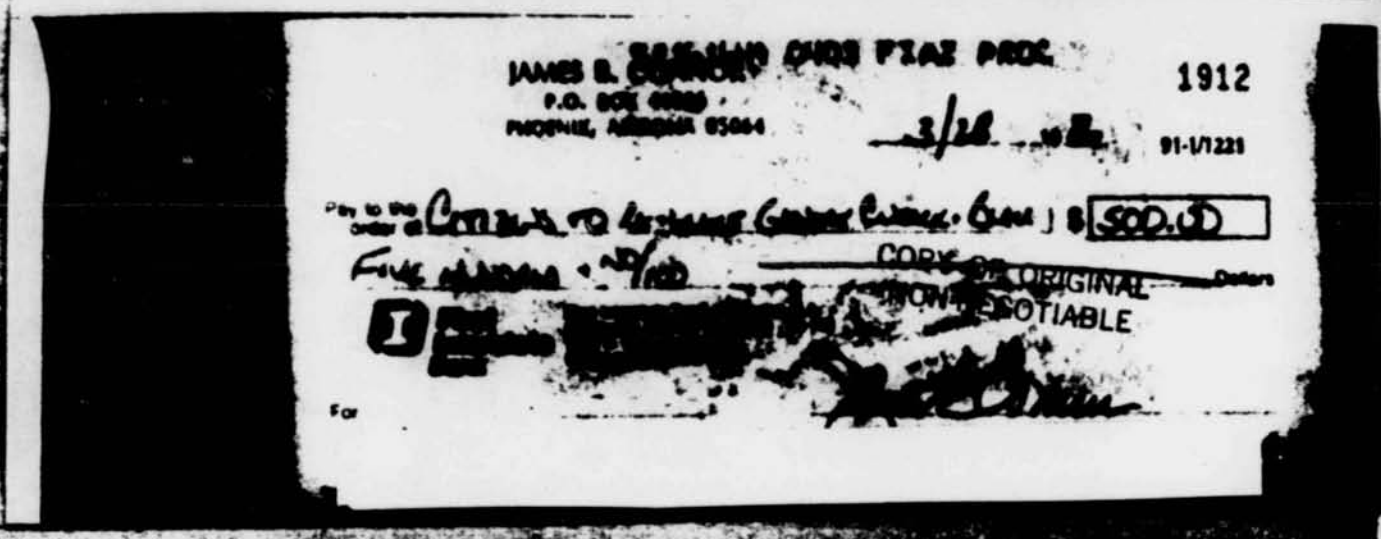
First Interstate Bank

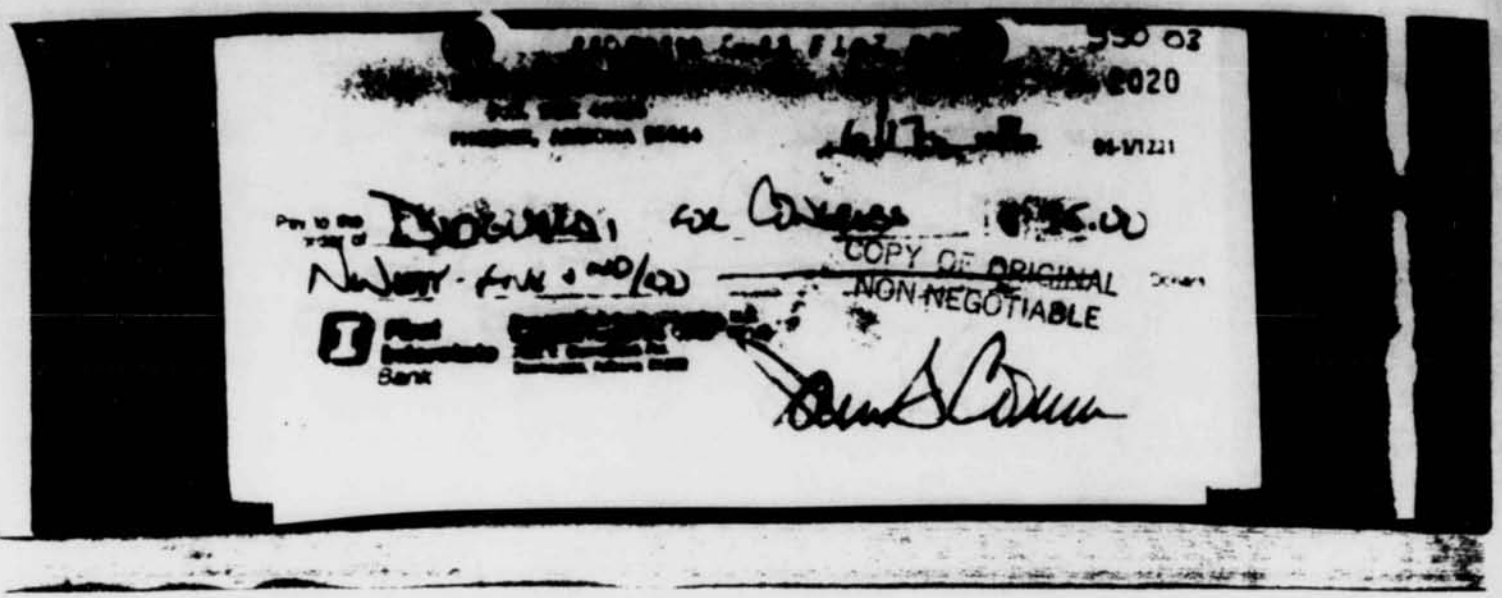
First Interstate Bank of Arizona, N.A.
Scottsdale Fashion Sq. Office 58743
7032 E. Camelback Rd
Scottsdale, Arizona 85252

For

James B. Connor



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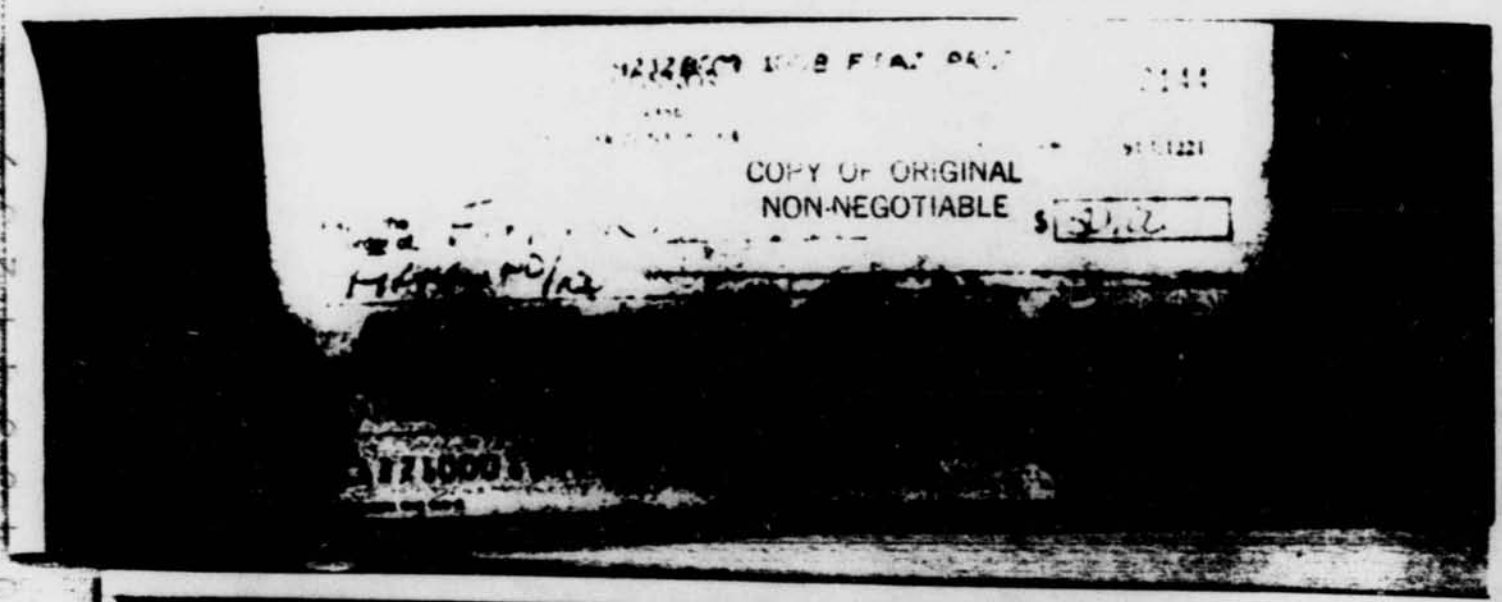
NON-NEGOTIABLE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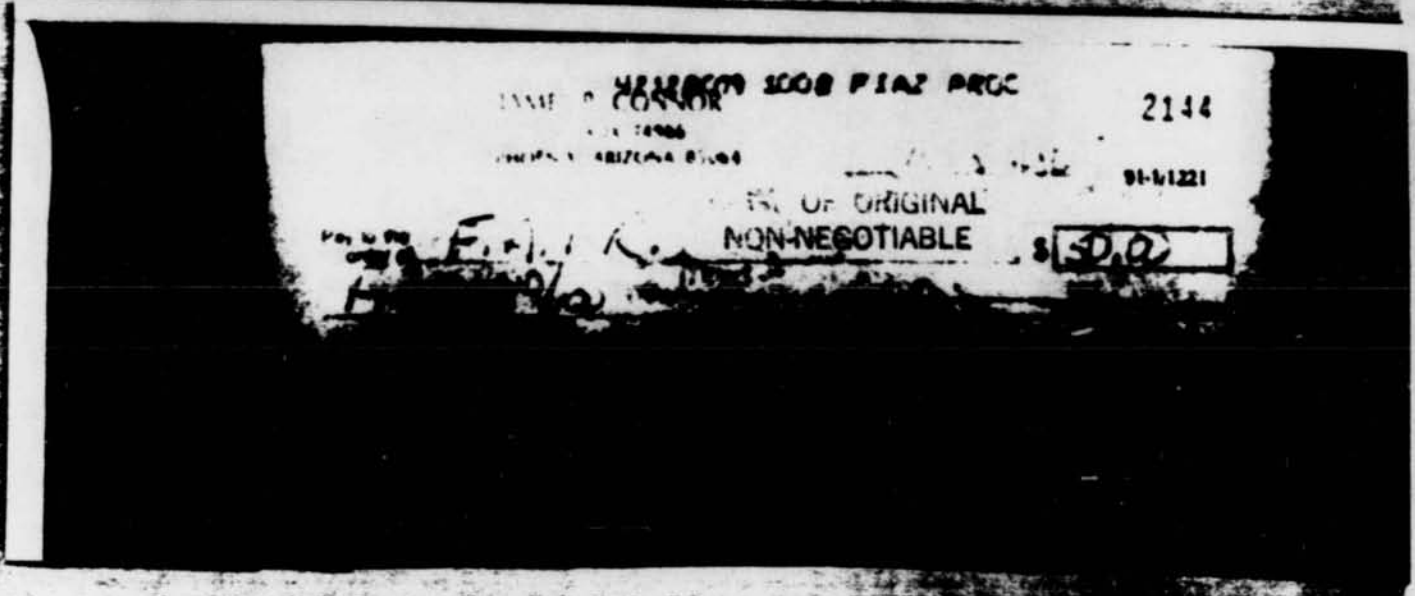
NON-NEGOTIABLE


2144
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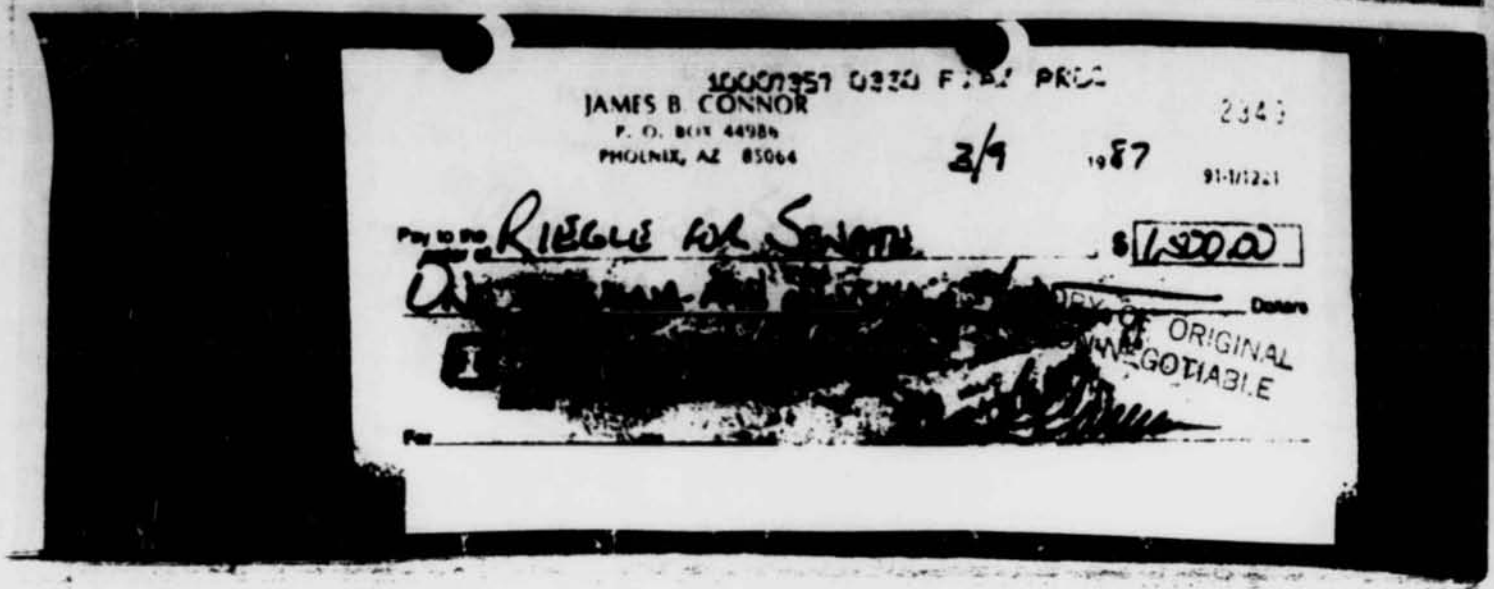
NON-NEGOTIABLE



10007357 0330 F[illegible] PRO[illegible]

JAMES B. CONNOR
P. O. BOX 44986
PHOENIX, AZ 85064

2343

3/9 1987

91-1/1221

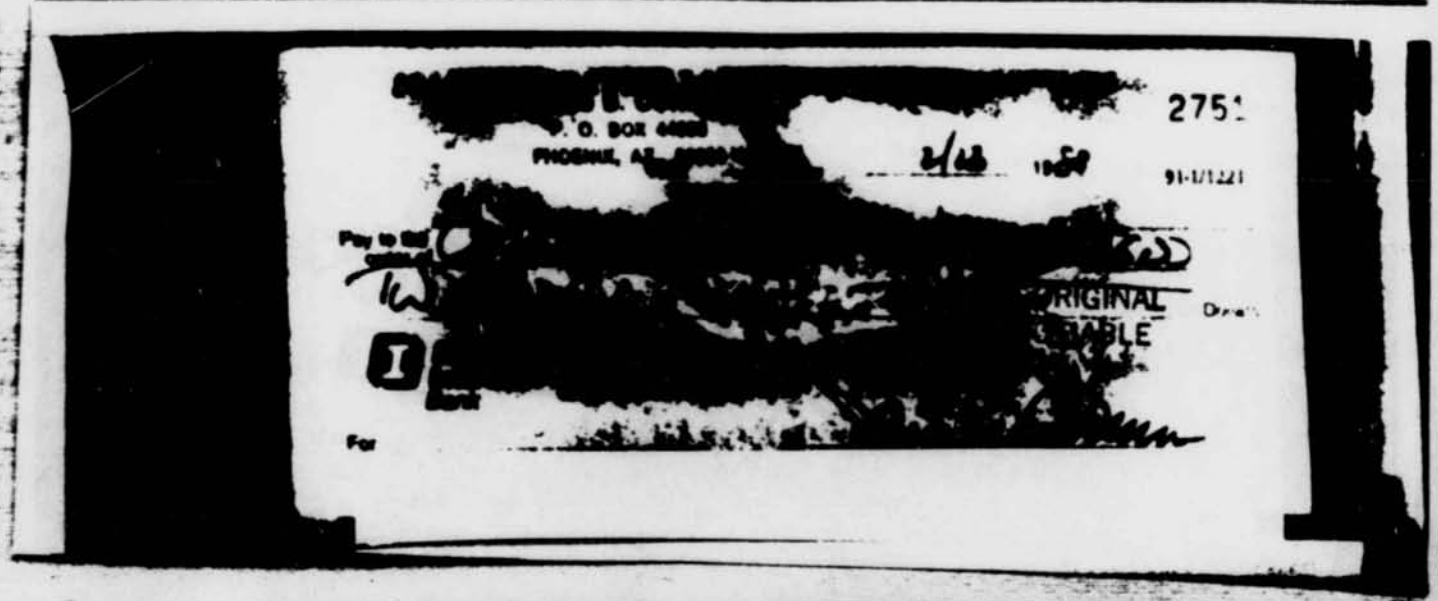
Pay to the order of RIEGLE FOR SENATE $ 1,500.00

[illegible] Dollars

[illegible] ORIGINAL
[illegible] GOTIABLE

For

[illegible]
P. O. BOX [illegible]
PHOENIX, AZ [illegible]



2751

2/13 1988

91-1/1221

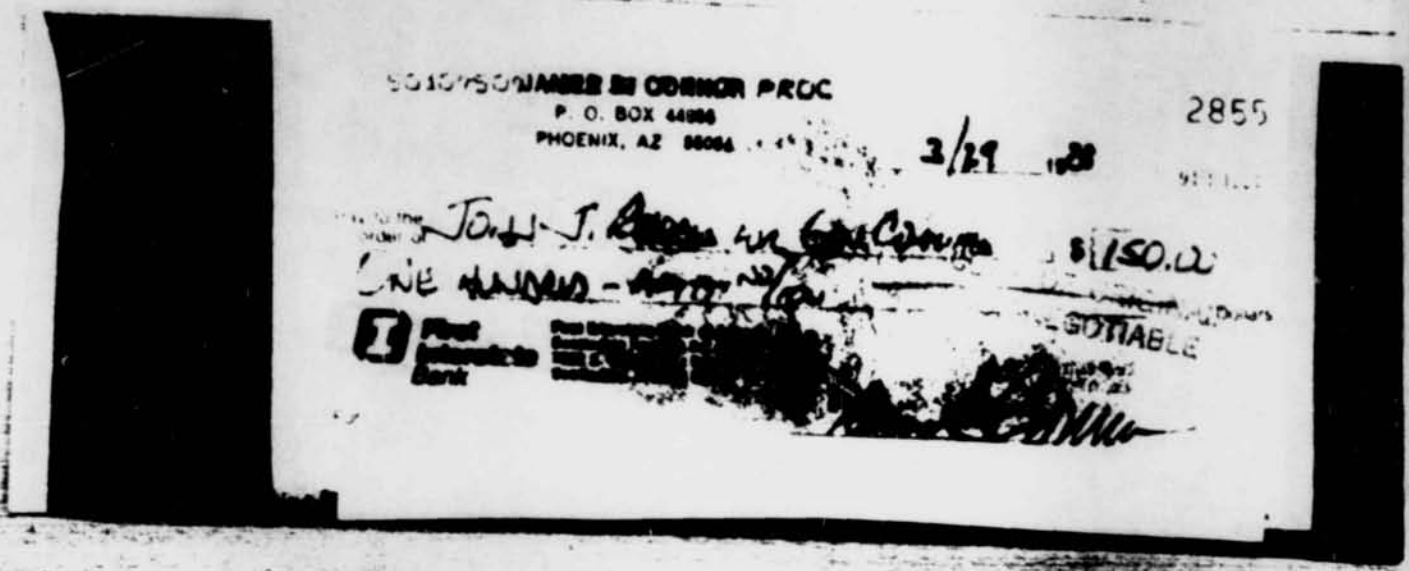
Pay to the order of [illegible]

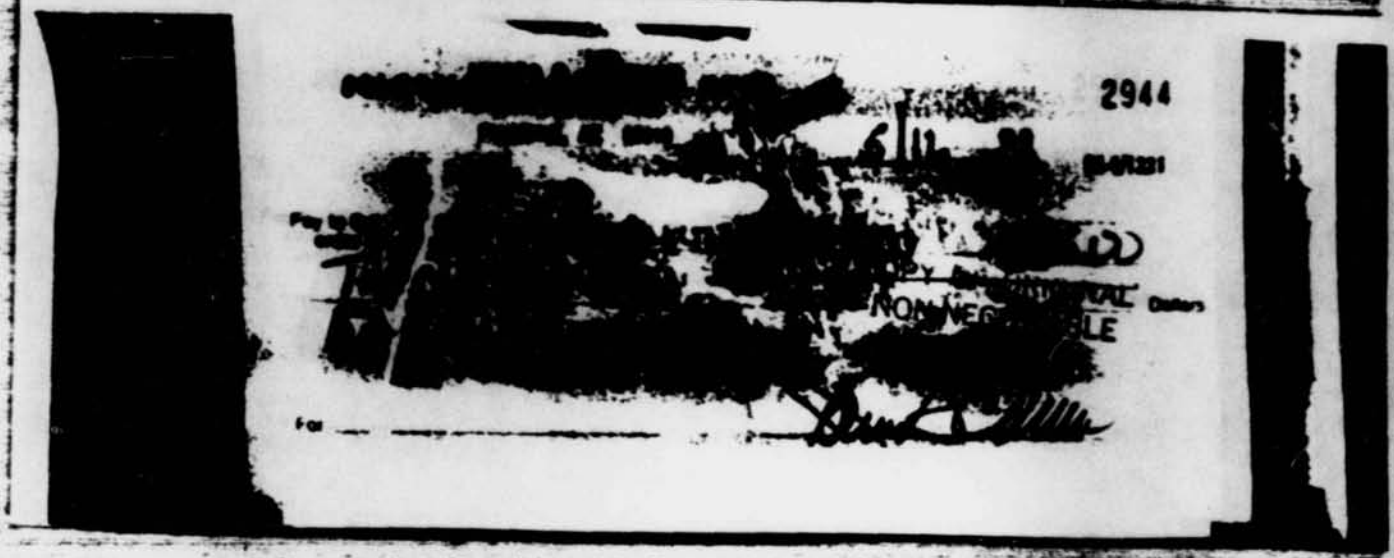
[illegible] ORIGINAL
[illegible] BLE

Dollars

For

23043541260





230435411261

00C0768

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 APR 15 AM 11:00

LAW OFFICES OF
TOPEL & GOODMAN
A PROFESSIONAL CORPORATION
832 SANSOME STREET, FOURTH FLOOR
SAN FRANCISCO, CALIFORNIA 94111
TELEPHONE (415) 421-6140

April 12, 1991

91 APR 15 PM 4:06

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

2304354126 2

VIA FEDERAL EXPRESS

Office of the General Counsel
Federal Election Commission
ATTN: Tony Buckley, Esq.
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 3121: Robert and Elizabeth Kielty

Dear Mr. Buckley:

I am writing to you on behalf of Robert J. Kielty and Elizabeth A. Kielty, both of whom are named as respondents in this Matter Under Review. Enclosed please find Designation of Counsel forms executed on behalf of each respondent. I apologize for not responding to you sooner; we received the designation of counsel forms in my office on Monday, April 8, 1991, but I was unavailable this week until today.

I spoke this afternoon with David Frulla, counsel for George and Judy Wischer in this Matter Under Review. He informed me that he had the opportunity to meet with you and Mr. Robert Bonham on April 1st, and that he discussed with you the difficulties inherent in Judy Wischer's responding to the Commission's allegations while parallel criminal proceedings and investigations are proceeding against her.

Robert Kielty, as you may be aware, is in a similar position. The United States Attorney's Office for the Central District of California has been conducting a political contribution investigation regarding American Continental Corporation since at least last year. In addition, allegations regarding improper political contributions form part of a much broader criminal investigation currently being conducted into the financial affairs of American Continental Corporation and Lincoln Savings & Loan.

In light of these pending criminal proceedings into precisely the area that is the subject of the Commission's inquiry, Mr. and Mrs. Kielty respectfully join in the request made by Mr. Frulla in his letter to you dated April 2, 1991, on behalf of Mrs. Wischer, for an indefinite extension of time in which to respond to the Commission's subpoena.

As Mr. Frulla explained, fairness requires that such an extension be given under the circumstances of this MUR. The Kieltys have been named as respondents in this MUR based on three unspecific, speculative, and anonymous source-based newspaper stories to the effect that certain contributions from American Continental Corporation employees might have been reimbursed through bonuses or by some other means. There are no specific allegations against the Kieltys personally. The only "link" between the contributions made by the Kieltys and any impropriety is provided by the vague and unsupported allegations contained in the news stories.

Mr. and Mrs. Kielty would like nothing more than to have a full and fair opportunity, unencumbered by the need for Mr. Kielty to continue to assert his fifth amendment privilege in response to the criminal investigations currently pending against him, to respond in full to the Commission's subpoena and to clear their names on this issue. Unfortunately, and for reasons unrelated to the political contributions the Kieltys voluntarily made in support of certain candidates, they cannot respond at this time.

We are confident that the Commission will find, once all the evidence is before it, that no improprieties occurred with respect to the political contributions made by employees of American Continental Corporation and Lincoln Savings, and certainly that no improprieties were committed by or at the instigation of the Kieltys.

While no one denies that many officers, directors, and employees of American Continental Corporation were active in their support of political candidates of their choosing, there is simply no credible evidence to support the allegations that any contributions made by these respondents were funded by, reimbursed, or otherwise "actually made" by American Continental Corporation or any of its subsidiaries.

The Kieltys look forward to the chance to defend themselves, and to assist the Commission in its effort to determine the facts and reach a fair result. It would certainly appear that the requested extension of time provides the most equitable accommodation between the Commission's interest in

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long range fact-finding and Mr. Kielty's interest in assisting the Commission to the maximum extent possible while still exercising his constitutional privilege for only as long as it remains absolutely necessary for him to do so.

Thank you for your consideration of this request. If you have any comments on this letter, and certainly if you have some suggestions as to how we might proceed in a way that would not pose a fifth amendment problem for Mr. Kielty, please let me know.

I look forward to hearing from you.

Sincerely,

DAVID R. CALLAWAY

DRC.sw

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STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: William M. Goodman, Esq.
David R. Callaway, Esq.

ADDRESS: TOPEL & GOODMAN
832 Sansome Street, 4th Floor
San Francisco, CA 94111

TELEPHONE: (415) 421-6140

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

4-3-91
Date

Elizabeth A. Kielty
Signature

RESPONDENT'S NAME: Elizabeth Kielty

ADDRESS: 8714 North 65th Street
Paradise Valley, Arizona 85253

HOME PHONE:

BUSINESS PHONE: ~~n/a~~

2304354126 5

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: William M. Goodman, Esq.
David R. Callaway, Esq.

ADDRESS: TOPEL & GOODMAN
832 Sansome Street, 4th Floor
San Francisco, CA 94111

TELEPHONE: (415) 421-6140

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.

11-3-91
Date

Signature

RESPONDENT'S NAME: Robert J. Kielty

ADDRESS: Robert Kielty
8714 North 65th Street
Paradise Valley, Arizona 85253

HOME PHONE:

BUSINESS PHONE: n/a

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 16, 1991

Dina M. McKenna, Esq.
Layman, Jones & Dye
2600 Michelson Drive
Suite 1000
P.O. Box 19798
Irvine, CA 92713-9798

RE: MUR 3121
Ray and Kathi Fidel

Dear Ms. McKenna:

This is in response to your letter dated April 12, 1991, which we received on April 15, 1991, requesting extensions of time until May 6, 1991 to respond to the Subpoenas to Produce Documents and Orders to Submit Written Answers issued by the Federal Election Commission to your clients, Ray and Kathi Fidel. After considering the circumstances presented in your letter, I have granted the requested extensions. Accordingly, your responses are due by the close of business on May 6, 1991.

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Robert W. Bonham, III
Assistant General Counsel

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LAW OFFICES OF
COTSIRILOS & CAMPISANO
155 MONTGOMERY STREET
NINTH FLOOR
SAN FRANCISCO, CALIFORNIA 94104
OFFICE: (415) 397-2373
FACSIMILE: (415) 397-8680

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FEDERAL ELECTION COMMISSION
MAIL ROOM
91 APR 17 AM 9:18

April 16, 1991

91 APR 17 PM 2:47
RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

BY FEDERAL EXPRESS

Mr. Tony Buckley
Federal Election Commission
999 "E" Street N.W.
Washington, D.C. 20463

Re: David I. Thompson, MUR # 3121

Dear Mr. Buckley:

Enclosed is the executed Statement of Designation of Counsel for David I. Thompson.

Thank you for your continued courtesy in connection with this matter.

Very truly yours,

George J. Cotsirilos, Jr.

GJC:ggg
Enclosure: Statement of Designation of Counsel

2304354128

STATEMENT OF DESIGNATION OF COUNSEL

MUR MUR 3121

NAME OF COUNSEL: George J. Cotsirilos/Stephen Kaus

ADDRESS: 155 Montgomery Street, Ninth Floor
San Francisco, California 94104

TELEPHONE: 415 397 2373

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.

Date 4/11/91

Signature David I. Thompson

RESPONDENT'S NAME: David I. Thompson

ADDRESS: P.O. Box 67
Chestertown, MD 21620

HOME PHONE:

BUSINESS PHONE: (301) 778-3285

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 18, 1991

George J. Cotsirilos, Esq.
Cotsirilos & Campisano
155 Montgomery Street
Ninth Floor
San Francisco, California 94104

RE: MUR 3121
David Thompson

Dear Mr. Cotsirilos:

This is in response to your letter dated April 1, 1991, which we received on April 2, 1991, requesting an extension of time until April 21, 1991 to respond to the Subpoena to Produce Documents and Order to Submit Written Answers issued by the Federal Election Commission to your client, David Thompson. We received your designation as counsel by Mr. Thompson on April 17, 1991. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on April 21, 1991.

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Robert W. Bonham, III
Assistant General Counsel

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MORRISON, HECKER, CURTIS, KUDER & PARRISH

1600 FINANCIAL CENTER
3443 NORTH CENTRAL AVENUE
PHOENIX, ARIZONA 85012-2204
(602) 279-1600

KANSAS CITY, MISSOURI
WASHINGTON, D.C.

TELECOPIER (602) 240-6925

OVERLAND PARK, KANSAS
WICHITA, KANSAS

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

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April 16, 1991

91/4/19 PM 2:41
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

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

MUR ~~2999~~ 3321

Re: Subpoena to Produce Documents/Order to Submit Written Answers

Dear Mr. Buckley:

This letter follows up on our telephone conversation of March 19, 1991 regarding the Federal Election Commission's ("FEC") Subpoena to Produce Documents and Order to Submit Written Answers ("Subpoena and Order") directed to Lincoln Savings and Loan Association.

As you know, this firm represents the Resolution Trust Corporation ("RTC"), as Receiver of Lincoln Savings and Loan Association and Lincoln Savings and Loan Association, F.A. ("Lincoln"). As described in Lincoln's response dated January 15, 1990 to Complaint MUR 2999, Lincoln has been under the control of the federal government since April 14, 1989. As Receiver of both the original association and the federal association created August 2, 1989, RTC currently is in the process of winding up the institutions' businesses and liquidating their assets. Many of the assets of the federal association have been sold to another financial institution or transferred to the RTC in its corporate capacity. As a result, there are no longer any employees at Lincoln who can respond to the interrogatories propounded by the FEC.

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As we further discussed, Lincoln has deposited the originals or copies of substantially all of the documents in its possession in the Document Depository in Phoenix, Arizona, established by the Order of Judge Bilby of the United States District Court for the District of Arizona. The documents deposited in the Depository include the documents requested by the FEC.

Judge Bilby has allowed several state and federal investigative agencies access to the Document Depository for the purpose of reviewing documents pertinent to their ongoing investigations. Because I was not able to locate copies of any motions filed by these agencies requesting access to the Depository, I believe the Orders granting access may have been entered upon oral requests. You may wish to contact Ms. Linda McNulty, Judge Bilby's clerk, to determine the proper procedures for gaining access to the Depository. Her telephone number is (602) 670-6536. Also, once the FEC has obtained access to the Depository, I will be happy to assist you in narrowing your search for relevant documents in the Depository.

Please feel free to give me a call if you have any questions, or if I can be of any further assistance.

Sincerely,

Terri Kimker

Teresa J. Kimker

cc: Mr. David Beck

tjk0d5

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McCAMBRIDGE, DEIXLER, MARMARO & GOLDBERG
ATTORNEYS AT LAW
2029 CENTURY PARK EAST
SUITE 2700
LOS ANGELES, CALIFORNIA 90067
TELEPHONE (213) 277-2650
TELECOPIER (213) 203-8304

GEORGE R. McCAMBRIDGE
BERT H. DEIXLER
SHINAAN S. KRAKOWSKY
LARY A. RAPPAPORT
RICHARD MARMARO
STEVEN M. GOLDBERG
JAMES C. CHALFANT
MICHAEL A. FIRESTEIN
M. JOEY LYNCH
DONNA F. GRANDY
DENISE P. ASHWORTH
TIMOTHY B. SOTTILE
DANIEL A. PLATT
CRAIG H. MISSAKIAN
ANTHONY PACHECO
JACK P. DiCANIO
JOHN W. CRUMPACKER

April 21, 1991

91 APR 22 AM 9:47

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

VIA NETWORK COURIER

Tony Buckley, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: MUR 3121

Dear Mr. Buckley:

Pursuant to our telephone conversation on April 15, 1991, enclosed are:

1. The response of Mark A. Voigt to the interrogatories propounded by the Federal Election Commission;

2. The response of Michele C. Mencuccini to the interrogatories propounded by the Federal Election Commission; and

3. Documents produced by Mr. Voigt and Ms. Mencuccini in response to the request for documents propounded by the Federal Election Commission. As we discussed, these documents are being provided to the Federal Election Commission without waiver of any applicable privileges that may exist.

Originally executed signature pages of both Mr. Voigt and Ms. Mencuccini are being sent to me and will be provided to you shortly. In the interim, I have included the telecopied signature pages of Mr. Voigt and Ms. Mencuccini.

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Finally, as we discussed in the past, both Mr. Voigt and Ms. Mencuccini have requested that you contact me and not them in connection with this matter. As we have also discussed, both Mr. Voigt and Ms. Mencuccini are willing to meet with a representative of the Federal Election Commission in connection with this matter.

Very truly yours,

Shinaan S. Krakowsky
of McCambridge, Deixler
Marmaro & Goldberg

SSK/mdw
Enclosures

cc: Mark A. Voigt
Michelle C. Mencuccini

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MARK VOIGT'S RESPONSE TO INTERROGATORIES

INTERROGATORY NO. 1:

State your full name, address, phone number and current employer.

RESPONSE TO INTERROGATORY NO. 1:

Mark Allen Voigt
2651 Sunset Boulevard
Rocklin, California 95677

Employer: Stanford Ranch Inc.

INTERROGATORY NO. 2:

List your occupation(s) and employer(s) during the relevant period. Describe your position(s) with each employer.

RESPONSE TO INTERROGATORY NO. 2:

To the best of my recollection, I held the following positions. There may be additional positions which I held which I do not presently recall.

CONTINENTAL HOMES, INC.
1982 - 1985 Vice President, Land Development

AMERICAN CONTINENTAL CORPORATION
1985 - 1988 Executive Vice President, Real Estate Division

AMCOR INVESTMENTS, INC.
1989 - 1990 President

INTERROGATORY NO. 3:

Describe your relationship, if any, to Charles Keating, Jr. and American Continental Corporation ("ACC") and all of its subsidiaries and associated companies, including Lincoln Savings

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& Loan Association ("Lincoln"), during the relevant time period.

RESPONSE TO INTERROGATORY NO. 3:

As set forth above, I was employed by both ACC and Lincoln during the relevant time period. In addition, I was designated as a Director of ACC from approximately 1985 through January 6, 1989. I was also designated as a director for certain Lincoln subsidiaries, including Amcor, during the relevant time period. I do not recall each of the subdiaries, nor do I recall the precise time periods involved.

I had no independent relationship with Mr. Keating other than the contact I had with him in my capacity as an employee and director. I did, however, see Mr. Keating often at company social functions.

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INTERROGATORY NO. 4:

For each bonus or other compensation in addition to your salary which you received, provide the following information:

a. The amount of such bonus or other compensation;

b. The justification for such bonus or other compensation;

c. Date of receipt of such bonus or other compensation.

RESPONSE TO INTERROGATORY NO. 4:

a. I have no records indicating specific bonus amounts paid to me during the relevant time period nor do I recollect those amounts. Certain records showing my total annual income during the relevant time period have already been submitted to the Federal Depository and have been designated as privileged. Without waiver of any privilege which may exist regarding those records, such as

the right to privacy or the privilege against disclosure of tax returns, copies of those records are enclosed herein.

b. I was informed that the bonuses given me were based on job performance, quality of work and general success in processing land development projects.

c. I only recall receiving bonuses in July and/or December, depending upon the company's policy for bonuses that particular year. Some years they granted bonuses in July and December and some years only once. I do not recall getting any bonuses other than during the time periods described above.

INTERROGATORY NO. 5:

Identify each federal political contribution and expenditure you made during the relevant period by date, amount and recipient. For each contribution:

a. State whether the contribution was made by check or other written instrument. If so, provide a copy (both sides) of the check or other written or instrument.

b. Describe the circumstances under which each contribution was made. If a contribution was made as the result of a solicitation, describe the circumstances surrounding each solicitation, including the identity of the person(s) who made such solicitation and when and where it occurred. If any such solicitation was written, provide a copy of it.

c. State whether any contribution was made at the direction or suggestion of any person, including Charles Keating,

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Jr. or any person associated with him, ACC, Lincoln or any other company associated with Charles Keating. If so, identify such person and describe the circumstances.

d. State whether any contribution was made in connection with a particular fundraising event. If so, state when and where the event was held and whether or not you attended. Identify who sponsored the event and on whose behalf the event was held. If you did attend the event, identify any persons who also attended. Identify any person(s) who provided you with transportation to and from the event.

e. State whether you received an advance, bonus, payment or other compensation or reimbursement in connection with any contribution. If so, identify the person or entity who provided the reimbursement or compensation and the date it was provided.

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RESPONSE TO INTERROGATORY NO. 5:

a. All contributions made by me were made by personal check. Again, without waiver of any applicable privileges, copies of cancelled checks which I possess are enclosed herein.

b. I have no specific recollection of each contribution. Requests for such contributions came from a myriad of sources. These sources include Mr. Charles H. Keating, Jr., Mr. Bob Keilty, Mr. James Grogan, and/or several of Mr. Keating's various personal secretaries. In some instances, I recall attending speeches made by the candidates themselves or on occasion a dinner at which various candidates were in attendance. However, I have no specific

recollection of dates of each fund raising event. I do remember attending a meeting at the Keating residence where Senator Cranston addressed a small group. I also remember visits and speeches by several candidates to employees at the American Continental Corporate headquarters. These candidates include John McCain, John Kyl and Don Reigle. I also recall meeting John Glenn at a dinner at the Phoenician Hotel.

c. See answer (b). I was never directed or required to make a contribution. However, I was encouraged to contribute to various candidates favored by ACC/Lincoln as were many other officers, department heads and/or board members of ACC/Lincoln.

d. Except as set forth above, I do not recall any specific fund raiser that I attended nor do I recall if any fundraiser was tied to any specific contribution although I suspect that that is the case. The fundraisers were typically attended by many ACC/Lincoln employees.

e. I never received an advance, bonus, payment or any other compensation or reimbursement in connection with any contribution that I made.

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INTERROGATORY NO. 6:

In addition to the documents produced in response to Questions 5a and b, produce all documents relating or in any way pertaining to each federal political contribution you identified in Question 5, including check registers, bank statements, correspondence and notes.

RESPONSE TO INTERROGATORY NO. 6:

Again, without waiver of any applicable privileges, copies of all documents which I have relating or in any way pertaining to any federal political contribution are enclosed herein.

INTERROGATORY NO. 7:

Identify any federal contribution made by others which you facilitated, arranged, solicited or delivered to any federal candidate or committee during the relevant period.

RESPONSE TO INTERROGATORY NO. 7:

With the exception of federal contributions which I may have asked my wife Michele C. Mencuccini to make, I have no recollection of my soliciting funds for any federal contributions nor do I possess any documents regarding such solicitations. However, I did participate in soliciting contributions for local candidates and it is possible I occasionally solicited some contributions for federal candidates as well.

INTERROGATORY NO. 8:

Provide all documents relating to any federal contributions made by others which you arranged, solicited or delivered to any federal candidate or committee during the relevant period.

RESPONSE TO INTERROGATORY NO. 8:

See Answer to Question 7.

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INTERROGATORY NO. 9:

Provide copies of all documents, including correspondence, notes, memos and phone messages relating to any communication with a federal political committee to which you made a contribution during the relevant period.

RESPONSE TO INTERROGATORY NO. 9:

I do not recall any communication that I had with a federal political committee to which I made a contribution, nor do I possess any documents (other than cancelled checks) reflecting any such communications.

INTERROGATORY NO. 10:

Identify any person other than counsel who provided information, or was consulted or assisted in any way in the preparation of answers to these questions and document requests.

RESPONSE TO INTERROGATORY NO. 10:

The only other person with whom I have discussed this matter, other than counsel, is my wife, Michele C. Mencuccini.

DATED: April ___, 1991

Mark A Voigt

MARK A. VOIGT

2304354128 1

MICHELE C. MENCUCCINI'S RESPONSE TO INTERROGATORIES

INTERROGATORY NO. 1:

State your full name, address, phone number and current employer.

RESPONSE TO INTERROGATORY NO. 1:

Michele Comfort Mencuccini
1646 East Orchid Lane
Phoenix, Arizona 85020

I am not currently employed.

INTERROGATORY NO. 2:

List your occupation(s) and employer(s) during the relevant period. Describe your position(s) with each employer.

RESPONSE TO INTERROGATORY NO. 2:

I was employed by American Continental Corporation during the period of 1983 through 1986. During this time, I also worked for Lincoln Savings & Loan Association. I have not been employed full time since December 1986. My position with ACC/Lincoln was Project Manager for Land Development.

INTERROGATORY NO. 3:

Describe your relationship, if any, to Charles Keating, Jr. and American Continental Corporation ("ACC") and all of its subsidiaries and associated companies, including Lincoln Savings & Loan Association ("Lincoln"), during the relevant period.

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RESPONSE TO INTERROGATORY NO. 3:

As set forth above, I was employed by both ACC and Lincoln during the relevant time period. I had no independent relationship with Mr. Keating other than the contact I had with him in my capacity as an employee of ACC/Lincoln. The only additional contact I had with Mr. Keating, both during and after I left ACC/Lincoln, was in connection with any company social functions I attended with my husband Mark A. Voigt.

INTERROGATORY NO. 4:

For each bonus or other compensation in addition to your salary which you received, provide the following information:

a. The amount of such bonus or other compensation;

b. The justification for such bonus or other compensation;

c. Date of receipt of such bonus or other compensation.

RESPONSE TO INTERROGATORY NO. 4:

a. I have no records indicating specific bonus amounts paid to me during the relevant period nor do I recollect those amounts. Certain records showing my total annual income during the relevant time period have already been submitted to the Federal Depository and have been designated as privileged. Without waiver of any privileges which may exist regarding those records, such as the right to privacy or the privilege against disclosure of tax returns, copies of those records are enclosed herein.

b. I was informed that bonuses were given to me based on my performance in the Land Development Department, including the quality of work and general performance in processing zoning

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requests, completing planning and processing for land development projects.

c. I only recall receiving bonuses in July and/or December, depending upon the company's policy for bonuses that particular year. Some years they granted bonuses in July and December and some years only once. I do not recall getting any bonuses other than during the time periods described above.

INTERROGATORY NO. 5:

Identify each federal political contribution and expenditure you made during the relevant period by date, amount and recipient. For each contribution:

a. State whether the contribution was made by check or other written instrument. If so, provide a copy (both sides) of the check or other written or instrument.

b. Describe the circumstances under which each contribution was made. If a contribution was made as the result of a solicitation, describe the circumstances surrounding each solicitation, including the identity of the person(s) who made such solicitation and when and where it occurred. If any such solicitation was written, provide a copy of it.

c. State whether any contribution was made at the direction or suggestion of any person, including Charles Keating, Jr. or any person associated with him, ACC, Lincoln or any other company associated with Charles Keating. If so, identify such person and describe the circumstances.

2304354128 4

d. State whether any contribution was made in connection with a particular fundraising event. If so, state when and where the event was held and whether or not you attended. Identify who sponsored the event and on whose behalf the event was held. If you did attend the event, identify any persons who also attended. Identify any person(s) who provided you with transportation to and from the event.

e. State whether you received an advance, bonus, payment or other compensation or reimbursement in connection with any contribution. If so, identify the person or entity who provided the reimbursement or compensation and the date it was provided.

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RESPONSE TO INTERROGATORY NO. 5:

a. All contributions made by me were made by personal check. Again, without waiver of any applicable privileges, copies of cancelled checks which I possess are enclosed herein.

b. I have no specific recollection of how any one particular contribution was requested. During the period I was employed by ACC/Lincoln, requests were generally made by Mr. Keating or one of his secretaries. To the extent any contributions were made after I left ACC/Lincoln, they were probably made after first being discussed with my husband, Mark A. Voigt.

c. I was never directed or required to make a contribution to anyone. However, my husband and I were encouraged to contribute to various candidates favored by ACC/Lincoln, as were many ACC/Lincoln employees.

d. The only fundraiser I can specifically recall was one held for Senator John McCain at the Arizona Biltmore Hotel. I do not recall the date or whether it coincides with a specific contribution to Senator McCain, although I believe it relates to the October 17, 1983 contribution. While I know that I attended many fundraisers during the period of my employment at ACC/Lincoln, the McCain fundraiser is the only one I specifically remember. The fundraisers were typically attended by many ACC/Lincoln employees.

e. I never received an advance, bonus, payment or other compensation or reimbursement in connection with any contribution.

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INTERROGATORY NO. 6:

In addition to the documents produced in response to Questions 5a and b, produce all documents relating or in any way pertaining to each federal political contribution you identified in Question 5, including check registers, bank statements, correspondence and notes.

RESPONSE TO INTERROGATORY NO. 6:

Again, without waiver of any applicable privilege, copies of all documents which I had relating or in any way pertaining to any Federal political contribution are enclosed herein.

INTERROGATORY NO. 7:

Identify any federal contribution made by others which you facilitated, arranged, solicited or delivered to any federal candidate or committee during the relevant period.

RESPONSE TO INTERROGATORY NO. 7:

I was never responsible for facilitating, arranging, soliciting or delivering contributions to or for any federal candidate or committee during the relevant period.

INTERROGATORY NO. 8:

Provide all documents relating to any federal contributions made by others which you arranged, solicited or delivered to any federal candidate or committee during the relevant period.

RESPONSE TO INTERROGATORY NO. 8:

See Answer to Question 7.

INTERROGATORY NO. 9:

Provide copies of all documents, including correspondence, notes, memos and phone messages relating to any communication with a federal political committee to which you made a contribution during the relevant period.

RESPONSE TO INTERROGATORY NO. 9:

I do not recall any communication that I had with a federal political committee to which I made a contribution, nor do I possess any documents (other than cancelled checks) reflecting any such communications.

INTERROGATORY NO. 10:

Identify any person other than counsel who provided information, or was consulted or assisted in any way in the preparation of answers to these questions and document requests.

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RESPONSE TO INTERROGATORY NO. 10:

The only other person with whom I have discussed this matter, other than counsel, is my husband, Mark A. Voigt.

DATED: April 19, 1991

MICHELE C. MENCUCCINI

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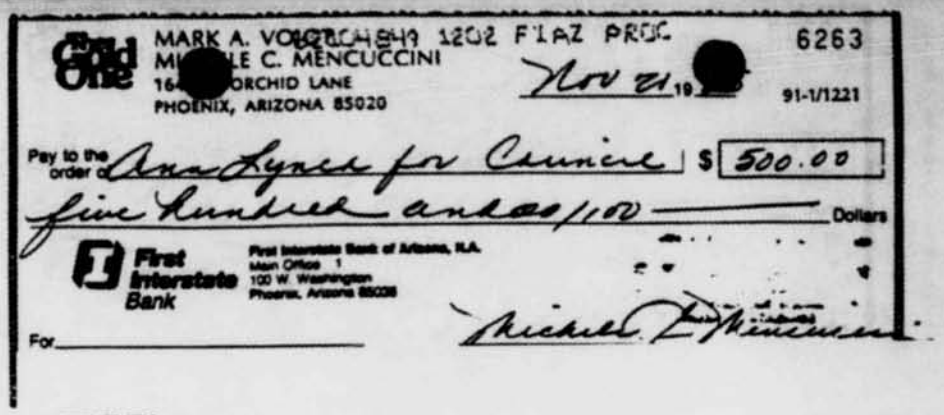

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MARK A. VOIGT 92104849 1202 FIAZ PROC
MICHELE C. MENCUCCINI
1646 E. ORCHID LANE
PHOENIX, ARIZONA 85020

6263

Nov 21 19[illegible]

91-1/1221

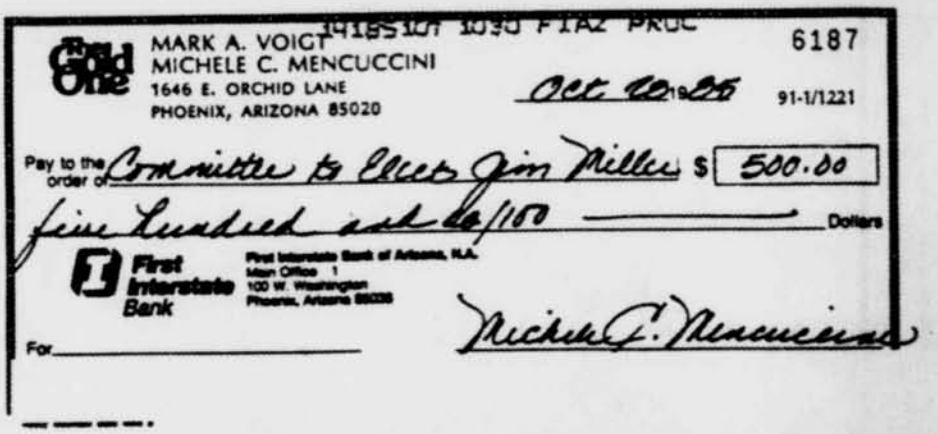
Pay to the order of Ann Lynch for Council $ 500.00

five hundred and 00/100 Dollars

First Interstate Bank
First Interstate Bank of Arizona, N.A.
Main Office 1
100 W. Washington
Phoenix, Arizona 85038

For

Michele C. Mencuccini



MARK A. VOIGT 14185107 1030 FIAZ PROC
MICHELE C. MENCUCCINI
1646 E. ORCHID LANE
PHOENIX, ARIZONA 85020

6187

Oct 22 1985

91-1/1221

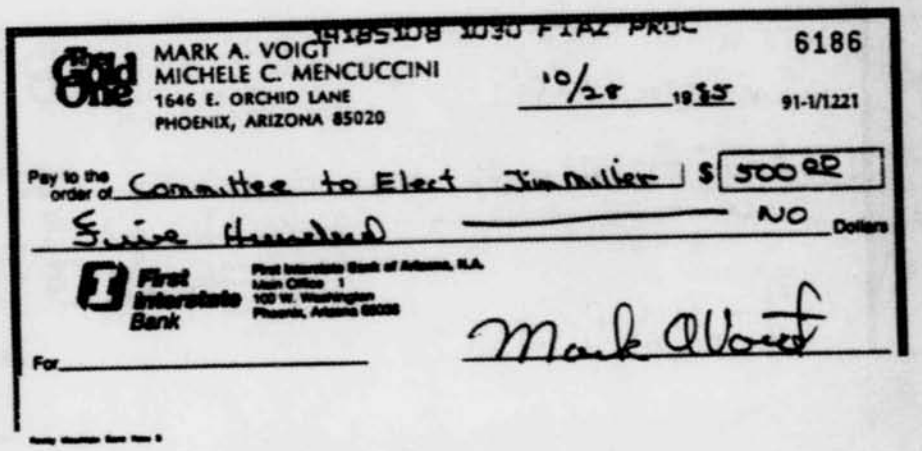
Pay to the order of Committee to Elect Jim Miller $ 500.00

five hundred and 00/100 Dollars

First Interstate Bank
First Interstate Bank of Arizona, N.A.
Main Office 1
100 W. Washington
Phoenix, Arizona 85038

For

Michele C. Mencuccini



MARK A. VOIGT 14185108 1030 FIAZ PROC
MICHELE C. MENCUCCINI
1646 E. ORCHID LANE
PHOENIX, ARIZONA 85020

6186

10/28 1985

91-1/1221

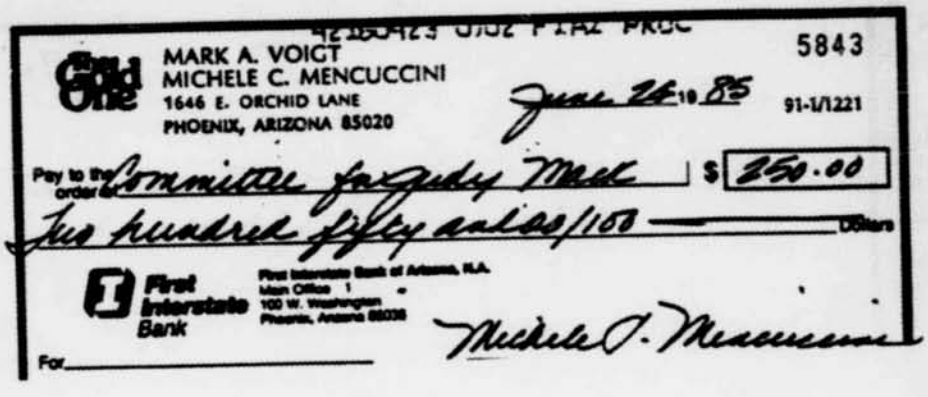
Pay to the order of Committee to Elect Jim Miller $ 500.00

Five Hundred NO Dollars

First Interstate Bank
First Interstate Bank of Arizona, N.A.
Main Office 1
100 W. Washington
Phoenix, Arizona 85038

For

Mark A Voigt



MARK A. VOIGT 92160423 0702 FIAZ PROC
MICHELE C. MENCUCCINI
1646 E. ORCHID LANE
PHOENIX, ARIZONA 85020

5843

June 24 1985

91-1/1221

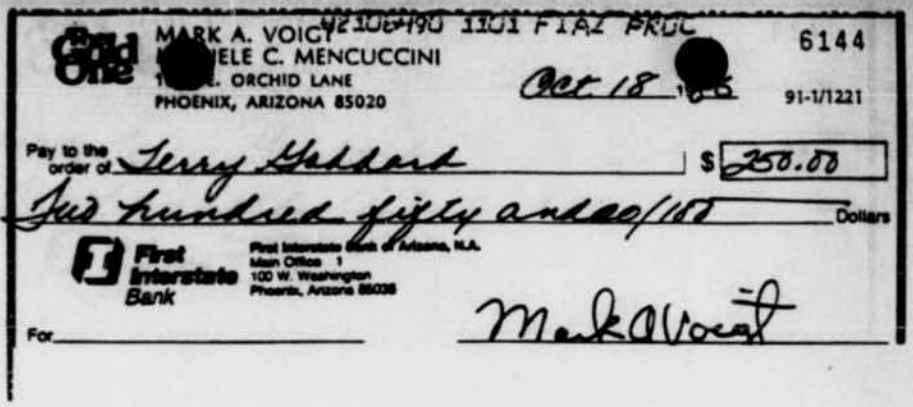
Pay to the order of Committee for Judy Mack $ 250.00

Two hundred fifty and 00/100 Dollars

First Interstate Bank
First Interstate Bank of Arizona, N.A.
Main Office 1
100 W. Washington
Phoenix, Arizona 85038

For

Michele C. Mencuccini



MARK A. VOIGT
[redacted]ELE C. MENCUCCINI
1[redacted]. ORCHID LANE
PHOENIX, ARIZONA 85020

6144
91-1/1221

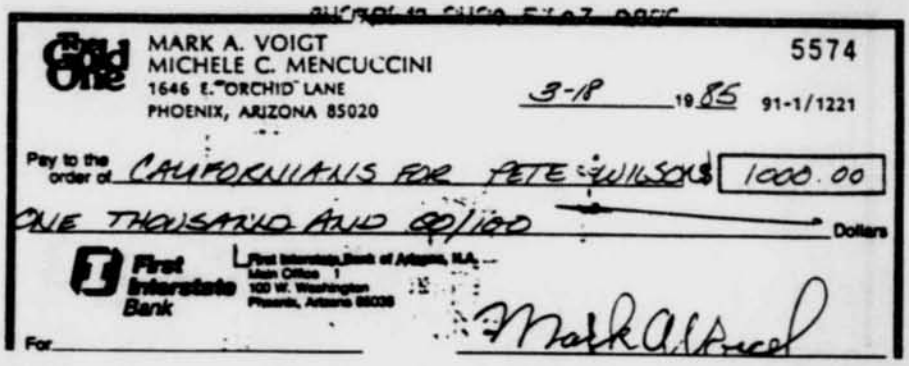
Oct 18 19[redacted]

Pay to the order of Terry Goddard $ 250.00

Two hundred fifty and 00/100 Dollars

First Interstate Bank — First Interstate Bank of Arizona, N.A. Main Office 1 100 W. Washington Phoenix, Arizona 85038

For _____ Mark A Voigt



MARK A. VOIGT
MICHELE C. MENCUCCINI
1646 E. ORCHID LANE
PHOENIX, ARIZONA 85020

5574
91-1/1221

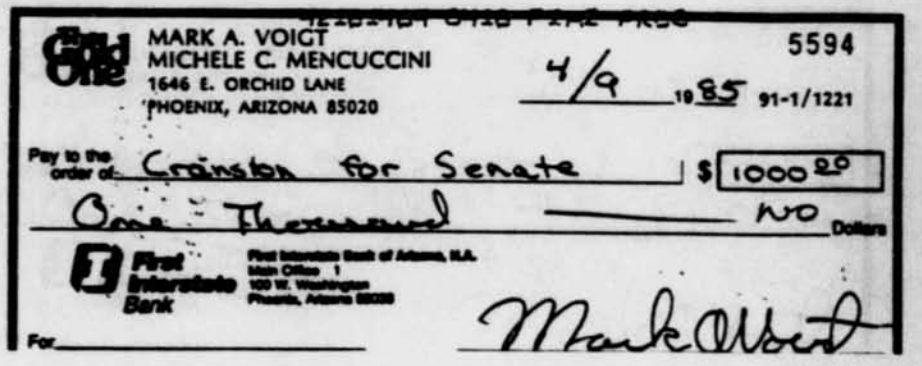
3-18 19 85

Pay to the order of CALIFORNIANS FOR PETE WILSON $ 1000.00

ONE THOUSAND AND 00/100 Dollars

First Interstate Bank — First Interstate Bank of Arizona, N.A. Main Office 1 100 W. Washington Phoenix, Arizona 85038

For _____ Mark A Voigt



MARK A. VOIGT
MICHELE C. MENCUCCINI
1646 E. ORCHID LANE
PHOENIX, ARIZONA 85020

5594
91-1/1221

4/9 19 85

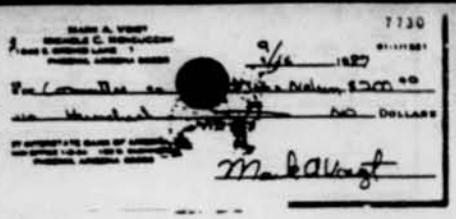
Pay to the order of Grinston for Senate $ 1000 00

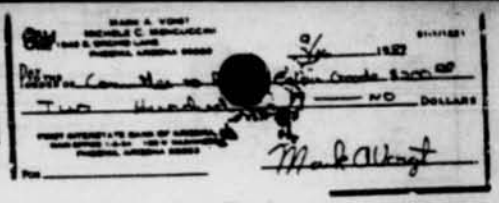
One Thousand NO Dollars

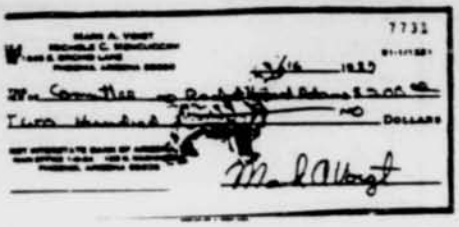
First Interstate Bank — First Interstate Bank of Arizona, N.A. Main Office 1 100 W. Washington Phoenix, Arizona 85038

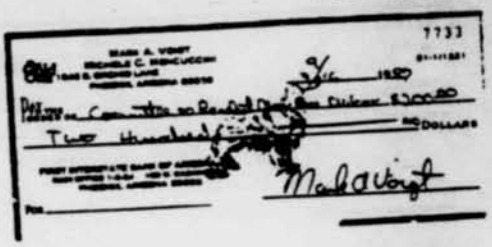
For _____ Mark A Voigt

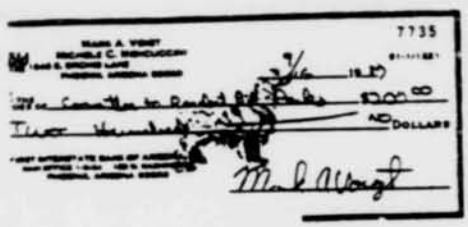
230435412900

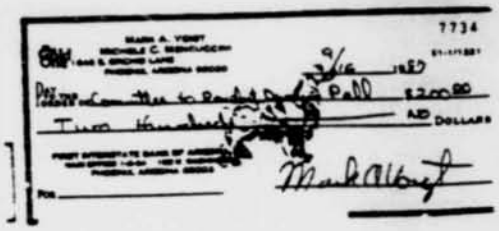


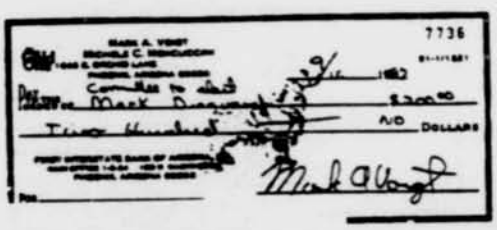


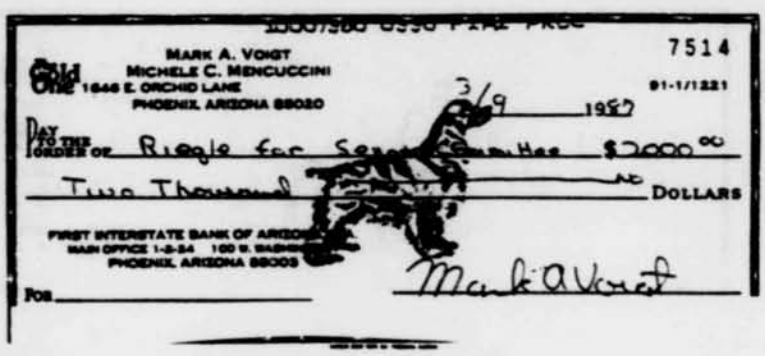


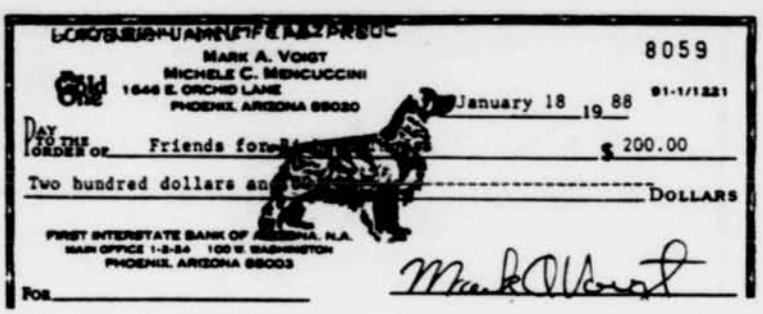












93043541291

10218556 [illegible] FIAZ PROC
MARK A. VOIGT
MICHELE C. MENCUCCINI
1[illegible] ORCHID LN.
[illegible]NIX, ARIZONA 85020

8161

3/9 1988

Pay to the order of Committee to Re-elect Mitchell $ 100.00

One Hundred —— NO dollars

First Interstate Bank
First Interstate Bank of Arizona, N.A.
Glendale & 10th St. Branch 100
1201 E. Glendale Ave.
Phoenix, AZ 85020

SELECT BANKING™

for sign Mark A Voigt

[illegible] JAN26 FIAZ PROC
MARK A. VOIGT
MICHELE C. MENCUCCINI
1646 E. ORCHID LANE
PHOENIX, ARIZONA 85020

8058

91-1/1221

Gold One

January 18 1988

PAY TO THE ORDER OF Friends for Herb [illegible] $ 200.00

Two hundred dollars and [illegible] DOLLARS

FIRST INTERSTATE BANK OF ARIZONA, N.A.
MAIN OFFICE 1-2-24 100 W. WASHINGTON
PHOENIX, ARIZONA 85003

FOR Mark A Voigt

[illegible] FEB05 FIAZ PROC
MARK A. VOIGT
MICHELE C. MENCUCCINI
1646 E. ORCHID LANE
PHOENIX, ARIZONA 85020

FEB. 02 [illegible] 8060

91-1/1221

Gold One

[illegible]/20 1988

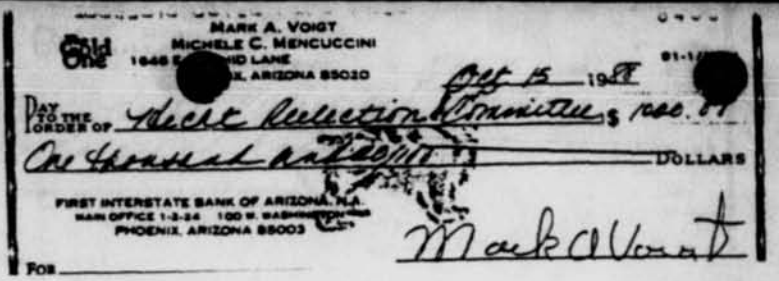
PAY TO THE ORDER OF Kolbe [illegible] $ 250.00

Two Hundred —— NO DOLLARS

FIRST INTERSTATE BANK OF ARIZONA, N.A.
MAIN OFFICE 1-2-24 100 W. WASHINGTON
PHOENIX, ARIZONA 85003

FOR Mark A Voigt

93043541292



MARK A. VOIGT
MICHELE C. MENCUCCINI
1646 E. ORCHID LANE
PHOENIX, ARIZONA 85020

Gold One

91-1/1221

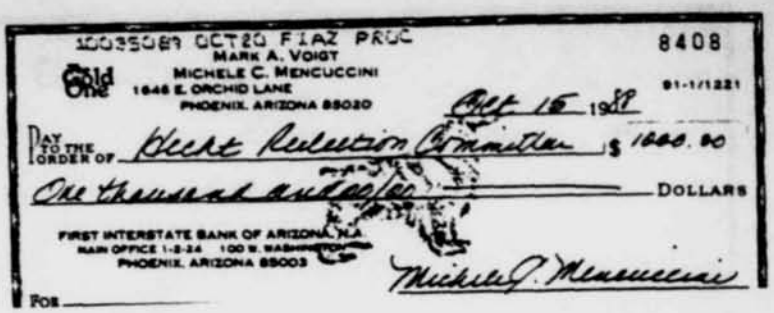
Oct 15 1988

PAY TO THE ORDER OF Hecht Reelection Committee $ 1000.00

One thousand and 00/100 DOLLARS

FIRST INTERSTATE BANK OF ARIZONA, N.A.
MAIN OFFICE 1-2-24 100 W. WASHINGTON
PHOENIX, ARIZONA 85003

Mark A Voigt



FOR

10035089 OCT20 FIAZ PROC

8408

MARK A. VOIGT
MICHELE C. MENCUCCINI
1646 E. ORCHID LANE
PHOENIX, ARIZONA 85020

Gold One

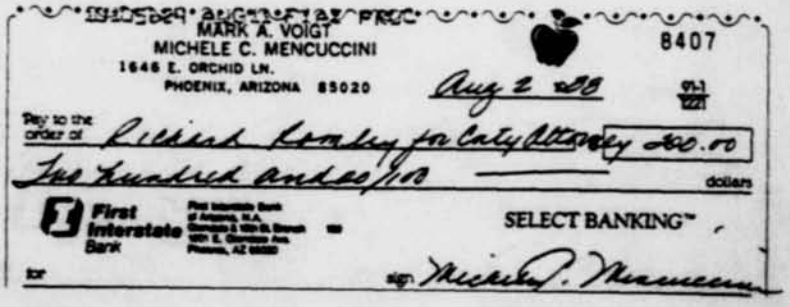
91-1/1221

Oct 15 1988

PAY TO THE ORDER OF Hecht Reelection Committee $ 1000.00

One thousand and 00/100 DOLLARS

FIRST INTERSTATE BANK OF ARIZONA, N.A.
MAIN OFFICE 1-2-24 100 W. WASHINGTON
PHOENIX, ARIZONA 85003



Michele C. Mencuccini

FOR

10105029 AUG11 FIAZ PROC

MARK A. VOIGT
MICHELE C. MENCUCCINI
1646 E. ORCHID LN.
PHOENIX, ARIZONA 85020

8407

Aug 2 1988

91-1/1221

Pay to the order of Richard Romley for Cnty Attorney $ 200.00

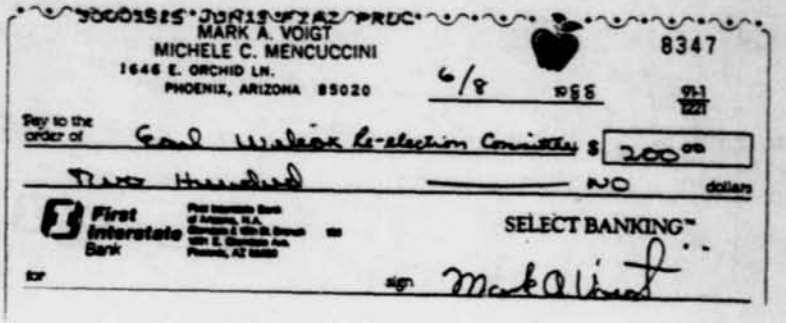
Two hundred and 00/100 dollars

First Interstate Bank

SELECT BANKING™

for

sign Michele C. Mencuccini



30001525 JUN13 FIAZ PROC

MARK A. VOIGT
MICHELE C. MENCUCCINI
1646 E. ORCHID LN.
PHOENIX, ARIZONA 85020

8347

6/8 1988

91-1/1221

Pay to the order of Earl Wilcox Re-election Committee $ 200.00

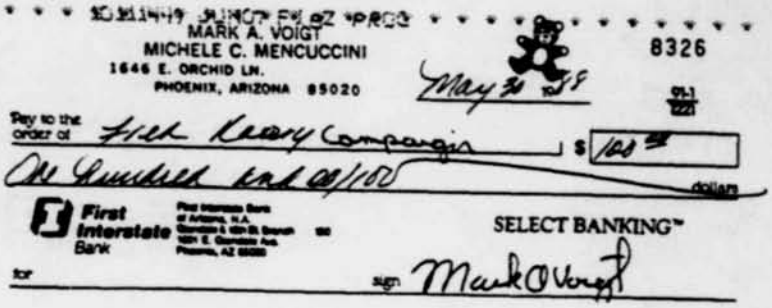
Two Hundred NO dollars

First Interstate Bank

SELECT BANKING™

for

sign Mark A Voigt



10111449 JUN07 FIAZ PROC

MARK A. VOIGT
MICHELE C. MENCUCCINI
1646 E. ORCHID LN.
PHOENIX, ARIZONA 85020

8326

May 30 1988

91-1/1221

Pay to the order of Fred Kasey Campaign $ 100.00

One hundred and 00/100 dollars

First Interstate Bank

SELECT BANKING™

for

sign Mark A Voigt

93043541293

OGC 0819

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 APR 22 PM 12:38

AMERICAN CONTINENTAL CORPORATION
2735 East Camelback Road • Phoenix, Arizona 85016-4368 • (602) 957-7170

April 15, 1991

91 APR 22 PM 3:29

FEDERAL ELECTION COMMISSION

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

RE: MUR 3121
LYNN BORUSHKO

Dear Mr. McGarry:

Attached is my response to the subpoena to produce documents and order to submit written answers, dated March 6, 1991. I would like to note for your records that I was not in receipt of this subpoena or the documents until Tuesday or Wednesday, April 2nd or 3rd, 1991. I do not want any confusion with respect to my response being within the allotted 15-day time frame allowed for response.

In accordance with the instructions:

1. I have answered the questions asked to the best of my ability and have provided all documents applicable to the best of my ability.

2. Each answer has been provided separately.

3. I am not aware of any other person who is capable of furnishing testimony with respect to my answers. I had no assistance in the preparation of my responses.

4. I have answered all questions to the best of my ability.

5. I do not claim privilege with respect to any documents, communication or other information with respect to my answers.

2304354129 4

6. I will provide on a continuing basis any information that comes to my attention that is pertinent to my answers with respect to the above-referenced subpoena.

This letter and the attachments herein are submitted under oath.

Sincerely,

Lynn D. Borushko

Lynn D. Borushko

Attachments

LDB:hmb

Subscribed and sworn to before me in the County of Maricopa and State of Arizona this 15th day of April, 1991.

Holly M. Blair

Notary Public, Arizona

OFFICIAL SEAL
HOLLY M. BLAIR
Notary Public - State of Arizona
MARICOPA COUNTY
My Comm. Expires March 19, 1995

2304354129 5

ANSWERS TO QUESTIONS AND DOCUMENT REQUESTS

MUR 3121 - LYNN BORUSHKO

1. Lynn Diane Borushko
1721 E. Mallory Street
Mesa, Arizona 85203

American Continental Corporation - Debtor-in-Possession

2. January 1, 1983 - January 31, 1984
Arthur Andersen & Co.
Staff Auditor

Assisted on audit engagement clients

February 1, 1984 - April 13, 1989
American Continental Corporation
Controller

Prepared monthly financial statements for American Continental (parent holding company) and several of its small subsidiaries. Oversaw monthly accounting functions at American Continental Corp.(parent holding company) and several of its small subsidiaries.

3. My relationship to American Continental Corporation was solely as an employee. During my tenure, I was an employee only of American Continental Corporation.

4. Summary of Bonuses

5.

Contribution	Date	Amount
Riegle for Senate in '88 Committee	3/11/87	$1,000
De Concini '88 Committee	10/17/88	$100

a. Both contributions were made by check.

2304354129 96

b. Senator Riegle was affiliated in some way with the Senate Banking Committee. I recall that affiliation being described when I was asked to contribute, however, I do not recall the specific solicitation with respect to this contribution. Generally, if a solicitation was made, it would be a phone call from one of Mr. Keating's secretaries, Carol Kassick, Suzan Klumker or Mary Jo Collucci, or a memo written from Mr. Keating himself. I recall these solicitations occurred during working hours at the ACC offices.

I do not recall the specific circumstances surrounding the contribution to the De Concini campaign. I seem to recall Jim Grogan being involved with the solicitation, but that is all I recall.

c. For each contribution, I recall being asked if I'd like to contribute, but I do not recall the specific form of solicitation for either. My husband and I discussed the contributions and we decided to go ahead and contribute.

d. I do not recall if there was a fund raiser associated with the Riegle campaign. If there was, I did not attend. There was an event associated with the De Concini contribution, however, I did not attend.

e. I did not receive any payments from ACC or anyone else in order to compensate or reimburse me for this contribution.

6. I have attached all documentation I have been able to locate with respect to these contributions.

7. None.

8. None.

9. The Reigle '88 contribution was refunded to me in early '88, I believe. I recall receiving a letter with the return of the check, however, I am unable to locate a copy of that letter.

10. None.

2304354129?7

LYN[illegible]
MAR[illegible]
30 EAST BRO[illegible] 2078
MESA, AZ [illegible]

3[illegible] 87 0102

91-283/1221

Pay to the Order of Riegle for Senate $1,000.00

One thousand & 00/100 Dollars

Home Office
UNITED BANK
OF ARIZONA
[illegible] Phoenix, AZ 85012-2501

Memo Contribution

Lynn D Boruszko

93043541298

9304354 1299





DeCONCINI

DeCONCINI'S '88 SPONSORS
CHEERING FOR DENNIS TO WIN HIS 4000K RACE
INVITE YOU TO A FUN-FILLED
CAMPAIGN RALLY

DATE: Sunday, October 16, 1988
TIME: 3:00 to 6:00 p.m.
PLACE: The Fabulous Phoenician Resort Hotel
6000 East Camelback Road
Scottsdale, Arizona

Dancing ■ Entertainment ■ Sumptuous Buffet ■ Art Show
Guided V.I.P. Tours ■ Special Senatorial Guests
Cheer Dennis on to victory!!

$50 per person to the DeConcini '88 Committee
Paid for by the DeConcini '88 Committee.
Contributions to this campaign are not tax deductible.

No. 000826

DeCONCINI

DeCONCINI'S '88 SPONSORS
CHEERING FOR DENNIS TO WIN HIS 4000K RACE
INVITE YOU TO A FUN-FILLED
CAMPAIGN RALLY

DATE: Sunday, October 16, 1988
TIME: 3:00 to 6:00 p.m.
PLACE: The Fabulous Phoenician Resort Hotel
6000 East Camelback Road
Scottsdale, Arizona

Dancing ■ Entertainment ■ Sumptuous Buffet ■ Art Show
Guided V.I.P. Tours ■ Special Senatorial Guests
Cheer Dennis on to victory!!

$50 per person to the DeConcini '88 Committee
Paid for by the DeConcini '88 Committee.
Contributions to this campaign are not tax deductible.

No. 000825





23043541300

MARK D. BORUSHKO OR
LYNN BORUSHKO
1721 [illegible]LLORY
MESA, AZ 85203

10 [illegible] 19 88 0981

PAY TO THE ORDER OF DeConcini '88 Committee $ 100.00

One hundred & 00/100 DOLLARS

Camelback Plaza Office
UNITED BANK
OF ARIZONA
3001 East Camelback, Phoenix, AZ 85016-4499

MEMO

Lynn D Borushko

93043541301





10505222 00033 21 10505222 >122100011< FIAZ 27OCT88

PAY TO THE
FIRST INTERSTATE
FOR DEPOSIT ONLY
DECORCIAN '88 COMMITTEE
0809 1880

122100011 00033 21 10505222 1ST INTRST AZ 27OCT88 P

93043541302

OLC 0832

BRAND & LOWELL
A PROFESSIONAL CORPORATION
923 FIFTEENTH STREET, N.W.
WASHINGTON, D.C. 20005

TELEPHONE: (202) 662-9700
TELECOPIER: (202) 737-7565

April 22, 1991

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 APR 22 PM 3:48

Tony Buckley, Esquire
Federal Election Commission
999 E Street
Washington, D.C. 20463

RE: MUR 3121

Dear Mr. Buckley:

Enclosed please find responses of Judy and George Wischer to the Commission's letter dated March 11, 1991 regarding violation of 2 U.S.C. § 441f.

Should you have any other questions, please feel free to contact me.

Sincerely,

Stan Brand

Stanley M. Brand

SMB:db

Enclosure

93043541303

BEFORE THE UNITED STATES FEDERAL ELECTION COMMISSION

In Re Judy Wischer and George Wischer, Respondents.	Matter Under Review 3121

RESPONSE OF JUDY AND GEORGE WISCHER TO THE COMMISSION'S DECISION TO PROCEED UNDER 11 C.F.R. SECTION 111.8 WITH THIS INTERNALLY GENERATED MATTER UNDER REVIEW

On March 11, 1991, the Federal Election Commission (the "Commission") notified Judy Wischer and George Wischer (collectively, "the Wischers" or "Respondents") that the Commission had named them as respondents in this internally generated matter under review ("MUR"), now denominated MUR 3121.[1]

The Wischers, by their undersigned counsel, hereby oppose the Federal Election Commission's decision to proceed against them pursuant to 11 C.F.R. Section 111.8(b), which governs initiation of an internally generated MUR. The Commission contends that the Wischers, former employees of the ill-fated American Continental Corporation ("ACC"), were involved in an ACC/Lincoln Savings and Loan ("Lincoln") contribution reimbursement scheme and thus violated 2 U.S.C. § 441f. No credible, specific, and otherwise sufficient record evidence supports the Commission's finding that an ACC reimbursement scheme existed, or, even more importantly for present purposes, that the Wischers were reimbursed for any of their contributions.

[1] The General Counsel's office granted the Wischers until April 23, 1991, to respond to this notification.

2304354130 4

Accordingly and for the reasons set forth herein, the Wischers respectfully request the Federal Election Commission to expeditiously dismiss this MUR as against them.

I. THE FACTUAL RECORD ON WHICH THE COMMISSION DECIDED TO PROCEED IS ENTIRELY DEVOID OF SPECIFIC AND CREDIBLE EVIDENCE OF AN ACC REIMBURSEMENT SCHEME INVOLVING THE WISCHERS

The Commission's rationale for jumping on the ACC bandwagon -- articulated in little more than one page of legal and factual analysis -- and subjecting the Wischers to the expense and effort of yet another investigation was straightforward:

1. The Wischers both worked for ACC, Lincoln's corporate parent.

2. During that time and for virtually a decade, they exercised their constitutional right to political speech by making contributions -- within applicable federal limits[2] -- to certain candidates for federal office.

3. Others from ACC also exercised their free political speech rights and from time to time contributed to the same candidates in the same time frame as the Wischers did.

4. Three vague newsclips (attached to the Commission's brief) touch on the possibility of a reimbursement scheme such that these facially proper contributions might not be as they seemed.

---

[2] The Commission's records show that while the Wischers may have "maxed out" to certain candidates for federal office, neither ever approached "maxing out" at $25,000 for a given year.

2304354130 5

The three newsclips are insufficient to support "reason to believe" for a 2 U.S.C. § 441f violation. Two[3] of them -- almost entirely devoted to other topics -- simply parrot vague, innuendo-laden claims by savings and loan regulators that an over-all ACC reimbursement scheme existed. In sum, short portions of these articles merely report that the FBI was then investigating the regulators' allegations of reimbursement. (This allegation appears mainly to be a convenient back-hand way for the regulators to argue to Lincoln and ACC customers that ACC employed these customers own funds to bilk them.) Regulators' grand-standing aside, these two stories identified no regulator/accuser. Nor do they identify a reimbursed Lincoln or ACC employee -- not to mention the Wischers.

Moreover and significantly, the only news article that the Commission attached dealing primarily with the reimbursement issue and the only article to name (not to mention quote) a savings and loan regulator concluded that no evidence of a reimbursement scheme existed. As James Granelli's October 26, 1989, Los Angeles Times article, entitled "FBI Probing Report of Payment Scheme at S & L," reported:

> One of the witnesses expected to testify today before the Senate Banking Committee had been quoted in

---

[3] They are Matt Yancey's November 19, 1989, Associated Press wire story entitled "Lincoln Investors Say They Were Duped Out of Life Savings" and Nathaniel Nash's November 9, 1989, New York Times article entitled "A Man of Influence: Political Cash and Regulation - A Special Report."

2304354 1306

contribute -- would do so at or around the time the solicitation occurred. Nor, finally, is it relevant that solicitation efforts at ACC were successful. The First Amendment applies with equal force to "lone pamphleteers or streetcorner orators in the Tom Paine mold" as it does to the well-organized and influential. See Federal Election Commission v. National Conservative Political Action Committee, 470 U.S. 480, 493 (1985).

Moreover, the Commission cannot, consistent with the First and Fifth Amendments, single out the highly-paid and chill their political speech through enforcement proceedings on the theory that such individuals contributions' are reimbursed because their relatively higher level of pay affords them more discretionary income to be employed to ends such as political contributions. The Supreme Court in Buckley v. Valeo, 424 U.S. 1, __ (1976), squarely concluded that neither the FECA nor the Commission is empowered to equalize political access.

Finally, it would be nothing short of an outrage were the Commission to proceed with its investigation (and impose the hardship of yet another investigation on the Respondents) based on allegations that those at ACC may have bundled contributions or made certain permissible state-regulated, soft money contributions. The Commission (and Common Cause) may not approve of these practices, but Congress has not forbidden them; in fact, many campaign finance reform measures introduced over the last Congresses have sought to prohibit these practices, but were not passed. Yet, on this record, bundling of federal contributions

2304354 1307

and certain other (albeit large) soft money contributions are all the allegations that Commission has left. As discussed, Mr. Crawford, the only regulator directly quoted (with or without attribution), stated point blank that he knew of no instances of reimbursement. The Commission would thus turn its "reason to believe" standard from an evidentiary filter into an administrative fiat and media-driven sieve were it to proceed against the Wischers on this record.

Long before Charles H Keating, Jr. and the savings and loan problem were front page news (perhaps, a more rational and reflective regulatory environment), the Commission examined most critically whether a complainant's proffer of news media accounts detailing allegedly improper federal political activity could warrant opening an MUR. See Federal Election Commission Agenda Document 79-299 (Nov. 5, 1979). The Commission examined two issues in concluding that a newsclip in certain narrow circumstances could form the basis for an enforcement proceeding.

The first issue surrounding newsclips as evidence in a MUR involved the potential that an anonymous allegation could form the basis for a news article and, thereafter, for an FEC action. The Commission concluded that FECA's requirement that a complainant swear to the allegations of his/her complaint sufficiently deters frivolous actions. See Commission Agenda Document 79-299, at 3. Yet, the allegations on which the Commission found "reason to believe" a reimbursement scheme

2304354 1308

a newspaper report[4] earlier this week as saying Lincoln laundered campaign funds illegally. But the witness, William J. Crawford, Commissioner of the State Department of Savings and Loan, said he was misquoted.

Crawford also said an FBI document referring to his conversation with a Lincoln executive contained substantial errors. "I don't know that there was any order to pay anything to anyone, and no absolute suggestion that executives had to make contributions."

(Emphasis added.)

Mr. Crawford's account corroborates an ACC spokesman's conclusion in that same article that, "At least 30 people were known to have been interviewed by the FBI. But they all told us that they said their contributions were purely voluntary and that they were not reimbursed at all." Furthermore, Mr. Crawford's statement adds credence to the "[e]mployees and executives [which apparently Mr. Granelli] interviewed shortly after Lincoln's collapse" who stated that noting untoward occurred.

The most that can be said about the record upon which the Commission bases its investigation is that candidates for federal office solicited contributions from ACC employees and that these employees responded positively to these solicitations on occasion. It is hardly surprising in this era of mass political contribution solicitation that a federal candidate would direct such a solicitation to employees and executives of the same organization at the same time. Nor is it any more remarkable that these employees and executives -- were they to choose to

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[4] So much for the accuracy of news reports. News reports' inaccuracies explain the Commission's Agenda Document 79-299, discussed, infra.

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existed are anonymous and contradicted by the only regulator to be quoted and identified.

Apparently, Congress (via the FECA) has trusted the Commission enough not to require verification of internally generated complaints. Even the Commission itself, however, cannot initiate an internally-generated press account-based MUR on as little as it did here. Commission Directive No. 6 mandates that "in-house documents" support internally-generated MURs based on press accounts. Federal Election Commission, Directive No. 6 Re: Handling Internally Generated Matters (Tally Vote, April 21, 1978), at 5. In this case, the Commission's recourse to contributor records may tend to demonstrate the Wischers made the contribution alleged; however, these records (even when coupled with records relating to other ACC contributions) do not on this record demonstrate reimbursement.[5]

The second concern the Commission articulated in Agenda Document 79-299 is whether the potential for a media story's inaccuracy renders it presumptively an inherently unreliable basis for an FEC action. Id. It is worth noting again at this juncture that Commissioner Crawford stated he was misquoted. Rather than adopting a uniform negative rule on newsclip-generated MURs, however, the Commission chose to examine each

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[5] These records might tend to demonstrate bundling, but that is not and cannot be an issue in this MUR and under the FECA as currently constituted.

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matter individually to determine whether Commission regulations regarding the sufficiency of a complaint are met. Id.

Thus, the Commission concluded in Agenda Document 79-299 that it will examine the sufficiency of a news report-based complaint for "reason to believe" where, on inter alia, the allegations:

- contain a "clear and concise statement of the acts which are alleged to constitute a violation of the Act ...," see id., and 11 C.F.R. § 111.4(d)(3);
- sufficiently document the violations alleged, see Agenda Document 79-299, at 3, and 11 C.F.R. § 111.4(d)(4); and
- are "substantive in [their]... facts," see Agenda Document 79-299, at 3.

The newsclips on which the Commission has chosen to proceed here meet none of these three criteria for specificity. Moreover, the Commission's culling contributor records to find contributions by ACC employees does not add what the newsclips lack. The allegation is that these contributions were reimbursed, not that they were made. As described above, it is not per se remarkable that individuals solicited together would respond at or around the same time, and bundling is neither illegal nor charged in this MUR.

Furthermore, the so-called complaint is too indefinite even to begin defending. Commission regulations, not to mention notions of administrative due process, do not authorize the Commission to proceed based on such vague and imprecise allegations. Respondents respectfully submit that the Commission

2304354131

should adopt some per se rules for newsclip cases. For instance, the Commission should refuse to proceed where the newsclips name neither the accusers nor the Respondent. Such a per se rule is necessary to ensure that media pressure surrounding highly publicized cases does not gut the procedural and substantive protections of individuals in the eye of the media storm. Here, however, the Commission has apparently reacted to the pressure of this highly publicized case and rendered Agenda Document 79-299 meaningless and unconstitutional for allowing this enforcement proceedings without providing Respondents notice of the charges and the identity of his and her accusers. For these reasons, the Commission should dismiss MUR 3121 as against Judy and George Wischer.

The analysis of the Commission's internally generated case vis a vis Judy Wischer must conclude at this stage. As was explained by her counsel to the Commission's legal staff, Mrs. Wischer is under indictment relating to the ACC bond sale program and is the target of a Justice Department-professed wide-ranging probe of ACC and Lincoln; Mrs. Wischer cannot rule out that the FBI may still be investigating political contribution issues. Mrs. Wischer must thus assert her Fifth Amendment rights and respectfully refuse to respond to the Commission's subpoena which was attached to the Commission's "reason to believe" findings.

Commission staff expressed that Mrs. Wischer's assertion of the Fifth Amendment herein could allow the Commission to draw an adverse inference against her in this proceeding. Setting aside

2304354131 2

the tenability of this representation,[6] the Commission could in its view thus punish Mrs. Wischer based on: (i) her intermittent (and otherwise permissible) exercises of political speech; and (ii) three newsclips that are substantive only insofar as they contradict the Commission's reimbursement thesis. A harsher result cannot be imagined. Indeed, this potential result only further confirms why the Commission must employ Agenda Document 79-299 as it was meant to be employed, that is, as a filter, not a constitutionally deficient sieve.

II. RESPONDENT GEORGE WISCHER'S RESPONSE TO THE COMMISSION'S SUBPOENA FURTHER DEMONSTRATES THAT NO REIMBURSEMENT OCCURRED

Mr. Wischer is not asserting the Fifth Amendment, and, by separate pleading, contemporaneously responds to the Commission's subpoena for documents and written responses.[7] As the payroll records that follow aid show[8] Mr. Wischer was no doubt well

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[6] The criminal overtones of even this Commission proceeding as well as its referral power (based on the same standard as its highest civil liability provisions) render the staff's conclusion unconstitutional. Further argument on this issue is for another day, however, particularly in light of Mrs. Wischer's pending motion for an indefinite stay.

[7] Based on Mr. Wischer's arguments that no basis exists to proceed as against him, it appears premature for him to be required to produce documents or provide written answers. Nonetheless and in the spirit of achieving prompt resolution of this MUR, Mr. Wischer has responded as best as he is able; the Commission requests for information span nearly a decade and involve basically a defunct corporation whose records are all in litigation and removed from ACC's former office and filing system.

[8] Mr. Wischer is in the process of receiving such records from ACC.

2304354131 3

compensated by the standards of most communities.[9] It is also true that Mr. Wischer received performance bonuses. These bonuses would thus not, however, correspond in time and amount with Mr. Wischer's contributions so as to show an ACC reimbursement scheme. Without such a "payroll nexus," the Commission's allegation that ceratin ACC executives and employees contributed to candidates for federal office at or around the same time affords no "reason to believe" that the alleged reimbursement scheme existed.[10]

III. CONCLUSION

For the foregoing reasons, Respondents Judy and George Wischer respectfully request the Commission to dismiss MUR 3121 as against them.

Respectfully submitted,

BRAND & LOWELL
(A Professional Corporation)

April 22, 1991

Stanley M. Brand
Abbe David Lowell
David E. Frulla
923 Fifteenth Street, N.W.
Washington, DC 20005
(202) 662-9700

[9] As described above, however, it is not the Commission's nor the FECA's role to equalize (or even take into account) economic ability to engage in political speech.

[10] Moreover, insofar as the record provides no evidence of a reimbursement scheme for Mr. Wischer, that same evidence tends to demonstrate that reimbursement scheme existed at all. That conclusion thus provides further support for dismissing this impermissibly tenuous MUR against Mr. Wischer.

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06C0887

April 15, 1991

RECEIVED
FEDERAL ELECTION COMMISSION
91 APR 23 AM 10:11

Mr. John Warren McGarry
Chairman
Federal Election Commission
Washington, D.C. 20463

MUR
3121

Dear Mr. McGarry :

Please find enclosed my response to the " interrogatories and request for production of documents" as ordered by subpoena and delivered by certified mail to my residence on April 15, 1991.

To the very best of my ability to recall the details of my single contribution, I have answered each "interrogatory". I do here-by swear and affirm that these answers are true and represent the facts as I best remember them.

Sincerely yours,

Helen H. Thompson

Helen H. Thompson
10575 E. Arabian Park Dr.
Scottsdale, AZ 85259

23043541315

STATE OF ARIZONA }
COUNTY OF MARICOPA } ss.

The instrument was acknowledged before me this 16th day of April, 91, by Helen H. Thompson

In witness whereof I have hereunto set my hand and official seal.

[signature], NOTARY PUBLIC

My Commission Expires May 19, 1992

1. Helen H. Thompson
10575 E. Arabian Park Drive
Scottsdale, AZ 85259

2. Homemaker. I have not been employed otherwise during my 30 years of marriage.

3. Charles Keating Jr. was the chairman-of-the board of American Continental Corporation. My husband, Orville E. Thompson, was employed as a Vice President for engineering with Crescent Hotels Group, a subsidiary of American Continental Corporation.

4. I personally received no compensation, of any kind of what-so-ever from ACC or any of it's affiliates or subsidiaries.

5. On one occasion only, I made a $500.00 contribution to the Riegle for Senate 1988 Committee. This occurred on or about March 12, 1987.

   a) The contribution was made by check. The original check was mailed to F.B.I., at their order, on a previous occasion. A xerox copy of our copy is enclosed, as ordered.

   b) At the recommendation of my husband, who had reason to believe that Senator Riegle would represent the interest of the Savings and Loan Industry, and therefore my husband's employer, I made the contribution. I (we) did not receive any re-imbursement or compensation related there to. Although my husband did earn a salary and two bonuses, these were directly related to the successful completion and opening of the Pontchartrain and Crescent Hotels respectively.

   c) I cannot specifically recall, nor can my husband, the motivation that inspired my contribution. However, I do believe there was a company memorandum from senior management suggesting our support of Senator Riegle would serve the interests of our company. I (we) did not make a habit of saving such memoranda and I am not able to produce any evidence that this recollection is factual.

   d) My contribution was not in connection with any fund raising event; rather by suggestion as previously stated, to my best recollection.

   e) Neither I, nor my husband received compensation in advance or in arrears, any bonus(s) nor re-imbursement of any kind what-so-ever. In connection with any contribution. We sincerely believed that our financial support would result in good legislation to the betterment of my husband's employer. We trusted the judgement and recommendation of senior management.

6. Other than a copy of our check, and a "thank you" letter from Senator Riegle, I do not have any documentation relating to the contribution.

7. Neither I, nor my husband have ever facilitated, arranged, solicited or delivered a contribution from others to anyone.

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8. I have no such documentations since I (we) have ever been involved in such.

9. I am enclosing a copy of Senator Riegle's letter to me expressing appreciation for the contribution. Although we failed to keep a copy of Senator Riegle's subsequent letter refunding the contribution, such letter did exist; but I cannot produce evidence. There was no other communication of any kind in this regard what-so-ever.

10. My husband assisted me in the preparation of this response.

2304354131317

Riegle for Senate Committee

March 23, 1987

Mr. and Mrs. Orville Thompson
4816 East Kathleen Road
Scottsdale, AZ 85254

Dear Mr. and Mrs. Thompson:

Just a brief note to extend my warmest thanks to you for your very generous contribution to my re-election effort.

As you are aware, the cost of running for public office has discouraged many fine people from entering a race and, at the same time, caused many incumbents to choose not to run for re-election.

Throughout the years, the financial support and counsel of good friends and organizations has enabled me to win and to continue to serve in the Congress. I am honored to have had that opportunity and I cherish the friends who have contributed so importantly to making it possible.

Again, thank you. Please know how truly grateful I am.

Warmest regards,

Don Riegle

Donald W. Riegle, Jr.

DWR/jev

93043541318

ORVILLE E. THOMPSON
HELEN H. THOMPSON
4816 EAST KATHLEEN RD.
SCOTTSDALE, AZ 85254

1170

91-2/1221

FEB., 19 19 87

PAY TO THE ORDER OF RIEGLE for SENATE $ 500 00

FIVE HUNDRED NO/100 DOLLARS

PARADISE VALLEY MALL OFFICE (199)
P. O. BOX 29526
PHOENIX, ARIZONA 85038

MEMO Helen H. Thompson m the

DOC 089

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 APR 23 AM 11:45

COREY D. EDENS
3730 EAST ELM STREET
PHOENIX, ARIZONA 85018

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

91 APR 23 PM 12:58

April 19,1991

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

MUR
3121

Dear Sir:

Enclosed please find answers and related documents pursuant to that Supoena To Produce Documents Order To Submit Written Answers in the matter of MUR 3121.

Sincerely,

Corey D. Edens

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AFFIDAVIT
OF
COREY D. EDENS

STATE OF ARIZONA)
) s.s.
COUNTY OF MARICOPA)

I, Corey D. Edens, the undersigned affiant, being duly sworn on oath, deposes and says: That to the best of my knowledge and recollection, the following are responses to Questions And Document Requests in the Matter of MUR 3121 before the Federal Election Commission.

1. Corey Dodd Edens, 3730 East Elm Street, Phoenix, Arizona 85018 My current employer is Gateway Data Sciences Corporation.

2. My occupations and employers from January 1983 to present are as follows:

a.) January 1983 to April 1983, Hamilton Misfeldt and Co. Cut Bank, Montana- Tax Accountant. Prepared tax returns for individuals, partnerships and corporations.
b.) June 1983 to July 1985, Deloitte Haskins and Sells, Denver, Colorado- Staff Accountant. Prepared financial statements and performed audit functions for clients in the real estate and oil and gas industries.
c.) July 1985 to February 1987, American Continental Corp./ Lincoln Savings and Loan Association Real Estate Division. Began as Controller and later became a Financial Analyst. Duties included the preparation of monthly financial statements and real estate project financial analysis.
d.) February 1987 to October 1987. On loan to GFTA Trendanalysen, Zurich, Switzerland. Developed accounting procedures, billing systems and internal controls for the company.
e.) October 1987 to April 1989, American Continental Corp./ Lincoln Savings and Loan Association Real Estate Division- Chief Financial Officer. Prepared and presented real estate sales proposals and developed financing alternatives for infrastructural improvements.
f.) April 1989 to December 1990, Lincoln Savings and Loan Association and Lincoln Savings and Loan, F.A.- Chief Financial Officer of the real estate subsidiaries. Member of team responsible for managing the real estate subsidiaries of Lincoln pursuant to the policies and

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procedures of the RTC, FDIC and U.S. Bankruptcy Court.

g.) March 1991 to present, Gateway Data Sciences Corporation Tempe, Arizona- Vice President of Finance/Controller. Oversee finance, accounting and inventory functions for the company.

3. I was an employee of American Continental Corporation/ Lincoln Savings and Loan Association from July of 1985 until April of 1989 when Lincoln was placed into conservatorship. During this period, I was an officer of some of the first-tier subsidiries of Lincoln (subsidiries that held primarily real estate assets). From April of 1989 until December of 1990, I was an employee of Lincoln Savings and Loan Association and subseqeuntly Lincoln Savings and Loan, F.A. During this period, I was an officer of the real estate subsidiaries of Lincoln.

4.

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5. I made the following federal political contributions during the relevant period:

a.) $500 contribution to Riegle for Senate on February 16, 1987.

This contribution was made by check. I do not have my checks from this period of time, but have included a copy of my check register indicating the payment date. I believe that I received a letter from Charles H. Keating, Jr. describing Senator Reigle and asking me to consider a $500 contribution to his campaign. I do not remember the exact date of the letter and do not have a copy of it in my personal records. In mid-February, I made the decision to make a $500 contribution and did so on February 19, 1987. I can not remember if the contribution was made in connection with a fundraising event, and if it was I did not attend the particular event. I did not receive an advance, bonus, payment or other compensation in connection with the contribution.

b.) $500 contribution to Hatch Election on March 31, 1988.

The contribution was made by check. I do not have my

checks from this period of time, but have included a copy of my check register indicating the payment date. I do not remember the specific circumstances regarding the contribution to the Hatch campaign, but I believe I purchased a ticket to a fundraising event after receiving an an invitation. I did not attend the event and do not remember where it was held. I did not receive an advance, bonus, payment or other compensation in connection with the contribution.

6. See attached documents

7. None

8. None

9. None

10. None

Further affiant sayeth not.

Cory D. Eden
AFFIANT

SUBSRIBED AND SWORN to before me, the undersigned Notary Public, this 18th day of April, 1991, by ~~Barbara~~ Cory D. Eden

Barbara Taylor
NOTARY PUBLIC

MY COMMISSION EXPIRES:

6-16-92

930435413222

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 24, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

William S. Rose, Jr., Esquire
American Continental Corporation
2735 East Camelback Road
Phoenix, AZ 85016

RE: MUR 3121
American Continental
Corporation

Dear Mr. Rose:

On November 6, 1989, the Federal Election Commission notified your client, American Continental Corporation, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was enclosed with that notification.

Upon further review of the allegations contained in the complaint, and information supplied by you and others, the Commission, on February 12, 1991, found that there is reason to believe American Continental Corporation violated 2 U.S.C. §§ 441b(a) and 441f, provisions of 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 your client. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Submit Written Answers and Subpoena to Produce Documents must be submitted to the General Counsel's Office within 15 days of your receipt of this letter. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

In the absence of any additional information which demonstrates that no further action should be taken against

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your client, 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 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.

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

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis

2304354132 4

06C0934

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 APR 26 AM 9:38

BRAND & LOWELL
A PROFESSIONAL CORPORATION
923 FIFTEENTH STREET, N.W.
WASHINGTON, D.C. 20005

TELEPHONE: (202) 662-9700
TELECOPIER: (202) 737-7565

April 24, 1991

Tony Buckley, Esquire
Federal Election Commission
999 E Street
Washington, D.C. 20463

RE: MUR 3121

RECEIVED
FEDERAL ELECTION COMMISSION
91 APR 26 PM 3:01

Dear Mr. Buckley:

Enclosed please find the original signed Response of George Wischer to Commission's Subpoena For Written Answers and Documents.

Should you have any questions, please feel free to contact me.

Sincerely,

Stan Brand

Stanley M. Brand

SMB:db

Enclosure

2304354132 5

BEFORE THE UNITED STATES FEDERAL ELECTION COMMISSION

In Re Judy Wischer and George Wischer	)	Matter Under Review 3121
Respondents.	)	

RESPONSE OF GEORGE J. WISCHER TO COMMISSION'S SUBPOENA FOR WRITTEN ANSWERS AND DOCUMENTS

1. QUESTION: State your full name, address, phone number and current employer.

ANSWER: George Joseph Wischer
7112 East Fanfol Drive
Paradise Valley, AZ 85253

Insurance Brokerage Management Inc. 602-957-3995
5070 North 40th Street, Suite #150
Phoenix, AZ 85018

2. QUESTION: List your occupation(s) and employers(s) during the relevant period. Describe your position(s) with each employer.

ANSWER: During the period January 1983 - April 1989, I held one or more of the following positions at any one time:

Vice President - American Continental Corp.
President - Insurance West, Inc.
President - American Founders Life
President - Continental Fidelity Life

Insurance Executive for the American Continental Insurance Group.

3. QUESTION: Describe your relationship, if any, to Charles Keating, Jr. and American Continental Corporation ("ACC") and all of its subsidiaries and associated companies, including Lincoln Savings & Loan Association ("Lincoln"), during the relevant period.

ANSWER: I was an employee of a subsidiary or subsidiaries of ACC or Lincoln Savings, or both during the relevant time period.

4. QUESTION: For each bonus or other compensation in addition to your salary which you received, provide the following information:

a. the amount of such bonus or other compensation;
b. the justification for such bonus or other compensation;
c. date of receipt of such bonus or other compensation.

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ANSWER: 4a. See attached Exhibit 2, which comprises the payroll retained by ACC.

4b. Bonuses were performance based.

4c. See 4(a).

5. QUESTION: Identify each federal political contribution and expenditure you made during the relevant period by date, amount and recipient. For each contribution;

a. State whether the contribution was made by check or other written instrument. If so, provide a copy (both sides) of the check or other written or instrument.

b. Describe the circumstances under which each contribution was made. If a contribution was made as the result of solicitation, describe the circumstances surrounding each solicitation, including the identity of the person(s) who made such solicitation and when and where it occurred. If any such solicitation was written, provide a copy of it.

c. State whether any contribution was made at the direction or suggestion of any person, including Charles Keating, Jr. or any person associated with him, ACC, Lincoln or any other company associated with Charles Keating. If so, identify such person and describe the circumstances.

d. State whether any contribution was made in connection with a particular fundraising event. If so, state when and where the event was held and whether or not you attended. Identify who sponsored the event and on whose behalf the event was held. If you did attend the event, identify any persons who also attended. Identify any person(s) who provided you with transportation to and from the event.

3. State whether you received an advance, bonus, payment or other compensation or reimbursement in connection with any contribution. If so, identify the person or entity who provided the reimbursement or compensation and the date it was provided.

ANSWER: 5a. See Exhibit "1".

5b. I do not recall the details of any particular solicitation.

5c. See Response 5b.

5d. I recall only traveling to a Republican National Committee fundraiser and dinner in or around June of 1988, but I do not recall specifically who hosted it. I also recall attending events most likely linked with

9304354 13327

fundraising for candidates for federal office; however, as of this date, I cannot recall the time or prospective beneficiary candidate for any such fundraiser. I recall that my wife, Judy, and Mr. Jack Atchison accompanied me.

5e. See Response 4b.

6. QUESTION: In addition to the documents produced in response to Questions 5a and b, produce all documents relating or in any way pertaining to each federal political contribution you identified in Question 5, including check registers, bank statements, correspondence and notes.

ANSWER: Copies of check registers and bank statements in my possession enclosed, as Exhibit 3.

7. QUESTION: Identify any federal contribution made by others which you facilitated, arranged, solicited or delivered to any federal candidate or committee during the relevant period.

ANSWER: I do not recall conducting the above said activity on behalf of a candidate for federal office.

8. QUESTION: Provide all documents relating to any federal contributions made by others which you arranged, solicited or delivered to any federal candidate or committee during the relevant period.

ANSWER: See Response to Question #7.

9. QUESTION: Provide copies of all documents, including correspondence, notes, memos and phone messages relating to any communication contribution during the relevant period.

ANSWER: I currently possess no such documents.

10. QUESTION: Identify any person other than counsel who provided information, or was consulted or assisted in any way in the preparation of answers to these questions and document.

ANSWER: None

I hereby certify under penalty of perjury that the foregoing answers are true and correct to the best of my knowledge, information, and belief.

George J. Wischer

George J. Wischer

23043541328

STATE OF Arizona

COUNTY OF Maricopa

SWORN AND SUBSCRIBED TO before me this 23rd day of April, 1991.

NOTARY PUBLIC

My Commission Expires: 1-11-95

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Exhibit 1

Recipient Committee	Date	Amount
McCain Re-Election Committee	10/17/83	$1,000
Armstrong Committee, Inc.	4/20/84	1,000
John Glenn Pres. Committee, Inc.	7/24/84	500
Kolbe '84	10/16/84	1,000
Mondale for President	2/2/84	1,000
Cranston for Senate Committee '86	4/9/85	1,000
Californians for Senator Pete Wilson	4/30/85	1,000
Deconcini '88 Committee	7/31/85	1,000
Senator John Glenn Committee	8/15/85	2,000
Cranston for Senate Committee '86	10/18/85	1,000
John McCain for Senate Committee	3/17/86	2,000
Chip Pashayan for Congress Committee	6/2/86	1,000
Comm. to Re-Elect U.S. Senator Paula Hawkins	7/25/86	2,000
Doug Barnard for Congress	7/28/86	1,000
DeConcini '88 Committee	8/20/86	1,000
John Kyl for Congress Committee	9/3/86	900
National Action Committee	3/3/87	1,000
Riegle for Senate '88 Committee	3/11/87	2,000
Republican National Committee Contrib.	6/8/88	10,000
Hecht Re-Election Committee	10/6/88	1,000
Hecht Re-Election Committee	9/22/88	1,000

9304354130

JUDY E. OR GEORGE J. WISCHER 2652

6216 47TH PL
PARADISE VALLEY, AZ 85253 April 10 1985 91-2/1221

Pay to the order of Californians for Pete Wilson $ 1000.00

One thousand dollars Dollars

VALLEY BANK CENTER - MAIN OFFICE (137)
P. O. BOX 71
PHOENIX, ARIZONA 85001

Memo George J Wischer

GEORGE J. WISCHER 1106
JUDY E. WISCHER
6216 47TH PL.
PARADISE VALLEY, AZ 85253 July 21 1985 91-2/1221

Pay to the order of Dennis DeConcini Re-election Comm $ 1000.00

One thousand dollars Dollars

VALLEY BANK CENTER - MAIN OFFICE (137)
P. O. BOX 71
PHOENIX, ARIZONA 85001

Memo George J Wischer

---

64 JUDY E. OR GEORGE J. WISCHER 2877

6216 47TH PLACE
PARADISE VALLEY, AZ 85253 Aug 2 1985 91-2/1221

Pay to the order of Senator John Glenn Comm. $ 2000.00

Two thousand dollars 24/100 Dollars

VALLEY BANK CENTER - MAIN OFFICE (137)
P. O. BOX 71
PHOENIX, ARIZONA 85001

Memo George J Wischer

JUDY E. OR GEORGE J. WISCHER 2988

6216 47TH PLACE
PARADISE VALLEY, AZ 85253 Oct. 18 1985 91-2/1221

Pay to the order of Cranston for Senate $ 1000.00

One thousand dollars Dollars

VALLEY BANK CENTER - MAIN OFFICE (137)
P. O. BOX 71
PHOENIX, ARIZONA 85001

Memo general election George J Wischer

JUDY E. OR GEORGE J. WISCHER 2989

9304354 1331

PAY TO THE ORDER OF
FOR DEPOSIT ONLY 411
SECURITY PACIFIC NATIONAL BANK
CALIFORNIANS for SENATOR
PETE WILSON
ID #C00165720
411-132-847

APR 30 85 411
PROCESSED
PAY ANY BANK P.E.G.
411
16-4
91-2

AP
SPNB-LA-BOC
PROCESSED
PAY ANY BANK P.E.G.
16-4

44189747 07/31/85 PEG 91 1 FIAZ 4411

DECOUNT 88
0309188 00

PROCESSED
PHOENIX, ARIZONA

9304354 1332

25-3
ANY BANK
BANK ONE OF COLUMBUS NA

AG & 22
R.E.G.
R.E. LOS ANGELES
1220-0079-6
16-16
1

For deposit only
Sen for John
Cunn Conner
87 44 ...

AG & 22
PROCESSED
PAY ANY BANK
PHOENIX, ARIZONA
91-2

748 PAY TO THE ORDER OF
SECURITY PACIFIC NATIONAL BANK
FOR DEPOSIT ONLY
FRANSTON FOR SENATE '86
GENERAL ACCOUNT
OCT 1 3 85 - 34
PAY ANY BANK
PHOENIX
16-4
91-2

JUDY E. WISCHER
GEORGE J. WISCHER
6216 N. 47TH PL.
PARADISE VALLEY, AZ 85253

3301

91-2/1221

March 5 19 86

PAY TO THE ORDER OF [illegible] $ 100.00

[illegible] DOLLARS

VALLEY BANK CENTER - MAIN OFFICE (137)
P. O. BOX 71
PHOENIX, ARIZONA 85001

MEMO Primary [illegible]

JUDY E. WISCHER
GEORGE J. WISCHER
6216 N. 47TH PL.
PARADISE VALLEY, AZ 85253

3302

91-2/1221

[illegible] 19 86

PAY TO THE ORDER OF [illegible] $ [illegible]

[illegible] DOLLARS

VALLEY BANK CENTER - MAIN OFFICE (137)
P. O. BOX 71
PHOENIX, ARIZONA 85001

MEMO [illegible]

GEORGE J. WISCHER
JUDY E. WISCHER
6216 47TH PL. 840-5017
PARADISE VALLEY, AZ. 85253

1313

91-2/1221

May 16 1986

Pay to the order of Pashayan for Congress $ 1000 00

one thousand & no/100 Dollars

VALLEY BANK CENTER - MAIN OFFICE (137)
P. O. BOX 71
PHOENIX, ARIZONA 85001

Memo Campaign contribution George J Wischer

JUDY E. WISCHER
GEORGE J. WISCHER
6216 N. 47TH PL.
PARADISE VALLEY, AZ 85253

3636

91-2/1221

July 22 1986

PAY TO THE ORDER OF Re elect Senator Paula Hawkins $ 2000.00

Two thousand & no/100 Dollars

VALLEY BANK CENTER - MAIN OFFICE (137)
P. O. BOX 71
PHOENIX, ARIZONA 85001

MEMO Gen Elec/Primary George J Wischer

14019878 03/18/86 PEG 122100011 FIAZ 1104

PAY ANY BANK
FIRST INTERSTATE BANK OF AZ, N.A.
1 FOR DEPOSIT ONLY 1
JOHN McCAIN FOR SENATE
0015-13405

PROCESSED
PAY ANY BANK
VALLEY NATIONAL BANK
PHOENIX, ARIZONA

MAR 18 86

14019881 03/18/86 PEG 122100011 FIAZ 1104

PAY ANY BANK
FIRST INTERSTATE BANK OF AZ, N.A.
1 FOR DEPOSIT ONLY 1
JOHN McCAIN FOR SENATE
0015-13405

PROCESSED
PAY ANY BANK
VALLEY NATIONAL BANK
PHOENIX ARIZONA

MAR 18 86

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P.E.G.
F.R.B. LOS ANGELES
1220-0016-6

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JY 86 28
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F.R.B. LOS ANGELES
1220-0016-6

PAY ANY BANK PEG
BARNETT BK OF CENT FLA 0631-0319
07-25-86 1074621276.00 1401300277

PAY ANY BANK PEG FRB JA[illegible]-19
FRB JACKSONVILLE 063000[illegible]
4137 4174 21 07-28-86 [illegible]58197

FOR DEPOSIT ONLY
PAULA HAWKINS
DIRECTION CAMP
107-462-1276

PROCESSED
PAY ANY BANK
VALLEY NATIONAL BANK
PHOENIX ARIZONA.

JUDY E. WISCHER
GEORGE J. WISCHER
6216 N. 47TH PL.
PARADISE VALLEY, AZ 85253

3617

91-2/1221

July 18 1986

PAY TO THE ORDER OF Barnard Campaign $ 1000.00

One thousand dollars DOLLARS

VALLEY BANK CENTER - MAIN OFFICE (137)
P. O. BOX 71
PHOENIX, ARIZONA 85001

MEMO _____ George J Wischer

JUDY E. WISCHER
GEORGE J. WISCHER
6216 N. 47TH PL. 840-5017
PARADISE VALLEY, AZ 85253

3702

91-2/1221

Aug 28 1986

PAY TO THE ORDER OF Jon Kyl for Congress $ 900.00

Nine hundred dollars DOLLARS

VALLEY BANK CENTER - MAIN OFFICE (137)
P. O. BOX 71
PHOENIX, ARIZONA 85001

MEMO _____ George J Wischer

GEORGE J. WISCHER
JUDY E. WISCHER
6216 ~~PRINCIPLES~~
PARADISE VALLEY, AZ. 85253

1446

91-2/1221

~~Sept~~ Oct 12 1987

Pay to the order of National Action Committee $ 1000.00

one thousand & no/100 Dollars

VALLEY BANK CENTER - MAIN OFFICE (137)
P. O. BOX 71
PHOENIX, ARIZONA 85001

Memo Contribution George J Wischer

JUDY E. WISCHER
GEORGE J. WISCHER
6216 N. 47TH PL.
PARADISE VALLEY, AZ 85253

4053

91-2/1221

March 2 1987

PAY TO THE ORDER OF Riegle for Senate $ 2000.00

Two thousand dollars ~~no~~/100 DOLLARS

VALLEY BANK CENTER - MAIN OFFICE (137)
P. O. BOX 71
PHOENIX, ARIZONA 85001

MEMO _____ George J Wischer

PAY ANY BANK PEG 080337
MADISON NATIONAL BANK 10
WASH. DC. 054001259 0006900

MR '87 04
2-28 HARRIS TRUST & SAVINGS LTD 2-28
CHICAGO, ILL.
PAY ANY BANK P.E.G.
RETURN ITEMS: (312) 451 3960

PROCESSED
PAY ANY BANK
VALLEY NATIONAL BANK
PHOENIX ARIZONA.

Rec Exam
deposit only

JY '86
P.E.G.
F.R.B. LOS ANGELES
1220-0016-6

deposit on
Barnard Committee
0020 5

JY '86
PROCESSED
PAY ANY BANK
VALLEY NATIONAL BANK
PHOENIX ARIZONA

28 86

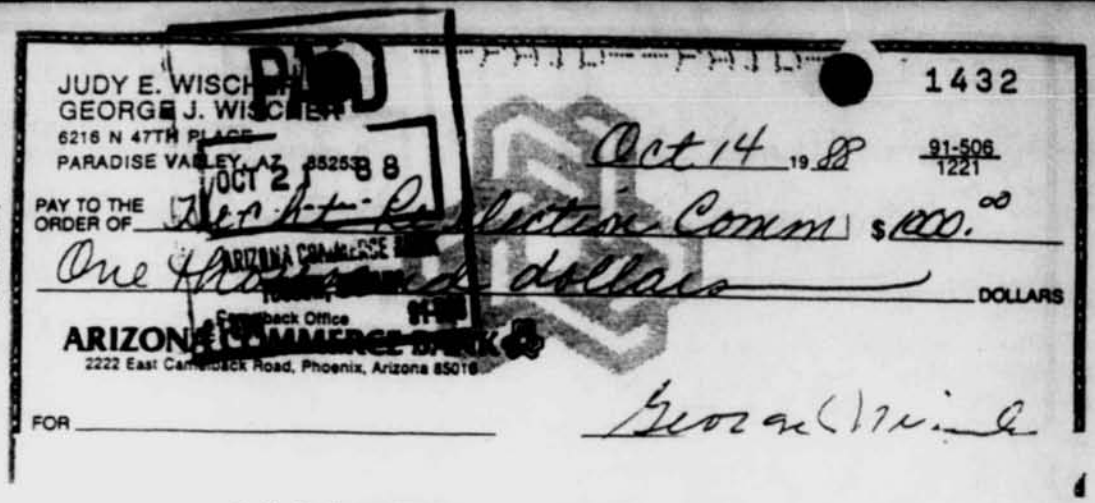
24251692 09/03/86 PEG 122100011 FIAZ 3960

115 PAY TO THE ORDER OF 115
FIRST INTERSTATE BANK
FOR DEPOSIT ONLY
JON KYL FOR CONGRESS
LYMAN A. DAVIDSON, TREAS
153-05731
PHOENIX ARIZONA

9304354 1336

MR '87
PROCESSED
PAY ANY BANK
VALLEY NATIONAL BANK
PHOENIX ARIZONA

MR '87 16
PAY ANY BANK, P.E.G.
NATIONAL BANK
OF DETROIT
02 DETROIT, MICHIGAN 02



JUDY E. WISCHER
GEORGE J. WISCHER
6216 N 47TH PLACE
PARADISE VALLEY, AZ 85253

1432

Oct 14 19 88

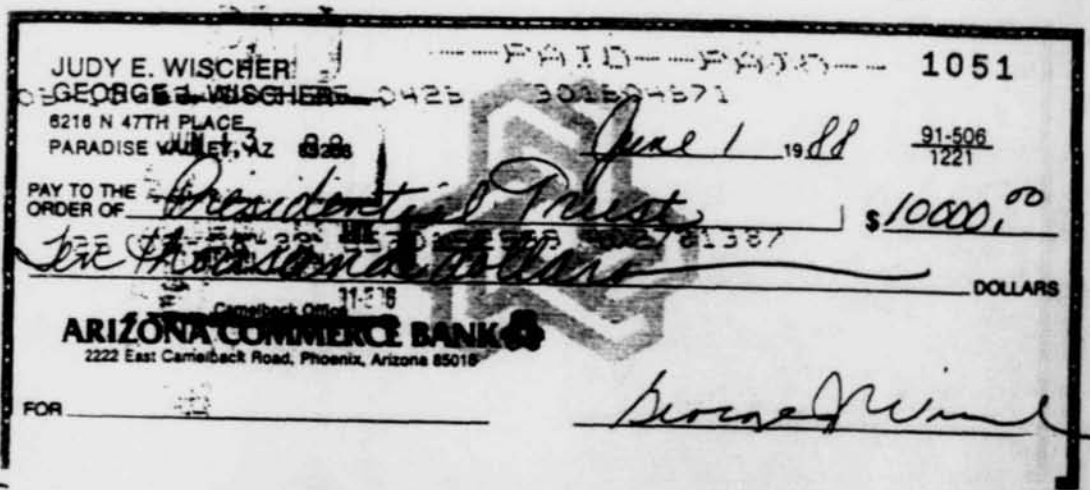
91-506
1221

PAY TO THE ORDER OF Ariz. St. Republican Comm $ 1000.00

One thousand dollars DOLLARS

ARIZONA COMMERCE BANK
2222 East Camelback Road, Phoenix, Arizona 85016

FOR _____ George J. Wischer



JUDY E. WISCHER
GEORGE J. WISCHER
6216 N 47TH PLACE
PARADISE VALLEY, AZ 85253

1051

June 1 19 88

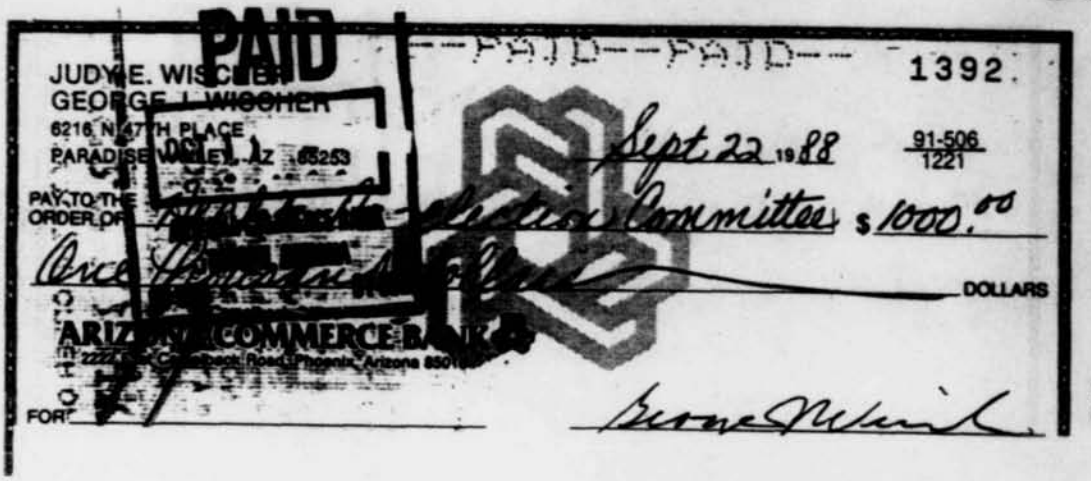
91-506
1221

PAY TO THE ORDER OF Presidential Trust $ 10000.00

Ten thousand dollars DOLLARS

ARIZONA COMMERCE BANK
2222 East Camelback Road, Phoenix, Arizona 85016

FOR _____ George J. Wischer



JUDY E. WISCHER
GEORGE J. WISCHER
6216 N 47TH PLACE
PARADISE VALLEY, AZ 85253

1392

Sept 22 19 88

91-506
1221

PAY TO THE ORDER OF [illegible] Committee $ 1000.00

One thousand dollars DOLLARS

ARIZONA COMMERCE BANK
2222 East Camelback Road, Phoenix, Arizona 85016

FOR _____ George J. Wischer

P 3 0 4 3 5 5 4 1 3 3 7

OT 88 21
056001079
1220-0016-6

OT 88 19
051000020

PAY TO THE ORDER OF
NS&T BANK
WASHINGTON, D.C.
FOR DEPOSIT ONLY
HECHT RE-ELECTION
COMMITTEE
024 1017649

JE 88 13
PAY ANY BANK-P.E.G. [illegible]
F.R.B. RICHMOND VA [illegible]
06-10-88 009 25 0425 [illegible]

FOR DEPOSIT ONLY
REPUBLICAN NATIONAL COMMITTEE
PRESIDENTIAL TRUSTEE ACCOUNT
652[illegible]

F.E.G. SIGNET BANK/VA [illegible]
25 06-08-88 6520152999 [illegible]

OT 88 11
1220-0016-6

PAY TO THE ORDER OF
NS&T BANK
WASHINGTON, D.C. 20006
FOR DEPOSIT ONLY
HECHT RE-ELECTION
COMMITTEE
024 1017649

OT 88 07
056001079

93043541338

JUDY E. OR GEORGE J. WISCHER

2359 W. LOBO
MESA, AZ 85202

1825

July 19 1984 91-2/1221

Pay to the order of John Glenn Presidential Comm $ 500.00

Five Hundred dollars Dollars

VALLEY BANK CENTER - MAIN OFFICE (137)
P. O. BOX 71
PHOENIX, ARIZONA 85001

Memo

George J. Wischer

JUDY E. OR GEORGE J. WISCHER

6216 47TH PLACE
PARADISE VALLEY, AZ 85253

2654

April 10 1985 91-2/1221

Pay to the order of Cranston for Senate $ 1000.00

One thousand dollars Dollars

VALLEY BANK CENTER - MAIN OFFICE (137)
P. O. BOX 71
PHOENIX, ARIZONA 85001

Memo

George J. Wischer

JUDY E. OR GEORGE J. WISCHER

2359 W. LOBO
MESA, AZ 85202

1535

Feb. 2 1984 91-2/1221

Pay to the order of Mondale for President $ 1000.00

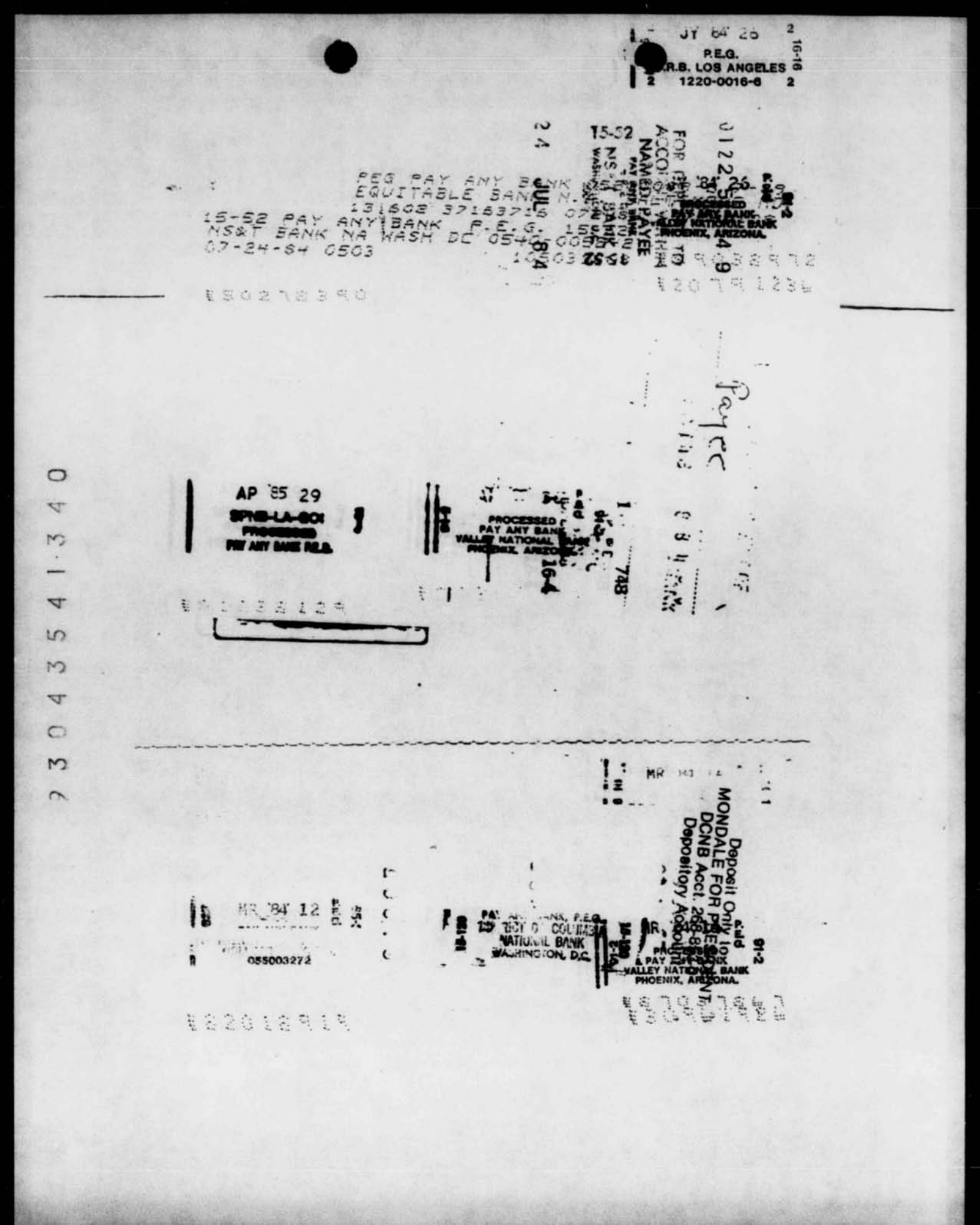
One thousand dollars Dollars

VALLEY BANK CENTER - MAIN OFFICE (137)
P. O. BOX 71
PHOENIX, ARIZONA 85001

Memo Thank you. Good Luck

George J. Wischer

230435413391



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R.B. LOS ANGELES
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07-24-84 0503

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FOR DEPOSIT TO
ACCOUNT
PAY ANY BANK
NS&T BANK
WASHINGTON

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VALLEY NATIONAL BANK
PHOENIX, ARIZONA.

0122 5 49

Payee

AP 85 29
SPNB-LA-GOI
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PAY ANY BANK P.E.G.

PROCESSED
PAY ANY BANK
VALLEY NATIONAL BANK
PHOENIX, ARIZONA.
16-4

748

93043541340

MR 84 12
055003272

PAY ANY BANK, P.E.G.
DISTRICT OF COLUMBIA
NATIONAL BANK
WASHINGTON, D.C.

Deposit Only to
MONDALE FOR PRESIDENT
DCNB Acct. 268-8
Depository Account

PROCESSED
PAY ANY BANK
VALLEY NATIONAL BANK
PHOENIX, ARIZONA.
91-2

OGC 6967

LAW OFFICES OF
TOPEL & GOODMAN
A PROFESSIONAL CORPORATION
832 SANSOME STREET, FOURTH FLOOR
SAN FRANCISCO, CALIFORNIA 94111
TELEPHONE (415) 421-6140

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM
91 APR 30 AM 9:38

April 26, 1991

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 APR 30 PM 1:15

VIA FEDERAL EXPRESS

Office of the General Counsel
Federal Election Commission
ATTN: Tony Buckley, Esq.
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 3121: James and Mary Jo Grogan

Dear Mr. Buckley:

Thank you for your favorable response to my letter of April 2, 1991, requesting additional time to gather information and prepare responses on behalf of Mr. and Mrs. Grogan.

As I promised in that letter, I am enclosing for the Commission's review a schedule of salary increases and bonuses received by Mr. Grogan while he was employed by ACC/Lincoln, as well as copies of every federal political contribution check that we have been able to obtain written by either Mr. or Mrs. Grogan during the time period covered by the Commission's subpoena. In addition, please find enclosed additional samples of solicitations the Grogans received for political contributions during the relevant period.

I have forwarded the checks and salary schedule to my clients for their review and to assist them in responding completely and accurately to the interrogatories propounded by the Commission.

As a review of the checks submitted with this correspondence will reveal, however, the documentation we have been able to obtain does not match precisely the list of contributions that the Commission's records show the Grogans as having made. For example, the Commission's records show contributions by Mr. and Mrs. Grogan to Senator Riegle in 1988; we have not been able to obtain copies of either of those contribution checks.

2304354134 1

By the same token, certain of the contribution checks submitted herewith do not appear on the Commission's list of contributions made by either Mr. or Mrs. Grogan. For example, the Commission's records do not show contributions of $1,000 that Mr. Grogan made in 1986 and 1987 to "Friends of Mattingly Committee" and "Friends of Gary Hart," respectively.

In order to facilitate the Grogan's cooperation with the Commission's investigation, I therefore request that the Commission provide me a copy of the records upon which the Commission's list of political contributions attributable to my clients is based.

With this information in hand, the Grogans might be able to locate checks or other supporting documentation to either support or rebut the information contained in the Commission's records. This information would also, of course, enable Mr. and Mrs. Grogan to respond fully and accurately to the Commission's interrogatories.

Mr. and Mrs. Grogan are eager to continue their cooperation with the Commission's investigation. We remain confident that, once the Commission has all of the facts before it, it will conclude that no violation has occurred and that no further action should be taken against these Respondents.

Thank you for your courtesy and consideration of this request.

Sincerely,

DAVID R. CALLAWAY

DRC.sw

2304354134 2

James J. Grogan

Schedule of Salary Increases and Bonuses

(2/84 - 2/89)

230435413343

Contributions of James Grogan

Recipient	Date	Amount
John McCain for Senate --Primary Election	March 3, 1986	$ 1,000
John McCain for Senate --General Election	March 3, 1986	$ 1,000
Friends of Mattingly Committee	March 3, 1986	$ 1,000
DeConcini '88 Committee	April 10, 1986	$ 1,000
Friends of Gary Hart	April 7, 1987	$ 1,000
Steven Neal For Congress	April 17, 1987	$ 500
De Concini For Senate	October 19, 1987	$ 1,000
The Presidential Trust	May 27, 1988	$10,000
Hart For Senate	October 14, 1988	$ 1,000

23043541344

JAMES J. OR MARY JO GROGAN
[illegible] DELLA VISTA
SCOTTSDALE, AZ [illegible]

586

Mar 3 19 86

[illegible] John McCain For Senate $ 100

One Thousand DOLLARS

[illegible]

PRIMARY [illegible]

14019901 03/18/86 PEG 122100011 FIAZ 1104

PAY TO THE ORDER OF
FIRST INTERSTATE BANK OF AZ
1 FOR DEPOSIT ONLY
JOHN McCAIN FOR SENATE
0015-13405

JAMES J. OR MARY JO GROGAN
[illegible] DELLA VISTA
[illegible], AZ [illegible]

585

Mar 3 86

[illegible] John McCain For Senate $ 100

One Thousand

[illegible]

[illegible] Elector

14019902 03/18/86 PEG 122100011 FIAZ 1104

PAY TO THE ORDER OF
FIRST INTERSTATE BANK OF AZ
1 FOR DEPOSIT ONLY
JOHN McCAIN FOR SENATE
0015-13405

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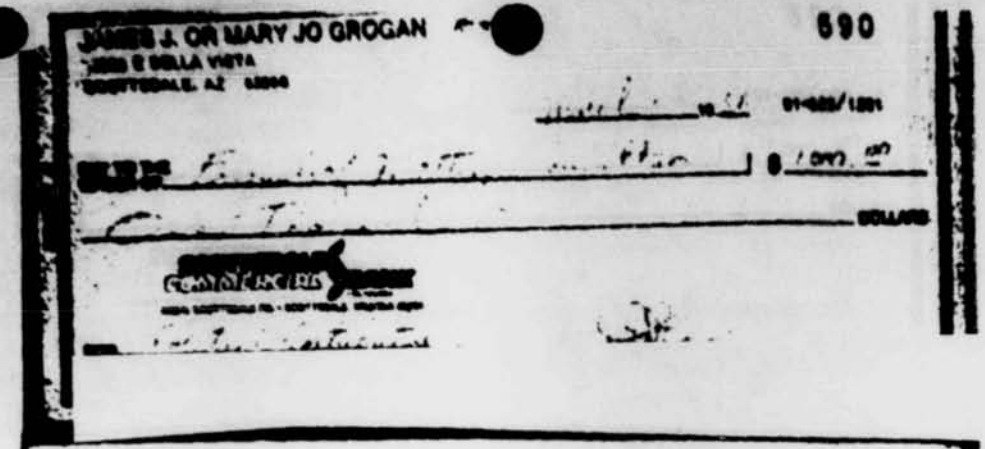

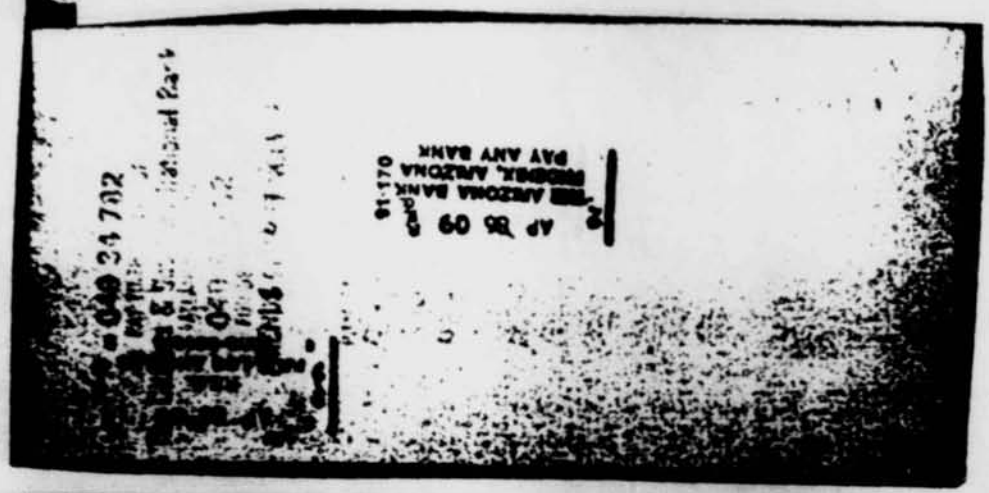

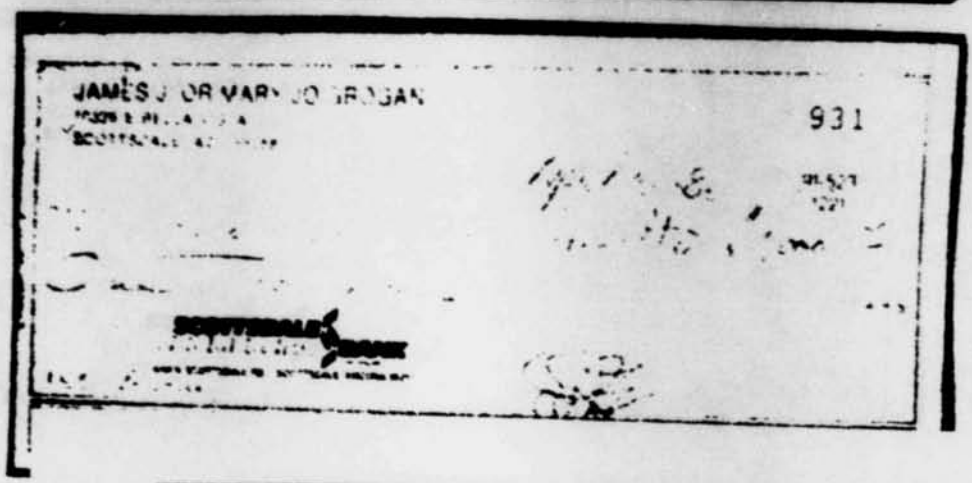

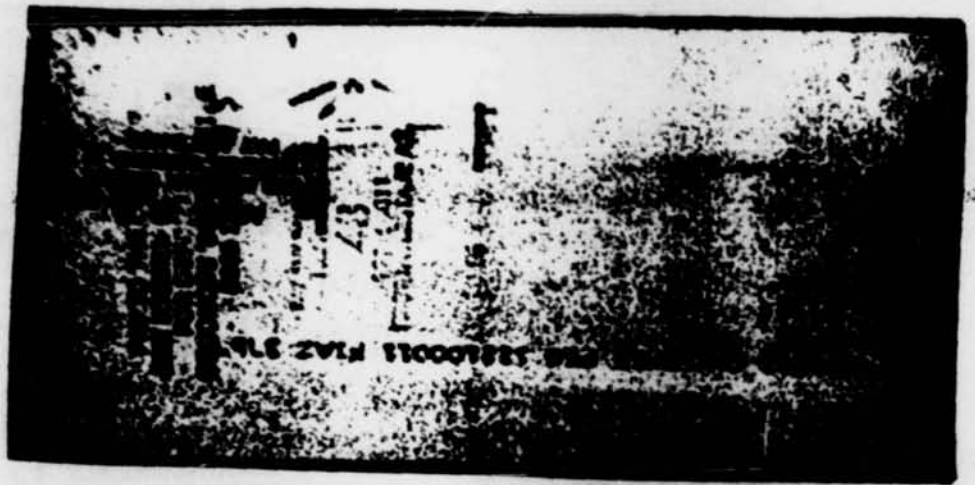

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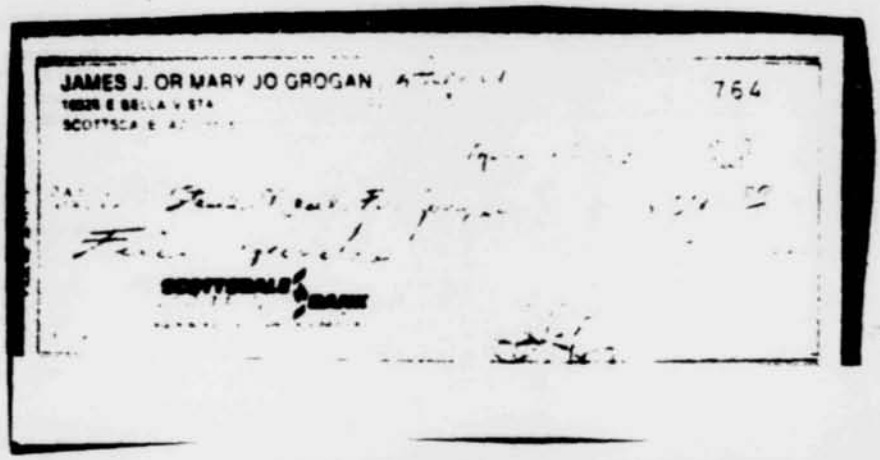



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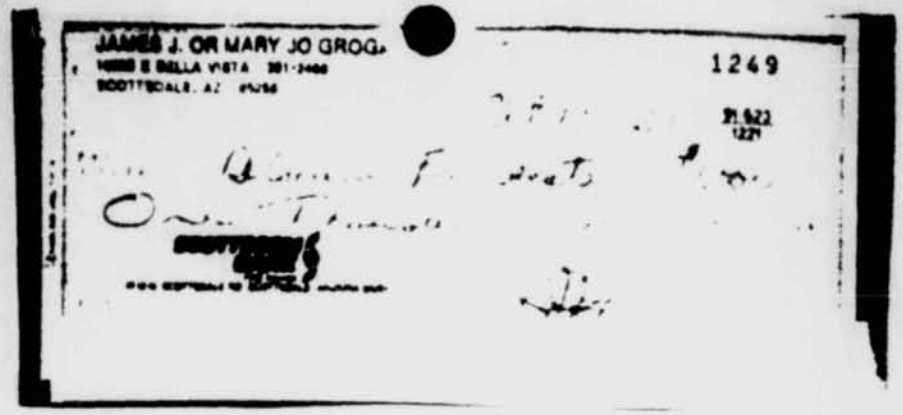



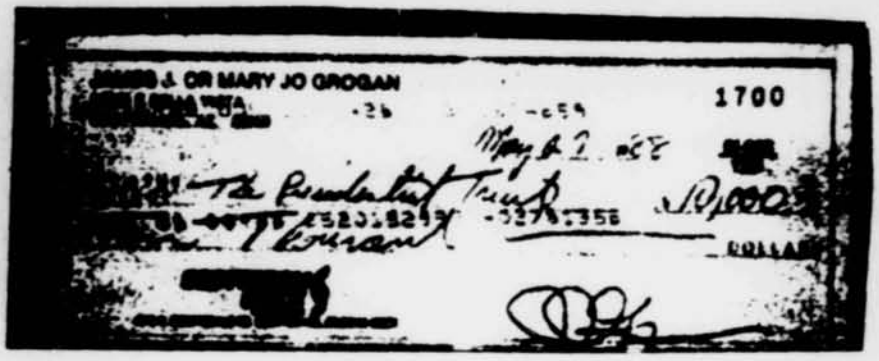

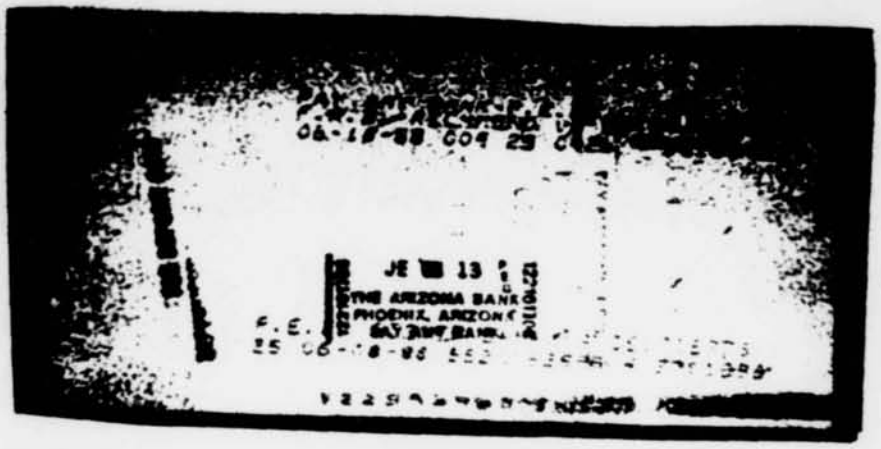

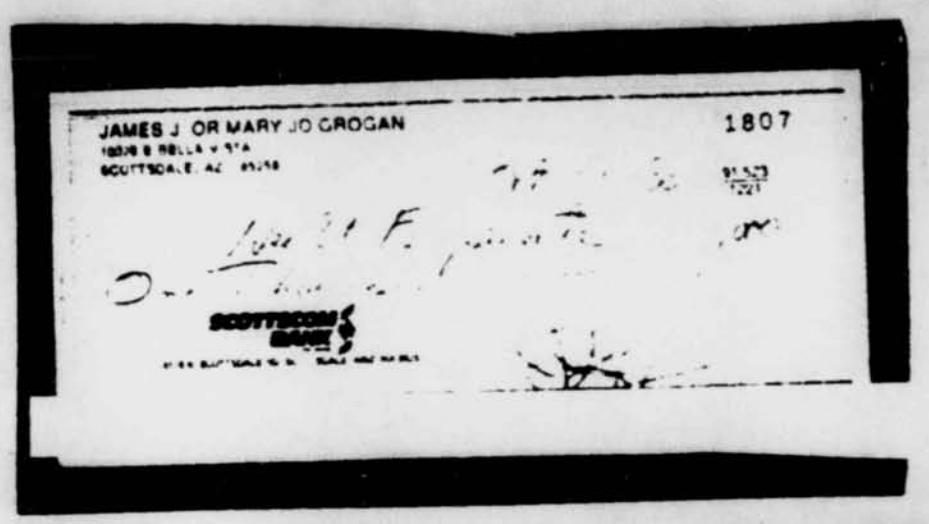

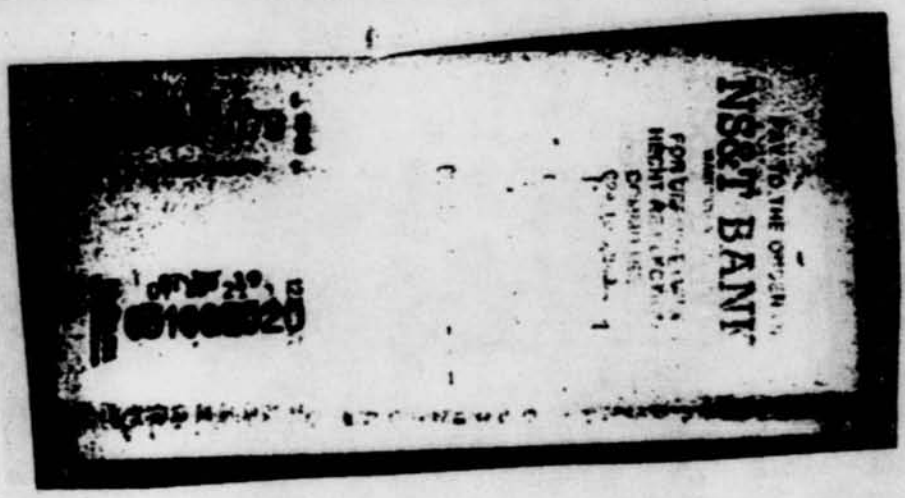

JAMES J OR MARY JO GROGAN 1807

SCOTTSDALE, AZ

SCOTTSDALE BANK

PAY TO THE ORDER OF

NS&T BANK

FOR DEPOSIT ONLY

HECHT REFLECTIONS

DOMINIQUES

2304354134 9

Contributions of Mary Jo Grogan

Recipient	Date	Amount
John McCain For Senate --Primary Election	March 3, 1986	$ 1,000
John McCain For Senate --General Election	March 3, 1986	$ 1,000
Pastor '88 Committee	March 17, 1987	$ 200
Rhodes For Governor	March 28, 1988	$ 250
The Presidential Trust	May 27, 1988	$10,000
Poletis for County Supervisor Committee	June 8, 1988	$ 200
Senator Dennis DeConcini Reelection Comm.	June 16, 1988	$ 1,000
Hart For Senate	October 14, 1988	$ 1,000

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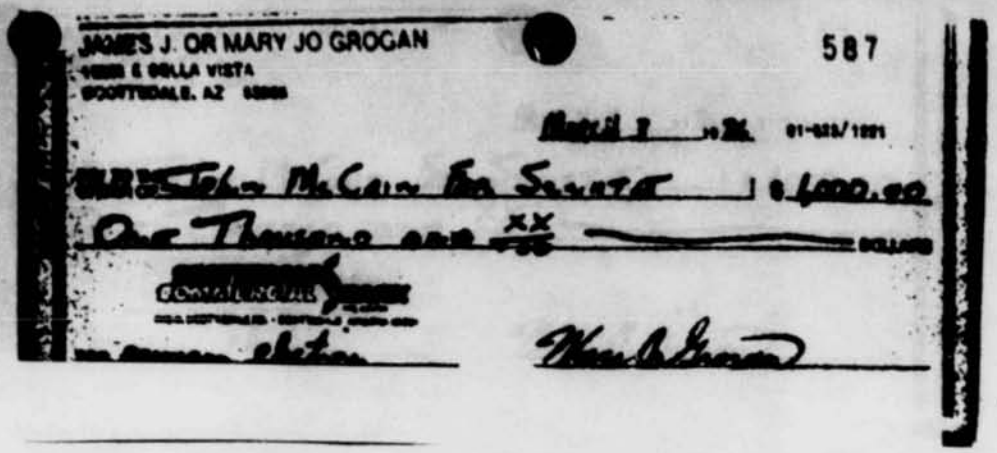


JAMES J. OR MARY JO GROGAN
[illegible] E. BELLA VISTA
SCOTTSDALE, AZ [illegible]

587

March 3 19[illegible] 01-[illegible]/1221

[illegible] John McCain For Senate $ 1,000.00

One Thousand and XX/100 DOLLARS

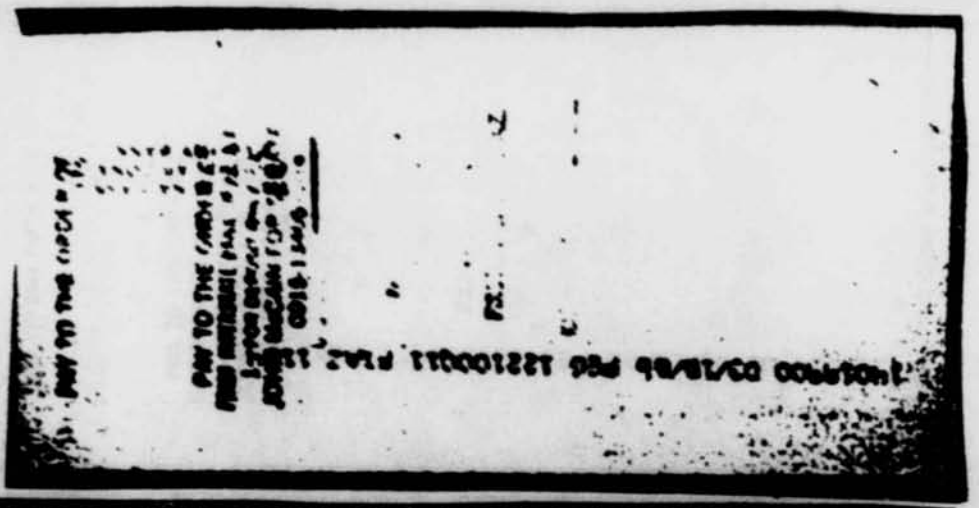
COMMERCIAL BANK

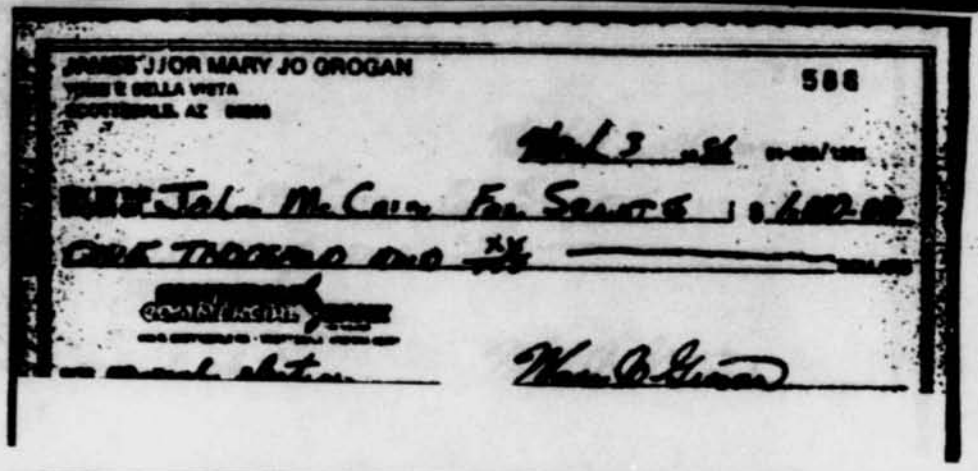
[illegible] election

[illegible]

PAY TO THE ORDER OF

PAY TO THE ORDER OF
FIRST INTERSTATE BANK [illegible]
[illegible]
JOHN MCCAIN FOR SENATE
0019-13406





1401[illegible] 03/18/86 PEG 122100011 FIAZ 11[illegible]

JAMES J. OR MARY JO GROGAN
[illegible] E. BELLA VISTA
SCOTTSDALE, AZ [illegible]

588

March 3 19[illegible] 01-[illegible]/1221

[illegible] John McCain For Senate $ 1,000.00

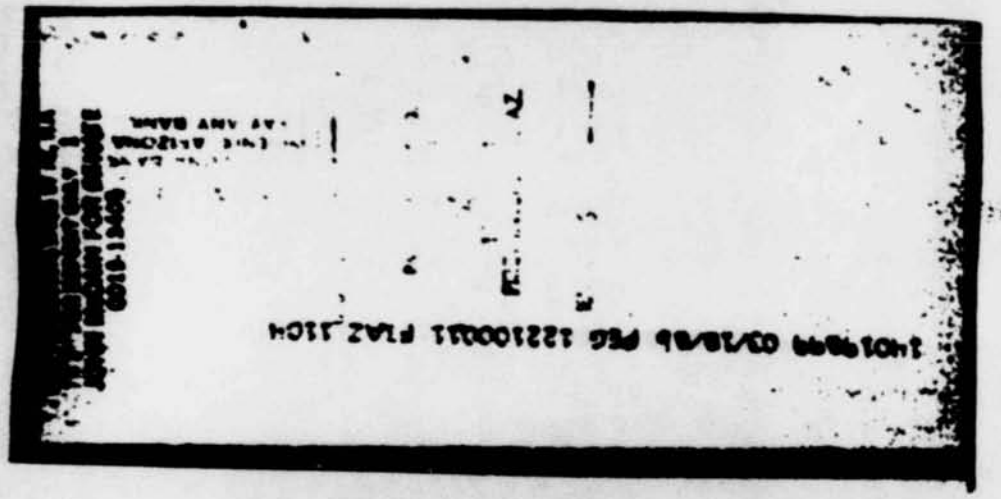
One Thousand and XX/100 DOLLARS

COMMERCIAL BANK

[illegible] election

[illegible]

[illegible]
[illegible] ANY BANK
JOHN MCCAIN FOR SENATE
0019-13406



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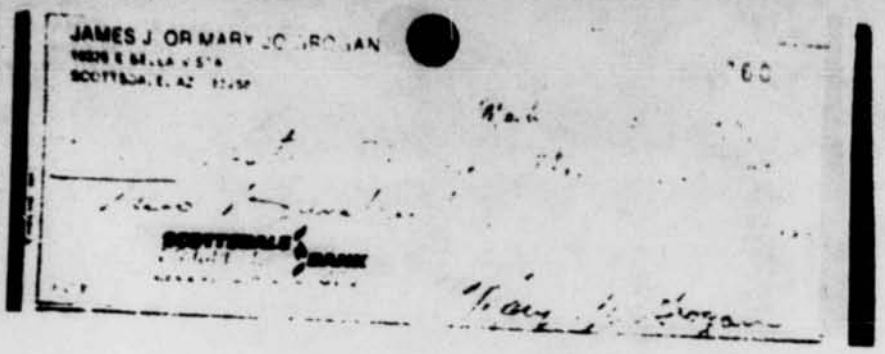

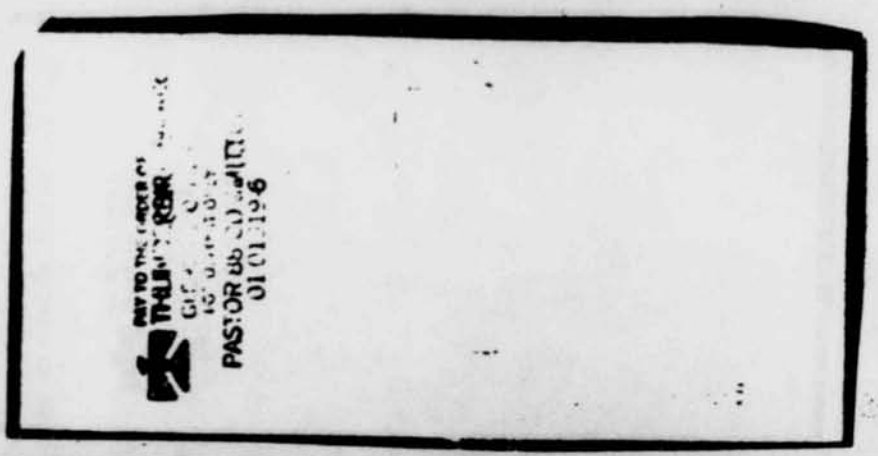

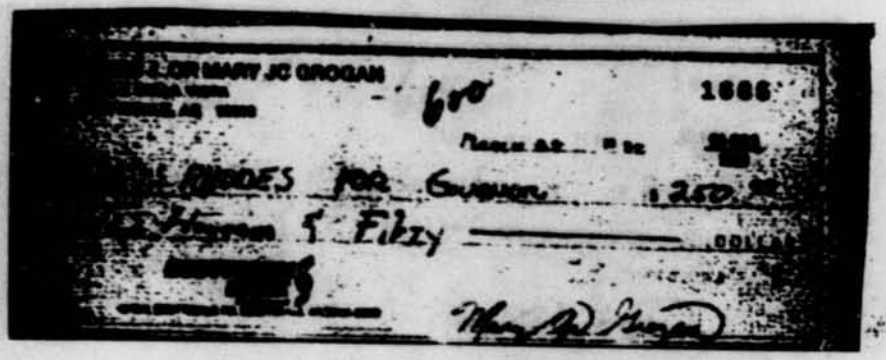



JAMES J. OR MARY JC GROGAN
SCOTTSDALE, AZ

SCOTTSDALE BANK

PAY TO THE ORDER OF
THE ... BANK
PASTOR 88 ...
01 01 19-6

JAMES J. OR MARY JC GROGAN
600
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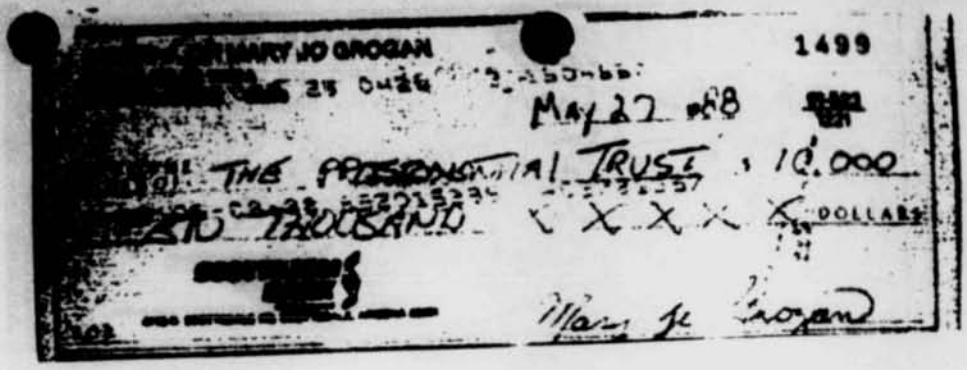
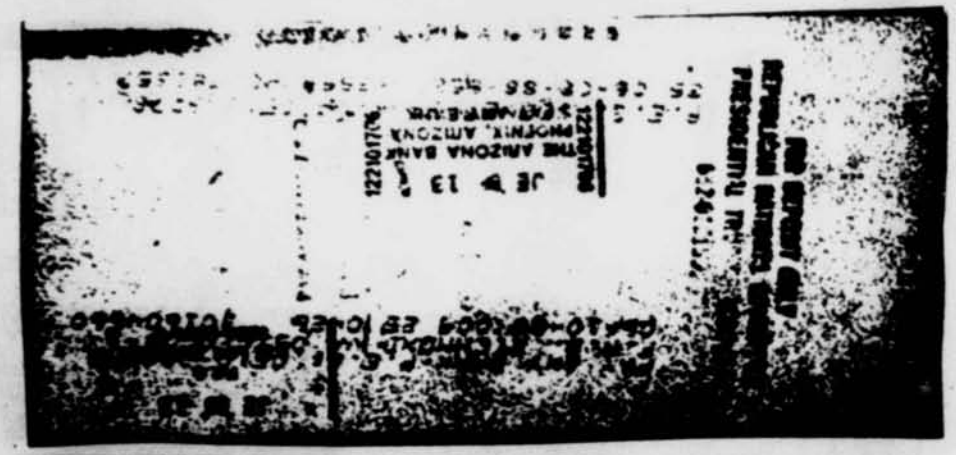
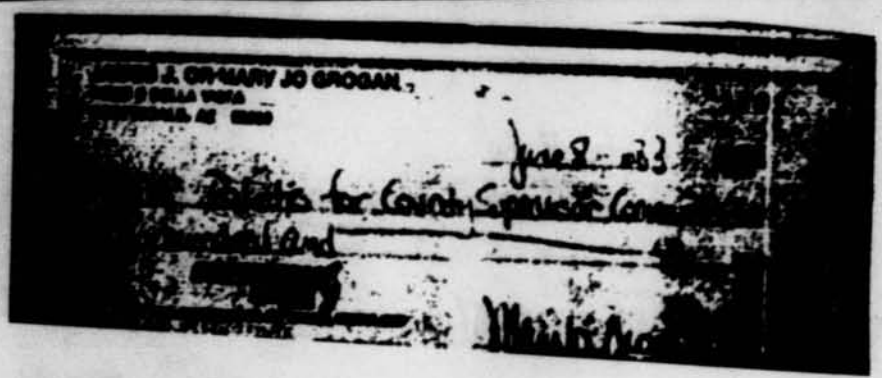
RHODES FOR GOVERNOR $250
Hayden & Fifty DOLLARS

2304354135 2









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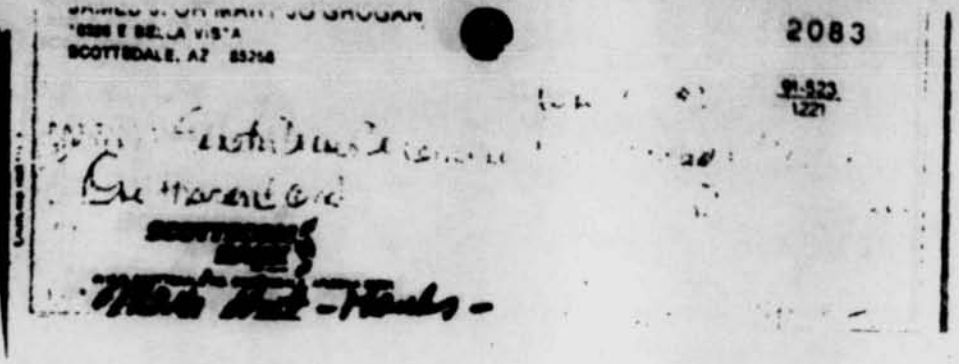

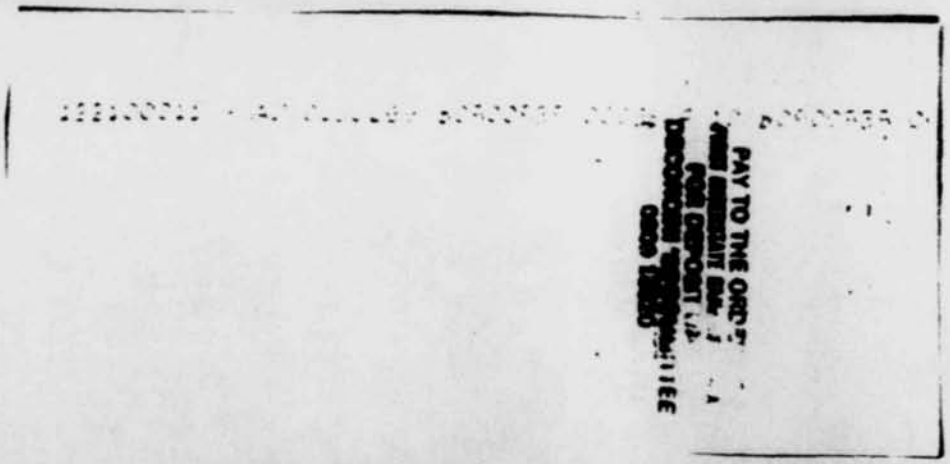

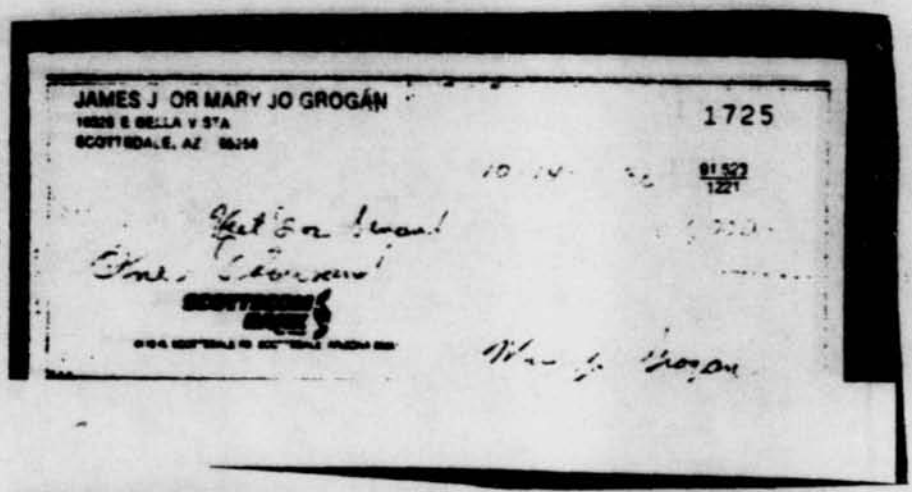



JAMES J. OR MARY JO GROGAN
10326 E BELLA VISTA
SCOTTSDALE, AZ 85258

2083

91-523
1221

[illegible]

SCOTTSDALE BANK

[illegible]

PAY TO THE ORDER OF
FIRST INTERSTATE BANK
FOR DEPOSIT ONLY
DISCONDING [illegible] COMMITTEE
[illegible]

JAMES J OR MARY JO GROGAN
10326 E BELLA VISTA
SCOTTSDALE, AZ 85258

1725

91-523
1221

[illegible]

SCOTTSDALE BANK

[illegible]

[illegible]

PAY TO THE ORDER OF
N&T BANK
FOR DEPOSIT ONLY
HECHT JAC-ELECTION
COMMITTEE
[illegible]

[illegible]

[illegible]

2304354 1354

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

91 APR 26 AM 9:40

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 26, 1991

SENSITIVE

MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel

SUBJECT: MUR 3121
Requests for Extensions of Time

2304354135 5

On February 12, 1991, the Commission found reason to believe against 94 individuals believed connected with American Continental Corporation ("ACC") and/or Charles H. Keating, Jr. and authorized subpoenas and orders to be sent to each of them. These were mailed out on March 6 and 7, 1991.

To date, 30 respondents have submitted substantive responses to the Commission's reason to believe findings and/or the subpoenas and orders. Several other respondents have requested short extensions of time to respond which have been granted by this Office. In addition, nine respondents have requested longer extensions discussed below, which are allegedly necessitated by the pendency of federal grand jury proceedings and other investigations involving Keating and ACC.[1]

From our conversations with counsel for various respondents, it is our understanding that approximately ten state and federal agencies are looking into these matters, including political activities. At least eight of the respondents have advised us they have received federal grand jury subpoenas in California or Arizona, and we have not yet heard from many of the respondents reportedly most intimately involved with ACC.

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1. For the Commission's information, the notification letters to 29 respondents were returned by the Postal Service either as undeliverable, unclaimed or refused. Where necessary, this Office has requested current addresses for those respondents from the local postmasters, and is re-sending the notification packages either by certified mail or U.S. Marshal. This Office is also following up on those respondents from whom we have received a return receipt card or other proof of service, but no substantive response.

DISCUSSION

By letter dated April 2, 1991, counsel for Judy Wischer, Keating's top aide, requested an indefinite extension of time in which to respond to the Commission's order and subpoena. (Attachment 1). The letter explains that an extension is necessary due to the fact that Mrs. Wischer is the subject of a criminal investigation and would have to assert her Fifth Amendment privileges to the Commission's questions. Counsel further states that Mrs. Wischer will provide substantive responses when it can be determined that she is no longer subject to criminal action.[2]

By letter dated March 27, 1991, counsel for Bruce and Rebecca Dickson requested extensions of two to three months in which to respond to the Commission's orders and subpoenas. (Attachment 2). The letter explains that extensions are necessary due to the fact that Mr. Dickson is the subject of a criminal investigation and neither he nor Mrs. Dickson are capable of cooperating at this time. The letter further states that upon the resolution of Mr. Dickson's dealings with the U.S. Attorney's Office, he will cooperate fully with the Commission's investigation.

By letter dated March 20, 1991, counsel for Sheldon and Ellen Weiner requested extensions of four months in which to respond to the Commission's orders and subpoenas. (Attachment 3). In a telephone conversation with this Office, counsel explained that the extensions are needed due to the fact that the Weiners are the subject of a criminal investigation and would not be able to answer the Commission's questions at this time. Counsel promised the Weiners' full cooperation upon the resolution of any Fifth Amendment concerns of the Weiners.[3]

By letter dated April 11, 1991, counsel for Jack and Robyn Atchison requested extensions of 45 days in which to respond to the Commission's orders and subpoenas. (Attachment 4). This request is in addition to a 20-day extension already granted by this Office. The letter explains that extensions are necessary

2304354135 56

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2. The Wischer letter also requests 20-day extensions for George and Judy Wischer to respond to the Commission's findings and for George Wischer to respond to the subpoena and order. These latter extensions were previously granted by this Office.

3. In addition to respondents who are the subject to criminal liability, this Office has also heard from respondents who are cooperating with the U.S. Attorney in Los Angeles but who are loathe to cooperate with the Commission for fear of upsetting the criminal investigation. This Office has contacted the U.S. Attorney in an effort to maximize information gathering while maintaining the Commission's independence, and at the same time not hindering the the criminal case.

due to the fact that the status of Mr. and Mrs. Atchison has not been clarified with reference to on-going state and federal investigations. Counsel has previously informed this Office that Mr. Atchison has received a target letter from the federal grand jury in Los Angeles. Counsel has previously maintained that under these circumstances, Mr. and Mrs. Atchison would assert all available privileges and refuse to respond to the subpoenas and orders. However, counsel has assured this Office that the Atchison's will provide their full cooperation once the question of any criminal liability is resolved.

By letter dated April 12, 1991, counsel for Robert and Elizabeth Kielty requested indefinite extensions of time to respond. (Attachment 5). Counsel explains that Mr. Kielty is the subject of certain criminal investigations, and that both he and his wife cannot answer the Commission's questions at this time. Counsel further states that Mr. Kielty is interested in assisting the Commission in its investigation to the maximum extent possible.

Counsel for each of the above respondents has made it clear that they would prefer to risk any civil liability which the Commission (or the courts) may impose as a result of a failure to respond to the Commission's subpoenas and orders than risk potential criminal liability which could result from a failure to assert their clients' Fifth Amendment and other privileges.

Presently, this Office is seeking information from the U.S. Attorney's Office in Los Angeles as to the possibility of the above-named individuals being freed of their Fifth Amendment concerns, whether through plea agreements or grants of immunity. Once such information is in hand this Office will be better able to advise the Commission as to whether extensions of time should be granted, or whether these respondents should be required to provide responses, even if these responses consist solely of claims of privilege, so as to create a record as to these claims and to keep these subpoenas and orders in force as soon as any basis for a claim of privilege is eliminated. Because the U.S. Attorney's Office has required that this request be made in writing, a little time will be needed for them to review and evaluate the individual cases, and thus the respondents should be granted extensions of time during this period. Accordingly, the Office of the General Counsel recommends that the Commission

2304354135 7

grant extensions of time until May 28, 1991 to Judy Wischer, Bruce and Rebecca Dickson, Sheldon and Ellen Weiner, Jack and Robyn Atchison, and Robert and Elizabeth Kielty.

RECOMMENDATIONS

1. Grant extensions of time until May 28, 1991 to Judy Wischer, Bruce and Rebecca Dickson, Sheldon and Ellen Weiner, Jack and Robyn Atchison, and Robert and Elizabeth Kielty.

2. Approve the appropriate letters.

Attachments
1. Requests for Extensions (5)

Staff Assigned: Tony Buckley

7304354135 8

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 3121
Judy Wischer; Bruce and Rebecca Dickson; Sheldon and Ellen Weiner; Jack and Robyn Atchison; Robert and Elizabeth Kielty; et al.	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 1, 1991, the Commission decided by a vote of 6-0 to take the following actions in MUR 3121:

1. Grant extensions of time until May 28, 1991 to Judy Wischer, Bruce and Rebecca Dickson, Sheldon and Ellen Weiner; Jack and Robyn Atchison; and Robert and Elizabeth Kielty.

2. Approve the appropriate letters, as recommended in the General Counsel's report dated April 26, 1991.

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

Attest:

5-1-91
Date

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

2304354139

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 8, 1991

Walter Pozen, Esq.
Stroock & Stroock & Lavan
1150 Seventeenth Street, N.W.
Washington, D.C. 20036-4652

RE: MUR 3121
Jack and Robyn Atchison

Dear Mr. Pozen:

This is in response to your letter dated April 11, 1991, in which you requested an additional extension of time of 45 days to respond to the reason to believe findings and subpoenas and orders issued by the Federal Election Commission to your clients, Jack and Robyn Atchison. After considering the circumstances presented in your letter, the Commission has granted the bulk of your request, establishing May 28, 1991 as the date on which your responses are due.

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

2304354136O

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 8, 1991

Michael J. Lightfoot, Esq.
Talcott, Lightfoot, Vandevelde,
Woehrle & Sadowsky
Thirteenth Floor
655 South Hope Street
Los Angeles, California 90017-3211

RE: MUR 3121
Bruce and Rebecca Dickson

Dear Mr. Lightfoot:

This is in response to your letter dated March 27, 1991, requesting that the Federal Election Commission postpone its Subpoenas to Produce Documents and Orders to Submit Written Answers issued to your clients, Bruce and Rebecca Dickson, or in the alternative, that an extension of two to three months be granted. After considering the circumstances presented in your letter, the Commission has denied both requests. However, the Commission has granted an extension to your clients until May 28, 1991 in which to respond. Accordingly, your clients' responses are due by the close of business on that date.

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

2304354136 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 8, 1991

David R. Callaway, Esq.
Topel & Goodman
832 Sansome Street, Fourth Floor
San Francisco, California 94111

RE: MUR 3121
Robert and Elizabeth Kielty

Dear Mr. Callaway:

This is in response to your letter dated April 12, 1991, requesting an indefinite extension of time to respond to the subpoenas and orders issued by the Federal Election Commission to you clients, Robert and Elizabeth Kielty. After considering the circumstances presented in your letter, the Commission has denied the requested extension. However, the Commission has granted an extension to your clients until May 28, 1991 in which to respond. Accordingly, your clients' responses are due by the close of business on that date.

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

2304354136 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 8, 1991

Gail M. Title, Esq.
Rosenfeld, Meyer & Susman
9601 Wilshire Boulevard
Fourth Floor
Beverly Hills, CA 90210-5288

RE: MUR 3121
Sheldon and Ellen Weiner

Dear Ms. Title:

This is in response to your letter dated March 20, 1991, requesting that the Federal Election Commission withdraw its Subpoenas to Produce Documents and Orders to Submit Written Answers issued to your clients, Sheldon and Ellen Weiner, or in the alternative, that an extension of four months be granted. After considering the circumstances presented in your letter, the Commission has denied both requests. However, the Commission has granted an extension to your clients until May 28, 1991 in which to respond. Accordingly, your clients' responses are due by the close of business on that date.

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

2304354136 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 8, 1991

David E. Frulla, Esq.
Brand & Lowell
923 Fifteenth Street, N.W.
Washington, D.C. 20005

RE: MUR 3121
Judy Wischer

Dear Mr. Frulla:

This is in response to your letter dated April 2, 1991, requesting an indefinite extension of time to respond to the subpoena and order issued by the Federal Election Commission to you client, Judy Wischer. After considering the circumstances presented in your letter, the Commission has denied the requested extension. However, the Commission has granted an extension to your client until May 28, 1991 in which to respond. Accordingly, your client's responses are due by the close of business on that date.

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

2304354113364

06C 1066

CHRISTOPHER J. CHAMBERS
Attorney At Law

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM
91 MAY -9 AM 11:00

May 3, 1991

VIA FACSIMILE

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 MAY -9 PM 3:21

Robert Bonham
Federal Election Commission
Washington D.C. 20463

Re: MUR 3121

Dear Mr. Bonham,

This letter serves to request an extension of time through and including May 21, 1991 to respond to the Order to Submit Written Answers and Subpoena to Produce Documents received by me on April 22, 1991 in connection with the referenced matter.

The date for the response set forth in such Subpoena is five days hence, May 7, 1991.

My request follows an extensive search for and through personal banking files and tax returns. I have been unable to locate deposit receipts which detail amount(s) of deposits. The information requested in the subpoena would be contained on such deposit receipts. I have initiated a dialogue with my bank, Valley National Bank of Phoenix, in an attempt to locate such deposit receipts. After they have been located, I will not be in receipt of copies for 7-10 days and it will take some time to incorporate the copies into my response. I am responding in pro per.

I look forward to a favorable response to my request as the initial response period seems unreasonably short in light of the information requested.

Yours very truly,

Christopher J. Chambers

CJC:mc

2304354136 5

619·793·1197 Fax 619·793·2690
225 Plaza Street, Suite 105 · Solana Beach, California 92075

OGC 1067

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 MAY -9 AM 10:58

LAYMAN, JONES & DYE
LAWYERS
2600 MICHELSON DRIVE
SUITE 1000
IRVINE, CALIFORNIA 92715
TELEPHONE (714) 261-2345
FAX (714) 261-8666

WILBUR D. LAYMAN
STANLEY R. JONES
ROBERT E. DYE
STEVEN H. SUNSHINE
BRUCE H. CHARLES
STEPHEN M. KANE
DAVID W. WIECHERT
GARY J. HIGHLAND
SUSAN R. WIECH
ROBERT B. BEAUCHAMP
DINA M. McKENNA
REN R HAYHURST
EDWARD R. McGAH, JR.

DAVID J. GARIBALDI, III
OF COUNSEL

REFER TO FILE NO.

32027.001

May 6, 1991

91 MAY -9 PM 3:21
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

Mr. Tony Buckley, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: Ray and Kathi Fidel
MUR 3121

Dear Mr. Buckley:

We have been informed by Assistant United States Attorney David Sklansky that the United States Attorney's Office and the FEC are still engaged in discussions regarding the possibility of Mr. Fidel's cooperation with the FEC. Based on the above we request an extension on behalf of the Fidels' to respond until June 6, 1991.

Please call me with any questions or comments you may have regarding the above.

Sincerely,

Dina M. McKenna

Dina M. McKenna
Of Layman, Jones & Dye

DMM:dmm
616W

2304354136 6

DOC 1033

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 MAY -5 PM 9:46

LAW OFFICES OF
COTSIRILOS & CAMPISANO
155 MONTGOMERY STREET
NINTH FLOOR
SAN FRANCISCO, CALIFORNIA 94104
OFFICE: (415) 397-2373
FACSIMILE: (415) 397-8680

GEORGE J. COTSIRILOS, JR.

May 3, 1991

91 MAY -7 AM 11:37

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

VIA FACSIMILE & EXPRESS DELIVERY

Mr. Tony Buckley
Federal Election Commission
999 "E" Street N.W.
Washington, D.C. 20463

Re: MUR 3121, David I. Thompson

Dear Mr. Buckley:

At your request this is to supplement my letter of April 26, 1991 regarding our agreement that this office will submit a response to the Subpoena to Produce Documents and Order to Submit Written Answers issued by the Federal Election Commission to my client David Thompson by the close of business on May 13, 1991.

In our most recent telephone conversation, you requested that I expand on the good cause for such an extension of time. You will recall that all original correspondence from the Federal Election Commission was sent to Mr. Thompson himself at an erroneous address. Ultimately they made their way to me, and, in a letter dated April 1, 1991, I requested an extension accordingly. However, official confirmation from the Federal Election Commission that an extension of time had been granted did not arrive at my office until April 22, 1991. In the interim period I assumed, apparently erroneously, that a new date upon which our response was due would be set forth in the confirmation letter which I expected from the commission and that such a date would be within a reasonable period after my receipt of the confirmation letter.

Ultimately, I received a letter dated April 18, 1991 from Robert W. Bonham, III, at the Federal Election Commission, granting my request for an extension of time. However, this letter, which I did not receive until April 22, 1991, stated that our response was due by the close of business on April 21, 1991. Because of my understanding as a result of prior contacts with commission that the extension would be formally be granted in writing and would be operative as of the date of any such written communication our response was not ready on April 21, 1991, and, consequently, I requested, and you agreed, to an extension until May 13, 1991.

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I believe that the confusion surrounding my prior requests for extension amounts to good cause for the extension to which you and I agreed. Please feel free to contact me if you wish to discuss the matter further. Again, I apologize for my contribution to the confusion, and I very much appreciate your courtesy and cooperation in this matter.

Yours truly,

George J. Cotsirilos, Jr.

GJC:ggg

2304354136 8

MUR 1036

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

KIRKLAND & ELLIS

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

91 MAY -5 PM 7:33

200 East Randolph Drive
Chicago, Illinois 60601

312 861-2000

Facsimile:
312 861-2200

Stephen C. Neal, P.C.
To Call Writer Direct:
312 861-2284

April 30, 1991

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 MAY -7 AM 11:37

Tony Buckley, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: **MUR 3121**

Dear Mr. Buckley:

Enclosed are Designation of Counsel forms for the following individuals: Mrs. and Mrs. Charles H Keating, Jr., Charles H. Keating, III, Mr. and Mrs. Robert J. Hubbard, Mr. and Mrs. Bradley J. Boland, Elizabeth Wurzelbacher, Mr. and Mrs. Gary W. Hall, Mr. and Mrs. Thomas D. Mulhern, and Mrs. Gregory Kassick (Mr. Gregory Kassick's designation will be forwarded to you upon receipt).

At your convenience, please call so that we can discuss your outstanding subpoenas.

Yours very truly,

Stephen C. Neal, P.C.

Stephen C. Neal, P.C.

SCN/lma
Enclosures

2304354136 69

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: Kirkland & Ellis , Stephen C. Neal, P.C.

ADDRESS: 200 E. Randolph Drive
Chicago, IL 60601

TELEPHONE: 312/861-2284

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.

April 19, 1991
Date

Signature

RESPONDENT'S NAME: CHARLES H KEATING, JR.

ADDRESS: 6447 N. PALO CRISTI ROAD
PARADISE VALLEY, AZ 85253

HOME PHONE:

BUSINESS PHONE: (602) 852-0199

2304354137O

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: Kirkland & Ellis , Stephen C. Neal, P.C.

ADDRESS: 200 E. Randolph Drive

Chicago, IL 60601

TELEPHONE: 312/861-2284

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

4/28/91
Date

Mary Elaine Keating
Signature

RESPONDENT'S NAME: MARY ELAINE KEATING

ADDRESS: 6447 N. Palo Cristi Road

Paradise Valley, AZ 85253

HOME PHONE:

BUSINESS PHONE:

2304354137 1

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: Kirkland & Ellis , Stephen C. Neal, P.C.

ADDRESS: 200 E. Randolph Drive
Chicago, IL 60601

TELEPHONE: 312/861-2284

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

4/26/91
Date

Signature

RESPONDENT'S NAME: CHARLES H. KEATING, III

ADDRESS: 6326 N. 38th STREET
PARADISE VALLEY, AZ 85253

HOME PHONE:

BUSINESS PHONE:

2304354137 2

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: Kirkland & Ellis , Stephen C. Neal, P.C.

ADDRESS: 200 E. Randolph Drive
Chicago, IL 60601

TELEPHONE: 312/861-2284

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.

7/22/91
Date

Robert J Hubbard Jr
Signature

RESPONDENT'S NAME: Robert J Hubbard Jr

ADDRESS: 4234 N 33rd St
Phnx AZ
85018

HOME PHONE:

BUSINESS PHONE: 602-381-1322

2304354137 3

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: Kirkland & Ellis , Stephen C. Neal, P.C.

ADDRESS: 200 E. Randolph Drive
Chicago, IL 60601

TELEPHONE: 312/861-2284

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

4/22/91
Date

Kathleen M Hubbard
Signature

RESPONDENT'S NAME: Kathleen M Hubbard

ADDRESS: 4234 N. 33rd St
Phoenix AZ
85018

HOME PHONE:

BUSINESS PHONE:

23043541374

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: Kirkland & Ellis , Stephen C. Neal, P.C.

ADDRESS: 200 E. Randolph Drive
Chicago, IL 60601

TELEPHONE: 312/861-2284

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

4/22/91
Date

Bradley J. Boland
Signature

RESPONDENT'S NAME: Bradley J. Boland

ADDRESS: 5801 Via Los Caballos
Paradise Valley, Az 85253

HOME PHONE: ( ) -

BUSINESS PHONE: 381-1322

2304354137 5

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: Kirkland & Ellis , Stephen C. Neal, P.C.

ADDRESS: 200 E. Randolph Drive
Chicago, IL 60601

TELEPHONE: 312/861-2284

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.

April 22, 1991
Date

Elaine Boland
Signature

RESPONDENT'S NAME: Elaine Boland

ADDRESS: 5801 Via Los Caballos
Paradise Valley, AZ
85253

HOME PHONE:

BUSINESS PHONE: 602 3

2304354137 6

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: Kirkland & Ellis , Stephen C. Neal, P.C.

ADDRESS: 200 E. Randolph Drive
Chicago, IL 60601

TELEPHONE: 312/861-2284

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

4/28/91
Date

Elizabeth Wurzelbacher
Signature

RESPONDENT'S NAME: Elizabeth Wurzelbacher

ADDRESS: 3702 East Pasadena
Phoenix, AZ 85018

HOME PHONE:

BUSINESS PHONE:

7304354137 7

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: Kirkland & Ellis , Stephen C. Neal, P.C.

ADDRESS: 200 E. Randolph Drive
Chicago, IL 60601

TELEPHONE: 312/861-2284

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.

Date

Signature

RESPONDENT'S NAME: GARY W. HALL

ADDRESS: 6326 N. 38TH STREET
PARADISE VALLEY, AZ 85253

HOME PHONE:

BUSINESS PHONE: (602) 957-6799

2304354137 8

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: Kirkland & Ellis , Stephen C. Neal, P.C.

ADDRESS: 200 E. Randolph Drive
Chicago, IL 60601

TELEPHONE: 312/861-2284

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.

Date

Signature: Mary A Hall

RESPONDENT'S NAME: MARY A. HALL

ADDRESS: 6326 N. 38TH STREET
PARADISE VALLEY, AZ 85253

HOME PHONE:

BUSINESS PHONE:

2304354137 9

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: Kirkland & Ellis , Stephen C. Neal, P.C.

ADDRESS: 200 E. Randolph Drive
Chicago, IL 60601

TELEPHONE: 312/861-2284

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

4/21/91
Date

Signature

RESPONDENT'S NAME: Thomas D. Mulhern

ADDRESS: 2302 E. Colter St.
Phx., Az. 85016

HOME PHONE:

BUSINESS PHONE:

23043541380

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: Kirkland & Ellis , Stephen C. Neal, P.C.

ADDRESS: 200 E. Randolph Drive
Chicago, IL 60601

TELEPHONE: 312/861-2284

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

4/21/91
Date

Maureen T. Mulhern
Signature

RESPONDENT'S NAME: Maureen T. Mulhern

ADDRESS: 2302 E. Colter St.
Phx., Az. 85016

HOME PHONE:

BUSINESS PHONE:

9304354138 1

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: Kirkland & Ellis , Stephen C. Neal, P.C.

ADDRESS: 200 E. Randolph Drive
Chicago, IL 60601

TELEPHONE: 312/861-2284

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

4/26/91
Date

Carol D. Kassick
Signature

RESPONDENT'S NAME: CAROL D. KASSICK

ADDRESS: 5725 EAST TIERRA BUENA LANE
SCOTTSDALE, AZ 85254

HOME PHONE:

BUSINESS PHONE: (602) 852-0199

9304354138 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 7, 1991

Christopher J. Chambers, Esq.
1867 Amalfi Drive
Leucadia, CA 92024

RE: MUR 3121

Dear Mr. Chambers:

This is in response to your letter dated May 3, 1991, which we received on that same date, requesting an extension of time until May 21, 1991 to respond to the Subpoena to Produce Documents and Order to Submit Written Answers issued to you by the Federal Election Commission. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on May 21, 1991.

If you have any questions, please contact Tony Buckley at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Robert W. Bonham, III
Assistant General Counsel

2304354138 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 7, 1991

George J. Cotsirilos, Esq.
Cotsirilos & Campisano
155 Montgomery Street
Ninth Floor
San Francisco, California 94104

RE: MUR 3121
David Thompson

Dear Mr. Cotsirilos:

This is in response to your letters dated April 26 and May 3, 1991, requesting an additional extension of time until May 13, 1991 to respond to the Subpoena to Produce Documents and Order to Submit Written Answers issued by the Federal Election Commission to your client, David Thompson. After considering the circumstances presented in your letters, I have granted the requested additional extension. Accordingly, your response is due by the close of business on May 13, 1991.

If you have any questions, please contact Tony Buckley at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Robert W. Bonham, III
Assistant General Counsel

2304354138 4

OGC 1057

STATEMENT OF DESIGNATION OF COUNSEL

FEDERAL ELECTION COMMISSION

91 MAY -7 AM 11:40

MUR 3121

NAME OF COUNSEL: Kirkland & Ellis , Stephen C. Neal, P.C.

ADDRESS: 200 E. Randolph Drive

Chicago, IL 60601

TELEPHONE: 312/861-2284

91 MAY -8 PM 2:45

FEDERAL ELECTION COMMISSION

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.

5/2/91
Date

Signature

RESPONDENT'S NAME: GREGORY J. KASSICK

ADDRESS: 5725 E. TIERRA BUENA LANE

SCOTTSDALE, AZ 85254

HOME PHONE:

BUSINESS PHONE:

2304354138 5

SENT BY:Xerox Telecopier 7020 ; 5- 9-91 ;10:03AM ; 6029574431→ 202 376 5200;# 2

DOC 1063

WILLIAM S. ROSE, JR.
ATTORNEY AT LAW
AMERICAN CONTINENTAL CORPORATION
2735 EAST CAMELBACK ROAD
PHOENIX, ARIZONA 85016

ADMITTED IN NORTH CAROLINA, CALIFORNIA, GEORGIA, TENNESSEE AND ARIZONA (FEDERAL COURTS ONLY)

TELEPHONE 602-957-7170
FACSIMILE 602-957-4431

May 9, 1991

VIA TELECOPY #602-670-6561

Linda McNulty, Esq.
Law Clerk to the Honorable
Richard M. Bilby
55 East Broadway
Tucson, Arizona 85701

91 MAY -9 PM 2:45

RE: American Continental Corporation
Federal Election Commission

Dear Linda:

I write regarding the Federal Election Commission ("FEC") investigation of American Continental Corporation ("ACC") and the recently served Subpoena to Produce Documents and Order to Submit Written Answers.

I have talked with Tony Buckley, Esq., attorney for the FEC, regarding ACC's response to the Subpoena and Order.

Mr. Buckley and I have agreed on behalf of our respective clients as follows:

1. ACC respectfully moves the Court for an order authorizing access by the FEC and its agents and attorneys to the Document Depository as a "Designated Party." The FEC requests that the Court's order be <u>under seal</u> to protect the confidentiality of the investigation.

2. The FEC's access to the Document Depository shall constitute full satisfaction by ACC of the FEC Subpoena to Produce Documents and Order to Submit Written Answers served on ACC on or about May 3, 1991.

Accordingly, I request that the Court enter an order <u>under seal</u> as outlined in paragraphs 1. and 2., immediately preceding. By copy of this letter to Mr. Buckley, I request that he immediately contact me if I have misstated out agreement.

93043541386

WILLIAM S. ROSE, JR.
ATTORNEY AT LAW

If the Court is willing to enter such an order, please give me a call and I will gladly prepare a [proposed] order if you so desire. If there are problems or concerns, please give me a call.

Thank you for your consideration in this regard.

Very truly yours,

William S. Rose, Jr.

WSRjr/mjm

c: Mr. Thomas E. Arnold, Jr.

Via telecopy:
Tony Buckley, Esq.
Federal Election Commission
999 E Street NW
Washington, D.C. 20463
Telephone: 202-376-8200
Telecopy: 202-376-5280

2304354138 7

EGC 1105

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 MAY 13 PM 12:28

LAW OFFICES OF
COTSIRILOS & CAMPISANO
155 MONTGOMERY STREET
NINTH FLOOR
SAN FRANCISCO, CALIFORNIA 94104
OFFICE: (415) 397-2373
FACSIMILE: (415) 397-8680

GEORGE J. COTSIRILOS, JR.

May 10, 1991

VIA FACSIMILE & EXPRESS DELIVERY

91 MAY 13 PM 2:37
RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

Mr. Tony Buckley
Federal Election Commission
999 "E" Street N.W.
Washington, D.C. 20463

Re: MUR 3121, David I. Thompson

Dear Mr. Buckley:

The purpose of this correspondence is to respond to your letter of March 6, 1991 to Mr. David I. Thompson and to begin the process of providing the commission with all relevant information, documents, and facts regarding this matter under review. We seek to cooperate fully with the commission in its inquiry and are confident that upon its review of all pertinent facts the commission will conclude that Mr. Thompson clearly has not violated the Federal Election Campaign Act of 1971.

Your initial correspondence to Mr. Thompson was addressed to his former residence in Scottsdale, Arizona. Within the last eighteen months Mr. Thompson moved to Maryland, where he now resides and, as set forth in previous correspondence, this is one of the reasons why we have been compelled to seek extensions in this matter. Indeed, to date Mr. Thompson's relocation has made it very difficult for him to respond to your inquiry because many of his business documents are in storage. We have conducted an exhaustive search for the check or checks and document or documents you have requested and have been unable to find a record of the 1987 contribution to which you referred in your correspondence of March 6, 1991. As stated, the search has been complicated by the fact that many of my client's business documents remain in the boxes in which they were stored at the time he moved across the country. Further, because Mr. Thompson now resides in Maryland, it is not a simple matter for him to go to his bank and review his bank records in order to try and find the materials you seek. Therefore, we are requesting a number of materials from Mr. Thompson's former bank in Arizona in an effort to complete our response to your inquiry. Obviously, this will take some time and compels us to seek additional time from you in order to comply with your subpoena. Any additional information you can give us about any documents you contemplate, including check or bank account

2304354138 8

numbers, would be appreciated.

However, in order to expedite this matter as much as possible, we here seek to provide you with a preliminary response to the questions you have put to Mr. Thompson. We will submit a sworn affidavit from him confirming these responses along with the documentation you have requested as soon as we can obtain those materials.

Mr. Thompson's current address is: 237 Stillpond Creek Road, Wharton, Maryland 21678. He can be reached at and is currently employed by the Shoreman magazine, in Maryland.[1]

Mr. Thompson was employed as an attorney at American Continental Corporation (ACC) and/or Lincoln Savings and Loan Association from 1986 through 1989. Before that, he worked as a lawyer with Taft, Stettinius and Hollister in Cincinnati.

His relationship with Charles Keating, Jr. was essentially that of an employee to his employer.

2304354139

The March 1987 contribution referred to in your factual and legal analysis was initiated by a discussion between my client and Robert Kielty, head of the ACC legal department. Mr. Kielty asked if Mr. Thompson would be interested in making such a contribution but exerted no pressure on my client. The contribution was made by check and was not reimbursed by ACC, Lincoln or any individual. In fact, it was eventually refunded by the recipient.

We believe that this was the only contribution with which Mr. Thompson was involved while at ACC/Lincoln and that he did not make nor solicit others. In fact, it should be noted that from time to time others at ACC/Lincoln solicited political contributions from Mr. Thompson and, with this one exception, he declined to contribute.

As stated, we very much wish to cooperate with you and I regret that we have been unable to put this matter to rest more quickly. However, I provide the above as a prelude to your receipt of the documents you requested in order to emphasize the fact that Mr. Thompson has not violated the election laws and should be given a chance to prove his innocence.

---

[1]/ Obviously, since he is represented by counsel, we ask that any communications with Mr. Thompson be addressed to this office.

In light of your courtesy and cooperation thus far I am reluctant to ask for your continued patience; however, if given an opportunity to obtain the appropriate bank documents so that we can fully comply with your subpoena I am confident that we can resolve this matter appropriately and obviate the need for any further action by the commission with respect to Mr. Thompson.

Accordingly, I ask that you give us thirty days in which to obtain Mr. Thompson's bank records from Arizona and to submit a supplementary affidavit from him.

Please feel free to contact me at your earliest opportunity with any questions or problems with the above. I very much appreciate your continued courtesy and cooperation.

Sincerely,

George J. Cotsirilos, Jr.

GJC:eoc

9304354139O

May 13, 1991

R. S. Symes
322 W. Mohawk Dr.
Malvern, Ohio 44644

Mr. Tony Buckley
999 E Street N. W.
Washington, D.C. 20463

RE: MUR 3121

Dear Mr. Buckley:

I understand that Mr. Howald, of the law firm of Kinsella, Boesch, Fujikowa, and Towle has recently spoken with you concerning your willingness to provide a ten-day extension to respond to your Subpoena to Produce Documents and Order to Submit Written Answers. Pursuant to that conversation, please consider this letter my request for an extension of time to respond in this matter be granted through May 23, 1991.

Sincerely,

R. S. Symes

2304354139 1

06-C 1145

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 MAY 14 AM 9:12

KIRKLAND & ELLIS
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

200 East Randolph Drive
Chicago, Illinois 60601

312 861-2000

Facsimile:
312 861-2200

Stephen C. Neal, P.C.
To Call Writer Direct:
312 861-2284

May 10, 1991

91 MAY 14 PM 3:00

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

VIA FEDERAL EXPRESS

Tony Buckley, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: **MUR 3121**

Dear Mr. Buckley:

This is in furtherance of our telephone conversation of Wednesday afternoon.

By this letter, I agree to accept service on behalf of Robert and Elizabeth Wurzelbacher and Elaine Boland.

In our conversation, I proposed the following: within 30 days from yesterday, May 8, I will provide to you schedules for my clients reflecting campaign contributions and bonus and salary information. After you have had a chance to review that information, we will discuss what, if any, additional information you want.

As I mentioned to you over the telephone and above, there are a large number of concurrently pending matters involving some or all of my clients. These include: RTC civil complaint; OTS administrative proceeding; SEC investigation; consolidated class actions on behalf of bondholders; bondholder opt-out cases; Hotel Pontchartrain civil litigation; California Dept. of Corporations civil case; California Attorney General's civil case; California State criminal case; and ongoing federal criminal investigations. The RTC and all of the civil litigation is currently consolidated on a fast track discovery schedule headed for a January 1992 trial. The SEC and OTS matters are proceeding ahead, and the California criminal case is scheduled for trial on 8/2/91.

My firm is handling all of these matters for Charles H Keating, Jr. and other individuals in the family. As a result, we are devoting numerous lawyers every day to depositions, other lawyers to affirmative trial preparation and still other lawyers to what are almost daily hearings in one or another of the pending matters. For these reasons, I hereby formally request

2304354139 2

through and including June 7, 1991 to provide the schedules described above, and I request a general continuance of any other portions of the subpoenas until after you have had a chance to review and assimilate the information I will be providing on June 7.

I appreciate your cooperation.

Yours very truly,

Stephen C. Neal, P.C.

SCN/lma

2304354139 3

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

91 MAY 10 AM 10:10

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

May 9, 1991

MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel

SUBJECT: MUR 3121
Request for Extensions of Time

By letter dated May 6, 1991, counsel for Ray and Kathi Fidel requested extensions of time until June 6, 1991 in which to respond to the Commission's orders and subpoenas. Attachment 1. This request is in addition to a 20-day extension already granted by this Office, which required that responses be due by May 6, 1991. The letter explains that extensions are requested because counsel understands that this Office and the U.S. Attorney's Office are still finalizing an understanding regarding the cooperation of persons such as Mr. Fidel who have pled to certain criminal charges and who are assisting the U.S. Attorney's Office in its criminal case against Charles Keating and others. This cooperation was described more fully in this Office's April 26, 1991 Memorandum to the Commission.[1]

The Office of the General Counsel recommends that the Commission grant the requested extensions.

RECOMMENDATIONS

1. Grant extensions until June 6, 1991 to Ray and Kathi Fidel.

2. Approve the appropriate letter.

Attachments
1. Request for Extensions (1)

Staff Assigned: Tony Buckley

---

1. We currently are trying to arrange a mutually convenient time to further discuss these matters with the U.S. Attorney's Office.

2304354139 4

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Ray and Kathi Fidel) MUR 3121

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 14, 1991, the Commission decided by a vote of 6-0 to take the following actions in MUR 3121:

1. Grant extensions until June 6, 1991 to Ray and Kathi Fidel.

2. Approve the appropriate letter, as recommended in the General Counsel's Memorandum dated May 9, 1991.

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

Attest:

5-15-91
Date

Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Fri., May 10, 1991 10:10 a.m.
Circulated to the Commission: Fri., May 10, 1991 12:00 p.m.
Deadline for vote: Tues., May 14, 1991 4:00 p.m.

dr

9304354139 5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 17, 1991

Dina M. McKenna, Esq.
Layman, Jones & Dye
2600 Michelson Drive
Suite 1000
P.O. Box 19798
Irvine, CA 92713-9798

RE: MUR 3121
Ray and Kathi Fidel

Dear Ms. McKenna:

This is in response to your letter dated May 6, 1991, which we received on May 9, 1991, requesting additional extensions of time until June 6, 1991 to respond to the Subpoenas to Produce Documents and Orders to Submit Written Answers issued by the Federal Election Commission to your clients, Ray and Kathi Fidel. After considering the circumstances presented in your letter, the Commission has granted the requested extensions. Accordingly, your responses are due by the close of business on June 6, 1991.

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

2304354139 6

OGC 1171

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 MAY 16 AM 8:51

May 13, 1991

Barbara A. Symes
322 W. Mohawk Dr.
Malvern, Ohio 44644

Mr. Tony Buckley
999 E Street N. W.
Washington, D.C. 20463

RE: MUR 3121

Dear Mr. Buckley:

I understand that Mr. Howald, of the law firm of Kinsella, Boesch, Fujikowa, and Towle has recently spoken with you concerning your willingness to provide a ten-day extension to respond to your Subpoena to Produce Documents and Order to Submit Written Answers. Pursuant to that conversation, please consider this letter my request for an extension of time to respond in this matter be granted through May 23, 1991.

Sincerely,

Barbara A Symes

Barbara A. Symes

91 MAY 16 AM 10:06
RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

2304354139 7

OGC 1190

91 MAY 20 AM 7:56

6000 E. Berneil Lane
Paradise Valley, AZ 85253

(602) 998-4468 (o)

91 MAY 20 AM 9:18

May 18, 1991

VIA FAX (202-376-5280)

Mr. T. Buckley
General Counsel Office
Federal Election Commission
Washington, DC 20463

Re: MUR 3121--Respondents' Authorization: Andre A. Niebling
Helen M. Niebling

Dear Mr. Buckley:

Please use this letter as authorization regarding matters pertaining to MUR 3121 from the undersigned for the following:

1) Designation of Charles R. Hartman, III and the law firm of Rogers & Wells to represent the undersigned in this matter.

2) To designate Charles R. Hartman III and Rogers & Wells to receive any correspondence, communication or documentation from the Commission and your office on behalf of the undersigned. And to respond to those items directly to the Commission on our behalf.

3) To designate Charles R. Hartman, III to conduct any discussions with the Commission he deems appropriate as our duly appointed representative.

Thank you for accepting this form of authorization on our behalf.

Sincerely yours,

Andre A. Niebling
Respondent

Helen M. Niebling
Respondent

93043541398

CC-C 1212

STATEMENT OF DESIGNATION OF COUNSEL

91 MAY 17 AM 10:13

MUR 3121

NAME OF COUNSEL: Kirkland & Ellis , Stephen C. Neal, P.C.

ADDRESS: 200 E. Randolph Drive
Chicago, IL 60601

TELEPHONE: 312/861-2284

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

4/28/91
Date

Signature

91 MAY 21 AM 9:20

RESPONDENT'S NAME: ROBERT M. WURZELBACHER, JR.

ADDRESS: 3702 EAST PASADENA
PHOENIX, AZ 85018

HOME PHONE:

BUSINESS PHONE: (602) 852-0199

2304354139

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 21, 1991

George J. Cotsirilos, Esq.
Cotsirilos & Campisano
155 Montgomery Street
Ninth Floor
San Francisco, California 94104

RE: MUR 3121
David Thompson

Dear Mr. Cotsirilos:

This is in response to your letter May 10, 1991, requesting an additional extension of time of 30 days to respond to the Subpoena to Produce Documents and Order to Submit Written Answers issued by the Federal Election Commission to your client, David Thompson. After considering the circumstances presented in your letters, I have granted the requested additional extension. Accordingly, your response is due by the close of business on June 3, 1991.

If you have any questions, please contact Tony Buckley, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

2304354140 0

DOC 1201

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 MAY 20 PM 3:06

May 16, 1991

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 MAY 21 AM 9:19

R. S. Symes
322 W. Mohawk Dr.
Malvern, Ohio 44644

Mr. Tony Buckley
999 E Street N. W.
Washington, D.C. 20463

RE: MUR 3121

Dear Mr. Buckley:

I understand that Mr. Howald, of the law firm of Kinsella, Boesch, Fujikowa, and Towle has recently spoken with you concerning your Subpoena to Produce Documents and Order to Submit Written Answers in the above matter, and your willingness to grant an extension of time to respond.

I have recently changed counsel from Morgan, Lewis, & Bockius, to Rudolph E. Loewenstein, and have requested that Mr. Loewenstein review the Subpoenas which you sent to me and to Barbara A. Symes. Please consider this letter as a request for a ten-day extension of the time to respond to both the Subpoena for R. S. Symes and for Barbara A. Symes to provide Mr. Loewenstein sufficient time to complete his review.

Sincerely,

R. S. Symes

I hereby join in the above request for a ten-day extension of time to respond to the Subpoena to Produce Documents and Order to Submit Written Answers issued to me in the above referenced matter.

Barbara A. Symes

Barbara A. Symes

2304354140 1

CHRISTOPHER J. CHAMBERS
Attorney At Law

92 JUN 20 PM 12:28

91 MAY 21 AM 9:18

May 17, 1991

Tony Buckley
Federal Election Commission
Washington, D.C. 20463

Re: MUR 3121

Dear Mr. Buckley,

My responses to the enclosed Questions and Document Requests are as follows:

1. Christopher James Chambers
1867 Amalfi Drive
Encinitas. California 92024

Self employed

2. A. January, 1983 to March 1984 employed as associate attorney with law firm of Collins, Gleason and Kinney.

B. March, 1984 to November, 1988 employed as corporate counsel and vice president of Lincoln Savings and Loan Association.

3. Mr. Keating was chairman of the Board of ACC, which owned Lincoln. I did not have a social or personal relationship with Mr. Keating, except insofar as a personal relationship was required to execute professional duties.

4.

for job

5. My records (tax returns) for 1987 show the $500.00 Reigle contribution stated in the MUR letter. I

619·793·1197 Fax 619·793·2690
225 Plaza Street, Suite 105 · Solana Beach, California 92075

2304354140 2

do not keep records beyond the four year California state statutory review period and therefore I have no records of additional contributions. I do recall a contribution sometime in 1986 to John Glenn and I think it was for about $200.00. I also recall contributing to John McCain's campaign but I don't recall the date or amount of the contribution.

I was never directed or coerced into making any contribution by anyone at ACC or Lincoln.

6. The check for the Riegle contribution was Valley National Bank No. 1122 dated February 13, 1987 in the amount of $500.00. It has been ordered and will be sent to you upon my receipt.

As indicated, I do not have records for any other contribution(s).

7. None.

8. None.

9. None.

10. No one.

Do not hesitate to contact me should you have any questions.

Yours very truly,

Christopher J. Chambers

CJC:mc
enclosures

2304354140 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 22, 1991

Robin and Barbara Symes
322 W. Mohawk Drive
Malvern, OH 44644

RE: MUR 3121

Dear Mr. and Mrs. Symes:

This is in response to your joint letter dated May 16, 1991, which we received on May 21, 1991, requesting extensions of 10 days to respond to the Subpoenas to Produce Documents and Orders to Submit Written Answers issued by the Federal Election Commission to you. After considering the circumstances presented in your letter, I have granted the requested extensions. Accordingly, your responses are due by the close of business on May 28, 1991.

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Robert W. Bonham, III
Assistant General Counsel

2304354140 4

AOC 1200

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 MAY 23 PM 2:27

MUR 3121

L1896

91 MAY 23 PM 3:20
RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

John Warren McGarry
Federal Election Committee
Washington, C. D. 20463

Re: Robin and Barbara Symes

Dear Mr. McGarry:

This letter refers to your correspondence dated April 24, 1991 and the accompanying materials, including the subpoena to produce documents and the order to submit written answers. On the advice of counsel, we both assert our constitutional privilege under the Fifth Amendment to the United States Constitution and any similar provisions of applicable state law to the request to produce documents and the interrogatories. (You already have our names and addresses.) In addition, we both raise the marital privilege and the spousal communications privilege as objections to the interrogatories and any testimonial aspects of the request to produce documents.

Very truly yours,

Robin Symes 5/21/91

Robin Symes

Barbara A. Symes 5/21/91

Barbara Symes

2304354405

00C 1311

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 MAY 27 PM 1:56

LAW OFFICES
MILLER & NOLAN
INCORPORATED
THE BILTMORE COURT
SEVENTH FLOOR
520 SOUTH GRAND AVENUE
LOS ANGELES, CALIFORNIA 90071
TELEPHONE (213) 627-1900
TELECOPIER (213) 489-2080

STEPHEN D. MILLER
THOMAS J. NOLAN
GEORGE W. BUEHLER
DAVID G. MEYER
JAN B. NORMAN
MICHAEL S. EVANS

IN REPLY REFER TO:

May 24, 1991

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 MAY 28 PM 2:57

Tony Buckley, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: MUR 3121
Dr. and Mrs. Gary W. Hall

Dear Mr. Buckley:

Enclosed are Designations of this firm as counsel for Dr. and Mrs. Gary Hall in the referenced inquiry by the Federal Election Commission.

We apologize to the Commission for the delay in our response. We have been and continue to be extremely busy in responding on behalf of Dr. and Mrs. Hall to a very active litigation schedule in civil lawsuits involving Lincoln Savings & Loan.

With all due respect to the Commission, we question the appropriateness of the Commission's investigation and subpoenas to Dr. and Mrs. Hall at this point, for the following reasons:

1. Information pertaining to political contributions made by Dr. and Mrs. Hall has been the subject of subpoenas by the federal grand jury in the Central District of California. So far as we are aware, the investigation by the grand jury and the United States Attorney's Office has not been closed. Obviously, the existence of a criminal investigation makes it impossible for the Halls to respond to a civil investigation by providing information that might be used in an attempt to incriminate them.

2. Both American Continental Corporation and Lincoln Savings & Loan are no longer in business, and there is no danger of any recurring violations. (For the record, we strongly dispute any allegations that Dr. and Mrs. Hall have

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committed or participated in any violation of the federal election laws.) There is thus no need for immediate corrective action, and hence no need for the Commission to pursue a civil investigation parallel to the grand jury's criminal investigation.

3. For the record, we also question the competency and adequacy of the newspaper articles attached to the Commission's Factual and Legal Analysis to support the commencement of an investigation and the issuance of subpoenas for private records.

We respectfully request the Commission's consideration of these objections to the Commission's inquiry, and request that the Commission not go forward with its inquiry.

Very truly yours,

GEORGE W. BUEHLER

GWB:rmb
Enclosures
cc: Dr. and Mrs. Gary W. Hall

23043541407

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: Stephen D. Miller/George W. Buehler

ADDRESS: MILLER & NOLAN, INC.
520 South Grand Avenue, 7th Floor
Los Angeles, California 90071

TELEPHONE: (213) 627-1900

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.

April 24, 1991
Date

Gary W. Hall
Signature

RESPONDENT'S NAME: GARY W. HALL

ADDRESS: 6326 North 38th Street
Paradise Valley, Arizona 85253

HOME PHONE:

BUSINESS PHONE: (602) 957-6799

2304354140 8

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: Stephen D. Miller/George W. Buehler

ADDRESS: MILLER & NOLAN, INC.
520 South Grand Avenue, 7th Floor
Los Angeles, California 90071

TELEPHONE: (213) 627-1900

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.

April 24, 1991
Date

Mary Hall
Signature

RESPONDENT'S NAME: MARY HALL

ADDRESS: 6326 North 38th Street
Paradise Valley, Arizona 85253

HOME PHONE:

BUSINESS PHONE:

2304354140 9

OGC 1306

BEFORE THE FEDERAL ELECTION COMMISSION

In The Matter of)
) MUR 3121
)

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 MAY 28 AM 10:32

ROBYN ATCHISON and JACK ATCHISON, by and through their attorneys Stroock & Stroock & Lavan, hereby respond to the Commission's subpoena to produce personal documents and to submit written answers to interrogatories as follows: ROBYN ATCHISON and JACK ATCHISON decline to produce or answer as requested in the exercise of their rights under the Fifth Amendment to the United States Constitution not to be witnesses against themselves. Respondents understand that there are ongoing state and federal investigations in which their status has not been clarified and, in accordance with applicable Supreme Court decisions declaring that an individual may invoke said right even in circumstances where the factual situation is ambiguous, Respondents have done so.

As a matter of law, Respondents assert that if the predicate for institution of this inquiry is the November 9, 1989 New York Times article, which makes no reference to Respondents and in any event is pure hearsay, no probable cause exists for this inquiry with respect to Respondents.

Respectfully submitted,

STROOCK & STROOCK & LAVAN

BY: _____

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OGC 1335

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 MAY 29 AM 10:42

BRAND & LOWELL
A PROFESSIONAL CORPORATION
923 FIFTEENTH STREET, N.W.
WASHINGTON, D.C. 20005

TELEPHONE: (202) 662-9700
TELECOPIER: (202) 737-7565

May 28, 1991

VIA FACSIMILE

Tony Buckley, Esquire
Federal Election Commission
999 E Street
Washington, D.C. 20463

RE: MUR 3121
Judy Wischer

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 MAY 29 AM 11:30

2304354111

Dear Mr. Buckley:

The Federal Election Commission has requested Ms. Judy J. Wischer, a respondent in this MUR, to respond to a subpoena for documents and written answers. For the reasons discussed in my earlier meeting with you and other representatives of the Office of General Counsel, Ms. Wischer must for now reluctantly respectfully assert her right under the Fifth Amendment to the United States Constitution and decline to respond to your request.

You should be aware, however, that developments occurring in the near future may permit Ms. Wischer to respond substantively to the Commission's requests for information. Ms. Wischer thus reserves her right to withdraw this Fifth Amendment assertion. We will be in contact with you soon in this regard.

Please do not hesitate to telephone Abbe Lowell or me if you have any questions.

Respectfully submitted,

David F. Frulla

DEF:ldm

BRAND & LOWELL
A PROFESSIONAL CORPORATION
923 FIFTEENTH STREET, N.W.
WASHINGTON, D.C. 20005

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 MAY 29 AM 10:42

TELEPHONE: (202) 662-9700
TELECOPIER: (202) 737-7565

May 28, 1991

Tony Buckley, Esquire
Federal Election Commission
999 E Street
Washington, D.C. 20463

RE: MUR 3121

Dear Mr. Buckley:

Enclosed please find supplemental documents responding to the Commission's request for George Wischer's payroll and bonus information. Certain names were redacted, but the redactions do not relate to issues presented in this MUR. As was the case with the materials Mr. Wischer previously submitted, the enclosed payroll information demonstrates that Mr. Wischer's pay and bonuses were in no way tied to contributions to candidates for federal office.

Respectfully submitted,

David E. Frulla

DEF:ldm
Enclosures

2304354141 2

Jena Homes of Utah, Inc.

No. 3

4-3 19 89

91-404/1221

Pay to the order of Mr. George J. Wischer $ 225,000.00

Two Hundred Twenty Five Thousand and 00/100---------- Dollars

One Camelback Office
THUNDERBIRD BANK
One East Camelback Road
PHOENIX, ARIZONA 85012-1647

For loan proceeds

Edward Borushko

930435411413

For Chip's personnel file - Don't input on P/R 1099 to be issued on MHU at year end

YB-637 0683

OGC 1339

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 MAY 29 AM 9:47

LAW OFFICES OF
TOPEL & GOODMAN
A PROFESSIONAL CORPORATION
832 SANSOME STREET, FOURTH FLOOR
SAN FRANCISCO, CALIFORNIA 94111
TELEPHONE (415) 421-6140

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 MAY 29 AM 11:29

May 28, 1991

VIA FACSIMILE AND FEDERAL EXPRESS

Office of the General Counsel
Federal Election Commission
ATTN: Tony Buckley, Esq.
999 E Street, N.W.
Washington, D.C. 20463

9304354141 4

Re: MUR 3121: Robert and Elizabeth Kielty

Dear Mr. Buckley:

I am writing in response to Ms. Lois B. Lerner's letter of May 8, 1991, in which she informed me that the Federal Election Commission had denied Mr. and Mrs. Kielty's request for an indefinite extension of time in which to respond to the subpoenas and orders issued to them by the Commission.

For the reasons I discussed with you during our telephone conversation this afternoon, and described more thoroughly in my April 12, 1991, letter to you requesting an indefinite extension, the Kielty's must for now regretfully and respectfully assert their right under the Fifth Amendment to decline to respond to the Commission's requests.

As I said to you earlier today, the Kieltys are asserting their Fifth Amendment privilege with great reluctance. They would very much like to cooperate with the Commission and address the concerns raised by the subpoenas and orders; however, they simply cannot do so now.

As we also discussed, it is quite possible that developments in parallel proceedings may permit the Kieltys to withdraw their Fifth Amendment assertion and respond substantively to the Commission's requests for information. I would like to reserve their right to do so if and when that opportunity presents itself.

I will, of course, contact you immediately if that opportunity arises.

In the meantime, I thank you for your continuing courtesy. Please do not hesitate to call Bill Goodman or me if you have any questions or if there is any further information we as counsel can provide.

Respectfully submitted,

Dave Callaway

DAVID R. CALLAWAY

DRC.sw

9304354141415

DOC 1345

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 MAY 29 AM 9:48

LAW OFFICES
TALCOTT, LIGHTFOOT, VANDEVELDE
WOEHRLE & SADOWSKY
THIRTEENTH FLOOR
655 SOUTH HOPE STREET
LOS ANGELES, CALIFORNIA 90017-3211
TELEPHONE: (213) 622-4750
TELECOPIER: (213) 622-2690

ROBERT M. TALCOTT
MICHAEL J. LIGHTFOOT
JOHN D. VANDEVELDE
CARLA M. WOEHRLE
STEPHEN B. SADOWSKY
MARIA E. STRATTON
JOHN S. CROUCHLEY
JOHN P. MARTIN
MELISSA N. WIDDIFIELD
SEAN K. KENNEDY

OF COUNSEL AND
RESIDENT IN SACRAMENTO OFFICE
QUIN DENVIR
SUITE 250
555 CAPITOL MALL
SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 448-8868
TELECOPIER (916) 448-8963

May 28, 1991

BY FEDERAL EXPRESS

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 MAY 29 AM 11:29

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

Re: MUR 3121/Bruce and Rebecca Dickson

Dear Mr. Buckley:

Enclosed please find a written Response to Subpoena to Produce Documents and Order to Submit Written Answers for both Bruce and Rebecca Dickson. The verifications for these responses will be forwarded to you under separate cover by Mr. and Mrs. Dickson.

Pursuant to our telephone converstion of last week, it is my understanding that the Commission does not intend to take any adverse action and will not draw any adverse inference with respect to Mr. and Mrs. Dickson in connection with their assertion of privileges in response to the subpoena and order at this time.

Very truly yours,

TALCOTT, LIGHTFOOT, VANDEVELDE
WOEHRLE & SADOWSKY

Carla M. Woehrle

CARLA M. WOEHRLE

CMW:ja

Enclosures

2304354116

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF)
) MUR 3121
)

RESPONSE TO SUBPOENA TO PRODUCE DOCUMENTS AND ORDER TO SUBMIT WRITTEN ANSWERS

Bruce Dickson, through his undersigned counsel, hereby responds to the Subpoena to Produce Documents and Order to Submit Written Answers served upon him in the above-referenced matter.

1. Full name: Bruce Dickson

Address: 6311 East Montecito Avenue
Scottsdale, Arizona 85251

Phone: (602) 261-2750 (Wk.)

Current Employer: Valley National Merchant Banking
201 North Central Avenue, Suite 900
Phoenix, Arizona 85004.

2. Upon advice of counsel, Bruce Dickson declines to respond to this question on the basis of his constitutional privilege against self-incrimination.

3. Upon advice of counsel, Bruce Dickson declines to respond to this question on the basis of his constitutional privilege against self-incrimination.

4. Upon advice of counsel, Bruce Dickson declines to respond to this question on the basis of his constitutional privilege against self-incrimination.

5. Upon advice of counsel, Bruce Dickson declines to respond to this question and request for production of documents

9304354141417

on the basis of his constitutional privilege against self-incrimination.

6. Upon advice of counsel, Bruce Dickson declines to respond to this request for production of documents on the basis of his constitutional privilege against self-incrimination.

7. Upon advice of counsel, Bruce Dickson declines to respond to this question on the basis of his constitutional privilege against self-incrimination.

8. Upon advice of counsel, Bruce Dickson declines to respond to this request for production of documents on the basis of his constitutional privilege against self-incrimination.

9. Upon advice of counsel, Bruce Dickson declines to respond to this request for production of documents on the basis of his constitutional privilege against self-incrimination.

10. Not applicable.

DATED: May 28, 1991

Respectfully submitted,

TALCOTT, LIGHTFOOT, VANDEVELDE WOEHRLE & SADOWSKY

By: MICHAEL J. LIGHTFOOT
Attorneys for Bruce Dickson

2304354148

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF)
) MUR 3121
)

RESPONSE TO SUBPOENA TO PRODUCE DOCUMENTS AND ORDER TO SUBMIT WRITTEN ANSWERS

Rebecca Dickson, through her undersigned counsel, hereby responds to the Subpoena to Produce Documents and Order to Submit Written Answers served upon her in the above-referenced matter.

1. Full name: Rebecca Dickson

Address: 6311 East Montecito Avenue
Scottsdale, Arizona 85251

Phone:

Current Employer: Not Applicable.

2. Upon advice of counsel, Rebecca Dickson declines to respond to this question on the basis of her marital privilege with respect to confidential communications and her spousal privilege with respect to testimony as a witness in a proceeding against her husband, Bruce Dickson.

3. Upon advice of counsel, Rebecca Dickson declines to respond to this question on the basis of her marital privilege with respect to confidential communications and her spousal privilege with respect to testimony as a witness in a proceeding against her husband, Bruce Dickson.

4. Upon advice of counsel, Rebecca Dickson declines to

2304354149

respond to this question on the basis of her marital privilege with respect to confidential communications and her spousal privilege with respect to testimony as a witness in a proceeding against her husband, Bruce Dickson.

5. Upon advice of counsel, Rebecca Dickson declines to respond to this question and request for production of documents on the basis of her of her marital privilege with respect to confidential communications and her spousal privilege with respect to testimony as a witness in a proceeding against her husband, Bruce Dickson.

6. Upon advice of counsel, Rebecca Dickson declines to respond to this request for production of documents on the basis of her of her marital privilege with respect to confidential communications and her spousal privilege with respect to testimony as a witness in a proceeding against her husband, Bruce Dickson.

7. Upon advice of counsel, Rebecca Dickson declines to respond to this question on the basis of her marital privilege with respect to confidential communications and her spousal privilege with respect to testimony as a witness in a proceeding against her husband, Bruce Dickson.

8. Upon advice of counsel, Rebecca Dickson declines to respond to this request for production of documents on the basis of her of her marital privilege with respect to confidential communications and her spousal privilege with respect to testimony as a witness in a proceeding against her husband, Bruce Dickson.

2304354141420

9. Upon advice of counsel, Rebecca Dickson declines to respond to this request for production of documents on the basis of her of her marital privilege with respect to confidential communications and her spousal privilege with respect to testimony as a witness in a proceeding against her husband, Bruce Dickson.

10. Not Applicable.

DATED: May 28, 1991

Respectfully submitted,

TALCOTT, LIGHTFOOT, VANDEVELDE WOEHRLE & SADOWSKY

By: MICHAEL J. LIGHTFOOT
Attorneys for Rebecca Dickson

9304354142 1

00 C 1381

LAW OFFICES
ROSENFELD, MEYER & SUSMAN
9601 WILSHIRE BOULEVARD
FOURTH FLOOR
BEVERLY HILLS, CALIFORNIA 90210-5288

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ALLEN E. SUSMAN
JEFFREY L. NAGIN
GARY A. SCHLESSINGER
LAWRENCE S. KARTIGANER
DAVID D. WEXLER
ROBERT H. THAU
MEL ZIONTZ
STEPHEN A. KROFT
ROBERT C. BOFFA
STEVEN FAYNE
GAIL MIGDAL TITLE
WALTER S. WEISS
MAREN CHRISTENSEN
JOHN J. STUMPFITER
ROBERT H. ROTSTEIN
DONALD E. KARL
MATTHEW H. SAVER
LEE M. CORT
HAROLD J. HERTZBERG
ROLAND A. CHILDS
OVVIE MILLER
JEFFREY B. WHEELER
WILLIAM M. ROSS
KIRK M. HALLAM
DIANA J. SIMON
JAMES L. SEAL
KATHRYN A. YOUNG
RONALD R. ROBINSON
DONALD J. TRINGALI
HUGO L. BLACK III
MARY JEAN RUMER
WILLIAM J. SKRZYNIARZ
LAWRENCE GOLDBERG
DAVID M. ELLIS
TODD W. BONDER
STACEY M. BYRNES
SHELLEY BROWNING
WILLIAM B. KIRSHENBAUM
DAVID C. ULICH
TERRI L. CHENEY
ALLISON WEINER FECHTER
J. ALAN DAVIS
ROSALYN E. JONES
DONNA SHAPIRO-CASTILLO
NICHOLAS R. DE BIASE
WENDY H. MYERS
HARRIS J. KANE
MITCHELL D. KAMARCK
LISSA M. CINAT
PETER SPELMAN
DAVID E. WHEELER
DAVID A. KARNES

DONALD T. ROSENFELD (1917-1986)

TELEPHONE: (213) 858-7700
CABLE ADDRESS: ROMERSU
TELECOPIER:
(213) 271-2620 · (213) 271-6430
TELEX: 194-195

OF COUNSEL
GEORGE C. ZACHARY
MICHAEL ROSENFELD
BERNARD A. GREENBERG
HOWARD S. SLUSHER*
RONALD M. GREENBERG*
P. JOHN BURKE
MARYBETH JACOBSEN
*A PROFESSIONAL CORPORATION

May 28, 1991

VIA TELECOPIER

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

Re: Sheldon and Ellen Weiner MUR 3121

Dear Mr. Buckley:

Pursuant to our telephone conversation of May 23, 1991, please be advised that my clients, Sheldon and Ellen Weiner, are declining to respond to your "Subpoenas to Produce Documents and Orders to Submit Written Answers" on the grounds that each is protected from responding by the Fifth Amendment. This will further confirm your representation that their assertion will not be used against them in any manner.

Thank you for your courtesy and cooperation in this matter.

Very truly yours,

GAIL MIGDAL TITLE

GMT:cwc

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM
91 MAY 31 AM 10:49

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 MAY 31 PM 12:09

23043541422

06C1408

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF)
) MUR 3121
)

RESPONSE TO SUBPOENA TO PRODUCE DOCUMENTS AND ORDER TO SUBMIT WRITTEN ANSWERS

Bruce Dickson, through his undersigned counsel, hereby responds to the Subpoena to Produce Documents and Order to Submit Written Answers served upon him in the above-referenced matter.

1. Full name: Bruce Dickson

Address: 6311 East Montecito Avenue
Scottsdale, Arizona 85251

Phone: (602) 261-2750 (Wk.)

Current Employer: Valley National Merchant Banking
201 North Central Avenue, Suite 900
Phoenix, Arizona 85004.

91 JUN -3 PM 3:09

2. Upon advice of counsel, Bruce Dickson declines to respond to this question on the basis of his constitutional privilege against self-incrimination.

3. Upon advice of counsel, Bruce Dickson declines to respond to this question on the basis of his constitutional privilege against self-incrimination.

4. Upon advice of counsel, Bruce Dickson declines to respond to this question on the basis of his constitutional privilege against self-incrimination.

5. Upon advice of counsel, Bruce Dickson declines to respond to this question and request for production of documents

2304354142 3

on the basis of his constitutional privilege against self-incrimination.

6. Upon advice of counsel, Bruce Dickson declines to respond to this request for production of documents on the basis of his constitutional privilege against self-incrimination.

7. Upon advice of counsel, Bruce Dickson declines to respond to this question on the basis of his constitutional privilege against self-incrimination.

8. Upon advice of counsel, Bruce Dickson declines to respond to this request for production of documents on the basis of his constitutional privilege against self-incrimination.

9. Upon advice of counsel, Bruce Dickson declines to respond to this request for production of documents on the basis of his constitutional privilege against self-incrimination.

10. Not applicable.

DATED: May 28, 1991

Respectfully submitted,

TALCOTT, LIGHTFOOT, VANDEVELDE WOEHRLE & SADOWSKY

By: MICHAEL J. LIGHTFOOT
Attorneys for Bruce Dickson

2304354142 4

VERIFICATION

I, the undersigned, hereby declare: I have read the foregoing Response to Subpoena to Produce Documents and Order to Submit Written Answers and know the contents thereof, and the same is true of my own knowledge. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: May 31, 1991

BRUCE DICKSON

2304354142 5

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF)
) MUR 3121
)

RESPONSE TO SUBPOENA TO PRODUCE DOCUMENTS AND ORDER TO SUBMIT WRITTEN ANSWERS

Rebecca Dickson, through her undersigned counsel, hereby responds to the Subpoena to Produce Documents and Order to Submit Written Answers served upon her in the above-referenced matter.

1. Full name: Rebecca Dickson

Address: 6311 East Montecito Avenue
Scottsdale, Arizona 85251

Current Employer: Not Applicable.

2. Upon advice of counsel, Rebecca Dickson declines to respond to this question on the basis of her marital privilege with respect to confidential communications and her spousal privilege with respect to testimony as a witness in a proceeding against her husband, Bruce Dickson.

3. Upon advice of counsel, Rebecca Dickson declines to respond to this question on the basis of her marital privilege with respect to confidential communications and her spousal privilege with respect to testimony as a witness in a proceeding against her husband, Bruce Dickson.

4. Upon advice of counsel, Rebecca Dickson declines to

2304354142 6

respond to this question on the basis of her marital privilege with respect to confidential communications and her spousal privilege with respect to testimony as a witness in a proceeding against her husband, Bruce Dickson.

5. Upon advice of counsel, Rebecca Dickson declines to respond to this question and request for production of documents on the basis of her of her marital privilege with respect to confidential communications and her spousal privilege with respect to testimony as a witness in a proceeding against her husband, Bruce Dickson.

6. Upon advice of counsel, Rebecca Dickson declines to respond to this request for production of documents on the basis of her of her marital privilege with respect to confidential communications and her spousal privilege with respect to testimony as a witness in a proceeding against her husband, Bruce Dickson.

7. Upon advice of counsel, Rebecca Dickson declines to respond to this question on the basis of her marital privilege with respect to confidential communications and her spousal privilege with respect to testimony as a witness in a proceeding against her husband, Bruce Dickson.

8. Upon advice of counsel, Rebecca Dickson declines to respond to this request for production of documents on the basis of her of her marital privilege with respect to confidential communications and her spousal privilege with respect to testimony as a witness in a proceeding against her husband, Bruce Dickson.

2304354141427

9. Upon advice of counsel, Rebecca Dickson declines to respond to this request for production of documents on the basis of her of her marital privilege with respect to confidential communications and her spousal privilege with respect to testimony as a witness in a proceeding against her husband, Bruce Dickson.

10. Not Applicable.

DATED: May 28, 1991

Respectfully submitted,

TALCOTT, LIGHTFOOT, VANDEVELDE
WOEHRLE & SADOWSKY

By: MICHAEL J. LIGHTFOOT
Attorneys for Rebecca Dickson

2304354141428

VERIFICATION

I, the undersigned, hereby declare: I have read the foregoing Response to Subpoena to Produce Documents and Order to Submit Written Answers and know the contents thereof, and the same is true of my own knowledge. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: May 31, 1991

Rebecca Dickson

REBECCA DICKSON

9304354141429

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

June 3, 1991

Stephen C. Neal, P.C.
Kirkland & Ellis
200 East Randolph Drive
Chicago, Illinois 60601

RE: MUR 3121
Charles H. Keating, Jr., Mary E. Keating, Charles H. Keating, III, Robert J. Hubbard, Kathleen Hubbard, Bradley J. Boland, Elaine Boland, Robert Wurzelbacher, Elizabeth Wurzelbacher, Dr. Gary Hall, Mary Hall, Thomas D. Mulhern, Maureen Mulhern, Gregory Kassick and Carol Kassick

Dear Mr. Neal:

This is in response to your letter dated May 10, 1991, which we received on May 14, 1991, requesting an extension until June 7, 1991 to respond to the Federal Election Commission's subpoenas and orders issued to your above-captioned clients. Your request proposed that within this extended period you would provide to this Office schedules reflecting your clients' campaign contributions and bonus and salary information. You further requested that the Commission grant a general continuance of all other portions of the subpoenas until such time as this Office has had an opportunity to review the information you will provide by June 7, and after this review, suggested we could discuss with you what the Commission might want.

After considering the circumstances presented in your letter, I have granted the requested extensions in which to provide the schedules you described in your letter. Accordingly, these schedules are due by the close of business on June 7, 1991. Additionally, we will inform you within two weeks of our receipt of these schedules whether we still wish to

9304354143O

obtain all remaining information requested in the subpoenas and orders. Please note that this accommodation in no way waives your clients' responsibility to comply, in full, with the Commission's subpoenas and orders.

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

23043541431

OGC 1388

LAW OFFICES OF
COTSIRILOS & CAMPISANO
155 MONTGOMERY STREET
NINTH FLOOR
SAN FRANCISCO, CALIFORNIA 94104
OFFICE: (415) 397-2373
FACSIMILE: (415) 397-8680

GEORGE J. COTSIRILOS, JR.

May 31, 1991

91 JUN -3 PM 2:33

VIA FACSIMILE AND EXPRESS DELIVERY

Mr. Tony Buckley
Federal Election Commission
999 E Street N.W., Room 657
Washington, D.C. 20463

Re: MUR 3121 / David Thompson

91 JUN -3 PM 11:07

Dear Mr. Buckley:

I am in receipt of the May 21, 1991 letter from your office granting us until the close of business on June 3, 1991 to respond to the Subpoena to Produce Documents and Order to Submit Written Answers issued by the Federal Election Commission to my client David I. Thompson. I very much appreciate your continued courtesy, and it is therefore with great reluctance that I must seek a brief additional extension for personal reasons.

2304354143 2

Because of these events, I have had to curtail my work schedule and have been unable to meet several deadlines, including the one approaching on June 3 to respond to the commission's inquiry. While I was extremely reluctant to write this letter and rely on the above in explaining my need for additional time, I see no alternative.

I anticipate that we will be able to gather all remaining materials necessary to complete our response within the next 14 days. Accordingly, I request an additional extension of 14 days in which to respond to the Subpoena to Produce Documents and Order to Submit Written Answers. Please feel free to call me if you wish to discuss the matter further. Again, thanks for your courtesy and cooperation.

Sincerely,

Cotsirilos & Campisano

George J. Cotsirilos, Jr.

GJC:ivz

2304354144333

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RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 JUN -6 AM 10:48

LAYMAN, JONES & DYE
LAWYERS
2600 MICHELSON DRIVE
SUITE 1000
P. O. BOX 19798
IRVINE, CALIFORNIA 92713-9798
TELEPHONE (714) 261-2345
FAX (714) 261-8666

WILBUR D. LAYMAN
STANLEY R. JONES
ROBERT E. DYE
STEVEN H. SUNSHINE
BRUCE H. CHARLES
STEPHEN M. KANE
DAVID W. WIECHERT
GARY J. HIGHLAND
SUSAN R. WIECH
ROBERT B. BEAUCHAMP
DINA M. McKENNA
REN R HAYHURST
EDWARD R. McGAH, JR.

DAVID J. GARIBALDI, III
OF COUNSEL

REFER TO FILE NO.

~~32027.001~~

June 3, 1991

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 JUN -6 PM 3:33

Mr. Tony Buckley, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: Ray and Kathi Fidel
MUR 3121

Dear Mr. Buckley:

We have been informed by Assistant United States Attorney David Sklansky that the United States Attorney's Office and the FEC are still engaged in discussions regarding the possibility of Mr. Fidel's cooperation with the FEC. Based on the above we request an extension on behalf of the Fidels' to respond until July 6, 1991.

Please call me with any questions or comments you may have regarding the above.

Sincerely,

Dina M. McKenna

Dina M. McKenna
Of Layman, Jones & Dye

DMM:dmm
632W

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 6, 1991

George J. Cotsirilos, Esq.
Cotsirilos & Campisano
155 Montgomery Street
Ninth Floor
San Francisco, California 94104

RE: MUR 3121
David Thompson

Dear Mr. Cotsirilos:

This is in response to your letter dated May 31, 1991, requesting an additional extension of time of 14 days to respond to the Subpoena to Produce Documents and Order to Submit Written Answers issued by the Federal Election Commission to your client, David Thompson. After considering the circumstances presented in your letter, I have granted the requested additional extension. Accordingly, your response is due by the close of business on June 17, 1991.

If you have any questions, please contact Tony Buckley at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Robert W. Bonham, III
Assistant General Counsel

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OGC 1544

KIRKLAND & ELLIS
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

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MAIL ROOM
91 JUN 14 AM 10:30

200 East Randolph Drive
Chicago, Illinois 60601

Stephen C. Neal, P.C.
To Call Writer Direct:
312 861-2284

312 861-2000

Facsimile:
312 861-2200

June 13, 1991

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 JUN 14 PM 3:22

VIA FEDERAL EXPRESS

Tony Buckley, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: **MUR 3121**

Dear Mr. Buckley:

Enclosed are the following:

CHARLES & MARY ELAINE KEATING

- schedules for political contributions for the years 1984-1988;
- schedules for salary information for the years 1984-1989;

BRADLEY & ELAINE BOLAND

- schedules for political contributions for the years 1985-1988;
- schedules for bonus information for the years 1985-1988;
- schedules for salary information for the years 1985-1988;

ROBERT AND KATHLEEN HUBBARD

- schedules for political contributions for the years 1986 **(Robert Hubbard only)**;
- schedules for political contributions for the years 1985-1988 **(Kathleen Hubbard only)**;

CHARLES & KRISTA KEATING, III

- schedules for political contributions for the years 1985-1986; 1988;

2304354143 6

THOMAS & MAUREEN MULHERN

- schedules for political contributions for the years 1985-1988;
- schedules for bonus information for the years 1984-1989;
- schedules for salary information for the years 1984-1989;

ROBERT & ELIZABETH WURZELBACHER

- schedules for political contributions for the years 1984-1988;

GREGORY & CAROL KASSICK

- schedules for political contributions for the years 1983-1989;
- schedules for bonus information for the years 1983-1989; and
- schedules for salary information for the years 1983-1989.

We are continuing to search for the information in the gaps and will send it on to you as soon as it is assembled.

I am producing all of these with the expectation that you will maintain them in confidence pending further discussions between you and me.

Yours very truly,

Stephen C. Neal, P.C.

SCN/lma

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CHARLES H KEATING JR & MARY ELAINE KEATING

POLITICAL CONTRIBUTIONS

1984 CALENDAR YEAR

DATE	CAMPAIGN	AMOUNT
10-Jan-84	JAMES WHITE	$5,000
10-Jan-84	PETE DUNN	5,000
10-Jan-84	JOHN NELSON FOR COUNCIL	1,250
10-Jan-84	HOWARD ADAMS FOR COUNCIL	2,500
10-Jan-84	MONDALE FOR PRESIDENT	1,000
10-Jan-84	JOE RICHARDS FOR SHERIFF	1,000
10-Feb-84	RENE WENDELL FOR CITY COUNCIL	500
10-Feb-84	HOWARD ADAMS FOR COUNCIL	500
17-Feb-84	PELL FOR COUNCIL	150
19-Mar-84	GENE SEARS FOR MAYOR	300
19-Mar-84	GENE SEARS FOR MAYOR	300
19-Mar-84	BOB STUMP ELEC. COMM	200
06-Jun-84	CLAIRE DUFF STATE LEGISLATURE	500
06-Jun-84	CLAIRE DUFF STATE LEGISLATURE	500
16-Jul-84	FRIENDS OF ELDON RUDD	1,000
19-Jul-84	JOHN GLENN PRESIDENTIAL CAMP	1,000
19-Jul-84	DON WEISENBURGER JUSTICE OF THE PEACE	1,000
08-Aug-84	DICK GODBEHERE FOR SHERIFF	1,000
08-Aug-84	TOM HENDERSON FOR SHERIFF	1,000
21-Aug-84	BILL DAVIS FOR ST SENATE	1,000
21-Aug-84	BILL DAVIS FOR ST SENATE	1,000
21-Aug-84	HUGH GWEN FOR ST SENATE	1,000
24-Aug-84	DON WEISENBURGER JUSTICE OF THE PEACE	1,000
14-Sep-84	BILL GIRNEY CORP COMM	500
14-Sep-84	BILL GIRNEY CORP COMM	500
01-Oct-84	JIM KOLBE FOR CONGRESS	1,000
01-Oct-84	JIM KOLBE FOR CONGRESS	1,000
02-Oct-84	COMM TO RE ELECT HAWLEY ATKINSON	1,000
02-Oct-84	COMM TO RE ELECT HAWLEY ATKINSON	1,000
03-Oct-84	DON WEISENBURGER JUSTICE OF THE PEACE	1,000
11-Oct-84	GARY GIORDINO ST HOUSE OF REP	1,000
11-Oct-84	GEORGE HARGEN ST SEN	1,000
11-Oct-84	GEORGE HARGEN ST SEN	1,000
11-Oct-84	ROGER RUDMAN FOR JUSTICE OF THE PEACE	1,000
11-Oct-84	ROGER RUDMAN FOR JUSTICE OF THE PEACE	1,000
11-Oct-84	TRENT FRANKS AZ HOUSE OF REP	1,000
11-Oct-84	TRENT FRANKS AZ HOUSE OF REP	1,000
18-Oct-84	BOB STUMP FOR CONGRESS	1,000
18-Oct-84	BOB STUMP FOR CONGRESS	1,000
18-Oct-84	FRIENDS OF PHIL GRANDN	1,000
24-Oct-84	DAVE WILKINSON ATTORNEY GENERAL	1,000
24-Oct-84	DAVE WILKINSON ATTORNEY GENERAL	1,000
26-Oct-84	KAREN MILLS FOR AZ HOUSE OF REP	1,000
26-Oct-84	KAREN MILLS FOR AZ HOUSE OF REP	1,000
29-Oct-84	COMM TO RE ELECT BILL DAVIS	1,000
30-Oct-84	COMM TO RE ELECT ED PASTORE	1,000
30-Oct-84	COMM TO ELECT DON WEISENBURGER	1,000
08-Oct-84	CRANSTON CAMPAIGN COMM	1,000
13-Apr-84	ARMSTRONG FOR SENATE COMM	1,000
13-Apr-84	ARMSTRONG FOR SENATE COMM	1,000
06-Jun-84	NEY FOR PROSECUTYING ATTORNEY	1,000
19-Jul-84	DON WEISENBURGER JUSTICE OF THE PEACE	1,000
08-Aug-84	DICK GODBEHERE FOR SHERIFF	1,000
08-Aug-84	TOM HENDERSON FOR SHERIFF	1,000

CHARLES H KEATING JR & MARY ELAINE KEATING

POLITICAL CONTRIBUTIONS

1984 CALENDAR YEAR
PAGE 2

DATE	CAMPAIGN	AMOUNT
06-Sep-84	COMMITTEE TO ELECT FRANK MC CURDY	$500
06-Sep-84	RAMONA ORTEGA LISTON CTY RECORDER	500
11-Sep-84	CLAIRE DUFF STATE LEGISLATURE	250
03-Oct-84	DON WEISENBURGER JUSTICE OF THE PEACE	1,000
	TOTAL	$59,950

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chrs

CHARLES H KEATING JR & MARY ELAINE KEATING

FEDERAL - POLITICAL CONTRIBUTIONS

1985 CALENDAR YEAR

DATE	CAMPAIGN	AMOUNT	CHECK NUMBER
11-Mar-85	Californians for Sen Pete Wilson (MEK)	$1,000	340
11-Mar-85	Californians for Sen Pete Wilson (CHK)	1,000	341
04-Apr-85	Cranston for Sentate(MEK)	1,000	342
22-Jul-85	Senator John Glenn Committee (MEK)	2,000	353
22-Jul-85	Senator John Glenn Committee(CHK)	2,000	354
26-Sep-85	Kemp Salute Dinner(MEK)	1,000	362
26-Sep-85	Kemp Salute Dinner (CHK)	1,000	363
14-Oct-85	Cranston for Senate (MEK)	1,000	364
14-Oct-85	Cranston for Senate (CHK)	1,000	365
20-Nov-85	Tommy Coelho for Congressman(CHK)	1,000	377
20-Nov-85	Tommy Coelho for Congressman (MEK)	1,000	378
21-Nov-85	Lou Frey Campaign -Florida(CHK)	1,000	379
21-Nov-85	Lou Frey Campaign -Florida(MEK)	1,000	380
21-Nov-85	Martinez Campaign -Florida(CHK)	500	381
18-Dec-85	Jim Kolbe for Congress(CHK)	1,000	382
18-Dec-85	Jim Kolbe for Congress(MEK)	1,000	384
04-Apr-85	Cranston for Senate(CHK)	1,000	3319
15-Jul-85	D DeConcinni Re-Election Committee (MEK)	1,000	352
12-Sep-85	Annuntio for People (CHK)	1,000	361
12-Sep-85	D DeConcin i Re-Election Committee (CHK)	1,000	3733
	TOTAL	$21,500	
	CHK-CONTRIBUTIONS	$11,500	
	MEK CONTRIBUTIONS	$10,000	

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chrs

CHARLES H KEATING JR & MARY ELAINE KEATING

FEDERAL - POLITICAL CONTRIBUTIONS

1986 CALENDAR YEAR

DATE	CAMPAIGN	AMOUNT	CHECK NUMBER	
04-Mar-86	John McCain For Senate Primary (MEK)	$1,000	400	
04-Mar-86	John McCain For Senate Primary (CHK)	1,000	401	
04-Mar-86	John McCain For Senate General (MEK)	1,000	402	
04-Mar-86	John McCain For Senate General (CHK)	1,000	403	
10-Mar-86	Dole for Senate (MEK)	1,000	404	
10-Mar-86	Dole for Senate (CHK)	1,000	405	
11-Mar-86	Friends of Mattingly Committee (MEK)	1,000	406	
11-Mar-86	Friends of Mattingly Committee (CHK)	1,000	407	
12-Mar-86	National Action Committee (MEK)	1,000	408	
12-Mar-86	National Action Committee (CHK)	1,000	409	
15-May-86	Pashayan Congress Committee (CHK)	1,000	419	
15-May-86	Pashayan Congress Committee (MEK)	1,000	420	
18-Jul-86	Bernard Campaign (MEK)	1,000	432	
18-Jul-86	Bernard Campaign (CHK)	1,000	433	
22-Jul-86	Re-Elect Senator Paula Hawkins (CHK)	2,000	468	(Primary & General Campaign)
22-Jul-86	Re-Elect Senator Paula Hawkins (MEK)	2,000	469	(Primary & General Campaign)
05-Aug-86	Reed for Senate (MEK)	2,000	475	(Primary & General Campaign)
05-Aug-86	Reed for Senate (CHK)	2,000	476	(Primary & General Campaign)
12-Aug-86	John Rhodes for Congress (CHK)	1,000	482	
12-Aug-86	John Rhodes for Congress (MEK)	1,000	483	
21-Aug-86	Jon Kyl for Congress (CHK)	750	488	
21-Aug-86	Jon Kyl for Congress (MEK)	350	481	

FEDERAL CONTRIBUTIONS MADE IN 1985 FOR 1986 CAMPAIGN

11-Mar-85	Californians for Sen Pete Wilson (MEK)	$1,000	340	
11-Mar-85	Californians for Sen Pete Wilson (CHK)	1,000	341	
04-Apr-85	Cranston for Sentate(MEK)	1,000	342	
22-Jul-85	Senator John Glenn Committee (MEK)	2,000	353	
22-Jul-85	Senator John Glenn Committee(CHK)	2,000	354	
26-Sep-85	Kemp Salute Dinner(MEK)	1,000	362	
26-Sep-85	Kemp Salute Dinner (CHK)	1,000	363	
14-Oct-85	Cranston for Senate (MEK)	1,000	364	
14-Oct-85	Cranston for Senate (CHK)	1,000	365	
20-Nov-85	Tommy Coelho for Congressman(CHK)	1,000	377	
20-Nov-85	Tommy Coelho for Congressman (MEK)	1,000	378	
18-Dec-85	Jim Kolbe for Congress(CHK)	1,000	382	
18-Dec-85	Jim Kolbe for Congress(MEK)	1,000	384	
04-Apr-85	Cranston for Senate(CHK)	1,000	3319	
15-Jul-85	D DeConcinni Re-Election Committee (MEK)	1,000	352	
12-Sep-85	Amnuntio for People (CHK)	1,000	361	
12-Sep-85	D DeConcin i Re-Election Committee (CHK)	1,000	3733	

TOTAL CONTRIBUTIONS MADE TO DATE	$44,100
FOR 1986 FEDERAL ELECTIONS	
CHK-CONTRIBUTIONS	$22,750
MEK-CONTRIBUTIONS	$21,350

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CALENDAR YEAR 1987 CONTRIBUTIONS
CHARLES & MARY ELAINE KEATING

FEDERAL

2-12-87	NATL' ACTION COMM -CHK	$1,000
2-12-87	NATL' ACTION COMM -MEK	1,000
3-25-87	THRIFTPAC-CHK	$5,000
3-25-87	THRIFTPAC-MEK	$5,000
4-06-87	FRIENDS OF GARY HART -CHK	$1,000
4-16-87	FRIENDS OF GARY HART -MEK	$1,000
4-16-87	STEVE NEAL FOR CONGRESS	$500
4-16-76	CARROLL HUBBARD FOR CONGRES	$375
8-31-87	JON KYL FOR CONGRESS - CHK	$1,000
8-31-87	JON KYL FOR CONGRESS - MEK	$1,000
	TOTAL	$16,875
	CHK	$8,875
	MEK	$8,000

NON FEDERAL

2-12-87	COMM TO RE-ELECT COLEMAN YOUNG (MAYOR OF DETROIT)	$1,000
2-12-87	COMM TO RE-ELECT COLEMAN YOUNG (MAYOR OF DETROIT)	1,000
5-08-87	LOWRY FOR TOWN COUNCIL	100
5-08-87	LOWRY FOR TOWN COUNCIL	100
10-07-87	FRIENDS OF BILL PARKS	100
10-07-87	FRIENDS OF BILL PARKS	100
10-12-87	MARK DIOGARDI FOR CITY COUNCIL	200
10-12-87	MARK DIOGARDI FOR CITY COUNCIL	200
11-09-87	WAYNE LEWIS FOR MAYOR	200
11-09-87	WAYNE LEWIS FOR MAYOR	200
11-09-87	JERRY BROOKS FOR CITY COUNCIL	200
11-09-87	JERRY BROOKS FOR CITY COUNCIL	200
11-09-87	JERRY MC GHEE FOR CITY COUNCIL	200
11-09-87	JERRY MC GHEE FOR CITY COUNCIL	200
11-09-87	OREN WALLACE FOR CITY COUNCIL	200
11-09-87	OREN WALLACE FOR CITY COUNCIL	200
	TOTAL	$4,400

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CHARLES H KEATING JR
1988 POLITICAL CONTRIBUTIONS

FEDERAL

1-19-88	KOLBE FOR CONGRESS	$1,000	#552	MEK
1-19-88	KOLBE FOR CONGRESS	$1,000	#553	CHK
3-08-88	NATIONAL ACTION COMMITTEE	$5,000	#555	MEK
3-08-88	NATIONAL ACTION COMMITTEE	$5,000	#556	CHK
5-31-88	PRESIDENTIAL TRUST	$10,000	#563	CHK
5-31-88	PRESIDENTIAL TRUST	$10,000	#562	MEK
4-04-88	HATCH ELECTION COMMITTEE	$2,000	#558	MEK
4-04-88	HATCH ELECTION COMMITTEE	$2,000	#559	CHK
8-17-88	DEMOCRATIC SENATORIAL CAMP	$20,000	#1007	CHK&MEK
9-06-88	REFUND FROM DEMOCRATIC SENATORIAL CAMP COMM	($6,000)		CHK&MEK
	TOTAL	$50,000		

MAXIMUM FEDERAL POLITICAL CONTRIBUTIONS HAVE BEEN MADE FOR 1988

POLITICAL

FEDERAL CONTRIBUTIONS

1985

CHARLES H. KEATING, III

	AMOUNT
AMER CONTL POLITICAL ACTION	$1,000
CALIF FOR SENATOR PETE WILSON	$1,000
DECONCINI REELECTION COMMITTEE	$1,000
SENATOR JOHN GLENN	$2,000
TOTAL	$5,000

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POLITICAL

FEDERAL CONTRIBUTIONS

1985

KRISTA KEATING

		AMOUNT
CALIF FOR SENATOR PETE WILSON		$1,000
DECONCINI REELECTION COMMITTEE		$1,000
SENATOR JOHN GLENN		$2,000
CRANSTON FOR SENATE		$1,000
	TOTAL	$5,000

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POLITICAL

1986

FEDERAL CONTRIBUTIONS

CHARLES H. KEATING, III

		AMOUNT
JIM KOLBE FOR CONGRESS		$1,000
JOHN MCCAIN FOR SENATE		$1,000
JOHN MCCAIN FOR SENATE		$1,000
FRIENDS OF MATTINGLY		$1,000
PASHAYAN REELECTION COMMITTEE		$1,000
BARNARD CAMPAIGN		$1,000
REELECT SENATORY PAULA HAWKINS		$2,000
JOHN RHODES FOR CONGRESS		$1,000
JOHN KYL FOR CONGRESS		$ 750
	TOTAL	$10,750

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POLITICAL

1986

FEDERAL CONTRIBUTIONS

KRISTA KEATING

	AMOUNT
JIM KOLBE FOR CONGRESS	$1,000
JOHN MCCAIN FOR SENATE	$1,000
JOHN MCCAIN FOR SENATE	$1,000
FRIENDS OF MATTINGLY	$1,000
NATIONAL ACTION COMMITTEE	$1,000
AMERICAN CONSTITUTIONAL PAC	$1,000
PASHAYAN REELECTION COMMITTEE	$1,000
BARNARD CAMPAIGN	$1,000
REELECT SENATOR PAULA HAWKINS	$2,000
DECONCINI '88 CAMPAIGN	$2,000
JOHN RHODES FOR CONGRESS	$1,000
JOHN KYL FOR CONGRESS	$ 750
TOTAL	$13,750

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POLITICAL CONTRIBUTIONS
GREG & CAROL KASSICK
1983 - 1989

FEDERAL

DATE	CHECK #	AMOUNT	CANDIDATE
1983	NONE		
1984	NONE		
1985	NONE		
1986	NONE		
3/6/87	#1520	$ 140	Riegle for Senate
10/20/88	#1812	$1,000	Hecht for Senate
10/20/88	#1816	$1,000	Hecht for Senate
1989	NONE		
1990	NONE		

9304354148

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 17, 1991

Dina M. McKenna, Esquire
Layman, Jones & Dye
2600 Michelson Drive, Suite 1000
P.O. Box 19798
Irvine, CA 92713-2345

RE: MUR MUR 3121
Ray and Kathi Fidel

Dear Ms. McKenna:

This is in response to your letter dated June 3, 1991, which we received on June 6, 1991, requesting an extension until July 6, 1991 to respond to the Commission's reason to believe findings and discovery requests. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on July 6, 1991.

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

Sincerely,

Lawrence M. Noble
General Counsel

BY: Robert W. Bonham, III
Assistant General Counsel

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91 JUN 17 AM 9:37

LAW OFFICES OF
COTSIRILOS & CAMPISANO
155 MONTGOMERY STREET
NINTH FLOOR
SAN FRANCISCO, CALIFORNIA 94104
OFFICE: (415) 397-2373
FACSIMILE: (415) 397-8680

GEORGE J. COTSIRILOS, JR.

June 13, 1991

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 JUN 17 PM 3:45

Mr. Tony Buckley
Federal Election Commission
999 "E" Street N.W.
Washington, D.C. 20463

Re: David I. Thompson, MUR 3121

Dear Mr. Buckley:

Enclosed please find the response of David I. Thompson to the Federal Election Commission Subpoena to Produce Documents and Order to Submit Written Answers. Additionally enclosed please find documents required by the commission's subpoena.

I believe that the enclosed demonstrates what I have previously indicated to you in correspondence: that Mr. Thompson has not participated in any way in any misconduct related to the federal election laws. I hope and trust that the enclosed will put this matter to rest.

As always, please feel free to contact me should you need any additional information or should you wish to discuss this matter further.

Thanks again for your courtesy and patience.

Sincerely,

Cotsirilos & Campisano

George J. Cotsirilos, Jr.

GJC:ivz

Enclosures

9304354145 0

GEORGE J. COTSIRILOS, JR.
Cotsirilos & Campisano
155 Montgomery Street
Ninth Floor
San Francisco, California 94104
(415) 397-2373

Attorneys for
DAVID I. THOMPSON

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	MUR-3121
	)	
	)	RESPONSE OF DAVID I. THOMPSON
	)	TO FEDERAL ELECTION COMMISSION
	)	SUBPOENA TO PRODUCE DOCUMENTS
	)	AND ORDER TO SUBMIT WRITTEN
	)	ANSWERS

9304354145 1

In response to the questions posed to me by the Federal Election Commission, I, David I. Thompson, declare as follows:

RESPONSE TO QUESTION NUMBER 1:

My full name is David I. Thompson. My current address and telephone numbers are 237 Still Pond Creek Road, Wharton, D.T Maryland 21678 I am currently employed by the Shoreman Magazine.

RESPONSE TO QUESTION NUMBER 2:

My occupations and employers during the relevant period were as follows:

a. From January 1, 1983 to November 15, 1985 I was an associate attorney with the law firm of Taft, Stettinius & Hollister in Cincinnati, Ohio.

b. From November 18, 1985 until October 28, 1989 I was employed as corporate counsel for American Continental Corporation (ACC) and, until April 17, 1989, or Lincoln Savings and Loan Association. During this time period I also served as vice president and secretary for Lincoln. I resigned in all capacities from Lincoln April 17, 1989 and from ACC on October 28, 1989.

c. From October 31, 1989 until of May, 1990 I was employed as an attorney at the law firm of Gallagher & Kennedy in Phoenix, Arizona.

d. From June 1990 to the present, I have been editor and publisher of the Shoreman Magazine in Chestertown, Maryland.

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RESPONSE TO QUESTION NUMBER 3:

My relationship with Charles H. Keating, Jr. was that of an employee to his employer. My association with ACC/Lincoln, its subsidiaries and with Mr. Keating during the relevant period centered around my having served as corporate counsel to ACC/Lincoln and its subsidiaries and associated companies, including Lincoln Savings and Loan Association where, as stated, I also served as vice-president and secretary.

///

///

RESPONSE TO QUESTION NUMBER 4:

RESPONSE TO QUESTION NUMBER 5:

In February of 1987 Robert Kielty, head of the ACC legal department inquired as to whether or not I would be interested in making a contribution to the Donald Riegle for Senate campaign. Mr. Kielty exerted no pressure on me to make such a contribution and I did so entirely of my own accord. As indicated by the accompanying documents, the contribution was made by check written to the Riegle for Senate Committee. It was not reimbursed by ACC, Lincoln, or any individual, nor was I in any way compensated by anyone for having made the contribution. I did receive a personal letter of appreciation from Charles H. Keating, Jr. for having made the contribution and submit a copy of that letter along with this response.

///

///

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RESPONSE TO QUESTION NUMBER 6:

Pertinent documents are submitted herewith.

To the best of my recollection this is the only federal political contribution with which I was involved during the relevant period. Therefore, to the best of my knowledge the remaining questions posed do not apply to me.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed this 14th day of June, 1991 at Wharton, Maryland.

David I. Thompson

9304354141454

CHARLES H KEATING, JR.
6326 NORTH 38TH STREET
PARADISE VALLEY, ARIZONA 85253

March 3, 1987

Mr. David I. Thompson
7701 East Cochise
Scottsdale, AZ 85258

Dear David:

I know it is difficult to support political candidates of your choice. There are so many requests. The after-tax dollars are hard to come by.

Nevertheless, good government demands participation. United States Senator Don Riegle is good government.

I deeply appreciate your support.

Sincerely,

Charlie

Charles H Keating, Jr.

chk/sk

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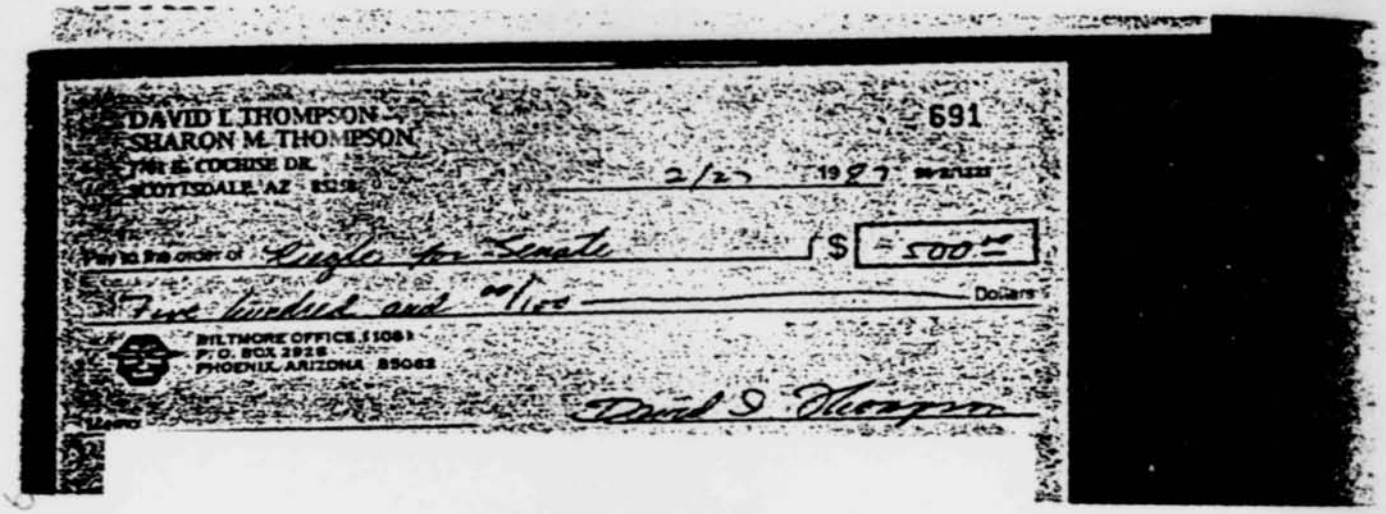
C[illegible]22[illegible]



DAVID I. THOMPSON
SHARON M. THOMPSON
7701 E. COCHISE DR.
SCOTTSDALE, AZ 85258

691

2/27 1987

Pay to the order of Eagle for Senate $ 500.00

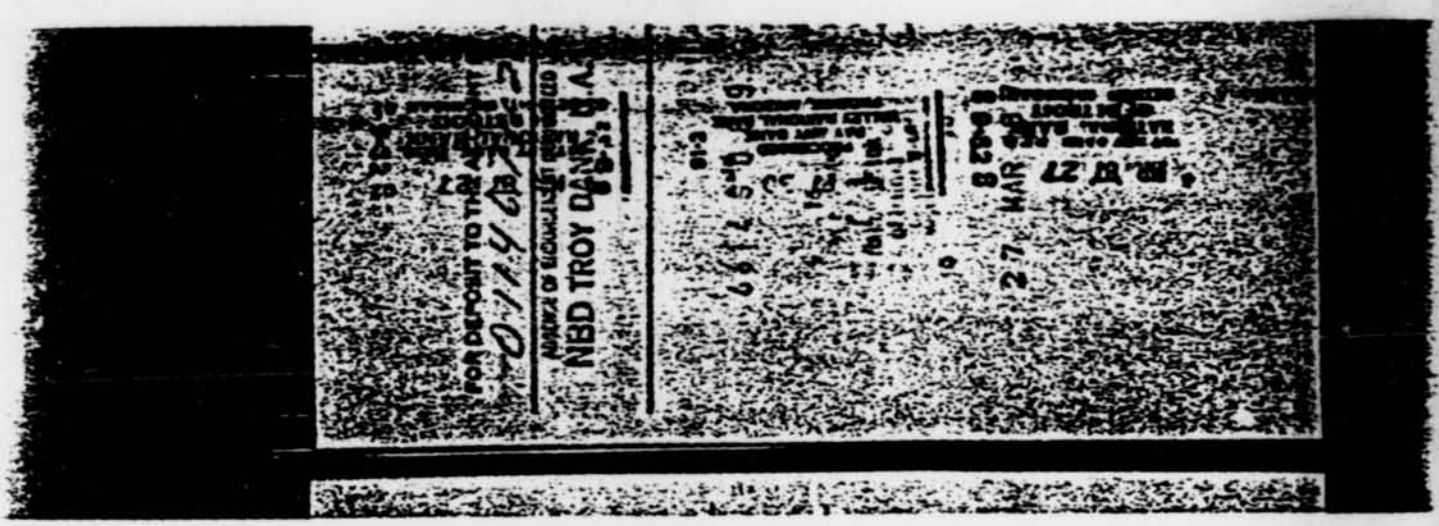
Five hundred and 00/100 Dollars

BILTMORE OFFICE (1108)
P.O. BOX 2928
PHOENIX, ARIZONA 85062

Memo

David I. Thompson

93043541456



FOR DEPOSIT TO THE ACCOUNT OF
0114 [illegible]

ADDENDUM OF SIGNATURES PRESENTED
NBD TROY BANK, N.A.

27 MAR 87

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT
91 JUN 18 PM 2:08

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
American Continental) MUR 3121
Corporation et al.)

SENSITIVE

GENERAL COUNSEL'S REPORT

I. DISCUSSION

On April 26, 1991, this Office recommended that the Commission grant extensions of time until May 28, 1991 for certain respondents in the above-captioned matter to respond to the Commission's reason to believe findings and the subpoenas and orders issued by the Commission. Respondents had sought the extensions because of the pendency of federal criminal proceedings and the possible necessity for them to invoke their Fifth Amendment privilege against self incrimination. At that time, this Office informed the Commission that we were seeking information from the U.S. Attorney's Office in Los Angeles as to the possibility that the individuals might be freed of their Fifth Amendment concerns through grants of immunity. On May 1, 1991, the Commission granted the recommended extensions of time.

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Following the conference call, this Office contacted Resolution Trust Corporation attorneys and asked them to provide us with respondents' addresses. These are the same counsel who are representing Lincoln Savings and Loan Association, a

respondent in this matter.[1] Counsel agreed to provide the Commission with any addresses they have in their possession, but requested that the Commission issue a subpoena for that information because it may be contained in confidential documents. Consequently, this Office recommends that the Commission approve the attached Order to Submit Written Answers to Lincoln Savings and Loan, F.A., seeking the most current addresses contained in its records for fifteen respondents who this Office has been unable to locate.

II. **RECOMMENDATIONS**

1. Approve the attached Order to Submit Written Answers directed to Lincoln Savings and Loan Association, F.A.

2. Approve the appropriate letter.

6/18/91
Date

Lawrence M. Noble
General Counsel

Staff assigned: Tony Buckley
Dawn Odrowski

1. Since Lincoln has been under the control of the federal government since April 14, 1989, communications have been with counsel representing the Resolution Trust Corporation as Receiver of Lincoln and Lincoln Savings and Loan Association, F.A., the federal association created when Lincoln was seized by the federal government.

9304354145 9

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/ DONNA ROACH DR
COMMISSION SECRETARY

DATE: JUNE 24, 1991

SUBJECT: MUR 3121 - GENERAL COUNSEL'S REPORT
DATED JUNE 18, 1991

The above-captioned document was circulated to the Commission on WEDNESDAY, JUNE 19, 1991 at 11:00 A.M.

Objection(s) have been received from the Commissioner(s) as indicated by the name(s) checked below:

Commissioner Aikens	
Commissioner Elliott	
Commissioner Josefiak	
Commissioner McDonald	
Commissioner McGarry	XXX
Commissioner Thomas	

This matter will be placed on the meeting agenda for TUESDAY, JULY 9, 1991.

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

9304354160

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 3121
American Continental Corporation, et al.	)	
	)	

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on June 25, 1991, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 3121:

1. Approve the Order to Submit Written Answers directed to Lincoln Savings and Loan Association, F.A., as recommended in the General Counsel's report dated June 18, 1991.

2. Approve the appropriate letter as recommended in the General Counsel's report dated June 18, 1991.

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

Attest:

6/26/91
Date

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

9304354146 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 1, 1991

Teresa J. Kimker, Esq.
Morrison, Hecker, Curtis,
Kuder & Parrish
1600 Financial Center
3443 North Central Avenue
Phoenix, AZ 85012

RE: MUR 3121

Dear Ms. Kimker:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended. The Commission has issued the enclosed order directed to the Custodian of Records, Lincoln Savings and Loan Association, F.A., requiring the Custodian to provide the addresses of certain individuals in connection with an investigation the Commission is conducting. This order has been issued pursuant to your discussions with Dawn Odrowski, a staff attorney with the Commission, in which you requested that the Commission issue a subpoena for the information since it may be contained in records possessed by your client, the Resolution Trust Corporation, as Receiver of Lincoln Savings and Loan Association and Lincoln Savings and Loan Association, F.A., or its attorneys and agents.

You are required to submit the information requested within 15 days of your receipt of this order. All answers to questions must be submitted under oath.

Because this information is sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

2304354146 2

If you have any questions, please contact Dawn Odrowski, who is assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosure
Subpoena and Order

9304354141463

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MUR 3121
)

ORDER TO SUBMIT WRITTEN ANSWERS

TO: Custodian of Records
Lincoln Savings & Loan Association, F.A.

Pursuant to 2 U.S.C. § 437d(a)(1), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, within 15 days of your receipt of this Order.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 28th day of June, 1991.

John Warren McGarry, Chairman
Federal Election Commission

ATTEST:

Delores Harris for
Marjorie W. Emmons
Secretary to the Commission

Attachment
Questions (1 page)

9304354141464

9304354141465

INSTRUCTIONS

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

The following interrogatories are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

QUESTIONS

Please provide from all documents within your custody and control, or within the custody and control of your attorneys and agents, the most current address for each of the following individuals. For each individual, state the date of the document from which you obtained the address.

1. Brenda Elmer
2. Jeffrey Erhart
3. James Hubbard
4. Randall Hyatt
5. Sandra Klotz
6. Timothy Kruckeberg
7. Michael Ligget
8. Michael Murray
9. Everett Pfeiff
10. Linda Pfeiff
11. Michael Ripson
12. David Stevens
13. James Upchurch
14. Timothy Westfall
15. Terrence Wilson

FEDERAL ELECTION COMMISSION
OFFICE SERVICES BRANCH

RANDAL D. HYATT
616 NORTH STEWART
MESA, ARIZONA 85201

91 JUL -5 AM 11:11

JUNE 30, 1991

OFFICE of the GENERAL COUNSEL
Federal Election Commission
999 E Street N. W.
Washington, D.C. 20463

RE: MUR 3121

Gentlemen:

The following are responses to your "Subpoena to Produce Documents/Order to Submit Written Answers" dated March 6, 1991 and delivered to me June 17, 1991 by the U.S. Postal Service:

1.) My name is Randal D. Hyatt, 616 North Stewart, Mesa, Arizona, 85201
My employer is Castle Meadows, Inc under the jurisdiction of the Resolution Trust Corporation, as receiver for Lincoln Savings.

2.) My occupation and employers from January 1, 1983 to present are as follows:

DATE	COMPANY	POSITION
January 1983	American Continental Mortgage Company	Controller
December 1983	American Continental Mortgage Company	Financial Vice President
May 1984	American Continental Mortgage Company	Operations Exec Vice President
June 1986	Lincoln Savings and Loan Association	Assistant Vice President Accounting
May/June 1987	Lincoln Savings and Loan Association	Vice President Accounting Dept
April 1989	Lincoln Savings and Loan Association (in conservatorship under Resolution Trust Corporation)	Vice President Accounting Dept
March 1991 (to present)	Castle Meadows, Inc (under Resolution Trust Corp as Receiver for Lincoln Savings)	Chief Accountant

91 JUL -5 PM 12:22

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3.) During the prescribed period, I worked for two subsidiaries of American Continental Corporation. Charles H. Keating Jr was Chairman of American Continental Corporation. The Subsidiaries I worked for are American Continental Mortgage Company and Lincoln Savings and Loan Association.

4.) The following describes bonuses or other additional compensation received during the relevant period:

DATE	AMOUNT	PURPOSE OR JUSTIFICATION

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5.) I made one federal political contribution during the relevant period. That contribution was made to Senator Don Riegle, by check in the amount of $1000. My bank keeps checks written on my account and to date has not been able to produce a copy of my original check for me. Therefore I have attached a copy of my bank statement which shows the item being charged to the account.

The contribution was made in connection with a visit by Senator Riegle to the office where I was working. He spoke to people, shook hands,etc. and was introduced to the office employees by Charles H Keating Jr. Shortly after the visit of Senator Riegle, I received a memo (copy attached) from Charles H Keating Jr which stated that the Company would like to support Mr. Riegle and that any contributions between $500 and $2,000 would be welcomed. I had been impressed with what I had heard and seen of Mr. Riegle and I knew the Company

had interests in the State of Michigan (Riegle's State), so I decided to support the company's efforts and make a contribution. The Company wanted to give all of the contributions it collected to Riegle at a fundraising lunch in Michigan, which I did not attend. The luncheon was to be held at 12:00 pm March 23, 1987 at the Ponchartrain Hotel in Detroit.

I was not remunerated or reimbursed, directly or indirectly, in any way for having made the contribution. Further, this was the first contribution that I had ever made, in spite of numerous prior invitations by the company to contribute to various political candidates. I had never felt any repercussions from the Company or any individuals as a result of my previous refusals to contribute to other campaigns, so I had no reason to believe that there would be any if I declined to contribute to the Riegle campaign.

6.) No political contributions have been made by me except the one specified in item #5 above, therefore there are no other documents to produce.

7.) I was never involved in facilitating, arranging or delivering contributions to any political candidate.

8.) Since I was not involved in facilitating the contributions of others, there are no documents related thereto which can be provided.

9.) The only contribution I made to any candidates or committees was the previously described donation to Senator Riegle. I did receive a thank you letter from his campaign, however, the letter was thrown away after it was read. Attached is a letter received from Riegle returning the contribution.

10.) Assistance in preparing this response was received from Deanna Hardy of the payroll department at Lincoln Savings. She provided my bonus history information to me.

The circumstances surrounding Senator Riegle's visit to our office in 1987 and the manner in which contributions were solicited should be verifiable by any of my co-workers who made contributions to Riegle.

In closing, I would like to stipulate that the contribution I made was entirely voluntary and was strictly from my own funds. There was never any intimation that contributions would be reimbursed or rewarded.

I swear that the above information is accurate to the best of my knowledge and belief and I present it in good faith.

Sincerely,

Randal D. Hyatt

9304354146 8

AMERICAN CONTINENTAL CORPORATION

TO RANDAL D. HYATT

DATE FEBRUARY 9, 1987

FROM CHARLES H KEATING, JR.

SUBJECT

WE ARE SPONSORING A FUND RAISING LUNCHEON FOR U.S. SENATOR DON RIEGLE OF MICHIGAN AT 12:00 P.M. MONDAY, MARCH 23, 1987 AT THE PONCHARTRIAN HOTEL IN DETROIT, MICHIGAN.

WE WANT THOSE ATTENDING (OR NOT ATTENDING, BUT WHO WILL GIVE) TO GIVE $500 TO $2000 EACH AS WE HAVE COMMITTED TO RAISE $125,000 FOR THE LUNCHEON.

I NEED YOUR COOPERATION. PLEASE GIVE ME NAMES OF ANYONE IN MICHIGAN WHOM YOU OR I CAN CONTACT. THIS IS A MAJOR TASK. I NEED YOUR HELP NOW.

PLEASE RESPOND TO MARY JO COLUCCI AT YOUR EARLIEST CONVENIENCE.

9304354141469

UNITED STATES SENATOR
POST OFFICE BOX 2434
WASHINGTON, D.C. 20013

DONALD W. RIEGLE, JR.
MICHIGAN

March 10, 1988

Mr. and Mrs. Randal Hyatt
616 N. Stewart
Mesa, AZ 85201

Dear Mr. and Mrs. Hyatt:

Early in 1987, you made a financial contribution to my 1988 re-election campaign at a fundraising event hosted for me at the Pontchartrain Hotel in Detroit by Mr. Charles Keating.

Recently, a Michigan newspaper ran a story raising the possibility of an appearance of a personal conflict of interest with respect to contributions received at that fundraising event and a meeting a few weeks later that I attended with several Senate colleagues, at their request, regarding their concerns about Lincoln Savings and Loan Association.

While there was absolutely no conflict of interest involved in this situation, even the appearance of a personal conflict is sufficient to warrant the return of your contribution so that no mis-interpretation is possible.

While I appreciate the re-election support you demonstrated for me, I am sure you will understand and agree with my position. You will find a check enclosed in the amount of your contribution.

Sincerely,

Donald W. Riegle, Jr.

DWR/jv

Enclosure

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Not Printed at Government Expense

OGC 1793

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE SERVICES BRANCH

91 JUL -5 AM 10:09

LAYMAN, JONES & DYE
LAWYERS
2800 MICHELSON DRIVE
SUITE 1000
IRVINE, CALIFORNIA 92715
TELEPHONE (714) 261-2345
FAX (714) 261-8666

WILBUR D. LAYMAN
STANLEY R. JONES
ROBERT E. DYE
STEVEN H. SUNSHINE
BRUCE H. CHARLES
STEPHEN M. KANE
DAVID W. WIECHERT
GARY J. HIGHLAND
SUSAN R. WIECH
ROBERT B. BEAUCHAMP
DINA M. McKENNA
REN R HAYHURST
EDWARD R. McGAH, JR.

DAVID J. GARIBALDI, III
OF COUNSEL

REFER TO FILE NO.

32027.001

July 1, 1991

Mr. Tony Buckley, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: Ray and Kathi Fidel
MUR 3121

Dear Mr. Buckley:

We have been informed by Assistant United States Attorney David Sklansky that the United States Attorney's Office and the FEC are still engaged in discussions regarding the possibility of Mr. Fidel's cooperation with the FEC. Based on the above we request an extension on behalf of the Fidels' to respond until August 6, 1991.

Please call me with any questions or comments you may have regarding the above.

Sincerely,

Dina M. McKenna

Dina M. McKenna
Of Layman, Jones & Dye

DMM:dmm
653W

91 JUL -5 PM 12:22
RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

9304354147 1

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

July 8, 1991

Dina M. McKenna, Esq.
Layman, Jones & Dye
2600 Michelson Drive
Suite 1000
P.O. Box 19798
Irvine, CA 92713-9798

RE: MUR 3121
Ray and Kathi Fidel

Dear Ms. McKenna:

This is in response to your letter dated July 1, 1991, which we received on that same date, requesting additional extensions of time until August 6, 1991 to respond to the Subpoenas to Produce Documents and Orders to Submit Written Answers issued by the Federal Election Commission to your clients, Ray and Kathi Fidel. Because we are awaiting further response from the U.S. Attorney's Office, I have granted the requested extensions. Accordingly, your responses are due by the close of business on August 6, 1991.

Please be advised that, absent extenuating circumstances, this Office will not grant any further extensions. Accordingly, should the August 6, 1991 deadline pass without receipt of responses from your client, this Office is prepared to recommend to the Commission that it pursue enforcement of its subpoenas and orders in the courts.

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

9304354147 2

FEDERAL ELECTION COMMISSION
SECRETARIAT

91 JUN 18 PM 2:08

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	**SENSITIVE**
	)	
John Glenn Presidential Committee, Inc. and Michael Petro, as treasurer	)	
Senator John Glenn Committee and William J. Brown, as treasurer	)	MUR 3121
National Council on Public Policy and William R. White, as treasurer	)	

GENERAL COUNSEL'S REPORT

I. **BACKGROUND**

On October 30, 1989, Senator John McCain of Arizona wrote to the Commission requesting that the Commission institute an investigation as to whether certain contributions received by him and his various House and Senate campaign committees violated the Act. As support for this request, Senator McCain attached and incorporated by reference a letter from Common Cause to the Senate Select Committee on Ethics. Among other things, the Common Cause letter alleged that the National Council on Public Policy (the "Policy Committee"), a political committee connected with Senator John Glenn, had used corporate monies from its non-federal account to pay expenses associated with the Senator John Glenn Committee (the "Senatorial Committee") and the John Glenn Presidential Committee, Inc. (the "Presidential Committee"), principal campaign committees for Senator Glenn's senatorial and presidential campaigns. This complaint was captioned MUR 2999.

9304354147 3

On August 30, 1990, the Ohio Republican State Central and Executive Committee, through its Chairman, Robert T. Bennett, filed a complaint against the Presidential Committee and the Policy Committee. This complaint alleged that the Policy Committee served as a conduit for illegal contributions to the Presidential Committee. Specifically, the complaint alleged that funds provided by Charles H. Keating, Jr. and/or companies which he owned or controlled were used by the Policy Committee until 1988 to pay for personnel and overhead expenses which, in turn, directly or indirectly benefited the Presidential Committee. In addition to alleging violations of 2 U.S.C. § 441b(a) by the two committees, the complaint also alleged that registration and reporting violations by those entities had occurred. This complaint was captioned MUR 3121.

These respondents each submitted materials in answer to the complaints. The answers detailed ways in which corporate monies were used by the Policy Committee's non-federal account to benefit the Senatorial and Presidential Committees. First, the committees admit that certain individuals who worked for the Policy Committee devoted a portion of their time to raising funds for the Presidential Committee and that this time was valued at $3,079. The committees further admit that the Policy Committee paid the rental costs and telephone charges for the

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two other committees, and that this amounted to benefits of $6,939.88 each. Similarly, the Policy Committee paid certain expenses when the organizations changed locations in May 1988, and this amounted to benefits of $938.77 each to the Presidential Committee and the Senatorial Committee.

Additionally, a review of credit card payments on a Policy Committee account determined that $4,806.07 worth of charges belonged to the Senatorial Committee. Finally, the Policy Committee paid $9,500 to the Presidential Committee in anticipation of renting a mailing list for the purpose of a direct mail solicitation which never occurred.

Thus, the Policy Committee made contributions from an account containing corporate funds to the Senatorial Committee in the amount of $12,684.72, and to the Presidential Committee in the amount of $20,507.65. All of the funds which were improperly used by the Policy Committee to benefit the Presidential and Senatorial Committees were refunded in late May 1988. This occurred as a result of a review of the Policy Committee's books by its treasurer.

On February 12, 1991, the Commission merged these MURs (as well as another complaint involving other common respondents and issues) with one another into the present matter. Based on the circumstances described above, the Commission found reason to believe that the Policy Committee had violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a), and that the Senate

9304354147 5

Committee and the Presidential Committee and their respective treasurers had violated 2 U.S.C. § 441b(a).[1]

II. ANALYSIS

Pursuant to 2 U.S.C. § 441b(a), it is unlawful for any any corporation to make a contribution or expenditure in connection with a Federal election or for any candidate, political committee, or other person knowingly to accept any such corporate contribution. Pursuant to 11 C.F.R. § 102.5(a)(1), a committee shall make contributions only from its federal account. In prior matters, the Commission has found reason to believe that 2 U.S.C. § 441b(a) has been violated when a non-federal account provides, and a political committee accepts, funds which contained corporate money. See MUR 2535, In the Matter of Treen for Congress Committee.

By using corporate money from its non-federal account to directly and indirectly benefit the Senatorial and Presidential Committees, the Policy Committee violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a). Likewise, by directly accepting corporate monies and other benefits purchased with corporate monies, the Senatorial and Presidential Committees each violated 2 U.S.C. § 441b(a). As previously discussed, all of the improper contributions have been reimbursed.

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1. The Commission did not include as a part of its basis for these findings the fact that $10,657.04 had been improperly paid by the Policy Committee to a credit card account of the Senatorial Committee, and then improperly reimbursed by the Senatorial Committee to the Presidential Committee. This amount was previously dealt with by the Commission in the context of the audit of the Presidential Committee.

Although none of these respondents submitted replies to the Commission's findings other than their present requests for pre-probable cause conciliation, all three committees submitted substantive responses to the complaints. None of the respondents contest that violations of the Act have occurred. Thus, it appears that the Commission has sufficient information to negotiate conciliation agreements with these respondents. Accordingly, this Office recommends that the Commission enter into negotiations with the Policy, Senatorial and Presidential Committees prior to findings of probable cause to believe.

III. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

Attached are three conciliation agreements for the Commission's approval.

9304354147

IV. RECOMMENDATIONS

1. Enter into conciliation with the National Council on Public Policy and William R. White, as treasurer, prior to a finding of probable cause to believe.

2. Enter into conciliation with the Senator John Glenn Committee and William J. Brown, as treasurer, prior to a finding of probable cause to believe.

3. Enter into conciliation with John Glenn Presidential Committee, Inc. and Michael Petro, as treasurer, prior to a finding of probable cause to believe.

4. Approve the attached proposed conciliation agreements and the appropriate letters.

6/18/91
Date

Lawrence M. Noble
General Counsel

Attachments
1. Requests for Conciliation (2)
2. Proposed Conciliation Agreements (3)

Staff assigned: Tony Buckley

9304354147 8

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/ DONNA ROACH DR
COMMISSION SECRETARY

DATE: JUNE 20, 1991

SUBJECT: MUR 3121 - GENERAL COUNSEL'S REPORT
DATED JUNE 18, 1991
(AMERICAN CONTINENTAL CORP.)

The above-captioned document was circulated to the Commission on WED., JUNE 19, 1991 at 11:00 a.m.

Objection(s) have been received from the Commissioner(s) as indicated by the name(s) checked below:

Commissioner Aikens	
Commissioner Elliott	XXX
Commissioner Josefiak	
Commissioner McDonald	XXX
Commissioner McGarry	
Commissioner Thomas	

This matter will be placed on the meeting agenda for TUESDAY, JUNE 25, 1991.

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

9304354147 9

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
John Glenn Presidential Committee, Inc. and Michael Petro, as treasurer;	)	MUR 3121
Senator John Glenn Committee and William J. Brown, as treasurer;	)	
National Council on Public Policy and William R. White, as treasurer.	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 25, 1991, the Commission decided by a vote of 6-0 to take the following actions in MUR 3121:

1. Enter into conciliatiion with the National Council on Public Policy and William R. White, as treasurer, prior to a finding of probable cause to believe.

2. Enter into conciliation with the Senator John Glenn Committee and William J. Brown, as treasurer, prior to a finding of probable cause to believe.

3. Enter into conciliation with John Glenn Presidential Committee, Inc. and Michael Petro, as treasurer, prior to a finding of probable cause to believe.

(continued)

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4. Approve the proposed conciliation agreements and the appropriate letters, as recommended in the General Counsel's Report dated June 18, 1991.

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

Attest:

July 1, 1991
Date

Delores Harris
for Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat:	Tuesday,	June 18, 1991	2:08	p.m.
Circulated to the Commission:	Wednesday,	June 19, 1991	11:00	a.m.
Deadline for vote:	Friday,	June 21, 1991	11:00	a.m.
Objection received:	Friday,	June 21, 1991	10:46	a.m.
Objection withdrawn:	Tuesday,	June 25, 1991	1:11	p.m.

dh

9304354148 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 8, 1991

Richard D. Shore, Esquire
Covington & Burling
1201 Pennsylvania Avenue, N.W.
P.O. Box 7566
Washington, D.C. 20044

RE: MUR 3121
John Glenn Presidental
Committee, Inc. and
Michael Petro, as
treasurer

Dear Mr. Shore:

On February 12, 1991, the Federal Election Commission found reason to believe that the John Glenn Presidental Committee, Inc. and Michael Petro, as treasurer, violated 2 U.S.C. § 441b(a). At your request, on June 25, 1991, 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.

9304354148 2

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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

9304354148 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 8, 1991

Richard D. Shore, Esquire
Covington & Burling
1201 Pennsylvania Avenue, N.W.
P.O. Box 7566
Washington, D.C. 20044

RE: MUR 3121
Senator John Glenn
Committee and William J.
Brown, as treasurer

Dear Mr. Shore:

On February 12, 1991, the Federal Election Commission found reason to believe that the Senator John Glenn Committee and William J. Brown, as treasurer, violated 2 U.S.C. § 441b(a). At your request, on June 25, 1991, 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.

9304354148 4

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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

9304354148 5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 8, 1991

Donald O. Clark, Esquire
Kaplan, Russin & Vecchi
1215 Seventeenth Street, N.W.
Washington, D.C. 20036

RE: MUR 3121
National Council on Public Policy and William R. White, as treasurer

Dear Mr. Clark:

On February 12, 1991, the Federal Election Commission found reason to believe that the National Council on Public Policy and William R. White, as treasurer, violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a). At your request, on June 25, 1991, 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.

9304354148 6

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 Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

9304354148 87

06C1898

SHEPPARD, MULLIN, RICHTER & HAMPTON
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
ATTORNEYS AT LAW
FORTY-EIGHTH FLOOR
333 SOUTH HOPE STREET
LOS ANGELES, CALIFORNIA 90071
TELEPHONE (213) 620-1780
FACSIMILE (213) 620-1398
CABLE SHEPLAW
TELEX 19-4424

ORANGE COUNTY OFFICE
SEVENTH FLOOR
4695 MacARTHUR COURT
NEWPORT BEACH, CALIFORNIA 92660
(714) 752-6400

SAN FRANCISCO OFFICE
SEVENTEENTH FLOOR
FOUR EMBARCADERO CENTER
SAN FRANCISCO, CALIFORNIA 94111
(415) 434-4914

SAN DIEGO OFFICE
NINETEENTH FLOOR
501 WEST BROADWAY
SAN DIEGO, CALIFORNIA 92101-3505
(619) 338-6500

WRITER'S DIRECT DIAL NUMBER
(213) 617-4170

OUR FILE NUMBER

July 12, 1991

HAND DELIVERED

91 JUL 15 AM 9:26

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE SERVICES BRANCH

VIA FEDERAL EXPRESS

Tony Buckley
Federal Election Commission
Washington, DC 20463

Re: MUR 3121
Mark Sauter

Dear Mr. Buckley:

I am writing this letter on behalf of my partner, Gordon Greenberg, who is presently out of town. Mr. Greenberg represents Mark Sauter, the subject of your investigation MUR 3121.

It is my understanding that both Mr. Greenberg and Assistant United States Attorney David Sklansky (213) 894-2434 have unsuccessfully attempted to contact you by telephone on a number of occasions concerning the subpoena to produce documents and the order to submit written answers which you have served on Mr. Sauter. Both Mr. Sklansky and Mr. Greenberg have attempted to contact you in order to work out procedures that will allow Mr. Sauter to comply with your request, while at the same time allowing Mr. Sauter to comply with the terms of his plea agreement with the United States Government.

91 JUL 16 AM 11:15

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

Because Mr. Sklansky and Mr. Greenberg have been unable to make contact with you to discuss this matter, Mr. Sauter is not presently able to furnish the requested information. In order to work out procedures to comply with

9304354148

the Election Commission's subpoena, please contact Gordon Greenberg at (213) 617-5459 upon receipt of this letter. Thank you for your cooperation.

Sincerely,

James L. Sanders
for Sheppard, Mullin Richter & Hampton

JLS/shv

cc: Mark Sauter
2\S\L013202F.LS7

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AO-C 1984

FEDERAL ELECTION COMMISSION
OFFICE SERVICES

91 JUL 16 AM 9:32

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

MUR 3121

This letter is in response to a letter I received from your organization relative to a campaign contribution made by me to Senator Riegle during March,1987. Although your letter was dated March 7,1991, it was received by my wife at our home on July 1, 1991 via certified mail.

The numbered answers below correspond to the numbers outlined in pages 5 and 6 of your letter:

(1)Jeffrey David Carlson,13176 N. 104TH Street,Scottsdale Arizona,85260. Currently employed by the Central Western Consolidated Office of the RTC. My home phone is and my work phone is (602)224-1180.

(2)Employment History:
7/80-12/83-Peat Marwick,general accounting/auditing responsibilities.

12/83-2/87-Insurance West/American Continental Insurance Group, controllership and management responsibilities of the American Continental subsidiaries involved in insurance brokerage and life insurance sales.

2/87-4/88-Amcor Investments, a subsidiary of Lincoln Savings, real estate sales

4/88-4/89-Lincoln Savings, managed problem loan workout area

4/89-7/90-Resolution Trust Corporation (RTC),as receiver of Lincoln Savings, managed a large portfolio of non-performing loans

7/90-present-RTC,Department Head of Other Assets

(3)My employment history with American Continental began 12/83 as described above. I do not recall ever having a personal (one on one) meeting or phone discussion with Mr. Keating.

(4)The last bonus received by me was prior to 2/87 when I joined Amcor Investments and well before the subject political contribution. I do not have records that would indicate bonuses received by me prior to 2/87 but can offer the following:(i)they were performance related,(ii)in no way connected with a political contribution made by me.

(5)During February,1987 I contributed $500 to the re-election efforts of Senator Donald Riegle. Copies of bank statements,

91 JUL 15 AM 11:13

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canceled checks,memos from Keating and Riegle are attached. Mr Keating was open about his support of Riegle and I contributed to Riegle with my own funds with the feeling that if Mr. Riegle's positions were good for the thrift industry, he would indirectly benefit me and my family. I did not attend any event associated with this contribution and did not receive incremental compensation for my contribution to Reigle.
To the best of my knowledge, I did not contribute to any other political candidate during the relevant period.

(6)Attached

(7)none

(8)none

(9)none

(10)none

I believe my statements above to be true and accurate. I can be reached at (602)224-1180 if you need further information.

Sincerely,

Jeff D Carlson

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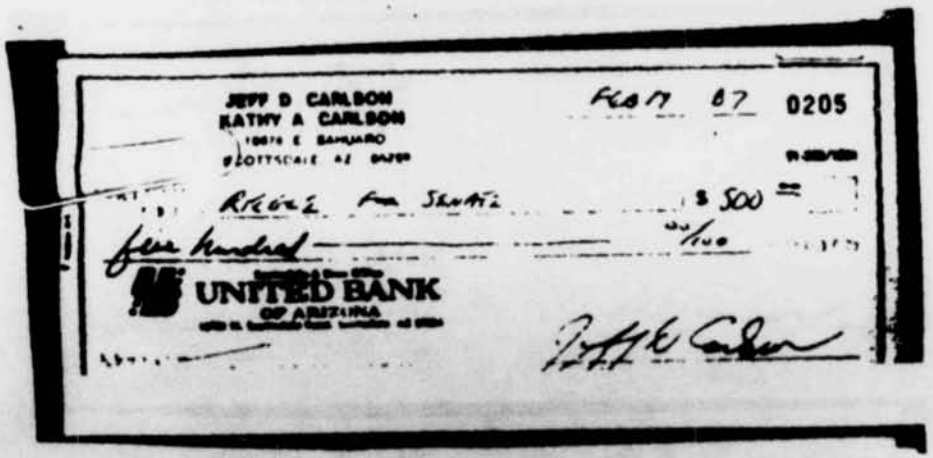

JEFF D CARLSON
KATHY A CARLSON
10878 E SAHUARO
SCOTTSDALE AZ 85259

FEB 17 87 0205

RIGGLE FOR SENATE $ 500 00

five hundred 00/100

UNITED BANK
OF ARIZONA

Jeff D Carlson

CHARLES H KEATING, JR.
6326 NORTH 38TH STREET
PARADISE VALLEY, ARIZONA 85253

February 18, 1987

Mr. Jeff Carlson
13176 N. 104th Street
Scottsdale, AZ 85259

Dear Jeff:

I have a very serious task to raise funds for the Honorable Donald Riegle, who is running for re-election as United States Senator for Michigan.

Please phone or otherwise contact anyone you know in Michigan who will:

a) Contribute to Don Riegle for U.S. Senate (contributions must be from individuals and cannot exceed $2000; $500 to $2000 contributions will be deeply appreciated).

Very Important!:

b) Give us names of people we may solicit and who may be invited to the luncheon (see below).

c) Senator Riegle will be the next Chairman of the Senate Banking Committee. Probably for the year 1988. Surely you know those who will help support (from anywhere in the United States) this excellent Senator in his re-election campaign.

The luncheon is noon, Monday, March 23, 1987 at the Pontchartrain Hotel in Detroit.

2304354149 3

If you yourself wish to contribute, the Senator and I will be very grateful. Simply make your check out ("Riegle for Senate") and return to me as soon as possible.

This is extremely important. I need invitees . . . I need contributions.

Sincerely,

Charles H Keating, Jr.

CHK/mjc

2304354149 4

Riegle for Senate Committee

March 23, 1987

Mr. and Mrs. Jeff Carlson
10675 E. Sahuaro
Scottsdale, AZ 85259

Dear Mr. and Mrs. Carlson:

Just a brief note to extend my warmest thanks to you for your very generous contribution to my re-election effort.

As you are aware, the cost of running for public office has discouraged many fine people from entering a race and, at the same time, caused many incumbents to choose not to run for re-election.

Throughout the years, the financial support and counsel of good friends and organizations has enabled me to win and to continue to serve in the Congress. I am honored to have had that opportunity and I cherish the friends who have contributed so importantly to making it possible.

Again, thank you. Please know how truly grateful I am.

Warmest regards.

Donald W. Riegle, Jr.

DWR/jev

$500

Paid for by the Riegle for Senate Committee. A copy of our report is filed with and may be purchased from the Federal Election Commission, Washington, D.C.

23043541495

Kaplan Russin & Vecchi
1215 17th Street, N.W.
Washington, D.C. 20036
Telephone: (202) 887-0353
Cable: Kapruss Washington
Telex: 248413 Kapruss
Telefax: (202) 293-8684

WITH ADDITIONAL OFFICES AT:
333 SILOM ROAD, BANGKOK
PASEO DE LA CASTELLANA 155, MADRID 28046
99 PARK AVENUE, NEW YORK 10016
PLAZA TURISOL, PUERTO PLATA
580 CALIFORNIA STREET, SAN FRANCISCO 94104
EDIFICIO MONTE MIRADO, SANTO DOMINGO
205 TUN HWA N. ROAD, TAIPEI

AFFILIATED OFFICES:
WALTER, CONSTON, ALEXANDER & GREEN, P.C.
90 PARK AVENUE, NEW YORK, NEW YORK 10016
1215 17TH STREET, N.W., WASHINGTON, D.C. 20036
BRIENNER STR. 11/V, 8 MUNCHEN 2 GERMANY

July 30, 1991

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

Re: Mur 3121
National Council on Public Policy and
William R. White, as treasurer

Dear Mr. Buckely:

This is to confirm our telephone conference earlier today, during the course of which we reconfirmed to you that we wanted to arrange a meeting to present further information to you which, we believe, supports our request for changes in the proposed conciliation agreement.

Specifically, we informed you that 62% of the contributions which the Commission has questioned were made prior to Mr. White's becoming treasurer of NCPP and that the bulk of the remaining expenditures (generally for rent and telephone) were being paid before, and continued to be paid after, Mr. White's arrival from the non-federal account. Mr. White did not have any signatory power or control over the non-federal account.

Finally, we want to reconfirm our request to you for a

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JUL 31 '91 09:47 K.R.V. WASHINGTON DC.

twenty-day extension of conciliation negotiations to review this matter.

Very truly yours,

Don Clark

Donald O. Clark
For the Firm
Attorneys for the
National Council on
Public Policy and
William R. White, as
Treasurer

DOC/mc

cc: William R. White, Esquire

9304354149 7

Kaplan Russin & Vecchi
1215 17th Street, N.W.
Washington, D.C. 20036
Telephone (202) 887-0959
Cable: Kaprus Washington
Telex 248413 Kaprus
Telefax: (202) 293-8684

WITH ADDITIONAL OFFICES AT:
333 SILOM ROAD, BANGKOK
PASEO DE LA CASTELLANA 155, MADRID 28046
90 PARK AVENUE, NEW YORK 10016
PLAZA TURISOL, PUERTO PLATA
580 CALIFORNIA STREET, SAN FRANCISCO 94104
EDIFICIO MONTE MIRADO, SANTO DOMINGO
205 TUN HWA N. ROAD, TAIPEI

AFFILIATED OFFICES:
WALTER, CONSTON, ALEXANDER & GREEN, P.C.
90 PARK AVENUE, NEW YORK, NEW YORK 10016
1215 17TH STREET, N.W., WASHINGTON, D.C. 20036
BRIENNER STR. 11/V, 8 MUNCHEN 2 GERMANY

July 30, 1991

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

Re: Mur 3121
National Council on Public Policy and
William R. White, as treasurer

Dear Mr. Buckely:

This is to confirm our telephone conference earlier today, during the course of which we reconfirmed to you that Richard D. Shore of Covington & Burling is working with us on this matter as co-counsel.

Very truly yours,

Don Clark

Donald O. Clark
For the Firm
Attorneys for the
National Council on
Public Policy and
William R. White, as
Treasurer

DOC/mc

cc: William R. White, Esquire
Richard D. Shore, Esquire

9304354149 8

JUL 31 '91 09:49 K.R.V. WASHINGTON DC.

FEDERAL ELECTION COMMISSION
91 JUL 31 PM 4:51

Ronald A. Sova
10316 E. Bella Vista
Scottsdale, AZ 85258

July 24, 1991

Federal Election Commission
Washington, D.C. 20463

Re: MUR 3121

91 AUG -1 PM 3:45

I hereby acknowledge receipt of your March 06,1991 certified inquiry regarding the above referenced. I have enclosed a copy of you envelope that shows that your correspondence was first delivered on July 08, 1991. I was on a two week vacation during this time frame and as such, my 19 year old son signed for and picked up your package on July 09, 1991. It is for the above reasons that I am now responding to your inquiry.

The following is in response to pages five and six , "QUESTIONS AND DOCUMENT REQUESTS" contained within your March 6th. correspondence.

(1) Ronald A. Sova
10316 E. Bella Vista
Scottsdale, Arizona 85258

Castle Meadows Inc. (Subsidiary of Lincoln Savings)
2747 E. Camelback Rd.
Phoenix, Arizona 85016
(602) 955-8833

(2) 1983-1985, Medema Homes, Colorado Springs, CO.
(Division of American Continental Corp.)
General Manager of Colorado Springs home building company.

1984-1985, Lincoln Savings and Loan, Phoenix, AZ.
Vice-President/Loan Officer. Managed joint ventures of residential, industrial and commercial developments located in southern California. Also tried to originate loans in southwestern states.

1985-Present, AMCOR Inventments/Castle Meadows Inc. (Subsidiaries of Lincoln Savings). Project Manager, managed and coordinated aspects of master planned communities mainly in Tucson, Arizona.

9304354149

(3) Employee

(4)

(5a) Made only one political contribution. This was a $500.00 contribution to Riegle for Senate. Said contribution was made by check no.413 dated 02/27/87. I would be happy to send you a copy of this check. however I sent this check to Mr. Juech, Federal Bureau of Investigation, 901 W. Civic Center Dr., Suite 400, Santa Ana, CA. 92703 on 10/16/89. I have enclosed a copy of their Subpoena for records along with a copy of my reply for your review. I kept a copy of what I sent but gave these copies to another government agency, apparently not keeping another copy for my file. If you require copies, perhaps at the F.B.I. could be contacted at (714) 542-8825.

(5b) A written solication dated 02/18/87 was sent to my residence by Mr. Charles Keating Jr. Mr. Keating was solicating political contributions for Senator Riegle of Michigan. Please refer to my reply in question 5a in regards to producing the document.

(5c) A $500.00 contribution was made to "Riegle for Senate" after Keatings 02/18/87 fund raiser letter asking for support for Senator Riegle.

(5d) N/A

(5e) None received

(6) Please refer to repl. within question 5a.

(7) None

(8) N/A

(9) N/A

(10) No one.

2304354150 0

I apologize for not being able to locate copies of the documents requested nor having made additional copies for my file. I hope my replies along with copies of my correspondence sent to the F.B.I. will be sufficient.

If you have any questions regarding this matter please contact me between 8:00am - 5:00pm, Monday - Friday at (602) 955-8833, extension 7109.

Sincerely,

Ronald A. Sova

Enclosures: 07/08/91 Envelope
09/28/89 Subpoena
10/16/89 Response

930435415O1

OCTOBER 16, 1989.

FEDERAL BUREAU OF INVESTIGATION.
901 W. CIVIC CENTER DR.
SUITE 400
SANTA ANA, CA. 92703.

RE: RONALD A. SOVA.
DOCUMENT SUBPOENA.

DEAR MR. JAECH,

PURSUANT TO OUR PHONE CONVERSATION LAST WEEK REGARDING THE ABOVE REFERENCED, PLEASE FIND ATTACHED HEREWITH THE FOLLOWING AS DIRECTED BY AGENT JAMES CORNETT OF YOUR PHOENIX OFFICE:

- CORRESPONDENCE DATED FEB. 18, 1987 FROM CHARLES KEATING, JR.
- DRAFT NO. 418, DATED FEB. 23, 1987 TO RIEGLE FOR SENATE
- CORRESPONDENCE DATED MAR. 23, 1987 FROM DONALD RIEGLE, JR.
- CORRESPONDENCE DATED OCT. 18, 1988 REGARDING ESOP/401K PLAN.

9304354150 2

• AUTHORIZATION TRANSFER FORM FOR ESOP/401K PLAN DATED. OCT. 19, 1988.

PLEASE FEEL FREE TO CONTACT ME IF YOU REQUIRE ADDITIONAL INFORMATION.

SINCERELY,

RONALD A. SOVA.
8075 E. ALAMEDA
SCOTTSDALE, AZ. 85255
(OFF) 602.955.8833 EXT. 732;
(RES) 602.585.4582

9304354150 3

MUR 2107

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL COPY ROOM
91 AUG -7 AM 10:03

LAYMAN, JONES & DYE
LAWYERS
2600 MICHELSON DRIVE
SUITE 1000
IRVINE, CALIFORNIA 92715
TELEPHONE (714) 261-2345
FAX (714) 261-8666

WILBUR D. LAYMAN
STANLEY R. JONES
ROBERT E. DYE
STEVEN H. SUNSHINE
BRUCE H. CHARLES
STEPHEN M. KANE
DAVID W. WIECHERT
GARY J. HIGHLAND
SUSAN R. WIECH
ROBERT B. BEAUCHAMP
DINA M. McKENNA
REN R HAYHURST
EDWARD R. McGAH, JR.

DAVID J. GARIBALDI, III
OF COUNSEL

REFER TO FILE NO.

32027.001

August 5, 1991

91 AUG -7 AM 11:09
RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

VIA TELECOPIER AND FEDERAL EXPRESS

Mr. Tony Buckley, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: Ray and Kathi Fidel
MUR 3121

Dear Mr. Buckley:

We have been informed by Assistant United States Attorney David Sklansky that the FEC has agreed to not require Ray and Kathi Fidel to respond to the interrogatories and the document production requests served on them by the FEC. In lieu of the Fidel's providing responses to the FEC discovery requests, the FEC will interview Mr. Fidel. The parameters and guidelines of this interview shall be determined by the United States Attorney's Office in conjunction with your office.

Based on the above understanding of the status of the negotiations between the FEC and the United States Attorney's Office, Mr. and Mrs. Fidel will not be providing responses to the FEC discovery requests on August 6, 1991. If the above does not properly reflect your understanding of the status of this matter, please contact me immediately.

Please call me with any questions or comments you may have regarding the above.

Sincerely,

Dina M. McKenna

Dina M. McKenna
Of Layman, Jones & Dye

DMM:dmm
676W

9304354150 4

MUR 3121

MORRISON & HECKER
ATTORNEYS AT LAW

1600 Financial Center, 3443 North Central Avenue
Phoenix, Arizona 85012-2204
Telephone 602-279-1600
Telefax 602-240-6925

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MAIL COPY ROOM

91 AUG 13 AM 11:44

91 AUG 13 PM 4:40
RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

August 9, 1991

Ms. Dawn Odrowski
FEDERAL ELECTION COMMISSION
Office of General Counsel
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 3121 - Subpoena of July 1, 1991

Dear Dawn:

On July 1, 1991, I received an Order and Subpoena from the Federal Election Commission addressed to the Custodian of Records for Lincoln Savings and Loan Association, F.A. ("Lincoln"). As you know, Lincoln currently is under the receivership of the Resolution Trust Corporation ("RTC"), and this firm represents the RTC as receiver of Lincoln.

The Subpoena and Order request information as to current addresses for certain individuals, as contained within documents within the custody and control of Lincoln or its attorneys and agents. We have undertaken an examination of records within Lincoln's control and have obtained addresses for the listed individuals as indicated on the attached Exhibit A.

Please note that the Subpoena and Order requested an address for Michael Ligget. We have no records pertaining to anyone named Michael Ligget, but we have provided an address for Michele Ligget.

Please give me a call if I can be of further assistance.

Sincerely,

MORRISON & HECKER

Terri Kimker

Teresa J. Kimker

TJK:meg

cc: Mr. David Beck

TJK0FZ.phx/meg

9304354150 5

EXHIBIT "A"

NAME	DATE	MOST CURRENT ADDRESS
Brenda Elmer	1986	729 West Coolidge, #215 Phoenix, Arizona 85013
Jeffery Erhart	12/17/90	601 West Augusta Phoenix, Az 85021
James Hubbard	2/20/90	4723 East Saguaro Paradise Valley, Az 85253
Randall Hyatt	1991	616 North Stewart Mesa, Az 85201
Sandra Klotz	12/10/84	2552 Kalakaua Avenue Honolulu, Hi 96815
Timothy Kruckeberg	11/13/90	2076 Brookshire Club Drive Cincinnati, Ohio
Michele Liggett	9/15/89	10301 N. 48th Place Paradise Valley, Az 85253
Michael S. Murray	11/28/88	1539 N. Wells Chicago, Il 60610
Everett & Linda Pfeiff	3/29/85	33208 Alta Vista Drive Evergreen, Co 80439
Michael Ripson	1991	7835 East Glenrose Avenue Scottsdale, Az 85251
David Stevens	July, 1991	4420 North Creswell Place Boise, Idaho 83704
James Upchurch	12/10/90	522 21st Street Santa Monica, Ca 90402
Timothy Westfall	1991	5299 East Exeter Blvd. Phoenix, Az
Terrence Wilson	?	10203 East Caron Street Scottsdale, Az 85258

93043541506

TJKOFG.phx/meg

RESPONSE TO FEDERAL ELECTION COMMISSION SUBPOENA
IN MUR 3121

1. Karl Jeffrey Erhart, 601 West Augusta, Phoenix, Arizona 85021, phone:
Current employer: none (self-employed).

2. January, 1983 to March, 1986: Attorney with Beus, Gilbert, Wake & Morrill, 3200 North Central Avenue, Suite 1000, Phoenix, Arizona 85012, phone: 602-274-8229. I acted primarily as a real estate attorney for many different clients; American Continental and its many subsidiaries and affiliates were not clients of mine.

March, 1986 to November, 1990: Attorney (3-86 to 10-89) and head of loan department (10-89 to 11-90) with Lincoln Savings & Loan Association (at some point after the federal takeover in April, 1989, the name changed to Lincoln Savings & Loan Association, F.A.), 2747 East Camelback Road, Phoenix, Arizona 85016, phone: 602-955-8833. While acting as an attorney, I handled various legal matters, but approximately 90% of my practice was in the areas of real estate and water law. When the RTC asked me to run the loan department, it had approximately $2 billion in outstanding loans with approximately 60-70% in default; although we issued a small number of new loans, my primary work was overseeing collection efforts on outstanding loans.

3. I had no relationship with Charles Keating other than as an employee of a corporation controlled by him. I occasionally dealt with him on company business matters and had minimal social contact with him at company social functions.

I was an assistant secretary of ACC, a vice president of Lincoln Savings, and held officer positions in various other corporations controlled by ACC/Lincoln. I cannot remember exactly what my officer titles were for those other corporations. I was an officer of these corporations in order to expedite the closing of real estate transactions and had no official duties as an officer.

9304354150 7

5. I made a $50 contribution to John McCain about a year prior to joining Lincoln in 1986. Although I believe that I have previously supplied a copy of that check to the FBI, I cannot locate it now. I do not recall the circumstances under which I made the contribution, but it was totally unconnected to ACC/Lincoln.

My wife and I made a contribution of $1,100 to the Riegle Senate campaign on March 3, 1987. A copy of the check is attached to this response as well as the bank statements for the months in which the check was issued and deposited. I recall that either Bob Kielty or Jim Grogan, both attorneys for ACC/Lincoln, solicited the contribution, but I cannot now recall which one of them talked to me. The solicitation occurred at the ACC/Lincoln offices a few days prior to the date of the contribution. I was not "directed" to make the contribution and no explicit threat to my employment was voiced by the soliciting party. I do not recall seeing any written materials regarding the Riegle campaign, but it is possible that I did receive something. I did not receive an advance, bonus, payment or other compensation in connection with this or any other federal election campaign contribution.

6. See attached bank statements.

7 and 8. None.

9. I did not save copies of any such materials and therefore cannot provide it.

10. None.

Dated: September 6, 1991

Karl Jeffrey Erhart

STATE OF ARIZONA)
) ss.
County of Maricopa)

On this, the 6th day of September, 1991, before me, the undersigned Notary Public, personally appeared Karl Jeffrey Erhart, known to me to be the person whose name is subscribed to the within instrument and, being first sworn, upon his oath, acknowledged that he executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

My commission expires:
3/19/95

Notary Public

9304354150 8

JEFFREY ERHART
616 E. BROADMOR DRIVE
TEMPE, AZ 85282

3-3 1987 0142

91-263
1221

PAY TO THE ORDER OF Riegle for Senate $ 1100.00

ELEVEN HUNDRED AND 00/100---------- DOLLARS

Home Office
UNITED BANK
OF ARIZONA
3300 N. Central, Phoenix, AZ 85012-2501

MEMO

J M Erhart

FOR DEPOSIT TO THE ACCOUNT OF
01146 71130
ASSOCIATION OF CHAMBERS OF COMMERCE
RED TROY BANK, N.A.

PROCESSED
PAY ANY BANK
VALLEY NATIONAL BANK
PHOENIX, ARIZONA

AR 87 28
PAY ANY BANK P.E.C. 03
NATIONAL BANK OF DETROIT
DETROIT MICHIGAN 03

9 3 0 4 3 5 4 1 5 0 9

OGC 2792

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ORP / ROOM

91 SEP 17 PM 12:05

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 SEP 17 PM 3:26

September 13, 1991

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

Re: MUR 3121

Gentlemen:

Pursuant to your letter dated March 6, 1991, I am enclosing herewith my response to your questions and document requests.

Sincerely,

Timothy C. Westfall

2304354151 0

RESPONSES OF TIMOTHY C. WESTFALL
TO QUESTIONS AND DOCUMENT REQUESTS

1. State your full name, address, phone number and current employer.

Response to #1:

Timothy C. Westfall
5299 E. Exeter Blvd.
Phoenix, Arizona 85018

Current Employer:

Continental Homes, Inc.
7001 N. Scottsdale Road
Suite 2050
Scottsdale, Arizona 85250
602/483-0006

2. List your occupation(s) and employer(s) during the relevant period. Describe your position(s) with each employer.

Response to #2:

Dates	Position
1/1/83 - 4/89	American Continental Corporation Corporate Attorney
4/89 - 2/90	Lincoln Savings & Loan Association Corporate Attorney
2/90 - Present	Continental Homes, Inc. Corporate Attorney

3. Describe your relationship, if any, to Charles Keating, Jr. and American Continental Corporation ("ACC") and all of its subsidiaries and associated companies, including Lincoln Savings and Loan Association ("Lincoln"), during the relevant period.

Response to #3: **As listed above, I was employed by ACC and/or its subsidiaries from January, 1980 through April, 1989. Charles H. Keating, Jr. was Chairman of the Board of ACC. From April, 1989 through February, 1990, I was employed by Lincoln Savings & Loan Association.**

2304354151

4. For each bonus or other compensation in addition to your salary which you received, provide the following information:

a. The amount of such bonus or other compensation;

b. The justification for such bonus or other compensation;

c. Date of receipt of such bonus or other compensation.

Response to #4:

5. Identify each federal political contribution and expenditure you made during the relevant period by date, amount and recipient.

Response to #5:

The following federal political contributions were made by me during the relevant period.

Recipient	Amount	Date
1. John McCain for Senate	$1000	3/17/86
2. John McCain for Senate	1000	3/17/86
3. John Kyl for Congress Committee	750	8/20/86
4. Riegle for Senate	2000	3/6/87
5. Kolbe for Congress	250	1/22/88
6. Bob Stump Election Committee	95	5/12/88

9304354151 2

a. State whether the contribution was made by check or other written instrument. If so, provide a copy (both sides) of the check or other written instrument.

Response to #5 a:

All contributions were made by check. Copies of cancelled checks are enclosed herewith.

b. Describe the circumstances under which each contribution was made. If a contribution was made as the result of a solicitation, describe the circumstances surrounding each solicitation, including the identity of the person(s) who made such solicitation and when and where it occurred. If any such solicitation was written, provide a copy of it.

Response to #5 b:

I believe all contributions were made as the result of requests by others, but I have no recollection of the circumstances surrounding the requests or who made them.

c. State whether any contribution was made at the direction or suggestion of any person, including Charles Keating, Jr. or any person associated with him, ACC, Lincoln or any other company associated with Charles Keating. If so, identify such person and describe the circumstances.

Response to #5 c:

I believe all contributions were made at the request of employees of ACC, but I don't recall which individuals made the requests.

d. State whether any contribution was made in connection with a particular fund raising event. If so, state when and where the event was held and whether or not you attended. Identify who sponsored the event and on whose behalf the event was held. If you did attend the event, identify any persons who also attended. Identify any person(s) who provided you with transportation to and from the event.

9304354151 3

Response to #5 d:

I don't recall any of the contributions being made in connection with a particular fund raising event.

e. State whether you received an advance, bonus, payment or other compensation or reimbursement in connection with any contribution. If so, identify the person or entity who provided the reimbursement or compensation and the date it was provided.

Response to #5 e:

I did not receive any bonus, payment or other compensation or reimbursement in connection with any contribution.

6. In addition to the documents produced in response to Questions 5a and b, produce all documents relating or in any way pertaining to each federal political contribution you identified in Question 5, including check registers, bank statements, correspondence and notes.

Response to #6: I have enclosed herewith copies of my check ledger for all contributions referred to in item 5 above.

7. Identify any federal contribution made by others which you facilitated, arranged, solicited or delivered to any federal candidate or committee during the relevant period.

Response to #7:

None.

8. Provide all documents relating to any federal contributions made by others which you arranged, solicited or delivered to any federal candidate or committee during the relevant period.

Response to #8:

N/A

9. Provide copies of all documents, including correspondence, notes, memos and phone messages relating to any communication with a federal political committee to which you made a contribution during the relevant period.

Response to #9:

None, other than cancelled checks which I've enclosed.

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10. Identify any person other than counsel who provided information, or was consulted or assisted in any way in the preparation of answers to these questions and documents requests.

Response to #10:

Claudia Kolmer, Lincoln Savings & Loan Association, provided me with my payroll records to answer question #4. Two women named Shirley and Neoma at Valley National Bank provided me with copies of cancelled checks for my response to question #5a. I do not know their last names.

I swear the above to be true and accurate to the best of my knowledge.

Date: 9/13/91

Timothy C. Westfall

State of Arizona
County of Maricopa

The foregoing instrument was acknowledged before me this 13th day of September, 1991 by Timothy C. Westfall.

Deborah L. Granado
Notary Public

OFFICIAL SEAL
DEBORAH L. GRANADO
NOTARY PUBLIC - STATE OF ARIZONA
MARICOPA COUNTY
My Comm. Expires Jan. 6, 1995

9304354151 5

TIMOTHY C WESTFALL
4540 E. CALLA VENTURA
PHOENIX, AZ 85018

1818

August 20, 1986

PAY TO THE ORDER OF JOHN KYL FOR CONGRESS---------- $ 750.00

SEVEN HUNDRED FIFTY and 00/100ths---------- DOLLARS

BILTMORE OFFICE (106)
P. O. BOX 2828
PHOENIX, ARIZONA 85062

MEMO

TIMOTHY C WESTFALL
4540 E. CALLA VENTURA
PHOENIX, AZ 85018

1985

5-6 19 87

PAY TO THE ORDER OF Riegle for Senate $ 2000

two thousand dollars

BILTMORE OFFICE
P. O. BOX 2828
PHOENIX, ARIZONA

MEMO

TIMOTHY C WESTFALL
4540 E. CALLA VENTURA
PHOENIX, AZ 85018

1661

3/6 86

Pay to the order of JOHN MCCAIN FOR SENATE $ 1000.00

ONE THOUSAND AND 00/100---------- Dollars

BILTMORE FASHION PARK OFFICE (106)
P. O. BOX 2828
PHOENIX, ARIZONA 85062

Memo PRIMARY ELECTION

23043541517

TIMOTI C. WESTFALL
4540 E[illegible]LLA VENTURA
PHOE[illegible] AZ 85018

2251

1-20 19 99 91-8/1221

PAY TO THE ORDER OF Kolbe for Congress $ 250.00

Two hundred fifty dollars DOLLARS

BILTMORE OFFICE (108)
P. O. BOX 2958
PHOENIX, ARIZONA 85062

MEMO _____ Timothy Westfall

TIMOTHY C. WESTFALL
4540 E. CALLA VENTURA
PHOENIX, AZ 85018

2348

5-12 19 99 91-8/1221

PAY TO THE ORDER OF Bob Stump Elect Committee $ 95.00

ninety-five dollars DOLLARS

BILTMORE OFFICE (108)
P. O. BOX 2958
PHOENIX, ARIZONA 85062

MEMO _____ Timothy Westfall

TIMOTHY C. WESTFALL
4540 CALLE VENTURA
PHOENIX, AZ 85018

1660

3/6 99 91-8/1221

Pay to the order of JOHN MCCAIN FOR SENATE $ 1000.00

ONE THOUSAND AND 00/100 DOLLARS

BILTMORE FASHION PARK OFFICE (108)
P O BOX 2958
PHOENIX, ARIZONA 85062

Memo GENERAL ELECTION

930435415 18

ORDER OF
[illegible] BANK
TUCSON, ARIZONA 6 7 4 5 5
FOR DEPOSIT ONLY
KOLBE FOR CONGRESS
140-3968-2 ANY BANK
INTERWEST BANK
OF ARIZONA
91-101

FEB -3 '89

91-2

FB '89 04

PROCESSED
PAY ANY BANK
VALLEY NATIONAL BANK
PHOENIX, ARIZONA

0076909948 0 [illegible]
INTERWEST BANK

FOR DEPOSIT ONLY
BOB STUMP ELECTION COMMITTEE
ACCT. # 54-5473

91-2

PROCESSED
PAY ANY BANK
VALLEY NATIONAL BANK
PHOENIX, ARIZONA

E49

PROCESSED
PAY ANY BANK
VALLEY NATIONAL BANK
PHOENIX, ARIZONA

AY TO THE ORDER OF
INTERSTATE BANK OF ARIZONA
FOR DEPOSIT ONLY
IN McCAIN [illegible]
0015-1340[illegible]

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MUR 3302

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL LOG / ROOM

91 OCT 31 AM 9:44

9611 Todd Avenue
Cincinnati, OH 45242

October 30, 1991

MUR3121

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 OCT 31 AM 10:41

VIA FEDERAL EXPRESS

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

ATTN: Tony Buckley, Esq.

RE: Order to Submit Written Answers and Subpoena to Produce Documents served upon James R. Hubbard, Esq. on October 16, 1991

Dear Sirs:

Enclosed please find my response to your Subpoena to Produce Documents and Order to Submit Written Answers, dated March 6, 1991.

As the certified mail receipt signed by my wife, Amy S. Hubbard, will attest, I received the Subpoena and Order on October 16, 1991. As a result, the response is due within fifteen (15) days therefrom or by October 31, 1991. I assume the discrepancy in the date the Subpoena was executed and the date of delivery is based upon delays encountered in processing the subpoena. But I wanted to clarify that I only received it on October 16 and that this response is timely filed.

I have answered each of the questions completely to the best of my knowledge, information, belief and abilities, but if there is any further information required by the Commission, please let me know.

Very truly yours,

James R. Hubbard

JRH/he

2304354154520

BEFORE THE FEDERAL ELECTION COMMISSION

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

In response to the Subpoena to Produce Documents and Order to Submit Written Answers issued by the Federal Election Commission on March 6, 1991 and served upon James R. Hubbard, Esq. by certified mail received on October 16, 1991, I hereby state and affirm under oath and in response to each of the questions and requests for production contained in the aforementioned Subpoena and Order as follows:

1. State your full name, address, phone number and current employer:

Name: James Robert Hubbard
Address: 9611 Todd Avenue
Cincinnati, Ohio 45242

Telephone:

Employer: Frost & Jacobs
2500 Central Trust Center
201 East Fifth Street
Cincinnati, Ohio 45202
513/651-6800

2. List your occupation(s) and employer(s) during the relevant period. Describe your position(s) with each employer.

September, 1988 to present	**FROST & JACOBS**, Cincinnati, Ohio (171 attorneys). Associate - Corporate Department/Commercial Law Subgroup. Represent corporate clients and financial institutions in commercial transactions. Primarily engaged in negotiation and preparation of commercial and real estate loan documents for financial institutions. In addition, hold responsibilities in certain bankruptcy proceedings.
June, 1987 to September, 1988	**KAYE, SCHOLER, FIERMAN, HAYS & HANDLER**, New York, New York (360 attorneys). Associate - Corporate and Finance Department. Represented New York financial institutions in commercial loan transactions. Additional experience in mergers and acquisitions and certain bankruptcy proceedings.

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April, 1985 to June, 1987	**AMERICAN CONTINENTAL CORPORATION**, Phoenix, Arizona. Youngest and most junior attorney in a 14-person corporate legal staff. Represented the Company in the following areas: Responsible for the negotiation, and documentation of loans of the company's savings and loan subsidiary, Lincoln Savings and Loan Association. Responsible for legal advice, negotiation and documentation relating to the acquisition, development, financing and sale of the Company's residential, commercial and industrial real estate holding subsidiaries.
February, 1984 to April, 1985	**MEDEMA HOMES, INC.**, Denver, Colorado, (a division of American Continental Corporation.) Junior attorney on a two attorney legal staff. Responsible for legal matters relating to the division which constructed and sold homes, operated homebuilding subdivisions and developed and sold real estate, including a master planned community in Denver.
August, 1983 to February, 1984	**ATTORNEY GENERAL'S OFFICE FOR THE STATE OF COLORADO**, Denver, Colorado. Assistant Attorney General. Represented the Department of Labor, the Civil Rights Commission and the Public Employees' Retirement Association for the State of Colorado in legal matters, administrative hearings and appellate litigation before the Supreme Court and the Court of Appeals of the State of Colorado.
January, 1983 to June, 1984	Attended University of Cincinnati College of Law.

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3. Describe your relationship, if any, to Charles Keating, Jr. and American Continental Corporation ("ACC") and all of its subsidiaries and associates companies, including Lincoln savings & Loan Association ("Lincoln") during the relevant period (i.e. January 1, 1983 to present).

Charles H. Keating, Jr. was President and Chairman of the Board of American Continental Corporation, the ultimate parent company of Lincoln savings and Loan Association, when I was hired by American Continental Corporation in February, 1984 to work in the legal department of the company's Denver, Colorado homebuilding division, Medema Homes, Inc.

In April, 1985, I was transferred to the American Continental Corporation headquarters in Phoenix, Arizona to work as the

youngest and most junior member of a 14-attorney legal department. I primarily represented American Continental Corporation, Lincoln Savings and Loan Association and Amcor Investments Corporation (a subsidiary of Lincoln) documenting real estate and loan transactions under the supervision of senior attorneys in the department.

My salary was paid by American Continental Corporation until approximately July of 1985. Thereafter, it was paid by Lincoln Savings and Loan Association. I commenced working at a salary of $30,000.00 and departed at a salary of $75,000.00 per year. For a majority of the relevant period I possessed no corporate titles except Assistant Secretary to certain corporate entities. Some time in 1986, all corporate attorneys were named Vice Presidents of Lincoln Savings and Loan Association.

In June of 1987, I left the employment of Lincoln Savings and Loan Association and American Continental Corporation to accept a position with the New York law firm of Kaye, Scholer, Fierman, Hays & Handler. Such position was taken at the direction and request of, and with the consent of American Continental Corporation which was represented by Kaye, Scholer. It was agreed that after a period of time during which I would receive training in commercial finance, I would make every effort to return to work for American Continental Corporation. In conjunction with this understanding, I retained ownership of my residence in Phoenix and American Continental Corporation paid for my lodging in New York. While at Kaye, Scholer, I did not work on any matters pertaining to American Continental or Lincoln Savings or any of their subsidiaries.

In August of 1988, the opportunity to return to American Continental Corporation did not appear to be a viable option and with the approval of American Continental Corporation I left the employ of Kaye, Scholer to accept a position with the Cincinnati, Ohio law firm of Frost & Jacobs. Subsequent to that date, all professional ties or ties of any kind to American Continental Corporation and its subsidiaries and Mr. Keating terminated except that I continue to be indirectly related to Mr. Keating because my eldest brother, Robert J. Hubbard, Jr., has been married to Mr. Keating's oldest child, Kathleen, since 1973.

2304354152 3

23043541524

5. Identify each federal political contribution and expenditure you made during the relevant period by date, amount and recipient. For each contribution:

a. State whether the contribution was made by check or other written instrument. If so, provide a copy (both sides) of the check or other written instrument.

During the relevant period, my records indicate and to the best of my recollection, that I made only one federal political contribution or expenditure.

I made a $500.00 contribution to the campaign to re-elect Donald Riegle to the Senate. The contribution was made in the form of a personal check, dated March 5, 1987, drawn on the account of James R. Hubbard (or) Amy S. Hubbard (my wife) at the United Bank of Arizona and was made payable to "Riegle for Senate." A copy of the check is attached. The United Bank statement showing the debit upon my account is also attached.

b. Describe the circumstances under which each contribution was made. If a contribution was made as the result of a solicitation, describe the circumstances surrounding each solicitation, including the identity of the person(s) who made such solicitation and when and where it occurred.

If any such solicitation was written, provide a copy of it.

On March 5, 1987, Robert J. Kielty, Esq., Senior Vice President and General Counsel of American Continental Corporation (my ultimate supervisor in the legal department) personally came to my office on the first floor of 2735 East Camelback Road, Phoenix, Arizona 85016 from his office on the floor above. During the conversation, Mr. Kielty stated that he and Mr. Charles H. Keating, Jr. were raising money for the campaign to re-elect Senator Donald Riegle of Michigan. He asked if I was interested in contributing and, if so, how much I would be interested in contributing to the campaign for the Senator's re-election. I responded that I would be interested and I suggested the figure of $500.00. That was the extent of the entire conversation. No other subjects were discussed at this meeting. No other parties were present. After talking it over with my wife by telephone, I delivered a check in that amount to Mr. Kielty in his office that day.

I was never coerced into making the contribution. The decision to make the contribution was completely voluntary and the amount was at my own suggestion. Neither American Continental Corporation nor Lincoln Savings and Loan Association nor any of their officers, directors, shareholders or subsidiaries reimbursed me for the contribution before or after the time it was made. Newspaper reports state that Senator Riegle returned such contributions after several articles appeared in newspapers concerning his relationship with Mr. Keating, but I have never received reimbursement of the contribution from Mr. Riegle or his staff in whole or in part.

c. State whether any contribution was made at the direction or suggestion of any person, including Charles Keating, Jr., or any person associated with him, ACC, Lincoln or any other company associated with Charles Keating. If so, identify such person and describe the circumstances.

On March 5, 1987, Mr. Robert J. Kielty, Senior Vice President and General Counsel of American Continental Corporation and my ultimate supervisor in the Legal Department, personally asked me if I would be interested in contributing to the campaign of Donald Riegle for re-election to the Senate and, if so, how much would I be interested in contributing. I responded that I would be willing to contribute and that I was willing to contribute $500.00. I delivered a check in that amount to Mr. Kielty that day. I have no personal knowledge of any other person being involved in the solicitation or whether Mr. Kielty was acting on his own or in conjunction or on behalf of other parties in the organization except that Mr. Kielty mentioned that he was working with Mr. Keating to raise such funds.

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It is my understanding that Mr. Kielty made the same solicitation to most or all of the other attorneys in the American Continental Corporation Legal Department.

d. State whether any contribution was made in connection with a particular fundraising event. If so, state when and where the event was held and whether or not you attended. Identify who sponsored the event and on whose behalf the event was held. If you did attend the event, identify any persons who also attended. Identify any person(s) who provided you with transportation to and from the event.

It is my understanding that Mr. Kielty was raising funds for a particular fundraising event in Detroit, Michigan for Senator Riegle. I am aware that he solicited contributions from other members of the Legal Department but I am not aware whether he delivered such contributions to the Senator or his staff prior to the event, at the event or some time subsequent thereto. I have no knowledge as to who attended such event or whether anyone in fact attended. I was not invited, nor did I attend any such event.

My understanding that such event occurred is based upon my recollection that the fundraising event was to be held at the Pontchartrain Hotel in Detroit which was acquired, renovated and syndicated by a subsidiary of Lincoln Savings and Loan Association, the Crescent Hotel Group. I learned this from discussions with other lawyers in the Legal Department who had also contributed to the campaign. However, I have no specific personal knowledge concerning the event or its participants.

e. State whether you received an advance, bonus, payment or other compensation or reimbursement in connection with any contribution. If so, identify the person or entity who provided the reimbursement or compensation and the date it was provided.

I did not receive any advance, bonus, payment or compensation or reimbursement of any kind in connection with my contribution to Senator Riegle or any other contribution I may have made to any political candidate or organization from any party, including American Continental Corporation, Lincoln Savings and Loan Association or any of their officers, directors or shareholders. The contribution made on March 5, 1991 was in the form of a personal check drawn on my personal account and no funds were ever received by the undersigned to reimburse me for the contribution, including, but not limited to, any return of funds from Senator Riegle.

6. In addition to the documents produced in response to Questions 5a and b, produce all documents relating or in any way pertaining to each federal political contribution you identified in

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Question 5, including check registers, bank statements, correspondence and notes.

Bank statements from United Bank of Arizona (1/27/87 to 20/27/87), Valley National Bank (2/4/86 to 12/4/87) and Southwest Savings (1/26/86 to 8/15/87) representing the checking accounts owned by my spouse and I during the periods referred to above are attached to show the total of our checking account banking activity during such period.

Also attached are annual W-2 forms for James R. Hubbard from all of my employers during the relevant period.

7. Identify any federal contribution made by others which you facilitated, arranged, solicited or delivered to any federal candidate or committee during the relevant period.

I did not facilitate, arrange, solicit or deliver any contributions of any kind made by others to any federal candidate or committee during the relevant period or at any time prior thereto.

8. Provide copies of all documents, including correspondence, notes, memos and phone messages relating to any communication with a federal political committee to which you made a contribution during the relevant period.

I have never had, nor did I during the relevant period have, any communication of any kind with any federal political committee or candidate to which I made a contribution, including, but not limited to, Senator Donald Riegle and his staff.

9. Provide all documents relating to any federal contributions made by others which you arranged, solicited or delivered to any federal candidate or committee during the relevant period.

Because I did not arrange, solicit or deliver any contributions to or for any federal candidate or committee during the relevant period, no such documents exist and none are therefore attached pertaining thereto.

10. Identify any person other than counsel who provided information, or was consulted or assisted in any way in the preparation of answers to these questions and document requests.

I contacted Citibank, Arizona (formerly known as United Bank of Arizona) to obtain a copy of Check No. 134 drawn on my personal checking account and made payable to "Riegle for Senate" because at that time my checks were being held by United Bank of Arizona under a "check safekeeping" relationship and were not returned to me for my files. A copy is attached.

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The undersigned under oath swears that the foregoing is true to the best of his knowledge, information and belief this 30th day of October, 1991.

James R. Hubbard

Sworn to before me, a Notary Public in and for the aforesaid county and state and subscribed in my presence on the 30th day of October, 1991.

Notary Public

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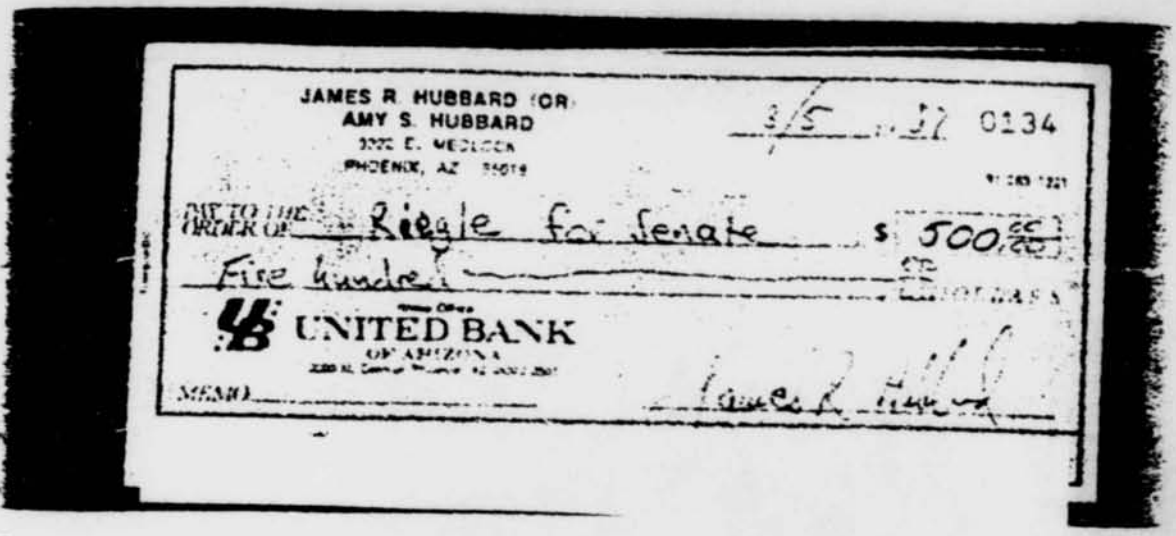
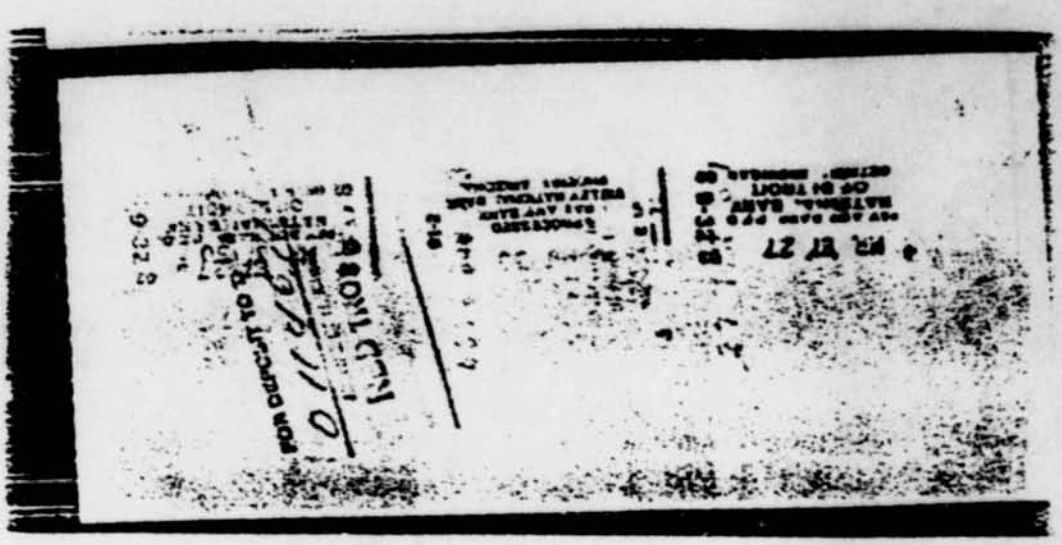


JAMES R. HUBBARD (OR)
AMY S. HUBBARD
3222 E. MEDLOCK
PHOENIX, AZ 85018

3/5 ... 37 0134

PAY TO THE ORDER OF Riegle for Senate $ 500.00

Five hundred ... DOLLARS



UNITED BANK
OF ARIZONA

MEMO

James R. Hubbard

FOR DEPOSIT TO ...

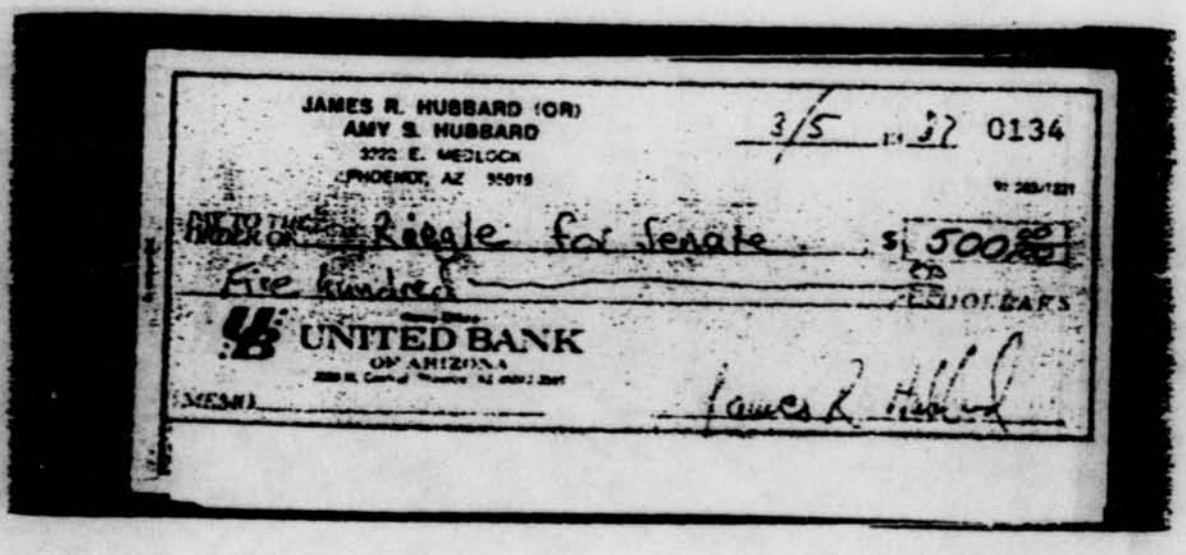
RECEIVED

9 32 ...

MR. ... 27

9 3 0 4 3 5 4 1 5 2 9

23043541530



JAMES R. HUBBARD (OR)
AMY S. HUBBARD
3720 E. MEDLOCK
PHOENIX, AZ 85018

3/5 19 87 0134

PAY TO THE ORDER OF Riegle for Senate $ 500.00

Five hundred 00/100 DOLLARS

UNITED BANK OF ARIZONA

MEMO

James R. Hubbard

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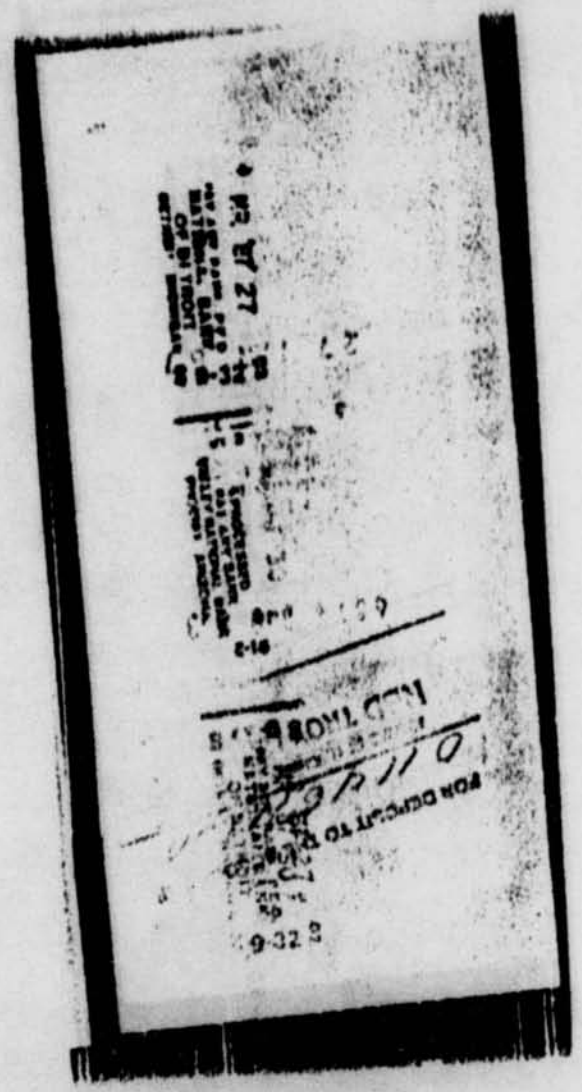

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RECEIVED
FEDERAL ELECTION COMMISSION
MAIL COPY ROOM

91 NOV -4 AM 11:44

MUR 3121

2321 Heatherwood Drive
West Des Moines, IA 50265
October 30, 1991

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

Dear Federal Election Commission:

Enclosed please find my responses to the Order to Submit Written Answers and Subpoena to Produce Documents.

As these documents demonstrate, I have not violated any federal election law. Accordingly, no action should be taken against me.

Sincerely,

Michael D. Ripson

Michael D. Ripson

Enclosures

cc: Mel McDonald
Jones, Skelton, & Hochuli

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 NOV -5 AM 10:54

2304354153 2

ANSWERS TO QUESTIONS AND
REQUEST FOR PRODUCTION OF DOCUMENTS

1. Name: Michael D. Ripson

Address: 2321 Heatherwood Drive
West Des Moines, Iowa 50265

Telephone:

Employer: The Principal Financial Group
Des Moines, Iowa

2. May, 1984: Graduated from Drake University in Des Moines, Iowa.

Summer, 1984: Worked in the tennis pro shop at Hyperion Country Club in Des Moines, Iowa.

Fall, 1984: Attended classes part-time at Drake University in Des Moines, Iowa.

Spring, 1985: Worked part-time as an assistant to the Director of University Planning of Drake University in Des Moines, Iowa.

September, 1985 to April, 1989: Worked for Lincoln Savings and Loan ("Lincoln") in Phoenix, Arizona in the following capacities:

a) September, 1985: Began working for Lincoln as a management trainee in the real estate division;

b) Approximately January/February, 1987: Began working on troubled loans and foreclosed real estate in Lincoln's Special Assets Division as an Assistant Vice President of Lincoln; and

c) Approximately March/April, 1988: Began working in the real estate division as Vice President of American Continental Real Estate Division (American Continental Real Estate Division was a dba and not a legal entity). I worked primarily on a telecommunications network for the division's largest master-planned community.

April, 1989 to March, 1990: Began Working for American Continental Corporation ("ACC"). I had no formal title. My primary responsibility was oversight management/marketing of three apartment complexes.

April, 1990 to February, 1991: Unemployed.

February, 1991 to Present: I am working for The Principal Financial Group in Des Moines, Iowa. I work in the Commercial Real Estate Equities Asset Management division; my title is Regional Equity Administrator.

2304354153 3

3. September, 1985 to April, 1989: Worked for Lincoln Savings and Loan ("Lincoln") in Phoenix, Arizona in the following capacities:

a) September, 1985: Began working for Lincoln as a management trainee in the real estate division;

b) Approximately January/February, 1987: Began working on troubled loans and foreclosed real estate in Lincoln's Special Assets Division as an Assistant Vice President of Lincoln; and

c) Approximately March/April, 1988: Began working in the real estate division as Vice President of American Continental Real Estate Division (American Continental Real Estate Division was a dba and not a legal entity). I worked primarily on a telecommunications network for the division's largest master-planned community.

April, 1989 to March, 1990: Began Working for ACC. I had no formal title. My primary responsibility was oversight management/marketing of three apartment complexes.

From September, 1985 to March, 1990, I considered myself an employee of Mr. Keating and the entities idicated above.

2304354153 4

5. My wife, Melody A. Ripson, and I made one political contribution during the relevant period. The contribution was on February 25, 1987 in the amount of $500.00 to the Riegle for Senate committee.

a) The contribution was made by check. A copy of each side is enclosed;

b) I believe the contribution was made in response to a memo I received while working for Lincoln. I believe that the memo requested a contribution to the Riegle for Senate committee. I did not keep the memo, so I am not able to provide a copy of the memo. I do not remember who authored the memo;

c) I do not recall who authored the memo requesting the contribution;

d) I do not recall if the contribution was made in connection with a fundraising event. I am certain that I did not attend a fundraising event for Senator Riegle; and

e) I did not receive an advance, bonus, payment or any other type of compensation or reimbursement in connection with the contribution.

6. In addition to the copy of the check mentioned in the response to question 5(a), I have enclosed a copy of a bank statement indicating that the check cleared on or about March 17, 1987. I have been unable to locate the check register for the period, so these are the only documents I have relating to the contribution.

7. I did not facilitate, arrange, solicit, or deliver any federal contribution made by others to any federal candidate or committee.

8. I did not facilitate, arrange, solicit, or deliver any federal contribution made by others to any federal candidate or committee. Therefore, I have no documents responsive to this request.

9. I do not have any documents, correspondence, notes, memos, or phone messages relating to any communication with a federal political committee. I probably received a thank you from the Riegle for Senate committee when the contribution was made, and also probably received a letter when it was returned. However, I did not keep these documents.

2304354153535

10. I did not consult with anyone other than legal counsel in the preparation of these answers.

Michael D. Ripson 10/31/91
Michael D. Ripson (Date)

Subscribed to and sworn before me this 31 day of October, 1991.

Roger J. Hudson
Notary Public

ROGER J. HUDSON
MY COMMISSION EXPIRES
September 22, 1992

23043541536

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: Mel McDonald

ADDRESS: Jones, Skelton & Hochuli
2901 N. Central Ave, Suite 800
Phoenix, AZ 85012

TELEPHONE: 602/263-1747

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.

10/30/91
Date

Michael D. Ripson
Signature

RESPONDENT'S NAME: Michael D. Ripson

ADDRESS: 2321 Heatherwood Dr.
West Des Moines, IA 50265

HOME PHONE:

BUSINESS PHONE: 515/246-7382

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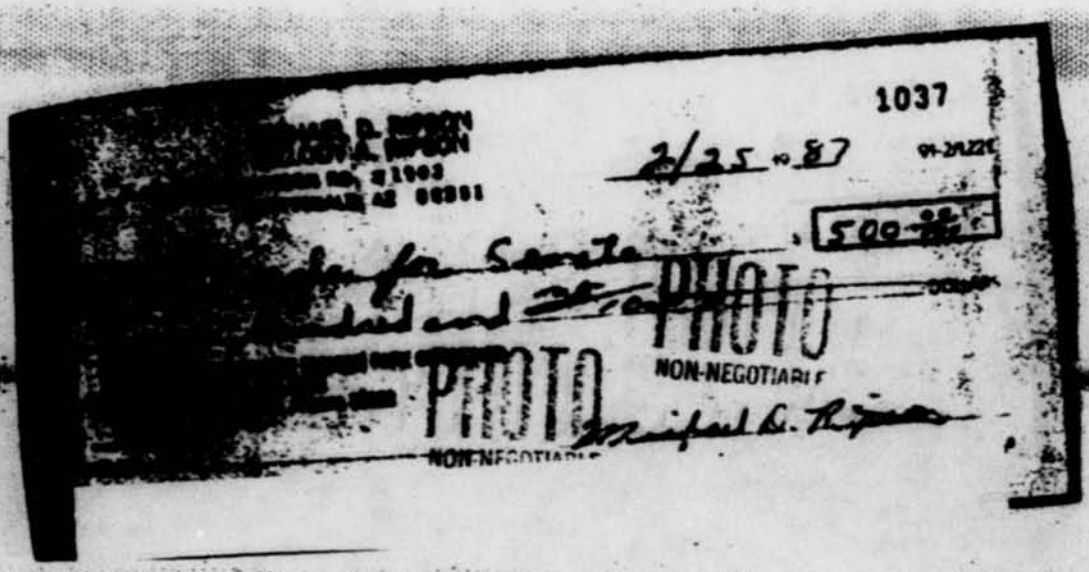

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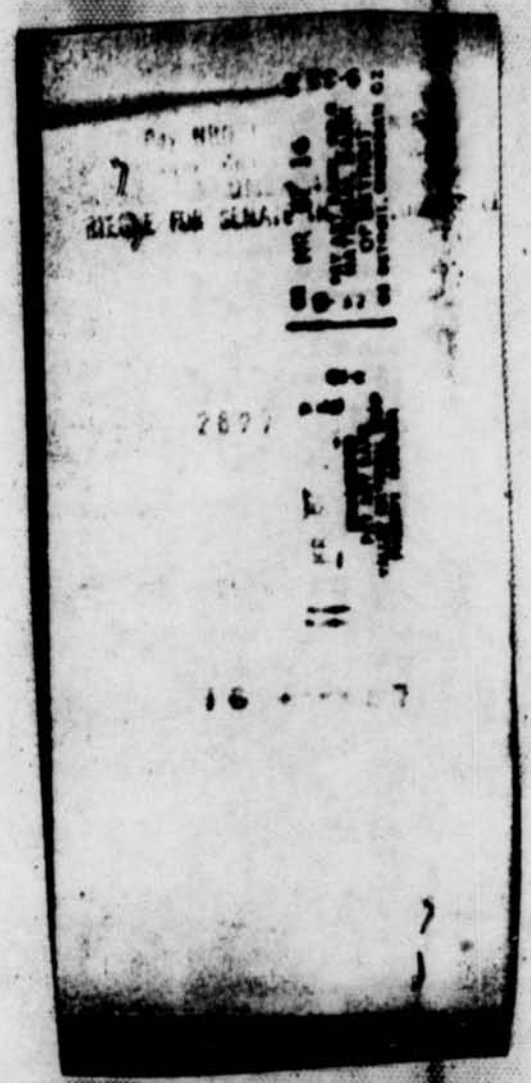

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 27, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Helen Niebling
6000 E. Berneil Lane
Paradise Valley, AZ 85253

RE: MUR 3121
Helen Niebling

Dear Ms. Niebling:

On March 7, 1991, you were notified that the Federal Election Commission, on February 12, 1991, found reason to believe that you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended (the "Act"). Enclosed are copies of the materials that were sent to you at that time. Under the Act and Commission regulations, you have an opportunity to demonstrate that no action should be taken against you.

A review of our files indicates that to date you have not responded to the Commission's finding and Subpoena and Order. Because the time period in which those responses should have been submitted has already elapsed, you should submit such responses as soon as possible. In addition, in a letter dated May 18, 1991, you designated Charles R. Hartmann, III and the law firm of Rogers & Wells to represent you in this matter; however, you failed to provide an address for counsel and this Office has been unable to locate one.

Should you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

Lawrence M. Noble
General Counsel

By: Anne Weissenborn
Acting Assistant General Counsel

Enclosures
Letter (dated March 7, 1991)
with enclosures

2304354154O

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 27, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Andre Niebling
6000 E. Berneil Lane
Paradise Valley, AZ 85253

RE: MUR 3121
Andre Niebling

Dear Mr. Niebling:

On March 7, 1991, you were notified that the Federal Election Commission, on February 12, 1991, found reason to believe that you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended (the "Act"). Enclosed are copies of the materials that were sent to you at that time. Under the Act and Commission regulations, you have an opportunity to demonstrate that no action should be taken against you.

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Should you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

Lawrence M. Noble
General Counsel

Anne Weissenborn

By: Anne Weissenborn
Acting Assistant General Counsel

Enclosures
Letter (dated March 7, 1991)
with enclosures

2304354154 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 27, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Michael Murray
17002 South 32nd
Phoenix, AZ 85044

RE: MUR 3121
Michael Murray

Dear Mr. Murray:

On March 6, 1991, you were notified that the Federal Election Commission, on February 12, 1991, found reason to believe that you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended (the "Act"). Enclosed are copies of the materials that were sent to you at that time. Under the Act and Commission regulations, you have an opportunity to demonstrate that no action should be taken against you.

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Should you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

Lawrence M. Noble
General Counsel

By: Anne Weissenborn
Acting Assistant General Counsel

Enclosures
Letter (dated March 6, 1991)
with enclosures

2304354154 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 27, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Jean Brunst
9151 E. Cortez
Scottsdale, AZ 85260

RE: MUR 3121
Jean Brunst

Dear Ms. Brunst:

On March 7, 1991, you were notified that the Federal Election Commission, on February 12, 1991, found reason to believe that you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended (the "Act"). Enclosed are copies of the materials that were sent to you at that time. Under the Act and Commission regulations, you have an opportunity to demonstrate that no action should be taken against you.

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Should you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

Lawrence M. Noble
General Counsel

Anne P. Weissenborn

By: Anne Weissenborn
Acting Assistant General Counsel

Enclosures
Letter (dated March 7, 1991)
with enclosures

2304354154 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 27, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

David Stevens
4420 North Creswell Place
Boise, ID 83704

RE: MUR 3121
David Stevens

Dear Mr. Stevens:

On March 6, 1991, you were notified that the Federal Election Commission, on February 12, 1991, found reason to believe that you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended (the "Act"). Enclosed are copies of the materials that were sent to you at that time. Under the Act and Commission regulations, you have an opportunity to demonstrate that no action should be taken against you.

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Should you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

Lawrence M. Noble
General Counsel

By: Anne Weissenborn
Acting Assistant General Counsel

Enclosures
Letter (dated March 6, 1991)
with enclosures

2304354154 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 27, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Andrew Ligget
8405 E. Via De Sereno
Scottsdale, AZ 85258

RE: MUR 3121
Andrew Ligget

Dear Mr. Ligget:

On March 6, 1991, you were notified that the Federal Election Commission, on February 12, 1991, found reason to believe that you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended (the "Act"). Enclosed are copies of the materials that were sent to you at that time. Under the Act and Commission regulations, you have an opportunity to demonstrate that no action should be taken against you.

A review of our files indicates that to date you have not responded to the Commission's finding and Subpoena and Order. Because the time period in which those responses should have been submitted has already elapsed, you should submit such responses as soon as possible.

Should you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

Lawrence M. Noble
General Counsel

By: Anne Weissenborn
Acting Assistant General Counsel

Enclosures
Letter (dated March 6, 1991)
with enclosures

2304354154545

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 27, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. John Brunst
9151 E. Cortez
Scottsdale, AZ 85260

RE: MUR 3121
John Brunst

Dear Mr. Brunst:

On March 7, 1991, you were notified that the Federal Election Commission, on February 12, 1991, found reason to believe that you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended (the "Act"). Enclosed are copies of the materials that were sent to you at that time. Under the Act and Commission regulations, you have an opportunity to demonstrate that no action should be taken against you.

A review of our files indicates that to date you have not responded to the Commission's finding and Subpoena and Order. Because the time period in which those responses should have been submitted has already elapsed, you should submit such responses as soon as possible.

Should you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

Lawrence M. Noble
General Counsel

Anne Weissenborn

By: Anne Weissenborn
Acting Assistant General Counsel

Enclosures
Letter (dated March 7, 1991)
with enclosures

2304354154546

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RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 DEC -9 PM 12:08

Rogers & Wells
Fifteenth Floor
201 North Figueroa Street
Los Angeles, California 90012-2638

TELEPHONE (213) 580-1000
TELECOPIER (213) 580-1234
(213) 580-1070
TELEX 194758 RWLSA

200 PARK AVENUE
NEW YORK, N.Y. 10166
TELEPHONE (212) 878-8000
TELECOPIER (212) 878-8160
(212) 878-8375
TELEX 234493 RKWUR

1737 H STREET, N.W.
WASHINGTON, D.C. 20006
TELEPHONE (202) 331-7760
TELECOPIER (202) 331-0463
TELEX 248439 WASHUR

47, AVENUE HOCHE
75008-PARIS, FRANCE
TELEPHONE 47-63-11-00
TELECOPIER 33-1-4267-5081
TELEX 290617 EURLAW

58 COLEMAN STREET
LONDON EC2R 5BE, ENGLAND
TELEPHONE 01.628.0101
TELECOPIER 441-638-2008
TELEX 884964 USLAW

December 4, 1991

84418/9

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 DEC -9 AM 3:11

Mary Ann Bumgarner, Esq.
Office of General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 3121 Andre A. Niebling

Dear Ms. Bumgarner:

This letter responds to your letter of November 27, 1991 to Mr. Niebling. As we discussed in our telephone conversation today, on behalf of Mr. and Mrs. Niebling, I met in Washington, D.C. during May of 1991 with Tony Buckley, Robert W. Bonham and others with the Commission to respond to the Subpoena directed by the Commission to the Nieblings. At that time I explained that Mr. Niebling was presently unable to provide testimony in any form to the Commission based on counsel's advice that he assert his Fifth Amendment rights guaranteed by the United States Constitution in light of an ongoing Federal Grand Jury investigation. Until such time as Mr. Niebling' status with respect to the grand jury is clarified, he will continue to assert such rights. To date, the Federal Grand Jury has not returned an indictment that clarifies Mr. Nieblings' role.

Also during that meeting, I produced for inspection by the Commission documents that Mr. Niebling had produced to Robert S. Bennett as Special Counsel to the United States Senate Select Committee on Ethics on March 27, 1990. These documents were also responsive to the Commission's Subpoena.

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Please feel free to contact me should you require further information.

Sincerely,

Charles R. Hartman

CRH:lc
cc: Ronald A. Spears, Esq.
Andre A. Niebling

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MUR 3121

December 6, 1991

CONFIDENTIAL

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 DEC 10 PM 2:56

John Warren McGarry
Federal Election Commission
Washington D.C. 20463

Dear Mr. McGarry:

You have asked that I respond to your preliminary conclusion regarding a contribution or contributions made by myself to federally elected officials.

To my knowledge, I made one contribution of $500.00 to Senator Riegle. Mr. Riegle later returned my contribution as well as those of many others.

My contribution was made out of my personal funds. I was never directly, or to my knowledge indirectly, reimbursed by American Continental or any of its affiliates for this contribution.

I was never ordered to make the contribution or threatened in any manner regarding it. I did not believe my continued employment was conditioned upon my making this contribution.

I did understand that American Continental believed that certain of Senator Riegel's policies were consistent with those of American Continental.

To my knowledge, I have no documents, check copies, or other information in my possession which is applicable to this issue.

Sincerely,

Tim P. Kruckeberg

2304354154549

MUR 3805

LAW OFFICES
ORNDORFF PETERSON HAWLEY WIGHT & GILMAN
SUITE 230
1087 WEST RIVER STREET
BOISE, IDAHO 83702
TELEPHONE
(208) 343-8880
TELECOPIER (208) 345-0314

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 DEC 16 AM 10:56

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 DEC 16 PM 4:01

23043541550

December 12, 1991

Mary Ann Bumgarner
Federal Election Commission
Washington, D.C. 20463

Re: MUR 3121, David Stevens

Dear Ms. Bumgarner:

Enclosed please find a Statement of Designation of Counsel designating this firm as counsel for Mr. Stevens in this matter. Please refer all questions or correspondence in this matter to me.

Mr. Stevens has requested that I respond to your letter of November 27, 1991, and explain that he never received the letter of March 6, 1991. You will note the discrepancy in the addresses between the March 6 letter and the letter of November 27. Mr. Stevens lived at the 3813 East Acoma Drive address for six months several years ago and has been at the Boise address for over a year now.

In response to the subpoena included with the March 6 letter, Mr. Stevens invokes his Fifth Amendment right against self incrimination and declines to respond. This exercise is on the advice of counsel.

I will be glad to answer any questions concerning Mr. Stevens' exercise of the Fifth Amendment rights to the extent I am able.

Very truly yours,

Mark E. Wight

MEW/dd
enclosure

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3121

NAME OF COUNSEL: Mark E. Wight

ADDRESS: Orndorff Peterson Hawley Wight & Gilman
1087 West River Street, Suite 230
Boise, Idaho 83702

TELEPHONE: (208) 343-8880

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.

12/4/91
Date

Signature

RESPONDENT'S NAME: David E Stevens

ADDRESS: 4420 N. Creswell Pl
Boise Id 83704

HOME PHONE:

BUSINESS PHONE: 208-368-4650

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RECEIVED
F.E.C.
SECRETARIAT
91 DEC 17 PM 5:02

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

December 17, 1991

MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel

SUBJECT: MUR 3121

As part of this Office's investigation of Charles H. Keating, Jr. and the American Continental Corporation with respect to possible corporate contributions to various political committees associated with members of the United States Congress, this Office recommends that the Commission approve the attached letter to the United States Senate Select Committee on Ethics requesting access to all relevant campaign related documents within the possession of the Committee.

RECOMMENDATION

Approve the attached letter.

2304355415552

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 3121
Charles H. Keating, Jr. and the American Continental Corporation	)	

CORRECTED CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 20, 1991, the Commission decided by a vote of 4-0 to approve the letter to the United States Senate Select Committee on Ethics requesting access to all relevant campaign related documents within the possession of the United States Senate Select Committee on Ethics as recommended in the General Counsel's December 17, 1991 Memorandum with respect to MUR 3121.

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

Attest:

1-2-92
Date

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

2304354155 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 6, 1992

The Honorable Terry Sanford, Chairman
Select Committee on Ethics
United States Senate
Hart Senate Office Building, Room 220
Second and Constitution Avenue, NE
Washington, D.C. 20510-6425

RE: MUR 3121

Dear Chairman Sanford:

As part of its investigation of Charles H. Keating, Jr. and the American Continental Corporation with respect to possible corporate contributions to various political committees associated with members of the United States Congress, the Federal Election Commission requests access to all relevant campaign related documents within the possession of the Select Committee on Ethics.

The attorney in the Office of the General Counsel assigned to this matter is Mary Ann Bumgarner, who can be reached at (202) 219-3690.

Thank you for your cooperation.

Sincerely,

Joan D. Aikens

Joan D. Aikens
Chairman

2304354154

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

92 JAN -8 PM 3:28

CAROL L. NIEHAUS

1 January 1992

re: MUR 3121

Dear Mr. Bumgarner,

I am writing to confirm our telephone conversation of December 19 1991. On approximately December 15, 1991, I received a letter and packet from you regarding my alleged violation of the Federal Election Campaign Act of 1971. The records show a $1,000 contribution to the "Hecht re-election committee".

As I stated to you during our conversation, until I received your letter I had no knowledge of this contribution and not even a clue as to who "Hecht" is. I can only speculate that the contribution was made in my name by my former husband, Mark Sauter.

In 1988, we were still married

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and living in Scottsdale, Arizona. He was employed as an attorney for American Continental Corporation. I was a stay-at-home mother and was not then, and have never been, employed by American Continental or any of its subsidiaries. He has never mentioned this contribution to me and I have no idea why he made it in my name.

I am currently a single mother and full-time student at Xavier University here in Cincinnati. Retaining an attorney would be prohibitively expensive for me and I am therefore hoping that it will not be necessary.

I am perfectly willing to cooperate with you in any way I can and am including my phone number with this letter.

93043541556

If you have not already contacted my former husband, Mark Deuter can be reached at:

Home { 7779 Glen Eden Lane
Cincinnati Ohio 45244

Office { Specialty Envelope Co.
4890 Spring Grove Ave.
Cincinnati Ohio 45232
(513) 542-4700

Please keep me informed of the status of this matter.

Sincerely,
Carol Niehaus
2851 Pine Grove Ave
Cincinnati 45208

93043541557

OGC 4298

TERRY SANFORD, NORTH CAROLINA, CHAIRMAN
WARREN B. RUDMAN, NEW HAMPSHIRE, VICE CHAIRMAN
JEFF BINGAMAN, NEW MEXICO
RICHARD BRYAN, NEVADA
TRENT LOTT, MISSISSIPPI
SLADE GORTON, WASHINGTON
WILSON R. ABNEY, STAFF DIRECTOR/CHIEF COUNSEL
ANNETTE M. GILLIS, CHIEF CLERK

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

United States Senate

FEB -4 AM 8:12

3121

SELECT COMMITTEE ON ETHICS
HART SENATE OFFICE BUILDING, ROOM 220
SECOND AND CONSTITUTION AVENUE, NE.
WASHINGTON, DC 20510-6425
TELEPHONE (202) 224-2981

January 30, 1992

The Honorable Joan Aikens, Chairman
Federal Election Commission
Washington, D. C. 20463

Dear Chairman Aikens:

This responds to your January 6, 1992 letter wherein the Commission requests access to documents within the possession of the Select Committee on Ethics in connection with the Commission's investigation of Charles H. Keating, Jr. and the American Continental Corporation.

This is to advise that the documents you request were included in the public record of the Committee's proceedings concerning the activities of certain Senators with respect to Lincoln Savings and Loan. The record of those proceedings is available through the Government Printing Office. We are, of course, pleased to have been able to respond favorably to your request.

With best wishes,

Terry Sanford
Chairman

Warren B. Rudman
Vice Chairman

2304354155 58

RONALD C. PETERSON
HELLER, EHRMAN, WHITE & McAULIFFE
601 S. Figueroa Street, 40th Floor
Los Angeles, California 90017
(213) 689-0200

Attorneys for
Center for Participation in Democracy

THE FEDERAL ELECTION COMMISSION

In re CENTER FOR PARTICIPATION IN DEMOCRACY,	)	No. MUR 3121
	)	
	)	RESPONSE OF CENTER FOR PARTICIPATION IN DEMOCRACY TO REASON TO BELIEVE FINDING
	)	
	)	
	)	
	)	

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BACKGROUND

Non-participation in our democratic system, particularly by minorities and the poverty stricken has been the subject of substantial, legitimate concern.[1/] Low voter registration is one

---

1/ Citizens' Commission on Civil Rights, Barriers To Registration and Voting: An Agenda For Reform 44-45 (1988) ("The continuing low participation rate of U.S. citizens [in voting] is striking and disturbing. . . . Although the electorate has been enlarged, it is still the minorities, the poor and other discrete groups who participate least in the process"); accord e.g. F. Harris, America's Democracy -- The Idea and The Reality 297-304 (2d ed. 1983); J. Burns, J. Peltason, J. Cronin, Government By The People 195-99 (12th ed. 1985); Public Papers of The Presidents -- John Fitzgerald Kennedy 294 (1963); Public Papers of The Presidents -- Ronald Reagan 1080-81 (84).

manifestation of this problem.[2/]

The Center for Participation in Democracy (the "Center") was formed in the summer of 1987 to try to address this serious problem. Since it was founded, the Center's purposes have included:

-- Engaging in non-partisan voter registration activities;

-- Conducting citizenship education in immigrant, low-income and minority communities; and

-- Assisting immigrants to attain full citizenship.

The Center's voter registration program was to and, in fact, did focus on communities whose participation in the democratic process had historically been low, such as ethnic minorities, immigrants, young people, the under-educated and low-income earners.

The Center applied for and obtained the following rulings from the Internal Revenue Service ("I.R.S.") (1) that it would be exempt from Federal income tax under section 501(c)(3) of the Internal Revenue code; and (2) that it would be treated as an organization described in section 4945(f) of the Internal Revenue Code of 1986. Attachment A hereto is a complete copy of the application for the 501(c)(3) exemption which made clear the purposes of the Center. Attachment B hereto is a copy of the I.R.S.'s ruling dated September 2, 1987 granting the 501(c)(3)

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2/ See F. Piven, R. Cloward, Why Americans Don't Vote 16-19 (1988); Citizens' Commission on Civil Rights, supra, at 46; c.f. Gomez v. City of Watsonville, 863 F.2d 1407, 1416 n. 4 (9th Cir. 1988) ("Courts have repeatedly noted that depressed registration rates may often be traceable in part to historical discrimination").

exemption. Attachment C hereto is a copy of the I.R.S.'s ruling dated March 4, 1988, that the Center would be treated as a section 4945(f) organization. The March 4 ruling specifically acknowledged:

> You propose to conduct a voter registration program designed to increase participation in the democratic process in communities whose residents are under-registered in comparison with the voting-age population of the state or region. You expect that these communities will be largely composed of minorities, low-income people, recent immigrants, under-educated people, and young people.

At all relevant times, the Board of Directors of the Center has consisted of prominent community figures. Attachment D hereto is a list of Board members during 1988, when the Center was actively involved in voter registration activities.

The Center's purpose of registering voters in communities that are under-registered is legal, legitimate and commendable. If the voters who register in such communities choose to register more often with one party than another, that does not detract from the non-partisan nature of the Center's activities.

The Center made every effort to ensure that the employees and volunteers who actually registered voters in the field understood the non-partisan nature of the effort and conducted themselves accordingly. See Declaration of Kim Christopher Cranston ("Cranston Declaration"), Attachment E hereto, and Declaration of Mark Murphy ("Murphy Declaration"), Attachment F hereto.

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The Center engaged in, among other things, voter registration activities from approximately January 1988 to October 1988. During this time period, the Center had hundreds of employees (the Center's outside accountant recalls that in 1988 over 500 W-2's were issued to employees) and hundreds more volunteers working out of sixteen offices in California. Murphy Declaration, ¶ 2. It also was involved in voter registration and voter education programs in other states. See Exhibit G, pages 82-83.

Employees who actually registered the voters in the field were paid a wage -- they were not paid based on the number of voters registered. However, in some offices, targets were established for the number of voters employees were expected to register each day. (It was not practical for managers directly to observe what employees actually were doing in the field, so quotas were a way of ensuring that the Center got a full day's work for a full day's pay.) Never were these targets related to the party affiliation of the voters registered. Murphy Declaration, ¶ 4.

Consistent with the purpose of the Center, particular communities were targeted for registration, but no one was to be refused registration because of political affiliation. Cranston Declaration, ¶ 4; Murphy Declaration, ¶ 5-6. Employees and volunteers were instructed to be non-partisan in explaining party affiliation choices. Cranston Declaration, ¶ 8; Murphy Declaration, ¶ 6.

Given the hundreds of individuals engaged in voter registration; the substantial turnover of paid and unpaid personnel; the relatively low wages paid to employees; the wide

2304354156 2

geographical dispersion of the voter registration activity in different parts of California and other states; and the reality that employees and volunteers engaged in voter registration generally were "Lone Rangers," it would be unrealistic to expect perfection. By any reasonable measure, however, the record of the Center in complying with all applicable legal requirement is outstanding.

Attachment G hereto is a report entitled "Analysis of a Community Organizing Approach: Increasing Citizen Participation in Disadvantaged Communities" prepared by Ellie M. Cohen and Marshall Ganz (hereinafter the "Report"). The Report, completed in March 1990, analyzes the results of the Center's activities. With reference to the non-partisan nature of the Center's activities, the Report observed:

> "Since [the Center] was a nonpartisan organization, [the Center's] planners established early-on a policy of non-partisanship and devised methods of monitoring compliance with that policy. [The Center's] non-partisanship policy was based upon its desire to serve the under-represented in the broadest sense, to encourage new registrants and draw young people to community service regardless of whether they considered themselves Democrats, Republicans, or some other affiliation." Report, p. 19.

> "[The Center's] nonpartisan policy was communicated to staff and monitored. Because of the sensitivity of staff to the significance of the policy of non-partisanship, [the Center] was able to: (1) avoid solicitation or

2304354156 3

receipt of any funds from partisan organizations, (2) bar any coordination of voter registration efforts between [the Center] and any partisan organizations, (3) conduct [the Center's] voter registration efforts separately and distinctly from those of any partisan organization, and (4) establish a policy that employees were working full-time for [the Center] and could not, even in a volunteer capacity, engage in other activities including partisan ones that might create an appearance of conflict. [The Center"s] leadership consulted regularly with legal counsel and other experts during the course of the year." Report, p. 25.

Not surprisingly, the Center's focus was not universally applauded. Some would have preferred not to register those the Center sought to register. Even some employees and volunteers would have preferred to have the Center expand its focus. But the Center pursued its mission until funding dried-up because of adverse publicity, including the negative newspaper articles that triggered this proceeding.

The Center is being unfairly targeted as the subject of this investigation. Numerous non-partisan voter registration groups with different focuses have been active in recent years.[3/] Non-partisan voter registration drives frequently are unfairly

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3/ Non-partisan voter registration groups have focussed on the disabled, low income and less educated women, young people, Chinese-Americans, Hispanics, lesbians and gays, Puerto Ricans, students and low-income earners. See Attachment H which is a compilation of newspaper articles regarding such groups. The Center's focus was broader than many of the groups.

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attached as being partisan in nature.[4/] However, no complaint has been filed with the Federal Election Commission alleging the Center violated the Federal Election Act. If the Federal Election Commission wants to explore the boundaries between partisan and non-partisan voter registration activities, it should do so in an even-handed manner and not by focusing solely on a group which succeeded in registering thousands of minorities, young people and others who had been excluded from our political system.

RESPONSE TO "REASON TO BELIEVE FINDING"

Apparently solely on the basis of two newspaper articles, the Federal Election Commission (the "Commission"), on February 12, 1991, "found there is reason to believe the Center for Participation in Democracy violated 2 U.S.C. §§ 433, 434 and 441b(a)" of the Federal Election Campaign Act of 1971, as amended (the "Act"). This finding, hereinafter the "Finding," had no evidentiary support and is woefully lacking in particularity.

The "Factual And Legal Analysis" that was prepared in support of the Finding, states, in pertinent part, as follows:

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4/ See Attachment I which reproduces two newspaper articles exemplifying such unfair criticisms. The first reports: "Senate candidates David Duke [Louisiana] Wednesday accused a voter registration group of racism in trying to register minorities and poor voters and said the group violates its tax-free status." The second reports criticisms of a 60-second rap-oriented public service advertisement aired on MTV aimed at motivating pop fans - especially the 18 to 24 age group.

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An August 11, 1989 San Francisco Chronicle article states that American Continental Corporation made $850,000 in contributions to 1988 voter registration projects, including $400,000 to the Center for Participation in Democracy. This same article quotes former employees of the Center for Participation in Democracy as stating that the operation was designed to register Democrats. Toward this end, according to the article, certain geographic areas were targeted, workers were penalized if they registered too many Republicans, and staff members were evaluated on the basis of how many Democrats they registered each day. Additionally, the article quotes workers as saying that voters were registered as Democrats without being told or agreeing to this, that registration cards had already been checked off as "Democrat" before the worker even went out into the community, or that the workers would check off "Democrat" after the individual had gone away. Similar allegations appear in an October 22, 1989 Los Angeles Times article.

The Center assumes that it is not being asked to respond to everything in the cited newspaper articles, but only to those portions specifically referenced in the "Factual And Legal Analysis." One of the basic tenets of our legal system is that an

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accused had a right to know the specifics of charges of illegality so that fair opportunity is given for a response. If the Commission is investigating any charges other than those made expressly in the "Factual And Legal Analysis," the Center is entitled to be informed and given an opportunity to respond before completion of the investigation and preparation of any brief or recommendation of the Commission's general counsel.

We will address separately each sentence in the paragraph quoted above from the "Factual and Legal Analysis."

> "An August 11, 1989 San Francisco Chronicle article states that American Continental Corporation made $850,000 in contributions to 1988 voter registration projects, including $400,000 to the Center for Participation in Democracy."

American Continental Corporation, along with other corporations, contributed to the Center. Such corporate contributions to a non-partisan "501(c)(3)" tax exempt entity are perfectly legal. Advisory Opinion 1980-92.

The "Factual and Legal Analysis" does not suggest any impropriety in the contribution of American Continental Corporation other than questioning whether the Center's voter registration efforts truly were non-partisan. Again, however, if the Commission's investigation is beyond the scope suggested in the "Factual and Legal Analysis," the Center is entitled to be informed and given an opportunity to respond.

> "This same article quotes former employees of the Center for Participation in Democracy as stating that the operation was designed to register Democrats."

No one is quoted in the San Francisco Chronicle article as saying that the Center's "operation was designed to register Democrats." As demonstrated above, the purpose of the Center was

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to register voters in communities that were under-registered. A properly conducted non-partisan voter registration effort focused on such communities is permissible regardless of the political affiliation chosen by those who are registered. The assertion that the "operation was designed to register Democrats" apparently is a conclusion reached by the Commission from quotations in the article to which we will now turn.

> "Toward this end, according to the article, certain geographic areas were targeted, workers were penalized if they registered too many Republicans, and staff members were evaluated on the basis of how many Democrats they registered each day."

(a) A primary purpose of the Center, disclosed to the I.R.S. in applying for the rulings that were obtained, was to register voters in particular communities that were under-registered, specifically minorities, immigrants, young people, the under-educated, and low-income earners . Such "targeting" is consistent with non-partisan voter registration. I.R.S. spokesman Larry Wright is quoted in the October 22, 1989, Los Angeles Times article as follows:

> "There's nothing in the law that says you can't target certain areas, even if you know they are preponderantly of one party or another. But if, while you are there, someone wants to register in another party, then you are obligated to accept that registration."

Employees and volunteers of the Center were instructed not to refuse registration to anyone within the areas in which they were assigned to work who asked to be registered based on party

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affiliation. Cranston Declaration, ¶ 6; Murphy Declaration, ¶ 6. Neither newspaper article suggests anyone was refused registration because of party affiliation.

(b) Lawrence Ross is quoted in the San Francisco Chronicle article as saying: "You were penalized if you had so many Republicans." He does not specify what the supposed "penalty" was, and there was none. Cranston Declaration, ¶ 9; Murphy Declaration, ¶ 10. Compensation was not based on the party affiliation of registrants. Cranston Declaration, ¶ 10; Murphy Declaration, ¶ 3.

(c) The San Francisco Chronicle article also asserts:

> "Paid staff members were evaluated on the basis of how many Democrats they registered each day, according to ex-employees, and supervisors kept a running tally of each workers performance.

The Center compiled information about registrants, including party affiliation, ethnicity, gender and age. Cranston Declaration, ¶ 9; Murphy Declaration, ¶ 10. That information was summarized in various reports distributed inside and outside the Center, including in the Report (Attachment G hereto), pages 76 through 81. Compiling and reporting such information does not detract from the non-partisan nature of the voter registration activity.

One of the best indications that the Center's voter registration efforts indeed were non-partisan is the number or percentage of Republicans registered by the Center. A table on page 79 of the Report shows that the Center registered a far

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greater percentage of Republican voters than another non-partisan voter registration group and about the same percentage as a third.

The assertions attributed to anonymous "ex-employees" that "staff members were evaluated on the basis of how many Democrats they registered," and "supervisors kept a running tally of each worker's performance," incorrectly intimate that the Center gave incentives or disincentives for registering Democrats. Employees and volunteers were directed to register voters in communities that were under-registered, but that is a legitimate focus of a non-partisan voter registration campaign. Some employees disagreed with this focus and perhaps they are the source of these incorrect assertions. Employees were sometimes told the minimum number of voters they were supposed to register, but these targets were never related to the party affiliation. Rather, as previously stated, the targets were a means of ensuring the Center got a full day's work for a full day's pay. It is possible that disgruntled "ex-employees" who did not meet their targets and whose employment, therefore, terminated, have confused the instructions they were given. Because the newspaper article does not identify the "ex-employees" who made these assertions, no further comment can be made except to say that these anonymous accusations highlight why this investigation is fundamentally unfair to the Center and in violation of its basic legal rights. Inasmuch as such anonymous accusations could not constitute a "complaint" (see 11 C.F.R. § 111.4(b)), we question why the Commission is proceeding, apparently on its own initiative, with this investigation of essentially anonymous and non-specific charges.

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"Additionally, the article quotes workers as saying that voters were registered as Democrats without being told or agreeing to this, that registration cards had already been checked off as 'Democrat' before the worker even went out into the community, or that the workers would check off 'Democrat' after the individual had gone away."

According to the San Francisco Chronicle article, this assertion was made by one anonymous woman "who helped run one of the center's six district offices." The lack of reliability of the information is suggested by the reference to six district offices; the Center actually had more than twice that number. The accusations certainly do not reflect policies or procedures of the Center. Cranston Declaration, ¶ 8; Murphy Declaration, ¶ 9. If anything of this kind happened, it was contrary to the Center's policies and procedures. Id. Without knowing specifics, e.g., the identity of whoever supposedly engaged in this practice, when it occurred, etc., and further response is impossible.

"Similar allegations appear in an October 22, 1989 Los Angeles Times article."

The Los Angeles Times article is more balanced in that it reports responses of directors and employees of the Center to anonymous accusations of impropriety. It also illustrates the impossibility of responding to such vague insinuations as: "They weren't being honest. They weren't saying who they were," said a worker at the center, who requested anonymity." How is the Center expected to respond? Who are the "they" being accused? What weren't "they" saying that should have been said? How weren't "they" being honest?

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CONCLUSION

This proceeding is contrary to law and beyond the jurisdiction of the Commission, therefore, it should be terminated forthwith. Certainly there is no basis for a recommendation that the Commission should find probable cause to believe a violation of the Federal Election Act has occurred.

Dated: April 6, 1991

Respectfully submitted,

HELLER, EHRMAN, WHITE & McAULIFFE

BY: Ronald C. Peterson

Ronald C. Peterson
Attorney for Center for
Participation in Democracy

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BOARD OF DIRECTORS.

The Board of the *Center* is composed of persons sharing the Center's goals and objectives and representative of the both the communities within which the Center is conducting its programs and resource communities. The following people have agreed to serve on the Center's Board:

Alice Bulos is the Northern California Coordinator of the Filipino American Women's National Network. She is also a member of the Health Commission of San Mateo County. Holding a Masters degree in Behavioral and Social Sciences, she was chair of the Sociology Department at the University of Manila in Santo Tomas.

Tong Soo Chung is currently directing the largest Korean law firm in Los Angeles. He was also the founding President of the Korean American Coalition, the largest Korean community advocacy coalition in California.

Kim Cranston is a lawyer based in Los Angeles who also serves as the Chair of the Committee for California Desert National Parks. In addition, he is the President of the Organizing Institute, which is an educational non-profit organization specializing in organizational development and training.

Phil Giarrizzo is on the International Board of the Service Employees International Union. Previously he was the Business Manager for SEIU Local 660, the largest local in Southern California.

Jessica Govea has been a community, labor, and political organizer for more than twenty years. She has worked with the United Farm Workers; the Southwest Voter Registration Education Project; the National Organization for Women, Voter Registration Drive; the Center for Community Change; and as the Executive Director of the Center for Participation in Democracy.

Reverend Will L. Herzfeld is Bishop Emeritus of the American Evangelical Lutheran Churches and is the pastor of the Bethlehem Lutheran Church in Oakland.

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Reverend William R. Johnson, Jr. is the Pastor of the Curry CME Temple in Compton. He is a member of the CORE team of South Central Organizing Committee. He was formerly President of the Tennessee NAACP and Urban League.

Stewart Kwoh is currently the Executive Director of the Asian Pacific American Legal Center of Southern California. He is the President of the Southern California Chinese Lawyers' Association and is a member of the Board of the Liberty Hill Foundation. Raised in Los Angeles, he serves on the Los Angeles district Council for the United Methodist Church. In 1984 he chaired the Asian Pacific American Voters' Coalition. Currently he is an instructor at UCLA for a course on Asian Americans and the Law.

Reverend James M. Lawson, Jr. is Pastor at Holman United Methodist Church. He is President of the Southern Christian Leadership Conference/Greater Los Angeles; a director of the Board of Global Ministries of the UMC; serves on the Conference Council of Ministries; The Religions Leaders Network of the Interfaith Center to Reverse the Arms Race; the L.A. County Mental Health Association; and supports a variety of good causes on behalf of the community. Rev. Lawson has long been active in the Civil Rights Movement. He sponsored the conference that organized the Student Non-violent Coordinating Committee and chaired the Memphis Sanitation Strike of 1968 during which Dr. King was assassinated.

Carlos LeGerrette is a businessman and President of the San Diego Unity League, a grassroots community organization. He is on the Board of Directors of the Southeast Development Corporation, a low-income redevelopment agency, and is also Director of Planning for an economic development committee for the Hispanic community. He was a special assistant to former Governor Jerry Brown and spent 10 years working with the United Farm Workers Union. He has been involved with several voter registration projects.

Esther Padilla is currently a social worker Supervisor at Centro La Familia in a child abuse program that serves monolingual Spanish-speaking families. A graduate of Fresno State University she received a B.A. and Masters degree in

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Social Welfare (MSW). Previously, she worked as a union organizer and on the boycott for the United Farmworkers Union. She recently completed a two-year term as the President of Fresno's Mexican American Political Association (MAPA) and is still a member of the Executive Board. She is the Kern County Co-Chair of Californians for Quality Government and is on the Executive Board of Fresno Tomorrow—which is currently developing a program to address the issue of high school dropouts.

Carl Pope is currently the Deputy Conservation Director of the Sierra Club. He is the former Executive Director of the California League of Conservation Voters and a member of the Advisory Board of Common Cause. His early organizing experience includes his work as a field coordinator in Arkansas for the Student Non-Violent Coordinating Committee. He is the author of Hazardous Waste in America.

Hon. Cruz Reynoso was formerly a California State Supreme Court Justice. He is currently with a law firm with offices in Los Angeles and Sacramento. Previously, he headed the California Rural Legal Assistance Agency.

Daniel Saenz is a coleader and former President of the United Neighborhood Organization. He has been active with UNO from the organization's inception in 1976.

Margarita Vargas is a founding leader of the East Valley Organization. She was intrumental in the development of the eleven member coalition of churches, which provides community advocacy and support for over 3000 Pomona and San Gabriel families.

Ron Wakabayashi is currently the Executive Director of the Japanese American Citizens League's national offices, based in San Francisco. He is a member of the California Student Aid Commission and chairs the Civil Rights Subcommittee of the Attorney General's Asian American Advisory Committee. Previously he was the Executive Director of the Los Angeles Asian American Drug Abuse Program. During that time he served as President of the Asian and Pacific Planning Coalition of Los Angeles Human Service Provider Agencies.

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Vernon Watkins is the International Area Director of the American Federation of State, County and Municipal Employees International based in Los Angeles. He serves as the AFSCME representative to the Urban League, the State Public Relations Board and the Coalition of Black Trade Unionists. He sits on the Advisory Boards of the California Federation of Labor and the Los Angeles County Federation of Labor. In addition, Mr. Watkins serves on the Committee on Political Education.

(Affiliations are for identification purposes only.)

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Declaration of Kim Cranston

I, Kim Cranston, declare the following:

1. In 1987, I helped found the Center for Participation in Democracy (the "Center"). I was President of the Center from mid-1987 until early 1988. I was Secretary and Treasurer of the Center from early 1988 until mid-1988.

2. Continuously since the Center was founded to the present, I have been a member of the Board of Directors of the Center. I also have been a member of the Executive Committee of the Board continually since it was formed.

3. Since it was founded, the Center's purposes have included:

-- Engaging in non-partisan voter registration activities;

-- Conducting citizenship education in conjunction with voter registration activities; and

-- Assisting immigrants to attain full citizenship.

4. The Center's voter registration activities were to and, in fact, did focus on communities whose participation in the democratic process had historically been low, such as ethnic minorities, immigrants, young people, the under-educated and low-

income earners. No one within the communities in which the Center focused its voter registration activities was to be denied registration based on political party affiliation.

5. I am an attorney and a member of the Bar of the State of California. I was the Center's primary contact with outside attorneys engaged to organize the Center as a public charity and to advise the Center on an ongoing basis after it was founded.

6. During 1988, I attended several large planning and training programs for the Center's staff. On each of those occasions, I conducted a portion of the program that focused on explaining the voter registration rules for public charities and emphasizing the importance of knowing and following those rules. I also prepared a written summary of rules for public charities engaged in voter registration, a copy of which is attached, and gave that written summary to a senior member of the staff and asked that it be distributed to employees and volunteers. Those who attended the planning and training programs were told to instruct employees and volunteers not to refuse registration to anyone based on party affiliation.

7. The planning and training programs of the Center that I attended covered a variety of topics, such as administration and computer skills, volunteer recruitment and organizing skills, volunteer and staff management skills, and the

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values and traditions of non-violent organizing in the United States, including the civil rights, farm workers', women's and labor movements. At one or two of these training sessions, I also led a discussion of the reasons it is important for people to vote in our democracy.

8. Employees and volunteers of the Center were instructed to be non-partisan in explaining party affiliation choices. At one time during the Center's voter registration drive, I was informed by staff of the Center that some people were not registering to vote because they did not know anything about the various political parties. I was asked to help prepare a document that employees and volunteers of the Center could use to educate such people as to the meaning of political parties in a nonpartisan manner. I worked with the Center's outside attorneys and together we produced a one page document that explained that one way people might understand political parties was to know who the candidates in each party were. The document then listed, in alphabetical order, the parties with (a) the candidates of each party, as of that date, who were seeking their party's nomination for President of the United States, and (b) the nominee of each party for Governor of the State of California in the last general election.

9. The Center compiled information about those it registered to vote, including ethnicity, party affiliation, gender, and age. This information was periodically summarized in

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various reports distributed within and outside the Center. For example, this information is summarized in the report entitled "Analysis of a Community Organizing Approach: Increasing Citizen Participation in Disadvantaged Communities" prepared by Ellie M. Cohen and Marshall Ganz, March, 1990.

10. Throughout my affiliation with the Center, I have done my best to ensure that the Center conducted its activities consistent with the rules for public charities. Before reading an article published in the San Francisco Chronicle on August 11, 1989, I had never heard any suggestion that workers were "penalized" if they registered too many Republicans. I have no knowledge of any such "penalty," and I do not believe any employee or volunteer was penalized for that reason. For example, employee compensation was not based on the political affiliation of those who were registered to vote. Any such "penalty" would be contrary to the Center's policies and practices.

8. Before reading the San Francisco Chronicle article, I had never heard any suggestion that "staff members [of the Center] registered people as Democrats without telling them" or that "some people went out" with registration cards with "Democrat" already checked. I have no knowledge of any such occurrences. Because the Center's voter registration drive was conducted by hundreds of employees and hundreds more volunteers in the field, I cannot swear based on personal knowledge that

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nothing of that sort occurred, but I know based on my personal knowledge that any such activity would have been contrary to the policies and practices of the Center. At all times, the Board of Directors and the staff of the Center did their best to conduct voter registration consistent with the rules for public charities.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 6, 1991

Kim Cranston

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Declaration of Mark Murphy

I, Mark Murphy, declare the following:

1. During the approximate time period January 1988 to August 1988, I was employed by the Center for Participation in Democracy (the "Center"). From January to March, I worked out of the Los Angeles office of the Center. Beginning in March, I became Deputy Field Director, one of four Deputy Field Directors in California. I worked out of the San Jose office of the Center, and was responsible for supervising the activities of the following four offices of the Center: Sacramento, Oakland, San Francisco and San Jose. As a result of a reorganization that occurred in the summer of 1988, my title was changed to Project Director; the San Jose and Sacramento offices commenced reporting directly to the Field Director; and the San Francisco and Oakland offices continued to report directly to me until I resigned.

2. The Center had the following field offices: Sacramento, Oakland, San Franciso, San Jose, San Diego, Riverside, East Los Angeles, Compton, South Central Los Angeles, San Bernardino, Los Angeles Harbor, Los Angeles Beaches, San Gabriel Valley, Downtown Los Angeles, Fresno, Orange County.

3. Each of the four field offices I supervised had between four and seven paid employees during most of the time I

was responsible for their supervision. There was considerable employee turnover. The paid employees were responsible for conducting voter registration activities and for recruiting volunteers to conduct voter registration activities. The employees were paid a wage which was not based on the number of voters they registered. Never was any employee's pay based on the party affiliation of the voters registered by that employee.

4. From time to time, the Center had targets for the number of registrations it expected paid employees to achieve per day. The reason for these targets was to ensure that paid employees put in a full day's work for a full day's pay. It was impractical directly to observe employees in the field to make sure they actually were working. On occasion, we became concerned that employees were not working during hours for which they were being paid. As a way to avoid this problem, the targets were established. Never were the targets related to the registration of voters affiliated with any particular party.

5. The Center conducted training sessions for employees and volunteers, many of which I attended. I often served as a trainer. The Center's mission was explained at these training sessions. Employees and volunteers were told that the Center was organized, in part, to register voters in communities whose participation in the democratic process had historically been low, such as ethnic minorities, immigrants, young people, the under-educated and low-income earners.

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6. These training sessions also included explanations of the non-partisan nature of the Center's voter registration activities. Among other things, employees and volunteers were instructed to register anyone they approached who wanted to be registered regardless of party affiliation. No one was to be refused registration because of party affiliation. The training sessions emphasized the importance of correctly and completely completing voter registration affidavits. Employees and volunteers were instructed to be non-partisan in explaining party affiliation choices.

7. I have read the San Francisco Chronicle article dated August 11, 1989, referenced in the "Findings and Legal Analysis" of the Commission in MUR 3121. Lawrence Ross, who is quoted in that article, worked in the Center's Oakland office. I know of no "penalty" ever threatened or imposed on any employee or volunteer because "so many Republicans" were registered. The threat or imposition of any "penalty" for that reason would have been contrary to the basic purpose of the Center, i.e., non-partisan voter registration, as well as contrary to the Center's policies and procedures.

8. Dino Blackburn, who is quoted in the same article, worked for the Center for no more than two weeks and probably only about a week. Mr. Blackburn voiced objection to one of the basic purposes of the Center which was to register low-income

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minority voters. He resisted working in disadvantaged areas in Oakland to which he was assigned. During a training session I attended, Mr. Blackburn asserted that he had been told to register only Democrats. In response, Mr. Blackburn was told that he was not supposed to register only Democrats; that he was supposed to register whoever he approached who wanted to be registered; that the Center was conducting a non-partisan registration campaign; and that the focus on low-income, minority communities was not inconsistent with the non-partisan nature of the Center's efforts. I formed the impression that Mr. Blackburn would have preferred to work in more affluent areas where a higher proportion of Republican registrations might be expected. Mr. Blackburn stated on occasions that he was a Republican.

9. An anonymous woman is quoted in the San Francisco Chronicle article as saying that voters were registered as Democrats without being told or agreeing to this, that registration cards had already been checked off as "Democrat" before the worker even went out into the community, or that the workers would check off "Democrat" after the individual had gone away. Any such practices would be contrary to policies and procedures of the Center. I did my best to ensure that the Center's voter registration activities were conducted in a non-partisan manner.

10. The Center compiled information about voters registered through its efforts, including ethnicity, party

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affiliation, gender and age. The information was included in various reports circulated inside and outside the Center.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 6, 1991

Mark Murphy

Mark Murphy

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3121/3068/2989

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WASHINGTON D.C. 20463

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THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 3121.

12/10/93

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ROGER M. WITTEN
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October 22, 1993

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93 OCT 23 AM 4:58

BY HAND

Lawrence M. Noble, Esq.
General Counsel
Federal Election Commission
999 E Street, N.W., 6th Floor
Washington, D.C. 20463

Re: Robert J. Stein (MUR 3121)

Dear Larry:

I am writing on behalf of our client Robert J. Stein to report on the review of his contributions we said we would undertake in my letter of October 8, 1993. In order to be as thorough as possible, we have reviewed both the FEC's computerized data and Mr. Stein's records going back to 1987. Based on this review, we have concluded: a) that the FEC's records reflect certain errors and omissions, which we detail; and b) that Mr. Stein inadvertently exceeded the $25,000 annual aggregate contribution limit by small amounts in 1988, 1990, and 1992. Mr. Stein is seeking refunds to bring him into compliance.

The results of our review are reflected on the enclosed worksheets, which represent Mr. Stein's and our best effort to account for all reportable contributions for the years covered. As you can see, we have listed several reportable contributions not reflected in FEC data (perhaps because the recipient committees did not report them). In addition, we identified the following erroneous double entries:

1) FEC data reflects two $1,000 contributions to Mike Espy for Congress, both on July 5, 1988 and both designated for the general election. Both entries

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refer to the same page of the committee's October 1988 report, which lists a single $1,000 contribution. Mr. Stein did not make two such contributions.[1/]

2) FEC data reflects two $1,000 contributions to Levin for Congress, both on October 19, 1992 and both designated for the general election. It is clear from looking at microfilm frames 92014833472 and 92014833475 that each entry came from the same page of the committee report (photographed twice) listing a single $1,000 contribution. Again, Mr. Stein made only one such contribution.

Other similar errors are noted as comments on the enclosed worksheets.

After totaling all federal contributions (including those not reflected in FEC data) and adjusting for the errors we found, we have concluded that Mr. Stein unintentionally exceeded the annual $25,000 aggregate limit by $6,350 in 1988; $3,284 in 1990; and $13,855 in 1992. Since Mr. Stein's intent always was to comply with the FECA, he has asked for prompt refunds of certain contributions as follows:

$ 8,000	for 1988
$ 4,750	for 1990
$ 14,105	for 1992

In addition, Mr. Stein has requested Friends of Rosa DeLauro to correct its records with respect to a $1,000 contribution on July 20, 1991 to the 1991-92 campaign, although Mr. Stein explicitly designated the contribution to help retire 1990 campaign debt.

I have enclosed for your information copies of Mr. Stein's letters requesting the return of these contributions. We expect that the committees will promptly return these contributions and will timely amend their reports to the

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1/ Indeed, the date reported for this contribution coincides with the deposit of a check for $500. It would appear that the $1,000 amount reported was actually Mr. Stein's accumulated total contribution (thereby mistakenly double-counting the $500 contribution reported for January 4, 1988). Nonetheless, for purposes of calculating the aggregate total, we have used the higher $1,000 figure reported.

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Commission. These corrective measures will bring the aggregate totals for the years in question within the limits as follows:

$ 23,350 for 1988
$ 23,534 for 1990
$ 24,750 for 1992

Please let me know if we can be of further assistance.

Very truly yours,

Roger M. Witten

Enclosures

cc: Mr. Stein

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22-Oct-93

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CONTRIBUTIONS FOR ROBERT J. STEIN

REPORTING ENTITY OR RECIPIENT	TYPE OF ENTITY	DATE	TYPE OF ELECTION	AMOUNT*	CHECK NO.	COMMENTS
COMMITTEE FOR A DEMOCRATIC CONSENSUS INC	OTHER	02/16/88	P	$1,000	3583	
DEMOCRATIC SENATORIAL (DSCC)	PARTY	05/16/88	P	$1,000	3715	
DEMOCRATIC SENATORIAL (DSCC)	PARTY	09/16/88	P	$1,500	3915	
DNC SERVICES CORPORATION/DNC	PARTY	03/31/88	P	$500	3360	
DNC SERVICES CORPORATION/DNC	PARTY	09/13/88	P	$1,500	3925	
DNC SERVICES CORPORATION/DNC	PARTY	11/02/88	P	$1,000	3954	
DEMOCRATIC STATE CENTRAL COMMITTEE/MARYLAND	PARTY	11/02/88	P	$0	%JTFR	$220 RPTD. AS MEMO ENTRY.
ILLINOIS DEMOCRATIC PARTY	PARTY	09/15/88	P	$1,000	3916	
INDEPENDENT ACTION INC	OTHER	04/20/88	P	$500	3673	
INDEPENDENT ACTION INC	OTHER	10/04/88	P	$1,000	3961	
LEAGUE OF CONSERVATION VOTERS	OTHER	01/27/88	P	$1,500	UNK	FROM APRIL QUARTERLY REPORT (AMENDMENT).
LEAGUE OF CONSERVATION VOTERS	OTHER	08/02/88	P	$1,000	3859	
SUBTOTAL NONCANDIDATE 1988				$11,500		
TOTAL CONTRIBUTIONS ATTRIBUTED TO 1988				$31,350		

* FOR PURPOSES OF $25,000 AGGREGATE LIMIT.

22-Oct-93

STEIN5

CONTRIBUTIONS FOR ROBERT J. STEIN

REPORTING ENTITY OR RECIPIENT	TYPE OF ENTITY	DATE	TYPE OF ELECTION	AMOUNT*	CHECK NO.	COMMENTS
METZENBAUM/SENATE 1988	CANDIDATE	01/06/88	P	$1,000	UNK	FROM YEAR-END REPORT.
MITCHELL/SENATE	CANDIDATE	10/15/87	P	$500	3326	CHECK FOR $1,000; SEE NEXT ENTRY.
MITCHELL/SENATE	CANDIDATE	10/15/87	G	$500	3326	CHECK FOR $1,000; SEE PREVIOUS ENTRY.
MITCHELL/SENATE	CANDIDATE	04/09/87	P	$500	3001	
PELOSI, NANCY/CONGRESS	CANDIDATE	04/03/87	P	$500	2981	
POLLACK, LANA/CONGRESS	CANDIDATE	CK. 07/26/88		$500	3846	UNREPORTED?
POOLER, ROSEMARY/FRIENDS 1988	CANDIDATE	06/30/88	P	$500	3822	
SIMON, PAUL/PRESIDENT	CANDIDATE	10/24/88	P	$500	3953	
UNSOELD, JOLENE CAMPAIGN	CANDIDATE	CK. 07/26/88		$500	3845	UNREPORTED?
UNSOELD, JOLENE/CONGRESS	CANDIDATE	CK. 09/13/88		$500	3914	UNREPORTED?
WIRTH, TIM/COMMITTEE	CANDIDATE	04/17/87	G	$500	3040	
YUDELSON/CONGRESS	CANDIDATE	06/30/88	G	$500	3810	
SUBTOTAL CANDIDATE 1987-1988				$19,850		

* FOR PURPOSES OF $25,000 AGGREGATE LIMIT.

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22-Oct-93

STEIN5

CONTRIBUTIONS FOR ROBERT J. STEIN

REPORTING ENTITY OR RECIPIENT	TYPE OF ENTITY	DATE	TYPE OF ELECTION	AMOUNT*	CHECK NO.	COMMENTS
1987-1988						
BABBITT/PRESIDENT COMMITTEE	CANDIDATE	04/15/88	P	$500	3654	
BABBITT/PRESIDENT COMMITTEE	CANDIDATE	12/12/87	P	$500	3405	
BIDEN/PRESIDENT	CANDIDATE	03/12/87	P	$1,000	2966	
BINGAMAN, JEFF	CANDIDATE	12/30/87	P	$500	3469	
CRANSTON/PRESIDENT COMMITTEE	CANDIDATE	07/27/87	P	$500	3175	
DUKAKIS/PRESIDENT COMMITTEE	CANDIDATE	10/29/87	P	$1,000	3361	
ESPY, MIKE/CONGRESS	CANDIDATE	07/05/88	G	$1,000	3795	AMOUNT? CK. FOR $500 (06/20/88) DEPOSITED 07/06/88
ESPY, MIKE/CONGRESS	CANDIDATE	07/06/88	G	$0		ADDTL. $1,000 MISTAKENLY ENTERED; SEE PREVIOUS ENTRY.
ESPY, MIKE/CONGRESS	CANDIDATE	01/04/88	P	$500	3466	
ESPY, MIKE/CONGRESS	CANDIDATE	CK. 10/12/87		$250	3352	UNREPORTED?
FRANCHOT, PETER/CONGRESS	CANDIDATE	12/28/87	P	$500	3470	
FRANCHOT, PETER/CONGRESS	CANDIDATE	06/14/88	G	$1,000	3773	
GARRISON, JIM/FRIENDS	CANDIDATE	12/31/87	P	$1,000	2987	
GORE, ALBERT/PRESIDENT	CANDIDATE	12/09/87	P	$500	3411	
GORE, ALBERT/PRESIDENT	CANDIDATE	03/21/88	P	$500	3629	
HART, GARY/CONGRESS	CANDIDATE	06/26/88	G	$500	3771	
HART, GARY/FRIENDS 1988	CANDIDATE	04/24/87	P	$1,000	3051	
HUMPHREY/SENATE	CANDIDATE	CK.12/26/87		$100	3457	UNREPORTED?
KERREY/U.S. SENATE COMMITTEE	CANDIDATE	06/17/88	G	$1,000	3772	
LAUTENBERG COMMITTEE	CANDIDATE	11/05/87	P	$1,000	3312	
LOWRY, MIKE/US SENATE	CANDIDATE	10/13/88	G	$500	3992	

* FOR PURPOSES OF $25,000 AGGREGATE LIMIT.

22-Oct-93

STEIN5

CONTRIBUTIONS FOR ROBERT J. STEIN

REPORTING ENTITY OR RECIPIENT	TYPE OF ENTITY	DATE	TYPE OF ELECTION	AMOUNT*	CHECK NO.	COMMENTS
VINICH, JOHN P./CONGRESS	CANDIDATE	04/13/89	SPECIAL	$1,000	4237	
WAITE, RALPH/CONGRESS	CANDIDATE	10/30/90	G	$1,000	465	
WELLSTONE/SENATE	CANDIDATE	CK. 11/01/90		$1,000	471	UNREPORTED?
SUBTOTAL CANDIDATE 1989-1990				$17,750		
COMMITTEE FOR A DEMOCRATIC CONSENSUS	OTHER	02/05/90	P	$334	UNK	FROM MARCH MONTHLY REPORT.
EMILY'S LIST	OTHER	06/20/90	P	$250	UNK	FROM JULY MONTHLY REPORT.
EMILY'S LIST	OTHER	09/14/90	P	$2,500	182	
EMILY'S LIST	OTHER	12/21/90	P	$2,250	532	
RELIGION & TOLERANCE POLITICAL (RATPAC)	OTHER	10/23/90	P	$5,000	261	
SUBTOTAL NONCANDIDATE 1990				$10,534		
TOTAL CONTRIBUTIONS ATTRIBUTED TO 1990				$28,284		

* FOR PURPOSES OF $25,000 AGGREGATE LIMIT.

22-Oct-93

STEIN5

CONTRIBUTIONS FOR ROBERT J. STEIN

REPORTING ENTITY OR RECIPIENT	TYPE OF ENTITY	DATE	TYPE OF ELECTION	AMOUNT*	CHECK NO.	COMMENTS
1989-1990						
ANDREWS, TOM/US CONGRESS	CANDIDATE	09/12/90	G	$1,000	185	
BRADLEY, BILL/US SENATE 1990	CANDIDATE	11/30/89	P	$1,000	4527	
DELAURO, ROSA/FRIENDS	CANDIDATE	12/31/89	P	$1,000	4714	
DELAURO, ROSA/FRIENDS	CANDIDATE	10/15/91	G	$1,000	892	MISTAKENLY RPTD. FOR 1991-92; SPECIFICALLY DESIGNATED FOR 1990 DEBT; SEE 1991-92.
FRANCHOT, PETER	CANDIDATE	CK. 10/06/90		$500	256	UNREPORTED?
FRANK, BARNEY/CONGRESS	CANDIDATE	11/03/89	P	$1,000	4563	
GANTT, HARVEY/SENATE	CANDIDATE	07/12/90	G	$1,000	112	
HEATH, JOSIE/US SENATE	CANDIDATE	09/16/90	G	$1,000	180	
KERRY COMMITTEE	CANDIDATE	12/31/89	P	$250	4674	
KREAMER, BARBARA/CONGRESS	CANDIDATE	09/06/90	P	$1,000	456	
KREAMER, BARBARA/CONGRESS (EMILY'S)	CANDIDATE	09/07/90	G	$0	456	EARMARKED CONTRIB.; SEE PREVIOUS ENTRY.
LEVIN, SENATOR CARL/FRIENDS	CANDIDATE	10/17/89	P	$1,000	4474	CHECK FOR $2,000; SEE NEXT ENTRY.
LEVIN, SENATOR CARL/FRIENDS	CANDIDATE	10/17/89	G	$1,000	4474	CHECK FOR $2,000; SEE PREVIOUS ENTRY.
LONG, JILL/CITIZENS	CANDIDATE	CK. 09/14/89		$500	4213	UNREPORTED?
NORTON, ELEANOR HOLMES/CITIZENS	CANDIDATE	05/03/90	P	$1,000	4673	
NORTON, ELEANOR HOLMES/CITIZENS	CANDIDATE	04/19/91	FOR 1990	$500	705	RPTD. IN 1991.
SCOFIELD, SANDY/FRIENDS	CANDIDATE	09/21/90	G	$500	181	
SCOFIELD, SANDY/FRIENDS (EMILY'S)	CANDIDATE	09/14/90	G	$0	181	EARMARKED CONTRIB.; SEE PREVIOUS ENTRY.
SLOANE/SENATE COMMITTEE	CANDIDATE	05/10/89	P	$1,000	4285	
UNSOELD, JOLENE/CONGRESS	CANDIDATE	CK. 09/10/90		$500	179	UNREPORTED?

* FOR PURPOSES OF $25,000 AGGREGATE LIMIT.

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22-Oct-93

STEINS

CONTRIBUTIONS FOR ROBERT J. STEIN

REPORTING ENTITY OR RECIPIENT	TYPE OF ENTITY	DATE	TYPE OF ELECTION	AMOUNT*	CHECK NO.	COMMENTS
MIKULSKI/SENATE COMMITTEE	CANDIDATE	12/17/91	P	$500	756	
MIKULSKI/SENATE COMMITTEE	CANDIDATE	07/10/92	G	$0	%JTFR	$812; SEE LTR. FROM EMILY'S.
OLIVER, JOHN/CONGRESS	CANDIDATE	05/22/91	G	$1,000	763	
SANFORD, TERRY/US SENATE	CANDIDATE	05/18/92	P	$1,000	600	
SYNAR, MIKE/CONGRESS	CANDIDATE	12/04/92	P	$500	1528	
TSONGAS COMMITTEE INC.	CANDIDATE	03/20/92	P	$1,000	1084	
WOFFORD, SENATOR/CITIZENS	CANDIDATE	06/17/91	P	$1,000	803	CHECK FOR $2,000; SEE NEXT ENTRY.
WOFFORD, SENATOR/CITIZENS	CANDIDATE	06/17/91	G	$1,000	803	CHECK FOR $2,000; SEE PREVIOUS ENTRY.
WYDEN, RON/CONGRESS	CANDIDATE	CK. 06/03/92		$1,000	1054	UNREPORTED?
YEAKEL, LYNN/SENATE	CANDIDATE	07/10/92	G	$0	%JTFR	$812; SEE LTR. FROM EMILY'S.
SUBTOTAL CANDIDATE 1991-1992				$19,250		
DNC SERVICES CORPORATION/DNC	PARTY	07/20/92	P	$5,000	1020	
DNC SERVICES CORPORATION/DNC	PARTY	06/17/92	P	$7,605	1462	
DNC-NON-FEDERAL INDIVIDUAL	PARTY	10/05/92	P	$0	1107	RPTD. $2,500 EXEMPT CONTRIBUTION.
FACES OF CHANGE/U.S. SENATE (FOCUS)	OTHER	07/10/92	P	$5,000	1017	
INDEPENDENT ACTION INC	OTHER	01/27/92	P	$1,000	542	
VOICES FOR CHANGE 1992	OTHER	09/10/92	P	$500	1064	
VOTERS FOR CHOICE/FRIENDS OF FAMILY PLANNING	OTHER	06/03/92	P	$500	1161	
SUBTOTAL NONCANDIDATE 1992				$19,605		
TOTAL CONTRIBUTIONS ATTRIBUTED TO 1992				$38,855		

* FOR PURPOSES OF $25,000 AGGREGATE LIMIT.

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22-Oct-93

STEINS

CONTRIBUTIONS FOR ROBERT J. STEIN

REPORTING ENTITY OR RECIPIENT	TYPE OF ENTITY	DATE	TYPE OF ELECTION	AMOUNT*	CHECK NO.	COMMENTS
1991-1992						
AKAKA, DANIEL/US SENATE	CANDIDATE	03/06/91	G	$1,000	390	
ANDREWS, TOM/FRIENDS	CANDIDATE	06/19/92	G	$1,000	1426	
BOXER, BARBARA/US SENATE	CANDIDATE	10/20/91	P	$1,000	956	
BOXER, BARBARA/US SENATE	CANDIDATE	06/18/92	G	$0	%JTFR	$612 MISTAKENLY RPTD. AS CONTRIB; SEE LTR. FROM EMILY'S.
BRAUN, CAROL MOSELEY/US SENATE	CANDIDATE	06/06/92	G	$1,000	662	
CARR, BOB/FRIENDS	CANDIDATE	06/25/92	G	$1,000	1463	
CLINTON/PRESIDENT COMMITTEE	CANDIDATE	05/20/92	P	$500	1094	CHECK FOR $1000; SEE NEXT ENTRY.
CLINTON/PRESIDENT COMMITTEE	CANDIDATE	03/19/92	P	$500	1094	CHECK FOR $1000; SEE PREVIOUS ENTRY.
DELAURO, ROSA/FRIENDS	CANDIDATE	06/30/92	G	$1,000	631	
DELAURO, ROSA/FRIENDS	CANDIDATE	10/15/91	CONV	$0	892	$1000 MISTAKENLY RPTD. FOR 1991-1992; SPECIFICALLY DESIGNATED FOR 1990 DEBT; SEE 1989-90.
ESPY, MIKE/CONGRESS	CANDIDATE	12/31/91	P	$1,000	507	
FEINSTEIN/SENATE COMMITTEE	CANDIDATE	07/10/92	G	$0	%JTFR	$612; SEE LTR. FROM EMILY'S.
FERRARO/US SENATE	CANDIDATE	03/26/92	P	$1,000	1091	
HEATH, JOSIE/US SENATE	CANDIDATE	07/27/92	P	$0	%JTFR	$612; SEE LTR. FROM EMILY'S.
KERREY/PRESIDENT	CANDIDATE	09/25/91	P	$1,000	934	
KERRY COMMITTEE	CANDIDATE	10/17/91	P	$250	981	
LEVINE CAMPAIGN COMMITTEE	CANDIDATE	05/26/91	P	$1,000	792	
LEVIN/CONGRESS COMMITTEE	CANDIDATE	10/19/92	G	$1,000	1126	
LEVIN/CONGRESS COMMITTEE	CANDIDATE	10/19/92	G	$0		ADDTL. $1,000 MISTAKENLY ENTERED; SEE PREVIOUS ENTRY.

* FOR PURPOSES OF $25,000 AGGREGATE LIMIT.

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2714 1/2 Poplar Street, N.W.
Washington, D.C. 20007

October 22, 1993

Mr. John Crawford, Treasurer
Friends of Rosa DeLauro
49 Huntington Street
New Haven, CT 06511

Dear Mr. Crawford:

In the process of reviewing my contributions, I came across FEC records indicating that a $1,000 contribution I had made on July 20, 1991 (which was not deposited until October, 1991) was improperly attributed to the 1991-92 campaign. That contribution was designated to help retire 1990 campaign debt, as was indicated on the check (copy attached). Accordingly, it is necessary for me to request that you redesignate the contribution to 1990, as originally intended. If that is not possible, please promptly return the contribution.

I regret the inconvenience and greatly appreciate your cooperation in this matter.

Sincerely,

/s/

Robert J. Stein

Attachments (2)

93043542372

892

ROBERT J. STEIN
MARY ANN STEIN
4111 ARGYLE TER., N.W.
WASHINGTON, D.C. 20011

7-20 19 91

PAY TO THE ORDER OF Rosa Delauro 508071315 10-18-91 004 05 0725 $ 1000

One Thousand and XX/100 DOLLARS

RIGGS
The Riggs National Bank of Washington, DC
Thomas Circle Office
Washington, DC 20074-0758

01 10-17 240123354
22 10-18 509853321

MEMO 1990 Debt

[redacted] 0000100000

10-18-91 5500
0111-0048-1 2 062
22 10-18 240123354

0520-0027-8
0520-0027-8
508071315 10-18-91

RIGGS NAT. BANK
PROCESSED
10/18/91
54079076

FOR DEPOSIT ONLY
FRIENDS OF ROSA DELAURO

0010 4316

9304354 2373

SCHEDULE A - ITEMIZED RECEIPTS

PAGE: 2 OF 20

Individual Contribution

LINK NUMBER 11A

Name of Committee: FRIENDS OF ROSA DELAURO

Name and Address		Date	Amount
Ms. Wanda Grayson 545 W. Scott Avenue Fresno, CA 93704 Receipt for C92	Employer: N/A Occupation: retired YTD amount: 500.00	09/08/91	500.00
Mr. Charles Blitz 2400 Mount Calvary Santa Barbara, CA 93105 Receipt for C92	Employer: Self-Employed Occupation: Businessman YTD amount: 1000.00	11/15/91	1000.00
Ms. Ellen Cambi 50 Arnold Drive Stamford, CT 06905 Receipt for C92	Employer: Harry Bennett Inc. Occupation: Realtor YTD amount: 1000.00	10/15/91	1000.00
Mr. Joshua Mailman 477 Madison Avenue #17FL New York, NY 10022-5802 Receipt for C92	Employer: Mailman Foundation Occupation: Executive YTD amount: 1000.00	10/15/91	1000.00
Mr. Robert Stein 4111 Argyle Terrace Washington, DC 20011 Receipt for C92	Employer: Self-employed Occupation: consultant YTD amount: 1000.00	10/15/91	1000.00
Mr. J. Kemler Appell 400 East Street Plainville, CT 06062 Receipt for C92	Employer: Pharmaceutical Group Occupation: Manager YTD amount: 250.00	09/16/91	250.00
Mr. Gerald Weiner 15 Bishop Drive Woodbridge, CT 06525 Receipt for C92	Employer: Weinstein, Weiner & Shapiro Occupation: attorney YTD amount: 550.00	09/10/91	350.00

Sub-total receipts this pg: 5100.00

93043542374

2714 1/2 Poplar Street, N.W.
Washington, D.C. 20007

October 22, 1993

Ms. Ellen R. Malcolm, Treasurer
Emily's List
1112 16th Street, N.W. Suite 750
Washington, D.C. 20036

Dear Ms. Malcolm:

It has recently come to my attention that I unintentionally exceeded the annual aggregate contribution limit in the Federal Election Campaign Act for the 1989-90 election cycle. Accordingly, it is necessary for me to request the prompt return of the following contributions I made to Emily's List on the dates indicated:

09/14/90	$ 2,500
12/21/90	$ 2,250

These contributions total $4,750. I regret the inconvenience and greatly appreciate your cooperation in this matter.

Sincerely,

/s/

Robert J. Stein

93043542375

2714 1/2 Poplar Street, N.W.
Washington, D.C. 20007

October 22, 1993

Ms. Linda Tarr-Whelan, Treasurer
Voters For Choice/Friends of Family Planning
2604 Connecticut Ave., N.W.
Washington, D.C. 20008

Dear Ms. Tarr-Whelan:

It has recently come to my attention that I unintentionally exceeded the annual aggregate contribution limit in the Federal Election Campaign Act for the 1991-92 election cycle. Accordingly, it is necessary for me to request the prompt return of the $500 contribution attributed to me on June 3, 1992.

I regret the inconvenience and greatly appreciate your cooperation in this matter. Please make payment payable to Mary Ann Stein at 4111 Argyle Terrace, N.W., Washington, D.C. 20011.

Sincerely,

/s/

Robert J. Stein

93043542376

2714 1/2 Poplar Street, N.W.
Washington, D.C. 20007

October 22, 1993

Mark Ingram, Treasurer
Independent Action, Inc.
1511 K Street, N.W. #619
Washington, D.C. 20005

Dear Mr. Ingram:

It has recently come to my attention that I unintentionally exceeded the annual aggregate contribution limit in the Federal Election Campaign Act for the 1991-92 election cycle. Accordingly, it is necessary for me to request the prompt return of the $1,000 contribution I made to Independent Action, Inc. on January 27, 1992.

I regret the inconvenience and greatly appreciate your cooperation in this matter. Please make payment within thirty days.

Sincerely,

/s/

Robert J. Stein

93043542377

2714 1/2 Poplar Street, N.W.
Washington, D.C. 20007

October 22, 1993

Mr. Maitland Sharpe, Treasurer
League of Conservation Voters, Inc.
1707 L Street, NW Suite 550
Washington, D.C. 20036

Dear Mr. Sharpe:

It has recently come to my attention that I unintentionally exceeded the annual aggregate contribution limit permitted in the Federal Election Campaign Act for the 1987-88 election cycle. Accordingly, it is necessary for me to request the prompt return of the following contributions that were reported by LCV as designated to its political action committee:

01/27/88	$ 1,500
08/02/88	$ 1,000

These contributions total $2,500. I regret the inconvenience and greatly appreciate your cooperation in this matter.

Sincerely,

/s/

Robert J. Stein

93043542378

2714 1/2 Poplar Street, N.W.
Washington, D.C. 20007

October 22, 1993

Donald J. Foley, Treasurer
Democratic Senatorial Campaign Committee
430 South Capitol Street, SE
Washington, D.C. 20003

Dear Mr. Foley:

It has recently come to my attention that I unintentionally exceeded the annual aggregate contribution limit in the Federal Election Campaign Act for the 1987-88 election cycle. Accordingly, it is necessary for me to request the prompt return of the following contributions I made to the DSCC on the dates indicated:

05/18/88	$ 1,000
09/16/88	$ 1,500

These contributions total $2,500. I regret the inconvenience and greatly appreciate your cooperation in this matter.

Sincerely,

/s/

Robert J. Stein

93043542379

2714 1/2 Poplar Street, N.W.
Washington, D.C. 20007

October 22, 1993

Robert T. Matsui, Treasurer
Democratic National Committee
430 S. Capitol Street, S.E.
Washington, D.C. 20003

93043542380

Dear Mr. Matsui:

It has recently come to my attention that I unintentionally exceeded the annual aggregate contribution limit in the Federal Election Campaign Act in certain election years past. Accordingly, it is necessary for me to request the prompt return of the following contributions I made to the DNC Services Corporation on the dates indicated:

03/31/88	$ 500
09/13/88	$ 1,500
11/02/88	$ 1,000
07/20/92	$ 5,000
08/17/92	$ 7,605

I donated the last amount in exchange for the receipt of three Lichtenstein prints. Naturally, I intend to return the artwork to the Committee.

These contributions total $15,605. Please contact me to make arrangements for the return of the prints. I regret the inconvenience and greatly appreciate your cooperation in this matter.

Sincerely,

/s/

Robert J. Stein

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

The Honorable John Glenn
503 Hart Senate Office Building
Washington, DC 20510

RE: MUR 2999 (consolidated into MUR 3121)

Dear Senator Glenn:

On November 6, 1989, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

9304354238 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

The Honorable Dennis DeConcini
328 Hart Senate Office Building
Washington, DC 20510

RE: MUR 2999 (consolidated into MUR 3121)

Dear Senator DeConcini:

On November 6, 1989, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

9304354238 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 1 0 1993

The Honorable Alan Cranston
112 Hart Senate Office Building
Washington, DC 20510

RE: MUR 2999 (consolidated into MUR 3121)

Dear Senator Cranston:

On November 6, 1989, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 0 9 1993

9304354238 83

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Ronald C. Peterson, Esquire
355 South Grand Avenue
40th Floor
Los Angeles, CA 90071

RE: MUR 2999 (consolidated into MUR 3121)
Cranston for Senate '92, Inc. and Solomon M. Kane, as treasurer

Dear Mr. Peterson:

On November 6, 1989, the Federal Election Commission notified your clients, Cranston for Senate '92, Inc. and Solomon M. Kane, as treasurer, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against Cranston for Senate '92, Inc. and Solomon M. Kane, as treasurer. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Tal Finney, Controller
California Democratic Party
2029 Century Park East, #4395
Los Angeles, CA 90067

RE: MUR 2999 (consolidated into MUR 3121)

Dear Mr. Finney:

On November 6, 1989, the Federal Election Commission notified the California Democratic Party of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the California Democratic Party. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DEC 10 1993

John T. Wrzesinski, M.D.
3108-2 S. McClintock
Tempe, AZ 85282

RE: MUR 3068 (consolidated into MUR 3121)

Dear Dr. Wrzesinski:

On May 25, 1990, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). On February 12, 1991, the Commission found reason to believe that Charles H. Keating, Jr. violated 2 U.S.C. §§ 441b(a) and 441f. On that same date, the Commission also determined to take no action at that time as to an alleged violation of 2 U.S.C. § 441a(a)(3) by Mr. Keating.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against Charles H. Keating, Jr. Accordingly, the Commission closed its file in this matter. This matter will become part of the public record within 30 days.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable John McCain
111 Russell Senate Office Building
Washington, DC 20510

RE: MUR 2999 (consolidated into MUR 3121)

Dear Senator McCain:

On October 30, 1989, the Federal Election Commission received your complaint, which incorporated a letter to the United States Senate Select Committee on Ethics, alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). On February 12, 1991, the Commission found reason to believe that 94 individual respondents violated 2 U.S.C. § 441f.[1] On that same date, the Commission found reason to believe that Charles H. Keating, Jr. violated 2 U.S.C. §§ 441b(a) and 441f. The Commission also determined to take no action at that time as to an alleged violation of 2 U.S.C. § 441a(a)(3) by Mr. Keating.

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1. These 94 individuals include: Anaki Anau, Eve Anau, Jack Atchison, Robin Atchison, Daniele Bodini, Bradley Boland, Elaine Boland, Lynn Borushko, Jean Brunst, John Brunst, Jeff Carlson, Christopher Chambers, Julie Collins, James Conner, Donald Crocker, Gary Crow, Larry Dannenfeldt, Bruce Dickson, Rebecca Dickson, Donald Donnelly, Randy Ecklund, Corey Edens, Brenda Elmer, Karl Jeffrey Erhart, James Farney, Kathi Fidel, Ray Fidel, James Grogan, Mary Grogan, Gary Hall, Mary Hall, Mary Hinz, William Hinz, Thomas Hott, James Hubbard, Kathleen Hubbard, Robert J. Hubbard, Jr., Randal Hyatt, Benno Jurgemeyer, Deborah Karbo, Carol Kassick, Gregory Kassick, Charles Keating, III, Krista Keating, Mary Elaine Keating, Elizabeth Kielty, Robert Kielty, Robert Kipp, Sandra Koltz, Timothy Kruckeberg, Leroy Liebermann, Andrew Ligget, Michele Ligget, Carol Loback, Donald Loback, Michele Mencuccini, Maureen Mulhern, Robert Mulhern, Thomas Mulhern, Michael Murray, Timothy Murray, Larry Nelson, Andre Niebling, Helen Niebling, Edward Novak, Mary Virginia Novak, Evertt Pfeiff, Linda Pfeiff, Michael Ripson, Carol Sauter Niehaus, Mark Sauter, Barbara Schmidt, Scott Siebels, Ronald Sova, David Stevens, Elizabeth Stoll, Ronald Stoll, Barbara Symes, Robin Symes, David Thompson, Helen Thompson, James Upchurch, Allen Van Loo, Mark Voigt, Kathleen Wade, Robert Wade, Ellen Weiner, Sheldon Weiner, Timothy Westfall, Terrence Wilson, George Wischer, Judy Wischer, Elizabeth Wurzelbacher and Robert Wurzelbacher.

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On February 12, 1991, the Commission also found reason to believe that the Center for Participation in Democracy violated 2 U.S.C. §§ 433, 434 and 441b(a), the National Council on Public Policy and William R. White, as treasurer, violated 2 U.S.C. § 441b(a) and 11 C.F.R. 102.5(a), and Senator John Glenn Committee and William J. Brown, as treasurer, and John Glenn Presidential Committee, Inc. and Michael Petro, as treasurer, violated 2 U.S.C. § 441b(a).

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against the foregoing respondents. Previously, the Commission determined on February 12, 1991, to take no action against Forum Institute, New Dimension Resources, Inc. and Robert J. Stein, as President. Accordingly, the Commission closed its file in this matter. This matter will become part of the public record within 30 days.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Charles R. Hartman, III, Esquire
Rogers & Wells
201 North Figueroa Street
15th Floor
Los Angeles, CA 90012-2638

RE: MUR 3121
Andre Niebling
Helen Niebling

Dear Mr. Hartman:

On February 12, 1991, your clients, Andre Niebling and Helen Niebling, were notified that the Federal Election Commission had found reason to believe they violated 2 U.S.C. § 441f. On December 4, 1991, you submitted a response to the Commission's reason to believe findings. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against Andre Niebling and Helen Niebling. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Stephen S. Cowen, Esquire
Steptoe & Johnson
1330 Connecticut Ave. NW
Washington, DC 20036-1795

RE: MUR 3121
Edward Novak
Mary Novak

Dear Mr. Cowen:

On February 12, 1991, your clients, Edward Novak and Mary Novak, were notified that the Federal Election Commission had found reason to believe they violated 2 U.S.C. § 441f. On April 15, 1991, you submitted a response to the Commission's reason to believe findings. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against Edward Novak and Mary Novak. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Stephen C. Neal, P.C.
Kirkland & Ellis
200 East Randolph Drive
Chicago, IL 60601

RE: MUR 3121
Bradley Boland
Elaine Boland
Kathleen Hubbard
Robert Hubbard, Jr.
Carol Kassick
Gregory Kassick
Charles H. Keating, Jr.
Charles H. Keating, III
Mary Elaine Keating
Maureen Mulhern
Thomas Mulhern
Elizabeth Wurzelbacher
Robert Wurzelbacher

Dear Mr. Neal:

On February 12, 1991, your clients, Bradley Boland, Elaine Boland, Kathleen Hubbard, Robert Hubbard, Jr., Carol Kassick, Gregory Kassick, Mary Elaine Keating, Charles H. Keating III, Maureen Mulhern, Thomas Mulhern, Elizabeth Wurzelbacher, and Robert Wurzelbacher, were notified that the Federal Election Commission had found reason to believe they violated 2 U.S.C. § 441f. On that same date, your client, Charles H. Keating, Jr., was notified that the Federal Election Commission had found reason to believe he violated 2 U.S.C. §§ 441b(a) and 441f. On June 14, 1991, you submitted a response to the Commission's reason to believe findings. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against your clients. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit

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any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Thomas L. Murray, Esquire
16433 Foxcross Drive
Granger, IN 46530

RE: MUR 3121
Timothy Murray

Dear Mr. Murray:

On February 12, 1991, your client, Timothy Murray, was notified that the Federal Election Commission had found reason to believe he violated 2 U.S.C. § 441f. On March 25, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against Timothy Murray. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 1 0 1993

Andrew Ligget
Michele Ligget
8405 E. Via De Sereno
Scottsdale, AZ 85258

RE: MUR 3121

Dear Mr. and Mrs. Ligget:

On February 12, 1991, you were both notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 0 9 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Ronald M. Stoll
Elizabeth A. Stoll
128 W. Moon Valley Drive
Phoenix, AZ 85023

RE: MUR 3121

Dear Mr. and Mrs. Stoll:

On February 12, 1991, you were both notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On April 5, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Anaki L. Anau
Eva Anau
7700 North 14th Street
Phoenix, AZ 85020

RE: MUR 3121

Dear Mr. and Mrs. Anau:

On February 12, 1991, you were both notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On April 1, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 1 0 1993

Donald R. Loback
Carol Loback
9850 North 83rd Way
Scottsdale, AZ 85258

RE: MUR 3121

Dear Mr. and Mrs. Loback:

On February 12, 1991, you were both notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On March 29, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 0 9 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DEC 10 1993

Robert T. Bennett, Chairman
Ohio Republican Party
172 East State Street, Suite 400
Columbus, OH 43215

RE: MUR 3121

Dear Mr. Bennett:

On August 30, 1990, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). On February 12, 1991, the Commission found reason to believe that the John Glenn Presidential Committee, Inc. and Michael Petro, as treasurer, and the Senator John Glenn Committee and William J. Brown, as treasurer, violated 2 U.S.C. § 441b(a). On that same date, the Commission also found reason to believe that the National Council for Public Policy and William R. White, as treasurer, violated 2 U.S.C. § 441b(a) and 11 C.F.R. 102.5(a).

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against the John Glenn Presidential Committee, Inc. and Michael Petro, as treasurer, the Senator John Glenn Committee and William J. Brown, as treasurer, and the National Council for Public Policy and William R. White, as treasurer. Accordingly, the Commission closed its file in this matter. This matter will become part of the public record within 30 days.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Daniel J. Swillinger, Esquire
Maloney & Burch
1100 Connecticut Avenue, NW
Washington, DC 20036

RE: MUR 2999 (consolidated into MUR 3121)
Rhodes for Congress Committee and Kent H. Mulkey, as treasurer

Dear Mr. Swillinger:

On November 6, 1989, the Federal Election Commission notified your clients, the Rhodes for Congress Committee and Kent H. Mulkey, as treasurer, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the Rhodes for Congress Committee and Kent H. Mulkey, as treasurer. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Bob Bauer, Esquire
Judith Corley, Esquire
Perkins Coie
1110 Vermont Avenue, NW
Washington, DC 20005

DEC 10 1993

RE: MUR 2999 (consolidated into MUR 3121)
Senator Donald W. Riegle, Jr.

Dear Mr. Bauer and Ms. Corley:

On November 6, 1989, the Federal Election Commission notified your client, Senator Donald W. Riegle, Jr., of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against Senator Donald W. Riegle, Jr. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Eveline Hyde, Treasurer
McCain for Congress Committee
P.O. Box 25306
Tempe, AZ 85282

RE: MUR 2999 (consolidated into MUR 3121)

Dear Ms. Hyde:

On November 6, 1989, the Federal Election Commission notified the McCain for Congress Committee and you, as treasurer, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the McCain for Congress Committee and you, as treasurer. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

William C. Shedd, Treasurer
Riegle for Senate Committee
501 Citizens Bank Building
Flint, MI 48502

RE: MUR 2999 (consolidated into MUR 3121)

Dear Mr. Shedd:

On November 6, 1989, the Federal Election Commission notified the Riegle for Senate Committee and you, as treasurer, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the Riegle for Senate Committee and you, as treasurer. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Thomas R. Holtrup, Treasurer
John McCain Re-Election Committee
P.O. Box 32128
Phoenix, AZ 85064

DEC 10 1993

RE: MUR 2999 (consolidated into MUR 3121)

Dear Mr. Holtrup:

On November 6, 1989, the Federal Election Commission notified the John McCain Re-Election Committee and you, as treasurer, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the John McCain Re-Election Committee and you, as treasurer. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Theresa J. Kimker, Esquire
Morrison, Hecker, Curtin,
Kuder & Parrish
1600 Financial Center
3443 North Central Avenue
Phoenix, AZ 85012

DEC 10 1993

RE: MUR 3121
Lincoln Savings and Loan
Association

Dear Ms. Kimker:

On November 6, 1989, the Federal Election Commission notified your client, Lincoln Savings and Loan Association, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against Lincoln Savings and Loan Association. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Lynda S. Schmitz, Treasurer
DeConcini '88 Committee
5039 N. 19th Avenue, #3
Phoenix, AZ 85015

RE: MUR 2999 (consolidated into MUR 3121)

Dear Ms. Schmitz:

On November 6, 1989, the Federal Election Commission notified the DeConcini '88 Committee and you, as treasurer, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the DeConcini '88 Committee and you, as treasurer. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Sherwin J. Markman, Esquire
Hogan & Hartson
555 13th Street, N.W.
Washington, DC 20004-1109

DEC 10 1993

RE: MUR 3121
New Dimension Resources, Inc. and Robert J. Stein, as President

Dear Mr. Markman:

On November 6, 1989, the Federal Election Commission notified your clients, New Dimension Resources, Inc. and Robert J. Stein, as President, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against New Dimension Resources, Inc. and Robert J. Stein, as President. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

9304354240 06

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Benno Jurgemeyer
5530 East Beverly Lane
Scottsdale, AZ 85254

RE: MUR 3121

Dear Mr. Jurgemeyer:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On April 1, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

9304354240 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Deborah A. Karbo
1710 Brandee Lane
Santa Rosa, CA 95403

RE: MUR 3121

Dear Ms. Karbo:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On April 1, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

9304354240 8

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 1 0 1993

Krista Keating
2302 East Bethany Home Road
Phoenix, AZ 85016

RE: MUR 3121

Dear Ms. Keating:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On April 12, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 0 9 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Robert R. Kipp
2526 Avenue Au Soleil
Gulf Stream, FL 33483

RE: MUR 3121

Dear Mr. Kipp:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On April 15, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Timothy Kruckeberg
2076 Berkshire Club Drive
Cincinnati, OH 45230

RE: MUR 3121

Dear Mr. Kruckeberg:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On October 28, 1991, and December 10, 1991, you submitted responses to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

9304354241

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

James A. Schmiesing, Esquire
Schmiesing & Blied
2100 S.E. Main Street, Suite 300
Irvine, CA 92714

RE: MUR 3121
Robert Mulhern

Dear Mr. Schmiesing:

On February 12, 1991, your client, Robert Mulhern, was notified that the Federal Election Commission had found reason to believe he violated 2 U.S.C. § 441f. On April 8, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against Robert Mulhern. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

9304354241 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Michael S. Murray
17002 South 32nd
Phoenix, AZ 85044

RE: MUR 3121

Dear Mr. Murray:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

9304354241 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Larry G. Nelson
8481 East Long Avenue
Englewood, CO 80112

RE: MUR 3121

Dear Mr. Nelson:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On April 1, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Marylina Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Mel McDonald, Esquire
Jones, Skelton & Hochuli
2901 N. Central Ave., Suite 800
Phoenix, AZ 85012

RE: MUR 3121
Michael Ripson

Dear Mr. McDonald:

On February 12, 1991, your client, Michael Ripson, was notified that the Federal Election Commission had found reason to believe he violated 2 U.S.C. § 441f. On November 5, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against Michael Ripson. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

9304354241 5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Gordon Greenberg, Esquire
Sheppard, Mullin,
Richter & Hampton
333 South Hope Street, 48th Floor
Los Angeles, CA 90071

RE: MUR 3121
Mark Sauter

Dear Mr. Greenberg:

On February 12, 1991, your client, Mark Sauter, was notified that the Federal Election Commission had found reason to believe he violated 2 U.S.C. § 441f. On July 15, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against Mark Sauter. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Barbara J. Schmidt
5601 E. Tierra Buena Lane
Scottsdale, AZ 85254

RE: MUR 3121

Dear Ms. Schmidt:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On March 28, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

9304354241 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Scott A. Siebels
28 Neponset Road
Wilmington, DE 19810

RE: MUR 3121

Dear Mr. Siebels:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On April 8, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

9304354241 8

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Michael J. Lightfoot, Esquire
Talcott, Lightfoot, Vandevelde,
Woehrle & Sadowsky
655 South Hope Street, 13th Floor
Los Angeles, CA 90017

RE: MUR 3121
Bruce F. Dickson
Rebecca H. Dickson

Dear Mr. Lightfoot:

On February 12, 1991, your clients, Bruce F. Dickson and Rebecca H. Dickson, were notified that the Federal Election Commission had found reason to believe they violated 2 U.S.C. § 441f. On June 3, 1991, you submitted a response to the Commission's reason to believe findings. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against Bruce F. Dickson and Rebecca H. Dickson. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

9304354241 9

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Hugh M. Caldwell, Jr. Esquire
Waterfall, Economidis, Caldwell,
Hanshaw & Villamana
Williams Centre, 8th Floor
5210 E. Williams Circle
Tucson, AZ 85711

RE: MUR 3121
Mary Hinz
William Hinz

Dear Mr. Caldwell:

On February 12, 1991, your clients, Mary Hinz and William Hinz, were notified that the Federal Election Commission had found reason to believe they violated 2 U.S.C. § 441f. On April 3, 1991, you submitted a response to the Commission's reason to believe findings. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against Mary Hinz and William Hinz. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Dina M. McKenna, Esquire
Layman, Jones & Dye
2600 Michelson Drive, Suite 1000
P.O. Box 19798
Irvine, CA 92713-9798

RE: MUR 3121
Kathi Fidel
Ray C. Fidel

Dear Ms. McKenna:

On February 12, 1991, your clients, Kathi Fidel and Ray C. Fidel, were notified that the Federal Election Commission had found reason to believe they violated 2 U.S.C. § 441f. On March 18, 1991, you submitted a response to the Commission's reason to believe findings. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against Kathi Fidel and Ray C. Fidel. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Ronald C. Peterson, Esquire
Heller, Ehrman, White & McAuliffe
555 S. Flower Street, 25th Floor
Los Angeles, CA 90071

RE: MUR 3121
Center for Participation in Democracy

Dear Mr. Peterson:

On February 12, 1991, your client, the Center for Participation in Democracy, was notified that the Federal Election Commission had found reason to believe it violated 2 U.S.C. §§ 443, 434, and 441b(a). On May 6, 1991, you submitted a response to the Commission's reason to believe findings. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against the Center for Participation in Democracy. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

9304354242 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

George W. Buehler, Esquire
Miller & Nolan, Inc.
520 South Grand Avenue
7th Floor
Los Angeles, CA 90071

RE: MUR 3121
Gary Hall
Mary Hall

Dear Mr. Buehler:

On February 12, 1991, your clients, Gary Hall and Mary Hall, were notified that the Federal Election Commission had found reason to believe they violated 2 U.S.C. § 441f. On May 28, 1991, you submitted a response to the Commission's reason to believe findings. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against Gary Hall and Mary Hall. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

9304354242 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

David E. Frulla, Esquire
Brand & Lowell
923 15th Street, NW
Washington, DC 20005

RE: MUR 3121
George Wischer
Judy Wischer

Dear Mr. Frulla:

On February 12, 1991, your clients, George Wischer and Judy Wischer, were notified that the Federal Election Commission had found reason to believe they violated 2 U.S.C. § 441f. On April 22, 1991, you submitted a response to the Commission's reason to believe findings. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against George Wischer and Judy Wischer. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

9304354224

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Gail Migdal Title, Esquire
Rosenfeld, Meyer & Susman
9601 Wilshire Blvd., 4th Floor
Beverly Hills, CA 90210-5288

RE: MUR 3121
Ellen Weiner
Sheldon Weiner

Dear Ms. Title:

On February 12, 1991, your clients, Ellen Weiner and Sheldon Weiner, were notified that the Federal Election Commission had found reason to believe they violated 2 U.S.C. § 441f. On May 31, 1991, you submitted a response to the Commission's reason to believe findings. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against Ellen Weiner and Sheldon Weiner. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

9304354225

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Rudolph E. Loewenstein, Esquire
322 W. Mohawk Drive
Malvern, OH 44644

RE: MUR 3121
Barbara Symes
Robin Symes

Dear Mr. Loewenstein:

On February 12, 1991, your clients, Barbara Symes and Robin Symes, were notified that the Federal Election Commission had found reason to believe they violated 2 U.S.C. § 441f. On May 23, 1991, you submitted a response to the Commission's reason to believe findings. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against Barbara Symes and Robin Symes. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

9304354226

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Corey D. Edens
3730 East Elm Street
Phoenix, AZ 85018

RE: MUR 3121

Dear Ms. Edens:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On April 23, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

9304354227

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

DEC 10 1993

David O. Clark, Esquire
Kaplan, Russin & Vecchi
1215 17th Street, N.W.
Washington, DC 20036

RE: MUR 3121
National Council for Pulic Policy and William R. White, as treasurer

Dear Mr. Clark:

On February 12, 1991, your clients, the National Council for Public Policy and William R. White, as treasurer, were notified that the Federal Election Commission had found reason to believe they violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a). On March 20, 1991, you submitted a response to the Commission's reason to believe findings.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against the National Council for Public Policy and William R. White, as treasurer. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

9304354428

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Tom Karlsen, Treasurer
Dennis DeConcini Re-Election
Committee
1436 North 44th Street
Phoenix, AZ 85008

RE: MUR 2999 (consolidated into
MUR 3121)

Dear Mr. Karlsen:

On November 6, 1989, the Federal Election Commission notified the Dennis DeConcini Re-Election Committee and you, as treasurer, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the Dennis DeConcini Re-Election Committee and you, as treasurer. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

9304354229

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Charles F.C. Ruff, Esquire
Scott D. Gilbert, Esquire
Dwight C. Smith, III, Esquire
Covington & Burling
1201 Pennsylvania Avenue, NW
P.O. Box 7566
Washington, DC 20044

RE: MUR 3121
John Glenn Presidential Committee, Inc. and Michael Petro, as treasurer
Senator John Glenn Committee and William J. Brown, as treasurer

Dear Messrs. Ruff, Gilbert and Smith:

On February 12, 1991, your clients, John Glenn Presidential Committee, Inc. and Michael Petro, as treasurer, and Senator John Glenn Committee and William J. Brown, as treasurer, were notified that the Federal Election Commission had found reason to believe they violated 2 U.S.C. § 441b(a). On April 15, 1991, you submitted a response to the Commission's reason to believe findings. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against John Glenn Presidential Committee, Inc. and Michael Petro, as treasurer, and Senator John Glenn Committee and William J. Brown, as treasurer. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record,

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please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Timothy Baughman, Treasurer
John McCain for Senate
P.O. Box 710
Phoenix, AZ 85001

RE: MUR 2999 (consolidated into MUR 3121)

Dear Mr. Baughman:

On November 6, 1989, the Federal Election Commission notified John McCain for Senate and you, as treasurer, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against John McCain for Senate and you, as treasurer. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Marc L. Spitzer, Esquire
Fenmore Craig
2 North Central Avenue
Suite 2200
Phoenix, AZ 85004-2390

DEC 10 1993

RE: MUR 3121
Thomas V. Hott

Dear Mr. Spitzer:

On February 12, 1991, your client, Thomas V. Hott, was notified that the Federal Election Commission had found reason to believe he violated 2 U.S.C. § 441f. On April 2, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against Thomas V. Hott. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

James Upchurch
11245 South Bannock
Phoenix, AZ 85044

RE: MUR 3121

Dear Mr. Upchurch:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Terence Wilson
9270 E. Mission Lane #108
Scottsdale, AZ 85258

RE: MUR 3121

Dear Mr. Wilson:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Everett L. Pfeiff
Linda Pfeiff
33208 Alta Vista Drive
Evergreen, CO 80439

RE: MUR 3121

Dear Mr. and Mrs. Pfeiff:

On February 12, 1991, you both were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 0 5 1990

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Sandra Klotz
10177 East San Salvador Dr.
Scottsdale, AZ 85258

RE: MUR 3121

Dear Ms. Klotz:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Brenda Elmer
729 West Collidge #215
Phoenix, AZ 85013

RE: MUR 3121

Dear Ms. Elmer:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 1 0 1993

David R. Calloway, Esquire
Topel & Goodman
832 Sansome Street, 4th Floor
San Francisco, CA 94111

RE: MUR 3121
James Grogan
Mary Grogan
Robert Kielty
Elizabeth Kielty

Dear Mr. Calloway:

On February 12, 1991, your clients, James Grogan, Mary Grogan, Robert Kielty and Elizabeth Kielty, were notified that the Federal Election Commission had found reason to believe they violated 2 U.S.C. § 441f. On April 30, 1991, you submitted a response to the Commission's reason to believe findings on behalf of James Grogan and Mary Grogan. On May 29, 1991, you submitted a response to the Commission's reason to believe findings on behalf of Robert Kielty and Elizabeth Kielty. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against James Grogan, Mary Grogan, Robert Kielty and Elizabeth Kielty. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 0 9 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

James E. Farney
5326 E. Larkspur Drive
Scottsdale, AZ 85254

RE: MUR 3121

Dear Mr. Farney:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On April 3, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Karl Jeffrey Erhart
601 West Augusta
Phoenix, AZ 85021

RE: MUR 3121

Dear Mr. Erhart:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On September 9, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Randy Ecklund
9012 East Sutton Drive
Scottsdale, AZ 85260

RE: MUR 3121

Dear Mr. Ecklund:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On April 5, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Donald H. Donnelly
9802 East Mission Lane
Scottsdale, AZ 85258

RE: MUR 3121

Dear Mr. Donnelly:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On March 25, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Larry Dannenfeldt
5356 East Kings Avenue
Scottsdale, AZ 85254

RE: MUR 3121

Dear Mr. Dannenfeldt:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On April 3, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Edward R. Munoz, Esquire
Munoz, Borris & Associates
1717 S. State College #125
Anaheim, CA 92806

RE: MUR 3121
Gary Crow

Dear Mr. Munoz:

On February 12, 1991, your client, Gary Crow, was notified that the Federal Election Commission had found reason to believe he violated 2 U.S.C. § 441f. On April 8, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against Gary Crow. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 9 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Donald W. Crocker
14 Cinchring Road
Rolling Hills, CA 90274

RE: MUR 3121

Dear Mr. Crocker:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On March 13, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

James Conner
217 West Flynn Lane
Phoenix, AZ 85013

RE: MUR 3121

Dear Mr. Conner:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On April 15, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Marylin Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Julie Collins
1648 North Ventura Lane
Tempe, AZ 85281

RE: MUR 3121

Dear Ms. Collins:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On April 1, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Jeff Carlson
13176 N. 104th Street
Scottsdale, AZ 85259

RE: MUR 3121

Dear Mr. Carlson:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On July 16, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Lynn Borushko
30 East Brown
Suite 2078
Mesa, AZ 85201

RE: MUR 3121

Dear Ms. Borushko:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On April 22, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 199

Shinaan S. Krakowsky, Esquire
McCambridge, Deixler,
Marmaro & Goldberg
2029 Century Park East, Suite 2700
Los Angeles, CA 90067

RE: MUR 3121
Michele Mencuccini
Mark Voigt

Dear Mr. Krakowsky:

On February 12, 1991, your clients, Michele Mencuccini and Mark Voigt, were notified that the Federal Election Commission had found reason to believe they violated 2 U.S.C. § 441f. On April 22, 1991, you submitted a response to the Commission's reason to believe findings. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against Michele Mencuccini and Mark Voigt. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Ronald A. Sova
10316 E. Bella Vista
Scottsdale, AZ 85258

RE: MUR 3121

Dear Mr. Sova:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On July 31, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

George J. Cotsirilos, Jr., Esquire
Cotsirilos & Campisano
155 Montgomery St., 9th Floor
San Francisco, CA 94104

RE: MUR 3121
David Thompson

Dear Mr. Cotsirilos:

On February 12, 1991, your client, David Thompson, was notified that the Federal Election Commission had found reason to believe he violated 2 U.S.C. § 441f. On May 13, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against David Thompson. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Helen H. Thompson
10575 E. Arabian Park Drive
Scottsdale, AZ 85259

RE: MUR 3121

Dear Ms. Thompson:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On April 23, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Maryann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Allen H. Van Loo
10617 North 23rd Place
Phoenix, AZ 85028

RE: MUR 3121

Dear Mr. Van Loo:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On April 8, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Robert J. Wade
Kathleen R. Wade
10307 E. San Salvador Drive
Scottsdale, AZ 85258

RE: MUR 3121

Dear Mr. and Mrs. Wade:

On February 12, 1991, you were both notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On March 26, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Timothy C. Westfall
5299 E. Exeter Boulevard
Phoenix, AZ 85018

RE: MUR 3121

Dear Mr. Westfall:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On September 13, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

John D. Viener, Esquire
Christy & Viener
620 Fifth Avenue
New York, NY 10020

RE: MUR 3121
Daniele Bodini

Dear Mr. Viener:

On February 12, 1991, your client, Daniele Bodini, was notified that the Federal Election Commission had found reason to believe he violated 2 U.S.C. § 441f. On March 18, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against Daniele Bodini. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Carol Sauter Niehaus
2851 Pine Grove Avenue
Cincinnati, OH 45208

RE: MUR 3121

Dear Ms. Niehaus:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On January 8, 1992, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Leroy H. Liebermann
11815 N. 76th Place
Scottsdale, AZ 85260

RE: MUR 3121

Dear Mr. Liebermann:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On April 1, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Christopher J. Chambers
1867 Amalfi Drive
Leucadia, CA 92024

RE: MUR 3121

Dear Mr. Chambers:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On May 17, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

James R. Hubbard
9611 Todd Avenue
Cincinnati, OH 45242

RE: MUR 3121

Dear Mr. Hubbard:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On October 31, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Mark E. Wight, Esquire
Orndorff, Peterson, Hawley,
Wight & Gilman
1087 West River St., Suite 230
Boise, ID 83702

RE: MUR 3121
David Stevens

Dear Mr. Wight:

On February 12, 1991, your client, David Stevens, was notified that the Federal Election Commission had found reason to believe he violated 2 U.S.C. § 441f. On December 16, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against David Stevens. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Robyn Atchison
c/o Walter Pozen, Esq.
Stroock & Stroock & Lavan
1150 17 Street, NW
Washington, DC 20036-4652

RE: MUR 3121

Dear Ms. Atchison:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public.

Although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Karen White

Karen White

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Walter Pozen, Esquire
Stroock & Stroock & Lavan
1150 17th Street, N.W.
Washington, DC 20036-4652

RE: MUR 3121
Jack Atchison

Dear Mr. Pozen:

On February 12, 1991, your client, Jack Atchison, was notified that the Federal Election Commission had found reason to believe he violated 2 U.S.C. § 441f. On May 28, 1991, you submitted a response to the Commission's reason to believe findings. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against Jack Atchison. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Karen White

Karen White

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Jean Brunst
9151 E. Cortez
Scottsdale, AZ 85260

RE: MUR 3121

Dear Ms. Brunst:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public.

Although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Karen White

Karen White

9304354246

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

John Brunst
9151 E. Cortez
Scottsdael, AZ 85260

RE: MUR 3121

Dear Mr. Brunst:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Karen White

Karen White

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

William S. Rose, Jr., Esquire
American Continental Corporation
2735 E. Camelback Road
Phoenix, AZ 85016

RE: MUR 3121

Dear Mr. Rose:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe the American Continental Corporation violated 2 U.S.C. §§ 441b(a) and 441f. On May 9, 1991, you submitted a response to the Commission's reason to believe findings. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against the American Continental Corporation. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Randal D. Hyatt
616 North Stewart
Mesa, AZ 85201

RE: MUR 3121

Dear Mr. Hyatt:

On February 12, 1991, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f. On July 5, 1991, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no further action against you. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receipt of your additional materials, any permissible submissions will be added to the public record when they are received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Gail Harmon, Esquire
Harmon, Curran & Tousley
2001 S. Street, N.W., Suite 100
Washington, DC 20009-1125

RE: MUR 3121
Forum Institute

Dear Ms. Harmon:

On November 6, 1989, the Federal Election Commission notified your client, Forum Institute, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against Forum Institute. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Date the Commission voted to close the file: DEC 09 1993

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