



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 9150

DATE FILMED 6/26/91 CAMERA NO. 4

CAMERAMAN AS

91040845084

BEFORE THE FEDERAL ELECTION COMMISSION

90 OCT 29 PM 12:32

In the Matter of
Iowans for Tauke/
Tauke for Senate

MUR 3150

COMPLAINT

The Iowa Democratic State Party Committee ("Complainant"), 2116 Grand Avenue, Des Moines, IA 50312, hereby files this complaint against Iowans for Tauke/Tauke for Senate Committee alleging violations of the Federal Election Campaign Act of 1971, as amended (the "Act"), 2 U.S.C. § 431 et seq. As described in detail below, based upon information and belief, there is reason to believe that Iowans for Tauke has:

- (1) violated 2 U.S.C. § 433(c) and 11 C.F.R. §§ 102.2(a)(2), 103.1, and 102.17(c)(3) by failing to disclose certain campaign depositories in which the Committee has placed its campaign funds;
- (2) violated 2 U.S.C. § 441b and 11 C.F.R. § 110.6 by accepting a contribution earmarked through an impermissible corporate "conduit" that is prohibited from making any contributions or acting as a conduit under the Act; and
- (3) violated 2 U.S.C. §§ 441a, 441b, and 434(b) and 11 C.F.R. §§ 100.7(a)(1)(iii), 104.13, and Parts 110 and 114 by failing to pay the usual normal charge for postage by mailing campaign fundraising solicitation letters using the postage meter of a "nonprofit organization," failing to report an in-kind contribution, and receiving an in-kind contribution

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FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 OCT 30 AM 11:58

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from a non-profit organization which may be a prohibited contributor under the Act.

Based on the information set forth below and on the public record at the Federal Election Commission, the Complainant urges the Federal Election Commission (the "Commission" or "FEC") to find reason to believe that Iowans for Tauke violated the Act and the FEC regulations implementing the Act, and to investigate these matters. Each of these apparent violations of the Act is part of an overall pattern of failure by Tauke to provide full public disclosure of campaign activity and of an effort to circumvent the contribution limits.

1. Failure to Disclose Campaign Depositories

Under the Act, each committee registered with the FEC is required to list on its Statement of Organization all banks, safety deposit boxes, or other depositories used by the committee. 2 U.S.C. § 433(b)(6); 11 C.F.R. §§ 103.1 and 102.17(c)(3). If the information reported on the Statement of Organization changes, a committee is required to report those changes within 10 days. 2 U.S.C. § 433(c); 11 C.F.R. § 102.2(a)(2). It is important to the underlying purposes of the Act that the public have access to full disclosure of campaign financial information, including the names and locations of all financial institutions containing campaign funds.

Based on records on file at the FEC, including the reports filed by Iowans for Tauke, the Tauke Committee has failed to amend its Statement of Organization or file a letter with the Commission noting the additional use of four bank depositories: United

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Federal Savings Bank, First Interstate Bank, American Trust & Savings, and Connecticut National Bank.

The Iowans for Tauke 1990 July 15 Quarterly Report (pages attached) discloses interest payments received from United Federal, First Interstate and American Trust & Savings. Presumably this means that the Committee has deposited funds in interest-bearing accounts at these banks. However, none of the Statements of Organization or letters of amendment filed by the Committee during 1989 or 1990 and on record at the FEC report these three banks as campaign depositories. This is a clear violation of the Act and regulations which require complete disclosure by a committee of all depositories in which campaign funds are deposited.

In addition, Iowans for Tauke is a participant in a joint fundraising effort with the Campaign for a Republican Majority, which has reported to the Commission that its depository is Connecticut National Bank. (Copy attached.) Yet, notwithstanding the clear requirement in the joint fundraising regulations that each participant in a joint fundraising venture "shall amend its Statement of Organization to reflect the [joint fundraising] account as an additional depository," the Tauke Committee failed to do so. None of the Tauke Committee's amended Statements of Organization on file for 1989 and 1990 disclose Connecticut National Bank as a depository.

Therefore, there is reason to believe that Iowans for Tauke/Tauke for Senate Committee has violated 2 U.S.C. §§ 433(b)(6) and 433(c) and 11 C.F.R. §§ 103.1, 102.2(a)(2) and 102.17(c)(3).

2. Acceptance Of A Contribution Through A Prohibited Conduit

Under the Act, anyone who receives a contribution directed or earmarked to a candidate must forward the contribution with a conduit report and the recipient candidate must disclose the identity of the "conduit" as well as the original contributor. 2 U.S.C. § 441a(a)(8); 11 C.F.R. § 110.6. The FEC regulations state clearly that "any person who is prohibited from making contributions or expenditures in connection with an election for Federal office shall be prohibited from acting as a conduit for contributions earmarked to candidates or their authorized committees." 11 C.F.R. § 110.6(b)(2)(ii). A corporation, for example, which is prohibited from contributing directly or indirectly to federal candidates under the Act, is thus, prohibited from acting as a conduit.

Despite this clear prohibition, the Iowans for Tauke 1990 July 15 Quarterly Report disclose several contributions earmarked through "Rockwell Int'l. Corporation" (copies of Schedule A pages 6 and 7 for line 11a attached). If these contributions were in fact earmarked through the corporation, this is in direct violation of 11 C.F.R. § 110.6(b)(2)(ii), and of 11 C.F.R. § 110.6(b)(2)(iii)(B) which requires a prohibited conduit to return any contribution earmarked through it.

Moreover, if these contributions were forwarded by a corporate check, acceptance of these contributions violates the corporate contribution prohibitions of 2 U.S.C. § 441b.^{1/} If the

^{1/} These funds have become tainted through commingling in the corporation's bank account.

contributions were forwarded through some entity or person other than Rockwell Int'l. Corporation, then the true conduit has not been correctly reported by Iowans for Tauke.

Therefore, there is reason to believe that Iowans for Tauke violated 2 U.S.C. § 441b and 11 C.F.R. § 110.6(b)(2)(ii) by accepting a contribution improperly earmarked through a prohibited corporate conduit.

3. Use Of Nonprofit Organization Postage Meter

Under the Act, a political committee is required to pay the usual and normal charge for all goods and services which it purchases. 11 C.F.R. § 100.7(a)(1)(iii). Failure to pay the usual and normal charge results in a contribution in the amount of the discount. Id. If the provider of the goods and services is a corporate entity, then the contribution is prohibited.

2 U.S.C. § 441b.

Under regulations established by the United States Postal Service, certain nonprofit organizations are entitled to special discounted mailing rates. These special nonprofit mailing rates are not available to candidates' principal campaign committees. There is a special mailing rate for political party committees, but these committees are explicitly prohibited from making this rate available for candidate mailings. While violation of the Postal rules is not under the jurisdiction of the Federal Election Commission, it is clear that a candidate's failure to pay the usual and normal charge for postage results in a contribution by the entity providing the discount to the candidate's committee. Thus, improper use of a nonprofit organization's special discount

mailing rate by a candidate's committee results in a contribution to the candidate by the entity making its special mailing rate available. If that entity is a corporation or other entity prohibited from making contributions, then the use of the special mailing rate would not only be a contribution, it would be a prohibited contribution. 2 U.S.C. § 441b.

The attached fundraising solicitation mailing which indicates that it was paid for by Iowans for Tauke was mailed on a postage meter with the notation "Nonprofit Org". While it is impossible to tell whose postage meter was used, the notation "Nonprofit Org" gives reason to believe that Iowans for Tauke did not pay the usual and normal charge for this mailing, and accepted a rate below that to which the campaign was entitled. Therefore, the Commission should find reason to believe that Iowans for Tauke accepted an unreported or prohibited contribution from an unknown entity in violation of 2 U.S.C. §§ 441a, 441b and 434(b).

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CONCLUSION

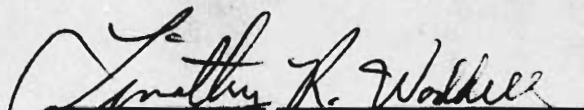
For the reasons set forth above, the Commission should find reason to believe that Iowans for Tauke/Tauke for Senate has violated the Act and should commence an investigation and thorough review of the Tauke Committee's finances.

I, the undersigned, hereby swear or affirm that to the best of my knowledge and belief, the foregoing statements are true and correct.


John P. Roehrick, Chair

State of Iowa)
County of Polk)

I, Timothy R. Waddell, a Notary Public, hereby certify that on the 27th day of October, 1990, there personally appeared before me John P. Roehrick who acknowledged signing the foregoing document and that the statements contained therein are true and correct.


Notary Public

My Commission expires August 1, 1993.

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EXHIBITS TO
COMPLAINT
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SCHEDULE A

ITEMIZED RECEIPTS

Page 1 of
for Line Number 15

Any info. copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contrib. or for commercial purpose, other than using name & addr. of a political comm. to solicit from the comm.

Full Name of Committee: Iowans For Tauke

A. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
Bankers Trust Company 7th and Locust Des Moines IA 50309		05/31/90	524.14 INT*

* INT = Interest:

Receipt for: Primary Total: \$ 2575.18

B. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
Bankers Trust Company 7th and Locust Des Moines IA 50309		06/29/90	551.45 INT*

* INT = Interest:

Receipt for: General Total: \$ 2575.18

C. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
Brenton National Bank P.O. Box 891 Des Moines IA 50304		05/31/90	101.05 INT*

* INT = Interest:

Receipt for: Primary Total: \$ 929.13

D. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
Brenton National Bank P.O. Box 891 Des Moines IA 50304		06/29/90	88.45 INT*

* INT = Interest:

Receipt for: General Total: \$ 929.13

E. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
American Trust & Savings Town Clock Plaza Dubuque IA 52001		05/18/90 06/15/90 06/20/90	61.81 INT* 61.82 INT* 61.82 INT*

Receipt for: General Total: \$ 433.52

MEMO ENTRY(S):

- * INT = Interest:
- * INT = Interest:
- * INT = Interest:

SUBTOTAL of Receipts This Page 1450.54
TOTAL This Period

SCHEDULE A

ITEMIZED RECEIPTS

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for Line Number 15

Any info. copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contrib. or for commercial purpose, other than using name & addr. of a political comm. to solicit from the comm.

Full Name of Committee: Iowans For Tauke

A. Full Name, Address, Zip	Employer/Occupation	Date	Receipts	Memo
Blunt, Ellis, & Loewi Cycare Building Dubuque IA 52001		05/17/90	279.00	INT*
		06/16/90	279.00	INT*

Receipt for: General Total: \$ 1671.00

A.

Memo Entry(s):

- * INT = Interest:
- * INT = Interest:

B. Full Name, Address, Zip	Employer/Occupation	Date	Receipts	Memo
United Federal Savings 4th & Locust Des Moines IA 50309		05/31/90	78.95	INT*

Receipt for: Primary Total: \$ 967.59

* INT = Interest:

C. Full Name, Address, Zip	Employer/Occupation	Date	Receipts	Memo
United Federal Savings 4th & Locust Des Moines IA 50309		06/30/90	308.55	INT*

Receipt for: General Total: \$ 967.59

* INT = Interest:

D. Full Name, Address, Zip	Employer/Occupation	Date	Receipts	Memo
First Interstate Bank Locust & 6th Ave. Des Moines IA 50309		06/29/90	226.03	INT*

Receipt for: General Total: \$ 226.03

* INT = Interest:

SUBTOTAL of Receipts This Page 1171.53
TOTAL This Period 2622.07

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3736143275

STATE OF CONNECTICUT
Commission For A Transparent Campaign
November 6, 1989
1989 NOV -9 AL 11 26
H.D.
New Britain, CT 06050

- ☐ (a) This committee is a principal campaign committee. (Complete the candidate information below.)
- ☐ (b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)
- | Name of Candidate | Candidate Party Affiliation | Office Sought | Signature |
|-------------------|-----------------------------|---------------|-----------|
| | | | |
- ☐ (c) This committee supports/apposes only one candidate _____ and is NOT an authorized committee. (name of candidate)
- ☐ (d) This committee is a _____ committee of the _____ Party. (National, State or subordinate) (Democratic, Republican, etc.)
- ☐ (e) This committee is a separate segregated fund.
- ☒ (f) This committee supports/apposes more than one Federal candidate and is NOT a separate segregated fund or a party committee.

Name of Any Connected Organization or Affiliated Committee	Mailing Address and ZIP Code	Relationship
See attached		

Type of Connected Organization

☐ Corporation ☐ Corporation: wife Capital Stock ☐ Labor Organization ☐ Membership Organization ☐ Trade Association ☐ Cooperative

7. Custodian of Records: Identify by name, address (phone number -- optional) and position of the person in possession of committee books and records.

Full Name	Mailing Address	Title or Position
Jack Perkins	P.O. Box 1316 New Britain, CT 06050	Treasurer

8. Treasurer: List the name and address (phone number -- optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name	Mailing Address	Title or Position
Jack Perkins	P.O. Box 1316 New Britain, CT 06050	Treasurer

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.	Mailing Address and ZIP Code
Connecticut National Bank	235 Main Street New Britain, CT 06050

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete

TYPE OR PRINT NAME OF TREASURER

Jack Perkins

SIGNATURE OF TREASURER

Jack Perkins

DATE

11/6/89

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 USC § 117. ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS

The Campaign For A Republican Majority
to serve as a Judge. The Campaign For A Republican
100.10, is comprised of the following committees:

Campaign For A Republican Majority
P.O. Box 1316
New Britain, CT 06050

U.S. Senator Dan Coats
Dan Coats for Indiana
14 North Delaware
Indianapolis, IN 46204

U.S. Representative Hank Brown
Hank Brown for Senate
P.O. Box 1448
Englewood, CO 80120

U.S. Representative Lynn Martin
Lynn Martin for Senate
800 North Clark Street
Chicago, IL 60610

U.S. Representative Claudine Schneider
Committee to Re-Elect Claudine Schneider
P.O. Box 1631
Providence, RI 02901

U.S. Representative Tom Tauke
Iovans For Tauke
P.O. Box 1990
Des Moines, IO 50306

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STATEMENT OF ORGANIZATION

(See reverse side for instructions)

1. NAME OF COMMITTEE Iowans for Tauke	2. DATE 8/30/89
3. ADDRESS 1540 High St.	4. OFFICE OF THE CLERK 600081670
5. CITY, STATE & ZIP CODE Des Moines, IA 50306	6. IF THIS STATE HAS A PAY AND AMOUNT 11/9/89

5. TYPE OF COMMITTEE (Check one)

- ☒ (a) This committee is a principal campaign committee. (Complete the candidate information below.)
- ☐ (b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)
- | | | | |
|---|--|-------------------------------------|-------------------------------|
| Name of Candidate
Thomas Joseph Tauke | Candidate Party Affiliation
Republican | Office Sought
U.S. Senate | State-District
Iowa |
|---|--|-------------------------------------|-------------------------------|
- ☐ (c) This committee supports/opposes only one candidate _____ and is NOT an authorized committee (name of candidate)
- ☐ (d) This committee is a _____ committee of the _____ (National, State or subordinate) (Democratic, Republican, etc.)
- ☐ (e) This committee is a separate segregated fund.
- ☐ (f) This committee supports/opposes more than one Federal candidate and is NOT a separate segregated fund or a party committee.

Name of Any Connected Organization or Affiliated Committee	Mailing Address and ZIP Code	Relationship
* See Attached		

Type of Connected Organization
☐ Corporation ☐ Corporation with Capital Stock ☐ Labor Organization ☐ Membership Organization ☐ Trade Association ☐ Other

7. Custodian of Records: Identify by name, address (phone number -- optional) and position of the person in possession of committee books and records.

Full Name	Mailing Address	Title or Position
Blane L. Dohrmann	1540 High St., Des Moines, IA 50306	Comptroller

Full Name	Mailing Address	Title or Position
Sharon R. Winner	P.O. Box 612, Dubuque, IA 52001	Treasurer

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.	Mailing Address and ZIP Code
Bankers Trust	Des Moines, IA 50309
Brenton National Bank	Des Moines, IA 50309
First National Bank	Dubuque, IA 52001
George Mason Bank	Fairfax, VA 22030

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

TYPE OR PRINT NAME OF TREASURER

Sharon R. Winner

SIGNATURE OF TREASURER

Sharon R. Winner

DATE

11/9/89

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STATEMENT OF ORGANIZATION

The Campaign For A Republican Majority Committee, organized to serve as a Joint Fundraising Committee pursuant to 11 CFR 102.14, is comprised of the following participating committees:

Campaign For A Republican Majority
P.O. Box 1316
New Britain, CT 06050

U.S. Senator Dan Coats
Dan Coats for Indiana
14 North Delaware
Indianapolis, IN 46204

U.S. Representative Hank Brown
Hank Brown for Senate
P.O. Box 1445
Englewood, CO 80150

U.S. Representative Lynn Martin
Lynn Martin for Senate
800 North Clarke Street #317
Chicago, IL 60610

U.S. Representative Claudine Schneider
Committee to Re-Elect Claudine Schneider
P.O. Box 1631
Providence, RI 02901

U.S. Representative Tom Tauke
Iowans For Tauke
P.O. Box 1990
Des Moines, IO 50306

EXHIBITS TO
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SCHEDULE A

ITEMIZED RECEIPTS

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for Line Number 11a

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Full Name of Committee: IOWANS FOR TAUKE

A. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
Richard L. Elick 1660 Berry Dr. SE Cedar Rapids IA 52403	Iowa-Ill. Gas & Electr Driver	06/25/90 06/25/90	75.00 500.00

Receipt for: General

Total: \$ 975.00

B. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
Jerome J. Gaspar 1029 Rolling Glen Dr. Marion IA 52302	Rockwell Int'l Business Exec.	06/11/90	4.00 EAR*

* EAR = Contribution Earmarked Thru Rockwell Int'l. Corporation

Receipt for: General

Total: \$ 24.00

C. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
Gustave R. Johnson 3604 Heatheridge Dr., N.E. Cedar Rapids IA 52402	Rockwell Int'l Director	06/11/90	10.00 EAR*

* EAR = Contribution Earmarked Thru Rockwell Int'l. Corporation

Receipt for: General

Total: \$ 60.00

D. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
Russell W. Landis 337 23rd St. Dr., S.E. Cedar Rapids IA 52403	Retired	05/23/90	35.00

Receipt for: Primary

Total: \$

CONT

E. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
Russell W. Landis 337 23rd St. Dr., S.E. Cedar Rapids IA 52403	Retired	06/18/90	50.00

Receipt for: General

Total: \$ 237.00

F. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
Ira E. Larson 258 Garden Dr., S.E. Cedar Rapids IA 52403	Retired	06/11/90	500.00

Receipt for: General

Total: \$ 795.00

SUBTOTAL of Receipts This Page 1174.00

TOTAL This Period

SCHEDULE A

ITEMIZED RECEIPTS

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for Line Number 11a

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Full Name of Committee: Iowans For Tauke

A. Full Name, Address, Zip	Employer/Occupation	Date	Receipts	Memo
Elaine R. Linge 1511 Matterhorn Dr., N.E. Cedar Rapids IA 52402	Homemaker	06/01/90	100.00	

Receipt for: Primary Total: \$ 410.00

B. Full Name, Address, Zip	Employer/Occupation	Date	Receipts	Memo
Dorothy C. Lynch 195 Rycroft St., S.E. Cedar Rapids IA 52403	Homemaker	05/29/90 06/01/90	50.00 250.00	

Receipt for: Primary Total: \$ 435.00

C. Full Name, Address, Zip	Employer/Occupation	Date	Receipts	Memo
Robert P. Marovich 3523 Heatheridge Dr., NE Cedar Rapids IA 52402	Rockwell Int'l V.P./Control	06/11/90	35.00	EAR*

* EAR = Contribution Earmarked Thru Rockwell Int'l. Corporation

Receipt for: General Total: \$ 210.00

D. Full Name, Address, Zip	Employer/Occupation	Date	Receipts	Memo
Lewis Van Nostrand 3863 Trailridge Rd., S.E. Cedar Rapids IA 52403	Retired	05/30/90	440.00	

Receipt for: Primary Total: \$ 445.00

E. Full Name, Address, Zip	Employer/Occupation	Date	Receipts	Memo
Scott E. Olson 4070 Hickory Hill Ln, SE Cedar Rapids IA 52403	Olson-Popa-Novak Archi Architect	06/05/90 06/05/90	100.00 140.00	

Receipt for: Primary Total: \$ 550.00

F. Full Name, Address, Zip	Employer/Occupation	Date	Receipts	Memo
Gerald L. Ovel 2058 Foxbourne Dr. SE Cedar Rapids IA 52403	Iowa Pipe & Supply Co. President	06/11/90	1000.00	

Receipt for: General Total: \$ 1100.00

SUBTOTAL of Receipts This Page 2115.00

TOTAL This Period

EXHIBITS TO
COMPLAINT
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P.O. Box 1990
Des Moines, IA 50306

Ted Kennedy as Iowa's U.S. Senator?

NONPROFIT ORG



Tom Tauke
1715 Glen Oak
Dubuque, Iowa 52001

Dear Friend,

Does Ted Kennedy represent your views?

If not, then you must surely wonder how Tom Harkin can say he "represents" you in the U.S. Senate.

You see, Ted Kennedy and Tom Harkin have almost identical voting records. In the 100th Congress, they tied as the Most Liberal Senator according to the non-partisan National Journal rating.

The ultra-liberal Americans for Democratic Action gives both Tom Harkin and Ted Kennedy a 95% rating for their 1988 Senate voting records.

Do you want to be represented by someone who votes with Ted Kennedy the majority of the time?

And do you want a junior Senator whose vote CANCELS OUT Senator Chuck Grassley's vote on the majority of issues?

If your answer is "no," I urge you to take a moment to help a friend who will represent the values in which you believe in the U.S. Senate.

I want to see Iowans get the representation they deserve -- representation which reflects their common-sense views and traditional values. That's why I want to serve as Iowa's next U.S. Senator.

But first I need your input.

Please take a minute to review the enclosed Iowa Issues Survey. Your input is important to my campaign. You see, when I officially announced my candidacy in February, I signed a contract with the voters of Iowa. I pledged to keep in touch

(Over, please)

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Page two

and to represent you. That's why this survey is important.

If you are like most Iowans, the Des Moines Register has never asked your opinion in its "Iowa Poll." And CBS News has most likely never asked you to take part in any of its surveys.

But I want to know where you stand. So I am asking you today (and as a member of the U.S. Senate, I will ask you regularly) to let me know where you stand on the key issues Iowa and America face.

I value your input because I want to represent YOUR views and values in the U.S. Senate.

My opponent has lost touch with Iowa. But I pledge to keep in close contact with the voters of our state. To that end, I have offered a contract to all the voters of Iowa promising, in writing, to:

- * Visit all 99 counties at least once a year;
- * Hold regular town meetings to hear your thoughts first hand;
- * Maintain my family home in Iowa and continue my active involvement in community organizations.

Although he calls himself a populist, Tom Harkin does not even live in Iowa. He owns a home in Virginia and two homes in the Bahamas (and a third is under construction), but his Iowa residence is a post office box. As the Spencer Daily Reporter observed, his visits to Iowa have become like those of the locusts: every few years!

What's more, the Harkin campaign took in less than one quarter of its funds from Iowans. The rest of their money came from out-of-state special interest groups and liberal activists. In fact, Senator Harkin's Federal Election Commission report showed he received more contributions from Californians than from Iowans. No wonder Tom Harkin can't be bothered about representing the needs of Iowa in the Senate, he's too busy taking care of his out-of-state liberal friends!

Our campaign receives close to 70% of total funds from the people I want to represent: Iowans. And with over 24,000 Iowans contributing to our success, we are relying on a broad, grassroots base, not "fat cats."

If you agree that Iowa will be better served with Tom Tauke

(Next page, please)

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Page three

in the U.S. Senate, then please help me today.

You can help in two equally important ways:

- 1) Fill out the enclosed survey and mail it back to me in the enclosed postage paid envelope.
- 2) Along with your survey, please mail back a financial contribution. Your support is vital.

As I mentioned, our campaign is relying on thousands of supporters from across the state. We need financial support in all sizes, from \$250 to \$25. Every contribution helps make a difference.

A contribution of \$25 will buy 30 yard signs; \$50 will pay for one commercial on the WMT morning radio show in Cedar Rapids. And a \$100 contribution will allow us to air a television advertisement during The Today Show in Des Moines.

I know you are tired of seeing Iowa represented by someone who is out of step with our needs and concerns.

- * In five years in the U.S. Senate, Tom Harkin has voted for all but one spending bill: And he has proposed tax increase after tax increase to give more government control over your tax dollars and to fund the building of an expanded federal bureaucracy.
- * Tom Harkin has repeatedly voted against the farmer and in favor of East and West Coast longshoreman's unions by voting for price inflated cargo preference measures.
- * Senator Tom Harkin championed the ill-conceived catastrophic health care legislation, which unfairly burdened Iowa's senior citizens.

We deserve better!

Please take a minute to fill out the enclosed issue survey. Your answers are important.

And please, mail back a contribution of \$15, \$25, \$50, \$75 \$100, or even \$250 -- whatever you can afford.

Tom Harkin can count on hundreds of thousands of out-of-

(Over, please)

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Page four

state dollars to run his campaign. I'm relying on you.

Thank you for your consideration.

Sincerely,



Tom Tauke

P.S. As your United States Senator, I have pledged to stay in touch with Iowans. My opponent has lost touch and is out of step. In fact, on key issues, he votes more often with Massachusetts Senator Ted Kennedy than with our own Senator Chuck Grassley. You can help change that by supporting our campaign. Please help us win a victory for Iowa.

91040845107

*Your 35¢ stamp will help out
our valuable campaign dollars!*

BUSINESS REPLY MAIL

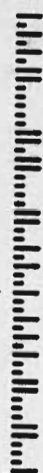
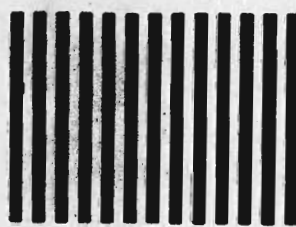
FIRST CLASS PERMIT NO. 8090 DES MOINES, IOWA 50306

POSTAGE WILL BE PAID BY ADDRESSEE

Congressman Tom Tauke
c/o Iowans for Tauke
Post Office Box 1990
Des Moines, IA 50306



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



8015804016

IOWANS FOR LAUKE

1990 OPINION POLL

OFFICE USE ONLY	
Date Received	
Tabulated By	
Supv. Auth.	

INSTRUCTIONS: Your answers on the following survey are vital to my campaign for United States Senate. Please use a pen to fill out your answers. I've left room at the bottom for your comments and suggestions.
Return your survey in the enclosed postage-paid envelope. I hope you will send a contribution to the Lauke campaign along with your survey. If you can't send a gift to support my campaign, I hope you will consider sending at least \$5.00 to help pay for conducting this statewide survey.

BUDGET DEFICIT

- Please choose the statement which most closely represents your views:
 - ☐ The federal deficit is a serious threat to our nation; reducing the deficit should be the highest priority of Congress.
 - ☐ The deficit is a problem, but it is not an immediate threat to our nation. Congress should keep this problem in mind as it develops long-range national policy.
 - ☐ The deficit is not a problem as long as it is not allowed to grow substantially beyond current levels.
 - ☐ Not sure.
- The federal deficit now exceeds \$100 billion per year. How should we curb the deficit?
 - ☐ Raise taxes
 - ☐ Reduce government spending
 - ☐ Both raise taxes and reduce spending
 - ☐ Not sure

DRUGS

- Drugs have become a problem in Iowa. This year our nation will spend \$9 billion on anti-drug efforts. Where should we concentrate our initiatives?
 - ☐ Education and prevention
 - ☐ Drug treatment and rehabilitation
 - ☐ Law enforcement
 - ☐ All should receive equal priority

ENVIRONMENT

- Which of the following environmental issues do you feel are serious problems in Iowa?
 - ☐ Groundwater Pollution
 - ☐ Waste Disposal
 - ☐ Air Pollution
 - ☐ None of these are serious problems

Survey continues on back

REPLY MEMORANDUM

☐ **YES** Tom you have my support! Enclosed is my contribution for the campaign in the amount of:

☐ \$250 ☐ \$100 ☐ \$75 ☐ \$50 ☐ \$25 ☐ \$15 ☐ Other \$_____

☐ I can't contribute now but have enclosed \$5.00 to help pay for conducting this survey.

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Declining production levels in crops such as soybeans have been blamed on the current federal farm policy, which encourages corn planting and discourages planting of alternative crops. Do you believe that the 1990 farm bill should be more flexible in allowing farmers to plant alternative crops on corn base acres?

☐ Yes ☐ No ☐ Not Sure

6. Although American farmers continue to raise abundant and wholesome crops of food, several highly-publicized incidents during the past year, such as alar on apples, have raised questions about the quality of the food we eat and about the use of pesticides and fertilizers to enhance production. Do you believe that concerns about food quality are merited?

☐ Yes ☐ No ☐ Not Sure

7. And do you believe that the use of pesticides and fertilizers should be limited even if it would result in high food costs?

☐ Yes ☐ No ☐ Not Sure

FOREIGN AFFAIRS

8. Soviet leader Mikhail Gorbachev has received nearly universal acclaim for his reform policy in the U.S.S.R. However, some argue that his reform attempts are only in response to domestic turmoil and do not reflect fundamental shifts in Soviet policy. Do you trust Mikhail Gorbachev?

☐ Yes ☐ No ☐ Not Sure

9. The United States currently has more than 300,000 troops stationed in Western Europe as part of the NATO defense force. In light of the recent changes taking place in Eastern Europe and the Soviet Union, do you favor reducing the number of American troops stationed in Europe?

☐ Yes ☐ No ☐ Not Sure

PEACE DIVIDEND

10. The events in Eastern Europe have triggered discussions about substantial savings in the defense budget. In turn, this savings, or "peace dividend," could be used to fund other priorities. Do you believe that there will be a peace dividend?

☐ Yes ☐ No ☐ Not Sure

11. What should be the highest priority use for the funds from the peace dividend?

- ☐ Reduce the deficit
- ☐ Fight the drug war
- ☐ Expand social services such as health care, housing and education
- ☐ Improve the nation's infrastructure such as roads, water, sewers and environmental clean-up

CHILD CARE

12. Churches are the single largest provider of the center-based child care in the United States. They are currently eligible to receive funding for child care under a block grant program to the states. Many argue federal funding violates the constitutional mandate of separation of church and state. What is the most appropriate way to resolve the question of church-based day care receiving federal funds?

- ☐ No churches should receive federal funds for day care.
- ☐ Church-based care may receive funds, but only if there is not religious activity.
- ☐ Provide tax credits to parents so they can choose the day care option that best fits their children's needs.
- ☐ Not sure.

COMMENTS: _____

TAUKE SURVEY CHECKLIST

- ☐ I carefully reviewed and answered the above questions.
- ☐ My name and address are correct as listed -or- I have made necessary corrections.
- ☐ I have validated my survey by signing and dating it.
- ☐ I have enclosed my contribution to the Tauke for Senate Campaign.

The Federal Election Commission requires we ask the following information:

Name: _____ Occupation: _____

Employer: _____ Telephone: (H) _____ (C) _____

Contributions to Taucas for Taucas are not tax-deductible as charitable contributions for Federal Income tax. Paid for by Taucas for Taucas.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 1, 1990

Iowa Democratic State Party Committee
John P. Roehrick, Chair
2116 Grand Avenue
Des Moines, Iowa 50312

RE: MUR 3150

Dear Mr. Roehrick:

This letter acknowledges receipt on October 30, 1990, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by Iovans for Tauke and Sharon R. Winner, as treasurer. The respondents will be notified of this complaint within five days.

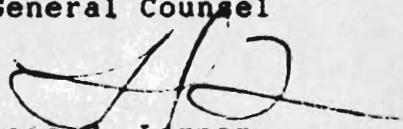
You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 3150. 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

91040845111



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

November 1, 1990

Iovans for Tauke
Sharon R. Winner, Treasurer
1540 High Street
Des Moines, Iowa 50309

RE: HUR 3150

Dear Ms. Winner:

The Federal Election Commission received a complaint which alleges that Iovans for Tauke 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 HUR 3150. 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.

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

Sincerely,

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 Thomas J. Tanke
House of Representative
2244 Rayburn House Office Building
Washington, D.C. 20515-1502

91040845113

McDONALD, BROWN & KIMPLE

ATTORNEYS AT LAW
502 - 15TH STREET
P.O. BOX 250
DALLAS CENTER, IOWA 50063-0250

06C8720
RECEIVED
FEDERAL ELECTION COMMISSION
90 NOV 26 AM 11:02

GUY H. HALL (1882-1964)

JOHN C. McDONALD
RALPH R. BROWN
JONATHAN M. KIMPLE
CHARLES H. FAGEN

November 21, 1990

FACSIMILE
(515) 992-3971
TELEPHONE
(515) 992-3728

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

RE: Iowans for Tauke
MUR 3150

Dear Ms. Lerner:

Your letter of November 1, 1990, enclosing a copy of a Complaint filed against Iowans for Tauke by the Iowa Democratic State Party Committee was received on November 8, 1990.

Enclosed is the Statement of Designation of Counsel.

As General Counsel for Iowans for Tauke, I will be preparing an answer to the complaint denying all of the allegations contained therein. At the present time I am gathering all supporting documentary evidence, as well as an affidavit to attach to the answer.

Accordingly, I respectfully request an additional fifteen days in which to file the detailed answer.

Very truly yours,

Ralph R. Brown
Ralph R. Brown
General Counsel
Iowans for Tauke

RRB:sp

enclosure

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 NOV 25 PM 3:00

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 NOV 26 PM 7:30

91040345114

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3150

NAME OF COUNSEL: Ralph R. Brown, Esq.

ADDRESS: McDonald, Brown & Kimple
P.O. Box 250
Dallas Center, Iowa 50063

TELEPHONE: (515) 992-3728

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.

11-21-90
Date

Sharon R. Winner
Signature Sharon R. Winner, Treasurer

RESPONDENT'S NAME: Iowans for Tauke

ADDRESS: 1540 High Street
Des Moines, Iowa 50309

HOME PHONE: (515) 282-1990

BUSINESS PHONE: _____

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 29, 1990

Mr. Ralph R. Brown, Esquire
McDonald, Brown & Kimple
302 - 15th Street
P.O. Box 250
Dallas Center, Iowa 50063-0250

RE: MUR 3150
Iowans for Tauke and
Sharon R. Winner, as
treasurer

Dear Mr. Brown:

This is in response to your letter dated November 21, 1990, which we received on November 25, 1990, requesting an extension of 15 days to respond to the complaint in this matter. 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 December 10, 1990.

For your information, this Office asks that requests for extensions of time be received at least five days prior to the original due date. In the future, please submit any extension of time requests in this manner.

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

By: 
Lois G. Lerner
Associate General Counsel

91040845116

McDONALD, BROWN & KIMPLE

ATTORNEYS AT LAW
502 - 15TH STREET
P.O. BOX 250

DALLAS CENTER, IOWA 50063-0250

90 DEC 12 AM 11:55

GUY H. HALL (1882-1964)

JOHN C. McDONALD
RALPH R. BROWN
JONATHAN M. KIMPLE
CHARLES H. FAGEN

December 10, 1990

FACSIMILE
(515) 992-3971
TELEPHONE
(515) 992-3728

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

RE: Iowans For Tauke
MUR3150

Dear Mr. Noble:

Enclosed is the Answer to Complaint filed on behalf of Iowans for Tauke, with respect to the Complaint filed against the committee by the Iowa Democratic State Party Committee.

I believe we have provided sufficient information in the Answer to permit the Commission to dismiss the Complaint without further delay.

In the event you require any further or amplifying information, please contact me at once.

Very truly yours,



Ralph R. Brown

RRB:sjb

enclosure

cc: Honorable Tom Tauke
Tom Synhorst
Sharon R. Winner

CERTIFIED MAIL

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

90 DEC 12 PM 1:11

21040845117

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF
IOWANS FOR TAUKE

: MUR 3150
:
: ANSWER TO COMPLAINT

COMES NOW Iowans for Tauke and Sharon R. Winner, its Treasurer, by and through its General Counsel, Ralph R. Brown, and makes this Answer to the complaint of John P. Roehrick, Chair of the Iowa Democratic State Party Committee, dated October 27, 1990:

1. By way of answer to the complaint that Iowans for Tauke has failed to disclose campaign depositories, Iowans for Tauke denies that it has violated any provisions of 2 U.S.C. §§433(d)(6) and 433(c), as well as any provisions of 11 C.F.R. §§103.1, 102.2(a)(2), and 102.17(c)(c), and affirmatively states as follows:

- a. 11 C.F.R. §103.2 requires that each political committee designate one or more FDIC, FSLIC, or NCUA-insured institution as its campaign depository or depositories.
- b. 11 C.F.R. §103.3(a) provides that all receipts by a political committee shall be deposited in an account established pursuant to 11 C.F.R. §103.2.

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- c. All initial receipts of Iowans for Tauke were deposited in accounts established at either Bankers Trust Company of Des Moines, Iowa, or First National Bank of Dubuque, Iowa.
- d. No initial receipts of Iowans for Tauke were ever deposited in either United Federal Savings Bank, or First Interstate Bank, or American Trust & Savings.
- e. When deposits in Bankers Trust Company and/or First National Bank were excessively above FDIC insurance limits, funds which already had been received and placed in a designated depository were transferred from those depositories and invested in certificates of deposit and/or savings accounts in United Federal Savings Bank, First Interstate Bank, and American Trust & Savings.
- f. The investment account with American Trust & Savings was initially opened by Tauke for Congress Committee on August 27, 1986, and then transferred to Iowans for Tauke once the Senate campaign committee was organized. The investment accounts at United Federal Savings Bank and First Interstate Bank were opened during the 1989-1990 campaign cycle.
- g. Campaign funds on deposit in United Federal Savings Bank, First Interstate Bank, and American Trust &

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Savings were investment accounts only and were not campaign depository accounts as contemplated by 11 C.F.R. §103.2, which is explanatory of 11 C.F.R. §103.1.

- h. Iowans for Tauke did, on November 9, 1989, properly notify the Secretary of the Senate that an authorized joint fundraising committee, Campaign for a Republican Majority, had been established. Attached as Exhibit "A" is a copy of the amended Statement of Organization of the joint fundraising committee specifically stating that Iowans for Tauke was a participating committee. This joint fundraising agreement, a copy of which is attached as Exhibit "A-1", did not specify the name of the bank where any account was to be established, so through oversight an additional depository was not included on the amended Statement of Organization.
- i. Iowans for Tauke made a good faith effort to timely-notify the Secretary of the Senate of its participation in the joint fundraising committee. The joint fundraising committee filed its statement of organization with the Secretary of the Senate, as shown by the attachment to the Complaint, which placed all

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interested parties on notice as to the joint committee's depository.

- j. No penalty should be imposed against Iowans for Tauke for its good faith effort to comply with all statutes and regulations.

2. By way of answer to the complaint that Iowans for Tauke has accepted a contribution through a prohibited corporate conduit, Iowans for Tauke denies it has violated any provisions of 2 U.S.C. §441B and 11 C.F.R. §110.6(b)(2)(ii), and affirmatively states as follows:

- a. The complaint suggests that in its July 15, 1990, Quarterly Report Iowans for Tauke disclosed several contributions earmarked through "Rockwell Int'l. Corporation", and further suggests that if these contributions were in fact earmarked through a corporation, such an earmarking was in direct violation of certain provisions of the United States Code and Code of Federal Regulations.
- b. Attached as Exhibit "B" is a photocopy of a check dated June 1, 1990, from Rockwell International Corporation Good Government Committee, a registered political action committee, payable to Iowans for Tauke in the amount of \$253.00.

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- c. Attached as Exhibit "C" is a letter of transmittal from the Rockwell International Corporation Good Government Committee noting that the \$253.00 contribution includes contributions from those persons complained of in the Complaint, namely: Jerome J. Gaspar, Gustave R. Johnson, and Robert P. Marovich.
- d. The complained-of contributions were properly conducted through a political action committee, and were not, as is clearly shown by the attachments, conducted through a corporation.
- e. While the computer-maintained records of Iowans for Tauke clearly reflect that the contributions in question were earmarked through the Rockwell International Corporation Good Government Committee, there was insufficient room on Schedule A of the July 15, 1990, Quarterly Report to list the entire name of the political action committee.
- f. Had the complainant taken the time to check the records, the complainant would have found that contributions from the three individuals in question also were reflected on the April 15, 1990, Quarterly Report of Iowans for Tauke. Attached as Exhibit "D" are copies of pages from that Report which clearly

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indicate that contributions from Jerome J. Gaspar, Gustave R. Johnson, and Robert P. Marovich were earmarked through the "Rockwell Int'l Good Gov't Comm." On these reports, a different form of abbreviation of the name of the political action committee permitted more of the name to be shown than was, through oversight, shown on the July 15, 1990, Quarterly Report.

3. By way of answer to the complaint that Iowans for Tauke used the postage meter of a non-profit organization, Iowans for Tauke denies that it has accepted an unreported or prohibited contribution from an unknown entity in violation of 2 U.S.C. §§441A, 441B, and 434(b), and affirmatively states:

- a. The Complaint alleges that a particular fundraising solicitation mailing from Iowans for Tauke, which is distinguished by a notation on the mailing envelope of "Ted Kennedy as Iowa's U.S. Senator?", was mailed at a non-profit postage rate, that Iowans for Tauke did not pay the usual and normal charge for the mailing, and that Iowans for Tauke accepted an unreported or prohibited contribution in violation of federal law.

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- b. This particular mailing was printed, processed, and mailed on or about June 11, 1990, and again on or about July 3, 1990, by Southwest Publishing and Mailing Co. of Topeka, Kansas, and the usual normal charge for this mailing was paid in full by Iowans for Tauke.
- c. Attached as Exhibit "E" is an Affidavit of Melissa Holloman, the Marketing Representative of Southwest Publishing and Mailing Co. The Affidavit states that bulk rate postage was affixed to the mailing in question, as is clearly evidenced by the notation of 13.2 cents in the meter portion of the attachment to the Complaint. The Affidavit further states that the "Nonprofit Org" slug included in the meter clearly was included by her firm in error, as the correct slug would have read "Bulk Rate".
- d. Ms. Holloman's Affidavit further states that it is clear the lower postage rates afforded a non-profit organization -- ranging from 5.3 to 8.4 cents -- were not used for the mailing from Iowans for Tauke, since the campaign was not a qualified non-profit organization. Finally, the Affidavit clearly states that the full required regular bulk rate postage was paid for by Iowans for Tauke.

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e. Had the complainant taken the time to review the Exhibit attached to his own Complaint, he would have determined that the indicated postage on the complained-of envelope clearly showed that postage in the amount of 13.2 cents had been paid to mail the envelope in question, which is well-known not to be a non-profit rate.

4. There is no basis for the complainant's allegation that Iowans for Tauke violated any provisions of the Federal Election Campaign Act or regulations promulgated by the Federal Election Commission. The complainant's baseless allegation that "each of these apparent violations of the Act is part of an overall pattern of failure by Tauke to provide full public disclosure of campaign activity and of an effort to circumvent the contribution limits", has no basis in fact and was included as a part of the complainant's sworn statement for the sole purpose of the Democratic Party's state chair generation of unfavorable news coverage directed at the United States Senate campaign of Tom Tauke at a time when United States Senator Tom Harkin was desperately concerned that he would lose his bid for re-election to the United States Senate.

5. No further time need be taken by the Federal Election Commission in considering this frivolous and baseless complaint,

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and it should be dismissed by the Commission with dispatch and without the necessity of commencing "an investigation and thorough review of the Tauke Committee's finances" as requested by the complainant.

WHEREFORE, Iowans for Tauke respectfully requests that the Complaint be dismissed by the Commission.

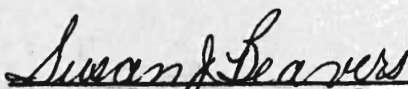
The undersigned hereby swears that to the best of his knowledge and belief, the foregoing statements are true and correct.


Ralph R. Brown, General Counsel
Iowans for Tauke

of McDonald, Brown & Kimple
Attorneys at Law
P.O. Box 250
Dallas Center, Iowa 50063
(515) 992-3728

STATE OF IOWA :
COUNTY OF DALLAS : ss.
:

On this 10th day of December, 1990, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Ralph R. Brown, known to me to be the person whose name is subscribed to the foregoing Answer to Complaint and acknowledged that he executed the same.


Susan J. Beavers, Notary Public
in and for the State of Iowa

91040845126

Original filed by certified mail:

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

Copy mailed to:

John P. Roehrick, Chair
Iowa Democratic State Party Committee
2116 Grand Avenue
Des Moines, Iowa 50312

Attachments:

Exhibit "A"
Exhibit "A-1"
Exhibit "B"
Exhibit "C"
Exhibit "D"
Exhibit "E"

91040845127

EAGLE-A

Iron Band

100 FEN FISH

STATEMENT OF ORGANIZATION

(See reverse side for instructions)

1. (a) NAME OF COMMITTEE IN FULL Iowans for Tauke	☐ (Check if name is changed)	2. DATE 8/30/89
(b) Number and Street Address 1540 High St.	☐ (Check if address is changed)	3. FEC IDENTIFICATION NUMBER C00081620
(c) City, State and ZIP Code Des Moines, IA 50306		4. IS THIS STATEMENT AN AMENDMENT? ☒ YES ☐ NO

5. TYPE OF COMMITTEE (Check one)

* Amendment

- ☒ (a) This committee is a principal campaign committee. (Complete the candidate information below.)
- ☐ (b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of Candidate Thomas Joseph Tauke	Candidate Party Affiliation Republican	Office Sought U.S. Senate	State/District Iowa
---	--	-------------------------------------	-------------------------------

- ☐ (c) This committee supports/opposes only one candidate _____ and is NOT an authorized committee. (name of candidate)
- ☐ (d) This committee is a _____ committee of the _____ Party. (National, State or subordinate) (Democratic, Republican, etc.)
- ☐ (e) This committee is a separate segregated fund.
- ☐ (f) This committee supports/opposes more than one Federal candidate and is NOT a separate segregated fund or a party committee.

Name of Any Connected Organization or Affiliated Committee	Mailing Address and ZIP Code	Relationship
* See Attached		

Type of Connected Organization

- ☐ Corporation ☐ Corporation w/o Capital Stock ☐ Labor Organization ☐ Membership Organization ☐ Trade Association ☐ Cooperative

7. Custodian of Records: Identify by name, address (phone number -- optional) and position of the person in possession of committee books or records.

Full Name	Mailing Address	Title or Position
Blane L. Dohrmann	1540 High St., Des Moines, IA 50306	Comptroller

8. Treasurer: List the name and address (phone number -- optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name	Mailing Address	Title or Position
Sharon R. Winner	P.O. Box 612, Dubuque, IA 52001	Treasurer

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.	Mailing Address and ZIP Code
Bankers Trust	Des Moines, IA 50309
Brenton National Bank	Des Moines, IA 50309
First National Bank	Dubuque, IA 52001
George Mason Bank	Fairfax, VA 22030

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

TYPE OR PRINT NAME OF TREASURER	SIGNATURE OF TREASURER	DATE
Sharon R. Winner	<i>Sharon R. Winner</i>	11/9/89

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. 5437g. ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

For further information contact:
Federal Election Commission
Call free 800 424 9530
Local 202 376 3120

EXHIBIT A

FEC FORM
revised 4-87

91040845128

STATEMENT OF ORGANIZATION

The Campaign For A Republican Majority Committee, organized to serve as a Joint Fundraising Committee pursuant to 11 CFR 102.14, is comprised of the following participating committees:

Campaign For A Republican Majority
P.O. Box 1315
New Britain, CT 06050

U.S. Senator Dan Coats
Dan Coats for Indiana
14 North Delaware
Indianapolis, IN 46204

U.S. Representative Hank Brown
Hank Brown for Senate
P.O. Box 1445
Englewood, CO 80150

U.S. Representative Lynn Martin
Lynn Martin for Senate
800 North Clarke Street #317
Chicago, IL 60610

U.S. Representative Claudine Schneider
Committee to Re-Elect Claudine Schneider
P.O. Box 1631
Providence, RI 02901

U.S. Representative Tom Tauke
Iowans For Tauke
P.O. Box 1990
Des Moines, IO 50306

EXHIBIT A

91040845129

91040845130

A JOINT FUNDRAISING AGREEMENT
between the
CAMPAIGN FOR A REPUBLICAN MAJORITY
and
DAN COATS FOR INDIANA
HANK BROWN FOR SENATE
LYNN MARTIN FOR SENATE
COMMITTEE TO RE-ELECT CLAUDINE SCHNEIDER
IOWANS FOR TAUKE

EXHIBIT A-1

ARTICLE 1.

THE PARTIES

The Campaign For A Republican Majority is a separate committee created by Dan Coats For Indiana, Hank Brown For Senate, Lynn Martin For Senate, Committee To Re-Elect Caludine Schneider, and Iowans For Tauke to act as a fundraising representative for a November 13, 1989, joint fundraising event in Hartford, Connecticut.

The Campaign For A Republican Majority is registered with the Federal Election Commission and organized for the purpose of administering a fundraising project the proceeds of which are shared by Dan Coats For Indiana, Hank Brown For Senate, Lynn Martin For Senate, Committee To Re-Elect Claudine Schneider, and Iowans For Tauke.

Pursuant to 11 C.F.R. 102.17(b)(1), the Campaign For A Republican Majority is a reporting political committee which collects all contributions for the November 13, 1989, event, pays costs from gross proceeds and disburses net proceeds according to the allocation formula set forth below.

ARTICLE 2.

THE AGREEMENT

This agreement is entered into by Dan Coats For Indiana, Hank Brown For Senate, Lynn Martin For Senate, Committee To Re-Elect Caludine Schneider, and Iowans For Tauke in compliance with C.F.R. 102.17 (c)(1) and represents the understanding of the parties regarding the November 13, 1989, event.

ARTICLE 3.

FUNDRAISING PROCEDURES

A. Depository Account

The Campaign For A Republican Majority shall establish a depository account to be used solely for the receipt and disbursement of all contributions to the Campaign For A Republican Majority that are permissable for the support of candidates under the Federal Election Campaign Act ["Campaign Account"] and are not designated for a specific candidate.

EXHIBIT A-1

91040345131

B. Allocation Formula

1. The Campaign For A Republican Majority, Dan Coats For Indiana, Hank Brown For Senate, Lynn Martin For Senate, Committee To Re-Elect Caludine Schneider, and Iowans For Tauke hereby agree that the Campaign For A Republican Majority shall allocate all net, unearmarked fundraising proceeds equally, providing 20 percent to each of the five principal campaign committees that sign this agreement.

2. The participants further agree that any contributions earmarked for a specific candidate shall go solely to that candidate.

3. The participants further agree that if an allocation by Campaign For A Republican Majority would result in a violation of contribution limits under the Federal Election Campaign Act, Campaign For A Republican Majority shall reallocate the funds so that such limits are not violated, consistent with the allocation formula described in Sec. 1.

C. Expenses

All expenses for the November 13, 1989, joint fundraising event, including transportation to and from Washington, D.C., will be paid by the Campaign For A Republican Majority from the gross proceeds received.

The undersigned persons are (1) authorized by the parties hereto to sign this agreement, (2) have read and fully understand the foregoing, and (3) agree to be bound by the terms and conditions hereof:

EXHIBIT A-1

91040845132

CAMPAIGN FOR A REPUBLICAN MAJORITY

AUTHORIZED SIGNATURE

DATE

DAN COATS FOR INDIANA

AUTHORIZED SIGNATURE

DATE

HANK BROWN FOR SENATE

AUTHORIZED SIGNATURE

DATE

LYNN MARTIN FOR SENATE

AUTHORIZED SIGNATURE

DATE

COMMITTEE TO RE-ELECT CLAUDINE SCHNEIDER

AUTHORIZED SIGNATURE

DATE

IOWANS FOR TAUKE

Harold R. Wier
AUTHORIZED SIGNATURE

11-9-89
DATE

EXHIBIT A-1

91040845133

ROCKWELL INTERNATIONAL CORPORATION
GOOD GOVERNMENT COMMITTEE
EARMARKED FUNDS
625 LIBERTY AVENUE
PITTSBURGH, PA 15222-3123

4929

June 1 1990

PAY TO THE
ORDER OF

Iowans for Tauke

\$ 253.00

Two Hundred Fifty Three and 00/100

DOLLARS



Steel Plaza Office 103

Mellon Bank

Mellon Bank, N.A.
Pittsburgh, PA

FOR

W. E. ...

⑈004929⑈ ⑆043000261⑆ 165-0339⑈

91040845134

Exhibit "B"

ROCKWELL INTERNATIONAL CORPORATION GOOD GOVERNMENT COMMITTEE
PC-33 600 GRANT STREET PITTSBURGH, PA 15219

June 1, 1990

Enclosed please find our check in the amount of \$253.00 drawn on funds on deposit in an "Earmarked" account. Rockwell International Corporation Good Government Committee is acting as an intermediary in this contribution and the details of the original source are attached.

Gentlemen:

In our capacity as a conduit of the above mentioned funds, we shall report the original source and the intended recipient to the Federal Election Commission as "Earmarked" funds which will not count against our Committee's limitations on contributions.

It would be appreciated if your committee would mail its receipt to me at the address shown above.

If either your committee's name or address has been changed, please advise me of the change.

Very truly yours,

ROCKWELL INTERNATIONAL CORPORATION
GOOD GOVERNMENT COMMITTEE

M. E. Sanders
M. E. Sanders, Treasurer

WES/jd

Exhibit 'C'

ROCKWELL INTERNATIONAL CORPORATION
GOOD GOVERNMENT COMMITTEE
JUNE 1, 1990

LOWING TOP 1AUK01

Name & Address	Place of Business	Occupation	Date Received	Amount
James L. Churchill 345 34th Street, SE Cedar Rapids, IA 52403	Rockwell Int'l.	Business Executive	05/23/90	✓ 60.00
John D. Losgrove 4114 Hickory Hill Ln., SE Cedar Rapids, IA 52403	Rockwell Int'l.	Business Executive	05/23/90	✓ 50.00
Kenneth J. Engholm 7225 Hampshire Drive, NE Cedar Rapids, IA 52407	Rockwell Int'l.	Business Executive		✓ 15.00
Jerome J. Gaspar 1029 Rolling Glen Drive Marion, IA 52302	Rockwell Int'l.	Business Executive		✓ 4.00
Laurence D. Hungerford 1416 Norwood Drive, SE Cedar Rapids, IA 52404	Rockwell Int'l.	Business Executive		✓ 20.00
Gustave R. Johnson 3604 Heatheridge Dr., NE Cedar Rapids, IA 52407	Rockwell Int'l.	Business Executive		✓ 10.00
Robert P. Marovich 3523 Heatheridge Dr., NE	Rockwell Int'l.	Business Executive		✓ 35.00
Bennett D. Sloan 3309 Sailmaker Plano, TX 75023	Rockwell Int'l.	Business Executive		✓ 30.00
James V. Smetzer R.R. #1 Humboldt, IA 52040	Rockwell Int'l.	Business Executive		✓ 25.00
R. J. Tibor 6911 Wilton Court, NE Cedar Rapids, IA 52407	Rockwell Int'l.	Business Executive		✓ 2.00
Myron F. Wilson 4221 Trailridge Road, SE Cedar Rapids, IA 52403	Rockwell Int'l.	Business Executive		✓ 2.00
Fund Total				\$253.00

Exhibit "C"

SCHEDULE A

ITEMIZED RECEIPTS

Page 6 of 74
for Line Number 11a

Any info. copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contrib. or for commercial purpose, other than using name & addr. of a political comm. to solicit from the comm.

Full Name of Committee: Iowans For Tauke

A. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
Donald R. Conway 290 25th Ave., S.W. Cedar Rapids IA 52404	Retired	03/13/90	500.00

Receipt for: Primary Total: \$ 500.00

B. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
Sutherland Cook 2222 1st Ave., N.E. #708 Cedar Rapids IA 52402	Retired	03/19/90	300.00

Receipt for: Primary Total: \$ 300.00

C. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
David M. Elderkin 3420 Random Rd., S.E. Cedar Rapids IA 52403	Self-employed Attorney	02/16/90	250.00

Receipt for: Primary Total: \$ 250.00

D. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
Richard Felter 2626 Indian Hill Rd., SE Cedar Rapids IA 52403	AR-JAY Building Produc President	01/17/90	500.00

Receipt for: Primary Total: \$ 500.00

E. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
Jerome J. Gaspar 1029 Rolling Glen Dr. Marion IA 52302	Rockwell Int'l Business Exec.	02/12/90 01/16/90 03/12/90	4.00 EAR* 4.00 EAR* 4.00 EAR*

Receipt for: Primary Total: \$ 12.00

E.

Memo Entry(s):

- * EAR = Contribution Earmarked Thru Rockwell Int'l Good Gov't Comm
- * EAR = Contribution Earmarked Thru Rockwell Int'l Good Gov't Comm
- * EAR = Contribution Earmarked Thru Rockwell Int'l Good Gov't Comm

SUBTOTAL of Receipts This Page 1562.00

TOTAL This Period

EXHIBIT "D"

Any info. copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contrib. or for commercial purpose, other than using name & addr. of a political comm. to solicit from the comm.

Full Name of Committee: Iowans For Tauke

A. Full Name, Address, Zip	Employer/Occupation	Date	Receipts	Memo
Tony L. Huebsch	Rockwell Int'l	01/16/90	10.00	EAR*
359 Pleasant Dr., S.E.	Bus. Executive	02/12/90	10.00	EAR*
Cedar Rapids IA 52403		03/12/90	10.00	EAR*
Receipt for: Primary		Total: \$	30.00	

A.

Memo Entry(s):

- * EAR = Contribution Earmarked Thru Rockwell Int'l Good Gov't Comm
- * EAR = Contribution Earmarked Thru Rockwell Int'l Good Gov't Comm
- * EAR = Contribution Earmarked Thru Rockwell Int'l Good Gov't Comm

B. Full Name, Address, Zip	Employer/Occupation	Date	Receipts	Memo
John P. Jacobs	Self-employed	02/19/90	250.00	
3608 Heatheridge Dr., NE	Physician			
Cedar Rapids IA 52402				
Receipt for: Primary		Total: \$	250.00	

C. Full Name, Address, Zip	Employer/Occupation	Date	Receipts	Memo
Gustave R. Johnson	Rockwell Int'l	01/16/90	10.00	EAR*
3604 Heatheridge Dr., N.E	Director	02/12/90	10.00	EAR*
Cedar Rapids IA 52402		03/12/90	10.00	EAR*
Receipt for: Primary		Total: \$	30.00	

C.

Memo Entry(s):

- * EAR = Contribution Earmarked Thru Rockwell Int'l Good Gov't Comm
- * EAR = Contribution Earmarked Thru Rockwell Int'l Good Gov't Comm
- * EAR = Contribution Earmarked Thru Rockwell Int'l Good Gov't Comm

D. Full Name, Address, Zip	Employer/Occupation	Date	Receipts	Memo
Roger A. Kylo	Rockwell Int'l	01/16/90	4.00	EAR*
4626 Northwood Dr., N.E.	Manager	02/12/90	2.00	EAR*
Cedar Rapids IA 52402		03/12/90	2.00	EAR*
Receipt for: Primary		Total: \$	8.00	

SUBTOTAL of Receipts This Page 318.00

EXHIBIT "D"

SCHEDULE A

ITEMIZED RECEIPTS

Page 9 of 74
for Line Number 11a

Full Name of Committee: Iowans For Tauke

D.

Memo Entry(s):

- * EAR = Contribution Earmarked Thru Rockwell Int'l Good Gov't Comm
- * EAR = Contribution Earmarked Thru Rockwell Int'l Good Gov't Comm
- * EAR = Contribution Earmarked Thru Rockwell Int'l Good Gov't Comm

E. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
Ira E. Larson 358 Garden Dr., S.E. Cedar Rapids IA 52403	Retired	03/14/90	295.00

Receipt for: Primary Total: \$ 295.00

F. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
Elaine R. Linge 1511 Matterhorn Dr., N.E. Cedar Rapids IA 52402	Homemaker	01/03/90 03/13/90 03/23/90	25.00 250.00 35.00

Receipt for: Primary Total: \$ 310.00

A. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
Thomas G. McCuskey 2325 Blake Blvd., S.E. Cedar Rapids IA 52403	Klinger-Robinson & McC Attorney	02/27/90	250.00

Receipt for: General Total: \$ 250.00

B. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
Clark E. McLeod 2920 2nd Ave. Marion IA 52302	Teleconnect President	01/30/90	1000.00

Receipt for: Primary Total: \$ 1000.00

C. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
Robert P. Marovich 3523 Heatheridge Dr., NE Cedar Rapids IA 52402	Rockwell Int'l V.P./Control	01/16/90 02/12/90 03/12/90	35.00 EAR* 35.00 EAR* 35.00 EAR*

Receipt for: Primary Total: \$ 105.00

SUBTOTAL of Receipts This Page 1960.00

TOTAL This Period

EXHIBIT "D"

Full Name of Committee: Iowans For Tauke

C.

Memo Entry(s):

- * EAR = Contribution Earmarked Thru Rockwell Int'l Good Gov't Comm
- * EAR = Contribution Earmarked Thru Rockwell Int'l Good Gov't Comm
- * EAR = Contribution Earmarked Thru Rockwell Int'l Good Gov't Comm

D. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
Robert C. Moorman 6400 Berry Rd., S.E. Cedar Rapids IA 52403	Moorman Equipment Co. Businessman	02/20/90	500.00

Receipt for: Primary Total: \$ 500.00

E. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
Donald C. Nebergall 2919 Applewood Pl., N.E. Cedar Rapids IA 52402	Self-employed Consultant	03/13/90	500.00

Receipt for: Primary Total: \$ 500.00

F. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
Scott E. Olson 4070 Hickory Hill Ln, SE Cedar Rapids IA 52403	Olson-Popa-Novak Archi Architect	01/17/90 02/12/90 03/13/90	150.00 10.00 150.00

Receipt for: Primary Total: \$ 310.00

A. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
Jack F. Peppers 526 Green Valley Ter. SE Cedar Rapids IA 52403	Amana Vice President	02/09/90	250.00

Receipt for: Primary Total: \$ 250.00

B. Full Name, Address, Zip	Employer/Occupation	Date	Receipts Memo
Richard A. Ramsey 520 Tory Lane Marion IA 52302	Rockwell Int'l Div. Exec.	03/26/90	50.00 EAR*

* EAR = Contribution Earmarked Thru Rockwell International

Receipt for: Primary Total: \$ 50.00

SUBTOTAL of Receipts This Page 1610.00

TOTAL This Period

EXHIBIT 2"

AFFIDAVIT

STATE OF KANSAS :
: ss
COUNTY OF SHAWNEE :

I, Melissa Holloman, being first duly sworn, do upon my oath depose and state that I am the Marketing Representative of Southwest Publishing and Mailing Co. of 2600 N.W. Topeka Avenue, Topeka, Kansas 66617.

During the 1989-1990 campaign cycle, our firm did direct mail work for Iowans for Tauke, the campaign committee of Tom Tauke, a candidate for the United States Senate from Iowa. In this connection, I am familiar with a complaint filed with the Federal Election Commission against Iowans for Tauke by the Iowa Democratic State Party Committee alleging that a particular fundraising solicitation mailing for Iowans for Tauke was mailed at a nonprofit postage rate, that Iowans for Tauke did not pay the usual and normal charge for the mailing, and that Iowans for Tauke accepted an unreported or prohibited contribution in violation of federal law.

I have examined the eight-page attachment to the Complaint filed by the Iowa Democratic State Party Committee, which is a copy of a four-page letter from Tom Tauke, together with an enclosure, a mailing envelope, and a return envelope. The mailing envelope is distinguished by the notation: "Ted Kennedy as Iowa's U.S. Senator?"

This particular mailing was printed, processed, and mailed by Southwest Publishing and Mailing Co., and the usual and normal charge for this mailing was paid in full by Iowans for Tauke.

This particular direct mail solicitation was mailed by our firm from Topeka, Kansas (zip 66617, as indicated in the meter impression) on two different occasions, on or about June 11, 1990, and again on or about July 3, 1990.

Bulk rate postage was affixed to the mailing, as is evidenced by the notation of 13.2 cents in the meter portion of the attachment to the Complaint. Meter number 6814901 is utilized by our firm, and was utilized for the Tauke mailing. The "Nonprofit Org" slug included in the meter clearly was included by our firm in error, as the correct slug would have read "Bulk Rate".

Exhibit "E"

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Affidavit
Page Two

In any event, the lower postage rates afforded a non-profit organization -- ranging from 5.3 to 8.4 cents -- were not used for the Tauke mailing, since the campaign was not a qualified non-profit organization. The full required regular bulk rate postage was paid by the campaign.

Dated this 6th day of December, 1990.

Melissa Holloman
Melissa Holloman

Subscribed and sworn to before me, a Notary Public in and for the State of Kansas, by Mona, Commerce Bank Trust on this 6th day of December, 1990.



Mona Grandmontagne
Notary Public in and for
the State of Kansas.
Comm. expires 1-31-94

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91 MAY 15 AM 10:48

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

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

MUR: 3150
DATE COMPLAINT RECEIVED
BY OGC: 10-30-90
DATE OF NOTIFICATION TO
RESPONDENTS: 11-1-90
STAFF MEMBER: MARY ANN BUNGARNER

COMPLAINANT: Iowa Democratic State Party Committee and
John P. Roehrick, as Chair

RESPONDENTS: Iowans for Tauke and Sharon R. Winner,
as treasurer

RELEVANT STATUTES: 2 U.S.C. § 432(h)(1)
2 U.S.C. § 433(b)(6)
2 U.S.C. § 433(c)
2 U.S.C. § 434(b)
2 U.S.C. § 441a
2 U.S.C. § 441b

11 C.F.R. § 100.7(a)(1)(iii)
11 C.F.R. § 102.2(a)(2)
11 C.F.R. § 102.17(c)(3)
11 C.F.R. § 103.1
11 C.F.R. § 104.13
11 C.F.R. § 110.6

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

The Commission received a complaint from the Iowa Democratic State Party Committee and John P. Roehrick, as Chair ("complainant"), alleging that Iowans for Tauke and Sharon R. Winner, as treasurer (the "Committee"), violated the Federal Election Campaign Act of 1971, as amended (the "Act"), and the Commission regulations. Attachment 1.

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Complainant alleges that the Committee violated 2 U.S.C. § 433(c) and 11 C.F.R. §§ 102.2(a)(2), 103.1 and 102.17(c)(3) by failing to disclose certain campaign depositories in which the Committee has placed its campaign funds. The complainant further alleges that the Committee violated 2 U.S.C. § 441b and 11 C.F.R. § 110.6 by accepting contributions earmarked through an impermissible corporate "conduit" that is prohibited from making any contributions or acting as a conduit under the Act. Finally, complainant alleges the Committee violated 2 U.S.C. §§ 441a, 441b and 434(b) and 11 C.F.R. §§ 100.7(a)(1)(iii), 104.13, 110 and 114. According to complainant, these violations result from the failure to pay the usual and normal charge for postage by mailing campaign fundraising solicitation letters using the postage meter of a "nonprofit organization," by failing to report an in-kind contribution, and by receiving an in-kind contribution from a nonprofit organization which may be a prohibited contributor under the Act.

After receiving an extension of time, the Committee submitted their response to the complaint in this matter. Attachment 2.

II. FACTUAL AND LEGAL ANALYSIS

A. Failure to disclose campaign depositories

1. 2 U.S.C. §§ 432(h)(1), 433(b)(6) and 433(c)

Pursuant to 2 U.S.C. § 433(b)(6), each political committee registered with the Commission is required to list on its Statement of Organization all banks, safety deposit boxes, or

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other depositories used by the committee. See also 11 C.F.R. §§ 102.2(a)(1)(vi) and 103.1. Further, pursuant to 2 U.S.C. § 433(c), any change in information previously submitted in a Statement of Organization shall be reported no later than ten days after the date of the change. According to 2 U.S.C. § 432(h)(1), each political committee shall designate one or more insured institutions, as provided for in that section, as its campaign depository. See also 11 C.F.R. § 103.2. Commission regulations provide that funds may be transferred from the depository for investment purposes, but shall be returned to the depository before such funds are used to make expenditures. 11 C.F.R. § 103.3(a).

Complainant alleges that based on records on file at the Commission, the Iowans for Tauke committee failed to amend its Statement of Organization or file a letter with the Commission noting the additional use of four bank depositories: United Federal Savings Bank; First Interstate Bank; American Trust & Savings and Connecticut National Bank. Attachment 1 at 8-13. According to complainant, the Committee's 1990 July Quarterly Report (Attachment 1 at 8-9) discloses interest payments received from United Federal, First Interstate Bank and American Trust & Savings. Complainant states that this presumably means that the Committee has deposited funds in interest-bearing accounts at these banks; however, no Statements of Organization or letters of amendment filed by the Committee during the 1989 or 1990 and on record at the Commission show these three banks as campaign depositories.

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In response to the complaint, counsel for the Iowans for Tauke committee states that all initial receipts by the committee were deposited in accounts established at either Bankers Trust Company of Des Moines, Iowa, or First Bank of Dubuque, Iowa. According to counsel, no initial receipts of the Committee were ever deposited in the United Federal Savings Bank, the First Interstate Bank, or the American Trust & Savings, as alleged in the complaint.

Counsel explains that when deposits in Bankers Trust Company and/or First National Bank exceeded FDIC insurance limits, funds which had already been received and placed in a designated depository were transferred from those depositories and invested in certificates of deposit and/or savings accounts in United Federal Savings Bank, First Interstate Bank, and American Trust & Savings. According to counsel, the investment account with American Trust & Savings was initially opened by the Tauke for Congress Committee on August 27, 1986, and then transferred to Iowans for Tauke once the Senate campaign committee was organized. The investment accounts at United Federal Savings Bank and First Interstate Bank were opened during the 1989-90 election cycle. Therefore, counsel asserts that the campaign funds on deposit in United Federal Savings Bank, First Interstate Bank and American Trust & Savings were "investment accounts only and were not campaign depository accounts as contemplated by 11 C.F.R. § 103.2, which is explanatory of 11 C.F.R. § 103.1."

While it appears that the campaign funds on deposit in

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each of these three banks were investment accounts and not campaign depository accounts, pursuant to 2 U.S.C. § 433(b)(6) the Committee is still required to list on its Statement of Organization all depositories used by the Committee. See Advisory Opinion 1981-19. Furthermore, the Committee has not yet amended its Statement of Organization, as required by 2 U.S.C. § 433(c), to reflect the investment accounts listed above. Therefore, this Office recommends that the Commission find reason to believe that the Iowans for Tauke and Sharon R. Winner, as treasurer, violated 2 U.S.C. §§ 433(b)(6) and 433(c). However, since the Committee did report the interest earned from these investment accounts on its Schedule A's of itemized receipts attached to the Committee's reports filed with the Commission, and consistent with the proper ordering of the Commission's priorities and resources, see Heckler v. Chaney, 470 U.S. 821 (1985), this Office recommends that the Commission take no further action with regard to these violations.¹

2. 11 C.F.R. § 102.17(c)(3)

According to 11 C.F.R § 102.17(c)(3), the participants or the fundraising representative of a joint fundraising activity shall establish a separate depository account to be used solely for the receipt and disbursement of the joint fundraising

1. If the Commission follows our recommendations and takes no further action with regard to the violations of the Act and Commission regulations by the Committee, this Office will advise the Committee as to the necessity for amending its Statement of Organization in a timely manner.

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proceeds. In addition, each political committee shall amend its Statement of Organization to reflect the account as an additional depository and such information shall be reported on the Statement of Organization within 10 days. 2 U.S.C. § 433(c); see also 11 C.F.R. § 102.2(a)(2).

Complainant alleges that the Committee participated in a joint fundraising activity with the Campaign for a Republican Majority, which has reported to the Commission that its depository for this purpose is the Connecticut National Bank. Attachment 1 at 10. However, complainant alleges that the Committee did not amend its Statement of Organization to reflect the joint fundraising account as an additional depository.

According to the Committee's response, on November 9, 1989, the Committee properly notified the Secretary of the Senate that an authorized joint fundraising committee, Campaign for a Republican Majority, had been established. However, according to counsel, this joint fundraising agreement did not specify the name of the bank where any account was to be established, so through an oversight an additional depository was not included on the amended Statement of Organization. Counsel argues that the Committee made a good faith effort to timely notify the Secretary of the Senate of its participation in the joint fundraising committee and the amended Statement of Organization placed all interested parties on notice as to the joint committee's depository. Further, based on this good faith effort, counsel states that no penalty

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should be imposed against the Iowans for Tauke committee.

While the Committee did notify the Secretary of the Senate that an authorized joint fundraising committee had been established, the amended Statement of Organization did not reflect where the account was to be established, in this case the Connecticut National Bank. Therefore, this Office recommends that the Commission find reason to believe that the Iowans for Tauke and Sharon R. Winner, as treasurer, violated 11 C.F.R. § 102.17(c)(3). However, since the Committee did notify the Commission that a joint fundraising committee had been established, and consistent with the proper ordering of the Commission's priorities and resources, see Heckler v. Chaney, 470 U.S. 821 (1985), this Office recommends that the Commission take no further action with regard to this violation.

B. Prohibited Corporate Contributions

1. 2 U.S.C. 441b and 11 C.F.R. § 110.6(b)(2)(ii)

Pursuant to 2 U.S.C. § 441b, corporations are generally prohibited from making contributions and expenditures in connection with federal elections. Section 441b further prohibits political committees from knowingly receiving or accepting such prohibited contributions.

Further, section 441a(a)(8) provides that anyone who receives a contribution directed or earmarked to a candidate must disclose the identity of the "conduit" as well as the original contributor. See also 11 C.F.R. § 110.6. According to 11 C.F.R. § 110.6(b)(2)(ii), any person who is prohibited

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from making contributions or expenditures in connection with an election for Federal office shall be prohibited from acting as a conduit for contributions earmarked to candidates or their authorized committees."

Complainant states that the Iowans for Tauke 1990 July Quarterly Report discloses several contributions earmarked through "Rockwell Int'l. Corporation." According to complainant, contributions from Jerome J. Gaspar, Gustave R. Johnson and Robert P. Marovich were reported on the Committee's July Quarterly Report as earmarked through the Rockwell Int'l Corporation. Attachment 1 at 14-15. Complainant argues that since a corporation is prohibited from contributing to federal candidates, it is thus prohibited from acting as a conduit. Therefore, complainant asserts that if the contributions were in fact earmarked through "Rockwell Int'l Corporation" and were not returned, a violation exists. According to complainant, if the contributions were forwarded through some entity or person other than "Rockwell Int'l Corporation," then the true conduit has not been correctly reported by the Iowans for Tauke committee. Further, complainant argues that if these contributions were forwarded by a corporate check, acceptance of these contributions violates the Act.

In their response to the complaint, counsel for the Committee states that the "complained of" contributions earmarked through "Rockwell Int'l Corporation" were properly conduited through a political action committee, specifically the Rockwell International Corporation Good Government

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Committee, and were not conduited through a corporation. Attached to the Committee's response is a copy of a letter of transmittal from the Rockwell International Corporation Good Government Committee to the Committee (Attachment 2 at 19) noting the enclosure of a check (Attachment 2 at 18) in the amount of \$253 and drawn on funds deposited in an "Earmarked" account. The letter states that the Rockwell International Corporation Good Government Committee is "acting as an intermediary in this contribution" and shall report, in their capacity as a conduit, the original source and the intended recipient to the Commission as "Earmarked" funds which will not count against the Committee's limitations on contributions.

Id. Attached to the letter is a list of the original sources for the \$253 contribution. Attachment 2 at 20. Included in this list are the the names of the three individuals which complainant states were reported on the July Quarterly as making contributions earmarked through the "Rockwell Int'l Corporation." Counsel for the Committee states that the contributions from these three individuals were also reflected on the Iowans for Tauke April Quarterly Report and this report, in fact, indicated that the contributions from Mr. Gasper, Mr. Johnson and Mr. Marovich were earmarked through the "Rockwell Int'l Good Gov't Comm.." Therefore, counsel argues, a different form of abbreviation of the name of the political action committee permitted more of the name to be shown on the April Quarterly Report, than was, through oversight, shown on the July Quarterly Report.

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Based on the foregoing, it does not appear that the contributions in question were earmarked through a corporation in violation of 11 C.F.R. § 110.6(b)(2)(ii). Further, it does not appear that the Iowans for Tauke committee violated section 441b by accepting corporate contributions. Therefore, this Office recommends that the Commission find no reason to believe that the Iowans for Tauke and Sharon R. Winner, as treasurer, violated 11 C.F.R. § 110.6(b)(2)(ii) and 2 U.S.C. § 441b by accepting contributions through a prohibited conduit.

C. Use of Nonprofit Organization Postage Meter

1. 2 U.S.C. §§ 434(b), 441a and 441b

Section 434(b) requires political committees registered with the Commission to report all contributions received in each reporting period. The Act defines contributions as anything of value including a gift, loan or advance made by any person for the purpose of influencing a federal election. 2 U.S.C. §§ 431(8)(A) and 431(9)(A). Commission regulations state that the provision of any goods or services without charge or at a charge which is less than the usual and normal charge for such goods or services is a contribution. 11 C.F.R. § 100.7(a)(1)(iii). Pursuant to 2 U.S.C. § 441a(f), no candidate or political committee shall knowingly accept any contributions in violation of the provisions of section 441a. Pursuant to 2 U.S.C. § 441a(a)(1)(A), no person shall make contributions to any candidate and his authorized political committee which, in the aggregate, exceed \$1,000. Further, under the Act, corporations are generally prohibited from

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making contributions and expenditures in connection with federal elections. 2 U.S.C. § 441b.

Complainant alleges that the Iowans for Tauke committee mailed campaign fundraising solicitation letters at special nonprofit mailing rates not available to candidates' principal campaign committees. Complainant acknowledges that while a violation of the Postal rules is not under the jurisdiction of the Commission, it is clear that a candidate's failure to pay the usual and normal charge for postage results is a contribution by the entity providing the discount to the committee. Complainant further alleges that if this entity is a corporation, then the use of the special mailing rate would also be considered a "prohibited contribution." Complainant also cites to a possible violation of Section 441a; however, complainant does not specify how he arrives at this violation. It appears complainant may be alternatively alleging that if the entity providing the discount to the candidate's committee was not a corporation, the transaction resulted in the acceptance by the Committee of an excessive in-kind contribution.

Complainant asserts that the fundraising solicitation mailing (Attachment 1 at 16 and 19), which indicates it was paid for by Iowans for Tauke, was mailed on a postage meter with the notation "Nonprofit Org." Therefore, complainant argues that based on this notation it appears that the Committee did not pay the usual and normal charge for this mailing, and accepted a rate below that which the campaign was

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entitled.

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In their response to the complaint, counsel for the Iowans for Tauke committee states that the mailing in question was printed, processed, and mailed by Southwest Publishing and Mailing Co. of Topeka, Kansas, and the usual and normal charge for this mailing was paid in full by the Committee. Attached to the Committee's response (Attachment 2 at 25) is an affidavit of Melissa Holloman, the Marketing Representative of Southwest Publishing and Mailing Company. In the affidavit, Ms. Holloman states that the subject mailing was sent at the appropriate bulk mailing rate as evidenced by the notation of 13.2 cents in the meter portion of the copy of the envelope attached to the complaint. Attachment 1 at 16. Therefore, Ms. Holloman states it is clear that the lower postage rates afforded a non-profit organization, which range from 5.3 to 8.4 cents, were not used for the mailing for the Iowans for Tauke committee. Ms. Holloman also states that the "nonprofit org" slug included in the meter was clearly included by her firm in error, as the correct slug would have read "Bulk Rate." Finally, according to the affidavit, the Iowans for Tauke committee paid the full required bulk rate postage for the subject mailing.

Based on the foregoing, this Office recommends that the Commission find no reason to to believe that the Iowans for Tauke Committee and Sharon R. Winner, as treasurer, violated 2 U.S.C. §§ 434(b), 441a and 441b with regard to this matter.

III. RECOMMENDATIONS

1. Find reason to believe that the Iowans for Tauke and Sharon R. Winner, as treasurer, violated 2 U.S.C. §§ 433(b)(6) and 433(c) and 11 C.F.R. § 102.17(c)(3), but take no further action.
2. Find no reason to believe that the Iowans for Tauke and Sharon R. Winner, as treasurer violated 2 U.S.C. §§ 434(b), 441a and 441b and 11 C.F.R. § 110.6(b)(2)(ii).
3. Approve the attached factual and legal analysis and appropriate letter.
4. Close the file.

Lawrence M. Noble
General Counsel

Date

5/13/91

BY:


Lois G. Lerner
Associate General Counsel

Attachments

1. Complaint
2. Response from the Iowans for Tauke Committee dated December 10, 1990.
3. Factual and Legal Analysis

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS /DONNA ROACH *DC*
COMMISSION SECRETARY

DATE: MAY 20, 1991

SUBJECT: MUR 3150 - FIRST GENERAL COUNSEL'S REPORT
DATED MAY 13, 1991.

The above-captioned document was circulated to the
Commission on WEDNESDAY, MAY 15, 1991 at 4:00 P.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	_____XXX_____
Commissioner McGarry	_____
Commissioner Thomas	_____

This matter will be placed on the meeting agenda
for TUESDAY, JUNE 4, 1991.

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

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CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the

Federal Election Commission executive session on June 4,

1991, do hereby certify that the Commission decided by a

vote of 5-1 to take the following actions in MUR 3150:

1. Find reason to believe that the Iowans for Tauke and Sharon R. Winner, as treasurer, violated 2 U.S.C. §§ 433(b)(6) and 433(c) and 11 C.F.R. § 102.17(c)(3), but take no further action.

2. Find no reason to believe that the Iowans for Tauke and Sharon R. Winner, as treasurer, violated 2 U.S.C. §§ 434(b), 441a, and 441b and 11 C.F.R. § 110.6(b) (2)(ii).

3. Approve the factual and legal analysis and appropriate letter as recommended in the General Counsel's report dated May 13, 1991.

(continued)

Federal Election Commission
Certification for MUR 3150
June 4, 1991

Page 2

4. Close the file.

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

Attest:

6-5-91
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 17, 1991

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Iowa Democratic State Party Committee
John P. Roehrick, Chair
2116 Grand Avenue
Des Moines, Iowa 50312

RE: MUR 3150
Iowans for Tauke
and Sharon R. Winner,
as treasurer

Dear Mr. Roehrick:

On June 4, 1991, the Federal Election Commission reviewed the allegations of your complaint received on October 30, 1990, and found that on the basis of the information provided in your complaint, and information provided by Iowans for Tauke and Sharon R. Winner, as treasurer, that there is reason to believe Iowans for Tauke and Sharon R. Winner, as treasurer, violated 2 U.S.C. §§ 433(b)(6) and 433(c), provisions of the Federal Election Campaign Act of 1971, as amended (the "Act"), and 11 C.F.R. § 102.17(c)(3), a provision of the Commission's regulations. However, after considering the circumstances of this matter, the Commission also determined to take no further action.

On June 4, 1991, the Commission also found that there is no reason to believe Iowans for Tauke and Sharon R. Winner, as treasurer, violated 2 U.S.C. §§ 434(b), 441a and 441b and 11 C.F.R. § 110.6(b)(2)(ii). Enclosed please find a copy of the First General Counsel's Report recommending no reason to believe as to these alleged violations. Accordingly, on June 4, 1991, the Commission closed the file in this matter.

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the

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John P. Roehrick
Page 2

Commission's dismissal of this action. See 2 U.S.C.
§ 437g(a)(8).

Sincerely,

Lawrence M. Noble
General Counsel



By: Lois G. Lerner
Associate General Counsel

Enclosure
First General Counsel's Report

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 17, 1991

Ralph R. Brown, Esquire
McDonald, Brown & Kimple
502 - 15th Street
P.O. Box 250
Dallas Center, Iowa 50063-0250

RE: MUR 3150
Iowans for Tauke and
Sharon R. Winner, as
treasurer

Dear Mr. Brown:

On November 1, 1991, the Federal Election Commission notified your clients, Iowans for Tauke and Sharon R. Winner, as treasurer, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act").

On June 4, 1991, the Federal Election Commission found reason to believe that your clients violated 2 U.S.C. §§ 433(b)(6) and 433(c), provisions of the Federal Election Campaign Act of 1971, as amended, and 11 C.F.R. § 102.17(c)(3), a provision of the Commission's regulations. However, after considering the circumstances of this matter, the Commission also determined to take no further action. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

The Commission reminds you that your clients' failure to list all committee depositories on Iowans for Tauke's Statement of Organization and your clients' failure to report changes in such information within ten days appear to be violations of 2 U.S.C. §§ 433(b)(6) and (c). Your clients should take immediate steps to insure that these activities do not occur in the future.

On June 4, 1991, the Commission also found, on the basis of the information in the complaint and information provided by your clients, that there is no reason to believe that Iowans for Tauke and Sharon R. Winner, as treasurer, violated 2 U.S.C. §§ 434(b), 441a and 441b and 11 C.F.R. § 110.6(b)(2)(ii). Enclosed please find a copy of the First General Counsel's Report recommending no reason to believe as to these alleged violations. Accordingly, the Commission closed its file in this matter.

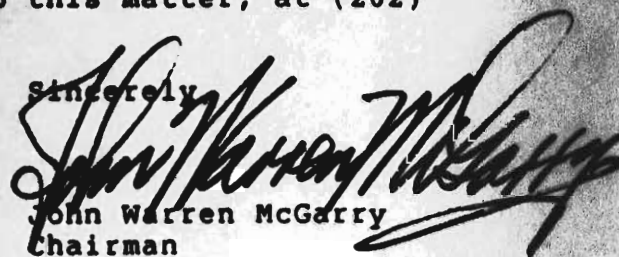
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Ralph R. Brown
Page 2

The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within ten days of your receipt of this letter. Please send such materials to the General Counsel's Office.

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



John Warren McGarry
Chairman

Enclosures
Factual and Legal Analysis
First General Counsel's Report

cc: The Honorable Thomas J. Tauke
House of Representatives
2244 Rayburn House Office Building
Washington, D.C. 20515-1502

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3150

DATE FILMED 4/26/91 CAMERA NO. 4

CAMERAMAN AS

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