



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3196

DATE FILMED 8/13/91 CAMERA NO. 4

CAMERAMAN AS

91040354734

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 23 July 1990

ANALYST: Pat Sheppard

I. COMMITTEE: Tom Christo for U.S. Senate, Inc.
(C00237131)
Dennis R. Stone, Treasurer
4 Atlantic Avenue
North Hampton, NH 03862

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

III. BACKGROUND:

Receipt of Apparent Excessive Contributions

The Tom Christo for U.S. Senate, Inc. committee ("the Committee") has accepted during 1989 apparent excessive contributions totaling \$5,400. These contributions were made by six (6) individuals. To date, the Committee has reattributed \$5,000 of the apparent excessive contributions. Presented below are the apparent excessive contributions received, the notices sent, and the responses received. For specific details, please refer to the attached chart and supporting documents.

Schedule A of the Committee's Amended 1989 Year End Report discloses the receipt of apparent excessive contributions totaling \$5,400. The Committee's report also discloses that \$5,000 in apparent excessive contributions have been reattributed. The Committee's original report discloses that these contributions had been received for the 1990 General Election. On June 29, 1990, an Informational Notice was sent to the Committee noting the receipt and partial reattribution of the apparent excessive contributions (Attachment 2). The notice requested that the Committee refund or seek redesignation or reattribution of the remaining excessive amount. In addition, the notice informed the Committee that they could only reattribute funds to individuals that shared a joint account. The Notice further stated that all undesignated contributions received by the Committee up to the date of the New Hampshire Primary Election should be designated for that election. As of this date, the Committee has failed to respond.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

21040854735

9 1 0 4 0 8 5 4 7 3 6

page 1

06/29/1990

APPARENT EXCESSIVE CONTRIBUTIONS RECEIVED BY THE
TOM CHRISTO FOR US SENATE, INC.

NAME	ELECTION	RECEIPTS	EXCESS AMOUNT	RECEIPT DATE	AMOUNT REDESIGNATED	AMOUNT REATTRIBUTED	AMOUNT REFUNDED	ACTION DATE	ATTACHMENT
BAJRAKTARI, HAJDAR	PRIMARY	1000.00		09/19/1989					A1
	PRIMARY	1000.00	1000.00	09/29/1989					A2
	PRIMARY					(1000.00)		12/31/1989	A2
JOHNSON, RONALD R	PRIMARY	2000.00	1000.00	09/29/1989					B1
	PRIMARY					(1000.00)		12/31/1989	B1
KAST, EVELYN	PRIMARY	2000.00	1000.00	07/10/1989					C1
	PRIMARY					(1000.00)		12/31/1989	C1
KAST, WILHELM C	PRIMARY	2000.00	1000.00	07/10/1989					C1
	PRIMARY					(1000.00)		12/31/1989	C1
THOMAS, WILLIAM	PRIMARY	2000.00	1000.00	08/18/1989					D1
	PRIMARY					(1000.00)		12/31/1989	D1
WHITCOMB, FRANK L	PRIMARY	400.00		05/15/1989					E1
	PRIMARY	1000.00	400.00	11/30/1989					E2

SCHEDULE A

ITEMIZED RECEIPTS

Use separate schedule
for each category of the
Detailed Summary PagePAGE
3
FOIA b7 E, b7 C, b7 D
11/1/89

Contributions from Individuals/Persons

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

NAME OF COMMITTEE (in Full)

TOM CHRISTO FOR U.S. SENATE, INC. C00237131

(07/01/89 - 12/31/89)

A. Full Name, Mailing Address and ZIP Code Douglas C. MacArthur 100 Woodland Road No. Hampton, NH 03862 Receipt For ☒ Primary ☐ General ☐ Other (specify):	Name of Employer None Occupation Retired Aggregate Year-to-Date > \$ 425.00	Date (month, day, year) 09-13-89	Amount of Each Receipt this Period 425.00
B. Full Name, Mailing Address and ZIP Code Michael Tizos 321 Lafayette Road Hampton, NH 03842 Receipt For ☒ Primary ☐ General ☐ Other (specify):	Name of Employer Gallery Hatch Restaurant, Inc. Occupation Owner Aggregate Year-to-Date > \$ 500.00	Date (month, day, year) 09-13-89	Amount of Each Receipt this Period 500.00
C. Full Name, Mailing Address and ZIP Code Haydar Bajraktari 617 E. 188th Street Bronx, NY 10458 Receipt For ☒ Primary ☐ General ☐ Other (specify):	Name of Employer Self Occupation Real estate developer Aggregate Year-to-Date > \$ 1,000.00	Date (month, day, year) 09-19-89	Amount of Each Receipt this Period 1,000.00
D. Full Name, Mailing Address and ZIP Code Hasan Osmani 15 Quakerbridge Road Ossining, NY 10562 Receipt For ☒ Primary ☐ General ☐ Other (specify):	Name of Employer Self Occupation Retailer Aggregate Year-to-Date > \$ 1,000.00	Date (month, day, year) 09-29-89	Amount of Each Receipt this Period 1,000.00
E. Full Name, Mailing Address and ZIP Code Nuriye Osmani 15 Quakerbridge Road Ossining, NY 10562 Receipt For ☒ Primary ☐ General ☐ Other (specify):	Name of Employer None Occupation None Aggregate Year-to-Date > \$ 1,000.00	Date (month, day, year) 09-29-89	Amount of Each Receipt this Period 1,000.00
F. Full Name, Mailing Address and ZIP Code Rustem Gecaj 617 East 188th Street Bronx, NY 10458 Receipt For ☒ Primary ☐ General ☐ Other (specify):	Name of Employer None Occupation None Aggregate Year-to-Date > \$ 1,000.00	Date (month, day, year) 09-29-89	Amount of Each Receipt this Period 1,000.00
G. Full Name, Mailing Address and ZIP Code Nue Shale 3605 Sedgwick Ave. Bronx, NY 10463 Receipt For ☒ Primary ☐ General ☐ Other (specify):	Name of Employer Self Occupation Real estate Aggregate Year-to-Date > \$ 1,000.00	Date (month, day, year) 09-29-89	Amount of Each Receipt this Period 1,000.00

SUBTOTAL of Receipts This Page (optional)

5,925.00

TOTAL This Period (last page this line number only)

SCHEDULE A

ITEMIZED RECEIPTS

Use separate schedule
for each category of the
Detailed Summary PagePAGE
4 of 17
FOR LINE NUMBER
11(a)(1)

Contributions from Individuals/Persons

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NAME OF COMMITTEE (in Full)

TOM CHRISTO FOR U.S. SENATE, INC.

C00237131

(07/01/89 - 12/31/89)

A. Full Name, Mailing Address and ZIP Code

Hasder Bajraktari
617 East 188th Street
Bronx, NY 10458Receipt For ☒ Primary ☐ General
☐ Other (specify)Name of Employer
Self-employed

Occupation

Real estate developer

Aggregate Year-to-Date > \$

Date (month,
day, year)
09/29/89
12/31/89

1,000.00

1,000.00
(1,000.00)REATTRIBUTION
SEE BELOW

B. Full Name, Mailing Address and ZIP Code

Gjejjione Bajraktari
617 East 188th Street
Bronx, NY 10458Receipt For ☒ Primary ☐ General
☐ Other (specify)Name of Employer
None

Occupation

None

Aggregate Year-to-Date > \$

Date (month,
day, year)
12/31/89

1,000.00

1,000.00
REATTRIBUTION
SEE ABOVE

C. Full Name, Mailing Address and ZIP Code

Tome Saljanin
2364 Lorillard Place
Bronx, NY 10458Receipt For ☒ Primary ☐ General
☐ Other (specify)Name of Employer
Self-employed

Occupation

Landlord/real estate

Aggregate Year-to-Date > \$

Date (month,
day, year)
09/29/89

250.00

250.00

D. Full Name, Mailing Address and ZIP Code

Sali Neza
3475 Jerome Avenue
Bronx, NY 10467Receipt For ☒ Primary ☐ General
☐ Other (specify)Name of Employer
Self-employed

Occupation

Real estate

Aggregate Year-to-Date > \$

Date (month,
day, year)
09/29/89

500.00

500.00

E. Full Name, Mailing Address and ZIP Code

Paljo Saljanin
2364 Lorillard Place
Bronx, NY 10458Receipt For ☒ Primary ☐ General
☐ Other (specify)Name of Employer
None

Occupation

None

Aggregate Year-to-Date > \$

Date (month,
day, year)
09/29/89

500.00

500.00

F. Full Name, Mailing Address and ZIP Code

Van Christo
140 Sewall Avenue
Brookline, MA 02141Receipt For ☒ Primary ☐ General
☐ Other (specify)Name of Employer
Van Christo, Inc.

Occupation

Advertising agent

Aggregate Year-to-Date > \$

Date (month,
day, year)
09/29/89

500.00

500.00

G. Full Name, Mailing Address and ZIP Code

Nathan Halegua
99 Cutler Hill Road
Great Neck, NY 11021Receipt For ☒ Primary ☐ General
☐ Other (specify)Name of Employer
Self-employed

Occupation

Real estate mgmt.

Aggregate Year-to-Date > \$

Date (month,
day, year)
10/06/89

500.00

500.00

SUBTOTAL of Receipts This Page (optional) >

3,250.00

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

SCHEDULE A

ITEMIZED RECEIPTS

Use separate statement
for each category of the
Detailed Summary PagePage
5 of 17
FOR LINE NUMBER
11(a) (1)

Contributions from Individuals/Persons

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NAME OF COMMITTEE (in Full)

TOM CHRISTO FOR U.S. SENATE, INC.

C00237131

(07/01/89 - 12/31/89)

A. Full Name, Mailing Address and ZIP Code

Ronald R. Johnson
92 Prospect Street
Lunenburg, MA 01462Name of Employer
Self-employedDate (month,
day, year)

09/29/89

12/31/89

2,000.00

(1,000.00)

Receipt For ☒ Primary ☐ General☐ Other (specify)Occupation
Retailer

Aggregate Year-to-Date > \$

1,000.00

REATTRIBUTION
SEE BELOW

B. Full Name, Mailing Address and ZIP Code

Scott Johnson
92 Prospect Street
Lunenburg, MA 01462Name of Employer
Depot Distributors, Inc.Date (month,
day, year)

12/31/89

1,000.00

Receipt For ☒ Primary ☐ General☐ Other (specify)Occupation
Financial analyst

Aggregate Year-to-Date > \$

1,000.00

REATTRIBUTION
SEE ABOVE

C. Full Name, Mailing Address and ZIP Code

William L. Pingree
230 Lafayette Road
Portsmouth, NH 03801Name of Employer
Self-employedDate (month,
day, year)

10/06/89

250.00

Receipt For ☒ Primary ☐ General☐ Other (specify)Occupation
Dentist (DMD)

Aggregate Year-to-Date > \$

250.00

D. Full Name, Mailing Address and ZIP Code

Adam Celaj
3042 Grand Concourse
Bronx, NY 10458Name of Employer
Self-employedDate (month,
day, year)

10/12/89

400.00

Receipt For ☒ Primary ☐ General☐ Other (specify)Occupation
Real estate

Aggregate Year-to-Date > \$

400.00

E. Full Name, Mailing Address and ZIP Code

Anthony Athanas
75 Atlantic Avenue
Swampscot, MA 01907Name of Employer
Anthony's Pier 4 Rest.Date (month,
day, year)

10/18/89

1,000.00

Receipt For ☒ Primary ☐ General☐ Other (specify)Occupation
Owner

Aggregate Year-to-Date > \$

1,000.00

F. Full Name, Mailing Address and ZIP Code

Anton Syku
2504 Bouck Avenue
Bronx, NY 10469Name of Employer
Self-employedDate (month,
day, year)

10/18/89

500.00

Receipt For ☒ Primary ☐ General☐ Other (specify)Occupation
Respiratory therapist

Aggregate Year-to-Date > \$

500.00

G. Full Name, Mailing Address and ZIP Code

Sergio Bitici
157 East 57th Street
New York, NY 10022Name of Employer
Self-employedDate (month,
day, year)

11/01/89

1,000.00

Receipt For ☒ Primary ☐ General☐ Other (specify)Occupation
Restaurant owner

Aggregate Year-to-Date > \$

1,000.00

SUBTOTAL of Receipts This Page (optional)

5,150.00

TOTAL This Period (last page this line number only)

SCHEDULE A

ITEMIZED RECEIPTS

 For each category of the
Detailed Summary Page

1 of 17

FOR LINE NUMBER
11 (a) (1)

Contributions from Individuals/Persons

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NAME OF COMMITTEE (in Full)

TOM CHRISTO FOR U.S. SENATE, INC.

C00237131

(07/01/89 - 12/31/89)

A Full Name, Mailing Address and ZIP Code Wilhelm C. Kast P.O. Box 58 Bloomfield Hills, MI 48013 Receipt For ☒ Primary ☐ General ☐ Other (specify)	Name of Employer Belmont Industries Occupation Executive Aggregate Year-to-Date > \$	Date (month, day, year) 07/10/89 12/31/89 1,000.00	2,000.00 (1,000.00) REATTRIBUTION SEE BELOW
B Full Name, Mailing Address and ZIP Code Jonathan Kast 13 Kathleen Drive Franklin, MA 02038 Receipt For ☒ Primary ☐ General ☐ Other (specify)	Name of Employer Distributor Systems Occupation Owner Aggregate Year-to-Date > \$	Date (month, day, year) 12/31/89 1,000.00	1,000.00 REATTRIBUTION SEE ABOVE
C Full Name, Mailing Address and ZIP Code Evelyn Kast P.O. Box 58 Bloomfield Hills, MI 48013 Receipt For ☒ Primary ☐ General ☐ Other (specify)	Name of Employer None Occupation None Aggregate Year-to-Date > \$	Date (month, day, year) 07/10/89 12/31/89 1,000.00	2,000.00 (1,000.00) REATTRIBUTION SEE BELOW
D Full Name, Mailing Address and ZIP Code Dorothea Kast P.O. Box 58 Bloomfield Hills, MI 48013 Receipt For ☒ Primary ☐ General ☐ Other (specify)	Name of Employer D.P. Corporate Service Occupation Marketing Asst. Aggregate Year-to-Date > \$	Date (month, day, year) 12/31/89 1,000.00	1,000.00 REATTRIBUTION SEE ABOVE
E Full Name, Mailing Address and ZIP Code George C. Fogwell 3 Spruce Meadow Drive North Hampton, NH 03862 Receipt For ☒ Primary ☐ General ☐ Other (specify)	Name of Employer Delta Air Lines, Inc. Occupation Airline pilot Aggregate Year-to-Date > \$	Date (month, day, year) 07/25/89 1,000.00	500.00
F Full Name, Mailing Address and ZIP Code Robert Christo 1537 Main Street Springfield, MA 01101 Receipt For ☒ Primary ☐ General ☐ Other (specify)	Name of Employer Self-employed Occupation Attorney Aggregate Year-to-Date > \$	Date (month, day, year) 08/03/89 500.00	500.00
G Full Name, Mailing Address and ZIP Code Michael Bregu 4740 N. Western Avenue Chic. o. IL 60625 Receipt For ☒ Primary ☐ General ☐ Other (specify)	Name of Employer None Occupation Retired Aggregate Year-to-Date > \$	Date (month, day, year) 08/14/89 250.00	250.00

SUBTOTAL of Receipts This Page (optional) >

5,250.00

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

SCHEDULE A

ITEMIZED RECEIPTS

Use separate schedule,
for each category of the
Detailed Summary Page

PAGE

2 of 7

FOR LINE NUMBER

312.11

Contributions from Individuals/Persons

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NAME OF COMMITTEE (in Full)

TOM CHRISTO FOR U.S. SENATE, INC.

C00237131

(07/01/89 - 12/31/89)

A Full Name, Mailing Address and ZIP Code

Dennis P. Phillips

171 Swanton Street

Winchester, MA 01690

Name of Employer

Self-employed

Date (month,

day, year)

08/16/89

500.00

Occupation

Attorney

Receipt For

☒ Primary☐ General☐ Other (specify)

Aggregate Year-to-Date > \$

500.00

B Full Name, Mailing Address and ZIP Code

William Thomas

135 Pines Road

New Hyde Park, NY 11040

Name of Employer

NMJ Exhibitors, Inc.

Date (month,

day, year)

08/18/89

2,000.00

Occupation

Executive

12/31/89

(1,000.00)

Receipt For

☒ Primary☐ General☐ Other (specify)

Aggregate Year-to-Date > \$

1,000.00

REATTRIBUTION

SEE BELOW

C Full Name, Mailing Address and ZIP Code

Carmel Thomas

135 Pines Road

New Hyde Park, NY 11040

Name of Employer

None

Date (month,

day, year)

12/31/89

1,000.00

Occupation

None

Receipt For

☒ Primary☐ General☐ Other (specify)

Aggregate Year-to-Date > \$

1,000.00

REATTRIBUTION

SEE ABOVE

D Full Name, Mailing Address and ZIP Code

Mitch Hyder

214 Woodbury Avenue

Portsmouth, NH 03801

Name of Employer

Holiday Inn - Portsmouth

Date (month,

day, year)

08/30/89

500.00

Occupation

Owner

Receipt For

☒ Primary☐ General☐ Other (specify)

Aggregate Year-to-Date > \$

500.00

E Full Name, Mailing Address and ZIP Code

Myron D. Richards

3 Sea Road

North Hampton, NH 03862

Name of Employer

None

Date (month,

day, year)

08/31/89

250.00

Occupation

Retired

Receipt For

☒ Primary☐ General☐ Other (specify)

Aggregate Year-to-Date > \$

250.00

F Full Name, Mailing Address and ZIP Code

Eva G. Richards

3 Sea Road

North Hampton, NH 03862

Name of Employer

None

Date (month,

day, year)

08/31/89

250.00

Occupation

None

Receipt For

☒ Primary☐ General☐ Other (specify)

Aggregate Year-to-Date > \$

250.00

G Full Name, Mailing Address and ZIP Code

Albert P. Poulos

One Worcester Drive

Muttctown, NY 11545

Name of Employer

Fluid Data, Inc.

Date (month,

day, year)

08/31/89

500.00

Occupation

C.E.O.

Receipt For

☒ Primary☐ General☐ Other (specify)

Aggregate Year-to-Date > \$

500.00

SUBTOTAL of Receipts This Page (optional)

4,000.00

TOTAL This Period (last page this line number only)

SCHEDULE A

ITEMIZED RECEIPTS

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

PAGE 6 OF 6
FOR LINE NUMBER
1110X11

Contributions from Individuals/Persons

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NAME OF COMMITTEE (in Full)

TOM CHRISTO FOR U.S. SENATE, INC. C00237131

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Sidney Wild 35A Route 16 Somersworth, NH 03878	Unknown (see statement)	05-15-89	600.00
Receipt For ☒ Primary ☐ General ☐ Other (specify)	Occupation Unknown (see statement)	Aggregate Year-to-Date > 8	600.00
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Frank Whitcomb RFD #1, Box 245 Alstead, NH 03602	Unknown (see statement)	05-15-89	400.00
Receipt For ☒ Primary ☐ General ☐ Other (specify)	Occupation Unknown (see statement)	Aggregate Year-to-Date > 8	400.00
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Peter Fuller 135 Massachusetts Avenue Boston, MA 02115	Faller, Inc.	06-13-89	1,000.00
Receipt For ☒ Primary ☐ General ☐ Other (specify)	Occupation Executive	Aggregate Year-to-Date > 8	1,000.00
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
n/a	n/a	n/a	n/a
n/a	Occupation	n/a	n/a
n/a	n/a	Aggregate Year-to-Date > 8	n/a
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
n/a	n/a	n/a	n/a
n/a	Occupation	n/a	n/a
n/a	n/a	Aggregate Year-to-Date > 8	n/a
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
n/a	n/a	n/a	n/a
n/a	Occupation	n/a	n/a
n/a	n/a	Aggregate Year-to-Date > 8	n/a
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
n/a	n/a	n/a	n/a
n/a	Occupation	n/a	n/a
n/a	n/a	Aggregate Year-to-Date > 8	n/a

SUBTOTAL of Receipts This Page (optional) > 2,000.00

TOTAL This Period (last page this line number only) > 26,850.00

SCHEDULE A ITEMIZED RECEIPTS

Contributions from Individuals/Persons

Use separate statement for each category of the Detailed Summary Page
12 of 17
FORM NUMBER 11 (a) (1)

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NAME OF COMMITTEE (in Full)

TOM CHRISTO FOR U.S. SENATE, INC.

C00237121

(07/01/89 - 12/31/89)

A. Full Name, Mailing Address and ZIP Code Frank L. Whitcomb RFD No. 1, Box 245 Alstead, NH 03602 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer F.W. Whitcomb Construc Occupation Executive Aggregate Year-to-Date > \$ 1,000.00	Date (month, day, year) 11/30/89	1,000.00
B. Full Name, Mailing Address and ZIP Code Henry Saerani 18 Maple Terrace Southbridge, MA 01550 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer Libby House Occupation Owner Aggregate Year-to-Date > \$ 250.00	Date (month, day, year) 12/11/89	250.00
C. Full Name, Mailing Address and ZIP Code Robert S. Catanzaro 316 Love Lane East Greenwich, RI 02818 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer Self-employed Occupation Real estate developer Aggregate Year-to-Date > \$ 1,000.00	Date (month, day, year) 12/13/89	1,000.00
D. Full Name, Mailing Address and ZIP Code Marjorie B. Catanzaro 316 Love Lane East Greenwich, RI 02818 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer None Occupation None Aggregate Year-to-Date > \$ 1,000.00	Date (month, day, year) 12/13/89	1,000.00
E. Full Name, Mailing Address and ZIP Code David Forman 7 Millstream Drive Exeter, NH 03833 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer Self-employed Occupation Real estate developer Aggregate Year-to-Date > \$ 500.00	Date (month, day, year) 12/18/89	500.00
F. Full Name, Mailing Address and ZIP Code George Samatas 201 Midwest Club Pkwy. Oak Brook, IL 60521 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer Self-employed Occupation Retailer Aggregate Year-to-Date > \$ 300.00	Date (month, day, year) 12/21/89	300.00
G. Full Name, Mailing Address and ZIP Code Gjak J. Martini 28001 Viller Mt. Clemens, MI 48045 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer Self-employed Occupation Electronics repair Aggregate Year-to-Date > \$ 500.00	Date (month, day, year) 12/21/89	500.00

SUBTOTAL of Receipts This Page (optional) > 4,550.00

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

9000354743

FEDERAL ELECTION COMMISSION
1989-1990
CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

DATE 20JUL90
Attachment # 1
PAGE 1 of 1

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

CHRISTO, THOMAS K	SENATE	REPUBLICAN PARTY			NEW HAMPSHIRE	1990 ELECTION	ID# SONH00151		
1. STATEMENT OF CANDIDATE									
1989 STATEMENT OF CANDIDATE						6JUN89		3	89SEN/004/0276
2. PRINCIPAL CAMPAIGN COMMITTEE									
FOR OFFICE OF SENATE INC							ID #000237131	SENATE	
1989 STATEMENT OF ORGANIZATION						29JUN89		4	89SEN/004/1075
MID-YEAR REPORT			57.775		56.203	1JAN89 -30JUN89		15	89SEN/009/2945
MID-YEAR REPORT - AMENDMENT						1JAN89 -30JUN89		11	90SEN/001/0362
REQUEST FOR ADDITIONAL INFORMATION						1JAN89 -30JUN89		2	89FEC/616/2837
REQUEST FOR ADDITIONAL INFORMATION 2ND						1JAN89 -30JUN89		3	89FEC/618/2050
YEAR-END			147.196		143.426	1JUL89 -31DEC89		46	90SEN/005/1090
YEAR-END - AMENDMENT			215.068		211.296	1JUL89 -31DEC89		49	90SEN/010/0428
1 ST LETTER INFORMATIONAL NOTICE						1JUL89 -31DEC89		9	90FEC/644/2057
4 ST QUARTERLY			77.746		77.219	1JAN90 -31MAR90		36	90SEN/008/2992
REQUEST FOR ADDITIONAL INFORMATION						1JAN90 -31MAR90		2	90FEC/644/3007
TOTAL			350.589	0	344.720			177	TOTAL PAGES

3. AUTHORIZED COMMITTEES
4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN

All reports have been reviewed

Cash on Hand as of 3/31/90 - \$ 5,868.33

Debts as of 3/31/90 - \$162,916.37

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

RQ-5

JAN 29 1990

Dennis R. Stone, Treasurer
Tom Christo for US Senate Inc.
4 Atlantic Avenue
North Hampton, NH 03862

Identification Number: C00237131

Reference: Amended Year End Report (7/1/89-12/31/89) dated
5/23/90

Dear Mr. Stone:

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

-Schedule A of your report (pertinent portion attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. An individual or a political committee other than a qualified multicandidate committee may not make a contribution to a candidate for federal office in excess of \$1,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (2 U.S.C. 5441a(a) and (f); 11 CFR §110.1(b), (e) and (k))

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with the clarifying information. If the contribution(s) you received exceeds the limits, you should either refund to the donor the amount in excess of \$1,000 or get the donor to redesignate and/or reattribute the contribution in writing. All refunds, redesignations, and reattributions must be made within sixty days of the treasurer's receipt of the contribution. Copies of refund checks and copies of letters reattributing or redesignating the contributions in question may be used to respond to this letter. Refunds are reported on Line 20 of the Detailed Summary Page and on Schedule B of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR §104.8(d)(2), (3) and (4))

The Commission notes your reattribution of several of the excessive contributions. Although the Commission may take further legal steps, prompt action by you to refund or seek redesignation and/or reattribution of the excessive amount will be taken into consideration.

-In addition, please be reminded that reattribution of contributions can be done only between individuals sharing the account which the funds were drawn off (i.e., spouses or partners). If a family member does not share the account, the funds cannot be reattributed to them.

It should be further noted that since the New Hampshire Primary is September 11, 1990, all undesignated contributions deposited into the committee's account up to this date, should be designated Primary. If this could cause an individual to exceed the Primary election, the committee should at that time seek redesignation of the excessive amount and report the receipt of the redesignation in the appropriate reporting period.

Any amendment or clarification should be filed with the Secretary of the Senate, 232 Hart Senate Office Building, Washington, DC 20510. If you need assistance, please feel free to contact me on our toll-free number (800) 424-9530. My local number is (202) 376-2480.

Sincerely,

Pat Sheppard

Pat Sheppard
Senior Reports Analyst
Reports Analysis Division

91940854746

90 DEC -3 PM 4:50

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

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

RAD REFERRAL: #90L-35
STAFF MEMBER: Mary Ann Bumgarner

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

RESPONDENTS: Tom Christo for U.S. Senate, Inc. and
Dennis R. Stone, as treasurer

RELEVANT STATUTES: 2 U.S.C. § 441a(f)
11 C.F.R. § 103.3(b)(3)

INTERNAL REPORTS
CHECKED: Referral Materials
Disclosure Reports

FEDERAL AGENCIES
CHECKED: None

I. GENERATION OF MATTER

On July 24, 1990 the Reports Analysis Division ("RAD") referred Tom Christo for U.S. Senate, Inc. and Dennis R. Stone, as treasurer (the "Committee"), to the Office of the General Counsel for accepting excessive contributions totaling \$5,400 from six (6) contributors in violation of the Federal Election Campaign Act of 1971, as amended (the "Act").¹

II. FACTUAL AND LEGAL ANALYSIS

The Act limits the contributions a person may make to any candidate and his authorized political committees with respect to any election for Federal office to \$1,000. 2 U.S.C. § 441a(a)(1)(A). Pursuant to 2 U.S.C. § 441a(f), no candidate

1. The Committee reported a total of \$31,125 in contributions received on their 1989 amended Year End Report.

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or political committee shall knowingly accept any contribution in violation of the provisions of 2 U.S.C. § 441a.

Commission Regulations provide that contributions which exceed the contribution limits when aggregated with other contributions from the same contributor may be either deposited into a campaign depository or returned to the contributor. 11 C.F.R. § 103.3(b)(3). If deposited, the treasurer may request redesignation or reattribution of the contribution by the contributor. Id. If the reattribution or redesignation is not obtained, the treasurer shall, within sixty (60) days of the treasurer's receipt of the contribution, refund the contribution to the contributor. Id.

During 1989, the Committee accepted \$2,000 each from five contributors and \$1,400 from one contributor for the primary election, resulting in the receipt of \$5,400 in excessive contributions. According to the Committee's amended 1989 Year End Report, \$5,000 of the excessive amount has been reattributed. However, the Committee failed to reattribute these excessive portions within the sixty day time period required by the Regulations. Further, the remaining \$400 excessive amount, which resulted from a second contribution from Frank L. Whitcomb on November 30, 1989, has not yet been refunded or reattributed. The contributor, the amount and date of the contributions and the amount and date of

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reattribution, as applicable, are listed below:

<u>Contributor</u>	<u>Amount and Date of Contribution</u>		<u>Amount and Date of Reattribution</u>	
1. Hajdar Bajraktari	\$1,000	9/19/89		
	\$1,000	9/29/89	(\$1,000)	12/31/89
2. Ronald R. Johnson	\$2,000	9/29/89	(\$1,000)	12/31/89
3. Evelyn Kast	\$2,000	7/10/89	(\$1,000)	12/31/89
4. Wilhelm C. Kast	\$2,000	7/10/89	(\$1,000)	12/31/89
5. William Thomas	\$2,000	8/18/89	(\$1,000)	12/31/89
6. Frank L. Whitcomb	\$400	5/15/89	N/A	N/A
	\$1,000	11/30/89		

Based on the foregoing analysis, the Office of the General Counsel recommends that the Commission find reason to believe that Tom Christo for U.S. Senate, Inc. and Dennis R. Stone, as treasurer, violated 2 U.S.C. § 441a(f) by accepting excessive contributions from six contributors totaling \$5,400.

III. RECOMMENDATIONS

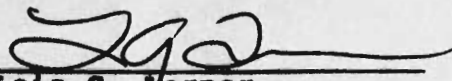
1. Open a Matter Under Review.
2. Find reason to believe that Tom Christo for U.S. Senate, Inc. and Dennis R. Stone, as treasurer, violated 2 U.S.C. § 441a(f).

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3. Approve the appropriate letter and Factual and Legal Analysis.

Lawrence M. Noble
General Counsel

11/30/90
Date

By: 
Lois G. Herner
Associate General Counsel

Attachments

1. Referral Materials
2. Factual and Legal Analysis

Staff Member: Mary Ann Bumgarner

91040854750

BEFORE THE FEDERAL ELECTION COMMISSION

(MUR)
3196

In the Matter of)
Tom Christo for U.S. Senate, Inc.) RAD Referral #90L-35
and Dennis R. Stone, as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 6, 1990, the Commission decided by a vote of 6-0 to take the following actions in RAD Referral #90L-35:

1. Open a MUR.
2. Find reason to believe that Tom Christo for U.S. Senate, Inc. and Dennis R. Stone, as treasurer violated 2 U.S.C. § 441a(f).
3. Approve the appropriate letter and Factual and Legal Analysis, as recommended in the General Counsel's Report dated November 30, 1990.

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

Attest:

12-6-90
Date

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

Received in the Secretariat: Mon., December 3, 1990 4:50 p.m.
Circulated to the Commission: Tues., December 4, 1990 11:00 a.m.
Deadline for vote: Thurs., December 6, 1990 11:00 a.m.

dr

91040354751



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 12, 1990

Dennis R. Stone, Treasurer
Tom Christo for U.S. Senate, Inc.
4 Atlantic Avenue
North Hampton, NH 03862

RE: MUR 3196
Tom Christo for U.S.
Senate, Inc. and
Dennis R. Stone, as
treasurer

Dear Mr. Stone:

On December 6, 1990, the Federal Election Commission found that there is reason to believe Tom Christo for U.S. Senate, Inc. (the "Committee") and you, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended (the "Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

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

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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Dennis R. Stone
Page 2

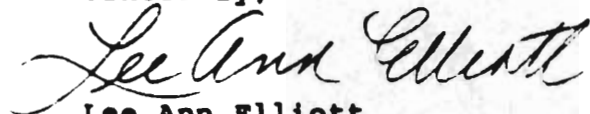
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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

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

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

Sincerely,



Lee Ann Elliott
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Tom Christo for U.S. Senate, Inc. and
Dennis R. Stone, as
treasurer

MUR: 3196

The Federal Election Campaign Act of 1971, as amended (the "Act") limits the contributions a person may make to any candidate and his authorized political committees with respect to any election for Federal office to \$1,000. 2 U.S.C. § 441a(a)(1)(A). Pursuant to 2 U.S.C. § 441a(f), no candidate or political committee shall knowingly accept any contribution in violation of the provisions of 2 U.S.C. § 441a.

Commission Regulations provide that contributions which exceed the contribution limits when aggregated with other contributions from the same contributor may be either deposited into a campaign depository or returned to the contributor. 11 C.F.R. § 103.3(b)(3). If deposited, the treasurer may request redesignation or reattribution of the contribution by the contributor. Id. If the reattribution or redesignation is not obtained, the treasurer shall, within sixty (60) days of the treasurer's receipt of the contribution, refund the contribution to the contributor. Id.

During 1989, the Committee accepted \$2,000 each from five contributors and \$1,400 from one contributor for the primary

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election, resulting in the receipt of \$5,400 in excessive contributions. According to the Committee's amended 1989 Year End Report, \$5,000 of the excessive amount has been reattributed. However, the Committee failed to reattribute these excessive portions within the sixty day time period required by the Regulations. Further, the remaining \$400 excessive amount, which resulted from a second contribution from Frank L. Whitcomb on November 30, 1989, has not yet been refunded or reattributed. The contributor, the amount and date of the contributions and the amount and date of reattribution, as applicable, are listed below:

<u>Contributor</u>	<u>Amount and Date of Contribution</u>		<u>Amount and Date of Reattribution</u>	
1. Hajdar Bajraktari	\$1,000	9/19/89		
	\$1,000	9/29/89	(\$1,000)	12/31/89
2. Ronald R. Johnson	\$2,000	9/29/89	(\$1,000)	12/31/89
3. Evelyn Kast	\$2,000	7/10/89	(\$1,000)	12/31/89
4. Wilhelm C. Kast	\$2,000	7/10/89	(\$1,000)	12/31/89
5. William Thomas	\$2,000	8/18/89	(\$1,000)	12/31/89
6. Frank L. Whitcomb	\$400	5/15/89	N/A	N/A
	\$1,000	11/30/89		

Therefore, there is reason to believe that Tom Christo for U.S. Senate, Inc. and Dennis R. Stone, as treasurer, violated 2 U.S.C. § 441a(f) by accepting excessive contributions from six contributors totaling \$5,400.

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TOM CHRISTO
FOR U.S. SENATE

06C 9233
RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE SERVICES BRANCH

★ 91 JAN -8 AM 9:49

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 JAN -8 PM 1:18

January 3, 1991

Mary Ann Bumgarner
Federal Election Commission
Washington, D.C. 20463

Dear Mary Ann Bumgarner:

In regards to MUR 3196, the Tom Christo for U.S. Senate Inc. would like to pursue pre-probable cause conciliation. Please find the December 12 FEC letter enclosed.

We acknowledge unknowingly breaking the 60 day rule and as soon as we discovered the infraction last year, we verbally contacted the FEC and then did everything possible to correct the problem and comply with the FEC standards.

The campaign manager, David Young, spoke with Ms. Bumgarner and was advised to pursue this course of action. We will work with you to get this infraction taken care of as soon as possible.

Sincerely,



Jon Howell
Treasurer

★ ★ ★ ★

P.O. Box 700 Rye Beach, New Hampshire 03871

★ ★ ★ ★

06C 0164

TOM CHRISTO
FOR U.S. SENATE

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 FEB 25 AM 10:44

MUR 3196

February 17, 1990

Mary Ann Bumgardner
Offices of the General Council
Federal Election Committee
Washington, D.C. 20463

Dear Ms. Bumgardner:

As you requested during our phone conversation last week, I have forwarded a letter to the attention of Pat Shepard notifying her of our amended "Statement of Organization" which now identifies Jon Howell as the Treasurer of Tom Christo for U.S. Senate, Inc.

I also have informed Ms. Shepard of our intent to conciliate all of the violations into one, as you suggested. I look forward to working with you to get these infractions taken care of as soon as possible.

Please note that our Executive Director, David Young is currently serving in the Persian Gulf and therefore, all communication will have to be directed to my attention.

Thank you for your patience on these matters.

Sincerely,


Jon Howell
Treasurer

91 FEB 25 PM 3:43

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM



P.O. Box 700 Rye Beach, New Hampshire 03871



91 MAR 11 PM 12:28

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Tom Christo for U.S. Senate, Inc.) MUR 3196
and Jon Howell, as treasurer)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On December 6, 1990, the Federal Election Commission found reason to believe that Tom Christo for U.S. Senate, Inc. (the "Committee") and its treasurer, violated 2 U.S.C. § 441a(f) by accepting excessive contributions totaling \$5,400 from six (6) contributors. On January 3, 1991, the Committee requested pre-probable cause conciliation. Attachment 1.

In the course of this matter, this Office has become aware of an additional violation of the Act by the Committee. After a review of the Committee's reports filed with the Commission, it appears that the Committee failed to amend their Statement of Organization in a timely manner to show Leslea Messenger as the Committee's treasurer from April 1, 1990 to January 3, 1991. On January 3, 1991, the Committee amended their Statement of Organization to reflect the Committee's current treasurer, Jon Howell.¹ This Office contacted Mr. Howell to discuss this additional violation. In a letter dated February 17, 1991 (Attachment 2), Mr. Howell amended his prior request for pre-probable cause conciliation to include

1. Mr. Howell has been substituted as a respondent in this matter.

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all violations by the Committee.

II. FACTUAL AND LEGAL ANALYSIS

a. Excessive Contributions

The Act limits the contributions a person may make to any candidate and his authorized political committee with respect to any election for Federal office to \$1,000. 2 U.S.C. § 441a(a)(1)(A). Pursuant to 2 U.S.C. § 441a(f), no candidate or political committee shall knowingly accept any contribution in violation of the provisions of 2 U.S.C. § 441a.

Commission Regulations provide that contributions which exceed the contribution limits when aggregated with other contributions from the same contributor may be either deposited into a campaign depository or returned to the contributor. 11 C.F.R. § 103.3(b)(3). If deposited, the treasurer may request redesignation or reattribution of the contribution by the contributor. Id. If the reattribution or redesignation is not obtained, the treasurer shall, within sixty (60) days of the treasurer's receipt of the contribution, refund the contribution to the contributor. Id.

During 1989, the Committee accepted \$2,000 each from five contributors and \$1,400 from one contributor for the primary election, resulting in the receipt of \$5,400 in excessive contributions. According to the Committee's amended 1989 Year End Report, \$5,000 of the excessive amount has been reattributed. However, the Committee failed to reattribute

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these excessive portions within the sixty day time period required by the Regulations. Further, the remaining \$400 excessive amount, which resulted from a second contribution from Frank L. Whitcomb on November 30, 1989, has not yet been refunded or reattributed. The contributor, the amount and date of the contributions and the amount and date of reattribution, as applicable, are listed below:

<u>Contributor</u>	<u>Amount and Date of Contribution</u>		<u>Amount and Date of Reattribution</u>	
1. Hajdar Bajraktari	\$1,000	9/19/89		
	\$1,000	9/29/89	(\$1,000)	12/31/89
2. Ronald R. Johnson	\$2,000	9/29/89	(\$1,000)	12/31/89
3. Evelyn Kast	\$2,000	7/10/89	(\$1,000)	12/31/89
4. Wilhelm C. Kast	\$2,000	7/10/89	(\$1,000)	12/31/89
5. William Thomas	\$2,000	8/18/89	(\$1,000)	12/31/89
6. Frank L. Whitcomb	\$400	5/15/89	N/A	N/A
	\$1,000	11/30/89		

As noted previously, the Committee and its treasurer have requested pre-probable cause conciliation. Since the Commission has adequate information regarding this violation, the Office of the General Counsel recommends that the Commission enter into pre-probable cause conciliation with Tom Christo for U.S. Senate, Inc. and Jon Howell, as treasurer.

b. Failure to timely amend Statement of Organization

Pursuant to 2 U.S.C. § 432(a), every political committee shall have a treasurer. Furthermore, section 433(c) requires

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all political committees to report to the Commission any change in information previously submitted in a Statement of Organization no later than ten (10) days after the date of the change.

On June 29, 1989, the Tom Christo for U.S. Senate Committee amended their Statement of Organization to show Dennis R. Stone, as treasurer. In an amendment to the Committee's 1990 April Quarterly, Mr. Stone noted that his term as treasurer expired March 31, 1990. The next report filed by the Committee, the 1990 July Quarterly report, shows Leslea Messenger as treasurer; however, the Committee failed to amend their Statement of Organization within 10 days to show the change in the Committee's treasurer. In fact, the Committee did not at any time amend their Statement of Organization to show Leslea Messenger as treasurer. Thus, the Commission, on December 6, 1990, found reason to believe that the Committee and Dennis R. Stone, as treasurer, violated 2 U.S.C. § 441a(f). It was not until January 3, 1991, that the Committee amended their Statement of Organization to reflect the name of the current treasurer, Jon Howell. Therefore, this Office recommends that the Commission find there is reason to believe that the Committee and Jon Howell, as treasurer, violated 2 U.S.C. § 433(c) by failing to amend their Statement of Organization within ten (10) days of the expiration of Mr. Stone's term as treasurer.

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As stated above, Mr. Howell requested in his letter of February 17, 1991, pre-probable cause conciliation as to all violations by the Committee. Since the Commission has adequate information regarding this violation, the Office of the General Counsel further recommends, upon a reason to believe finding by the Commission, that the Commission enter into pre-probable cause conciliation with Tom Christo for U.S. Senate, Inc. and Jon Howell, as treasurer, as to this additional violation.

III. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

IV. RECOMMENDATIONS

1. Find reason to believe that Tom Christo for U.S. Senate, Inc. and Jon Howell, as treasurer, violated 2 U.S.C. § 433(c).
2. Enter into conciliation with Tom Christo for U.S. Senate, Inc. and Jon Howell, as treasurer, prior to a finding of probable cause to believe.

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3. Approve the attached proposed conciliation agreement and appropriate letter.

Lawrence M. Noble
General Counsel

Date 3/8/91

By: 
Lois G. Lerner
Associate General Counsel

Attachments

1. Response from the Committee dated January 3, 1991.
2. Response from the Committee dated February 17, 1991.
3. Factual and Legal Analysis
4. Proposed conciliation agreement for the Committee.

Staff Member: Mary Ann Bumgarner

21040354763

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Tom Christo for U.S. Senate, Inc.) MUR 3196
and Jon Howell, as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 13, 1991, the Commission decided by a vote of 6-0 to take the following actions in MUR 3196:

1. Find reason to believe that Tom Christo for U.S. Senate, Inc. and Jon Howell, as treasurer, violated 2 U.S.C. § 433(c).
2. Enter into conciliation with Tom Christo for U.S. Senate, Inc. and Howell, as treasurer, prior to a finding of probable cause to believe.
3. Approve the proposed conciliation agreement and appropriate letter, as recommended in the General Counsel's Report dated March 8, 1991.

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

Attest:

3-14-91
Date

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

Received in the Secretariat: Mon., Mar. 11, 1991 12:28 p.m.
Circulated to the Commission: Mon., Mar. 11, 1991 4:00 p.m.
Deadline for vote: Wed., Mar. 13, 1991 4:00 p.m.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 29, 1991

Mr. Jon Howell, Treasurer
Tom Christo for U.S. Senate, Inc.
P.O. Box 700
Rye Beach, NH 03871

RE: MUR 3196
Tom Christo for U.S.
Senate, Inc. and
Jon Howell, as treasurer

Dear Mr. Howell:

On December 6, 1990, the Federal Election Commission found that there is reason to believe Tom Christo for U.S. Senate, Inc. (the "Committee") and its treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended (the "Act"). In the course of this matter, the Commission became aware of an additional violation of the Act by the Committee and on March 13, 1991, found that there is reason to believe that the Committee and you, as treasurer, violated 2 U.S.C. § 433(c). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

In a letter dated February 17, 1991, you requested conciliation as to all violations by the Committee. On March 13, 1991, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

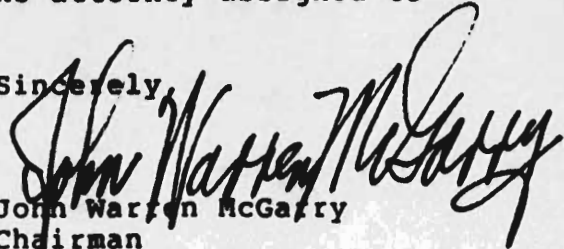
Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding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

21040854765

Jon Howell
Page 2

If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



John Warren McGarry
Chairman

Enclosures
Factual and Legal Analysis
Conciliation Agreement

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Tom Christo for U.S. Senate, Inc. MUR: 3196
and Tom Howell, as treasurer

On December 6, 1990, the Federal Election Commission found reason to believe that Tom Christo for U.S. Senate, Inc. (the "Committee") and its treasurer, violated 2 U.S.C. § 441a(f) by accepting excessive contributions totaling \$5,400 from six (6) contributors. In the course of the investigation in this matter, this Office became aware of an additional violation of the Act by the Committee. After a review of the Committee's reports filed with the Commission, it appears that the Committee failed to amend its Statement of Organization in a timely manner to show Leslea Messenger as the Committee's treasurer from April 1, 1990 to January 3, 1991.

Pursuant to 2 U.S.C. § 432(a), every political committee shall have a treasurer. Furthermore, section 433(c) requires all political committees to report to the Commission any change in information previously submitted in a Statement of Organization no later than ten (10) days after the date of the change.

On June 29, 1989, the Tom Christo for U.S. Senate Committee amended their Statement of Organization to show Dennis R. Stone, as treasurer. In an amendment to the

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Committee's 1990 April Quarterly, Mr. Stone noted that his term as treasurer expired March 31, 1990. The next report filed by the Committee, the 1990 July Quarterly report, shows Leslea Messenger as treasurer; however, the Committee failed to amend its Statement of Organization within 10 days to show the change in the Committee's treasurer. In fact, the Committee did not at any time amend its Statement of Organization to show Leslea Messenger as treasurer. Thus, on December 6, 1990, the Commission found reason to believe that the Committee and Dennis R. Stone, as treasurer, violated 2 U.S.C. § 441a(f). It was not until January 3, 1991, that the Committee amended its Statement of Organization to reflect the name of the current treasurer, Jon Howell. Therefore, there is reason to believe that the Tom Christo for U.S. Senate, Inc. and Jon Howell, as treasurer, violated 2 U.S.C. § 433(c) by failing to amend their Statement of Organization within ten (10) days of the expiration of Mr. Stone's term as treasurer.

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BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of)

Tom Christo for U.S. Senate,)
Inc. and Jon Howell, as)
treasurer)

MUR 3196

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a revised conciliation agreement which has been signed by Jon Howell, treasurer of Tom Christo for U.S. Senate, Inc. ("Respondents"). Attachment 1. A check for the civil penalty has not been received.

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Based on the foregoing, this Office recommends that the Commission accept the attached agreement with Tom Christo for U.S. Senate, Inc. and Jon Howell, as treasurer. This Office also recommends that the Commission close the file in this matter.

II. RECOMMENDATIONS

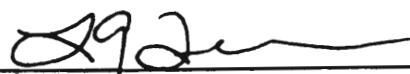
1. Accept the attached conciliation agreement with Tom Christo for U.S. Senate, Inc. and Jon Howell, as treasurer.
2. Approve the appropriate letter.
3. Close the file.

Lawrence M. Noble
General Counsel

Date

7/11/91

BY:


Lois G. Lerner
Associate General Counsel

Attachments

1. Conciliation agreement.
2. Letter dated May 12, 1991.

21040354771

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Tom Christo for U.S. Senate,) MUR 3196
Inc. and Jon Howell, as)
treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 17, 1991, the Commission decided by a vote of 5-0 to take the following actions in MUR 3196:

1. Accept the conciliation agreement with Tom Christo for U.S. Senate, Inc. and Jon Howell, as treasurer.
2. Approve the appropriate letter, as recommended in the General Counsel's Report dated July 11, 1991.
3. Close the file.

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

Attest:

7-17-91
Date

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

Received in the Secretariat: Fri., July 12, 1991 9:55 a.m.
Circulated to the Commission: Mon., July 15, 1991 11:00 a.m.
Deadline for vote: Wed., July 17, 1991 11:00 a.m.

91040354772



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CLOSED

July 24, 1991

Mr. Jon Howell, Treasurer
Tom Christo for U.S. Senate, Inc.
P.O. Box 700
Rye Beach, NH 03871

RE: MUR 3196
Tom Christo for U.S.
Senate, Inc. and
Jon Howell, as treasurer

Dear Mr. Howell:

On July 17, 1991, the Federal Election Commission accepted the signed conciliation agreement submitted on behalf of Tom Christo for U.S. Senate, Inc. and you, as treasurer, in settlement of violations of 2 U.S.C. §§ 433(c) and 441a(f), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel. Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. I remind you that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please

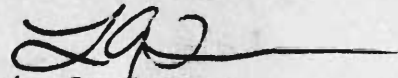
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Jon Howell
Page 2

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

Enclosure
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Tom Christo for U.S. Senate, Inc.) MUR 3196
and Jon Howell, as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Tom Christo for U.S. Senate, Inc. and its treasurer ("Respondents"), violated 2 U.S.C. §§ 433(c) and 441a(f).

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

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

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

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

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

1. Tom Christo for U.S. Senate, Inc. is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Jon Howell is the treasurer of Tom Christo for U.S. Senate, Inc.

3. Pursuant to 2 U.S.C. § 441a(f), no candidate or political committee shall knowingly accept any contribution in violation of the provisions of 2 U.S.C. § 441a.

4. 2 U.S.C. § 441a(a)(1)(A) limits the contributions a person may make to any candidate and his authorized political committee with respect to any election for Federal office to \$1,000.

5. Commission regulations provide that contributions which exceed the contribution limits when aggregated with other contributions from the same contributor may be either deposited into a campaign depository or returned to the contributor.

11 C.F.R. § 103.3(b)(3). If deposited, the treasurer may request redesignation or reattribution of the contributor. Id.

If the reattribution or redesignation is not obtained, the treasurer shall, within sixty (60) days of the treasurer's receipt of the contribution, refund the contribution to the contributor. Id.

6. During 1989, Respondents accepted \$2,000 each from five contributors and \$1,400 from one contributor for the

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primary election, resulting in the receipt of \$5,400 in excessive contributions.

7. Respondents reattributed \$5,000 of the excessive amount; however, Respondents failed to reattribute these excessive portions within the sixty day time period as required by Commission regulations.

8. Respondents also failed to refund or reattribute the remaining \$400 excessive amount.

9. Pursuant to 2 U.S.C. § 432(a), every political committee shall have a treasurer.

10. 2 U.S.C. § 433(c) requires all political committees to report to the Commission any change in information previously submitted in a Statement of Organization no later than ten (10) days after the date of the change.

11. On June 29, 1989, Respondents amended their Statement of Organization to show Dennis R. Stone, as treasurer. Mr. Stone's term as treasurer expired March 31, 1990; however, Respondents failed to amend their Statement of Organization to reflect the new treasurer, Leslea Messenger.

12. Respondents failed to amend their Statement of Organization within ten (10) days after the date of the change in treasurers to show Leslea Messenger as treasurer of the Tom Christo for U.S. Senate, Inc.

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V. Respondents violated 2 U.S.C. § 441a(f) by accepting excessive contributions totaling \$5,400 from six contributors.

VI. Respondents violated 2 U.S.C. § 433(c) by failing to amend their Statement of Organization within ten (10) days after the date of the change in the Committee's treasurers.

VII. Respondents will pay a civil penalty to the Federal Election Commission in the amount of One Thousand Dollars. (\$1,000.) pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

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

XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or

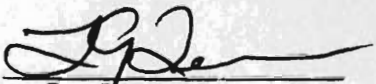
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oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY:


Lois G. Herner
Associate General Counsel

Date

7/23/91

FOR THE RESPONDENTS:


Name:
Position: Treasurer

Date

5/12/91

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3196

DATE FILMED 8/13/91 CAMERA NO. 4

CAMERAMAN AS

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 3196.

10/18/91

91040871743



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 22, 1991

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Mr. Jon Howell, Treasurer
Tom Christo for U.S. Senate, Inc.
P.O. Box 700
Rye Beach, NH 03871

CLOSED

RE: MUR 3196
Tom Christo for U.S.
Senate, Inc. and Jon Howell,
as treasurer

Dear Mr. Howell:

On July 17, 1991, the Federal Election Commission and Tom Christo for U.S. Senate, Inc. (the "Committee") and you as treasurer, entered into a conciliation agreement in settlement of violations of 2 U.S.C. §§ 433(c) and 441a(f). According to the agreement, you were required to pay a civil penalty of \$1,000.

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

If you believe the Commission's records are in error, or if you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at 1-800-424-9530.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

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FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 3196.

12/5/91

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FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

CLOSED

Nov. 4, 1991

TWO WAY MEMORANDUM

TO: Fabrae Brunson
OGC, Docket

FROM: Philomena Brooks *PB*
Accounting Technician

SUBJECT: Account Determination for Funds Received

91040882290
We recently received a check from Tom Christo for
U.S. Senate, check number 01, dated Nov. 4, 1991, and in the amount of \$ 1,000.00.
Attached is a copy of the check and any correspondence that
was forwarded. Please indicate below the account into which
it should be deposited, and the MUR number and name.

*470 Correspondence

TO: Philomena Brooks
Accounting Technician

FROM: Fabrae Brunson *PB*
OGC, Docket

In reference to the above check in the amount of
\$ 1,000, the MUR number is 3196 and in the name of
Tom Christo for U.S. Senate Inc.. The account into
which it should be deposited is indicated below:

☐ Budget Clearing Account (OGC), 95F3875.16

☒ Civil Penalties Account, 95-1099.160

☐ Other: _____

Fabrae D. Brunson
Signature

11/13/91
Date

MARLAND T16 8

TOM CHRISTO FOR US SENATE 0 8 8 2 2 9 1

01

Nov 4 1991

54-167
114

Pay to the
Order of Federal Election Commission \$1,000 -
one thousand Dollars



MONEY MARKET ACCOUNT

For MUR #3196

[Signature]

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RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE CLERK
WASHINGTON, D.C. 20541
91 NOV 13 AM 10:55

Sen 3392