



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3487

DATE FILMED 11/20/92 CAMERA NO. 4

CAMERAMAN E.E.S.

92040924162



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
COMMISSION ON ETHICS FOR PUBLIC EMPLOYEES
BOARD OF ETHICS FOR ELECTED OFFICIALS
THE SUPERVISORY COMMITTEE FOR CAMPAIGN FINANCE
7434 PERKINS ROAD-SUITE B
BATON ROUGE, LA 70808-4379
(504) 765-2308

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

92 FEB 14 AM 9:40

Pre-MUR 255

February 10, 1992

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

Re: David Duke contributions

Dear Lois:

I have enclosed the pages from the final report filed by David Duke in his 1991 Louisiana gubernatorial campaign that contain contributions which may be from foreign citizens.

Please let me know if you need any further information.

Sincerely,

Maris LeBlanc McCrory

Enclosure

92 FEB 14 AM 11:45

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

CANDIDATE'S REPORT

(to be filed by a candidate or his principal campaign committee)

40 (A)

1. Full Name and Address of Candidate

David E. Duke
2221 N. Hullen, Metairie, La
70001

2. Office Sought (include title of office as well as parish, city, town and/or election district)

Governor

OFFICE USE ONLY

10347
406
12/26

918084

3. Date of Primary 10-19-91

This report covers from Oct 28 thru Dec 16, 1991

4. Type of Report

- ☐ 180th day prior to primary
☐ 90th day prior to primary
☐ 30th day prior to primary
☐ 10th day prior to primary
☐ 10th day prior to general
- ☒ 40th day after general
☐ Annual (future election)
☐ Supplemental (past election)
☐ Amendment to prior report

5. FINAL REPORT IF:

- ☐ Withdrawn ☐ Filed after the election AND all loans and debts paid
☐ Unopposed

6. Name and Address of Financial Institution (You are required by law to use one or more banks or savings and loan associations as the depository of all campaign funds.)

Greater New Orleans Homestead
a/c # 0400016843
1600 Veterans Blvd
Metairie, La

7. Full Name and Address of Treasurer

Paul Allen
3603 Cypress St
Metairie, La 70001

8. FOR PRINCIPAL CAMPAIGN COMMITTEES ONLY

a. Name and address of principal campaign committee

David Duke for Governor
3603 Cypress St
Metairie, La 70001

b. Name and address of committee's chairman

James McPherson, Chairman
3603 Cypress St
Metairie, La 70001
Paul Allen, Asst. Chairman
3603 Cypress st., Met. La 70001

c. Name and address of all subsidiary committees, if any (use additional sheets if necessary)

9. Name of Person Preparing Report Paul Allen

Daytime Telephone (504) 8317745

10. WE HEREBY CERTIFY that the information contained in this report and the attached schedules is true and correct to the best of our knowledge, information and belief, and that no expenditures have been made nor contributions received that have not been reported herein, and that no information required to be reported by the the Louisiana Campaign Finance Disclosure Act has been deliberately omitted.

This 26 day of December 19 91

Signature of ~~Secretary~~ Asst. Chairman
(To be signed by Chairman only if report by principal campaign committee)

(504) 831 7745
Telephone Number

Signature of Treasurer Paul Allen

(504) 831 7745
Telephone Number

92 FEB 14 AM 11:45

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

P.1

SUMMARY PAGE 40

RECEIPTS	Prior entire election	This Period		Entire Election (first 1-1-91 to date)	
1. Contributions (Schedule A-1)		678	553	1,869	343
2. In-kind Contributions (Schedule A-2)				4	365
3. Campaign paraphernalia sales of \$25 or less		83	114	220	196
4. TOTAL CONTRIBUTIONS (Lines 1 + 2 + 3)		761	667	2,093	904
5. Other Receipts (Schedule A-3) <i>As Funds Anon. Contr. 6</i>		12	838 1335	16	178
6. Loans Received (Schedule B)				22	925
7. Loan Repayments Received (Schedule D)				13	500
8. TOTAL RECEIPTS (Lines 4 + 5 + 6 + 7)		775	840	2,146	507

DISBURSEMENTS		This Period		Entire Election	
9. General Expenditures (Schedule E-1)		739	765	1,820	551
10. Expenditures for the Transportation of Voters (Schedule E-2)					
11. TOTAL EXPENDITURES (Lines 9 + 10)		739	765	1,820	551
12. Other Disbursements (Schedule E-3)		9	211	7	656
13. Loan Repayments Made (Schedule B)				10	000
14. Funds Loaned (Schedule D)				13	500
15. TOTAL DISBURSEMENTS (Lines 11 + 12 + 13 + 14)		748	976	1,853	707

FINANCIAL SUMMARY		Amount	
16. Funds on hand at beginning of reporting period (Must equal funds on hand at close from last report or -0- if first report for this election)		261	571
17. Plus total receipts this period (Line 8 above)		+	775 840
18. Less total disbursements this period (Line 15 above)		-	748 976
19. Less in-kind contributions (Line 2 above)		-	
20. Funds on hand at close of reporting period		288	435

SUMMARY PAGE (continued)

40A

INVESTMENTS		Amount	
21.	Of funds on hand at beginning of reporting period (Line 16, above), amount held in investments (i.e., savings accounts, CD's, money market funds, stocks, bonds, etc.)		
22.	Of funds on hand at close of reporting period (Line 20, above), amount held in investments		

SPECIAL TRANSACTIONS		This Period		This Electic	
23.	Candidate's personal funds (Use of personal funds as either a contribution or loan to the campaign should be reported on Schedules A-1 or B)			22	92
24.	Contributions received from political committees (From Schedules A-1 and A-2)				
25.	All proceeds from the sale of tickets to fundraising events (Receipts from the sale of tickets are contributions and must also be reported on Schedule A-1)				
26.	Proceeds from the sale of campaign paraphernalia (Receipts from the sale of campaign paraphernalia are contributions and must also be reported on Schedule A-1 or Line 3, above)	83	114	220	19
27.	Expenditures from petty cash fund (Must also be reported on Schedule E-1)				

NOTICE

The personal use of campaign funds is prohibited.* The use of campaign funds must be related to a political campaign or the holding of a public office or party position. However, campaign funds may be used to reimburse a candidate expenses related to his campaign or office, to pay taxes on the interest earned on campaign funds or to replace articles stolen, or damaged in connection with a campaign.

Excess campaign funds may be returned to contributors on a pro rata basis, given as a charitable contribution provided in 26 USC 170(c), given to a charitable organization as defined in 26 USC 501(c)(3), expended in support of opposition to a proposition, political party, or candidacy of any person, or maintained in a segregated fund for use in political campaigns or activity related to preparing for future candidacy to elective office.

*The prohibition on the personal use of campaign funds does not apply to campaign funds received prior to July 15,

Form 102, Rev. 2/81.

92040924166



STATE OF LOUISIANA
HOUSE OF REPRESENTATIVES

DAVID DUKE
DISTRICT 81

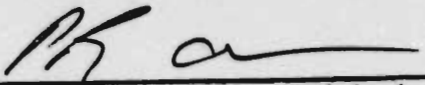
500 N. Arnoult Road
Metairie, Louisiana 70001
(504) 881-7745

Reporting Officials, Campaign Finance
7434 Perkins Road, Suite B
Baton Rouge, La 70808

Enclosed is our 40th day after general election
Candidate's Report form 102, dated 12/26/91.

Schedule A-1: Contributions (other than in-kind contributions) consists of
3,288 pages of 8 contributors per page, totaling 26,303
contributors.

David Duke for Governor Committee
3603 Cypress St.
Metairie, La 70001


Paul Allen, Treasurer and Asst. Chairman

12/26/91
Date

CERTIFIED NUMBER P 453 940 462

DEC 27 11:39

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Name and Address	Contributions Date(s)	This Period Amount(s)	Total This Election
Clinton Realty Co. Constr.	11/29/91	100.00	
Political Committee? No			100.00
Mrs. Timothy Aldrich	12/12/91	20.00	
Political Committee? No			20.00
Mr. Joe B.	11/26/91	10.00	
Political Committee? No			10.00
Dr. David W. Baker 295 Queen St. BOJ1J0 Chester NovaScotia,	11/22/91	100.00	
Political Committee? No			100.00
Mr. Daniel Barbary, Sr. Box 372 Mansura, LA			
Political Committee? No			20.00
Mr. Earl Beech	11/13/91	20.00	
Political Committee? No			20.00
V3W 5K5 Mr. Wilfred Blair 7937-140th. St. Surrey, B.C.,			
Political Committee? No			20.00
Mr. John H. Bridgman			
Political Committee? No			25.00

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Name and Address	Contributions Date(s)	This Period Amount(s)	Total This Election
Natal Mr. David S. Brown Box 787 - Scottsborough 4180 South Africa,	12/06/91	20.00	
Political Committee? No			20.00
Mr. Joe Brown ,			
Political Committee? No			20.00
Mr. Joral Brown Rt. 2 Box 389 ,	12/11/91	25.00	
Political Committee? No			25.00
Kitchener ,Canada N2G-4H6 Mr. John Calvarasan Box 1413 Station "C" Tor. Ontario,			
Political Committee? No			50.00
Ms. Diana Carlicci ,			
Political Committee? No			25.00
R3J 1R5 Mr. Jim Chant 301 Marjorie St. Winnipeg, Manitoba,	11/18/91	50.00	
Political Committee? No			50.00
Mr. Christopher Christoff ,	11/13/91	100.00	
Political Committee? No			100.00
Citrellup ,	11/01/91	10.00	
Political Committee? No			10.00

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Name and Address	Contributions Date(s)	This Period Amount(s)	Total This Election
Mr. Edwin Clements ,			25.00
Political Committee? No			
Mr. Ralph Cox ,			54.00
Political Committee? No			
Mr. Hugh R. Curry Apartado Postal 436 cp 45920 Jalisco Mexico,	11/15/91	100.00	100.00
Political Committee? No			
Mr. George G. Daniels ,	11/13/91	1000.00	1000.00
Political Committee? No			
Mr. Wade Drummond ,	11/29/91	30.00	30.00
Political Committee? No			
Mr. Russell H. Ducote ,	11/15/91	100.00	100.00
Political Committee? No			
Mr. Thomas H. Edwards ,	11/18/91	100.00	100.00
Political Committee? No			
Mr. Robert Egger ,			20.00
Political Committee? No			

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Name and Address	Contributions This Period Date(s)	Amount(s)	Total This Election
Ms. Sally Emanuele	11/19/91	10.00	
Political Committee? No			10.00
Mr. Howard T. Ennis Rural Route 1, Kispiox Rd. Hazelton Canada,			5.00
Political Committee? No			
Mr. Samuel W. Ethridge	11/18/91	150.00	
Political Committee? No			150.00
Mr. Ted C. Farrell Box 607 Ensenada, MX			10.00
Political Committee? No			
Mr. Martin Feely			5.00
Political Committee? No			
Mr. Bruce R. Foerster 12527 21-A Ave. V4A 7H1 Surry, B.Columbia,	12/03/91	30.00	
Political Committee? No			30.00
Mr. Jason Frazier Box 408			5.00
Political Committee? No			
Mrs, Jane F. Goodwin	11/12/91	35.00	
Political Committee? No			35.00

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Name and Address	Contributions Date(s)	This Period Amount(s)	Total This Election
Mr. Robert A. Grant	10/28/91	10.00	
Political Committee? No			10.00
Mr. Charles Gretz			
Political Committee? No			103.49
Mr. Erik Hart	11/19/91	10.00	
Political Committee? No			10.00
Mrs. Catherine Heck	11/18/91	10.00	
Political Committee? No			10.00
Ms. Estelle Hemel			
Political Committee? No			25.00
Mr. Les Heold			
Political Committee? No			50.00
Mr. John Hirsch	11/08/91	20.00	
Milwaukee, WI			
Political Committee? No			20.00
Mr. Jessie Jaxson			
Political Committee? No			20.00

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Name and Address	Contributions Date(s)	This Period Amount(s)	Total This Election
Mr. M.J. Kerns	11/19/91	20.00	
Political Committee? No			20.00
Mr. Arliss L. Land	11/18/91	20.00	
Political Committee? No			20.00
Mr. Charles Leves			
Political Committee? No			20.00
Mr. Joe Lewis			
Political Committee? No			20.00
Mr. Robert Lohnes 616 Aurora Ontario, Canada,			
Political Committee? No			50.00
M4T 1L9 Mr. John C. Lueger 21 St. Clair Ave East #1004 Toronto,	11/18/91	100.00	
Political Committee? No			100.00
Mr. John J. Lundon			
Political Committee? No			10.00
Mr. Willard Mahen 104 Elm St. Vidalia, LA			
Political Committee? No			20.00

Name and Address	Contributions Date(s)	This Period Amount(s)	Total This Election
Mrs. Carolyn Maronge			
Political Committee? No			25.00
Mr. W. Maura Box 477 Nassau, Bahamas,	11/09/91	15.00	
Political Committee? No			15.00
Victoria, B.C. V8P 3L8 Mrs. E. Mayer 3921 Lasalle St. Canada,			
Political Committee? No			25.00
Ms. Lynne C. Mire	11/07/91	120.00	
Political Committee? No			120.00
Mr. David Moreau	11/04/91	40.00	
Political Committee? No			40.00
Mr. Richard P. Moroney			
Political Committee? No			10.00
Mr. Stan Nevlud 601 Victoria Dr. V2A 5N5 Penticton, B.C.,	11/20/91	100.00	
Political Committee? No			100.00
USAF Mr. Robert J. Parsons 6 ATAF (NATO)	11/09/91	20.00	
Political Committee? No			20.00

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Name and Address	Contributions Date(s)	This Period Amount(s)	Total This Election
Mr. Gary Pasley	11/16/91	500.00	
Political Committee? No			500.00
Pennington Pest Control Mr. John Pennington	11/16/91	10.00	
Political Committee? No			10.00
Ms. Diane D. Piccolo	11/08/91	25.00	
Political Committee? No			25.00
Mr. Joseph Pillitari			
Political Committee? No			3000.00
Ms. Elaine Plaisance			
Political Committee? No			50.00
Mr. Walter P. Plucinski	11/19/91	10.00	
Political Committee? No			10.00
Mr. Wayne Rauch	11/18/91	50.00	
Political Committee? No			50.00
Alberta, Canada T2S 1Z2 Dr. O.G. Riml 3204 Rideau Pl. SW #606 Calgary, Alb. Canada,			
Political Committee? No			50.00

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Name and Address	Contributions Date(s)	This Period Amount(s)	Total This Election
Calgary, Alberta Canada O.G. Rimi 3204 Rideau Pl. S.W. Ste. 606 T2S 1Z2,			250.00
Political Committee? No			
Mr. Donald W. Roberts 527 Omon			50.00
Political Committee? No			
Mr. A.F. Royden	11/13/91	2500.00	2500.00
Political Committee? No			
Mr. T. Russell	11/18/91	100.00	100.00
Political Committee? No			
Mr. Les Savage, Jr.	11/16/91	30.00	30.00
Political Committee? No			
Mr. Craig Scharfemter			10.00
Political Committee? No			
Mr. Richard Smiley	11/01/91	50.00	50.00
Political Committee? No			
Mr. Paul Smith	11/06/91	25.00	25.00
Political Committee? No			

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Name and Address	Contributions Date(s)	This Period Amount(\$)	Total This Election
Mr. Ronald L. Struve			
Political Committee? No			100.00
American Legion Mr. Louis J. Surduyn	11/19/91	44.00	
Political Committee? No			44.00
Ms. Olga Talluto			
Political Committee? No			5.00
Mrs. Rosalie D. Tamburo New Orleans, LA			
Political Committee? No			15.00
Mr. Horacio Toro	11/18/91	200.00	
Political Committee? No			200.00
Mr. Robert H. Umphlett Box 678 Dominican Republic Santo Dominican,	11/25/91	25.00	
Political Committee? No			25.00
Mr. Billy Utley	11/18/91	10.00	
Political Committee? No			10.00
G. West	11/18/91	40.00	
Political Committee? No			40.00

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Name and Address	Contributions Date(s)	This Period Amount(s)	Total This Election
Mrs. Eleanor Westwood	11/16/91	5.00	
Political Committee? No			5.00
Mr. Daniel J. Willis	11/12/91	25.00	
Political Committee? No			25.00
M4B 1W7 Mr. Peter Yanovski 111 Furnival Rd. Toronto - Ontario,	11/18/91	25.00	
Political Committee? No			25.00
Mr. Genadi Zatuzhni	11/13/91	30.00	
Political Committee? No			30.00
Renal Consultant Dr. Juan C. Zeik			
Political Committee? No			25.00
Ms. Rose Zoeller			
Political Committee? No			25.00
Mr. Edward J. Sinke Box 8382 Ponce, PR 00732			
Political Committee? No			25.00
Jim's Army & Navy Surplus Co. Mr. James A. Cuchiara No. 1 Regjerrings Gade Charlotte Amalie, VI 00802	10/31/91	25.00	
Political Committee? No			25.00



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 25, 1992

Maris LeBlanc McCrory
Commission on Ethics for Public Employees
7434 Perkins Road
Suite B
Baton Rouge, LA 70808-4379

RE: Pre-MUR 255

Dear Ms. McCrory:

This is to acknowledge receipt of your letter dated February 10, 1992, advising us of the possibility of a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") by David Duke for Governor and Paul Allen, as treasurer, Dr. David W. Baker, Wilfred Blair, David S. Brown, John Calvarasan, Jim Chant, Hugh R. Curry, Howard T. Ennis, Ted C. Farrell, Bruce R. Foerster, John C. Lueger, W. Maura, E. Mayer, Stan Nevlud, Dr. O.G. Rimpl, Robert H. Umphlett, Peter Yanovski, and Robert Lohnes. We are currently reviewing the matter and will advise you of the Commission's determination.

If you have any questions or additional information, please call Tony Buckley, the attorney assigned to this matter, at (202) 219-3400. Our file number for this matter is Pre-MUR 255.

Pursuant to 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A), the Commission's review of this matter shall remain confidential until the file has been closed.

Sincerely,

Lawrence M. Noble
General Counsel

BY:

A handwritten signature in dark ink, appearing to read "LGL", is written over the typed name and title.
Lois G. Lerner
Associate General Counsel

92040924179

RECEIVED
F.E.C.
SECRETARIAT

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

92 MAR 10 AM 11:40

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

Pre-MUR # 255

STAFF MEMBER: Tony Buckley

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

RESPONDENTS: David Duke for Governor and Paul Allen, as
treasurer

RELEVANT STATUTE: 2 U.S.C. § 441e

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

On February 14, 1992, the Commission received a referral from the State of Louisiana Commission on Ethics for Public Employees, alleging that David Duke may have received contributions from foreign nationals during his unsuccessful 1991 Louisiana gubernatorial campaign.¹ Attachment 1. The referral contained a copy of the final campaign report filed by David Duke for Governor (the "Duke Committee"), which lists 17 individuals with addresses outside of the United States who made contributions to the Duke Committee.

II. FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441e, it is unlawful for any foreign national to make any contribution of money in connection with an

1. On December 9, 1991, Mr. Duke filed a Statement of Candidacy with the Commission for the office of President of the United States. At that time, he designated David Duke for President as his principal campaign committee. On December 31, 1991, David Duke for Governor transferred contributions it had received to David Duke for President.

92040924180

election to any political office; or for any person to accept or receive any such contribution from a foreign national. Pursuant to 11 C.F.R. § 110.4(a)(1), a foreign national shall not make a contribution in connection with any election to any local, State or Federal public office. The term "foreign national" includes any individual who is not a citizen of the United States or lawfully admitted for permanent residence. See 2 U.S.C. § 441e(b).

The Duke Committee has reported contributions received from the following individuals with addresses in foreign countries:

<u>Name</u>	<u>Date</u>	<u>Amount</u>	<u>Country</u>
Baker, David	22-Nov-1991	\$100.00	Canada
Blair, Wilfred	not given	\$20.00	Canada
Brown, David	06-Dec-1991	\$20.00	South Africa
Calvarasan, John	not given	\$50.00	Canada
Chant, Jim	18-Nov-1991	\$50.00	Canada
Curry, Hugh R.	15-Nov-1991	\$100.00	Mexico
Ennis, Howard	not given	\$5.00	Canada
Farrell, Ted	not given	\$10.00	Mexico
Foerster, Bruce	03-Dec-1991	\$30.00	Canada
Lohnes, Robert	not given	\$50.00	Canada
Lueger, John	18-Nov-1991	\$100.00	Canada
Maura, W.	09-Nov-1991	\$15.00	Bahamas
Mayer, E. (Mrs.)	not given	\$25.00	Canada
Nevlud, Stan	20-Nov-1991	\$100.00	Canada
Riml, O.G.	not given	\$250.00	Canada
	not given	\$50.00	Canada
Umphlett, Robert	25-Nov-1991	\$25.00	Dominican Republic
Yanovski, Peter	18-Nov-1991	\$25.00	Canada

Total = \$1,025.00

The above-named individuals have addresses which suggest that they are foreign nationals. Although the total of the amounts contributed is somewhat small, our experience is

that the application of the foreign national prohibition to state and local campaigns is not well known. To promote awareness, this Office believes that vigorous enforcement against recipient committees which may have solicited such donations is appropriate. Accordingly, this Office recommends that the Commission open a MUR and find reason to believe that David Duke for Governor and Paul Allen, as treasurer, violated 2 U.S.C. § 441e by accepting contributions from foreign nationals.²

Further, this Office recommends that the Commission approve the attached Factual and Legal Analysis for the Duke Committee, as well as appropriate letters to be sent to the Duke Committee and the individual contributors. The letters to the contributors will ask them to clarify whether they are foreign nationals. The letter to the Duke Committee will request information as to whether funds received from these individuals were included in those funds it transferred to David Duke for President. Reports filed by Mr. Duke's presidential committee are unclear as to whether potential foreign national contributions were removed from the amounts transferred, stating simply that funds transferred were "reduced by impermissible funds." A question in this regard to David Duke for Governor should clarify this issue.

III. RECOMMENDATIONS

1. Open a MUR.

2. Conversely, the modest amounts of the contributions, most less than \$100, do not appear to justify the resources that might be required to proceed against each of the individual contributors. Accordingly, this Office is making no recommendation with regard to them at this time.

92040924182

2. Find reason to believe that David Duke for Governor and Paul Allen, as treasurer, violated 2 U.S.C. § 441e.
3. Approve the attached Factual and Legal Analysis.
4. Approve the appropriate letters.

Lawrence M. Noble
General Counsel

3-9-92
Date

BY: 
Lois G. Lerner
Associate General Counsel

Attachments:

1. Referral Materials
2. Factual and Legal Analysis

92040924183

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

David Duke for Governor and
Paul Allen, as treasurer.

)
)
)
)

Pre-MUR #255

(MUR
3487)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 12, 1992, the Commission decided by a vote of 6-0 to take the following actions in Pre-MUR #255:

1. Open a MUR.
2. Find reason to believe that David Duke for Governor and Paul Allen, as treasurer, violated 2 U.S.C. § 441e.
3. Approve the Factual and Legal Analysis, as recommended in the General Counsel's Report dated March 9, 1992.
4. Approve the appropriate letters, as recommended in the General Counsel's Report dated March 9, 1992.

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

Attest:

3-13-92
Date

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

Received in the Secretariat:
Circulated to the Commission:
Deadline for vote:

Tues., March 10, 1992 11:40 a.m.
Tues., March 10, 1992 4:00 p.m.
Thurs., March 12, 1992 4:00 p.m.

dr

92040924184



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 23, 1992

Paul Allen, Treasurer
David Duke for Governor
3603 Cypress Street
Metairie, LA 70001

RE: MUR 3487
David Duke for Governor and
Paul Allen, as treasurer

Dear Mr. Allen:

On March 12, 1992, the Federal Election Commission found that there is reason to believe David Duke for Governor ("Committee") and you, as treasurer, violated 2 U.S.C. § 441e, 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. The Commission also requests that you clarify whether the contributions by the individuals listed in the enclosed Factual and Legal Analysis were refunded, or whether they were included in funds transferred to David Duke for President. Please submit such information to the General Counsel's Office within 30 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.

92040924185

Paul Allen, Treasurer
Page 2

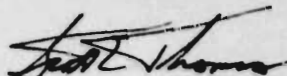
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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 enclosed a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,


Scott E. Thomas
Vice-Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form

cc: David Duke
(w/o enclosures)

92040924186

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: David Duke for Governor **MUR: 3487**
 and Paul Allen, as treasurer

Pursuant to 2 U.S.C. § 441e, it is unlawful for any foreign national to make any contribution of money in connection with an election to any political office; or for any person to accept or receive any such contribution from a foreign national. The term "foreign national" includes any individual who is not a citizen of the United States or lawfully admitted for permanent residence. See 2 U.S.C. § 441e(b).

In the course of carrying out its normal supervisory responsibilities, the Commission determined that David Duke may have received contributions from foreign nationals during his 1991 Louisiana gubernatorial campaign. The final campaign report filed by David Duke for Governor (the "Duke Committee") lists 17 individuals with addresses outside of the United States who made contributions to the Duke Committee. Twelve of these addresses are in Canada, two in Mexico, and one each in the Bahamas, the Dominican Republic and South Africa. The individuals who made these contributions are: Dr. David W. Baker, Wilfred Blair, David S. Brown, John Calvarasan, Jim Chant, Hugh R. Curry, Howard T. Ennis, Ted C. Farrell, Bruce R. Foerster, John C. Lueger, W. Maura, Mrs. E. Mayer, Stan Nevlud, Dr. O.G. Riml, Robert H. Umphlett, Peter Yanovski and Robert Lohnes. Given their foreign

92040924187

addresses, each of these individuals is presumptively a foreign national. Therefore, there is reason to believe David Duke for Governor and Paul Allen, as treasurer, violated 2 U.S.C. § 441a.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 23, 1992

Dr. David W. Baker
295 Queen St.
Chester, Nova Scotia B0J1J0
CANADA

RE: MUR 3487

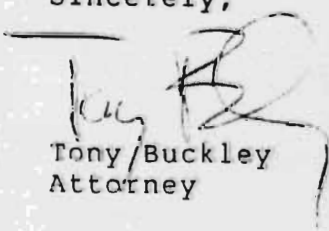
Dear Dr. Baker:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission is seeking information in connection with a contribution made by you in 1991 to David Duke for Governor. Specifically, the Commission needs to know whether you are a citizen or permanent resident of the United States, or a citizen of another country. Please provide us an answer within 15 days of your receipt of this letter. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

If you have any questions, please contact me at (800) 424-9530.

Sincerely,


Tony Buckley
Attorney

92040924189



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 23, 1992

Mr. Wilfred Blair
7937-140th St.
Surrey, British Columbia V3W 5K5
CANADA

RE: MUR 3487

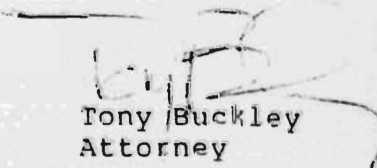
Dear Mr. Blair:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission is seeking information in connection with a contribution made by you in 1991 to David Duke for Governor. Specifically, the Commission needs to know whether you are a citizen or permanent resident of the United States, or a citizen of another country. Please provide us an answer within 15 days of your receipt of this letter. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

If you have any questions, please contact me at (800) 424-9530.

Sincerely,


Tony Buckley
Attorney

92040924190



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 23, 1992

Mr. David S. Brown
Box 787-Scottsborough 4180
Natal, South Africa

RE: MUR 3487

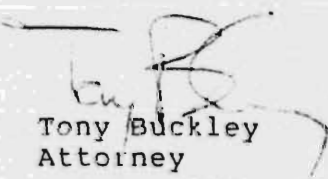
Dear Mr. Brown:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission is seeking information in connection with a contribution made by you in 1991 to David Duke for Governor. Specifically, the Commission needs to know whether you are a citizen or permanent resident of the United States, or a citizen of another country. Please provide us an answer within 15 days of your receipt of this letter. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

If you have any questions, please contact me at (800) 424-9530.

Sincerely,


Tony Buckley
Attorney

92040924191



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

March 23, 1992

Mr. John Calvarasan
Box 1413 Station "C"
Toronto, Ontario N2G-4H6
CANADA

RE: MUR 3487

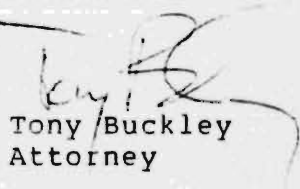
Dear Mr. Calvarasan:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission is seeking information in connection with a contribution made by you in 1991 to David Duke for Governor. Specifically, the Commission needs to know whether you are a citizen or permanent resident of the United States, or a citizen of another country. Please provide us an answer within 15 days of your receipt of this letter. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

If you have any questions, please contact me at (800) 424-9530.

Sincerely,


Tony Buckley
Attorney

92040924192



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 23, 1992

Mr. Jim Chant
301 Marjorie St.
Winnipeg, Manitoba R3J 1R5
CANADA

RE: MUR 3487

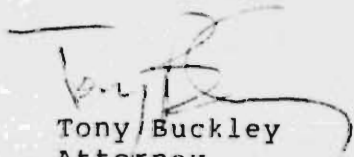
Dear Mr. Chant:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission is seeking information in connection with a contribution made by you in 1991 to David Duke for Governor. Specifically, the Commission needs to know whether you are a citizen or permanent resident of the United States, or a citizen of another country. Please provide us an answer within 15 days of your receipt of this letter. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

If you have any questions, please contact me at (800) 424-9530.

Sincerely,


Tony Buckley
Attorney

92040924193



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 23, 1992

Mr. Hugh R. Curry
Apartado Postal 436
Jalisco, Mexico cp 45920

RE: MUR 3487

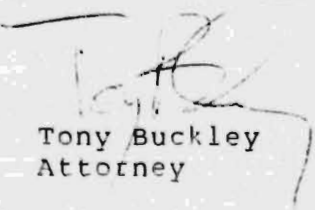
Dear Mr. Curry:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission is seeking information in connection with a contribution made by you in 1991 to David Duke for Governor. Specifically, the Commission needs to know whether you are a citizen or permanent resident of the United States, or a citizen of another country. Please provide us an answer within 15 days of your receipt of this letter. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

If you have any questions, please contact me at (800) 424-9530.

Sincerely,


Tony Buckley
Attorney

92040924194



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

March 23, 1992

Mr. Howard T. Ennis
Rural Rt. 1 Kispiox Rd.
Hazelton, Canada

RE: MUR 3487

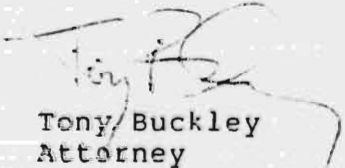
Dear Mr. Ennis:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission is seeking information in connection with a contribution made by you in 1991 to David Duke for Governor. Specifically, the Commission needs to know whether you are a citizen or permanent resident of the United States, or a citizen of another country. Please provide us an answer within 15 days of your receipt of this letter. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

If you have any questions, please contact me at (800) 424-9530.

Sincerely,


Tony Buckley
Attorney

92040924195



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 23, 1992

Mr. Ted C. Farrell
Box 607
Ensenada, Mexico

RE: MUR 3487

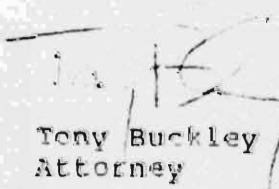
Dear Mr. Farrell:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission is seeking information in connection with a contribution made by you in 1991 to David Duke for Governor. Specifically, the Commission needs to know whether you are a citizen or permanent resident of the United States, or a citizen of another country. Please provide us an answer within 15 days of your receipt of this letter. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

If you have any questions, please contact me at (800) 424-9530.

Sincerely,


Tony Buckley
Attorney

92040924196



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 23, 1992

Mr. Bruce R. Foerster
12527 21-A Ave.
Surry, British Columbia V4A 7H1
CANADA

RE: MUR 3487

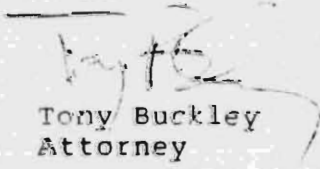
Dear Mr. Foerster:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission is seeking information in connection with a contribution made by you in 1991 to David Duke for Governor. Specifically, the Commission needs to know whether you are a citizen or permanent resident of the United States, or a citizen of another country. Please provide us an answer within 15 days of your receipt of this letter. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

If you have any questions, please contact me at (800) 424-9530.

Sincerely,


Tony Buckley
Attorney

92040924197



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

March 23, 1992

Mr. John C. Lueger
21 St. Clair Ave. East #1004
Toronto, Canada M4T 1L9

RE: MUR 3487

Dear Mr. Lueger:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission is seeking information in connection with a contribution made by you in 1991 to David Duke for Governor. Specifically, the Commission needs to know whether you are a citizen or permanent resident of the United States, or a citizen of another country. Please provide us an answer within 15 days of your receipt of this letter. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

If you have any questions, please contact me at (800) 424-9530.

Sincerely,


Tony Buckley
Attorney

92040924198



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 23, 1992

Mr. W. Maura
Box 477
Nassau, Bahamas

RE: MUR 3487

Dear Mr. Maura:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission is seeking information in connection with a contribution made by you in 1991 to David Duke for Governor. Specifically, the Commission needs to know whether you are a citizen or permanent resident of the United States, or a citizen of another country. Please provide us an answer within 15 days of your receipt of this letter. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

If you have any questions, please contact me at (800) 424-9530.

Sincerely,


Tony Buckley
Attorney

92040924199



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 23, 1992

Mrs. E. Mayer
3921 Lasalle St.
Victoria, British Columbia V8P 3L8
CANADA

RE: MUR 3487

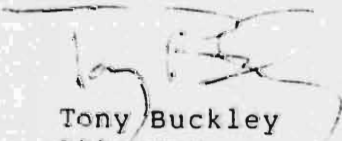
Dear Mrs. Mayer:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission is seeking information in connection with a contribution made by you in 1991 to David Duke for Governor. Specifically, the Commission needs to know whether you are a citizen or permanent resident of the United States, or a citizen of another country. Please provide us an answer within 15 days of your receipt of this letter. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

If you have any questions, please contact me at (800) 424-9530.

Sincerely,


Tony Buckley
Attorney

92040924200



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 23, 1992

Mr. Stan Nevlud
601 Victoria Dr.
Penticton, British Columbia V2A 5N5
CANADA

RE: MUR 3487

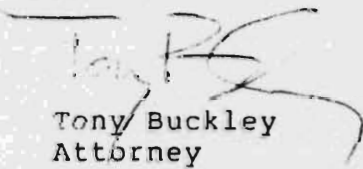
Dear Mr. Nevlud:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission is seeking information in connection with a contribution made by you in 1991 to David Duke for Governor. Specifically, the Commission needs to know whether you are a citizen or permanent resident of the United States, or a citizen of another country. Please provide us an answer within 15 days of your receipt of this letter. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

If you have any questions, please contact me at (800) 424-9530.

Sincerely,


Tony Buckley
Attorney

92040924201



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 23, 1992

Dr. O.G. Riml
3204 Rideau Pl. SW #606
Calgary, Alberta T2S 1Z2
CANADA

RE: MUR 3487

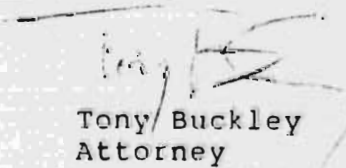
Dear Dr. Riml:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission is seeking information in connection with a contribution made by you in 1991 to David Duke for Governor. Specifically, the Commission needs to know whether you are a citizen or permanent resident of the United States, or a citizen of another country. Please provide us an answer within 15 days of your receipt of this letter. The Commission does not consider you a respondent in this matter, but rather a witness only.

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If you have any questions, please contact me at (800) 424-9530.

Sincerely,


Tony Buckley
Attorney

92040924202



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 23, 1992

Mr. Robert H. Umphlett
Box 678
Santo Dominican,
Dominican Republic

RE: MUR 3487

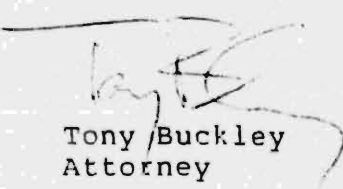
Dear Mr. Umphlett:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission is seeking information in connection with a contribution made by you in 1991 to David Duke for Governor. Specifically, the Commission needs to know whether you are a citizen or permanent resident of the United States, or a citizen of another country. Please provide us an answer within 15 days of your receipt of this letter. The Commission does not consider you a respondent in this matter, but rather a witness only.

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If you have any questions, please contact me at (800) 424-9530.

Sincerely,


Tony Buckley
Attorney

92040924203



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

March 23, 1992

Mr. Peter Yanovski
111 Furnival Rd
Toronto, Ontario M4B 1W7
CANADA

RE: MUR 3487

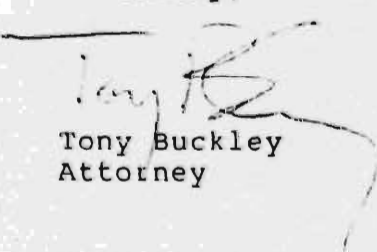
Dear Mr. Yanovski:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission is seeking information in connection with a contribution made by you in 1991 to David Duke for Governor. Specifically, the Commission needs to know whether you are a citizen or permanent resident of the United States, or a citizen of another country. Please provide us an answer within 15 days of your receipt of this letter. The Commission does not consider you a respondent in this matter, but rather a witness only.

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If you have any questions, please contact me at (800) 424-9530.

Sincerely,


Tony Buckley
Attorney

92040924204



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

March 23, 1992

Mr. Robert Lohnes
616 Aurora
Ontario, Canada

RE: MUR 3487

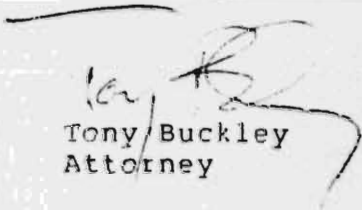
Dear Mr. Lohnes:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission is seeking information in connection with a contribution made by you in 1991 to David Duke for Governor. Specifically, the Commission needs to know whether you are a citizen or permanent resident of the United States, or a citizen of another country. Please provide us an answer within 15 days of your receipt of this letter. The Commission does not consider you a respondent in this matter, but rather a witness only.

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If you have any questions, please contact me at (800) 424-9530.

Sincerely,


Tony Buckley
Attorney

92040924205



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 1, 1992

Jim Chant
301 Marjorie Street
Winnipeg, Manitoba R3J 1R5
CANADA

RE: MUR 3487

Dear Mr. Chant:

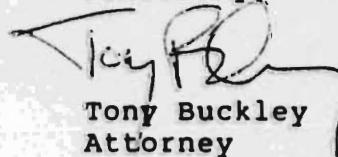
This is in response to your telephone calls on March 30, 1992 about the letter we sent you dated March 23, 1992. I apologize for the confusion over accepting collect calls, and I have confirmed with the appropriate people here that should you try to call here collect in the future, we can accept the charges.

You asked us to write you in response to your questions. The Federal Election Commission is an agency of the United States Government which enforces laws regarding money raised for election campaigns. A routine examination of records revealed that you had made a \$50 contribution to David Duke's campaign for governor of Louisiana. Because of your Canadian address, the Commission would like to know whether you are a citizen of Canada, or a citizen or permanent resident of the United States. Also, we would appreciate knowing whether someone asked you to contribute money to Mr. Duke, or whether you decided on your own to send money to him. This information may be relevant to certain laws which the Commission enforces.

However, as I stated in my previous letter, the Commission is not investigating you or considering taking action against you. Rather, we only wish to obtain information from you. We would appreciate your response to these questions at your earliest convenience.

If you have any additional questions, please contact me at (202) 219-3690. As I stated above, we will be happy to accept your collect call.

Sincerely,


Tony Buckley
Attorney

92040924206



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

Mar 3 9 48 AM '92

March 23, 1992

Dr. O.G. Riml
3204 Rideau Pl. SW #606
Calgary, Alberta T2S 1Z2
CANADA

RE: MUR 3487

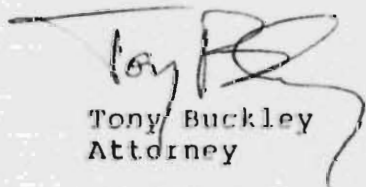
Dear Dr. Riml:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission is seeking information in connection with a contribution made by you in 1991 to David Duke for Governor. Specifically, the Commission needs to know whether you are a citizen or permanent resident of the United States, or a citizen of another country. Please provide us an answer within 15 days of your receipt of this letter. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

If you have any questions, please contact me at (800) 424-9530.

Sincerely,


Tony Buckley
Attorney

*I am a citizen of the United States.
If you have more questions, just contact me
again.*

Sincerely

27. March 1992

Riml

92 APR -3 PM 3:12

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

92040924207

RECEIVED
FEDERAL ELECTRIC
COMMISSION
MAIL ROOM

APR 6 8 45 AM '92

BRUCE R. FOERSTER
8890-1040 WEST GEORGIA STREET
VANCOUVER, BRITISH COLUMBIA V6E 4H1

April 1/92

Mr. Buckley,

In response to your letter
dated Mar. 23/92, please be advised
that I am a citizen of Canada,

B. Foerster.

92 APR -6 AM 3:23

92040924208



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 6, 1992

Dr. O.G. Riml
3204 Rideau Pl. SW #606
Calgary, Alberta T2S 1Z2
CANADA

RE: MUR 3487

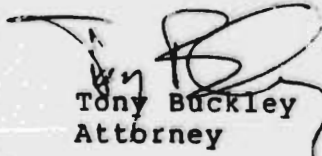
Dear Dr. Riml:

On April 3, 1992, we received your response to our letter dated March 23, 1992. Thank you for responding so quickly to our question.

As I tried to explain to you in our telephone conversation on April 3, 1992, we have a few more concerns. While you stated in your response that you are a United States citizen, we would appreciate some documentation which demonstrates this fact. A photocopy of your passport or other similar documentation would be very helpful. Secondly, we would appreciate knowing whether your contribution to Mr. Duke's campaign was made as a result of a solicitation by that campaign. A copy of any solicitation you may have received would also be useful.

Again, we appreciate your cooperation in this matter. If you have any questions, please contact me at (202) 686-3464.

Sincerely,


Tony Buckley
Attorney

92040924209

RECEIVED
FEDERAL ELECTION
COMMISSION, 1992
MAIL ROOM

Jan 14 12 27 PM '92

OGC 4698

Federal Election Commission
c/o Mr. Tony Buckley
Attorney

Dear Mr. Buckley:

RE:MUR 3487

When I received your letter, I was horrified.

Yes, I am an American citizen. And as such a citizen I object to your interference with my private affairs.

I thought USA was a country where freedom of thought, speech and voting was guaranteed ! However your letter speaks a different language.

Sincerely,

E. Mayer

Mrs. E. Mayer
3921 Lasalle Street
Victoria, B. C. V8P 3L8

RECEIVED
FEDERAL ELECTION
COMMISSION
JAN 15 1992

92040924210



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

March 23, 1992

92 APR 14 PM 4:31

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

Mr. Ted C. Farrell
Box 607
Ensenada, Mexico

RE: MUR 3487

Dear Mr. Farrell:

START W/ AIPAC - A.D.L. - J.O.L. - COMMUNIST PARTY U.S.A. (THE ONE'S YOU SHIELD)

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission is seeking information in connection with a contribution made by you in 1991 to David Duke for Governor. Specifically, the Commission needs to know whether you are a citizen or permanent resident of the United States, or a citizen of another country. Please provide us an answer within 15 days of your receipt of this letter. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

If you have any questions, please contact me at (800) 424-9530.

Sincerely,

4-9-92

I'M A RETIRED U.S. CITIZEN

W/ A CABANA CLOSE TO THE

BORDER WHERE I VISIT,

*Tony Buckley
Attorney*

*+ HAVE TIME TO STUDY THE PROBLEMS THE GINGERS
RUNNING MY U.S.A. - ARE GETTING US INTO - IN
AN AMERICA FIRST 'ER. - AM I YOUR ENEMY?
COME ON, - "GET LEGAL", STOP BEING WATER -
BUCKET CARRIERS FOR ISRAEL, OBEY THE CONSTITUTION.*

[Signature]

92040924211

RECEIVED
FEDERAL ELECTION
COMMISSION
EACH

APR 14 12 26 PM '92

OGC 4699

301 MARJORIE STREET
WINNIPEG, MANITOBA
CANADA

09 APRIL 1992

MUR 3487

TONY BUCKLEY

ATTORNEY

FEDERAL ELECTION COMMISSION

WASHINGTON D.C.

20463

92 APR 14 PM 4:30

RECEIVED
FEDERAL ELECTION
COMMISSION
EACH

Dear Sir:

I watched David Duke on Larry King
Live on CNN. Prior to that time I had never
heard of David Duke. While I was watching
him and he was saying how he would get
the economy going in Louisiana, he asked for
people to send him some money to help with
his campaign expenses. He mentioned how he
had found the Lord, how he repented his
past and I figured, I'll help this guy who
is starting a life in politics and who is
obviously the underdog in this campaign. So
I sent him \$50.00.

A couple of days later, I watched

92040924212

him on this Alouette, and I was immediately struck by the fact, that he seemed almost to be repeating the exact same phrases - as on Larry King Live.

I immediately thought that I'd been sucked in. I guess I could explain it best as someone who goes to a church revival - and before they know it, they've handed \$50.00 into the collection plate. He regretted it ever since, as that was the first time I'd ever sent anyone any money and I can guarantee it will be the last.

Howard Duke had given his address for the contributions on the air several times on Larry King Live, and now I figure, he shouldn't have been allowed to do that.

I am a Canadian citizen and I hope this clears up any questions you may have.

Sincerely

GM Ghent

Tony Buckley

Federal Election Commission
Washington, DC 20461
USA

April 2/92

Mr. Buckley;

Yes I am an American citizen living temporarily in Mexico while attempting to resolve some legal matters in the United States.

I don't know that it would apply, but I was told in 1966 that records at the Long Beach CA police dept. and the State dept. of Employment both list me as being declared "persona-non-grata" by the then State attorney general a Mr. John Lynch. You may examine these records if you wish. File #566322913.

Sincerely,

Hugh R. Curry, APDO 436
45920 Ajijic, Jalisco
MEXICO

92040924214



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

RECEIVED
FEDERAL ELECTION
COMMISSION

APR 20 10 20 AM '92

March 23, 1992

Mr. Stan Nevlud
601 Victoria Dr.
Penticton, British Columbia V2A 5N5
CANADA

RE: MUR 3487

Dear Mr. Nevlud:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission is seeking information in connection with a contribution made by you in 1991 to David Duke for Governor. Specifically, the Commission needs to know whether you are a citizen or permanent resident of the United States, or a citizen of another country. Please provide us an answer within 15 days of your receipt of this letter. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

If you have any questions, please contact me at (800) 424-9530.

Sincerely,

Tony Buckley
Attorney

CANADIAN CITIZEN

92 APR 20 AM 3:17

92040924215

Calgary, April 9, 1992.

Dear Mr. Buckley:

1111 3437

This is to acknowledge the receipt of your letter, dated April 6, 92. As requested, I am enclosing a copy of the important pages of my passport, valid till 1998.

Your second question I am unable to answer, as I do not recall any details. I have no paper of any solicitation. If I would have any, I would have probably thrown it away.

To contact you by telephone is useless, because I have a hearing impairment - deafness of old age. If you have more questions I would like to know the reason for your inquiries.

O.C. Rimi, M.D.
Suite 606 - 3204 Rideau Place NW
Calgary, AB, T2S 1Z2

RECEIVED
INFORMATION
SECTION
APR 20 AM 3:17

APR 20 9 33 AM '92

RECEIVED
FEDERAL ELECTRONIC
COMMUNICATIONS
SECTION

9 2 0 4 0 9 2 4 2 1 6

APR 27 12 59 PM '92

James A. McPherson
Attorney-at-Law
9128 Quince Street - Suite A
New Orleans, Louisiana 70118
(504) 486-2022 (phone or fax)

April 23, 1992

Mr. Tony Buckley
Federal Election Commission
Washington, D. C 20463

RE: MUR 3487
David Duke for Governor and
Paul Allen, as treasurer

Dear Mr. Buckley:

In accordance with our telephone conversation of today, this letter is a response to the letter of March 23, 1992 from the Vice-Chairman, the Honorable Scott E. Thomas *re* the above captioned matter.

We are interested in pursuing and obtaining pre-probable cause conciliation pursuant to 11 C. F. R. Section 111.18 (d) and this letter with attachment is our formal request to do so.

We have reviewed the names listed in the Factual and Legal Analysis and agree that these 17 individuals each have a foreign address on the check that we received. This address was so listed on the report we filed with the Secretary of State for the State of Louisiana. These 17 individuals contributed a total of \$1,025.00 in a campaign that raised \$1,869,343.00.

Of course, it is possible that some of these 17 individuals are American citizens living in a foreign country. For example, it is as presumptively probable that an individual named Hugh R. Curry while living in Mexico has retained his American citizenship as it is to presume that *Senior* Curry has become a naturalized Mexican national. Perhaps I place too high a value upon American citizenship to presume that it is so lightly discarded.

There was no awareness that contributions from foreign nationals was prohibited. It is our intention, without determining whether or not these 17 individuals are actually foreign nationals, to refund the full amount to each individual. As soon as this is completed we will notify the Commission.

Also, we have determined that \$450.00 of the \$1,025.00 was transferred to the

92 APR 27 PM 3:39

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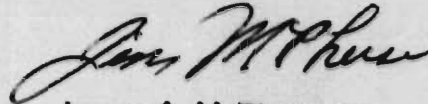
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Presidential campaign. We will return these funds to the Governor campaign and then make the refunds to the 17 individuals.

It is respectfully requested that the Committee consider that no one in the campaign knew that contributions from foreign nationals was prohibited, that remedial action (full refund) was promptly taken, that only 17 of 26,303 contributors was involved, and that it is only presumed, not established as a fact that the 17 contributors were foreign nationals.

Enclosed is the Designation of Counsel. We will cooperate fully with you and the Committee.

Sincerely,



James A. McPherson

Encl: Designation of Counsel

cc : Paul Allen
David Duke

JMcP/wp

92040924218

STATEMENT OF DESIGNATION OF COUNSEL

MUR _____

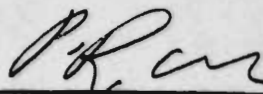
NAME OF COUNSEL: James McPherson

ADDRESS: 9128 Quince St., Suite A
New Orleans, La 70118

TELEPHONE: (504) ~~486-2022~~ 486-2022

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

4/21/92
4/22/92
Date


Signature

RESPONDENT'S NAME: Paul Allen

ADDRESS: 3603 Cypress St.
Metairie, La 70001

HOME PHONE: (504) 831 7745

BUSINESS PHONE: same

92040924219

MUR
3487

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

APR 30 9 36 AM '92

April 20, 1992

Robert Umphlett
Apartado Postal 678
Santo Domingo, Dominican Republic

92 APR 30 PM 3:20

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

Mr. Tony Buckley
Attorney,
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Buckley:

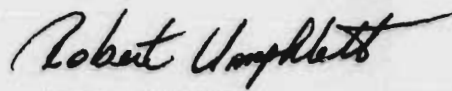
This is in reply to your letter of March 23, 1992 which I received April 17.

I am a United States citizen, born June 24, 1941 in Elizabeth City, North Carolina (Pasquotank County). I am teaching here this year in an American-Dominican School.

In the event you wish to contact me here by phone, I can be reached at work at (809) 532-1279 or at home at 535-8847.

I remain

Yours,



Robert Umphlett

92040924220

William Lawrence Maura
FLEETWOOD
P. O. Box SS-6136
Nassau, Bahamas

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

MAY 4 11 15 AM '92

Tony Buckley

April 28/92

Federal Election Commission
Washington, D.C. 20463

Re- MUR 3487 man 23/92

Dear Mr. Buckley,

I only know of Mr. David Duke from U.S. T.V. Broadcasts. To my knowledge, I have not given any contributions to his or any other U.S. political person or party. The mailing address of Box 477 was the old business address of Maura Lumber Co Ltd in Nassau, Bahamas about 20 years ago. As of Feb 28/92, I am no longer with the company whose current address is N-8177. Any correspondence using my mailing address ^{of Box 477} would have to be from information over 20 years ago. Therefore, I suggest my name was use in a fraudulent manner. The only other maura who could poss, be have a "w" in his name would be W.H.H. Maura whom was my grandfather and died some 30 years ago. I have a son 18 who would be W.P. Maura. He is a U.S. Citizen but would have never had a mailing address of Box 477.

I myself had dual nationality untill 1965 when I gave up my U.S. Citizenship to become a Bahamian Citizen to go into the family business.

Yours truly
William L Maura

92 MAY -4 PM 3:35

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

92040924221

92 AUG 21 PM 4:28

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

David Duke for Governor)
and Paul Allen, as treasurer)

David Duke for President)
and James McPherson, as treasurer)

SENSITIVE

MUR 3487

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On February 14, 1992, the Commission received a referral from the State of Louisiana Commission on Ethics for Public Employees, alleging that David Duke may have received contributions from foreign nationals during his unsuccessful 1991 Louisiana gubernatorial campaign.¹ The referral contained a copy of the final campaign report filed by David Duke for Governor (the "Duke gubernatorial committee"), which listed 17 individuals with addresses outside of the United States who made contributions to that committee.

On March 12, 1992, the Commission found reason to believe that David Duke for Governor and Paul Allen, as treasurer, had violated 2 U.S.C. § 441e by accepting contributions from foreign nationals. The Commission authorized letters to be sent to the individual contributors to inquire about their citizenship, as

1. On December 9, 1991, Mr. Duke filed a Statement of Candidacy with the Commission for the office of President of the United States. At that time, he designated David Duke for President (the "Duke presidential committee") as his principal campaign committee. James McPherson was identified as that committee's treasurer. On December 31, 1991, David Duke for Governor transferred contributions it had received to David Duke for President.

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well as a question to be addressed to the Duke gubernatorial committee regarding whether it transferred any funds to the Duke presidential committee. These letters were mailed on March 23, 1992.

II. ANALYSIS

Pursuant to 2 U.S.C. § 441e, it is unlawful for any foreign national directly or through any other person to make any contribution of money in connection with an election to any political office; or for any person to accept or receive any such contribution from a foreign national. Pursuant to 11 C.F.R. § 110.4(a)(1), a foreign national shall not make a contribution in connection with any election to any local, State or Federal public office. The term "foreign national" includes any individual who is not a citizen of the United States or lawfully admitted for permanent residence. See 2 U.S.C. § 441e(b). At the time of the events in this matter, 11 C.F.R. § 110.3(c)(6) allowed a candidate to transfer an unlimited amount of funds from his campaign committee for a non-federal election to his principal campaign committee for a federal election, provided that the funds transferred were not composed of contributions that would have been in violation of the Act.

Of the 17 contributors, 10 had responded to the Commission's question as of June 1, 1992.² Of these 10, three identified themselves as citizens of Canada, six identified themselves as citizens of the United States living abroad (three in Canada, two

2. The responses of these individuals are collected at Attachment 1.

in Mexico and one in the Dominican Republic), and one stated that he had not made any contribution.³

The Committee also responded to the Commission's reason to believe finding and its question. Attachment 2. The Committee agreed that the 17 individuals cited in the Commission's Factual and Legal Analysis each had a foreign address. It noted, however, that these individuals contributed only \$1,025 out of contributions totalling \$1,869,343.

The Committee's response also pointed out the possibility that some of the persons with foreign addresses are U.S. citizens living abroad. Respondents claimed that no one on the Committee was aware of the prohibition against contributions by foreign nationals. Respondents also requested pre-probable cause conciliation.

Of the 17 individuals with foreign addresses known to the Commission,⁴ three have identified themselves as foreign nationals. Accordingly, there is no question that violations of 2 U.S.C. § 441e by David Duke for Governor and Paul Allen, as treasurer, occurred.

Additionally, the Committee noted that, of the \$1,025 received, \$450 was transferred to David Duke for President. In a

3. The three who identified themselves as citizens of Canada are Jim Chant, Bruce Foerster and Stan Nevlud.

4. This Office notes that the names referred to it came from the final report filed by the Committee. This Office has no knowledge as to whether other individuals with foreign addresses were listed on earlier reports filed by the Committee.

prior telephone conversation with this Office, the Committee informed us that this amount was composed of contributions received from David Baker, David Brown, Jim Chant, Bruce Foerster, John Lueger, Stan Nevlud, Robert Umphlett and Peter Yanovski. Of these eight individuals, three are confirmed as foreign nationals, while the citizenship of four is unknown.

As noted above, 2 U.S.C. § 441e prohibits the acceptance by any person of contributions from foreign nationals made through any other person. This Office believes that by accepting contributions from foreign nationals transferred to it from the Duke gubernatorial committee, the Duke presidential committee violated this section.⁵ Accordingly, this Office recommends that the Commission find reason to believe that David Duke for President and Paul Allen, as treasurer, violated 2 U.S.C. § 441e, and that it approve the attached factual and legal analysis.

Nevertheless, this Office believes that certain factors counsel taking no further action against both committees. First, as some of the responses from the contributors have shown, many of the contributors originally presumed to be foreign nationals are, in fact, U.S. citizens living abroad. Second, as several of the

5. On its face, section 441e suggests strict liability on the part of a person who accepts a contribution from a foreign national made through another person. Here, the treasurer of Mr. Duke's gubernatorial committee is the assistant treasurer of his presidential committee, and the chairman of his gubernatorial committee is the treasurer of his presidential committee. Thus, the level of knowledge of the Duke presidential committee as to the source of the foreign national contributions is greater than that required by the statute. Accordingly, this Office believes that the presidential committee, which received the contributions from foreign nationals through the gubernatorial committee, is liable for accepting contributions from foreign nationals.

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contributors informed this Office, their contributions were made after viewing Mr. Duke on American television programs; they were not the subjects of specific solicitations and there is no evidence to suggest that either committee deliberately approached foreign nationals for contributions. Third, the amount of contributions positively identified as having been received from foreign nationals is \$180, out of a total of contributions received of \$1,869,343. Thus, the amount of foreign national contributions identified so far is de minimis.⁶

While the respondents should be made aware of the serious nature of the violations, this Office believes that this can be accomplished through admonishment letters.⁷ Accordingly, given the reasons stated above, and consistent with the proper order of the Commission's priorities and resources, see Heckler v. Cheney, 470 U.S. 821 (1985), this Office recommends that the Commission take no further action against the respondents, that it approve the appropriate letters, and that it close the file.

III. RECOMMENDATIONS

1. Find reason to believe that David Duke for President and James McPherson, as treasurer, violated 2 U.S.C. § 441e.

6. This Office is aware that responses have not been received from the remaining individuals whose contributions posed questions, and that other state reports filed by the Duke gubernatorial committee may show additional persons with foreign addresses having made contributions. However, this Office believes that the possibility of any significant amount of foreign national contributions being discovered from these sources is highly unlikely.

7. Counsel for David Duke for Governor has indicated that David Duke for President is refunding the amounts received from these individuals to the gubernatorial committee, and that the gubernatorial committee will then reimburse the individual contributors.

2. Take no further action against David Duke for Governor and Paul Allen, as treasurer.
3. Take no further action against David Duke for President and James McPherson, as treasurer.
4. Approve the attached factual and legal analysis and the appropriate letters.
5. Close the file.

Lawrence M. Noble
General Counsel

August 21, 1992
Date

BY: Lois G. Lerner *JB*
Lois G. Lerner
Associate General Counsel

Attachments

1. Responses from contributors
2. Response from Duke gubernatorial committee
3. Factual and Legal Analysis

Staff assigned: Tony Buckley

92040924227

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
David Duke for Governor) MUR 3487
and Paul Allen, as treasurer;)
David Duke for President)
and James McPherson, as)
treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 27, 1992, the Commission decided by a vote of 6-0 to take the following actions in MUR 3487:

1. Find reason to believe that David Duke for President and James McPherson, as treasurer, violated 2 U.S.C. § 441e.
2. Take no further action against David Duke for Governor and Paul Allen, as treasurer.
3. Take no further action against David Duke for President and James McPherson, as treasurer.

(Continued)

92040924228

4. Approve the factual and legal analysis and the appropriate letters, as recommended in the General Counsel's Report dated August 21, 1992.
5. Close the file.

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

Attest:

8-27-92
Date

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

Received in the Secretariat: Fri., Aug. 21, 1992 4:28 p.m.
Circulated to the Commission: Mon., Aug. 24, 1992 11:00 a.m.
Deadline for vote: Thurs., Aug. 27, 1992 4:00 p.m.

dr

92040924229



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

September 8, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Maris LeBlanc McCrory
Commission on Ethics for Public Officials
7434 Perkins Rd. Suite B
Baton Rouge, LA 70808-4379

RE: MUR 3487

Dear Mr. McCrory:

This is in reference to the matter involving David Duke for Governor, which your office referred to the Federal Election Commission.

On March 12, 1992, the Commission found that there was reason to believe David Duke for Governor and Paul Allen, as treasurer, violated 2 U.S.C. § 441e, a provision of the Federal Election Campaign Act of 1971, as amended. As a result of further investigation into this matter, the Commission, on August 27, 1992, found reason to believe that David Duke for President and James McPherson, as treasurer, violated 2 U.S.C. § 441e. However, after considering the de minimis nature of the contributions involved, the Commission determined to take no further action against all respondents, and closed the file in this matter on August 27, 1992. The Commission has admonished both committees to be aware of the illegal nature of foreign national contributions in any future activity.

We appreciate your cooperation in helping the Commission meet its enforcement responsibilities under the Federal Election Campaign Act of 1971, as amended.

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

92040924230



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 8, 1992

James A. McPherson, Esq.
9128 Quince Street - Suite A
New Orleans, LA 70118

RE: MUR 3487
David Duke for Governor and
Paul Allen, as treasurer

Dear Mr. McPherson:

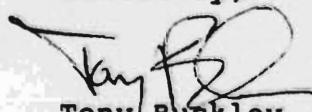
On March 23, 1992, your clients, David Duke for Governor and Paul Allen, as treasurer, were notified that the Federal Election Commission found reason to believe that they violated 2 U.S.C. § 441e. On April 23, 1992, you submitted a response to the Commission's reason to believe findings. After considering the circumstances of the matter, the Commission determined on August 27, 1992, to take no further action against your clients, and closed the file in this matter.

The Commission reminds you that accepting contributions from foreign nationals for any election, whether local, state or federal, is a violation of 2 U.S.C. § 441e. Your clients should take immediate steps to insure that this activity does not occur in the future.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,


Tony Buckley
Attorney

92040924231



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 8, 1992

James McPherson, Treasurer
David Duke for President
3603 Cypress Street
Metairie, LA 70001

RE: MUR 3487
David Duke for President
and James McPherson, as treasurer

Dear Mr. McPherson:

On August 27, 1992, the Federal Election Commission found reason to believe that David Duke for President ("Committee") and you, as treasurer, violated 2 U.S.C. § 441e, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act.") However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

The Commission reminds you that accepting contributions from foreign nationals in connection with a federal election is a violation of 2 U.S.C. § 441e. You should take immediate steps to insure that this activity does not occur in the future.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

Joan D. Aikens

Joan D. Aikens
Chairman

Enclosure
Factual and Legal Analysis

92040924232

FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: David Duke for President
and James McPherson, as treasurer

MUR: 3487

Pursuant to 2 U.S.C. § 441e, it is unlawful for any foreign national directly or through any other person to make any contribution of money in connection with an election to any political office; or for any person to accept or receive any such contribution from a foreign national.

David Duke for President accepted a transfer of contributions from David Duke for Governor. Certain of these contributions had been received from foreign nationals. Therefore, there is reason to believe that David Duke for President and James McPherson, as treasurer, violated 2 U.S.C. § 441e.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3487

DATE FILMED 11/20/92 CAMERA NO. 4

CAMERAMAN E.E.J.

920409224234



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 4, 1992

MEMORANDUM

TO: PUBLIC RECORDS
FROM: DOCKET-OGC *KCS*
SUBJECT: CLOSED MUR FILES

Attached are the following closed MUR files ready for
microfilming:

MUR 3339
MUR 3654

ADDITIONAL MATERIAL

MUR 3321
MUR 3339

92040924235