



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3944

DATE FILMED 9/12/95 CAMERA NO. 1

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BEFORE THE FEDERAL ELECTION COMMISSION
OF THE UNITED STATES OF AMERICA

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In the matter of:

MUR 3944

Committee to Elect Dan Hamburg)
Antonio Steven Andrade, Treasurer)
and)
Daniel Eugene Hamburg, Candidate)

COMPLAINT

NOW COMES, the National Republican Congressional Committee by its Executive Director, Maria Cino, whose principal office is located at 320 First Street, S.E., Washington, D. C. 20003, hereinafter referred to as "NRCC" to file this Complaint pursuant to 2 U.S.C. 437g(a)(1) and 11 C.F.R. 111.4 relative to certain activity of the Committee to Elect Dan Hamburg and Antonio Steven Andrade, Treasurer, of 1330 Booneville Road, Ukiah, California 95482 hereinafter referred to as "Hamburg Committee" and Congressman Daniel Eugene Hamburg, of 1330 Booneville Road, Ukiah, CA 95482, hereinafter referred to as "Hamburg".

VIOLATIONS

On December 26, 1991, Candidate Hamburg, made a loan to his authorized campaign committee in the amount of \$10,000. It does not appear from the newspaper accounts and Personal Financial Statements filed by Hamburg that he possessed sufficient personal funds with which to make the contribution pursuant to 11 C.F.R. 110.10(b)(3).

The loan was consistently reported to be without interest. The loan was repaid on March 31, 1992, with interest. The interest paid is a conversion of campaign funds to personal use and a violation of 2 U.S.C. 439a.

Bill Graham Presents, as a corporation registered in California, was listed as a primary promoter in connection with four rock concerts held on behalf of Hamburg in April and October of 1992. Bill Graham Presents does not appear to have been paid for its services for the three April concerts in violation of the prohibitions against corporate contributions pursuant to 2 U.S.C. 441b and 11 C.F.R. 114.2.

The printed program for the April 22, 1992 concerts reveals a list of "Donors" to whom special thanks were extended. A significant number of those listed appear to be corporate entities to whom payments were apparently not made in violation of the prohibitions against corporate contributions pursuant to 2 U.S.C. 441b and 11 C.F.R. 114.2.

The notices appearing in the advertisements for the October 4 concert are insufficient to "afford notice to potential and actual ticket purchasers that the proceeds of their ticket purchases will benefit the [Hamburg] Committee" in violation of 11 C.F.R. 110.11 and the procedures established in Advisory Opinion 1980-42.

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FACTS

NRCC, pursuant to the provisions of the Federal Election Campaign Act of 1971, as amended (the "Act"), does hereby state the following facts:

1. The Committee to Elect Dan Hamburg was the principal campaign committee of Daniel Eugene Hamburg during the 1992 election.
2. Daniel Eugene Hamburg was the Democrat nominee for election to the First Congressional District of California.
3. The basis of this Complaint is the following:
 - A. Schedules from periodic campaign finance reports filed with the Federal Election Commission (FEC) for activity from July 1, 1991 through March 31, 1992. (Exhibit A).
 - B. Personal Financial Disclosure Statements filed with the Clerk of the House between September 17, 1991 and May 13, 1992. (Exhibit B)
 - C. News articles which appeared in the Ukiah Daily Journal on Wednesday, May 20, 1992 and the Press Democrat on April 23, 1992; and Santa Rosa on June 29, 1992. (Exhibit C)
 - D. Copies of advertisements for the concerts which appeared in local newspapers and concert programs. (Exhibit D)
 - E. Copies of the program used at the April 21 and 22 concerts. (Exhibit E).

INSUFFICIENT PERSONAL FUNDS

4. The Hamburg family, based upon Personal Financial Disclosure Statements and newspaper accounts, earned a combined annual income for calendar year 1991 of \$9,584 which was comprized of \$7,022 in combined salaries, \$300 in interest income, and \$2,262 in unemployment compensation. See Exhibit C.
5. Hamburg, during 1991 reported joint ownership of a savings account the balance of which was reported to be between \$1,001 and \$15,000. See Exhibit B.
6. Hamburg loaned the Hamburg Committee \$10,000 on December 26, 1991. The loan is reported to be from his personal funds. See Exhibit A.
7. Based upon Hamburg's Personal Financial Disclosure Statements and published statements by campaign representatives, it appears that Hamburg received a student loan in the amount of \$20,000 between September 14, 1991 and April 15, 1992. See Exhibits B and C. Campaign representatives indicated that he was pursuing a master's degree in the Chinese Study Program at the California Institute of Integral Studies in San Francisco. See Exhibit C.

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CONVERSION OF CAMPAIGN FUNDS TO PERSONAL USE

8. The loan which Hamburg made to the Hamburg Committee on December 26, 1991, was for \$10,000, zero interest, and for an unspecified period of time. See Exhibit A.

9. The Hamburg Committee repaid the full amount of the loan on March 31, 1992. The Hamburg Committee also paid Hamburg \$86 for interest on the loan. There had not been any amendments filed to indicate that the original loan terms had been reported inaccurately or that the loan had been re-negotiated to include interest. The original April Quarterly report, in which the repayment was reported, did not show an interest amount. See Exhibit A.

10. The Commission inquired to the Hamburg Committee as to the original source of the funds in July of 1992 and whether they were, in fact, personal funds of the candidate. The Hamburg Committee indicated they were the personal funds and submitted an amended Schedule C in response to Commission inquiry. The Schedule C did not include any correction to include a notation for the interest which had been paid on the loan earlier that year. See Exhibit A.

ILLEGAL CORPORATE CONTRIBUTIONS

11. The Hamburg Committee utilized four rock concerts to raise a substantial part of the funds used to finance the Hamburg campaign.

12. The concerts were held on April 21, 1992 in Eureka, two in Santa Rosa on April 22, 1992, and the fourth was held at Silverado Country Club in Napa on October 4, 1992. See Exhibit D.

13. The concerts featured performers Bonnie Raitt, Jackson Browne, and Holly Near. The campaign finance reports do not appear to indicate that any of these performers charged the campaign what would appear to be their normal booking rate thereby presumably volunteering their personal services.

14. All four concerts were produced by and promoted by two firms which were Avocado Productions and Bill Graham Presents. See Exhibit D.

15. Bill Graham is a rock concert promoter registered as a corporation in California. Avocado Productions is a DBA for Tom Campbell of Long Beach and is registered in California.

16. The April 21 and 22 programs indicate that a number of people from Avocado and Bill Graham Presents have been instrumental in the production of the concerts. The individuals listed from Bill Graham Presents are Sherry Wasserman, Gregg Perloff, Danny Scher, Steve Macfadyen, and Mary Conde. The individuals listed from Avocado are Cheryl Barry, Carolyn Bodo, Tom Campbell, Margaret Holmes, and Susann McMahon. See Exhibit E.

17. The Hamburg Committee reports obligations/disbursements to Avocado Productions prior to June 30 of \$8,316.52 for what appears to be the first three concerts (April 21 and 22). No expenditures appear to have been made by the Hamburg Committee to Bill Graham Presents for those same concerts even though the Bill Graham Presents corporate name appears on the advertising.

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18. The Hamburg Committee reports disbursements to Avocado Productions of \$3,803.53 after September 1, 1992 for production, concert services, travel and supplies. The Hamburg Committee reports a total of \$7,874.16 in disbursements to Bill Graham Presents during the final five days before the October 4 concert. Given the intervening five months between concerts and the absence of any listing of debts outstanding to Bill Graham on Schedule D from April to September, it is reasonable to assume these expenses related only to the October 4 concert.

INADEQUATE NOTIFICATION

19. The advertisement which appeared in the Press Democrat regarding the October 4 concert states: "Ticket purchases considered a donation to Dan Hamburg for Congress Committee." The notification is in a very small print font. In fact the font is smaller than any other used at any other location in the advertisement.

ILLEGAL CORPORATE CONTRIBUTIONS

20. The concert program for the April 22 event dedicated a special page to expressing the appreciation of the Hamburg Committee to various individuals and entities involved in the production and promotion of the concerts. A number of business entities are listed as "donors." They are: Leaves of Grass Book Store, Willits, CA; Mendocino Book Company, Ukiah, CA; Music Brothers, Napa, CA; Frey Winery, Redwood Valley, CA; Scharffenberger Cellars, Philo, CA; Iron Horse Vineyards, Sebastopol, CA; Too Much Fun, Sebastopol, CA; Thanksgiving Coffee Company, Ukiah, Coop, Ukiah, CA; The Cheesecake Lady, Hopland, CA; The Works, Ukiah, CA; and The Works, Eureka, CA. See Exhibit E.

DISCUSSION OF LAW

Personal Funds. Loans made by a candidate to the campaign committee are required to be made from the personal funds of the candidate. The regulations specifically provide at 11 C.F.R. 110.10(b)(3):

A candidate may use a portion of assets jointly owned with his or her spouse as personal funds. The portion of the jointly owned assets that shall be considered as personal funds of the candidate shall be that portion which is the candidate's share under the instrument(s) of conveyance or ownership. If no specific share is indicated by an instrument of conveyance or ownership, the value of one-half of the property used shall be considered as personal funds.

Individuals, including the candidate's family members are limited to \$1,000 per election by the provisions of 2 U.S.C.441(a)(1).

Applying these regulatory provisions to the situation presented here, the following observations may be made. Hamburg listed a joint checking account on his Personal Financial Statement with a balance in the range of \$1,001 to \$15,000. During the same period, he made a \$10,000 loan to the Hamburg Committee. Assuming the account contained the largest balance allowed by the description, (\$15,000) one-half of the joint savings account or \$7,500 would have been available to Hamburg to make the loan. Representatives of the campaign have acknowledged that Hamburg did not have earned income after January of 1991 due to his decision to assume full-time candidacy, therefore it appears that \$2,500 of the joint savings account owned by Carrie Hamburg, the candidate's spouse, may have been used to make the loan. This indicates that a *minimum* excessive contribution of \$1,500 by Carrie Hamburg has occurred.

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In the alternative, if Carrie Hamburg's portion of the joint assets were not used for the purpose of making the loan to the committee, another source of funding must have been used due to the reported absence of earned income of the candidate. As another possible source of funds, Personal Financial Disclosure statements indicate that Hamburg received a student loan in the amount of \$20,000 between September 14, 1991 and April 15, 1992. See Exhibits B and C. Campaign representatives are quoted as indicating Hamburg was pursuing a Master's degree in the Chinese Study Program at the California Institute of Integral Studies in San Francisco. See Exhibit C. Depending upon when the student loan was received, it may have been all or part of the funds from which Hamburg made the campaign loan. Failure to report the use of these funds would violate 11 C.F.R. 104 which requires the reporting of the original source of the loan (i.e. the State of California Educational Fund). Additionally, the provisions of 100.7(b)(11) would be breached in that the State of California is not a qualified financial institution from which Hamburg may borrow funds for the purpose of seeking election to Federal Office.

Personal Use. The Act at 2 U.S.C. 439a specifically prohibits the conversion of campaign funds to the personal use of the candidate. The prohibition applies to any individual who was not a Member of Congress on January 8, 1980. The prohibition clearly applies to Hamburg.

The Commission has consistently stated payment to the candidate for interest pursuant to a loan made to the committee is permissible. Advisory Opinion 1991-9. As seen below, however, the loan in this case was consistently reported as bearing no interest.

The Hamburg Committee filed its 1991 Year End Report on January 31, 1992. The Schedule C indicated that a loan had been made on December 26, 1991. The form affirmatively indicates the interest rate to be zero.

On March 31, 1992, the Hamburg Committee repaid the loan in full and paid \$86 to Hamburg for interest on the loan. The Schedule C filed by the Hamburg Committee as part of the 1992 April Quarterly Report did not list any interest due on the note. The Hamburg Committee, upon inquiry by the Commission as to the nature of the funds used to make the loan, filed yet another Schedule C which failed to specify any interest amount even several months after payment of same.

The regulations clearly state the payment of interest in this instance must be as a result of a renegotiation of the underlying obligation. There are no circumstances surrounding this transaction which would indicate that a renegotiation had occurred prior to the time when the interest payment was made on March 31, 1992. The payment of \$86 representing approximately three months interest appears to be a conversion of campaign funds to personal use in violation of 2 U.S.C. 439a.

Illegal Corporate Contributions. The use of corporate funds in connection with Federal Elections is strictly prohibited. 2 U.S.C. 441b and 11 C.F.R. 114.2 A contribution is defined as "any gift, subscription, loan advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office." 2 U.S.C. 431(8)

The Hamburg Committee raised a significant share of its funds as a result of four concerts given by performers Bonnie Raitt, Jackson Browne, and Holly Near. The concert's advertising indicated that the concerts were promoted by two California organizations generally regarded to be major commercial promoters of such events. Those organizations were Avocado Productions, a DBA for Tom Campbell and Bill Graham Presents, a corporation registered in California.

9 5 0 4 3 6 8 4 6 2 4

Three of the concerts were held on April 21 and 22. The fourth concert was held more than five months later on October 4, 1992. Reports filed with the Commission indicate that the Hamburg Committee made payments or incurred expenses of \$8,316.52 to Avocado Productions prior to June 30, 1992. The same reports do not show any expenditures on Schedule B or any outstanding debts on Schedule C to Bill Graham Presents for the same period. In fact, the reports do not show any expenses or obligations incurred to Bill Graham Presents until a payment was made on September 30, 1992 in the amount of \$357.75 for "supplies". This is true even in light of the fact that the Bill Graham Presents corporate name appeared on all promotional items for the three April concerts. See Exhibit D.

Bill Graham Presents was ultimately paid a total of \$7,874.16 for the following items:

9/30	Supplies	\$357.75
10/2	Advertising	\$704.00
10/4	Concert Services	\$6812.41

During the same period of time, Avocado Productions was paid an additional \$3,803.53 for the following items:

9/8	Concert Services	\$1083.48
9/28	Travel	\$172.10
10/19	Production Fee	\$2000.00
10/29	Supplies	\$50.00
10/29	Delivery	\$97.95

It is reasonable to conclude that the intervening five months were adequate time for Bill Graham Presents to assemble the costs of its services for this event and present invoices to the Hamburg Committee for payment. It is unlikely that a professional promoter customarily delays five months in billing clients for services.

Under the provisions of Advisory Opinion 1980-42, the Commission confirmed the legality of the use of a commercial promoter for a fundraising benefit concert on behalf of a candidate for Federal office. The Commission stated two important points with regard to the circumstance at hand. First, it directed that a Committee may establish a separate fund for purposes of receiving proceeds of concert ticket sales. Second, it also confirmed a promoter, as an agent of the committee, may expend funds from that account for the purpose of paying the costs of the event. All net proceeds are distributed to the committee the beneficiary of the concert. The Hamburg Committee established such an account to receive concert proceeds and referred to that account in a letter to the Commission on April 15, 1992. All such receipts and disbursements are subject to the reporting requirements of the Act.

A review of all the statements filed by the Hamburg Committee does not indicate any payment to Bill Graham Presents nor has any entry on Schedule D ever appeared at any time for Bill Graham Presents during a period of time reasonably associated with the first three concerts. This is true even in light of the fact that the concerts were touted to be highly successful and the promoters seemingly had a separate account from which to pay their expenses when incurred. Therefore any services provided for the first three concerts, as is logically concluded by the use of the name Bill Graham Presents, appear to have been unpaid and therefore illegal corporate contributions in violation of 2 U.S.C. 441b and 11 C.F.R. 114.2.

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Additional Corporate "Donors." The program for the concert for October 4, 1992, identified a number of individuals or organizations whom the Hamburg Campaign wished to express its appreciation. A number of entities which may be corporations were listed as "Donors" in that program. They were:

Leaves of Grass Book Store
Mendocino Book Company
Music Brothers
Frey Winery
Scharffenberger Cellars
Iron Horse Vineyards
Thanksgiving Coffee Company
Too Much Fun
The Works, Ukiah, CA
The Works, Eureka, CA
Ukiah Coop
The Cheesecake Lady

Review of the Schedule B Disbursements reveal that the entities above were not issued payment by the Hamburg Committee. Therefore, it appears that the entities provided something of value to the campaign for which they were acknowledged. If any or all of these organizations are corporations any value received would constitute a violation of the prohibition against corporate contributions at 2 U.S.C. 441b and 11 C.F.R. 114.2.

Inadequate Notification of Political Benefit. Advisory Opinion 1980-42 also addressed the manner in which notification must be given to any purchaser of a concert ticket that the proceeds will benefit a specific candidate for Federal office. The Commission stated that "it is necessary for the Committee to publicize the political fundraising purpose of the concert in a manner that would afford notice to potential and actual ticket purchasers that the proceeds of their ticket purchases will benefit the [beneficiary] Committee."

The promoters used various advertisements in newspapers to publicize the events. See Exhibit D. The advertisement appearing in *The Press Democrat* on August 28, 1992, indicated "Tickets purchased considered a donation to Dan Hamburg for Congress Committee. However, the type font was extremely small and difficult to read. This notification was, in fact, the smallest type in the entire advertisement. It appears to be the smallest type used in any advertisement for any of the earlier concerts. The very small font does not meet the requirement to afford notice to potential and actual ticket purchasers as established in A.O. 1980-42.

PRAYER FOR RELIEF

Therefore, NRCC respectfully requests, that the Federal Election Commission investigate these violations and find the following conclusions of law as appropriate:

- (1) Daniel Eugene Hamburg did not possess sufficient personal funds with which to make a loan of \$10,000 to the Hamburg Committee on December 26, 1991 and therefore has violated 11 C.F.R. 110.10;
- (2) The payment of interest to Hamburg by the Hamburg Committee constitutes a conversion of campaign funds to personal use in violation of 2 U.S.C. 439a;

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(3) The failure of the Hamburg Committee to reimburse the Bill Graham Presents for services in connection with the April 21-22 concerts is an illegal corporate contribution in violation of 2 U.S.C. 441b and 11 C.F.R. 114.2;

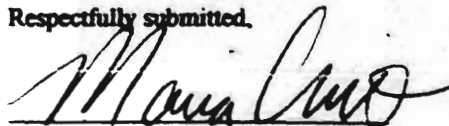
(4) The failure of the Hamburg Committee to reimburse any corporate entities listed as "Donors" on the October 4 program are illegal corporate contributions in violation of 2 U.S.C. 441b and 11 C.F.R. 114.2; and

(5) The small font used for the notification on the advertisement in connection with the concert on October 4, 1992, is not sufficient to afford notice to potential and actual ticket purchasers that the proceeds of their ticket sales will benefit the Hamburg Committee.

Therefore, NRCC further requests that the Federal Election Commission assess all appropriate penalties, including audit of concert procedures, for said violation of the above provisions in accordance with 2 U.S.C. 437(a)(5)(A).

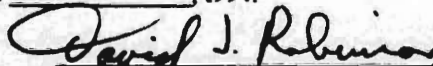
The above statements are true and correct to the best of my knowledge, information and belief.

Respectfully submitted,


Maria Cino, Executive Director

DISTRICT OF COLUMBIA

Subscribed and Sworn before me this 2nd day of MARCH, 1994.


Notary Public

My Commission Expires:

DAVID J. ROBINSON
Notary Public
District of Columbia
My Commission Expires September 04, 1997

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EXHIBIT A

CA/121

JAN 31 1992

REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee (Summary Page)

RECEIVED
FEB -4 1992

USE FEC MAILING LABEL OR PRINT

1. NAME OF COMMITTEE (in full)
COMMITTEE TO ELECT DAN HAMBURG
 ADDRESS (number and street) Check if different than previously reported
1330 BOONVILLE ROAD
 CITY, STATE and ZIP CODE STATE/DISTRICT
UKIAH, CA 95482

2. FEC IDENTIFICATION NUMBER
C00253211 (140058)
 3. IS THIS REPORT AN AMENDMENT?
 YES NO

4. TYPE OF REPORT

- April 15 Quarterly Report
- July 15 Quarterly Report
- October 15 Quarterly Report
- January 31 Year End Report
- July 31 Mid Year Report (Non-election Year Only)
- Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____
- Thirtieth day report following the General Election on _____ in the State of _____
- Termination Report

This report concerns activity for Primary Election General Election Special Election Runoff Election

SUMMARY

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 7-1-91 through 12-31-91		
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(a))	24,893.38	24,893.38
(b) Total Contribution Refunds (from Line 20(a))	7,358.38	7,358.38
(c) Net Contributions (other than loans) (subtract Line 6(b) from 6(a))	17,535.00	17,535.00
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	13,772.20	13,772.20
(b) Total Offsets to Operating Expenditures (from Line 14)	0	0
(c) Net Operating Expenditures (subtract Line 7(b) from 7(a))	13,772.20	13,772.20
8. Cash on Hand at Close of Reporting Period (from Line 27)	13,742.80	
9. Credits and Obligations Owed TO the Committee (Report on Schedule C and/or Schedule D)		
10. Debts and Obligations Owed BY the Committee (Report on Schedule C and/or Schedule D)	13,307.00	

For further information contact:
 Federal Election Commission
 999 E Street, NW
 Washington, DC 20463
 Toll Free 800-424-9530
 Local 202-376-3120

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

Type or Print Name of Treasurer
ANTONIO STEVEN ANDRADE
 Signature of Treasurer
Antonio Steven Andrade
 Date
1/31/92

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g

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LEA

ITEMIZED RECEIPTS

Use separate schedule for each category of the Detached Summary Page

PAGE 1 OF 1 FOR LINE NUMBER 13(A)

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

NAME OF COMMITTEE in Full

COMMITTEE TO ELECT DAN HAMBURG

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
DAN HAMBURG 1350 BOONVILLE ROAD UKIAH, CA 95482	SELF Occupation Businessman/Teacher Aggregate Year-to-Date > \$10,000.00	12-26-91	10,000.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Aggregate Year-to-Date > \$		
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Aggregate Year-to-Date > \$		
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Aggregate Year-to-Date > \$		
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Aggregate Year-to-Date > \$		
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Aggregate Year-to-Date > \$		
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Aggregate Year-to-Date > \$		

GRAND TOTAL of Receipts This Page (optional)

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Name of Committee on Form			
COMMITTEE TO ELECT DAN HAMBURG			
A. Full Name, Mailing Address and ZIP Code of Loan Source		Original Amount of Loan	Collateral Payment To Date
DAN HAMBURG 1330 BOONVILLE ROAD UKIAH, CA 95482		10,000.00	0
Election: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			Balance Outstanding at Close of This Period
			10,000.00
Term: Date Invoiced <u>12-2-91</u> Date Due <u>NONE</u> Interest Rate <u>0</u> % (Specify) <u>Secured</u>			
List All Endorsers or Guarantors (if any) to Item A			
1. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding		
2. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding		
3. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding		
B. Full Name, Mailing Address and ZIP Code of Loan Source		Original Amount of Loan	Collateral Payment To Date
Election: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)			Balance Outstanding at Close of This Period
Term: Date Invoiced _____ Date Due _____ Interest Rate _____ % (Specify) <input type="checkbox"/> Secured			
List All Endorsers or Guarantors (if any) to Item B			
1. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding		
2. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding		
3. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding		
SUBTOTALS This Period This Page (optional)			
TOTALS This Period This Page (optional)			

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CERTIFIED MAIL

APR 15 1992

REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee
(Summary Page)

Robert A

USE OF THIS FORM IS REQUIRED FOR ALL TYPES OF REPORTS

NAME OF COMMITTEE (as full)

COMMITTEE TO ELECT DAN HAMBURG

ADDRESS (Number and street) (Have a different than previously reported)

1330 BOONEVILLE ROAD

CITY STATE and ZIP CODE

LIKIAN A 95482

1. FEC IDENTIFICATION NUMBER

C00253211 (140058)

2. IS THIS REPORT AN AMENDMENT?

YES NO

APR 15 1992

4. TYPE OF REPORT

April 15 Quarterly Report

July 15 Quarterly Report

October 15 Quarterly Report

January 31 Year End Report

July 31 Mid Year Report (Non-election Year Only)

Termination Report

This report contains information for:

Primary Election General Election Special Election Recall Election

SUMMARY

	COLUMN 2 RECEIPTS	COLUMN 3 DISBURSEMENTS
5. Covering Period 1/1/92 through 3/31/92		
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(a))	60425.00	60425.00
(b) Total Contribution Refunds (from Line 11(b))		
(c) Net Contributions (other than loans) (subtract Line 11(b) from 11(a))	60425.00	60425.00
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	25343.25	25343.25
(b) Total Offsets to Operating Expenditures (from Line 14)	57.98	57.98
(c) Net Operating Expenditures (subtract Line 14(b) from 17(a))	25285.27	25285.27
8. Cash on Hand at Close of Reporting Period (from Line 27)	3820633	
9. Debts and Obligations Owed TO the Committee (Reported on Schedule C and/or Schedule D)		
10. Debts and Obligations Owed BY the Committee (Reported on Schedule C and/or Schedule D)	12777.14	

For further information contact:
Federal Election Commission
660 G Street, NW
Washington, DC 20543
Toll Free 800-424-6689
Local 202-576-6100

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

Type or Print Name of Treasurer

ANTONIO S. ANDRAGNE

Signature of Treasurer

Antonio S. Andragne

Date

7/15/92

NOTE: Submission of false, erroneous, or misleading information may subject the person signing this Report to the penalties of 2 U.S.C. (a)(3)

05043684631

FEC FORM 3

SCHEDULE C
Revised 2009

LOANS

Page 1 of 2 for
1998-2009
If the correct number
is not entered, the
tax return may be
rejected.

Name of Contributor (or Full)
COMMITTEE TO ELECT DAN HAMBUAL

<p>A Full Name, Mailing Address and ZIP Code of Loan Recipient DAN HAMBUAL 1730 BOONEVILLE RD URIAM, GA 31548</p> <p>Employer (Specify: <input type="checkbox"/> Self-employed <input type="checkbox"/> Other (Specify):</p> <p>Term: Date Received 12-22-07 Date Due Annual Interest Rate 0 <input type="checkbox"/> Other <input type="checkbox"/></p>	<p>Original Amount of Loan 10,000.00</p>	<p>Cumulative Payments To Date 10,000.00</p>	<p>Balance Outstanding at Close of This Period - 0 -</p>
--	---	---	---

List All Endorsers or Guarantors (if any) to Item A

<p>1 Full Name, Mailing Address and ZIP Code</p>	<p>Name of Employer Occupation Amount Guaranteed Outstanding</p>	
<p>2 Full Name, Mailing Address and ZIP Code</p>	<p>Name of Employer Occupation Amount Guaranteed Outstanding</p>	
<p>3 Full Name, Mailing Address and ZIP Code</p>	<p>Name of Employer Occupation Amount Guaranteed Outstanding</p>	

<p>B Full Name, Mailing Address and ZIP Code of Loan Recipient DANIEL NELSON 544 HAZEL URIAM, GA 31548</p> <p>Employer (Specify: <input type="checkbox"/> Self-employed <input type="checkbox"/> Other (Specify):</p> <p>Term: Date Received 3/18/94 Date Due None Interest Rate 0 <input type="checkbox"/> Other <input type="checkbox"/></p>	<p>Original Amount of Loan 900</p>	<p>Cumulative Payments To Date 900</p>	<p>Balance Outstanding at Close of This Period - 0 -</p>
--	---	---	---

List All Endorsers or Guarantors (if any) to Item B

<p>1 Full Name, Mailing Address and ZIP Code</p>	<p>Name of Employer Occupation Amount Guaranteed Outstanding</p>	
<p>2 Full Name, Mailing Address and ZIP Code</p>	<p>Name of Employer Occupation Amount Guaranteed Outstanding</p>	
<p>3 Full Name, Mailing Address and ZIP Code</p>	<p>Name of Employer Occupation Amount Guaranteed Outstanding</p>	

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00011121

EXHIBIT A CA/01

STANDARD DELIVERY REPORT OF RECEIPTS AND USES BY MEMBERS
 For Authorized Committees (Summary Page)

92 MAY 21 AM 11:30

USE PREVIOUS LABEL OR FORM (NO STAMP)

1 NAME OF COMMITTEE (in full)
Committee to Elect Dan Hamburg
 ADDRESS (number and street) Check if different than previously reported
1330 Booneville Road
 CITY, STATE and ZIP CODE STATE/DISTRICT
Ukiah, CA 95602-

2 FEC IDENTIFICATION NUMBER
CUC 53211 **140058**
 3 IS THIS REPORT AN ADDENDUM?
 YES NO

4. TYPE OF REPORT

April 15 Quarterly Report
 July 15 Quarterly Report
 October 15 Quarterly Report
 January 31 Year End Report
 July 31 Mid-Year Report (Non-election Year Only)
 Tenth day report preceding _____ (Type of Election) election on _____ in the State of _____
 Tenth day report following the General Election on _____ in the State of _____
 This report contains activity for: Primary Election General Election Special Election Runoff Election

SUMMARY

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period <u>01/01/92 through 03/31/92</u>		
6. Net Contributions (Other than loans)		
(a) Total Contributions (other than loans) (From Line 11(a))	5228.60	92388.60
(b) Total Contribution Refunds (From Line 20(a))	0.00	0.00
(c) Net Contributions (other than loans) (From Line 6(a) from 6(a))	5228.60	92388.60
7. Net Operating Expenditures		
(a) Total Operating Expenditures (From Line 17)	20769.91	20769.91
(b) Total Offsets to Operating Expenditures (From Line 14)	57.98	57.98
(c) Net Operating Expenditures (Subtract Line 7(b) from 7(a))	20691.93	20691.93
8. Cash on Hand at Close of Report (From Line 27)	75085.07	
9. Estimated Obligations Committed to the Campaign (From Schedule C and Schedule D)	0.00	
10. Disbursements (From Schedule C and Schedule D)	12777.16	

Signature: *Antonio Steven Andrade*
 Date: *5/11/92*

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 92014520005

SCHEDULE B

ITEMIZED DISBURSEMENTS

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

NAME OF COMMITTEE (in full)
Committee to Elect Dan Hamburg C00253211

95043680914
92015280914

Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Dan Hamburg 1330 Bearville Rd. Ukiah, CA 95482	travel expense Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (Specify):	03/02/92	908.00
Dan Hamburg 1330 Bearville Rd. Ukiah, CA 95482	travel expense Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (Specify):	03/16/92	488.00
Dan Hamburg 1330 Bearville Rd. Ukiah, CA 95482	supplies, printing & travel expenses Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (Specify):	03/23/92	1223.00
Dan Hamburg 1330 Bearville Rd. Ukiah, CA 95482	travel expense Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (Specify):	03/31/92	597.00
Dan Hamburg 1330 Bearville Rd. Ukiah, CA 95482	travel expense Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (Specify):	03/31/92	620.00
Dan Hamburg 1330 Bearville Rd. Ukiah, CA 95482	travel expense Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (Specify):	03/31/92	315.43
Dan Hamburg 1330 Bearville Rd. Ukiah, CA 95482	interest on loan Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (Specify):	03/31/92	86.00

SUBTOTAL of Disbursements This Page (optional)..... 444.10

TOTAL This period (last page this line number only).....

EXHIBIT A

EA/6

REGISTERED MAIL

MAR 27 1992

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

MAR 30 12 26 PM '92

Antonio Andrade, Treasurer
Committee To Elect Dan Hamburg
515 South School Street
Ukiah, California 95482

140058

Re: Committee To Elect Dan Hamburg
FEC Identifications Number: C00253211

Amendment to Form FEC 1

March 25, 1992

Federal Elections Commission
999 E Street, NW
Washington, DC 20463

Dear FEC Representative

This communication is to inform you that two additional Banks have been added as depositories for funds for the Committee To Elect Dan Hamburg. They are:

Bank of America 501 S. State Street Ukiah, Ca 95482
The Exchange Bank 500 Larkfield Center Santa Rosa, Ca 95403

If you have any questions, you can reach me at (707) 462-4930.

Sincerely

Antonio Andrade
Antonio Andrade

0025043684635

MAR 31 12 11 PM '92

1414

REC'D
FEDERAL ELECTION COMMISSION

RECEIVED
APR 16 1992

APR 20 10 03 AM '92

Antonio Andrade, Treasurer
Committee To Elect Dan Hamburg
515 South School Street
Ukiah, California 95482

April 16, 1992

140058

Ref: Committee To Elect Dan Hamburg
FEC ID# C00253211
Amendment to April 15, 1992
Quarterly Report

Federal Election Commission
999 E Street
Washington, DC 20483

Dear Representative:

Enclosed are the amended Summary Page and Detailed Summary Page of Form 3 of the April 15, 1992 Quarterly Report filed yesterday. Contributions deposited in the newly established Bank of America concert holding account were inadvertently omitted. Please note that although funds in this account were not previously included, all reporting and record-keeping requirements regarding these contributions have been met and itemized when necessary on the report filed on April 15, 1992.

If you have any questions, I can be reached at (707) 482-4930.

Sincerely

Antonio Andrade,
Treasurer

cc: Secretary of State, State of California

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14493771

APR 21 11:40

EXHIBIT A

CP/01

HAND DELIVERED REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee
Number: 1199

22

USE FEC MARKING LABEL
OR
TYPE ON PRINT

NAME OF COMMITTEE: _____
 Committee on Elect. Rep. Funding;
 ADDRESS (number and street): _____
 1330 Bootville Road
 CITY STATE and ZIP CODE: _____ STATE DISTRICT: _____
 Ukiah, California 9548:

FEC IDENTIFICATION NUMBER: C00253211
 IS THIS REPORT AN ADVERTISING? **140058**
 YES NO

4. TYPE OF REPORT

April 15 Quarterly Report
 July 15 Quarterly Report
 October 15 Quarterly Report
 January 31 Year End Report
 July 31 Mid Year Report (Non-election Year Only)
 Termination Report

This report contains activity for: Primary Election General Election Special Election Recall Election

SUMMARY

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period <u>7/1/91</u> through <u>12/31/91</u>		
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(a))	17075.00	17075.00
(b) Total Contribution Refunds (from Line 20(a))	-0-	-0-
(c) Net Contributions (other than loans) (subtract Line 6(b) from 6(a))	17075.00	17075.00
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	13422.20	13422.20
(b) Total Offsets to Operating Expenditures (from Line 14)	-0-	-0-
(c) Net Operating Expenditures (subtract Line 7(b) from 7(a))	13422.20	13422.20
8. Cash on Hand at Close of Reporting Period (from Line 27)	13302.80	
9. Debts and Obligations Owed TO the Committee (Reverse of on Schedule C and/or Schedule D)	-0-	
10. Debts and Obligations Owed BY the Committee (Reverse of on Schedule C and/or Schedule D)	13307.00	

For further information contact:
 Federal Election Commission
 980 E Street, NW
 Washington, DC 20463
 Toll Free 800-424-6530
 Local 202-376-3120

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

Type or Print Name of Treasurer
 Antonio Steven Andrade
 Signature of Treasurer

Antonio Steven Andrade

Date
6/16/92

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 USC 547g

FEC FORM 3

95043684637
92011544564

LOANS

List amounts in \$
 Use proper notation
 for each numbered line!

Name of Committee (in full) Committee to Elect Dan Hamburg			
A. Full Name, Mailing Address and ZIP Code of Loan Source Dan Hamburg 1330 Boonville Road Ukiah, CA 95841		Original Amount of Loan 10,000.00	Balance Outstanding at Close of This Period 10,000.00
Election: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Cumulative Payments To Date 0	
Terms: Date Incurred 12/26/79 Date Due 08/1980 Interest Rate _____ % (per) <input type="checkbox"/> Secured			
List All Endorsers or Guarantors (if any) to Item A			
1. Full Name, Mailing Address and ZIP Code		Name of Employer	
Loan is from "personal funds" of candidate			
3. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding	
B. Full Name, Mailing Address and ZIP Code of Loan Source		Original Amount of Loan	Balance Outstanding at Close of This Period
Election: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Cumulative Payments To Date	
Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % (per) <input type="checkbox"/> Secured			
List All Endorsers or Guarantors (if any) to Item B			
1. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding	
2. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding	
3. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding	
SUBTOTALS This Period This Page (optional)			
TOTALS This Period (first page in this line only)			10,000.00
Carry outstanding balances only to LINE 3, Schedule D, for this loan. If on Schedule D, carry forward to appropriate line of Summary.			

9 2 0 1 4 5 4 4 5 7 2 4 6 3 8

EXHIBIT A

EX-11

JAN 31 1992

REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee
(Summary Page)

RECEIVED
FEB -6 1992 59

USE FEC MAILING LABEL OR TYPE OR PRINT

1. NAME OF COMMITTEE in full
COMMITTEE TO ELECT DAN HAMBURG

ADDRESS (number and street) Check if different than previously reported
1330 BOONVILLE ROAD

CITY, STATE and ZIP CODE **UKIAH, CA 95482**

STATE/DISTRICT

2. FEC IDENTIFICATION NUMBER
C00253211 (140058)

3. IS THIS REPORT AN AMENDMENT?
 YES NO

4. TYPE OF REPORT

April 15 Quarterly Report

July 15 Quarterly Report

October 15 Quarterly Report

January 31 Year End Report

July 31 Mid Year Report (Non-election Year Only)

Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____

Thirtieth day report following the General Election on _____ in the State of _____

Termination Report

This report contains activity for: Primary Election General Election Special Election Runoff Election

SUMMARY

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 7-1-91 through 12-31-91		
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(a))	24,893.38	24,893.38
(b) Total Contribution Refunds (from Line 20(b))	7,358.38	7,358.38
(c) Net Contributions (other than loans) (subtract Line 6(b) from 6(a))	17,535.00	17,535.00
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	13,772.20	13,772.20
(b) Total Offsets to Operating Expenditures (from Line 14)	0	0
(c) Net Operating Expenditures (subtract Line 7(b) from 7(a))	13,772.20	13,772.20
8. Cash on Hand at Close of Reporting Period (from Line 27)	13,742.80	
9. Debts and Obligations Owed TO the Committee (Report on Schedule C and/or Schedule D)		
10. Debts and Obligations Owed BY the Committee (Report on Schedule C and/or Schedule D)	13,307.00	

For further information contact:
Federal Election Commission
999 E Street, NW
Washington, DC 20463
Toll Free 800 424 9530
Local 202 376 3120

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

Type or Print Name of Treasurer
ANTONIO STEVEN ANDRADE

Signature of Treasurer
Antonio Steven Andrade

Date
1/31/92

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 USC §437g

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LEA

ITEMIZED RECEIPTS

Use separate schedules for each category of the Detached Summary Page

PAGE 1 OF 1 FOR LINE NUMBER 13(a)

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

NAME OF COMMITTEE (in Full)

COMMITTEE TO ELECT DAN HAMBURG

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
DAN HAMBURG 1350 BOONVILLE ROAD UKIAH, CA 95482	SELF Occupation Businessman/Editor Aggregate Year-to-Date > \$10,000.00	12-26-91	10,000.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			

GRAND TOTAL of Receipts This Page (optional)

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Name of Committee for			
COMMITTEE TO ELECT DAN HAMBURG			
A. Full Name, Mailing Address and ZIP Code of Loan Source		Original Amount of Loan	Balance Outstanding at Close of This Period
DAN HAMBURG 1330 BOONVILLE ROAD UKIAH, CA 95482		10,000.00	10,000.00
Election: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Collateral Payment To Date	
Term: Date Incurred <u>12-26-91</u> Date Due <u>NONE</u>		Interest Rate <u>0</u> (Specify)	<input type="checkbox"/> Secured
List All Endorsers or Guarantors (if any) to Item A			
1. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding \$		
2. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding \$		
3. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding \$		
B. Full Name, Mailing Address and ZIP Code of Loan Source		Original Amount of Loan	Balance Outstanding at Close of This Period
Election: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Collateral Payment To Date	
Term: Date Incurred _____ Date Due _____		Interest Rate _____ (Specify)	<input type="checkbox"/> Secured
List All Endorsers or Guarantors (if any) to Item B			
1. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding \$		
2. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding \$		
3. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding \$		
SUBTOTALS This Period This Page (optional):			
TOTALS IN Federal Reporting to the Secretary:			

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100110196

9 5 7 4 3 6 8 4 6 4 2
 UNITED STATES HOUSE OF REPRESENTATIVES

FORM B

OFFICE OF RECORDS & REGISTRATION

FINANCIAL DISCLOSURE STATEMENT FOR UP TO 9/13/91 *

For use by candidates for the office of Member and new employees

1991 SEP 17 AM 11:07

OFFICE OF THE CLERK
 U.S. HOUSE OF REPRESENTATIVES

EXHIBIT
 B

DANIEL EUGENE HAMBURG

1330 BOONEVILLE ROAD

UKIAH CA 95482

Filer Status

Candidate for the House of Representatives

State: CALIFORNIA
 District: 81

Date of Election: 6/2/92

Check if Amendment

New officer or employee

Employing office _____

(Office Use Only)

In all sections, please type or print clearly in black ink.

PART I - EARNED INCOME (INCLUDING HONORARIA)

List the source, type, and amount of earned income, including honoraria, from any source (other than current employment by the U.S. Government) aggregating \$200 or more during the current year to the filing date and, separately, the preceding calendar year. For a spouse, only the source, not amount of earned income needs to be reported, except for honoraria, for which the source and amount must be reported. See instructions, page 10.

NONE

Source (Include date of receipt for honoraria)	Type	Amount	
		Current Year to Filing	Preceding Year
Examples: ABC Corporation, Houston, Texas	Salary	\$6,300	\$28,480
First Bank & Trust, Houston, Texas	Directors Fee	400	\$3,200
ABC Trade Association, Chicago, Ill. (Rec'd 12-2-90)	Honorarium	NA	\$1,000
Harris County, Texas, Public Schools	Spouse Salary	NA	NA
CLASSIC TOPOGRAPHY UKIAH, CA	SALARY	6774 (1990)	6672 (1989)
NORTH COAST OPPORTUNITIES UKIAH, CA	SALARY	N/A (1990)	4726 (1989)
CLASSIC TOPOGRAPHY UKIAH, CA	SALARY	3900 (TO PRESENT)	
MENDOCINO BOOK COMPANY UKIAH, CA	SPOUSE SALARY	N/A (1990)	N/A (1989)
MENDOCINO COLLEGE UKIAH, CA	SPOUSE SALARY	N/A (1990)	N/A (1989)
MENDOCINO BOOK COMPANY UKIAH, CA	SPOUSE SALARY	N/A (TO PRESENT)	
MENDOCINO COLLEGE UKIAH, CA	SPOUSE SALARY	N/A (TO PRESENT)	

* CANDIDATE EXCEEDED \$5000 Contribution limit on 8/19/91

9 5 0 4 3 6 8 4 6 4 4

Reporting Individual's Name

DANIEL EYCENE HAMBURG

PART IV - LIABILITIES

Report liabilities over \$10,000 owed to any one creditor at any time during the reporting period by you, your spouse or dependent child. Check the highest amount owed during the reporting period. Exclude a mortgage on your personal residence unless it is rented out, loans secured by automobiles, household furniture or appliances, and liabilities owed to a spouse, child, parent, or sibling of the reporting individual or the reporting individual's spouse. For further information, see instructions, page 17.

NONE

S, DC, JT	Creditor	Type of Liability	Category of Amount or Value (X)						
			B \$10,001 - \$15,000	C \$15,001 - \$50,000	D \$50,001 - \$100,000	E \$100,001 - \$250,000	F \$250,001 - \$500,000	G \$500,001 - \$1,000,000	H over \$1,000,000
	Example: First Bank of Wilmington, Delaware	Mortgage on 182 Main Street, Dover, Del.				X			
JT	SAVINGS BANK OF MEMPHIS UKIAH GA 95482	MORTGAGE ON 1330 BOONEVILLE UKIAH GA 95482		X					

PART V - POSITIONS

Report the identity of all positions, compensated or uncompensated, held on or before the date of filing during the current calendar year and in the two prior years as an officer, director, trustee, partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise, any nonprofit organization, any labor organization, or any educational or other institution other than the United States. For further information, see instructions, page 22.

EXCLUSIONS: Positions held in any religious, social, fraternal, or political entities, and positions solely of an honorary nature

NONE

Position	Name of Organization

Reporting Individual's Name

DANIEL EUGENE HAMBURG

PART VI - AGREEMENTS (FOR NEW EMPLOYEES ONLY, NOT CANDIDATES)

Identify the date, parties to, and terms of any agreement or arrangement with respect to: future employment; a leave of absence during the period of government service; continuation of payments by a former employer other than the U.S. Government; or continuing participation in an employee welfare or benefit plan maintained by a former employer. For further information, see instructions, page 23.

NONE

Date	Parties To	Terms of Agreement
N/A		

PART VII - COMPENSATION IN EXCESS OF \$5,000 PAID BY ONE SOURCE

Report sources of such compensation received by you or your business affiliation for services provided directly by you during the two prior years. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any non-profit organization when you directly provided the services generating a fee or payment of more than \$5,000. You need not report the U.S. Government as a source. For further information, see instructions, page 23.

NONE

	Source (Name and Address)	Brief Description of Duties
Examples	Doe Jones & Smith, Hometown, USA	Accounting services
	Metro University (client of Doe Jones & Smith), Moneytown, USA	Legal services in connection with university construction

PART VIII - ADDITIONAL INFORMATION AND CERTIFICATION

TRUSTS - Do you, your spouse or dependent child have a beneficial interest in a trust or other financial arrangement whose holdings were not reported because the trust is a "Qualified Blind Trust" or other excepted trust? A Qualified Blind Trust is a trust which has been specifically approved by the Committee on Standards of Official Conduct. (See instructions, page 15.)

Yes No NA

EXEMPTION TEST - Have you omitted any assets or liabilities of a spouse or dependent child because they meet the three tests for exemption? (See instructions, page 5.)

Yes No NA

This Financial Disclosure Statement is required by the Ethics in Government Act of 1978, as amended (5 U.S.C. app. 6, §101 et seq.). The Statement will be made available to any requesting person upon written application and will be reviewed by the Committee on Standards of Official Conduct. Any individual who knowingly and willfully falsifies, or who knowingly and willfully fails to file this report may be subject to civil and criminal sanctions (See 5 U.S.C. app. 6 §104 and 18 U.S.C. §1001).

SIGNATURE OF REPORTING INDIVIDUAL

DATE (Month, Day, Year)

Daniel Eugene Hamburg

8/12/91

9 5 0 4 3 6 8 4 6 4 6

UNITED STATES HOUSE OF REPRESENTATIVES

FINANCIAL DISCLOSURE STATEMENT FOR 1/1/91 - 4/15/92
(Fiduciary Period Covered)

FORM B
 For use by candidates for the office of
 Member and new employees

EXHIBIT B

DANIEL EUGENE HAMBURG

1330 BOONEVILLE ROAD

UKIAH, CALIFORNIA

95482

(707) 462-2515

Filer
 Status

Candidate for the
 House of Representatives

State: California

Date of
 Election: 6/2/92

Check if
 Amendment

New officer or
 employee

Employing office: _____

(Office Use Only)

In all sections, please type or print clearly in black ink.

PART I - EARNED INCOME (INCLUDING HONORARIA)

List the source, type, and amount of earned income, including honoraria, from any source (other than the filer's current employment by the U.S. Government) aggregating \$200 or more during the current year to the filing date and, separately, the preceding calendar year. For a spouse, only the source, not amount of earned income needs to be reported, except for honoraria, for which the source and amount must be reported. See instructions, page 10.

NONE

Source (include date of receipt for honoraria)	Type	Amount	
		Current Year to Filing	Preceding Year
<i>Examples</i> ABC Corporation, Houston, Texas	Salary	\$5,200	\$20,400
First Bank & Trust, Houston, Texas	Director's Fee	400	\$0.00
ABC Trade Association, Chicago, Ill. (Rec'd 12-2-90)	Honorarium	NA	\$1,000
Harris County, Texas, Public Schools	Spouse Salary	NA	NA
Classic Typography, Ukiah, California	Salary	02 -0-	1/2,040
Mendocino Book Company, Ukiah, California	Spouse's Salary	N/A	N/A
Mendocino Lake Community College	Spouse's Salary	N/A	N/A

LAW OFFICES
 05/18/92 12:24
 410 442 1280

HOPCRAFT COMM. TEL: 916-456-6545 MAY 19, 92 16:27 No. 007 P. 02

9. 5. 0. 4. 3. 6. 8. 4. 6. 4. 8.
 Report the highest amount owed during the reporting period by you, your spouse or dependent child. Check the highest amount owed during the reporting period. Exclude a mortgage on your personal residence unless it is rented out, loans secured by automobiles, household furniture or appliances, and liabilities owed to a spouse, child, parent, or sibling of the reporting individual or the reporting individual's spouse. For further information, see instructions, page 18.

NONE

| S, DC, JT | Creditor | Type of Liability | Category of Amount or Value (X) | | | | | | | |
|-----------|--|--|---------------------------------|-----------------------------|------------------------------|-------------------------------|-------------------------------|---------------------------------|--------------------------|--|
| | | | B
\$10,001 -
\$14,000 | C
\$14,001 -
\$20,000 | D
\$20,001 -
\$100,000 | E
\$100,001 -
\$250,000 | F
\$250,001 -
\$500,000 | G
\$500,001 -
\$1,000,000 | H
Over
\$1,000,000 | |
| | Example: First Bank of Wilmington, Delaware | Mortgage on 182 Main Street, Dover, Del. | | | | X | | | | |
| | CSAC (Educaid) California Student Aid Commission - Guarantor | Graduate Student Loan | | X | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |

PART V - POSITIONS

Report the identity of all positions, compensated or uncompensated, held on or before the date of filing during the current calendar year and in the two prior years as an officer, director, trustee of an organization, partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise, any nonprofit organization, any labor organization, or any educational or other institution other than the United States. For further information, see instructions, page 22.

EXCLUSIONS: Positions held in any religious, social, fraternal, or political entities, and positions solely of an honorary nature need not be shown. NONE

| Position | Name of Organization |
|----------|----------------------|
| | |
| | |
| | |

05/10/92 12:26 910 442 120x

Reporting Individual's Name
DANIEL EUGENE HAMBURG

PART VI—AGREEMENTS (FOR NEW EMPLOYEES ONLY, NOT CANDIDATES)

Identify the date, parties to, and terms of any agreement or arrangement with respect to: future employment; a leave of absence during the period of government service; continuation or deferral of payments by a former or current employer other than the U.S. Government; or continuing participation in an employee welfare or benefit plan maintained by a former employer. For further information, see instructions, page 23.

NONE N/A

| Date | Parties To | Terms of Agreement |
|------|------------|--------------------|
| | | |
| | | |
| | | |

PART VII—COMPENSATION IN EXCESS OF \$5,000 PAID BY ONE SOURCE

Report sources of such compensation received by you or your business affiliation for services provided directly by you during the two prior years. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any non-profit organization when you directly provided the services generating a fee or payment of more than \$5,000. You need not report the U.S. Government as a source. For further information, see instructions, page 23.

NONE

| Source (Name and Address) | Brief Description of Duties |
|--|---|
| Examples
Doe Jones & Smith, Hometown, USA | Accounting services |
| Metro University (client of Doe Jones & Smith), Moneytown, USA | Legal services in connection with university construction |
| | |
| | |
| | |
| | |

PART VIII—ADDITIONAL INFORMATION AND CERTIFICATION

TRUSTS—Do you, your spouse or dependent child receive income from or have a beneficial interest in a trust or other financial arrangement whose holdings were not reported because the trust is a "Qualified Blind Trust" or other exempted trust? A Qualified Blind Trust is a trust which has been specifically approved by the Committee on Standards of Official Conduct. (See instructions, page 16.)

Yes No NA

EXEMPTION TEST—Have you omitted any assets or liabilities of a spouse or dependent child because they meet the three tests for exemption? (See instructions, page 5.)

Yes No NA

This Financial Disclosure Statement is required by the Ethics in Government Act of 1978, as amended (5 U.S.C. app. 6, §101 et seq.). The Statement will be made available to any requesting person upon written application and will be reviewed by the Committee on Standards of Official Conduct. Any individual who knowingly and willfully falsifies, or who knowingly and willfully fails to file this report may be subject to civil and criminal sanctions (See 5 U.S.C. app. 6 §104 and 18 U.S.C. §1001).

SIGNATURE OF REPORTING INDIVIDUAL

Daniel Eugene Hamburg

DATE (Month, Day, Year)

5 / 13 / 92

HOPCRAFT COMM. TEL: 916-456-6545 MAY 19, 92 10:28 AM UUT P.03

17:27 74/01/01

| | | | |
|---|--------------------------------------|--|------------------|
| UNITED STATES HOUSE OF REPRESENTATIVES
FINANCIAL DISCLOSURE STATEMENT FOR CALENDAR YEAR 1982 | | FORM A
For use by Members, Officers, and employees | |
| DAN HANBURG | | | |
| 1330 Boonville Road, Ukiah, California 95482 | | | |
| | | 202-225-3311 | |
| Filer Status
<input checked="" type="checkbox"/> Member of the U.S. House of Representatives | State: California
District: First | <input type="checkbox"/> Officer or Employee | Employing Office |
| Report Type
<input checked="" type="checkbox"/> Annual (May 15) | <input type="checkbox"/> Amendment | <input type="checkbox"/> Termination | Termination Date |

RECEIVED
 JUN 17 PM 4:04
 U.S. HOUSE OF REPRESENTATIVES
 OFFICE USE ONLY

PRELIMINARY INFORMATION - ANSWER EACH OF THESE QUESTIONS

| | | | |
|---|---|--|---|
| Did you or your spouse have "earned" income (e.g., salaries or fees) of more than \$200 from any source in the reporting period?
If yes, Complete and Attach Schedule I. | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | Did you, your spouse, or a dependent child receive any reportable gift in the reporting period (e.g., aggregating more than \$200 and not otherwise exempt)?
If yes, Complete and Attach Schedule VI. | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Did any individual or organization make a donation to charity in lieu of paying you for a speech, appearance, or article in the reporting period?
If yes, Complete and Attach Schedule II. | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | Did you, your spouse, or a dependent child receive any reportable travel or reimbursement for travel in the reporting period (worth more than \$200 from one source)?
If yes, Complete and Attach Schedule VII. | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Did you, your spouse, or a dependent child receive "unearned" income of more than \$200 in the reporting period or hold any reportable asset worth more than \$1,000 at the end of the period?
If yes, Complete and Attach Schedule III. | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | Did you hold any reportable position on or before the reporting period?
If yes, Complete and Attach Schedule VIII. | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Did you, your spouse, or dependent child purchase, sell, or exchange any reportable stock worth more than \$1,000 in the reporting period?
If yes, Complete and Attach Schedule IV. | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | Did you have any reportable agreement or arrangement with an outside entity?
If yes, Complete and Attach Schedule IX. | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Did you, your spouse, or a dependent child have any reportable liability (more than \$10,000) during the reporting period?
If yes, Complete and Attach Schedule V. | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | Each question in this part must be answered and the appropriate schedule attached for each "Yes" response. | |

EXCLUSION OF SPOUSE, DEPENDENT, OR TRUST INFORMATION - ANSWER EACH OF THESE QUESTIONS

| | |
|---|---|
| TRUSTS - Details regarding "Qualified Blind Trusts" approved by the Committee on Standards of Official Conduct and certain other "excepted trusts" are to be disclosed. Have you excluded from this report details of such a trust benefiting you, your spouse, or a dependent child? (See instructions, page 10.) | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| EXEMPTION - Have you excluded from this report any other assets, "unearned" income, transactions, or liabilities of a spouse or dependent child that meet all three tests for exemption? (See instructions, page 11.) | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |

CERTIFICATION - THIS DOCUMENT MUST BE SIGNED BY THE REPORTING INDIVIDUAL

The Financial Disclosure Statement is required by the Ethics in Government Act of 1976, as amended (5 U.S.C. app. 5, § 101 et seq.). The Statement is requested upon written application and will be reviewed by the Committee on Standards of Official Conduct. Any individual who knowingly and willfully fails to file this report may be subject to civil and criminal sanctions (See 5 U.S.C. app. 5, § 104 and 18 U.S.C. § 1001).

SIGNATURE OF REPORTING INDIVIDUAL: Dan Hamburg DATE (Month/Day/Year): 5/18

Page 1 of 4

AD DATED
 available to any
 by statute, or
 Year
 1982
 Financial Disclosure A-1

Reporting Individual's Name
DAN HANBURG

SCHEDULE III - ASSETS AND "UNEARNED" INCOME

In **BLOCK A** report (a) the identity of each asset held for investment or production of income which had a fair market value exceeding \$1,000 as of the close of the year and (b) any other asset or source of "unearned" income which generated \$200 or more in income during the reporting period. Exclude: Any personal liability owed to you by your spouse, or by you, your spouse's child, parent, or sibling; any deposits aggregating \$5,000 or less in personal savings accounts; and, financial interests in or income derived from U.S. Government retirement programs. For rental property or land, provide the city and a street address or lot number.

In **BLOCK B** indicate the category of value for each asset listed in Block A. If you use a valuation method other than fair market value, explain the method used. If an asset was sold or included only because it generated income, the value should be "None".

In **BLOCK C** indicate the type and category of value of "unearned" income aggregating more than \$200 received from assets and sources listed in Block A. For IRAs and retirement plans that are not self-directed, you may fill only year and value and indicate "IRA" for income. You must, however, name the institution holding the IRA.

In **BLOCK D** indicate if the asset was purchased, sold, or exchanged during the year. If so, provide details on Schedule IV. For more details, see instructions, pages 14-19.

If you wish to indicate that an asset, income source, or income is that of your spouse or dependent child, or owned jointly, so indicate in the column for that purpose on the far left. (This is optional.) See instructions, page 17.

| BLOCK A
Asset and/or Income Source | | BLOCK B
Valuation of Asset | | | | | | | Indicate if alternative valuation method (S) Asset description | BLOCK C
Income | | Type of Income (Q) | BLOCK D
Category of Amount of Income (R) | | | | | | | | | | Total | | |
|---------------------------------------|---|-------------------------------|---|---|---|---|---|---|--|-----------------------------|----------------------------------|--------------------|---|----|---|----|-----|------|----|---|----|-----|-------|--|--|
| S, DC, JT | Examples | Year End Value (Q) | | | | | | | | Other Income (Specify type) | Category of Amount of Income (R) | | | | | | | | | | | | | | |
| | | A | B | C | D | E | F | G | None | | I | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | | | |
| | ABC Corporation Stock | | | | | | | | | | | | | | | | | | | | | | | | |
| | George Wash. Credit Union Accounts | | | | | | | | | | | | | | | | | | | | | | | | |
| | 188 Main Street, Dover, Delaware | | | | | | | | | | | | | | | | | | | | | | | | |
| | ACCOUNT RECEIVABLE: Cmt to Elect Dan Hanburg, Ukiah, CA | | | | | | | | | | | | | | | | | | | | | | | | |

1998

Reporting Individual's Name
DAN HAMBURG

SCHEDULE V - LIABILITIES

Report liabilities of over \$10,000 owed to any one creditor at any time during the reporting period by you, your spouse, or dependent child. Check the highest amount owed during the reporting period. Exclude a mortgage on your personal residence (unless it is rented out); loans secured by automobiles, household furniture, or appliances; and liabilities owed to a spouse, child, parent, or sibling of the reporting individual or the reporting individual's spouse. For further information, see instructions, page 21.

| S
DC,
JV | Creditor | Type of Liability | Category of Amount Owed (X) | | | | | |
|----------------|---|--------------------------------------|-----------------------------|-----------------------------|------------------------------|-------------------------------|-------------------------------|---------------------|
| | | | D
\$10,000 -
\$25,000 | C
\$25,000 -
\$50,000 | D
\$50,000 -
\$100,000 | E
\$100,000 -
\$250,000 | F
\$250,000 -
\$500,000 | G
Over \$500,000 |
| | Example: First Bank of Wilmington, Delaware | Mortgage on 100 Main St. Dover, Del. | | | | X | | |
| | Wright Patman Federal Credit Union, DC | Overdraft loan | X | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

SCHEDULE VI - GIFTS

Report the source, a brief description, and the value of all gifts totaling more than \$250 in value received by you, your spouse, or a dependent child from any source during calendar year.

Exclusions: Gifts from relatives, gifts of personal hospitality of an individual, and local meals need not be reported. Gifts with a value of \$100 or less need not be added towards the \$250 disclosure threshold. Gifts to a spouse or dependent child that are totally independent of his or her relationship to you need not be disclosed.

Note: House Rule XLIII, clause 4, limits the total value of gifts a Member, officer, or employee of the House may accept from any one source in a calendar year to \$250 in all instances. For further information, see instructions, page 22.

| Source | Brief Description | Value |
|--|---|-------|
| Example: Mr. Joseph H. Smith, Arlington, USA | State Printer's salary received from Committee on Standards | \$270 |
| | | |
| | | |
| | | |
| | | |

Use additional sheets if more space is required.

1994

DAN HAMBURG
 1st District, California
 CREDITORS
 PUBLIC WORKS AND
 TRANSPORTATION
 SUBSCRIPTIONS
 ECONOMIC DEVELOPMENT
 NATIONAL TRANSPORTATION
 INVESTMENT AND
 INFRASTRUCTURE
 MERCHANDISE SALES AND FINANCE
 SUBSCRIPTIONS
 TRANSPORTATION AND INFRASTRUCTURE
 INVESTMENT

Congress of the United States
House of Representatives
 Washington, DC 20515-0501

1100 G Street, N.W.
 Washington, DC 20540
 (202) 505-3011
 510 A Street, N.E.
 Washington, DC 20002
 (202) 455-1710
 700 I Street
 Suite 10
 Cambridge City, CA 95921
 (916) 435-0000
 710 E Street
 Suite 100
 Durham, CA 94024
 (916) 435-0000
 617 Mission Street
 Suite 2
 Fremont, CA 94539
 (916) 435-0001
 1000 Main Street
 Suite 100
 San Jose, CA 95128
 (415) 286-0000

June 4, 1993

INSIDE MAIL
 (1) ✓
 ME

Honorable Donald K. Anderson
 Clerk
 U.S. House of Representatives
 Washington, DC 20515

Dear Donn:

In preparing my 1992 Financial Disclosure Statement, I inadvertently neglected to include on Schedule 3 my liability to Sallie Mae - KS for a Student Loan. The Category of Amount of Value is "C".

Please consider this an amendment to my statement.

Thanking you in advance for your assistance in this matter.

Warm regards,

DH
 DAN HAMBURG
 Member of Congress

DH:dpe

cc: Office of Records and Registration (2)

1993 JUN - 8 AM 7:45
 U.S. HOUSE OF REPRESENTATIVES
 OFFICE OF RECORDS AND REGISTRATION

95043684654

EXHIBIT

Bonnie Raitt sings candidate's praises

Fund-raisers for Hamburg

By JAMES W. SWEENEY
Staff Writer

Grammy-award winning singer Bonnie Raitt headlined a pair of Santa Rosa fund-raising concerts Wednesday for congressional candidate Dan Hamburg.

Raitt, who has a vacation home in Mendocino County, was joined by singer Holly Near, a native of Potter Valley, for concerts in Santa Rosa and Eureka that raised about \$80,000 for the Hamburg campaign.

"I'm just so happy that somebody is running for office who represents a change in direction ... vis a vis the North Coast," Raitt said.

Raitt and Near sang at a Hamburg fund-raiser when he ran for the Mendocino County Board of Supervisors in 1980 and they may

return for another round of fund-raisers before the Nov. 3 general election.

"I can't think of anything more important than getting you elected," said Raitt, who previously has loaned her talents to a handful of other Democratic candidates and issues including the Forests Forever initiative in 1990.

Near, a long-time political activist, said she and Raitt are backing Hamburg because of his stance of environmental issues including forestry reform and banning offshore oil development.

"Anyone who ever drives down that highway from Eureka to here — which we just did — should do everything they can to protect North Coast environmental protection," she said.

Hamburg, a Democrat, is trying to unseat first-term GOP Rep. Frank Riggs of Windsor. He is a long-time friend of Raitt's brother.

See Raitt, Page B3



KENT PORTER/PRESS

Holly Near, right, laughs after Bonnie Raitt, left, cracks a joke. Both are stumping for Dan Hamburg, center.

Raitt

Continued from Page B1

David, who owns a prefabricated housing company in Hopland.

Hamburg met Near when he was running a private school in Ukiah.

Hamburg called the fund-raisers Tuesday in Eureka and Wednesday at the Luther Burbank Center "a very auspicious moment for our campaign."

The most recent fund-raising reports show that Hamburg raised \$95,580 in the first three months of 1992 and had \$76,380 in the bank as of March 31. Those figures include most of the ticket sales for the \$30-per-person fund-raising concerts.

Riggs latest report says he raised \$93,464 in the first quarter of 1992. He had \$22,100 in the bank and owed debts of \$89,627 — much of it

loans of his personal money for his 1990 campaign effort.

No fund-raising figures were available for Terrence Brown, who is running against Riggs in the Republican primary June 2.

The 1st District includes Del Norte, Humboldt, Mendocino and parts of Lake, Napa, Sonoma and Solano counties.

In the neighboring 6th District, Democrat Bennett Johnston is the top fund-raiser through March 31. The son of Louisiana Sen. J. Bennett Johnston, he raised \$172,013 and had \$46,778 in the bank for the June 2 primary.

The other major Democratic candidates include Eric Koenigshofer, who raised \$44,601; Denis Rice, \$35,156; Lynn Woolsey, \$27,666; Joe Nation, \$24,899; and David Strand, \$20,984.

Assemblyman Bill Filante of Greenbrae, who is favored to win the Republican nomination, raised \$62,499.

9504368465

Ukiah Daily Journal

Wednesday, May 20, 1992

MENDOCINO COUNTY'S LARGEST NEWSPAPER



Hamburg

Continued from Page 1

about 25 hours a week, Hamburg "was probably here for all of two months in 1991," said owner Stan Shopstugh. "The reason he wasn't here longer was I ran out of work for him."

Hamburg also earned no income this year, through the reporting period that ended April 15. His campaign spokesman, Steve Hopcraft, said Hamburg has been a full-time candidate since January 1991.

Hamburg, who has served as a Ukiah planning commissioner and was elected in 1980 to a four-year term on the Mendocino Board of Supervisors, has not been employed full-time since 1990, when he left his post as executive director of North Coast Opportunities, a human services agency that assisted low-income people, according to Hopcraft.

His wife, Carrie, earned income as an employee of Mendocino Book Co. of Ukiah and from Mendocino Community College, where she was a piano accompanist for the music department. She has not worked there since last spring, according to a college official.

House rules do not require spouse income to be reported.

Beyond salary, the two earned between \$200 and \$1,000 in inter-

est income on savings of between \$1,000 and \$5,000. The amounts are reported in ranges.

Otherwise, the Hamburgs have no income required to be reported.

They also have little in the way of assets. Except for their home on 46 acres at 1330 Boonville Road in Ukiah, the couple had no reportable assets, such as "stocks," "bonds" or investment property within a month of the reporting deadline.

Candidates and members of Congress are not required to report the value of their own homes, or the mortgage debt on that property. However, the current assessed valuation of the Hamburg residence (including property) for the current fiscal year is \$106,183, according to the County Assessor's office.

The assessed valuation does not reflect true market value. The Hamburgs purchased the property in April 1988.

Other than his mortgage, Hamburg's only liability is a graduate student loan of \$20,000 from the California Student Aid Commission, according to Hopcraft. Hamburg is currently working toward his masters degree in the Chinese study program at the California Institute of Integral Studies in San Francisco, Hopcraft said.

Little income for Hamburg; few assets

WASHINGTON — Democratic congressional candidate Dan Hamburg earned almost no income last year and has few assets aside from his home in Ukiah, according to a report he filed this week with Congress.

The report, required of candidates who raise more than \$5,000 in their campaigns, shows that Hamburg earned only \$2,040 last year from Classic Typography, a book typesetting company in Ukiah.

Paid \$10 an hour and working

See HAMBURG, Back Page

95043684656

TAX REPORT

Hamburg reports income of \$9,600

By JAMES W. SWEENEY
Staff Writer

Democratic congressional candidate Dan Hamburg made less than \$9,600 last year, owed no income taxes and contributed most of his \$1,000 federal tax refund to the U.S. treasury to reduce the national debt.

Hamburg, who requested an extension of the April 15 deadline, released a portion of his 1991 income tax return Friday after filing with the Internal Revenue Service and the state Franchise Tax Board.

Hamburg and his wife, Carrie, reported combined salaries of \$7,023 plus \$300 in interest and \$2,263 in unemployment benefits in 1991. Their itemized deductions and personal exemptions exceeded their income, so they did not owe any income taxes.

They were entitled to a federal tax refund of \$1,000 — including \$400 in withholdings and a \$1,173 credit for families earning less than \$21,350. The Earned Income Credit is available as a refund even for people who owe no taxes.

Hamburg wrote a letter to the IRS, asking the government keep the \$1,173 tax credit and apply it "to reducing the federal deficit."

He was entitled to a \$42 state income tax refund, according to campaign spokesman Steve Hopcraft.

Hamburg's opponent, Republican Rep. Frank Riggs of Windsor, made a partial tax return available in April, showing he and his wife had a 1991 income of \$145,004 and paid \$36,908 in state and federal income taxes.

Riggs' income included \$114,000 from his congressional salary, payments of \$7,500 from Frank & Cathy Riggs Inc., dividends totaling \$200 and \$34,786 in commissions from his wife's real estate sales and billboard leases.

Hamburg's earnings included his \$2,000 salary from Classic Topography and his wife's income of \$4,500 from the Mendocino Book Co. and Mendocino-Lake Community College.

Hopcraft said the Hamburgs have reported income in the \$90,000 range for some past years but the former Mendocino County supervisor's income was down in 1991 because he campaigned nearly full-time.

Even before Hamburg made his tax return public, Riggs and his top aides were publicly questioning whether the Democratic candidate underreported his income.

The allegations were prompted by release of a contractor's bill for roofing work at a Ukiah medical building co-owned by one of Riggs' campaign contributors. The billings listed Hamburg as one of the workers on the spring 1991 project.

Hamburg said he was not paid and did the work as a favor to his longtime friend, contractor Billy Jamison.

95043684657

EXHIBIT D

\$1.9 million

THE PRESS DEMOCRAT, FRIDAY, AUGUST 22, 1992

Join us in supporting Dan Hamburg
in a special acoustic benefit concert.



BONNIE RAITT
with Johnny Lee Schell



JACKSON BROWNE
with Scott Thurston
& Wally Ingram

ON SALE SATURDAY!
Silverado Country Club, Napa
Sunday, October 4, 3 P.M.

Paid for by the Dan Hamburg for Congress
Committee.

Ticket purchases considered a donation to Dan Hamburg
for Congress Campaign.



DAN HAMBURG

General Admission \$25.00 ■ No Service Charge
Corporate Checks & Credit Cards can not be accepted.
Tickets available at Copperfields Music downtown Santa Rosa
Pete's Video in Calistoga, St. Helena and Yountville
For Golden Circle Reception information call: (707) 256-2991
No cans, bottles, coolers, picnic baskets or lawn chairs please.
Beach type chairs, o.k.

BILL GRAHAM PRESENTS ■ A V O C A D O

95043684658

COMMITTEE TO ELECT DAN HAMBURG U.S. CONGRESS *presents*



HOLLY NEAR
with John Bucchino



BONNIE RAITT
with Johnny Lee Schell

A special Earth Day Week acoustic concert to elect Dan Hamburg for Congress



DAN HAMBURG

TUESDAY APRIL 21, 7:30 pm. IN MUNICIPAL AUDITORIUM, EUREKA

Paid for by the Dan Hamburg for Congress Committee.

Boxed programs considered donation to Dan Hamburg for Congress Campaign.

*Reserved Seating \$25, \$30, \$35. No Cash & Refunds, No Credit Cards.
Personal Checks & Cash Only, No Company Checks. Available Only to THE WORKS in Eureka & Arcata
On Sale Saturday, 10:00 AM. For Golden Gate Information Call: (707) 822-4010*

PULP & PAPER

AVOCADO

95043684659

COMMITTEE TO ELECT
DAN HAMBURG U.S. CONGRESS presents



HOLLY NEAR
with John Burching

BONNIE RAITT
with Johnny Lee Schell

A special Earth
Day Week
acoustic concert
to elect
Dan Hamburg
for Congress



DAN HAMBURG

Wednesday, April 22, 6:30 & 9:45 pm @ Luther Burbank Center, Santa Rosa
Paid for by the Dan Hamburg for Congress Committee.
Ticket purchases considered donation to Dan Hamburg for Congress Campaign.

All Seats Reserved, \$20 @ Limit 4 Tickets @ No Credit Cards @ Personal Checks & Cash Only
No Company Checks @ Available Only At LUTHER BURBANK CENTER BOX OFFICE
On Sale Saturday, 10:00 am @ For Golden Circle Information, Call: 707-448-8613

BILL GRAHAM PRESENTS A V O C A D O

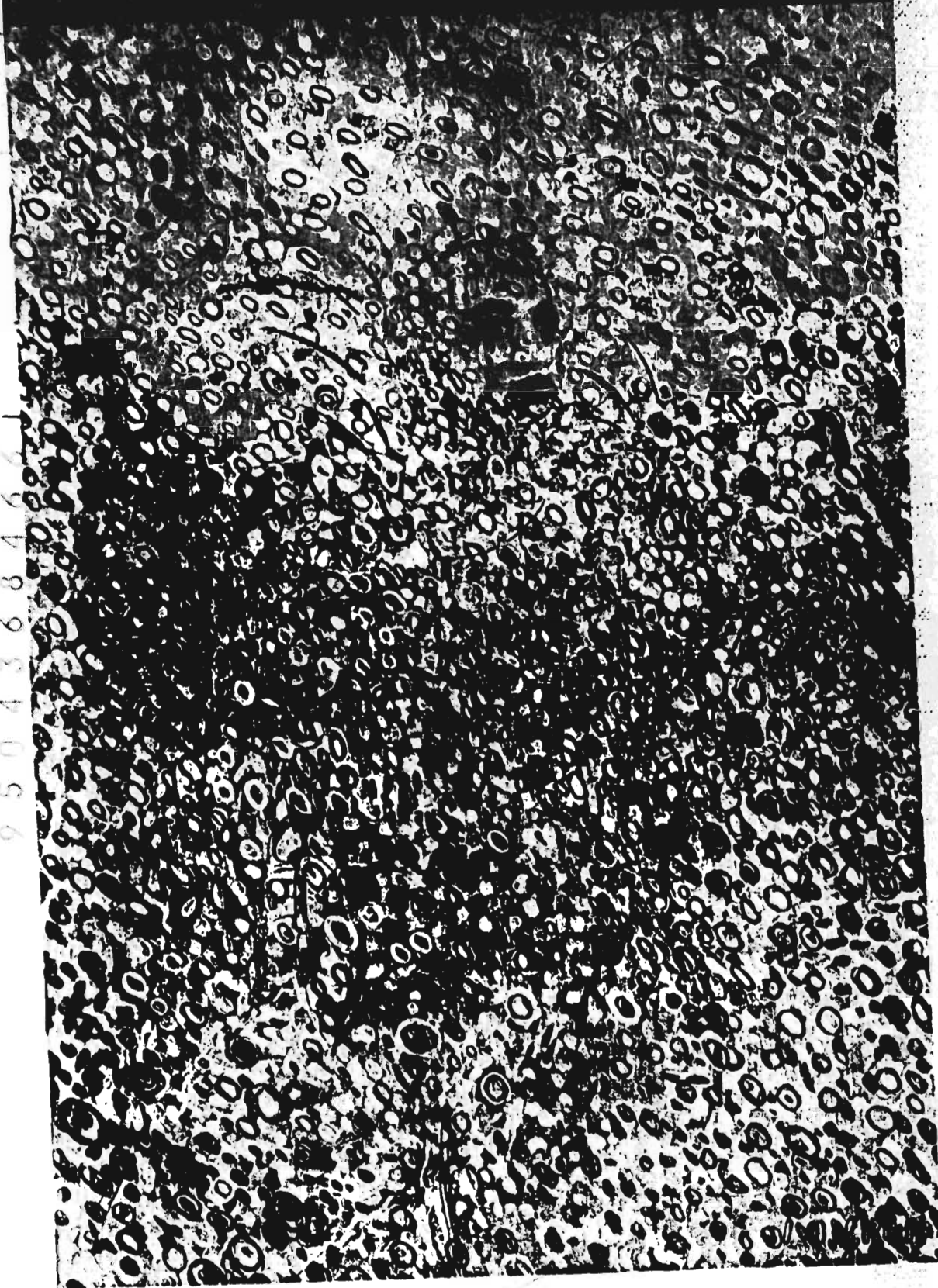
THE PRESS DEMOCRAT, FRIDAY, MARCH 20, 1982

95043684660

EVENTS

EXHIBIT
D

9504368466



Bonnie Raitt and Holly Near

Wednesday, April 22

This acoustic concert is a political fundraiser for the Committee to Elect Dan Hamburg to Congress — and what an incredible double bill!

Holly Near is one of the most respected, most progressive multi-talented artists and consummate entertainers of our time. She records, continues a stage, film and television career, and writes books. Her performance will be enhanced by the richly flowing, lively piano lines of her accompanist, John Bucchino, who also contributes his baritone vocals for added color and sonority. For Holly, "meaningful art is political". Her songs are passionate, true to her convictions, and deliver a strong message.

Bonnie Raitt — she's hot on the concert circuit and just finished a musical concert tour of Japan. The success of her two latest albums, *Luck of the Draw* and *Nick of Time*, has led to critical acclaim, numerous awards and accolades. She will perform in an acoustic duo in concert with her bass player/guitarist Johnny Lee Schell.

Equally adept at singing hard rockers and soulful ballads, she also has a lifelong passion for the blues. Like her co-bill Holly Near, she has strong political and musical interests, and is a voice of conscience on myriad social issues.



Eight-time Grammy Award trumpeter Wynton Marsalis released his tenth album, *S Volume 3 - The Resolutio*. It is a collection of standard recorded with his father, w New Orleans pianist, compo ter Ellis Marsalis.

Wynton is the only artist industry to receive Gramn secutive years. He has w Classical and Jazz categori ceived 23 nominations in ar rioid. His Grammy award-w include: *Think of One*; *Ho ers*; *Marsalis Standard 7 I*; *J Mood*; *Black Codes (I derground*; *Hummel/H. Trumpet Concertos*; *Purcell*. He is also well-i achievements as a musician jazz activist.

One Show Only: 8:00 pm • \$25, \$18.50 and \$15
 \$2 discount for SSU Stu
 Tickets at the LBC Box Office
 the SSU Box Office and



In
C
W.
\$20
421
In
I
"S
Le.
Fri
Inf

0 5 0 4 3 6 8 4 6 6 2

Proud to Host many Stars
 who perform on the LBC Stage!

EQUUS

RESTAURANT • LOUNGE

at the beautiful
FOUNTAIN GROVE INN

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Wynton Marsalis



Pauly Shore



Tito Puente



Helen Reddy



Tony Bennett



Smokey Robinson



Don Williams



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BONNIE RAITT

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with John Bucchino

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BONNIE BAITE

Bonnie Baite
 Johnny Leo Sobell
 Production:
 Mason Wilkinson
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 Jeffrey Hersh
 Margaret Bruchstein

HOLLY NEAR

Bonnie Baite
 Holly Near
 John Buehler
 Production:
 Mary Buehler
 Management:
 Jo-Lynn Wesley
 Redwood Cultural Works

DONORS

Leaves of Grass Book Store, Ukiah, CA
 Mendocino Book Company, Ukiah, CA
 Munk's Book, Napa
 Fog Valley, Redwood Valley, CA
 Scherffshaber's Culture, Phila, CA
 Greenwood Edge Winery, Phila, CA
 Iron Horse Vineyards, Sebastopol, CA
 The Much Fun, Sebastopol, CA
 Thanksgiving Coffee Co.
 Ukiah Coop, Ukiah, CA
 Michael Layton
 The Chocovina Lady, Napa, CA
 The Woods, Ukiah, CA
 The Woods, Searsville, CA

SANTA ROSA

Paula Samonte
 Helen & Terry Samonte
 Jacqui Lelich & Ed Keller
 Ann Kilkeney
 Ellen Wood & Doug Hundley
 Susan Stuart
 Cyria Beatty
 Phyllis Blumenthal
 Linda McClure
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 Bob Orndale
 Susan Ehr
 Judy Corwin
 Kaitie Kelly

Becky Mae Intyre
 John Beatty
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 Kay Savans
 Deborah Russell

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 Jessica Snyder
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95043684665



FEDERAL ELECTION COMMISSION

MARCH 15, 1994

Holly Near
c/o Redwood Records
P.O. Box 10408
Oakland, CA 95610

RE: MUR 3944

Dear Ms. Near:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3944. Please refer to this number in all future correspondence.

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


This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

95043684666

Holly Near
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

95043684667



FEDERAL ELECTION COMMISSION

MARCH 15, 1994

Owner:
The Works
Ukiah, CA 95482

RE: MUR 3944

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that The Works may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3944. Please refer to this number in all future correspondence.

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

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

95043684668

Owner
The Works
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

95043684669



FEDERAL ELECTION COMMISSION

MARCH 15, 1994

Owner:
Too Much Fun
Sebastopol, CA 95472

RE: MUR 3944

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that Too Much Fun may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3944. Please refer to this number in all future correspondence.

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

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

95043684670

Owner
Too Much Fun
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

9 5 0 4 3 6 8 4 6 7 1



FEDERAL ELECTION COMMISSION

MARCH 15, 1994

Owner
Leaves of Grass Book Store
630 S. Main Street
Willits, CA 95490

RE: MUR 3944

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Leaves of Grass Book Store may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3944. Please refer to this number in all future correspondence.

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

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

95043684672

Owner
Leaves of Grass Book Store
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

9 5 0 4 3 6 8 4 6 7 3



FEDERAL ELECTION COMMISSION

MARCH 15, 1994

Owner
The Works
213 F Street
Eureka, CA 95501

RE: MUR 3944

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that The Works may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3944. Please refer to this number in all future correspondence.

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


This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

95043684674

Owner
The Works
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

95043684675



FEDERAL ELECTION COMMISSION

MARCH 15, 1994

Owner
The Cheesecake Lady
13325 South Highway 101
Hopland, CA 95449

RE: MUR 3944

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that The Cheesecake Lady may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3944. Please refer to this number in all future correspondence.

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

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

95043684676

Owner
The Cheesecake Lady
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

95043684677



FEDERAL ELECTION COMMISSION

MARCH 15, 1994

Owner
Ukiah Coop
308 East Perkins
Ukiah, CA 95482

RE: MUR 3944

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that Ukiah Coop may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3944. Please refer to this number in all future correspondence.

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

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

95043684678

Owner
Ukiah Coop
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

95043684679



FEDERAL ELECTION COMMISSION

MARCH 15, 1994

Owner
Thanksgiving Coffee Company
P.O. Box 1918
Fort Bragg, CA 95482

RE: MUR 3944

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Thanksgiving Coffee Company may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3944. Please refer to this number in all future correspondence.

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

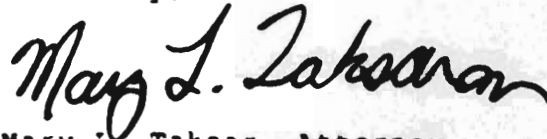
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

95043684630

Thanksgiving Coffee Company
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

9 5 0 4 3 6 8 4 6 8 1



FEDERAL ELECTION COMMISSION

MARCH 15, 1994

President
Iron Horse Vineyards
9786 Ross Station Road
Sebastopol, CA 95472

RE: MUR 3944

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Iron Horse Vineyards may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3944. Please refer to this number in all future correspondence.

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

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

95043684682

President
Iron Horse Vineyards
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

95043684683



FEDERAL ELECTION COMMISSION

MARCH 15, 1994

President
Scharffenberger Cellars
8501 Highway 128
Philo, CA 95466

RE: MUR 3944

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that Scharffenberger Cellars may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3944. Please refer to this number in all future correspondence.

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

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

95043684634

President
Scharffenberger Cellars
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

95043684605



FEDERAL ELECTION COMMISSION

MARCH 15, 1994

President
Frey Winery
14000 Tomki Road
Redwood Valley, CA 95470

RE: MUR 3944

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Frey Winery may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3944. Please refer to this number in all future correspondence.

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

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

95043684686

President
Frey Winery
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

95043684687



FEDERAL ELECTION COMMISSION

MARCH 15, 1994

Owner
Music Brothers
2999 Jefferson Street
Napa, CA 94558

RE: MUR 3944

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Music Brothers may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3944. Please refer to this number in all future correspondence.

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

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

95043684688

Owner
Music Brothers
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

95043684689



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20542

MARCH 15, 1994

President
Mendocino Book Company
102 S. School Street
Ukiah, CA 95482

RE: MUR 3944

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Mendocino Book Company may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3944. Please refer to this number in all future correspondence.

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

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

95043684690

President
Mendocino Book Company
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

950443684691



FEDERAL ELECTION COMMISSION

MARCH 15, 1994

Jackson Browne
c/o 440B Pier Avenue
Hermosa Beach, CA 90254

RE: MUR 3944

Dear Mr. Browne:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3944. Please refer to this number in all future correspondence.

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

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95043684692

Jackson Browne
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

95043684693



FEDERAL ELECTION COMMISSION

MARCH 15, 1974

Bonnie Raitt
P.O. Box 626
Los Angeles, CA 90078

RE: MUR 3944

Dear Ms. Raitt:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3944. Please refer to this number in all future correspondence.

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

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95043684694

Bonnie Raitt
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

95043684695



FEDERAL ELECTION COMMISSION

MARCH 15, 1994

Tom Campbell
Avocado Productions
440B Pier Avenue
Hermosa Beach, CA 90254

RE: MUR 3944

Dear Mr. Campbell:

The Federal Election Commission received a complaint which indicates that Avocado Productions may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3944. Please refer to this number in all future correspondence.

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

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

95043684696

Tom Campbell
Avocado Productions
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Mary D. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

95043684697



FEDERAL ELECTION COMMISSION

MARCH 15, 1994

President
Bill Graham Presents
P.O. Box 1994
San Francisco, CA 94101

RE: MUR 3944

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that Bill Graham Presents may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3944. Please refer to this number in all future correspondence.

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

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

95043684698

President
Bill Graham Presents
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

95043684699



FEDERAL ELECTION COMMISSION

MARCH 15, 1974

Antonio Andrade, Treasurer
Committee to Elect Dan Hamburg
P.O. Box 1496
Eriah, CA 95482

RE: MUR 3944

Dear Mr. Andrade:

The Federal Election Commission received a complaint which indicates that the Committee to Elect Dan Hamburg ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3944. Please refer to this number in all future correspondence.

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

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

95043684700

**Antonio Andrade, Treasurer
Committee to Elect Dan Hamburg
Page 2**

**If you have any questions, please contact Joan McEnery at
(202) 219-3400. For your information, we have enclosed a brief
description of the Commission's procedures for handling
complaints.**

Sincerely,



**Mary L. Taksar, Attorney
Central Enforcement Docket**

Enclosures

- 1. Complaint**
- 2. Procedures**
- 3. Designation of Counsel Statement**

95043684701



FEDERAL ELECTION COMMISSION

MARCH 15, 1994

Carrie Hamburg
1330 Booneville Road
Ukiah, CA 95482

RE: MUR 3944

Dear Ms. Hamburg:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3944. Please refer to this number in all future correspondence.

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

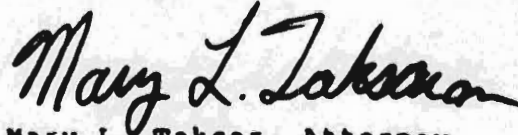
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

95043684702

Carrie Hamburg
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

95043684703



FEDERAL ELECTION COMMISSION

MARCH 15, 1994

Representative Daniel Hamburg
House of Representatives
Washington, D.C. 20515

RE: MUR 3944

Dear Mr. Hamburg:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3944. Please refer to this number in all future correspondence.

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

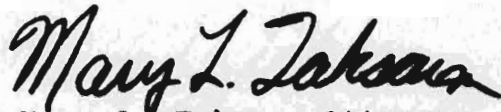
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

95043684704

Representative Daniel Hamburg
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

9 5 0 4 3 6 8 4 7 0 5



FEDERAL ELECTION COMMISSION

MARCH 15, 1994

Maria Cino, Executive Director
National Republican Congressional Committee
320 First Street, S.E.
Washington, D.C. 20003

RE: MUR 3944

Dear Ms. Cino:

This letter acknowledges receipt on March 8, 1994, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). The respondent(s) will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 3944. Please refer to this number in all future communications. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar
Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosure
Procedures

95043684706

STATEMENT OF DESIGNATION OF COUNSEL

06c 632

NUR 3944

GENERAL ELECTION
COMMISSION
MAIL ROOM

NAME OF COUNSEL: PRO PER Mar 23 11 31 AM '94

ADDRESS: SEE BELOW

TELEPHONE: (_____) _____

94 MAR 23 PM 1:23

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

3/18/94
Date

Mac Komer
Signature

RESPONDENT'S NAME: MAC KOMER

ADDRESS: 630 SO. MAIN ST.
WILKITS, CA 95490

BUSINESS:
TELEPHONE: HOME (707) 459-3744 WORK PHONE
BUSINESS (_____) _____

NO COMPRENDO PORQUE NO HABLO ENGLEIS

LO SIENTO,
Mac Komer

95043684707

OGC 666
RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM
MAR 25 9 11 AM '94

Iron Horse Vineyards
9786 ROSS STATION ROAD
SEBASTOPOL, CALIFORNIA 95472
(707) 887-1507
FAX 707 887-1337

March 21, 1994


Mary L. Taskar, Esq.
Federal Election Commission
Central Enforcement Docket
Washington, D.C. 20463

Re: Matter MUR 3944

Dear Ms. Taskar:

The following is in response to your letter dated March 15, 1994 and the related complaint of the National Republican Congressional Committee (the "Complaint"). In Paragraph 20 of the Complaint Iron Horse Vineyards is alleged to have made an illegal corporate contribution in violation of 2 U.S.C. 441b and 11 C.F.R. 114.2. Please be advised that since its formation in 1979, as of April 22, 1992 and as of the date hereof, Iron Horse Vineyards is a California General Partnership and that all of its partners are individuals.

We believe that the above should be sufficient to demonstrate that no further action should be taken against Iron Horse Vineyards in connection with the above referenced matter. Any further questions or communications you may have should be referred to Laurence G. Sterling, as our counsel.

Very truly yours,
IRON HORSE VINEYARDS

Barry H. Sterling
General Partner

Enc.

95043684708

RECEIVED
FEDERAL ELECTION COMMISSION
94 MAR 25 PM 3:37

STATEMENT OF DESIGNATION OF COUNSEL

MUR: 3944

NAME OF COUNSEL: Laurence G. Sterling, Esq.

ADDRESS: Law Offices of Barry H. Sterling & Laurence G. Sterling
9786 Ross Station Rd.
Sebastopol, California 95472

TELEPHONE: 707/887-3350

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

Dated: March 21, 1994

IRON HORSE VINEYARDS

By: 

Barry H. Sterling
General Partner

RESPONDENT'S NAME: Iron Horse Vineyards, a California general partnership

ADDRESS: 9786 Ross Station Rd.
Sebastopol, California 95472

TELEPHONE: 707/887-1507

95043684709

oac 724

SCHARFFENBERGER CELLARS, INC.

March 30, 1994

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

RECEIVED
FEDERAL ELECTION COMMISSION
MAR 30 11 45 AM '94

RE: MUR 3944

Dear Ms. McEnery:

I am in receipt of the Commission's letter of March 15, 1994, notifying me of a complaint filed with the Commission that may involve me. I do not believe that I have in any way violated the federal campaign laws, as my response to the complaint will show.

According to the Commission's letter, the response is due within 15 days of receipt. In order to have adequate time to review my records and prepare a response, I would appreciate an extension of 20 days. Because I received the letter on March 21, 1994, with the extension, my response would be due on April 25, 1994.

I have not chosen at this time to designate any counsel in this matter, but I will forward a Designation of Counsel if I choose to do so at any time in the future.

If you have any questions or need additional information before then, please contact me at (707) 895-2065.

Sincerely,



Bob Nyc
Operations Manager

25043684710

THE GOING RAIL INC

Jeffrey E Hersh
Business Manager/Treasurer

(213) 463-8139
PO Box 626
Los Angeles, CA 90078

Mar 30 9 29 AM '94

March 28, 1994

9111001 112:53

FED

Joan McEnery
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Re: MUR 3944

Dear Ms. McEnery:

I am in receipt of the Commission's letter of March 15, 1994, notifying me of a complaint filed with the Commission that may involve me. I do not believe that I have in any way violated the federal campaign laws, as my response to the complaint will show.

According to the Commission's letter, the response is due within 15 days of receipt. In order to have adequate time to review my records and prepare a response, I would appreciate an extension of 20 days. Because I received the letter on March 19, 1994, with the extension, my response would be due on April 23, 1994.

I have not chosen at this time to designate any counsel in this matter, but I will forward a Designation of Counsel if I choose to do so at any time in the future.

If you have any questions or need additional information before then, please contact me at (213) 850-5660.

Very truly yours,



Bonnie Raitt

95043684711

CQC 722

PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
607 FOURTEENTH STREET, N.W. • WASHINGTON, D.C. 20005-2011
(202) 628-6000 • FACSIMILE (202) 454-1690

FEDERAL RECEIVED
94 MAR 30 PM 3:02

March 30, 1994

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

Re: MUR 3944

Dear Ms. McEnery:

We are in receipt of the Commission's letter of March 15, 1994, notifying Representative Daniel Hamburg; the Committee to Elect Dan Hamburg; and Antonio Andrade, as Treasurer, of a complaint filed with the Commission.

According to the Commission's letter, the response is due within 15 days of receipt. In order to have adequate time to review the relevant records and prepare a response, we request an extension of 20 days. Respondents received the letter and only recently designated counsel, (see Designations of Counsel enclosed). Therefore, with the extension, our response would be due on April 27.

If you have any questions or need additional information before then, please contact Judy Corley at 202-434-1622 or Holly Schadler at 202-434-1634.

Very truly yours,

B. Holly Schadler/dma

B. Holly Schadler
Counsel to Respondents

Enclosures

[17970-0001/DA940850.041]

95043684712

SENT BY PERKINS COIE DO : 3-24-84 : 6:19PM :

2024341600-

12022267710:0 2

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3944

NAME OF COUNSEL: Judith L. Corley/B. Holly Schadler, PERKINS COIE

ADDRESS: 607 14th Street, NW, Suite 800
Washington, DC 20005

TELEPHONE: (202) 628-6600

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

March 23, 1984 Den Hamburg
Date Signature

RESPONDENT'S NAME: Don Lamb

ADDRESS: 1917 2nd St. NW
Washington, DC 20002

TELEPHONE: HOME () _____

BUSINESS (202) 225-2011

9 5 0 4 3 6 8 4 7 1 3

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3944

NAME OF COUNSEL: Judith L. Corley/B. Holly Schadler, PERKINS COIE

ADDRESS: 607 14th Street, NW, Suite 800

Washington, DC 20005

TELEPHONE: (202) 628-6600

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

3/29/94
Date

B. Holly Schadler
Signature

RESPONDENT'S NAME: Committee to Elect Dan Hamburg

ADDRESS: P.O. Box 155

Napa, CA 94559

TELEPHONE: HOME () _____

BUSINESS (707) 462-1716

95043684714

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

06C 779

AVOCADO PRODUCTIONS

Apr 4 11 20 AM '94

04 APR 94 PM 2:30

RECEIVED
FEDERAL ELECTION COMMISSION

March 30, 1994

Joan McEnergy
Office of General Counsel
Federal Election Commission
999 E Street NW
Washington, DC 20463

RE: MUR 3944

Dear Ms McEnergy,

I received the Federal Election Commission's letter dated March 15, 1994 on March 21st.

While I believe that we have not violated any federal campaign statutes in any way we wish an extension of 20 days in order to more fully examine the documents that you sent us.

Our response should be in your hands by April 28th.

We have not chosen to designate any counsel in this matter as yet but will forward the designation of counsel to you should we wish to do so in the future.

Please call us if you have any questions.

Peace,



Tom Campbell

95043684715

OGC 760

RECEIVED
FEDERAL ELECTION COMMISSION

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

94 APR -4 PM 12

Apr 4 10 07 AM '94

March 29, 1994

Joan McEnery
Office of General Counsel
Federal Election Commission
999 E. Street, N.W.
Washington, DC 20463

Re:MUR 3944

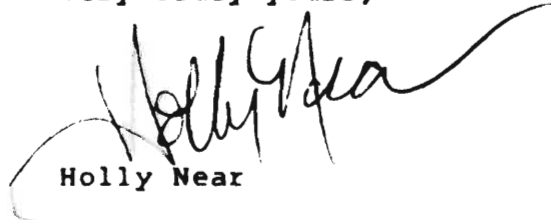
Dear Ms. McEnery:

I have just received the Commission's letter of March 15, 1994, notifying me of a complaint filed with the Commission that may involve me. I do not believe that I have in any way violated the federal campaign laws, as my response to the complaint will show.

According to the Commission's letter, the response is due within 15 days of receipt. The letter was sent to my record company and not directly to me so I did not receive it until today, March 29, 1994. In order to have adequate time to review my records and prepare a response, I would appreciate an extension of 20 days. Because I received the letter on March 29, 1994, with the extension, my response would be due on May 2, 1994.

I have not chosen at this time to designate any counsel to this matter, but I will forward a Designation of Counsel if I choose to do so at any time in the future.

Very truly yours,



Holly Near

For the month of April: then
c/o Goldman apt 3D
711 Amsterdam Ave.
NYC NY 10025

P.O. Box 236
Ukiah, California
95482

95043684716

Obc 752

**Frey Vineyards
14000 Tomki Road
Redwood Valley, CA 95470**

March 28, 1994

PAX# 202-219-2923

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

Re: HUR 3944

Dear Ms. McNary:

I am in receipt of the Commission's letter of March 15, 1994, notifying me of a complaint filed with the Commission that may involve me. I do not believe that I have in any way violated the federal campaign laws, as my response to the complaint will show.

According to the Commission's letter, the response is due within 15 days of receipt. In order to have adequate time to review my records and prepare a response, I would appreciate an extension of 20 days. Because I received the letter on [March 15, 1994], with the extension, my response would be due on [April 28].

I have not chosen at this time to designate any counsel in this matter, but I will forward a Designation of Counsel if I choose to do so at any time in the future.

If you have any questions or need additional information before then, please contact me at (707) 465-5177.

Very truly yours,

Jon Frey
Jon Frey

95043684717

RECEIVED
FEDERAL ELECTION COMMISSION
APR 4 1994

06C 803

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

RICHARD J. IDELL

A LAW CORPORATION
850 CALIFORNIA STREET, SUITE 1900
SAN FRANCISCO, CALIFORNIA 94108
(415) 986-2400

APR 6 9 30 AM '94

RICHARD J. IDELL
SHERYL LAND
WALLACE C. DOOLITTLE

FAX: (415) 986-3511

April 5, 1994

VIA FAX AND FEDERAL EXPRESS (202) 219-3923

Joan McEnery
Federal Election Commission
999 E Street N.W.
Washington D.C. 20463

RECEIVED
APR 6 1994
FEDERAL ELECTION COMMISSION

In Re: Complaint Before Federal Election, MUR No. 3944

Dear Ms. McEnery:

This office represents Bill Graham Presents regarding the above matter.

We wrote to you on March 30, 1994 to advise you that my client had only received the complaint materials on March 24, 1994.

Our investigation of the matter indicates that our client has not violated any federal campaign statutes; however, we would now request an additional twenty (20) days to file a response to the March 15, 1994 letter and enclosures.

This extension would then be until April 28, 1994.

Please acknowledge that the extension to April 28, 1994 has been granted.

Very truly yours,

RICHARD J. IDELL, A LAW CORPORATION

Richard J. Idell

RJI:cj
cc: Nicholas Clainos
Danny Scher

Bill Graham Presents is granted a twenty (20) day extension of time to and including April 28, 1994 to file a response to the March 15, 1994 letter.

Dated: April __, 1994

Joan McEnery, on behalf of
Federal Election Commission

95043684713



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

April 6, 1994

Richard J. Idell, Esq.
650 California Street, Suite 1000
San Francisco, CA 94107

RE: MUR 3944
Bill Graham Presents

Dear Mr. Idell:

This is in response to your letter dated April 5, 1994, requesting a twenty-day extension to respond to the complaint filed in the above-noted matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on April 28, 1994.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

95043684719



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

April 6, 1994

Bonnie Raitt
The Going Raitt, Inc.
P.O. Box 626
Los Angeles, CA 90078

RE: MUR 3944
Bonnie Raitt

Dear Ms. Raitt:

This is in response to your letter dated March 28, 1994, requesting a twenty-day extension to respond to the complaint filed in the above-noted matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on April 25, 1994.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

95043684720



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20461

April 6, 1994

B. Holly Schadler, Esq.
Perkins Coie
607 Fourteenth Street, N.W.
Washington, D.C. 20005-2011

RE: MUR 3944
Daniel Hamburg, the Committee
to Elect Dan Hamburg, and
Antonio Andrade, as treasurer

Dear Ms. Schadler:

This is in response to your letter dated March 30, 1994, requesting a twenty-day extension to respond to the complaint filed in the above-noted matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on April 27, 1994.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

95043684721



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

April 6, 1994

Bob Nye, Operations Manager
Scharffenberger Cellars, Inc.
P.O. Box 365
8501 Highway 128
Philo, California 95466

RE: MUR 3944

Dear Mr. Nye:

This is in response to your letter dated March 30, 1994, requesting a twenty-day extension to respond to the complaint filed in the above-noted matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on April 25, 1994.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

95043684722



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20461

April 6, 1994

Tom Campbell, President
Avocado Productions
440 B Pier Avenue
Hermosa Beach, CA 90254

RE: MUR 3944

Dear Mr. Campbell:

This is in response to your letter dated March 30, 1994, requesting an extension until April 28, 1994 to respond to the complaint filed in the above-noted matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on April 28, 1994.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

95043684723



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

April 6, 1994

Holly Near
c/o Goldman Apt 3D
711 Amsterdam Avenue
New York, NY 10025

RE: MUR 3944

Dear Ms. Near:

This is in response to your letter dated March 29, 1994, received April 4, 1994, requesting a twenty-day extension to respond to the complaint filed in the above-noted matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on May 2, 1994.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

95043684724

OGC 835

Mendocino Book Company
102 South School Street
Ukiah, California 95402
April 8, 1994

94 APR - 8 PM 4:20

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

Re: MUR 3944

Dear Ms. McEnery:

I am in receipt of the Commission's letter notifying me of a complaint filed with the Commission that may involve me. I do not believe that I have in any way violated the federal campaign laws for the following two reasons. The Mendocino Book Company is not a corporation. In addition, the thank-you from the concert program was merely a thank-you for allowing tickets to be sold at the Mendocino Book Company. We sell tickets for at least fifty community events a year.

Thank you for your attention to this matter. If you have any questions, or need additional information, please contact me at 707-468-5940.

Very truly yours,

Ann Kilhenny
Ann Kilhenny

95043684725



P.O. BOX 894
HOPLAND, CA 95440
(707) 744-1441

The finest quality baked goods
with that delicious "homemade" taste

April 11, 1994

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

Re: MUR 3944

Dear Ms. McEnery,

I am in receipt of the Commission's letter of March 16, 1994, notifying me of a complaint filed with the Commission that may involve me. I do not believe that I have in any way violated the federal campaign laws, as my response to the complaint will show.

According to the Commission's letter, the response is due within 15 days of receipt. In order to have adequate time to review my records and prepare a response, I would appreciate an extension of 20 days. Because I received the letter on March 19 1994, with the extension, my response would be due on April 20th.

I have not chosen at this time to designate any counsel in this matter, but I will forward a Designation of Counsel if I choose to do so at any time in the future.

If you have any questions or need additional information before then, please contact me at 707-744-1441.

Very Truly Yours,
Robin F. Collier
Robin F. Collier
The Cheesecake Lady

95043684726

95 APR 11 1994

U66 807

APR 11 10 35 AM '94

April 4, 1994

Joan McEnery
Office Of General Counsel
Federal Election Commission
999 E. Street, N.W.
Washington, DC
20463

APR 11 11 21 AM '94

RE: MUR 3944

Dear Ms. McEnery,

I am in receipt of the Commission's letter of March 15th, notifying me of a complaint filed with the Commission that may involve me. I do not believe that I have in any way violated the federal campaign laws, as my response to the complaint will show.

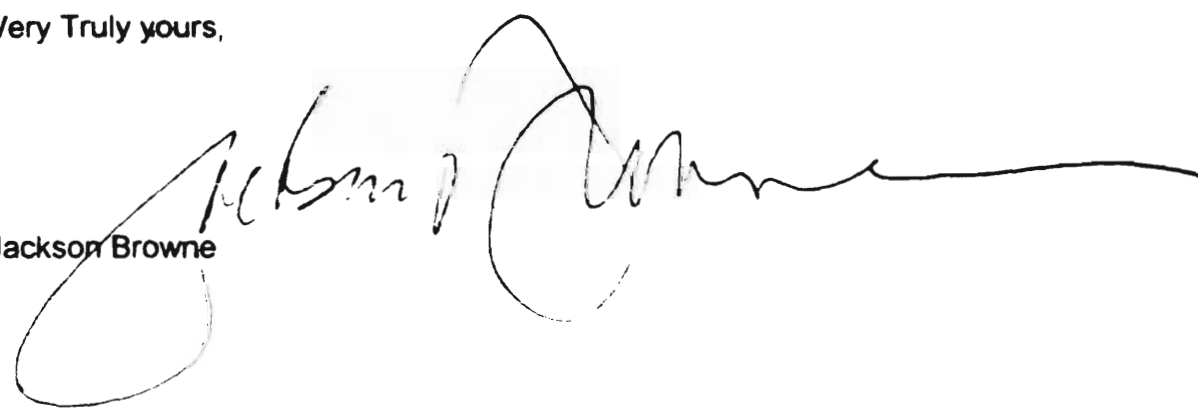
According to the Commission's letter, the response is due within 15 days of receipt. In order to have adequate time to review my records and prepare a response, I would appreciate an extension of 20 days. Because I received the letter on March 23rd, 1994, with the extension, my response will not be due until April 27th, 1994.

I have not chosen at this time to designate any counsel in this matter, but I will forward a Designation of Counsel if I choose to do so at any time in the future.

If you have any questions or need additional information before then, please contact me at 818/506-8356.

Very Truly yours,

Jackson Browne



95043684727



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 11, 1994

Jon Frey, President
Frey Vineyards
14000 Tomki Road
Redwood Valley, CA 95470

RE: MUR 3944
Frey Vineyards

Dear Mr. Frey:

This is in response to your letter dated March 28, 1994, requesting a twenty-day extension to respond to the complaint filed in the above-noted matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on April 25, 1994.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

95043684728

STATEMENT OF DESIGNATION OF COUNSEL

CPC 933

~~NAME~~

NAME OF COUNSEL: B. Holly Schadler/Judith L. Corley, PERKINS COIE

ADDRESS: 607 14th Street, NW, Suite 800

Washington, DC, 20005

TELEPHONE: (202) 628-6600

APR 12 1 30 PM '84

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

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.

479H
Date

Carrie Hamburg
Signature

RESPONDENT'S NAME: Carrie Hamburg

ADDRESS: 1300 Pennsylvania Ave
Washington DC 20004

TELEPHONE: HOME: ()

BUSINESS: ()

95043684729

06C 940

RECEIVED
FEDERAL ELECTION
COMMISSION
ADMINISTRATIVE DIVISION

RICHARD J. IDELL
A LAW CORPORATION
650 CALIFORNIA STREET, SUITE 1900
SAN FRANCISCO, CALIFORNIA 94108
(415) 986-2400

RICHARD J. IDELL
SHERYL LAND
WALLACE C. DOOLITTLE

MAR 13 11 21 AM '94

FAX: (415) 986-5511

March 30, 1994

VIA FAX AND U.S. MAIL (202) 219-3923

Mary L. Taksar, Attorney
Central Enforcement Docket
Federal Election Commission
999 E Street N.W.
Washington D.C. 20463

MAR 13 2 46 PM '94

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

In Re: Complaint Before Federal Election, MUR No. 3944

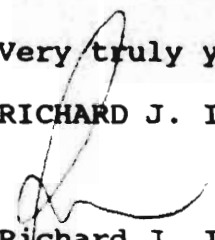
Dear Ms. Taksar:

This is to advise you that Richard J. Idell, A Law Corporation represents Bill Graham Presents with respect to the above-referenced matter. Our record indicates that your letter and enclosure of March 15, 1994 was received by Bill Graham Presents on the 24th of March and therefore we are calendaring a date of April 8 for any response that may be filed. If your understanding is different from this, please advise us immediately.

Enclosed is your form of Statement of Designation of Counsel.

Very truly yours,

RICHARD J. IDELL, A LAW CORPORATION



Richard J. Idell

RJI:cj

Enclosure

cc: Joan McEnery (via fax and U.S. mail)
Nicholas Clainos

95043684730

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3944

NAME OF COUNSEL: Richard J. Idell, A Law Corporation

ADDRESS: 650 California Street, Suite 1900
San Francisco, CA 94108

TELEPHONE: (415) 986-2400

APR 13 2 46 PM '94



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.

BILL GRAHAM PRESENTS

~~March 30, 1994~~
Date

Signature By: Nicholas P. Clainos

RESPONDENT'S NAME: Bill Graham Presents

ADDRESS: P.O. Box 429094
San Francisco, CA 94142

TELEPHONE: HOME() _____

BUSINESS(415) 541-0800

95043684731

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Apr 15 2 13 PM '94

FAX TRANSMISSION TO:
Federal Election Commission
Washington, DC 20463

April 14, 1994

Attention:
Mary L. Taksar, Attorney
Central Enforcement Docket
RE: MUR 3944

I called your agency and spoke with Joan McNery as advised in your letter. I asked for more specifics as to the charges against the Works. I didn't not come away with any clearer understanding of what this is all about. So I will respond based on my understanding of what your letter is saying.

I want to state emphatically that Eureka Recordworks Inc. - DBA The Works has not made any "Illegal Corporate Contribution" (The use of corporate funds in connection with Federal Elections is strictly prohibited 2usc 441b) to Dan Hamberg or his Committee.

"A contribution is defined as "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 2usc 431(8)". Eureka Recordworks Inc. - DBA The Works did not make any such contribution.

I have no knowledge of why we were listed as a donor. Our only connection to this event is that we are the areas Ticket outlets and have been for 22 years. Bonnie Raitt Tickets were sold as part of our role as the community ticket source.



William L. Glass
President
Eureka Recordworks Inc.

DBA THE WORKS

95043684732

Apr 18 2 13 PM '94



March 28, 1994

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

RE: NUR 3944

Dear Ms. McEnery:

I am in receipt of the Commission's letter of March 15, 1994, notifying me of a complaint filed with the Commission that may involve me. I do not believe that I have in any way violated the federal campaign laws, as my response to the complaint will show.

According to the Commission's letter, the response is due within 15 days of receipt. In order to have adequate time to review my records and prepare a response, I would appreciate an extension of 20 days. Because I received the letter on (March 18, 1994), with the extension, my response would be due on (April 25).

I have not chosen at this time to designate any counsel in this matter, but I will forward a Designation of Counsel if I choose to do so at any time in the future.

If you have any questions or need additional information before then, please contact me at P.O. Box 1918, Fort Bragg, CA., 95437.

Very Truly Yours,

Joan Katzeff
President
Thanksgiving Coffee Company

95043684733

OGC 1008

RECEIVED
FEDERAL ELECTION
COMMISSION
ADMINISTRATIVE DIVISION

April 14, 1994
308 B East Perkins
Ukiah, CA. 95482

APR 18 3 04 PM '94

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

RE: MUR 3944

Dear Ms. McEnery,

We are in the receipt of the Commission's letter of March 15, 1994, notifying The Ukiah Co-op Natural Foods Grocery of a complaint filed with the Commission that may involve our business. We do not believe that we have violated any federal campaign laws, as this response will show.

According to the Commission's letter, the response is due within 15 days of receipt. In order to have adequate time, we are requesting an extension of 20 days. It is our understanding that the Hamburg Campaign in Mendocino County will be handling this matter. For the record, The Ukiah Co-op made a volunteer donation to the campaign. Two employee's donated their personal time to help out with the benefit concert, and The Ukiah Co-op donated approximately four cases of sodas for the volunteers who were helping in the kitchen preparing food for the fundraiser. No monetary contributions were made to the campaign by The Ukiah Co-op Natural Foods.

If you have any questions or need additional information regarding this matter, please feel free to contact me at 707-462-4778.

Sincerely,



Lori Rosenberg
Merchandising Manager
The Ukiah Co-op Natural Foods

95043684734



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

APRIL 21, 1994

Jackson Browne
c/o Donald Miller
12746 Kling Street
Studio City, CA 91604

RE: MUR 3944
Jackson Browne

Dear Mr. Browne:

This is in response to your letter dated April 4, 1994, received April 11, 1994, requesting an extension until April 27, 1994 to respond to the complaint filed in the above-noted matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on April 27, 1994.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

95043684735



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

APRIL 21, 1994

Robin F. Collier
The Cheesecake Lady
P.O. Box 584
Hopland, CA 95449

RE: MUR 3944
The Cheesecake Lady

Dear Ms. Collier:

This is in response to your letter dated April 11, 1994, requesting an extension until April 26, 1994 to respond to the complaint filed in the above-noted matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on April 26, 1994.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

95043684736



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

APRIL 21, 1994

Joan Katzeff, President
Thanksgiving Coffee Company
P.O. Box 1918
Fort Bragg, CA 95437

RE: MUR 3944
Thanksgiving Coffee Company

Dear Ms. Katzeff:

This is in response to your letter dated March 28, 1994, received April 13, 1994, requesting an extension until April 25, 1994 to respond to the complaint filed in the above-noted matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on April 25, 1994.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

95043684737

OGC#1067

RECEIVED
FEDERAL ELECTION
COMMISSION
ADMINISTRATIVE DIVISION
Apr 21 9 57 AM '94

Bonnie Raitt

April 18, 1994

Ms. Joan McEnery
Office of General Counsel
Federal Election Commission
999 E. Street N.W.
Washington, DC 20463

Re: MUR 3944

Dear John McEnery:

I volunteered my services to the Dan Hamburg for Congress Committee because I felt that the important First District in the State of California needed a representative who was pro-environment, pro-peace and pro-choice.

My guitarist at that time, Johnny Lee Schell, was paid by the Dan Hamburg for Congress Committee, check #151, in the amount of \$1000 for his services in Eureka and Santa Rosa. He was paid \$500 by check #1068 and \$100 by check #1034 for his services in Napa.

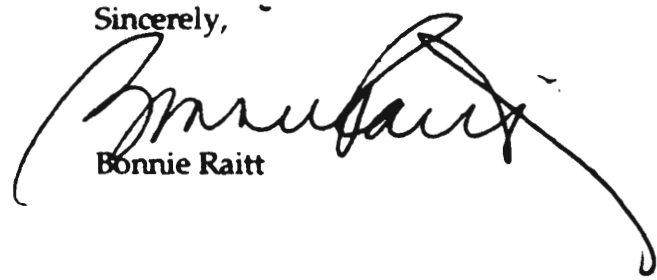
My production manager at that time, Mason Wilkinson, was paid \$750 by the Dan Hamburg for Congress Committee via check #152 for his services in Eureka and Santa Rosa. He was paid \$500, check #1071, and \$100 by check #1037 for his services in Napa.

Debra Dobkin, my percussionist at that time, was paid \$500 via check #1061 by the Dan Hamburg for Congress Committee and \$100 by check #1029.

My touring company, The Going Raitt, was reimbursed \$474.81 via check #155 for expenses.

I assume this resolves any questions you might have had regarding my personal support of Dan Hamburg and his campaign for Congress.

Sincerely,


Bonnie Raitt

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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
Apr 21 2 40 PM '94

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FEDERAL ELECTION
COMMISSION
ADMINISTRATIVE DIVISION

APR 22 9 27 AM '94

Joan McEnery
Office of General Counsel
Federal Election Commission
999 E Street NW
Washington DC 20463

RE: MUR 3944

Dear Ms. McEnery:

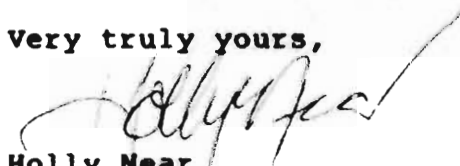
I considered it both a duty and a pleasure to work with the Dan Hamburg for Congress Committee as a volunteer to help raise funds for Dan Hamburg's campaign.

My pianist at the time, John Bucchino, was paid \$500 for his services in Eureka by the Dan Hamburg for Congress Committee via check #154, and \$500 for his services in Santa Rosa via check #169.

I was reimbursed \$215.14 by the Dan Hamburg for Congress Committee by check #1612 for expenses incurred.

This should clear up any questions about my volunteer activities on behalf of Dan Hamburg's campaign for Congress.

Very truly yours,



Holly Near
April 19, 1994
P.O. Box 236
Ukiah, Ca. 95482

APR 22 3 10 PM '94
OFFICE OF GENERAL COUNSEL
FEDERAL ELECTION COMMISSION

95043684739

OGC 1081

RE: SECTION
FEDERAL ELECTION
COMMISSION
ADMINISTRATIVE DIVISION 4

APR 25 10 05 AM '94

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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
APR 25 3 04 PM '94

April 14, 1994

Joan McEnery
Office of General Counsel
Federal Election Commission
999 E. Street. NW
Washington, DC
20463

RE: MUR 3944

Dear Ms. McEnery,


I have received your letter of March 15, 1994 (RE: MUR 3944). I do not see where the complaint indicates that I may have violated any election laws. Rather, the complaint clearly indicates that I was volunteering my personal services, as is fully lawful. To confirm the point, I was happy to donate my services to the Dan Hamburg for Congress Committee on October 4, 1992.

The musicians and technicians who were working with me at that time were paid for their services by the Dan Hamburg for Congress Committee:

| | | |
|--------------|----------|----------------|
| Check # 160 | \$500.00 | Jorge Calderon |
| Check # 1028 | \$300.00 | Jorge Calderon |
| Check # 1062 | \$500.00 | Wally Ingram |
| Check # 1030 | \$400.00 | Wally Ingram |
| Check # 1037 | \$300.00 | David Reilly |
| Check # 1033 | \$100.00 | David Reilly |
| Check # 1066 | \$500.00 | Brian Reed |
| Check # 1032 | \$250.00 | Brian Reed |
| Check # 1035 | \$400.00 | Scott Thurston |
| Check # 1069 | \$500.00 | Scott Thurston |

I assume this clears up any questions regarding this matter.

Sincerely,



Jackson Browne

95043684740

06C 1083

AVOCADO PRODUCTIONS
COMMISSION
ADMINISTRATIVE DIVISION

APR 25 10 08 AM '94

APR 25 3 04 PM '94
OFFICE OF GENERAL
COUNSEL

April 21, 1994

Joan McEnery
Office of General Counsel
Federal Election Commission
999 E Street NW
Washington DC 20463

RE: MUR 3944

Dear Joan McEnery:

Please be advised the Avocado Productions acted as the producer for the concerts in Eureka, Santa Rosa and Napa. We were contracted by the Dan Hamburg for Congress Committee. Avocado Productions was very careful to violate neither the letter nor the spirit of the Federal Election campaign regulations as we understood them.

Under the "Illegal Corporate Contributions" section of the complaint against the Dan Hamburg for Congress Committee we are responding to the following items: #13, #14, #16, #17, #18, #19 and #20.

#13: Bonnie Raitt, Jackson Browne and Holly Near volunteered their personal services in support of Dan Hamburg for Congress in the First District of California.

#14: The concerts were produced and promoted by Avocado Productions. As a professional courtesy, Bill Graham Presents was listed as co-promoter of the events. My personal relationship with Bill Graham Presents goes back some 18 years to 1976 and in Northern California we have always listed Bill Graham Presents in our public materials as a courtesy to them and the artists with whom we mutually work.

Bill Graham Presents did not actively participate in the production of the concerts in Eureka or Santa Rosa.

#16: People who are thanked in the program are not necessarily "instrumental" in the production of the concerts. However, of those individuals listed from Avocado Productions in Eureka and Santa Rosa, please be advised that Susann McMahon was paid \$350 for services by check #112; Tom Campbell was paid \$1000 for services by check #159; Carolyn Bode and Cheryl Barry, contract workers for Avocado Productions, were paid out of Avocado's fees: #114 for \$2000, and #173 for \$2000. Margaret Holmes was a volunteer and accordingly was thanked in the program for her efforts. All fees and payments were at fair market value.

#17: There appear to be no questions about the disbursements to Avocado Productions prior to June 30th. No expenditures were made to Bill Graham Presents as they were not involved as a corporation. Individuals such as Sherry Wasserman, Gregg Perloff, Danny Scher, Steve Macfadyen and Mary Conde volunteered their services and in fact only Steve Macfadyen even attended. The corporate name appears on the advertising as a professional courtesy as noted above.

95043684741

#18: The disbursements to Bill Graham Presents were for the October 4th concert in Napa only. There were no disbursements for the Eureka and Santa Rosa events as they were not involved as a corporate entity.

#19: The advertisements which appeared in the Press Democrat regarding the October 4th concert in Napa clearly notice that the concert was in support of Dan Hamburg's candidacy in the First District. The header to the ad begins: "Join us in supporting DAN HAMBURG in a special acoustic benefit concert". The words "Dan Hamburg" are in a larger font in the ad than the place, the Silverado Country Club, or the date, Sunday October 4th. Further, there is a photograph of Dan Hamburg in the ad and his name is underneath it. Further, it states in a very readable font, "Paid for by the Dan Hamburg for Congress Committee" and also states "Ticket purchases considered a donation to the Dan Hamburg for Congress Campaign".

Please note that even in a xerox copy of a xerox of the newspaper ad (exhibit D) these notices are clearly readable.

Please also note that the ads for Eureka and Santa Rosa contain the additional disclaimer "A Special Earth Day Week Concert to Elect Dan Hamburg to Congress".

Dan Hamburg's name appears in large print in the header to the ad, there is a photograph of him with his name in large print, and it is noticed that this ad was paid for by the Dan Hamburg for Congress Committee and that the tickets purchased are considered a donation to the Dan Hamburg for Congress Campaign. THE CANDIDATE'S NAME IS MENTIONED FOUR TIMES AND THERE IS A PHOTOGRAPH OF HIM IN THE AD.

#20: The business entities listed as "donor" which were contacted by Avocado Productions were all ticket outlets. We were not able to use Ticketmaster or BASS, the normal ticket outlets in Northern California, as that might have been construed as co-mingling of corporate funds. Therefore we went to the "Mom and Pop" book and record store outlets which handle tickets for local events. They do this in exchange for the walk-in traffic that a concert generates.

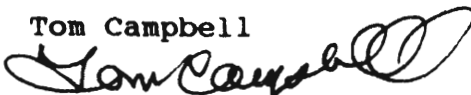
These very small, "Mom and Pop" operations are: the Leaves of Grass Bookstore in Willits, the Mendocino Bookstore in Ukiah, Music Bros. in Napa, the Coop (locale listed as Ukiah in the complaint, but actually in Petaluma), and the Works in Ukiah and Eureka.

Finally, several newspaper articles were submitted in the complaint. Those which relate to the concerts clearly indicate that these benefits were for the Dan Hamburg for Congress Committee.

These responses should put these matters to rest as far as Avocado Productions is concerned.

Peace,

Tom Campbell



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RECEIVED
FEDERAL ELECTION
COMMISSION
ADMINISTRATIVE DIVISION
APR 25 11 09 AM '94

SCHARFFENBERGER CELLARS, INC.

April 20, 1994

Joan McEnery
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
APR 25 3 05 PM '94

RE: MUR 3944

Dear Ms. McEnery:

Upon receipt from your office regarding any possible wrongdoing under the Federal Election Campaign Act of 1971, (your file reference MUR 3944), it was the recollection of our President, Mr. John Scharffenberger, that he had made a personal donation from his private wine cellar for the event in question.

After a thorough review of our company's records pertaining to the depletion of wine from our warehouses, we could not find any record pertaining to this event or any other possible function which might have involved Dan Hamburg. In light of this fact, and that Mr. Scharffenberger routinely makes personal contributions to various fundraising and charity events for which he keeps no formal record, and that he specifically remembers making such a donation, we can only conclude that the following series of events took place:

That Mr. Scharffenberger made a personal contribution in the form of wine to Mr. Hamburg's campaign, and that the Committee to Elect Dan Hamburg inadvertently listed our company, Scharffenberger Cellars, as being the donor in their event program.

If you should have any questions or comments in regards to this matter, please be in touch with me at the Philo number or address listed below. We shall consider this matter closed pending verification from your office. Thank you.

Sincerely,



Bob Nye
Operations Manager

BN/ak

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0604 1126

RECEIVED
FEDERAL ELECTION
COMMISSION
ADMINISTRATIVE DIVISION

Apr 23 9 45 AM '94
FAX: (415) 986-5511

RICHARD J. IDELL
A LAW CORPORATION
650 CALIFORNIA STREET, SUITE 1900
SAN FRANCISCO, CALIFORNIA 94108
(415) 986-2400

RICHARD J. IDELL
SHERYL LAND
WALLACE C. DOOLITTLE

April 27, 1994

VIA FEDERAL EXPRESS AND FAX (202) 219-3923

Federal Election Commission
999 E Street N.W.
Washington D.C. 20463
ATTN: Joan McEnery

Re: MUR No. 3944

Dear Ms. McEnery:

This office represents Bill Graham Presents with respect to MUR 3944 filed by the National Republican Congressional Committee.

This letter is in response to your March 15, 1994 communication and the enclosures therewith.

As you know, an extension of time was granted to Bill Graham Presents to and including April 28, 1994 for its response.

This response is directed to those allegations of purported violation of prohibitions against corporate contributions pursuant to 2 U.S.C. §441b and 11 C.F.R. 114.2. It is my client's understanding that those are the only charging allegations against it.

As more fully discussed below, there has not been any violation of law with respect to Bill Graham Presents' activity in the subject concert promotions:

1. The Bonnie Raitt-Holly Near concerts in Eureka and Santa Rosa were small events in rather rural communities.
2. Steve Macfadyen, a Bill Graham Presents employee, agreed to volunteer his time for the production of the three (3) Spring concerts over two (2) days: one (1) concert in Eureka at the Eureka Civic Auditorium and two (2) back-to-back concerts in Santa Rosa at the Luther Burbank Center.
3. Steve Macfadyen is employed as the General Manager of the Shoreline Amphitheatre, a facility operated by Bill Graham Presents, Inc.

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
Apr 28 3 14 PM '94

95043684744

Joan McEnery
April 27, 1994
Page Two

4. Steve Macfadyen has been in the concert production business for over twenty (20) years. For much of the last fifteen (15) years, from time to time, he has personally volunteered his services for various charitable and political causes.

5. Prior to agreeing to volunteer his time and efforts for the production of these concerts, he cleared the dates with his employer to ensure that he could take personal time. Since Mr. Macfadyen's work schedule will often include weekends, nights and holidays, he wanted to be sure that no conflict could arise with his employer with respect to his volunteering for these production efforts.

6. The concert in Eureka was held at the Eureka Civic Auditorium. The concerts in Santa Rosa were held at the Luther Burbank Center. Steve Macfadyen made necessary inquiries regarding the needs of the Artists for production facilities and communicated those needs to the venues, although in the case of the Eureka Civic Center, the venue provides nothing, so there was little to talk about. The Luther Burbank facility is a full service venue and so he had more activity in assisting the production there. In addition, he assisted the Committee to Elect Dan Hamburg in selecting and contracting for various production services that would be needed. He was also present on the days of the concerts to assist in seeing that the events ran smoothly. All of his activities in this regard were purely voluntary.

7. The only Bill Graham Presents employee who had any working involvement with these Spring concerts was Steve Macfadyen and his time was personally volunteered. Mr. Macfadyen was not acting for Bill Graham Presents when he volunteered his time for these Spring concerts and he was not paid by Bill Graham Presents for what he did. His decision was individual and personal to provide production services for the events on a voluntary basis. Thanks and recognition are extended to other employees of Bill Graham Presents and Bill Graham Presents for three (3) reasons: (a) to thank them for approving of Steve's time away from his job; (b) because it is common practice in the concert promotion business to give recognition to local promoters; and (c) as a professional courtesy to Bill Graham Presents, given the long history of Bill Graham Presents having worked with Bonnie Raitt.

8. After the Spring concerts the Committee contacted Steve Macfadyen regarding an additional concert to be held in the fall at the Silverado Country Club in Napa, California. Because of the scale of the event, Steve Macfadyen was not willing to volunteer his time. It was agreed that Bill Graham

95043684745

Joan McEnery
April 27, 1994
Page Three

Presents would provide concert production services and be paid. Accordingly, at or near the conclusion of the event, Bill Graham Presents was paid a total of \$6,812.41. In addition, the amount of \$704.00 was paid for a print ad and \$357.25 was paid for ticket printing. Steve Macfadyen was paid \$2,000.00 for his time in connection with the Napa concert.

I trust that the above responds to the complaint which is on file. If you have any questions regarding the above, please do not hesitate to call.

It is respectfully submitted that there have been no violations of law by Bill Graham Presents or any officers or employees thereof.

Very truly yours,

RICHARD J. IDELL, A LAW CORPORATION


Richard J. Idell

RJI:cj

cc: Bill Graham Presents

9 5 0 4 3 6 8 4 7 4 6

OGC 1135

RECEIVED
FEDERAL ELECTION
COMMISSION
ADMINISTRATIVE DIVISION

Apr 29 8 43 AM '94

**Frey Vineyards
1400 Tomki Road
Redwood Valley, CA 95470**

RECEIVED
OFFICE OF GENERAL
COUNSEL
APR 29 9 06 AM '94

Mary L. Taksar, Attorney
Central Enforcement Docket
Federal Election Commission
Washington, D.C. 20463

April 25, 1994

Dear Mary Taksar:

This letter is to respond to your letter of 4/11/94 about your ref. # MUR 3944. To give you some background on this incident: We are a small, 100% Family owned farm which is owned equally by the 12 members of the Frey family, who are generally apolitical, and vote across the spectrum. None of the Frey family have ever given money to any politicians or been involved in any political campaigns. In the case of Dan Hamburg, he is an old family friend, since he used to be a teacher at the school attended by some of the Frey children. The gift in question was 2 cases of wine for a reception for Dan Hamburg, and was given to him because he asked one of the family members who used to attend the school, but most of the other family members didn't know about this gift, and none of the family attended this reception or any other of Mr. Hamburg's campaign events. We were horrified to learn of the FEC Investigaion against us. No one in our family had any idea that our giving the 2 cases of wine to Mr. Hamburg was a violation of the law. If anyone had known we would certainly have never given Mr. Hamburg the wine. In any event, we never intended to have our family business involved in any kind of politics, and we never asked Dan Hamburg to acknowledge our gift, especially as coming from our business. since this gift was a personal gift from family members to Dan Hamburg. We would like to ask your office for leniency in this matter and we certainly will not do this kind of thing again in the future. If you have any questions, please call. Sincerely,

For Frey Vineyards
San Frey
(707)485-5177

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FEDERAL ELECTION COMMISSION ADMINISTRATIVE DIVISION

Apr 29 11 03 AM '94

April 26, 1994

Federal Election Commission
Washington, D.C. 20463

RE: MUR3944
Thanksgiving Coffee Company

Dear Ms. Taksar:

With regard to your letter of April 21, 1994, please refer to the response from Congressman Hamburg's office. I believe that my response to the complaint filed in the above noted manner is addressed therein.

Sincerely,

Joan Katseff
President
Thanksgiving Coffee Company

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
Apr 29 11 53 AM '94

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PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
607 FOURTEENTH STREET, N.W. • WASHINGTON, D.C. 20005-2011
(202) 628-6600 • FACSIMILE (202) 434-1690

April 28, 1994

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

Re: MUR 3944 - Carrie Hamburg

Dear Mr. Noble:

This letter constitutes the response of Carrie Hamburg to the complaint filed by the National Republican Campaign Committee in MUR 3944. Complainant alleges that Congressman Hamburg may have used funds from a savings account jointly held with his wife to make a personal loan of \$10,000 to his campaign. No funds from a joint account were used for this purpose. Specifically, Congressman Hamburg did not use any part of Ms. Hamburg's share of any joint account (allegedly \$2,500) to make this personal loan to his campaign.

Please refer to the response in this matter filed by the Committee to Elect Dan Hamburg and Congressman Dan Hamburg for a comprehensive account of the source of the personal funds for Congressman Hamburg's loan to his campaign.

Sincerely,



Judith L. Corley
B. Holly Schadler
Counsel to Carrie Hamburg

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

MAY 2 3 56 PM '94

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PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
607 FOURTEENTH STREET, N.W. • WASHINGTON, D.C. 20005-2011
(202) 628-6600 • FACSIMILE (202) 434-1690

April 28, 1994

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

Re: MUR 3944 - Representative Dan Hamburg;
Committee to Elect Dan Hamburg;
and Antonio Steven Andrade, as Treasurer¹

MAY 2 3 55 PM '94

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Dear Mr. Noble:

This letter constitutes the response of Representative Dan Hamburg; Committee to Elect Dan Hamburg (the "Committee"); and Antonio Steven Andrade, as Treasurer (collectively referred to as "Respondents") to the complaint filed by the National Republican Congressional Committee in MUR 3944. Complainant alleges that Respondents may have violated the Federal Election Campaign Act (the "FECA"). The allegations relate to a personal loan made by Representative Hamburg to his campaign and a series of concerts sponsored by the Committee to raise funds for the 1992 election. These allegations have no merit, and Respondents request that the Commission dismiss this complaint with no further action.

I. Personal Loan to Campaign

The complaint incorrectly alleges that Representative Hamburg did not have adequate personal funds to loan his campaign \$10,000 on December 26, 1991. In 1992, the Committee retained Perkins Coie to review this transaction. The conclusion of this review was that the funds Representative Hamburg loaned to his campaign were his personal funds. Therefore, his loan to the campaign was made with personal funds in accordance with 11 C.F.R. § 110.10(b). The basis for this conclusion is summarized below.

¹Ted Loring was recently designated as treasurer of the Committee.

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A. Factual Background

Representative Hamburg's mother established a trust (the "Trust") for the principal benefit of his sister in 1983. Representative Hamburg's brother, Steve Hamburg, is the Trustee. The Trust was created in the state of Missouri. The Trust is revocable at any time by the mother. As contingent beneficiaries on the Trust, Representative Hamburg and his brother receive property of the Trust in the event of the death of the sister and mother. The Trust gives virtually unfettered discretion to the Trustee in the administration of the Trust, including the power to loan funds from the Trust for the benefit of the Trust or the beneficiaries of the Trust.

In 1990, Representative Hamburg and his brother agreed to establish a \$20,000 "line of credit" for the Trust for each of them evidenced by a promissory note. This arrangement was initially designed to allow his brother to borrow \$20,000 from the Trust.

On December 24, 1991, Representative Hamburg borrowed \$10,000 on the established "line of credit." Representative Hamburg signed this check from the Trust over to his campaign committee, which deposited the funds in a campaign account. The Committee disclosed the receipt of a \$10,000 loan from the candidate on its year-end report. The campaign repaid the loan to the candidate on March 31, 1992. Representative Hamburg then repaid the Trust in the amount of \$10,000.

B. The Law

Under the Federal Election Campaign Act of 1971, as amended ("FECA" or "the Act"), and the Federal Election Commission ("FEC") Regulations implementing the Act, a candidate may make unlimited expenditures for his campaign from his own personal funds. "Personal funds" are defined to include:

Any assets which, under applicable state law, at the time he or she became a candidate, the candidate had legal right of access to or control over, and with respect to which the candidate had either:

- (i) Legal and rightful title, or
- (ii) An equitable interest.

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11 C.F.R. § 110.10(b)(1). In this case, Representative Hamburg did not have control over the funds in the Trust, nor did he have legal and rightful title to the Trust assets. He did have a legal right of access to up to \$20,000 of the Trust funds and an equitable interest in the Trust.

1. Legal Right of Access

The term "legal right of access" is not one that is defined in the Act or the FEC's regulations. Nor is it a term of art in general trust law. There are apparently no Missouri cases in which this term is used in the context that it is used in the Commission's regulations.²

As Trustee, Steven Hamburg is given certain powers under the terms of the Trust. As noted above, his discretion is very broad. Item IV(L) of the Trust provides that the Trustee has the power:

To [l]end³ money to any person or persons upon such terms and in such ways and with such security as the Trustee may deem advisable for the best interests of the Trusts and the beneficiaries hereunder.

The provision refers to beneficiaries in the plural. The only way to make this reference meaningful would be to include the contingent beneficiaries, Representative Hamburg and his brother, Steven.

A trustee's powers, even where not limited by the terms of the trust, are tempered by certain duties the trustee has toward the beneficiaries of the trust. Where there are more than one beneficiary to a trust, for example, the trustee has a duty to deal impartially with all of the beneficiaries. Restatement (Second) of Trusts § 183. It has been recognized that, where the terms of the trust provide, a trustee may

²Missouri courts have cited the Restatement (Second) of Trusts as authority in the area of trust law. See e.g., First National Bank of Kansas City, et al. v. Hortense C. Hyde, et al., 363 S.W.2d 647 (Missouri 1964); American Cancer Society, et al. v. Robert W. Hammerstein, Jr., 631 S.W. 2d 858 (Mo. Ct. App. 1981).

³Although the text of the Trust reads "To gend money . . .," a literal reading of the word would make no sense, given the subsequent language of the paragraph.

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favor one beneficiary over another. There are no such provisions in the trust.

Further, a trustee may not exercise the powers given under the trust if the exercise of those powers would result in a violation of any of the trustee's duties to the beneficiaries. Restatement (Second) of Trusts §§ 186-187. The exercise of a trustee's discretionary powers may be subject to control by a court if the discretion is abused. Such abuse may be found in a variety of cases, such as where a trustee acts with improper motive. Examples of improper motive given in the Restatement include the exercise or refusal to exercise a power by a trustee "because of spite or prejudice or to further some interest of his own or of a person other than the beneficiary." Restatement at § 187g (emphasis added).

These provisions, taken together, and applied to the facts of this case, create for Representative Hamburg a legal right of access to the funds of the Trust. Once Steven, as Trustee, exercised his power to lend money to a beneficiary (himself), he was under a duty to treat all beneficiaries impartially. Representative Hamburg, also a beneficiary, at that point had a legal right to seek this impartial treatment (i.e., access to trust funds for himself.) Representative Hamburg could have, if necessary, sued at law to protect his right. By entering into the promissory note with Representative Hamburg, allowing him access to \$20,000 of the Trust funds, Steven discharged his fiduciary obligations and no further action by Representative Hamburg was required.⁴

2. Equitable Interest

It is a commonly accepted principle of trust law that a beneficiary, including a contingent beneficiary such as Representative Hamburg, has an equitable interest in assets of a trust. See, e.g., Restatement (Second) of Trusts § 2f. ("In a trust there is a separation of interests in the subject matter of the Trust, the beneficiary having an equitable interest and the Trustee having an interest which is normally a legal interest.") This view has been accepted as well in

⁴Presumably, Steven exercised his reasonable judgment as to the best method of treating all beneficiaries impartially. He could have met the impartiality standards in refusing to loan Congressman Hamburg the money, for example, if Congressman Hamburg had a history of bad credit, or was unable to demonstrate that he funds would be repaid.

the state of Missouri. See, e.g., Mercantile Trust Company v. Robert W. Hammerstein, et al., 380 S.W.2d 287 (Missouri 1964); Larry McNeal and Ethel McNeal v. Gerald Bonnel and Otho Bonnel, 412 S.W.2d 167 (Missouri 1967).

C. Repayment of Interest

Complainant also alleges that the Committee's payment of interest on the loan in the amount of \$86 to Representative Hamburg appears to be conversion of campaign funds to personal use. This allegation is entirely false. When the loan from Representative Hamburg was originally reported, the Committee mistakenly indicated that no interest would be charged. On May 19, 1992, the Committee amended its reports to accurately disclose that the interest rate on the loan would be four percent. The original disclosure was due to an inadvertent error and later corrected. The Commission has specifically allowed a candidate to receive interest for funds loaned to the campaign See Advisory Opinion 1986-45.

II. Fundraising Concerts

A. The Committee Did Not Receive Illegal Corporate Contributions Related to the Fundraising Concerts

Contrary to Complainant's allegations, the Committee did not receive corporate contributions related to four concerts held by the Committee in 1992. As the complaint acknowledges, the Commission expressly permits a candidate to hold a fundraising concert to benefit their campaign. For this purpose, the candidate's committee must establish a separate bank account to receive the proceeds from ticket sales and to pay for all expenses and services, other than volunteer services, related to the event. Again, as acknowledged by Complainant, the Committee established such an account, made disbursements for the costs of the events and reported the activity in this account. Indeed, the Committee took great care to adhere to the guidelines provided by the Commission in Advisory Opinion 1980-42 in organizing the fundraising concerts.

To this end, the Committee retained Avocado Productions, to organize the concerts. Avocado produced four concerts -- one on April 21 in Eureka; two on April 22 in Santa Rosa; and one on October 4 in Napa. Tom Campbell of Avocado Productions, worked with the artists and a large number of other volunteers to produce the concerts. Individual workers who did not volunteer, and companies that provided services to

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produce the concerts, were paid fair market value for those services and related expenses. The Committee's FEC reports and financial records for the concerts document these payments.

April 21-22 Concerts. Bonnie Raitt and Holly Near volunteered their time to perform in the three concerts held in Eureka and Santa Rosa to benefit Representative Hamburg's candidacy. As required under Advisory Opinion 1980-42, the Committee paid and reported the expenses related to their performances.⁵

The Committee contracted with Avocado Productions to produce and promote the concerts. As the complaint acknowledges, the Committee paid Avocado for its services and expenses related to the first three concerts.

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Complainant incorrectly concludes that because Bill Graham Presents ("BGP") was acknowledged on the promotional materials for the concerts, that the Committee necessarily received an illegal corporate contribution from BGP. The facts do not support this conclusion. Avocado Productions has a long-standing relationship with BGP. The two concert producers have worked together on events for 18 years. Throughout that time Tom Campbell has uniformly recognized BGP in its promotional materials for concerts held in Northern California, particularly those involving Bonnie Raitt who has close ties with BGP. See Exhibit 2. This is true whether or not BGP performs any services for an event. In this case, BGP did not participate in the production of the concerts. BGP did not provide services related to the events. Therefore, no payments were made to BGP related to the April concerts.

⁵See Exhibit 1. Payments related to Bonnie Raitt's performance were made as follows:

Johnny Lee Schell (Guitarist) - \$1000
Mason Wilkerson (Production Manager) - \$750
Going Raitt (Touring Company) - \$474.81
(for April and October concerts)

Expenses and services related to Holly Near's performance were paid as follows:

John Bucchino (Pianist) - \$500 (Eureka)
John Bucchino (Pianist) - \$500 (Santa Rosa)
Holly Near - \$215.14 (expenses)

Individuals associated with and employed by BGP were also recognized in the promotional materials. Steve Macfadyen, production manager for BGP, volunteered his services. He assisted in contacting vendors for the concerts. He did this on his own time as a courtesy to his colleague, Tom Campbell. BGP employees Sherry Wasserman, Gregg Perloff, Danny Scher and Mary Conde played extremely minor volunteer roles in the concerts. Steve Macfadyen consulted with Ms. Wasserman, Mr. Perloff and Mr. Scher to get their approval for moving forward with the concerts. Again, however, Tom Campbell included them on the program as a courtesy to thank them for spending their personal time, however minimal, on the events. This was standard practice when Avocado produced events in Northern California.

The program also recognized the valuable assistance of numerous individuals associated with Avocado: Cheryl Barry, Carolyn Bode, Tom Campbell, Margaret Holmes and Susann McMahon. Cheryl Barry, Carolyn Bode, Tom Campbell and Susann McMahon worked on the concert and were paid fair market value for their services. Ms. Bode was production assistant. Ms. Barry and Ms. McMahon coordinated volunteers and transported equipment. Susann McMahon and Tom Campbell were paid directly by the campaign. See Exhibit 3. Carolyn Bode and Cheryl Barry were paid as consultants by Avocado from its promotional fee. Ms. Holmes was a volunteer.

Numerous other entities that provided some service related to the concert were also recognized. Leaves of Grass Bookstore; Mendocino Bookstore; Music Brothers; Too Much Fun; the Works, in both Arcata and Eureka; and the Ukiah Co-op served as ticket outlets for the concerts.⁶ Each of these stores has a history of selling tickets to local community events free of charge. The advantage to the stores of acting as ticket vendors, is that they get more prospective customers in their shops when people stop in to buy tickets. The stores were contacted by Avocado Productions and arrangements were made to provide tickets to these entities for sale to the April events. There were no costs to these stores incurred by selling tickets. These were small concerts so each store received a small number of tickets.

⁶The Complaint incorrectly identifies these acknowledgments as related to the October 4 concert. These individuals and organizations were in fact recognized for their efforts with respect to the April concerts.

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Avocado instructed the outlets to segregate the money for the tickets. Avocado volunteers picked up the proceeds at the stores on a regular schedule every few days. In addition, each ticket purchaser was required to complete a form providing name, address, occupation and employer. See Exhibit 4. These forms were picked up with the money.

Following the Eureka and Santa Rosa concerts, the Committee held receptions for "Golden Circle" contributors -- those who had donated \$250 or more to the Committee. In conjunction with these receptions, individuals associated with Frey Winery, Scharffenberger Cellars, and Iron Horse Vineyards donated wine. Matt Frey, John Scharffenberger and Lawrence Sterling made in-kind contributions of \$120, \$184, \$120 respectively. The Ukiah Co-op, an unincorporated cooperative, provided one case of soda for the reception valued at approximately \$18. The owner of Thanksgiving Coffee Company, Joan Katveff, made an in-kind contribution of two pounds of coffee valued at \$15. The owner of the Cheesecake Lady, Robin Tuttlie, made an in-kind contribution of desserts valued at \$35.

Again, each of the entities assisting with the reception arrangements was thanked on the program. In the case of the donations of wine, although the names of the vineyards appeared on the program, the individuals associated with the vineyards were the actual contributors. Similarly, the Thanksgiving Coffee Company was thanked instead of Joan Katveff, and the Cheesecake Lady was thanked instead of Robin Tuttlie.

October Concert. The Committee retained Avocado Productions to produce and promote the October concert. The Committee paid Avocado for services and expenses. Because this concert was a bigger event involving Jackson Browne and Bonnie Raitt and a much larger audience, Avocado enlisted the production assistance of BGP.⁷ BGP provided services

⁷See Exhibit 5. Payments related to Jackson Browne's performance were made as follows:

Jorge Calderon - \$800
Wally Ingram - \$900
David Reilly - \$400
Brian Reed - \$750
Scott Thurston - \$900

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including: staging coordination, technical services, equipment rental and set up, and printing of promotional materials and tickets. The Committee paid a total of \$7,874.16 for these services and expenses. See Exhibit 6. The amount paid represents fair market value for all services and expenses. Steve Macfadyen, a BGP employee, was retained as an independent contractor to manage the production of the event. He was paid \$2,000 by the Committee for his services. See Exhibit 7.

B. Concert Notification Was Adequate

The complaint also alleges that the notification -- "Tickets purchased considered a donation to Dan Hamburg for Congress Campaign" -- in the Press Democrat advertisement for the October 4 concert was not in an appropriate font size. The Commission rules do not require such a notification to be in a particular font size. The Commission simply requires that the publicizing be done "in a manner that would afford notice to potential and actual ticket purchasers that the proceeds of their ticket purchases will benefit the Committee." Advisory Opinion 1980-42. The advertisement meets this standard.

The notification appears in the central section of the ad where a reader's eye would naturally be drawn, directly under the essential information about location and time of the concert. It was also quite clear from the advertisement as a whole that the concert was to benefit Dan Hamburg. His picture appears and his name is printed boldly across the ad. The ad invites participants to join in "supporting Dan Hamburg," and the FEC disclaimer appears notifying the reader that the ad is paid for by Dan Hamburg for Congress.

III. Conclusion

The facts of this case demonstrate that the Committee did not receive any corporate contributions related to the concerts. Indeed, the Committee took all steps necessary to ensure full compliance with Commission rules for such events.

(continued from previous page)

Johnny Lee Schell (Guitarist) - \$600
Mason Wilkinson (Production Manager) - \$600
Debra Dobkin (Percussionist) - \$600

95043684758

Lawrence M. Noble
April 28, 1994
Page 10

Based on the information presented in this response,
Respondents request that the Commission dismiss this complaint
with no further action.

Sincerely,



Judith L. Corley
B. Holly Schadler
Counsel to Respondents

Attachments

95043684759

2504384760

COMMITTEE TO ELECT DAN HAMBURG
[REDACTED]
[REDACTED]
[REDACTED]

4/29/92

151
[REDACTED]
[REDACTED]

J. Hampton School
on Howard Green

Savings Bank
OF MARYLAND COUNTY

| | |
|--------|------|
| NO. | |
| DATE | 100- |
| AMOUNT | |
| BY | |
| FOR | |

[REDACTED]

21104063: 01 526014P 0151 NOT NEGOTIABLE

9 5 0 4 3 8 4 7 6 1

COMMITTEE TO ELECT DAN HAMBURG
CHECKING ACCOUNT

117 E. BROADWAY
LEWIS, CA 95828

152

T&E DEPOSIT ONLY []
NO DEPOSIT

4-24 92

MASON WILKINSON

Seven Hundred and Fifty

Savings Bank
OF MERCED COUNTY
MERCED, CA

| | |
|-----------|------------|
| DATE | 4-24-92 |
| AMOUNT | 750.00 |
| MEMO | Seven |
| INITIALS | MI |
| SIGNATURE | [Redacted] |

⑆ 211040636 01 526014 0152 2510 419225 20 3E9D01923⑆

NOT NEGOTIABLE

9 5 0 4 3 8 4 7 6 2

COMMITTEE TO ELECT DAN HANBURG
CHECKING ACCOUNT
515 E. SCHOOL ST
LEWIS CA MISS

4/29

92

GOING RAITT

For *insurance and Security funds*

SAVINGS BANK
OF MINNESOTA

VAN KATZ

| | |
|---------------|--|
| NO. OF CHECKS | |
| NO. OF DEBITS | |
| NO. OF CASH | |
| NO. OF OTHER | |
| NO. OF TOTAL | |

5800 919025 90 929079125

NOT NEGOTIABLE

2 5 0 4 3 8 4 7 6 3

COMMITTEE TO ELECT DAN HAMBURG
CHECKING ACCOUNT
NO. 1-500000-01
MEM. CL. 01/87

4/29 92

TAX DEDUCTIBLE FROM
ID-007011

John Burchino

Five hundred even

Savings Bank
OF MICHIGAN COUNTY

| | |
|---------------------|--------|
| TO THE ORDER OF | |
| AMOUNT | 500.00 |
| CHECK NO. | |
| DATE | |
| PAY TO THE ORDER OF | |
| BY | |

M.I.
[Redacted]

61281040630 01 526014P 0156

NOT NEGOTIABLE

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COMMITTEE TO ELECT DAN HARBURG

416 S. BROAD ST.
SUNNYVALE, CA 94086

JUNE 1 92

169

1st DIRECTOR: SEE B

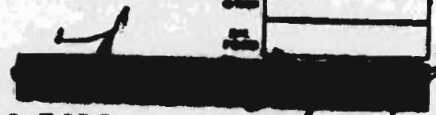
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John Burchino
Five Hundred Event

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| 500 |
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Savings Bank
OF MENDOCINO COUNTY

U.N. Benefits



⑆121104063⑆ 01 526086⑆ 0869

NOT NEGOTIABLE

COMMITTEE TO ELECT SAM HAMBURG
CHECKING ACCOUNT
15 E BROAD ST
LEAH, CA 94622

161

THE FEDERAL RESERVE

July 20

925

Holly Near
for business and for s. date

| | |
|---------------------|---------|
| DATE | 7/20/91 |
| AMOUNT | 205.44 |
| PAY TO THE ORDER OF | HS |
| MEMORANDUM | |
| INITIALS | |
| SIGNATURE | |

Savings Bank
OF MENARD COUNTY

11072 Kansas



⑆128104063⑆ 01 52614P 0161

NOT NEGOTIABLE

9504384705

A BENEFIT CONCERT
CENTRAL AMERICAN PROJECTS
MEDICAL AID AND SANCTUARY



ACT I
JACKSON BROWNE

INTERMISSION

ACT II
JACKSON BROWNE

SAN JOSE CENTER FOR THE PERFORMING ARTS
MARCH 8 • 1987

PROCEEDS TO
PASMAL AND SOUTH BAY SANCTUARY COVENANT
PRODUCED BY AVOCADO & BILL GRAHAM PRESENTS

0 5 0 4 3 6 9 4 7

PERFORMERS

Band

Jackson Browne

Kevin Duboz, *Guitar*
Bob Olshub, *Bass*

Doug Haywood, *Vocals, Keyboards, Guitar, Saxophone*
Scott Thurston, *Keyboards, Guitar, Synthesizer, Vocals*
Ian Wallace, *Drums*

Management

Donald Miller, *Manager*
Ronald Perfit, *Road Manager*
Mike Sexton, *Tour Coordinator*

Lighting

Obie Lights
Patti Connors, *Lighting Director*
Gene Northam Tom Maloney

Trucking

Jim DeLucca Sean Higgins
Michael Murphy

Crew

Dennis Scrimo,
Stage Manager, Drums
Mike Grizel, *Assistant Stage Manager*
Tom Covelli, *Keyboards, Saxophone*
Jags Jackson, *Keyboards, Guitars*
Jimmy Collins, *Guitars*
Ed Wong, *Electric*

Sound

Sound Image,
Ross Ritter, Les Banks, John Oster
James Godden, *House Mix*
Richard Irwin, *House Mix*
Michael Adams, *Monitor Mix*
Buford Jones, *House Mix*

Slide Projection

John Coffield Rob McKinney

LA Staff

Ty Braswell, *Office Manager*
Lyan Norton, *Secretary*

9 5 0 4 3 6 8 4 7 6 7

Caterers

Chez Panzano, *Richard Mazorra*
Fourth Street Grill, *Susan Nelson*,
Kurt Koessel

Bill Graham Presents

Stan Feig
Steve MacFadyen, *Production Manager*
Sherry Wasserman, *Box Office*
Roger Clark, *Publicity*
Jude Heller, *Publicity*

Shattuck Hotel

Margaret Holmes
M & K Industries
KKCY—Kate Hayes &
Lorraine Meier
KFOG—Dave Logan
KRQR—Chris Miller
KVRE—Scott Murray
KNBR
and all volunteers who have donated
labor and time in assisting with this
production

Beverages

Thousand Oaks Brewing Company,
Berkeley, CA
Bay Area Distributing Company
Jay Vee Liquors
Roaring Rock Brewery
The Coca-Cola Bottling Co.
Juice Bar Collective

The Berkeley Community Theater

Judson H. Owens

The Berkeley Unified School District

March 19 1971 Berkeley California



A BENEFIT CONCERT TOUR

CHRISTIC INSTITUTE

AN INTERFAITH CENTER FOR LAW AND PUBLIC POLICY

JACKSON BROWNE

SPECIAL GUESTS -

DANNY O'KEEFE

BARRY CRIMMINS

SACRAMENTO COMMUNITY THEATRE

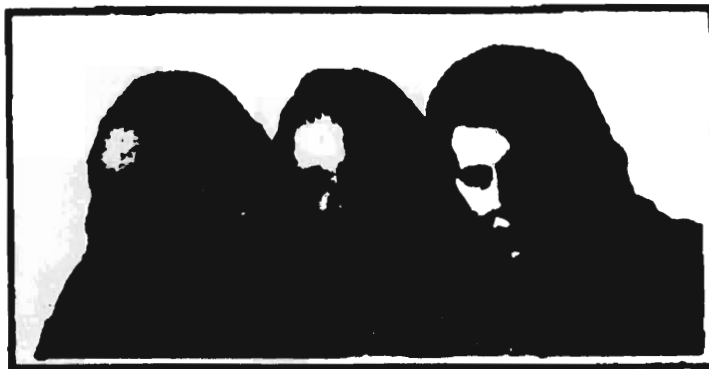
SACRAMENTO, CALIFORNIA

OCTOBER 30th • 1988

PRODUCED BY BILL GRAHAM PRESENTS AND AVOCADO PRODUCTIONS

9 5 0 4 3 6 8 4 7 6 8

Bill Graham Presents



CROSBY, STILLS & NASH

in a Special Acoustic Performance

SUNDAY, NOVEMBER 10TH 8:00 PM
WARFIELD THEATRE, SAN FRANCISCO



A SPECIAL BENEFIT CONCERT TO
PROTECT AND RESTORE CALIFORNIA'S RIVERS FOR

FRIENDS OF THE RIVER

in association with Avocado Productions

9 5 0 4 3 6 8 4 7 6 9

95043684770



A BENEFIT CONCERT
COUNTDOWN '87
CAMPAIGN TO END CONTRA AID
AN ACOUSTIC EVENING WITH

BONNIE RAITT

AND FRIENDS

PETER CASE
BOB "BOBCAT"
GOLDTHWAIT
HERBIE HANCOCK
DON HENLEY
HOLLY NEAR
SABIA

FRIDAY-SEPTEMBER 11th 1987

UNDER THE DIRECTION OF BILL GRAHAM PRESENTS

WESTLAND SCHOOL

A Benefit Concert



ACT ONE

GRAHAM NASH

Intermission

ACT TWO

JACKSON BROWNE



Under the direction of Bill Graham

Friday, March 6

0514068471

9 5 0 4 3 8 4 1 1 2

COMMITTEE TO ELECT DAN HANDELSON
CONCRETE ACCOUNT
[REDACTED]
UNION, CA 95408

4-16 92

Susan M. Melan
Three Hundred and Fifty

| |
|-------------------|
| 350 ⁰⁰ |
| 5000 |
| |
| |

Savings Bank
OF [REDACTED] COUNTY

DRIVING EQUIP

6121104063; 01 526014 0862 NOT NEGOTIABLE

COMMITTEE TO ELECT DAN WILSON
CONCRETE ACCOUNT
212 S. 10th St
LUGAN OK 74401

MAY 11 72

159

TOM CAMPBELL
One thousand even

Savings Bank
OF BEHNSON COUNTY
MAY 11 1972

| | |
|---------------------|---------|
| NO. | |
| PAY TO THE ORDER OF | 1000.00 |
| CASH | |
| DATE | |
| AMOUNT | |

9510 480925 10 269011212

NOT NEGOTIABLE

9504384773

Paid for by the Dan Hamburg for Congress Committee.

Name: _____

Address: _____

_____ **City** _____ **State** _____ **Zip** _____

Phone # _____

Amount: _____

Occupation : _____ **Employer:** _____

Ticket purchases considered donation to Dan Hamburg for Congress Campaign.

95043684774

COMMITTEE TO ELECT DAN HAMBURG
CONCERN ACCOUNT

308 CAPITOL HILL, NO. 208
SACRAMENTO, CA 95814

1060

TAX DEDUCTIBLE ITEM

88-088/1211

10/4

| | |
|------------|--------|
| BAL FORW | 52 |
| ISS PAYING | 500.00 |
| SALARY | |
| OTHER | |
| NO FORW | |

Jorge Calderon
Five Hundred + ~~00~~

CapitolBank

300 Capitol Hill - Sacramento, CA 95814

J.B. ...



⑆1221136329⑆1060 01679368⑆01

NOT NEGOTIABLE

95043684775

95043884776

COMMITTEE TO ELECT DAN HAMBURG
CONCERT ACCOUNT

380 CAPITOL MALL, NO. 250
SACRAMENTO CA 95818

1028

LAS OPERATIONS LINE # [

9/22

52

90-SERV 1211

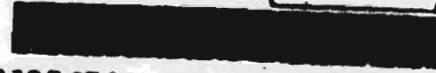
Jose Calderon
Three hundred & two

CapitolBank

380 Capitol Mall - Sacramento, CA 95818

IB number

| | |
|---------|--------|
| DEBIT | |
| CREDIT | |
| BALANCE | 300.00 |
| OTHER | |
| END | |



0167936801 8204:92292292

NOT NEGOTIABLE

95043884777

COMMITTEE TO ELECT DAN HAMBURG

CONTRIBUTOR
300 CAPITOL MALL, BOX 200
SACRAMENTO, CA 95814

Wally Ingram
Four Hundred & 25/100

Capitol Bank

S.D. M.S. 11

⑆121336329⑆1030 01679358⑆01

1030
DAN HAMBURG 1030

9/22 52 10-200/011

| | |
|----------|--------|
| DATE | 9/22 |
| AMOUNT | 400.00 |
| PAYEE | |
| INITIALS | |
| REMARKS | |

NOT NEGOTIABLE

COMMITTEE TO ELECT DAN HANBURG

MEMBER ACCOUNT
1000 MARKET STREET, SUITE 200
SACRAMENTO, CA 95814

1988

MEMBER ACCOUNT

NO. 1000/011

Wally Ingram
Fire Handled by [unclear]

CapitolBank

200 Capitol Mall - Sacramento, CA 95814

JB musician

| | |
|---------|--------------|
| NAME | Wally Ingram |
| ADDRESS | |
| CITY | |
| STATE | |
| ZIP | |

⑆12133632961062 01679368906

NOT NEGOTIABLE

95043684778

95043684779

COMMITTEE TO ELECT DAN HAMBURG
CONCERT ACCOUNT

280 CAPITOL MALL, NO. 280
SACRAMENTO, CA 95814

1033

TAX DEDUCTIBLE FROM

9/22 92 88-222/1211

David J. Kelly
One Hundred and Seven

CapitolBank
SACRAMENTO, CA 95814

J.E. Kelly

| | |
|-------------|--------|
| BAL. FWD'D | |
| THE PAYMENT | 100.00 |
| BALANCE | |
| OTHER | |
| BAL. FWD'D | |



⑆0109597910 ⑆033 01679368⑆01 NOT NEGOTIABLE

COMMITTEE TO ELECT DAN HAMBURG
CONCERT ACCOUNT

308 CAPITOL MALL, NO. 200
SACRAMENTO, CA 95814

1067

TAX DEDUCTIBLE ITEM

99-2002/1211

David J. Reilly
Three Hundred Dollars

10/4

| | |
|-------------|--------|
| BAL. FWD | 0. |
| THE PAYMENT | 300.00 |
| BALANCE | |
| CHRG | |
| BY POST | |

CapitolBank
A Division of
The Capital Bank of California, Inc.

41
[Redacted]

⑆128836329⑆1007 01679368⑆01

NOT NEGOTIABLE

95043684780

95043684781

COMMITTEE TO ELECT DAN HAMBURG
CONCERT ACCOUNT

1032

TAX DEDUCTIBLE ITEM

280 CAPITOL MALL, NO. 300
SACRAMENTO, CA 95814

9/22 52 89-2882/1211

Brown Reed
Two Hundred + Fifty Seven

| | |
|--------------|--------|
| BAL FWD'D | |
| THIS PAYMENT | 250.00 |
| BALANCE | |
| OTHER | |
| BAL FWD'D | |

CapitolBank

30 production



012113632901032 01679368#01

NOT NEGOTIABLE

COMMITTEE ON SELECT DASH HARBORUS
CONSTITUTIONAL
200 CAPITOL MALL, BOX 300
SACRAMENTO, CA 95811

1000

THE DEPOSITABLE VALUE OF

Re: Rec.
Five Hundred + No

CapitolBank
MEMBER FDIC
A MEMBER OF THE CITICORP GROUP

| | |
|-----------|--------|
| NO. | |
| DATE | |
| ISSUE | |
| BALANCE | 500.00 |
| INTEREST | |
| CHARGES | |
| PAID | |
| REMAINDER | |

IR-product

621133632901066 01677359701

NOT NEGOTIABLE

9504384782

COMMITTEE TO ELECT DAN HAMBURG
CHECK ACCOUNT
350 CAPITOL BUILDING #100
SACRAMENTO, CA 95814

State Mission
Four Hundred & 42

CapitolBank
200 Capitol Mall - Sacramento, CA 95814

JB - mission

1035
TAX EXEMPTIBLE

9/22 92 88-588/871

| | |
|------------|--------|
| BAL. FWD | |
| THE NUMBER | 400.42 |
| BALANCE | |
| DATE | |
| BAL. FWD | |

⑆121836329⑆1035 01679368⑆01

NOT NEGOTIABLE

95043684783

COMMITTEE TO ELECT DAN HAMBURG

CONCRETE ACCOUNT

300 CAPITOL MALL, NO. 300
SACRAMENTO, CA 95834

1069

TAX DEDUCTIBLE ITEM

99-382/1211

10/4

| | |
|----------|--------|
| CAL | 92 |
| PORTS | |
| ONE | |
| PAYMENT | 500.00 |
| DISCOUNT | |
| OTHER | |
| ONE | |
| ONE | |

Scott Thurston
Five hundred & no/100

CapitolBank

300 Capitol Mall - Sacramento, CA 95834

JB-musician



⑆12113632961069 01679368⑆01

NOT NEGOTIABLE

95043684764

9504384785

COMMITTEE TO ELECT DAN HAMBURG
CONCERN ACCOUNT

103 CAPITAL BALL, NO. 380
SACRAMENTO, CA 95814

1034

TAX DEDUCTIBLE ITEM

9/22

92 89-3532/171

John, Lee Schell
One Hundred + 4/100

CapitolBank

MEMBER FDIC

BR - 10/10

| | |
|---------|--------|
| DEBIT | |
| CREDIT | 100.00 |
| BALANCE | |
| DATE | |
| AMOUNT | |



⑆01679368⑆034 46019⑆9512⑆12

NOT NEGOTIABLE

95043684786

COMMITTEE TO ELECT DAN HAMBURG
CONCERT ACCOUNT

300 CAPITOL HALL, RM. 200
SACRAMENTO, CA 95814

1068

FED. RESERVE SYSTEM

10/4

92

30-3030/1711

Johnny Lee Schell
Five hundred & 700

| | |
|---------|--------|
| CASH | |
| PERMIT | 500.00 |
| SAVINGS | |
| OTHER | |
| CASH | |

CapitolBank

200 Capitol Mall - Sacramento, CA 95814

BR



⑆012113052901008 01679368⑆01

NOT NEGOTIABLE

95043684787

COMMITTEE TO ELECT DAN HAMBURG
CONCERT ACCOUNT

380 CAPITOL HILL, NO. 300
SACRAMENTO, CA 95814

Mason Wilkinson
One Hundred & 5/100

CapitolBank
200 Capitol Mall - Sacramento, CA 95814

Bill production

1037

TAX DEDUCTIBLE CHECK

9/22/62

99-0002/1211

| | |
|-------------|--------|
| AMOUNT PAID | |
| IN FULL | 100.00 |
| DATE PAID | |
| BY | |
| FOR | |
| AT | |
| IN | |
| OF | |
| TO | |
| FOR | |

⑆012883632901037 01679368P01

NOT NEGOTIABLE.

COMMITTEE TO ELECT DAN HAMBURG
CONCRETE ACCOUNT

300 CAPITOL MALL, POI. 300
SACRAMENTO, CA 95814

Mason Wilkinson
Five Hundred + 2700

CapitolBank
300 Capitol Mall - Sacramento, CA 95814

B.R. production

⑆121136329⑆1071 01679368⑆01

1071

TAX DEDUCTIBLE FROM

10-2000/0711

10/4

| | |
|-----------|--------------------|
| DATE | 10/4 |
| AMOUNT | 500.00 |
| MEMO | |
| INITIALS | |
| SIGNATURE | <i>[Signature]</i> |

NOT NEGOTIABLE

95043684708

95043684789

COMMITTEE TO ELECT DAN HAMBURG
CONCERT ACCOUNT

300 CAPITOL BLVD. RM. 300
SACRAMENTO, CA 95834

1029

EAN DEDUCTIBLE FROM [

0-000 000

9/22

Debit - Dobkin
One Hundred + 00/100

CapitolBank

200 Capitol Blvd. Sacramento, CA 95834

| | |
|--------|--------|
| DATE | 9/22 |
| AMOUNT | 100.00 |
| NAME | |
| TYPE | |
| REF | |



⑆121336329⑆1029 01679368⑆01 NOT NEGOTIABLE

COMMITTEE TO ELECT DAN HANBURG
CHECKING ACCOUNT

1061

TAX DEDUCTIBLE CHECK

300 CAPITOL Mall, Box 300
SACRAMENTO, CA 95814

10/4

92 09-0987/011

Debra Dobkin
Five Hundred + ^{two}/_{ten}

| | |
|---------|--------|
| CASH | |
| DEPOSIT | 500.00 |
| DEBIT | |
| OTHER | |
| TOTAL | 500.00 |

CapitolBank

BR. mas, 1000

[Signature]

⑆121136329⑆1061 01679368⑆01

NOT NEGOTIABLE

95043684790

COMMITTEE TO ELECT DAN HAMBURG

300 CAPITOL HILL, BOX 289
SACRAMENTO, CALIFORNIA 95834

1087

TAX DEDUCTIBLE ITEM

10/4

| | |
|---------|---------|
| DATE | 10/4 |
| FOR | 92 |
| PAYMENT | 6782.31 |
| BY | |
| CHECK | |
| DATE | |

Bill Graham Presents

Sixty Eight Thousand Two Hundred and Thirty One

CapitolBank

300 Capitol Hill - Sacramento, CA 95834



⑆122136329⑆1087 01679368⑆01

NOT NEGOTIABLE

95043684791

95043684792

COMMITTEE TO ELECT DAN HAMBURG

CONCEPT ACCOUNT

300 CAPITOL MALL, NO. 300
SACRAMENTO, CA 95834

1052

TAX DEDUCTIBLE

10/31

92

Bill Graham Presents
Seven Hundred of Four + 4/100

CapitolBank

SF Chronicle used

| | |
|--------|--------|
| AMOUNT | |
| PAID | 704.00 |
| DEBIT | |
| OTHER | |
| TOTAL | |

10-8547910 202 01679358701

NOT NEGOTIABLE

95043684793

COMMITTEE TO ELECT DAN HAMBURG
CONCERT ACCOUNT

300 CAPITOL BLVD., SUITE 300
SACRAMENTO, CA 95814

1047

(AS INDICATED BY ITEM #)

4/20

B. H. Ganshorn Presents
Three Hundred Fifty Dollars (300.00) of B.C.

| | |
|-----------|----------|
| DATE | 4/20 |
| AMOUNT | 357.85 |
| MEMO | 1568423- |
| INITIALS | |
| SIGNATURE | |
| DATE | |

CapitolBank
SACRAMENTO, CA 95814

1765-12-95 36 Ticket
Plant

⑆12136329⑆1047 01679368⑆01

NOT NEGOTIABLE

COMMITTEE TO ELECT DAN HAMBURG
CONCERT ACCOUNT

300 CAPITOL MALL, NO. 360
SACRAMENTO, CA 95814

1081

TAX DEDUCTIBLE ITEM

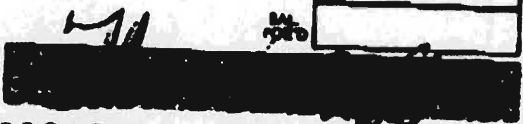
10/7/92

80-3002/1211

Steve Macfadyen
Two Thousand Seven

CapitolBank
300 Capitol Mall - Sacramento, CA 95814

| | |
|--------------|---------|
| PAID | |
| THIS PAYMENT | 2000.00 |
| BALANCE | |
| OTHER | |
| PAID | |



⑆12136329⑆1081 01679368⑆01

NOT NEGOTIABLE

95043684794

Ogc 1162

RECEIVED
FEDERAL ELECTION
COMMISSION
ADMINISTRATIVE DIVISION

MAY 2 11 29 AM '94

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3944

NAME OF COUNSEL: Judith L. Corley/B. Holly Schadler, PERKINS COIE

ADDRESS: 607 14th Street, NW, Suite 800
Washington, DC 20005

TELEPHONE: (202) 628-6600

MAY 2 3 05 PM '94

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

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

3/29/94
Date

B. Holly Schadler
Signature

RESPONDENT'S NAME: Committee to Elect Dan Hamburg

ADDRESS: P.O. Box 1496
Ukiah, CA 95482

TELEPHONE: HOME ()

BUSINESS (707) 462-4830

95043684795

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3944

NAME OF COUNSEL: Judith L. Corley/B. Holly Schadler, PERKINS COIE

ADDRESS: 607 14th Street, NW, Suite 800
Washington, DC 20005

TELEPHONE: (202) 628-6600

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.

4/7/93
Date

Carrie Hamburg
Signature

RESPONDENT'S NAME: Carrie Hamburg

ADDRESS: 1990 Buena Vista Road
Ukiah, CA 95482

TELEPHONE: HOME () _____

BUSINESS () _____

95043684797



RECEIVED
FEDERAL ELECTION
COMMISSION
P.O. BOX 584
HOPLAND, CA 95449
(707) 744-1441

06C 1294

The finest quality baked goods
with that delicious "homemade" taste

May 11 10 16 AM '94

April 25, 1994

Mary L. Taksar, Atty.
Central Enforcement Docket
Federal Election Commission
Washington, DC 95449

MUR 3944

May 11 2 34 PM '94

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Dear Ms. Taksar,

This letter is a response to a complaint against the Committee to Elect Dan Hamburg for improper corporate contributions.

We were listed as a Donor in the promotional literature for an event which benefited Dan Hamburg. It is our contention that The Cheesecake Lady, Inc. did not donate any product to the event.

Robin Collier sold all of the assets of her company "The Cheesecake Lady" to our corporation on September 6, 1991. As part of the purchase agreement, we agreed to give Ms. Collier up to 12 cakes a year for her close family and friends. In October 1991, Ms. Collier chose to give product to her friend Dana Crum. Ms. Crum was the caterer of the event in question.

Robin Collier is not an officer of our corporation. She is not authorized to act on behalf of the corporation, or to use our name. We did not donate the product, Robin Collier did. The use of the name "The Cheesecake Lady" in the promotional literature did not receive our prior approval.

If you have any questions, or if I can be of any further assistance, please contact me at your convenience.

Sincerely,

Tom Jurewicz
Chairman

95043684728



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JUNE 13, 1994

Bob Nye, Operations Manager
Scharffenberger Cellars, Inc.
P.O. Box 365
8501 Highway 128
Philo, CA 95466

RE: MUR 3944
Scharffenberger Cellars, Inc.

Dear Mr. Nye:

We are receipt of your response to the notification of the complaint in MUR 3944. In your letter, you indicate that you "shall consider this matter closed pending verification" from our office. This is to inform you that this matter remains open. You will be contacted when the Commission takes action in this case.

If you have any questions, please contact Joan McEnery at (202) 219-3400.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

95043684799

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

Aug 4 10 02 AM '95

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

FIRST GENERAL COUNSEL'S REPORT

MUR #3944

DATE COMPLAINT FILED:

03/08/94

DATE OF NOTIFICATION:

03/15/94

DATE ACTIVATED:

08/05/94

ATTORNEY ASSIGNED:

Richard M. Denholm II

SENSITIVE

COMPLAINANT:

National Republican
Congressional Committee

RESPONDENTS:

Former U.S. Rep. Daniel E. Hamburg
Carrie Hamburg
Committee to Elect Dan Hamburg and
Ted Loring, as treasurer
The Hamburg Trust and Steve Hamburg,
as Trustee
Bill Graham Presents
Avocado Productions
Bonnie Raitt
Jackson Browne
Holly Near
Mendocino Book Company
Music Brothers
Eureka Recordworks, Inc.
Too Much Fun
Leaves of Grass Bookstore
Frey Vineyards
Scharffenberger Cellars, Inc.
Iron Horse Vineyards
Thanksgiving Coffee Company
Ukiah Co-operative
The Cheesecake Lady

RELEVANT STATUTES:

2 U.S.C. § 431(8)(A)(i)
2 U.S.C. § 431(8)(B)(i)
2 U.S.C. § 431(8)(B)(vii)
2 U.S.C. § 432(e)(2)
2 U.S.C. § 434(b)(8)
2 U.S.C. § 439a
2 U.S.C. § 441a(a)(1)(A)
2 U.S.C. § 441a(f)
2 U.S.C. § 441b(a)
2 U.S.C. § 441d(a)
2 U.S.C. § 441d(a)(1)
2 U.S.C. § 441d(a)(2-3)
2 U.S.C. § 701(d)

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- 2 U.S.C. § 702(e)(1)
- 11 C.F.R. § 100.7(a)(1)
- 11 C.F.R. § 100.7(a)(1)(i)(A)
- 11 C.F.R. § 100.7(a)(1)(i)(B)
- 11 C.F.R. § 100.7(a)(1)(iii)(A)
- 11 C.F.R. § 100.7(b)
- 11 C.F.R. § 110.10(a)
- 11 C.F.R. § 110.10(b)(1)(i)
- 11 C.F.R. § 110.10(b)(1)(ii)
- 11 C.F.R. § 110.10(b)(2)
- 11 C.F.R. § 110.10(b)(3)
- 11 C.F.R. § 110.11(a)(1)
- 11 C.F.R. § 113.2(d)

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

This matter arises out of a complaint filed with the Federal Election Commission ("FEC" or "the Commission") on March 8, 1994. The National Republican Congressional Committee ("Complainant") alleges certain violations of the Federal Election Campaign Act of 1971, as amended ("FECA" or "the Act") primarily concerning the Committee to Elect Dan Hamburg and Antonio Andrade,¹ as treasurer, ("the Committee") and former Representative Dan Hamburg. In addition, Complainant alleges a number of improper contributions were made to the Committee by Representative Hamburg's wife, Carrie Hamburg; Bill Graham Presents; Avocado Productions; Bonnie Raitt; Jackson Browne; Holly Near; Mendocino Book Company; Music Brothers; Eureka Recordworks, Inc.; Too Much Fun; Leaves of Grass Bookstore; Frey Vineyards; Scharffenberger Cellars, Inc.;

1. Ted Loring has been designated as committee treasurer and is named as the Respondent treasurer in this matter.

95043684801

Iron Horse Vineyards; Thanksgiving Coffee Company; Ukiah Co-operative; and The Cheesecake Lady. All of the Respondents, with the exception of Leaves of Grass Bookstore, Too Much Fun, and Music Brothers have filed responses to the complaint.

II. FACTUAL AND LEGAL ANALYSIS

A. Statutory and Administrative Law

1. Contributions

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The Act defines a "contribution" to include a "gift, subscription, loan, advance, or deposit of money or anything of value made for the purpose of influencing any election for Federal office." 2 U.S.C. § 431(8)(A)(i). The term "anything of value" includes all in-kind contributions unless specifically exempted under 11 C.F.R. § 100.7(b). 11 C.F.R. § 100.7(a)(1)(iii)(A). The definition of contribution does not include the value of services provided without compensation by any individual who volunteers on behalf of a candidate or committee. 2 U.S.C. § 431(8)(B)(i). The Commission has concluded that the volunteer services exemption is available to entertainers and other artists. Advisory Opinion 1980-42, Fed. Election Camp. Fin. Guide (CCH) ¶ 5507, at p. 10,583 (June 25, 1980).

An individual is limited to contributions of \$1,000 per election to a Federal candidate and his or her authorized political committee. 2 U.S.C. § 441a(a)(1)(A). This limitation applies to the spouse or family member of a candidate, as well as to other individuals. A candidate who receives a contribution, or

any loan for use in connection with his or her campaign, does so as an agent of his or her campaign committee. 2 U.S.C. § 432(e)(2). The Act prohibits any political committee from knowingly accepting any contribution which exceeds the contribution limitations of the Act. 2 U.S.C. § 441a(f).

Unlike individuals, it is unlawful for any corporation to make a contribution or expenditure in connection with any Federal election. 2 U.S.C. § 441b(a). It is similarly unlawful for any candidate or committee knowingly to accept any corporate contribution, or for a corporate officer to consent to any corporate contribution or expenditure in connection with Federal elections. Id.

Candidates for Federal office, other than those receiving public funding, may make unlimited contributions to their campaigns from their personal funds. 11 C.F.R. § 110.10(a). Personal funds are "[a]ny assets which, under applicable state law, at the time he or she became a candidate, the candidate had a legal right of access to or control over," coupled with either "legal and rightful title" or an "equitable interest." 11 C.F.R. § 110.10(b)(1)(i) and (ii) [emphasis added]. Income from salary and other bona fide employment, or income from trusts of which the candidate is the beneficiary, which were established before candidacy or by bequest after candidacy are, inter alia, specifically included as personal funds. 11 C.F.R. § 110.10(b)(2). A candidate is also permitted to use a portion of

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assets jointly owned with his or her spouse as personal funds without making the spouse a contributor. 11 C.F.R.

§ 110.10(b)(3). The portion of the jointly-owned assets considered to be the candidate's personal funds is the portion that is the candidate's share under the instrument of conveyance or ownership or, if no specific share is indicated, the value of one-half the property. Id.

Candidates may also make unlimited loans of their personal funds to their campaigns. Although candidates are prohibited from converting campaign funds to personal use,² the regulations specifically permit repayment to the candidate of "any loan the proceeds of which were used in connection with his or her campaign." 11 C.F.R. § 113.2(d). Additionally, the Commission allows an authorized committee to pay the candidate interest on loans to his or her campaign. See Advisory Opinion 1986-45, 2 Fed. Election Camp. Fin. Guide (CCH) ¶ 5881, at p. 11,340 (Feb. 6, 1987); Advisory Opinion 1991-9, 2 Fed. Election Camp. Fin. Guide (CCH) ¶ 6016, at p. 11,700 (May 14, 1991). As with any other loan, the committee must report to the Commission the amount of any candidate loan and any applicable interest rate. 2 U.S.C. § 434(b)(8).

Loans made in the ordinary course of business by lending institutions described in the Act are not considered

2. 2 U.S.C. § 439a

95043684804

contributions. 2 U.S.C. § 431(8)(B)(vii). A loan from an individual or from a source other than a lending institution in the ordinary course of its business is a contribution. 2 U.S.C. § 431(8)(A)(i). A loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid. 11 C.F.R. § 100.7(a)(1)(i)(B). Therefore, any loans to a candidate as an agent of his or her campaign committee, other than those made in the ordinary course of business from lending institutions described in the Act, are contributions and are subject to the prohibitions and limitations of the Act. Advisory Opinion 1985-33, Fed. Election Camp. Fin. Guide (CCH) ¶ 5833, at pp. 11,215-11,216 (Nov. 22, 1985). As such, a loan which exceeds the contribution limitations of 2 U.S.C. § 441a is unlawful whether or not it is repaid. 11 C.F.R. § 100.7(a)(1)(i)(A). Such loans do not qualify as a candidate's personal funds. Advisory Opinion 1985-33.

2. Express Advocacy and Disclaimers

The Act requires a disclaimer for communications that expressly advocate the election or defeat of a clearly identified candidate for Federal office or that solicit contributions through any newspaper, magazine, direct mailing, or any other form of general public advertising. 2 U.S.C. § 441d(a). The disclaimer must clearly identify who paid for the communication and whether it was authorized. Id. If the communication was paid for by an authorized political campaign committee of a candidate, the

95043684805

communication must clearly state it was paid for by such authorized political committee. 2 U.S.C. § 441d(a)(1). If it was paid for by someone other than a candidate's authorized political committee, the disclaimer must also state whether the communication was authorized by the candidate or the candidate's committee. 2 U.S.C. § 441d(a)(2) and (3). The Commission's regulations require such disclaimers to appear in a clear and conspicuous manner, giving the recipient of the communication adequate notice of the identity of the persons who paid for, and when required, who authorized the communication. 11 C.F.R. § 110.11(a)(1).

B. Factual Allegations of Complaint and Responses

1. Candidate Loan

a. Allegations

The first alleged violation involves a \$10,000 loan made by Dan Hamburg ("the Candidate") to the Committee on December 26, 1991. The Complainant alleges that the Candidate's personal financial disclosure reports showed that he had insufficient personal funds to make the loan. The Complainant asserts the funds for the loan must have come from the joint accounts of the Candidate and his wife. The Complainant concludes that the Candidate's wife apparently made an excessive contribution to the Committee. Attachment 1 at 2. Additionally, the Complainant alleges that the loan was reported by the

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Committee as interest-free; however, the loan was repaid to the Candidate with \$86 in interest. The Complainant asserts that the \$86 payment "appears to be a conversion of campaign funds to personal use in violation of 2 U.S.C. § 439a." Id. at 5.

b. Response

The Committee, the Candidate and Carrie Hamburg filed responses denying that any violations of the Act arose out of the Candidate's loan. Attachment 2 at 2. The Respondents assert that the funds for the Candidate's loan came from another loan that he had received from a Trust belonging to his family (the "Trust"). Id. at 3. Respondents conclude that "the funds Representative Hamburg loaned to his campaign were his personal funds," and Carrie Hamburg made no excessive contribution. Id. at 2. Regarding the interest paid to the Candidate, the Respondents assert that the Committee's initial reports "mistakenly indicated that no interest would be charged." Id. at 6. Because a later report disclosed the loan as interest-bearing, Respondents assert there was no violation of 2 U.S.C. § 439a. Id.

c. The Trust

On December 26, 1991, the Candidate signed over to the Committee a \$10,000 check loaned to him on December 24, 1991, from the family Trust. The loan was repaid to the Trust on March 31, 1992. Respondents describe the Trust as executed by the Candidate's mother in 1983 for the principal benefit of the

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Candidate's sister. The Trust is "revocable at any time by the mother," and "[a]s contingent beneficiaries on the Trust, Representative Hamburg and his brother receive property of the Trust in the event of the death of the sister and mother." Attachment 2 at 3. The Trust was created in Missouri with the Candidate's brother, Steve Hamburg, as Trustee ("the Trustee").

In 1990, the Candidate and the Trustee agreed to establish a \$20,000 line of credit for each of them, which apparently was evidenced by a promissory note.³ Id. The promissory note was not included in any response. Respondents assert that the line of credit was originally established to allow the Trustee to borrow \$20,000 from the Trust. The Candidate's personal financial disclosure statements did not mention the Trust,⁴ and the Trust instrument was not included with Respondents' response.

3. Respondents assert that the Trustee's authority to create this line of credit arises from Item IV(L) of the Trust instrument, which apparently states that the Trustee has the power:

To lend [which Respondents interpret as "lend"] money to any person or persons upon such terms and in such ways and with such security as the Trustee may deem advisable for the best interests of the Trusts and the beneficiaries hereunder.

Id.

4. The Complainant attached copies of the Candidate's personal financial disclosure forms, which had been filed with the Clerk of the U.S. House of Representatives. Attachment 1 at 24, 28 and 33. Candidates for Congress are required to file personal financial disclosure statements. 2 U.S.C. § 701(d). Trusts in which the candidate, his or her spouse, or his or her dependent hold a beneficial interest in the principal or income must be reported. 2 U.S.C. § 702(e)(1).

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Respondents concede that the Candidate had neither control over the Trust funds nor legal and rightful title to the Trust assets. They assert, however, that the "line of credit" created for the Candidate a "legal right of access to up to \$20,000 of the Trust funds and an equitable interest in the Trust." Id. at 4. Because a trustee has a "duty to deal impartially with all of the beneficiaries," Respondents contend that once the Trustee exercised his power to lend money to himself as a beneficiary, "he was under a duty to treat all beneficiaries impartially." Id. at 4-5. According to Respondents, "Representative Hamburg, also a beneficiary, at that point had a legal right to seek this impartial treatment (i.e. access to Trust funds for himself.) Representative Hamburg could have, if necessary, sued at law to protect his right." Id. at 5. Thus, they conclude the \$10,000 borrowed from the Trust were the Candidate's personal funds.

d. Legal Analysis of the Loan

This Office believes that the funds loaned to the Candidate by the Trust were not his personal funds and, consequently, constitute an excessive contribution from the Trust to the committee. The check, which the Candidate signed over to the Committee, was a personal loan made from Trust funds to the Candidate two days prior. The Act regards any loan, other than

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one from a lending institution in the ordinary course of business, as a contribution.⁵ As the Commission stated to another candidate who wished to loan her committee funds from personal loans made to her from "entities" other than lending institutions:

...[A]ny loans to a candidate as an agent of her authorized committees ... other than those lending institutions described in the Act, come within the Act's definition of contribution. As contributions, such loans become subject to the prohibitions and limitations of the Act.

You are a candidate who will receive personal loans which you then plan to loan to your committee. The Act specifies that you will be treated as receiving or obtaining these loans as an agent of your committee. Therefore, these loans do not qualify as your personal funds. Accordingly, your committee should report and itemize these loans as loans from your initial lender rather than as loans of your personal funds.

Advisory Opinion 1985-33 (citations omitted).

Based upon the record, there is no distinction between the loan from the Trust and a personal loan to the Candidate from a family member. Since the \$10,000 was not the personal funds of the Candidate, it constitutes an excessive contribution, totaling \$9,000, from the Trust upon authority of the Trustee, which the

5. See 2 U.S.C. § 431(8)(a)(i). A loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid. 11 C.F.R. § 100.7(a)(1)(i)(B). A loan which exceeds the contribution limitations of 2 U.S.C. § 441a shall be unlawful whether or not it is repaid. 11 C.F.R. § 100.7(a)(1)(i)(A).

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Candidate received as an agent of the Committee. 2 U.S.C. § 432(e)(2).

Unlike situations where the person who funded a trust (settlor) or who is the beneficiary of a trust makes the decision to contribute to a candidate, in this matter it appears that the Trustee made the decision to loan the money to the candidate out of Trust funds and had the authority to do so under the terms of the Trust. Cf. Advisory Opinions 1978-7 and 1988-8. The Trust instrument in this matter authorized the Trustee to "send money to any person ... as the Trustee may deem advisable." Attachment 2 at 4. Therefore, it appears that Steve Hamburg, as Trustee, and not the Candidate's sister (beneficiary) or the Candidate's mother (settlor), is responsible for making the excessive contribution from trust funds to the candidate.

Therefore, this Office recommends that the Commission find reason to believe that the Trust and Steve Hamburg, as Trustee, violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution. This Office also recommends the Commission find reason to believe that Dan Hamburg and the Committee to Elect Dan Hamburg and Ted Loring, as treasurer, violated 2 U.S.C. § 441a(f) by accepting an excessive contribution. Finally, this Office recommends that the Commission find no reason to believe that the candidate's wife, Carrie Hamburg, violated 2 U.S.C. § 441a(a)(1)(A).

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However, because: (1) the Respondents were inexperienced at the time the transaction occurred; (2) the Respondents present a colorable argument concerning the candidate's legal right of access to the funds of the Trust; (3) the loan was relatively small and was repaid in about three months; and (4) based upon the Committee's receipts and disbursements for this time period, it does not appear that the loan was needed by the Committee,⁶ this Office recommends the Commission take no further action with regard to the Committee, Dan Hamburg, the Trust and Steve Hamburg, as Trustee. Assuming the Commission approves our recommendation, this Office intends to send an admonishment letter to each of these Respondents.

2. Legal Analysis of Personal Use Allegations

On March 31, 1992, the Committee repaid the Candidate's loan with \$86 in interest. The complaint alleges that the payment of \$86 in interest was a conversion of campaign funds to personal use because the Committee had not reported the loan as interest-bearing. The Respondents assert that, "[w]hen the loan from Representative Hamburg was originally reported, the Committee mistakenly indicated that no interest would be charged." Attachment 2 at 6. The Respondents stated that on May 19, 1992,

6. The Committee's reports show no major disbursements during this time period and also show ending cash-on-hand balances in excess of the loan amount for both reporting periods, the 1991 Year End and 1992 April Quarterly Reports.

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the Committee amended its reports to reflect the four percent (4%) interest on the loan, but the Commission's records do not reflect this amendment.⁷ Id. The Respondents provided no instrument memorializing the Candidate's loan or the purported interest agreement.

Despite the Committee's assertions that the misreporting was "inadvertent," the Committee's reports reflect that the loan was interest-free. While the Commission allows authorized campaign committees to pay candidates interest on loans to their committee,⁸ the Commission has found that a committee's failure to report a candidate's loan as interest-bearing forecloses payment of any interest on such loans at a later date. Advisory Opinion 1991-9, 2 Fed. Election Camp. Fin. Guide (CCH) ¶ 6016, at p. 11,700 (May 14, 1991). In Advisory Opinion 1991-9, the Commission found that "the failure to disclose any interest rate for the loans and the indication that interest was not even

7. The Committee's 1991 Year End Report, filed January 31, 1992, reported the loan was free of interest (0% interest rate). Attachment 1 at 11. The Committee's April 15, 1992 Quarterly Report had no entry concerning interest. Id. at 13. An amendment to the 1991 Year End Report, filed July 9, 1992, had no entry concerning the interest rate. Id. at 19.

8. See Advisory Opinion 1986-45, 2 Fed. Election Camp. Fin. Guide (CCH) ¶ 5881, at p. 11,340 (Feb. 6, 1987). Because Commission regulations specifically make lawful the repayment of loans the candidate has made to the committee, the Commission held that the payment of interest on such loans, to the extent that the interest rate does not exceed a commercially reasonable rate, is lawful and does not violate prohibitions on personal use.

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applicable would foreclose the retroactive application of interest for such loans." Id. Consequently, the Commission found that such retroactive interest payments "would represent a conversion of excess funds to personal use in violation of 2 U.S.C. § 439a and 11 C.F.R. § 113.2(d)." Id. It appears that the \$86 interest payment from the Committee to the Candidate was made in violation of 2 U.S.C. § 439a.

Therefore, this Office recommends that the Commission find that there is reason to believe that Dan Hamburg violated 2 U.S.C. § 439a by converting campaign funds to personal use. This Office also recommends that the Commission find that there is reason to believe that the Committee to Elect Dan Hamburg and Ted Loring, as treasurer, violated 2 U.S.C. § 439a by converting campaign funds to the candidate's personal use. This Office further recommends the Commission take no further action with regard to the Committee or Dan Hamburg because of the limited amount of the violation.

3. Allegations and Responses Concerning Fund-raising Concerts

Complainant's remaining allegations concern four fund-raising concerts held in California by the Committee.⁹ Specifically, Complainant alleges: (1) Bill Graham Presents ("BGP"), a

9: The first concert was held April 21, 1992, in Eureka; two more concerts took place on April 22, 1992, in Santa Rosa; and the fourth concert was held October 4, 1992, in Napa.

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corporation,¹⁰ may have made prohibited, in-kind corporate contributions to the campaign; (2) entities who were identified as "donors" in concert publications "appear to be corporate entities to whom payments were apparently not made" in violation of 2 U.S.C. § 441b(a); and (3) the disclaimers on concert advertising were in a type too small to give notice as required by 2 U.S.C. § 441d(a)(1).

a. Concert Promoters and Performers

The Complainant asserts that concert advertising and publications for the first, second, and third concerts indicated that "a number of people from Avocado Productions and Bill Graham Presents have been instrumental in the production of the concerts." Attachment 1 at 3. Also, "the [BGP] corporate name appears on the advertising."¹¹ The Complainant states that the Committee's reports only disclosed disbursements to BGP during the

10. The Complainant asserts that BGP is a rock concert promoter registered as a California corporation and Avocado Productions "is a DBA [doing business as] for Tom Campbell of Long Beach and is registered in California." Attachment 1 at 3.

11. The Complainant attached advertisements for the concerts, each of which has "Bill Graham Presents -- Avocado" printed on the bottom of the advertisements. See id. at 39-41.

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time period covering the fourth concert.¹² Thus, the Complainant concludes, BGP's services for the first three concerts "appear to have been unpaid and therefore illegal corporate contributions." Id. at 6.

The Respondents assert that the Complainant's conclusion is incorrect. The responses from the Committee, BGP, and Avocado Productions each aver that the BGP corporate logo appears with Avocado Production's logo because of BGP's association with Avocado Productions and Bonnie Raitt, a performer at the first three concerts. Attachment 2 at 7. See also Attachment 3 at 1-5. The Committee asserts that BGP and Avocado Productions "have worked together on events for 18 years [and] [t]hroughout that time Tom Campbell has uniformly recognized BGP in its promotional materials for concerts held in Northern California ... [T]his is true whether or not BGP performs any services for an event." Attachment 2 at 7. This was confirmed by the responses of Avocado Production and BGP. Tom Campbell, president of Avocado Productions, stated in his response that his "personal

12. The Complainant asserts the Committee reported obligations and disbursements of \$8,316.52 to Avocado Productions during the first three concerts, but "[n]o expenditures appear to have been made by the Hamburg Committee to [BGP] for those same concerts even though the [BGP] corporate name appears on the advertising." Id. at 3. Prior to the fourth concert, the Committee reported a total of \$7,874.16 in disbursements to BGP. Id. at 4. Complainant concludes that BGP must have made an impermissible corporate contribution of its services for the first three concerts because "[i]t is unlikely that a professional promoter customarily delays five months in billing clients for services." Id. at 6.

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relationship with Bill Graham Presents goes back some 18 years to 1976 and in Northern California we have always listed Bill Graham Presents in our public materials as a courtesy to them and the artists with whom we mutually work." Attachment 3 at 4. The response from BGP gives a substantially similar explanation. Id. at 2. There is no evidence to contradict this explanation.

Further, the Committee, BGP, Avocado Productions, Bonnie Raitt, Holly Near, and Jackson Browne each provided documentation of the Committee's payments for services not performed by volunteers, and for the expenses incurred by volunteers. See Attachment 2 at 7-9 and Attachment 3 at 6-8. Respondents Bonnie Raitt, Holly Near, and Jackson Browne all asserted that they volunteered their services. Attachment 3 at 6-8. The Act's definition of contribution does not include the value of services provided without compensation by any individual who volunteers on behalf of a candidate or committee. 2 U.S.C. § 431(8)(B)(i). The Commission has concluded that the volunteer exception is available to entertainers and other artists. Advisory Opinion 1980-42, Fed. Election Camp. Fin. Guide (CCH) ¶ 5507, at p. 10,583 (June 25, 1980). Based upon this evidence, this Office recommends that the Commission find that there is no reason to believe that the Committee to Elect Dan Hamburg and Ted Loring, as treasurer, violated to 2 U.S.C. § 441b(a) with respect to concerts promoted by Bill Graham Presents and Avocado Productions and performed by

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Bonnie Raitt, Holly Near, and Jackson Browne. Relatedly, this Office also recommends that the Commission find no reason to believe that Bill Graham Presents, Avocado Productions, Bonnie Raitt, Holly Near, and Jackson Browne violated 2 U.S.C. § 441b(a).

b. Alleged "Corporate Donors"

Next, the Complainant alleges that "donors" acknowledged in concert literature for the October 4, 1992, concert "may be corporations," and if so, their contributions may have violated 2 U.S.C. § 441b(a). Attachment 1 at 7. Because the concert program for the fourth concert acknowledged a number of "donors,"¹³ and the Committee's reports showed no disbursements to these organizations, the Complainant asserts that "[i]f any or all of these organizations are corporations any value received [from them] would constitute a violation" of 2 U.S.C. § 441b(a). Id.

1. Response and Discussion of the Ticket Outlets

The Committee's response asserts that six of the organizations that were acknowledged in the program are community ticket outlets which were thanked for their role in selling tickets for the Committee's concerts. The organizations listed by the response as ticket outlets are Leaves of Grass Bookstore,

13. Those acknowledged by the program as "donors" and which Complainants identified as possible corporations include: Leaves of Grass Bookstore, Mendocino Book Company, Music Brothers, Frey Vineyards, Scharffenberger Cellars, Inc., Iron Horse Vineyards, Thanksgiving Coffee Company, Too Much Fun, Eureka Recordworks, Inc. (d/b/a "The Works") in Arcata and Eureka, Ukiah Co-operative and The Cheesecake Lady. Id. at 7.

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Mendocino Book Company, Music Brothers, Too Much Fun, Eureka Recordworks, Inc., and Ukiah Co-operative. Attachment 2 at 8. According to our review of the public record, Leaves of Grass Bookstore and Music Brothers are sole proprietorships. Mendocino Book Company,¹⁴ Too Much Fun, Eureka Recordworks, Inc., and Ukiah Co-operative are listed as corporate entities.

The Mendocino Book Company, Eureka Recordworks, Inc. and Ukiah Co-operative each filed responses confirming the Committee's assertion. Attachment 3 at 9, 10, and 12. The ticket outlets' responses assert that they have long served as community ticket outlets, and the concert materials thanked them for that service. This Office did not receive responses from the Music Brothers, Leaves of Grass Bookstore, or Too Much Fun. The Committee's response asserts that "[e]ach of these stores has a history of selling tickets to local community events free of charge," and "[t]here were no costs to these stores incurred by selling tickets." Attachment 2 at 8.

The Commission's regulations define a contribution as, inter alia, "the provision of goods or services without charge or at a charge which is less than the normal charge for such goods and services." 11 C.F.R. § 100.7(a)(1)(iii)(A). The "usual and

14. Ann Kilkanny, on behalf of Mendocino Book Company, states that the Mendocino Book Company is not a corporation and that the "thank-you from the concert program was merely a thank-you for allowing tickets to be sold at the Mendocino Book Company." Dun and Bradstreet's Report, however, indicates that Mendocino Book Company is, in fact, registered as a corporation in California.

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normal charge" for services means the charge for the services at a commercially reasonable rate at the time the services were rendered. 11 C.F.R. § 100.7(a)(1)(iii)(B). The Commission has found that when free or discounted goods and services are provided in the ordinary course of business to non-political customers or clients, those same free or discounted goods or services may be provided to political committees without resulting in a contribution by the provider.¹⁵

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In this case, although the responses assert that the ticket outlets charge no fee for their service as "community ticket outlets," it is not apparent whether the ticket outlets did provide the service free of charge in their ordinary course of business. Accordingly, concerning the corporate entities that provided free ticket distribution services to the Committee, this Office recommends that the Commission find that there is reason to believe the Committee to Elect Dan Hamburg and Ted Loring, as treasurer; Mendocino Book Company; Eureka Recordworks, Inc. (d/b/a "The Works"); Too Much Fun; and Ukiah Co-operative violated 2 U.S.C. § 441b(a). However, because these appear to be small, locally-owned organizations and the amounts in violation are probably minimal, we further recommend that the Commission take no further

15. See Advisory Opinion 1986-22, 2 Fed. Election Camp. Fin. Guide (CCH) ¶ 5861, at p. 11,290 (July 24, 1986); Advisory Opinion 1987-24, 2 Fed. Election Camp. Fin. Guide (CCH) ¶ 5902, at p. 11,392 (Sept. 10, 1987); and Advisory Opinion 1988-25, 2 Fed. Election Camp. Fin. Guide (CCH) ¶ 5931, at p. 11,459 (June 29, 1988).

action against these Respondents. Assuming the Commission approves this recommendation, this Office intends to send an admonishment letter to these Respondents that explains what is permissible under the Act. Two of the ticket outlets are sole proprietorships rather than corporations; accordingly, this Office recommends that the Commission find no reason to believe that Music Brothers and Leaves of Grass Bookstore violated 2 U.S.C. § 441b(a).

2. Response and Discussion of the Vendor Donors

The Committee's response states that the remaining "donors" acknowledged in the concert program had provided in-kind contributions of food and beverages for a reception following the third concert.¹⁶ The Committee stated that individuals associated with wineries donated the following amount of wine: Matt Frey of Frey Vineyards, \$120; John Scharffenberger of Scharffenberger Cellars, Inc., \$184; and Lawrence Sterling of Iron Horse Vineyards, \$120. Attachment 2 at 9. Also, the Committee states it received \$18 worth of soda from Ukiah Co-operative, \$15 worth of coffee from Joan Katzeff of the Thanksgiving Coffee Company, and \$35 worth of desserts from Robin Tutlier, former owner of The Cheesecake Lady. Id. The Committee states that although it acknowledged businesses in its publications, individuals

16. While Complainant assumes that the acknowledgment in the October 4 concert program is for services rendered by the entities at that concert, the Respondents state that "these individuals and organizations were in fact recognized for their efforts with respect to the April concerts." Attachment 2 at 8.

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associated with the businesses actually made the contributions, and not the businesses. Id.

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Frey Vineyards, Scharffenberger Cellars, Inc., Iron Horse Vineyards, Thanksgiving Coffee Company, Ukiah Co-operative, and The Cheesecake Lady each filed responses substantially concurring with the Committee. Attachment 3 at 11, 13-16. For example, Scharffenberger Cellars, Inc. responds that "Mr. Scharffenberger made a personal contribution in the form of wine to Mr. Hamburg's campaign, and ... the Committee to Elect Dan Hamburg inadvertently listed our company ... as being the donor in their event program." Attachment 3 at 15. Also, The Cheesecake Lady responds that a former owner of the company receives some of the corporation's product each year and apparently chose to give some to the Committee. Attachment 3 at 16. Iron Horse Vineyards responds that it is a partnership, not a corporation. Ukiah Co-operative states that it "donated approximately four cases of sodas for the volunteers who were helping in the kitchen preparing food for the fundraiser." Attachment 3 at 12.

Other than for Ukiah Co-operative, there is nothing in the record to dispute the Committee's and the donors' assertions that the food and beverages came from individuals associated with the businesses. Therefore, this Office recommends that the Commission find that there is no reason to believe the Committee to Elect Dan Hamburg and Ted Loring, as treasurer, violated 2 U.S.C. § 441b(a)

with respect to food and beverages provided by Frey Vineyards, Scharffenberger Cellars, Inc., Iron Horse Vineyards, Thanksgiving Coffee Company, and The Cheesecake Lady. Relatedly, this Office also recommends that the Commission find no reason to believe that Frey Vineyards, Scharffenberger Cellars, Inc., Iron Horse Vineyards, Thanksgiving Coffee Company, and The Cheesecake Lady violated 2 U.S.C. § 441b(a).

Ukiah Co-operative, on the other hand, itself contributed a small amount of beverages to the volunteers working in the kitchen at a fundraiser. Because Ukiah Co-operative is a corporation, this Office recommends that the Commission find reason to believe that Ukiah Co-operative violated 2 U.S.C. § 441b(a) with respect to beverages it provided to volunteers working on behalf of the Committee to Elect Dan Hamburg and Ted Loring, as treasurer. This Office also recommends that the Commission find reason to believe that the Committee to Elect Dan Hamburg and Ted Loring, as treasurer, violated 2 U.S.C. § 441b(a) with respect to the beverages provided by Ukiah Co-operative. However, because of the very limited nature of this contribution, this Office also recommends that the Commission take no further action against either respondent as to this violation.

c. Inadequate Disclaimer Allegations

Complainant's final allegation is that the size of the type used for the disclaimer on concert advertisements was too small.

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Attachment 1 at 7. The Complainant attached a copy of three newspaper advertisements which it claimed lacked an adequate disclaimer. Id. at 39-41.

The Act requires that communications soliciting contributions through any newspaper or other type of general public political advertising that have been paid for and authorized by a candidate or his or her committee must "clearly state that the communication has been paid for by such authorized political committee."

2 U.S.C. § 441d(a)(1). Additionally, the Commission has specifically stated that disclaimers for fund-raising concerts must "afford notice to potential and actual ticket purchasers that the proceeds of their ticket purchases will benefit the Committee." Advisory Opinion 1980-42, 2 Fed. Election Camp. Fin. Guide (CCH) ¶ 5507, at p. 10,585 (June 25, 1980).

This Office notes that the print comprising the disclaimer is sufficiently large enough to be easily read and understood from the photocopies of the advertisements attached to the complaint. Attachment 1 at 39-41. Beyond the Commission's statements that the disclaimer be adequate to afford notice, it has set no formulas for size. Therefore, because the Committee's disclaimer notices were large enough to afford adequate notice to potential and actual ticket buyers, this Office recommends that the Commission find that there is no reason to believe the Committee to Elect Dan Hamburg and Ted Loring, as treasurer, violated 2 U.S.C. § 441d(a)(1).

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III. RECOMMENDATIONS

1. Find reason to believe the Trust and Steve Hamburg, as Trustee, violated 2 U.S.C. § 441a(a)(1)(A), but take no further action.

2. Find reason to believe that the Committee to Elect Dan Hamburg and Ted Loring, as treasurer, violated 2 U.S.C. §§ 441a(f) and 439a, but take no further action.

3. Find no reason to believe Carrie Hamburg violated 2 U.S.C. § 441a(a)(1)(A).

4. Find reason to believe Dan Hamburg violated 2 U.S.C. §§ 441a(f) and 439a, but take no further action.

5. Find no reason to believe that the Committee to Elect Dan Hamburg and Ted Loring, as treasurer, violated 2 U.S.C. § 441b(a) with respect to concerts promoted by Bill Graham Presents and Avocado Productions and performed by Bonnie Raitt, Holly Near, and Jackson Browne.

6. Find no reason to believe Bill Graham Presents and Avocado Productions violated 2 U.S.C. § 441b(a).

7. Find no reason to believe Bonnie Raitt, Jackson Browne, and Holly Near violated 2 U.S.C. § 441b(a).

8. Find reason to believe the Committee to Elect Dan Hamburg and Ted Loring, as treasurer, violated 2 U.S.C. § 441b(a) by receiving free ticket distribution services from corporate entities, but take no further action.

9. Find reason to believe Mendocino Book Company, Eureka Recordworks, Inc. (d/b/a "The Works"), Too Much Fun, and Ukiah Co-operative violated 2 U.S.C. § 441b(a) by providing free ticket distribution services to the Committee to Elect Dan Hamburg and Ted Loring, as treasurer, but take no further action.

10. Find no reason to believe Music Brothers and Leaves of Grass Bookstore violated 2 U.S.C. § 441b(a).

11. Find no reason to believe the Committee to Elect Dan Hamburg and Ted Loring, as treasurer, violated 2 U.S.C. § 441b(a) with respect to food and beverages provided by Frey Vineyards, Scharffenberger Cellars, Inc., Iron Horse Vineyards, Thanksgiving Coffee Company, and The Cheesecake Lady.

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12. Find reason to believe the Ukiah Co-operative violated 2 U.S.C. § 441b(a) by providing free beverages to volunteers working on behalf of the Committee to Elect Dan Hamburg and Ted Loring, as treasurer, but take no further action.

13. Find reason to believe that the Committee to Elect Dan Hamburg and Ted Loring, as treasurer, violated 2 U.S.C. § 441b(a) with respect to beverages provided by the Ukiah Co-operative to volunteers working on behalf of the Committee, but take no further action.

14. Find no reason to believe Frey Vineyards, Scharffenberger Cellars, Inc., Iron Horse Vineyards, Thanksgiving Coffee Company, and The Cheesecake Lady violated 2 U.S.C. § 441b(a).

15. Find no reason to believe the Committee to Elect Dan Hamburg and Ted Loring, as treasurer, violated 2 U.S.C. § 441d(a)(1).

16. Close the file.

17. Approve the appropriate letters.

8/3/95
Date


Lawrence M. Noble
General Counsel

Attachments

1. Complaint (with attachments).
2. Response of Carrie Hamburg, Dan Hamburg, and the Committee to Elect Dan Hamburg and Ted Loring, as treasurer (with attachments).
3. Responses of Bill Graham Presents, Avocado Productions, Bonnie Raitt, Holly Near, Jackson Browne, Mendocino Book Company, Eureka Recordworks, Inc., Iron Horse Vineyards, the Ukiah Co-operative, Frey Vineyards, Thanksgiving Coffee Company, Scharffenberger Winery, and The Cheesecake Lady.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Former U.S. Rep. Daniel E. Hamburg;)
Carrie Hamburg;)
Committee to Elect Dan Hamburg and)
and Ted Loring, as treasurer;)
The Hamburg Trust and Steve Hamburg,)
as Trustee;)
Bill Graham Presents;)
Avocado Productions;)
Bonnie Raitt;)
Jackson Browne;)
Holly Near;) MUR 3944
Mendocino Book Company;)
Music Brothers;)
Eureka Recordworks, Inc.;)
Too Much Fun;)
Leaves of Grass Bookstore;)
Frey Vineyards;)
Scharffenberger Cellars, Inc.;)
Iron Horse Vineyards;)
Thanksgiving Coffee Company;)
Ukiah Co-Operative;)
The Cheesecake Lady.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 10, 1995, the Commission decided by a vote of 5-0 to take the following actions in MUR 3944:

1. Find reason to believe the Trust and Steve Hamburg, as Trustee, violated 2 U.S.C. § 441a(a)(1)(A), but take no further action.
2. Find reason to believe that the Committee to Elect Dan Hamburg and Ted Loring, as treasurer, violated 2 U.S.C. §§ 441a(f) and 439a, but take no further action.

(continued)

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**Federal Election Commission
Certification for MUR 3944
August 10, 1995**

Page 2

3. Find no reason to believe Carrie Hamburg violated 2 U.S.C. § 441a(a)(1)(A).
4. Find reason to believe Dan Hamburg violated 2 U.S.C. §§ 441a(f) and 439a, but take no further action.
5. Find no reason to believe that the Committee to Elect Dan Hamburg and Ted Loring, as treasurer, violated 2 U.S.C. § 441b(a) with respect to concerts promoted by Bill Graham Presents and Avocado Productions and performed by Bonnie Raitt, Holly Near, and Jackson Browne.
6. Find no reason to believe Bill Graham Presents and Avocado Productions violated 2 U.S.C. § 441b(a).
7. Find no reason to believe Bonnie Raitt, Jackson Browne, and Holly Near violated 2 U.S.C. § 441b(a).
8. Find reason to believe the Committee to Elect Dan Hamburg and Ted Loring, as treasurer, violated 2 U.S.C. § 441b(a) by receiving free ticket distribution services from corporate entities, but take no further action.
9. Find reason to believe Mendocino Book Company, Eureka Recordworks, Inc. (d/b/a "The Works"), Too Much Fun, and Ukiah Co-Operative violated 2 U.S.C. § 441b(a) by providing free ticket distribution services to the Committee to Elect Dan Hamburg and Ted Loring, as treasurer, but take no further action.
10. Find no reason to believe Music Brothers and Leaves of Grass Bookstore violated 2 U.S.C. § 441b(a).

(continued)

95043684328

11. Find no reason to believe the Committee to Elect Dan Hamburg and Ted Loring, as treasurer, violated 2 U.S.C. § 441b(a) with respect to food and beverages provided by Frey Vineyards, Scharffenberger Cellars, Inc., Iron Horse Vineyards, Thanksgiving Coffee Company, and The Cheesecake Lady.
12. Find reason to believe the Ukiah Co-operative violated 2 U.S.C. § 441b(a) by providing free beverages to volunteers working on behalf of the Committee to Elect Dan Hamburg and Ted Loring, as treasurer, but take no further action.
13. Find reason to believe that the Committee to Elect Dan Hamburg and Ted Loring, as treasurer, violated 2 U.S.C. § 441b(a) with respect to beverages provided by the Ukiah Co-operative to volunteers working on behalf of the Committee, but take no further action.
14. Find no reason to believe Frey Vineyards, Scharffenberger Cellars, Inc., Iron Horse Vineyards, Thanksgiving Coffee Company, and The Cheesecake Lady violated 2 U.S.C. § 441b(a).
15. Find no reason to believe the Committee to Elect Dan Hamburg and Ted Loring, as treasurer, violated 2 U.S.C. § 441d(a)(1).

(continued)

95043684329

Federal Election Commission
Certification for MUR 3944
August 10, 1995

Page 4

16. Close the file.

17. Approve the appropriate letters, as recommended in the General Counsel's Report dated August 3, 1995.

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

Attest:

8-11-95
Date

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

Received in the Secretariat: Fri., Aug. 04, 1995 11:51 a.m.
Circulated to the Commission: Mon., Aug. 07, 1995 11:00 a.m.
Deadline for vote: Thurs., Aug. 10, 1995 4:00 p.m.

lrd

95043684830



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

August 25, 1995

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Maria Cino, Executive Director
National Republican Congressional Committee
320 First Street, S.E.
Washington, D.C. 20003

RE: MUR 3944

Dear Ms. Cino:

This is in reference to the complaint you filed with the Federal Election Commission on behalf of the National Republican Congressional Committee on March 8, 1994, concerning alleged violations of the Federal Election Campaign Act of 1971, as amended, ("the Act") by the Committee to Elect Dan Hamburg and Ted Loring, as treasurer ("Hamburg Committee"), former Representative Dan Hamburg and others.

Based on information contained in the complaint and information supplied by Respondents, on August 10, 1995, the Commission found that there was reason to believe that: the Hamburg Committee violated 2 U.S.C. §§ 439a, 441a(f), and 441b(a); former Representative Dan Hamburg violated 2 U.S.C. §§ 439a and 441a(f); the Hamburg Trust and Steve Hamburg, as Trustee, violated 2 U.S.C. § 441a(a)(1)(A); and Mendocino Book Company, Eureka Recordworks, Inc. d/b/a "The Works," Too Much Fun and Ukiah Co-operative violated 2 U.S.C. § 441b(a) of the Act. The reason to believe findings concerning 2 U.S.C. § 441b(a) were based upon the provision of free ticket distribution services by corporate entities and beverages provided by Ukiah Co-operative to volunteers working on behalf of the Hamburg Committee. However, after considering the circumstances of this matter, the Commission determined to take no further action against these Respondents.

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

95043684831

Ms. Cino
Page 2

On that same date, the Commission also found that there was no reason to believe that: the Hamburg Committee violated 2 U.S.C. §§ 441d(a)(1) and 441b(a); Carrie Hamburg violated 2 U.S.C. § 441a(a)(1)(A); Bill Graham Presents, Avocado Production, Bonnie Raitt, Jackson Browne, Holly Near, Music Brothers, Leaves of Grass Bookstore, Frey Vineyards, Scharffenberger Cellars, Inc., Iron Horse Vineyards, the Thanksgiving Coffee Company, and The Cheesecake Lady violated 2 U.S.C. § 441b(a). The no reason to believe findings concerning 2 U.S.C. § 441b(a) were with respect to food and beverages provided by Frey Vineyards, Scharffenberger Cellars, Inc., Iron Horse Vineyards, Thanksgiving Coffee Company, and The Cheesecake Lady, and with respect to concerts promoted by Bill Graham Presents and Avocado Productions and performed by Bonnie Raitt, Jackson Browne and Holly Near.

Accordingly, the Commission determined to close the file in this matter on August 10, 1995. This matter will become part of the public record within 30 days. The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

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

Sincerely,



Tamara Kapper
Paralegal

Enclosure
General Counsel's Report

95043684832



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 25, 1995

Judith L. Corley, Esquire
B. Holly Schadler, Esquire
Perkins Coie
607 14th Street, N.W., Suite 800
Washington, D.C. 20005

RE: MUR 3944
Carrie Hamburg

Dear Ms. Corley and Ms. Schadler:

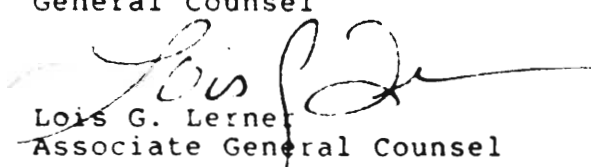
On March 15, 1994, the Federal Election Commission notified your client, Carrie Hamburg, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On August 10, 1995, the Commission found on the basis of the information in the complaint and information supplied by you, that there is no reason to believe that Carrie Hamburg violated 2 U.S.C. § 441a(a)(1)(A). Accordingly, the Commission closed its file in this matter.

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

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

95043684833



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 25, 1995

Bob Nye, Operations Manager
Scharffenberger Cellars, Inc.
P.O. Box 365
8501 Highway 128
Philo, CA 95466

RE: MUR 3944
Scharffenberger Cellars, Inc.

Dear Mr. Nye:

On March 15, 1994, the Federal Election Commission notified Scharffenberger Cellars, Inc. of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On August 10, 1995, the Commission found on the basis of the information in the complaint and the information supplied by you, that there is no reason to believe that Scharffenberger Cellars, Inc. violated 2 U.S.C. § 441b(a). Accordingly, the Commission closed its file in this matter.

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

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

95043684334



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 25, 1995

Marc Komer, Owner
Leaves of Grass Bookstore
630 S. Main Street
Willits, CA 95490

RE: MUR 3944
Leaves of Grass Bookstore

Dear Mr. Komer:

On March 15, 1994, the Federal Election Commission notified Leaves of Grass Bookstore of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On August 10, 1995, the Commission found on the basis of the information in the complaint and a review of the public record, that there is no reason to believe that Leaves of Grass Bookstore violated 2 U.S.C. § 441b(a). Accordingly, the Commission closed its file in this matter.

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

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

95043684835



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 25, 1995

Thomas M. Van Blankenship, Owner
Music Brothers
2999 Jefferson Street
Napa, CA 94558

RE: MUR 3944
Music Brothers

Dear Mr. Van Blankenship:

On March 15, 1994, the Federal Election Commission notified Music Brothers of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On August 10, 1995, the Commission found on the basis of the information in the complaint and a review of public record, that there is no reason to believe that Music Brothers violated 2 U.S.C. § 441b(a). Accordingly, the Commission closed its file in this matter.

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

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

95043684336



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 25, 1995

Richard J. Idell, Esquire
650 California Street, Suite 1900
San Francisco, CA 94108

RE: MUR 3944
Bill Graham Presents

Dear Mr. Idell:

On March 15, 1994, the Federal Election Commission notified your client, Bill Graham Presents, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On August 10, 1995, the Commission found, on the basis of the information in the complaint and information provided by you on behalf of your client, that there is no reason to believe that Bill Graham Presents violated 2 U.S.C. § 441b(a). Accordingly, the Commission closed its file in this matter.

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

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

Celebrating the Commission's 20th Anniversary

YESTERDAY TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

95043684837



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 25, 1995

Holly Near
P.O. Box 236
Ukiah, CA 95482

RE: MUR 3944
Holly Near

Dear Ms. Near:

On March 15, 1994, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On August 10, 1995, the Commission found on the basis of the information in the complaint and information provided by you, that there is no reason to believe that you violated 2 U.S.C. § 441b(a). Accordingly, the Commission closed its file in this matter.

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

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

95043684838



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 25, 1995

Tom Campbell
Avocado Productions
440 B Pier Avenue
Hermosa Beach, CA 90254

RE: MUR 3944
Avocado Productions

Dear Mr. Campbell:

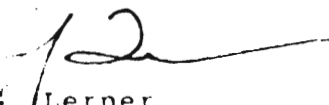
On March 15, 1994, the Federal Election Commission notified Avocado Productions of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On August 10, 1995, the Commission found on the basis of the information in the complaint and information provided by you, that there is no reason to believe that Avocado Productions violated 2 U.S.C. § 441b(a). Accordingly, the Commission closed its file in this matter.

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

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

Celebrating the Commission's 25th Anniversary

YESTERDAY, TODAY AND TOMORROW
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950436848339



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 25, 1995

Jackson Browne
c/o Donald Miller
12746 Kling Street
Studio City, CA 91604

RE: MUR 3944
Jackson Browne

Dear Mr. Browne:

On March 15, 1994, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On August 10, 1995, the Commission found on the basis of the information in the complaint and information provided by you, that there is no reason to believe that you violated 2 U.S.C. § 441b(a). Accordingly, the Commission closed its file in this matter.

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

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

Celebrating the Commission's 20th Anniversary

YESTERDAY TODAY AND TOMORROW
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95043684840



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 25, 1995

Bonnie Raitt
The Going Raitt, Inc.
P.O. Box 626
Los Angeles, CA 90078

RE: MUR 3944
Bonnie Raitt

Dear Ms. Raitt:

On March 15, 1994, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On August 10, 1995, the Commission found on the basis of the information in the complaint and information provided by you, that there is no reason to believe that you violated 2 U.S.C. § 441b(a). Accordingly, the Commission closed its file in this matter.

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

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

Celebrating the Commission's 25th Anniversary

YESTERDAY TODAY AND TOMORROW
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95043684841



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 25, 1995

Jon Frey, Owner
Frey Vineyards
14000 Tomki Road
Redwood Valley, CA 95470

RE: MUR 3944
Frey Vineyards

Dear Mr. Frey:


On March 15, 1994, the Federal Election Commission notified Frey Vineyards of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On August 10, 1995, the Commission found on the basis of the information in the complaint and information supplied by you, that there is no reason to believe that Frey Vineyards violated 2 U.S.C. § 441b(a). Accordingly, the Commission closed its file in this matter.

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

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

95043684842



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 25, 1995

Laurence G. Sterling, Esquire
Law Offices of Sterling & Sterling
9786 Ross Station Road
Sebastopol, CA 95472

RE: MUR 3944
Iron Horse Vineyards

Dear Mr. Sterling:


On March 15, 1994, the Federal Election Commission notified your client, Iron Horse Vineyards, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On August 10, 1995, the Commission found on the basis of the information in the complaint and information that you supplied on behalf of your client, that there is no reason to believe that the Iron Horse Vineyards violated 2 U.S.C. § 441b(a). Accordingly, the Commission closed its file in this matter.

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

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Leiner
Associate General Counsel

Enclosure
General Counsel's Report

Celebrating the Commission's 24th Anniversary

YESTERDAY TODAY AND TOMORROW
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95043684843



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 25, 1995

Robin F. Collier
The Cheesecake Lady
P.O. Box 584
Hopland, CA 95449

RE: MUR 3944
The Cheesecake Lady

Dear Ms. Collier:

On March 15, 1994, the Federal Election Commission notified The Cheesecake Lady of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On August 10, 1995, the Commission found on the basis of the information in the complaint and information supplied by you, that there is no reason to believe that The Cheesecake Lady violated 2 U.S.C. § 441b(a). Accordingly, the Commission closed its file in this matter.

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

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

95043684844



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 25, 1995

Joan Katzeff, President
Thanksgiving Coffee Company
P.O. Box 1918
Fort Bragg, CA 95437

RE: MUR 3944
Thanksgiving Coffee Company

Dear Ms. Katzeff:

On March 15, 1994, the Federal Election Commission notified Thanksgiving Coffee Company of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On August 10, 1995, the Commission found on the basis of the information in the complaint, and information supplied by you, that there is no reason to believe that Thanksgiving Coffee Company violated 2 U.S.C. § 441b(a). Accordingly, the Commission closed its file in this matter.

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

Sincerely,

Lawrence M. Noble
General Counsel


BY: Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

95043684345



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 24, 1995

Ann Kilkanny, President
Mendocino Book Company
102 South School Street
Ukiah, CA 95482

RE: MUR 3944
Mendocino Book Company

Dear Ms. Kilkanny:

On August 10, 1995, the Federal Election Commission found reason to believe that Mendocino Book Company violated 2 U.S.C. § 441b(a), 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 General Counsel's Report, which formed a basis for the Commission's finding, is attached for your information.

The Commission reminds you that a corporation is prohibited from making contributions to Federal candidates. "Contribution" is defined as, *inter alia*, "the provision of goods or services without charge or at a charge which is less than the normal charge for such goods and services." Accordingly, by providing free ticket distribution services to the Committee to Elect Dan Hamburg, it appears that Mendocino Book Company violated 2 U.S.C. § 441b(a). Mendocino Book Company should take steps to ensure 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.

Celebrating the Commission's 20th Anniversary

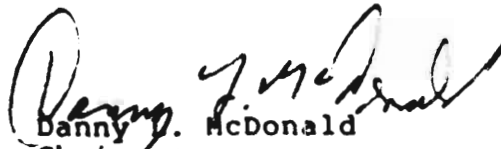
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95043684846

Ms. Kilkanny
Page 2

If you have any questions, please contact Tamara Kapper,
the staff member assigned to this matter, at (202) 219-3690.

Sincerely,


Danny McDonald
Chairman

Enclosure
General Counsel's Report

95043684347



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

August 24, 1995

Lori Rosenberg, Merchandising Manager
Ukiah Co-operative
308 B East Perkins
Ukiah, CA 95482

RE: MUR 3944
Ukiah Co-operative

Dear Ms. Rosenberg:

On August 10, 1995, the Federal Election Commission found reason to believe that Ukiah Co-operative violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended. However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file. The General Counsel's Report, which formed a basis for the Commission's finding, is attached for your information.

The Commission reminds you that a corporation is prohibited from making contributions to a Federal candidate. "Contribution" is defined as, *inter alia*, "the provision of goods or services without charge or at a charge which is less than the normal charge for such services." Accordingly, by providing free ticket distribution services to the Committee to Elect Dan Hamburg and free beverages to volunteers of the Committee, it appears that Ukiah Co-operative violated 2 U.S.C. § 441b(a). Ukiah Co-operative should take steps to ensure that such activities do 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.

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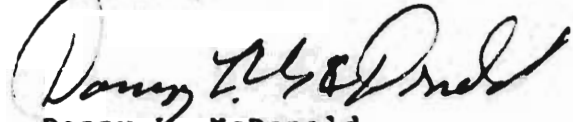
YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

95043684348

Ms. Rosenberg
Page 2

If you have any questions, please contact Tamara Kapper,
the staff member assigned to this matter, at (202) 219-3690.

Sincerely,


Danny L. McDonald
Chairman

Enclosure
General Counsel's Report

95043684849



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 24, 1995

William L. Glass, President
Eureka Recordworks, Inc.
213 F Street
Eureka, CA 95501

RE: MUR 3944
Eureka Recordworks, Inc.
d/b/a The Works

Dear Mr. Glass:

On August 10, 1995, the Federal Election Commission found reason to believe that Eureka Recordworks, Inc. (d/b/a "The Works") violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended. However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file. The General Counsel's Report, which formed a basis for the Commission's finding, is attached for your information.

The Commission reminds you that a corporation is prohibited from making contributions to a Federal candidate. "Contribution" is defined as, inter alia, "the provision of goods or services without charge or at a charge which is less than the normal charge for such goods and services." Accordingly, by providing free ticket distribution services to the Committee to Elect Dan Hamburg, it appears that Eureka Recordworks, Inc. violated 2 U.S.C. § 441b(a). Eureka Recordworks, Inc. should take steps to ensure 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.

Celebrating the Commission's 20th Anniversary

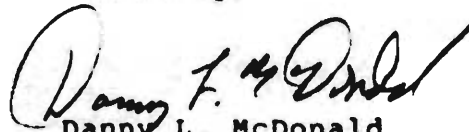
YESTERDAY TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

95043684350

Mr. Glass
Page 2

If you have any questions, please contact Tamara Kapper,
the staff member assigned to this matter, at (202) 219-3690.

Sincerely,


Danny L. McDonald
Chairman

Enclosure
General Counsel's Report

95043684351



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 24, 1995

Too Much Fun
Sebastopol, CA 95472

RE: MUR 3944
Too Much Fun

Dear Sir or Madam:

On August 10, 1995, the Federal Election Commission found reason to believe that Too Much Fun violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended. However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file. The General Counsel's Report, which formed a basis for the Commission's finding, is attached for your information.

The Commission reminds that a corporation is prohibited from making contributions to a Federal candidate. "Contribution" is defined as, inter alia, "the provision of goods or services without charge or at a charge which is less than the normal charge for such goods and services." Accordingly, by providing free ticket distribution services to the Committee to Elect Dan Hamburg, it appears that Too Much Fun violated 2 U.S.C. § 441b(a). You should take steps to ensure that this activity does not occur in the future.

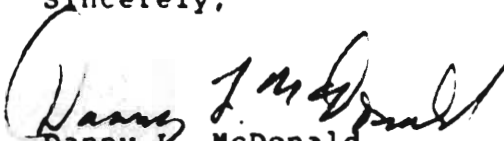
The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any 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.

95043684352

Too Much Fun
Page 2

If you have any questions, please contact Tamara Kapper,
the staff member assigned to this matter, at (202) 219-3690.

Sincerely,


Danny E. McDonald
Chairman

Enclosure
General Counsel's Report

95043684353



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 24, 1995

Steven M. Hamburg, as Trustee
of The Hamburg Trust
8909 LaDue Road
St. Louis, MO 63124-2014

RE: MUR 3944
The Hamburg Trust and
Steve Hamburg, as Trustee

Dear Mr. Hamburg:

On August 10, 1995, the Federal Election Commission found reason to believe that the Hamburg Trust and you, as Trustee, violated 2 U.S.C. § 441a(a)(1)(A), 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 General Counsel's Report, which formed a basis for the Commission's finding, is attached for your information.

The Commission reminds you that the Act defines a "contribution" as, inter alia, a loan, advance, or deposit of money made for the purpose of influencing any election for Federal office. A candidate who receives a contribution or any loan for use in connection with his or her campaign committee, does so as an agent of his or her campaign. Loans made in the ordinary course of business by lending institutions described in the Act are not considered contributions. Any loan to a candidate for Federal office, other than one from a lending institution in the ordinary course of business, is a contribution and subject to the prohibitions and limitations of the Act. As such, a loan which exceeds the contribution limitations of 2 U.S.C. § 441a is unlawful whether or not it is repaid. The Act prohibits a person from making contributions to Federal candidates in excess of \$1,000 per election. It appears the loan from the Hamburg Trust to Dan Hamburg as an agent of his campaign committee constituted an excessive contribution in violation of 2 U.S.C. § 441a(a)(1)(A). You should take steps to ensure that this activity does not occur in the future.

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YESTERDAY TODAY AND TOMORROW
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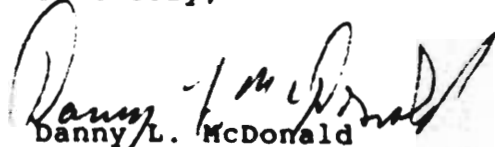
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Mr. Hamburg
Page 2

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 Tamara Kapper, the staff member assigned to this matter, at (202) 219-3690.

Sincerely,


Danny L. McDonald
Chairman

Enclosure
General Counsel's Report

95043684855



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 25, 1995

Judith L. Corley, Esquire
B. Holly Schadler, Esquire
Perkins Coie
607 14th Street, N.W., Suite 800
Washington, D.C. 20005

RE: MUR 3944
Committee to Elect
Dan Hamburg and Ted Loring,
as treasurer

Dear Ms. Corley and Ms. Schadler:

On August 10, 1995, the Federal Election Commission found reason to believe that the Committee to Elect Dan Hamburg and Ted Loring, as treasurer, ("Hamburg Committee") violated 2 U.S.C. §§ 439a, 441a(f), and 441b(a), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act.") The reason to believe findings concerning 2 U.S.C. § 441b(a) were based upon the provision of free ticket distribution services by corporate entities and beverages provided by a corporate entity to volunteers working on behalf of the Hamburg Committee. However, after considering the circumstances of this matter, the Commission also determined to take no further action. On that same date, the Commission also found no reason to believe that the Hamburg Committee violated 2 U.S.C. §§ 441d(a)(1) and 441b(a) concerning other activities. Accordingly, the Commission closed its file in this matter. The General Counsel's Report, which formed a basis for the Commission's findings, is attached for your client's information.

The Commission reminds the Hamburg Committee that payment of interest on a loan that had been previously reported as a non-interest bearing loan appears to be a violation of 2 U.S.C. § 439a. The Commission also reminds the Hamburg Committee that a loan, other than one from a lending institution in the ordinary course of business, is a contribution and subject to the prohibitions and limitations of the Act. Finally, the Commission reminds the Hamburg Committee that the receipt of corporate contributions is a violation of 2 U.S.C. § 441b(a). The Hamburg Committee should take steps to ensure that such activities do not occur in the future.

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

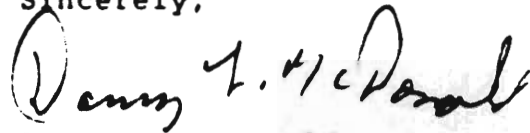
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Ms. Corley, Esq.
Ms. Schadler, Esq.
Page 2

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 Tamara Kapper, the staff member assigned to this matter, at (202) 219-3690.

Sincerely,



Danny L. McDonald
Chairman

Enclosure
General Counsel's Report

95043684857



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 25, 1995

Judith L. Corley, Esquire
B. Holly Schadler, Esquire
Perkins Cole
607 14th Street, N.W., Suite 800
Washington, D.C. 20005

RE: MUR 3944
Honorable Dan Hamburg

Dear Ms. Corley and Ms. Schadler:

On August 10, 1995, the Federal Election Commission found reason to believe that former Representative Dan Hamburg violated 2 U.S.C. §§ 439a and 441a(f), provisions 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 General Counsel's Report, which formed a basis for the Commission's findings, is attached for your client's information.

The Commission reminds former Representative Hamburg that receiving interest on a loan that had been reported as a non-interest bearing loan appears to be a violation of 2 U.S.C. § 439a. In addition, the Commission also reminds former Representative Hamburg that a loan, other than one from a lending institution in the ordinary course of business, is a contribution and subject to the prohibitions and limitations of the Act. Mr. Hamburg should take steps to ensure that such activities do 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.

Celebrating the Commission's 20th Anniversary


YESTERDAY TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

95043684358

Ms. Corley, Esq.
Ms. Schadler, Esq.
Page 2

If you have any questions, please contact Tamara Kapper,
the staff member assigned to this matter, at (202) 219-3690.

Sincerely,


Danny L. McDonald
Chairman

Enclosure
General Counsel's Report

95043684359



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20461

THIS IS THE END OF MUR # 3944

DATE FILMED 9/22/95 CAMERA NO. 1

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