FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3974

DATE FILMED 9-18-97 CAMERA NO. 4

CAMERAMAN JmN

97043823769

OGC 8748

U.S. Department of Justice

Criminal Division

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

MAY 14 9 25 AM '93

Office of the Deputy Assistant Attorney General

Washington, D.C. 20530

MAY 12 1993

Pre-MUR 285

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT
93 MAY 14 PM 3:34

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

Dear Mr. Noble:

This is to advise the Federal Election Commission that the Department of Justice has recently concluded a review of the accounts of certain Members of Congress at the House Banking Facility.

Based on this review, the Department has determined that the conduct of Congressman Charles B. Rangel in this matter does not warrant further criminal investigation under 2 U.S.C. Section 437g(d). However, the investigation did uncover apparent civil violations of the federal election laws.

In accordance with the Memorandum of Understanding between the Department of Justice and the Commission, I am referring this matter to the Commission for whatever civil enforcement action the Commission may deem appropriate under 2 U.S.C. Section 437g(a). Please contact Thomas J. Eicher, Chief, House Bank Task Force, at 202-616-2300, who will arrange for a transfer of documents and answer any questions you may have about this matter.

Sincerely,

John C Keeney

John C. Keeney
Deputy Assistant Attorney General

9704382377C

U.S. Department of Jus · OGC 9329

Pre-MUR 285

Washington, D.C. 20530

June 30, 1993

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

RE: **Charles B. Rangel**

Dear Ms. Lerner:

This is a follow-up to the referral previously made on May 12, 1993 by John C. Keeney, Acting Assistant Attorney General. As we discussed in our previous meeting, the referral in this case focuses on two areas that came to our attention during the course of our inquiry.

First, on numerous occasions checks in excess of $200 were made out to cash and not disclosed as itemized disbursements on the F.E.C. report filed on behalf of the Rangel for Congress Committee (the PCC). On five occasions the amounts of the checks were $1,000 or greater. No record of these large cash checks appears on the F.E.C. reports. The amounts are reflected on the F.E.C. reports only implicitly, as the residual amount if one deducts the itemized expenses from operating expenses. For the period January 1, 1989 to October 14, 1992, the PCC had $147,374.45 in unitemized expenses according to our calculations.

Second, on numerous occasions the PCC appears to have written checks cumulating more than $200 to a particular individual or entity in a calendar year which are not disclosed as itemized disbursements on the F.E.C. reports for the PCC.

Enclosed please find the following documents relevant to the above matters:

> Handwritten schedule of filing period, operating expenses, itemized expenses and unitemized expenses, for the Rangel PCC.
>
> Summary of checks to cash written on the Rangel PCC account, along with copies of the checks written to cash.

9704382371

A letter from James E. Capel, campaign manager for "Rangel '92", to Congressman Rangel, dated November 4, 1992.

A letter dated May 6, 1993 from Charles B. Rangel to Mr. Tom Eichner (sic) with attachments.

A two-page facsimile from Steve Ross, General Counsel of the U.S. House of Representatives to Tom Eicher, dated April 1993, attaching copies of the disbursement cards maintained by Patricia Bradley for the Rangel PCC.

A letter from Steve Ross to Tom Eicher, dated May 11, 1993.

Please feel free to contact me if you have any questions regarding the attachments or any other matter.

Very truly yours,

Thomas J. Eicher
Chief, House Bank Task Force
Criminal Division

Enclosures

9704382377 2

filing period	operating exp.	itemized	un-itemized
1-1-89/6-30-89	110,716.40	95,833.49	14,882.91
7-1-89/12-31-89	130,465.57	97,235.29	33,230.28
1-1-90/3-31-90	65,662.88	57,277.97	8,384.91
4-1-90/6-30-90	82,669.83	74,615.39	8,054.44
7-1-90/8-22-90	63,994.13	59,582.58	4,411.55
8-23-90/9-30-90	30,527.73	20,885.69	9,642.04
10-1-90/10-17-90	16,288.74	15,063.05	1,225.69
10-18-90/11-26-90	37,965.41	36,541.18	1,424.23
11-27-90/12-31-90	17,764.21	15,038.46	2,725.75
1-1-91/6-30-90	126,966.99	111,509.96	15,457.03
7-1-91/12-31-91	113,774.84	94,513.45	19,261.39
1-1-92/3-31-92	56,739.34	50,422.71	6,316.63
4-1-92/6-30-92	116,700.82	107,290.60	9,410.22
7-1-92/8-26-92	62,380.65	51,591.20	10,789.45
8-27-92/9-30-92	42,325.36	40,167.43	2,157.93
10-1-92/10-14-92	9,120.24	9,120.24	0
			147,374.45

CARVER/FREEDOM
1/ 1/90 Through 12/31/92

RANGEL-Selected Accounts
3/25/93

Date	Acct	Num	Description	Memo	Category	Clr	Amount
1/10/90	CARVER	1043	CASH	"LENOX TER	CASH		-25.00
6/14/90	CARVER	1252	CASH	"RENO-25,V	CASH		-104.00
12/24/90	CARVER	1841	CASH	"XMAS"	CASH		-300.00
1/ 4/91	CARVER	1861	CASH	"PICTURE"	CASH		-100.00
2/27/91	CARVER	1914	CASH	"POLITICAL	CASH		-100.00
3/ 5/91	CARVER	1827	CASH	"PHOTOS"	CASH		-100.00
6/ 3/91	CARVER	1862	CASH	"DNC"	CASH		-250.00
9/16/91	CARVER	1877	CASH	"CBC WEEKE	CASH		-500.00
10/ 9/91	CARVER	1879	CASH		CASH		-150.00
10/31/91	CARVER	1914	CASH	"BECKETT"	CASH		-100.00
11/ 7/91	CARVER	2000	CASH	"CITY CNCL	CASH		-5,000.00
12/20/91	CARVER	2059	CASH	"XMAS GIFT	CASH		-1,000.00
3/26/92	CARVER	2248	CASH	NO SIGN.ON	CASH		-200.00
4/17/92	CARVER	2307	CASH	"CAMP.MEET	CASH		-200.00
7/ 3/92	CARVER	2517	CASH	"JULY 4 BR	CASH		-150.00
7/10/92	CARVER	2342	CASH	"WRIGHT"	CASH		-100.00
7/13/92	CARVER	2513	CASH	"DEM CONVE	CASH		-1,000.00
9/14/92	CARVER	2682	CASH	"PRIMARY"	CASH		-5,000.00
1/ 3/90	FREEDOM	4514	CASH	"MERY XMAS	CASH		-150.00
2/21/90	FREEDOM	4487	CASH	Mr.Parks L	CASH		-25.00
9/11/90	FREEDOM	4661	CASH	"PRIMARY D	CASH		-5,000.00
	TOTAL 1/ 1/90 - 12/31/92						-19,554.00
	TOTAL INFLOWS						0.00
	TOTAL OUTFLOWS						-19,554.00
	NET TOTAL						-19,554.00

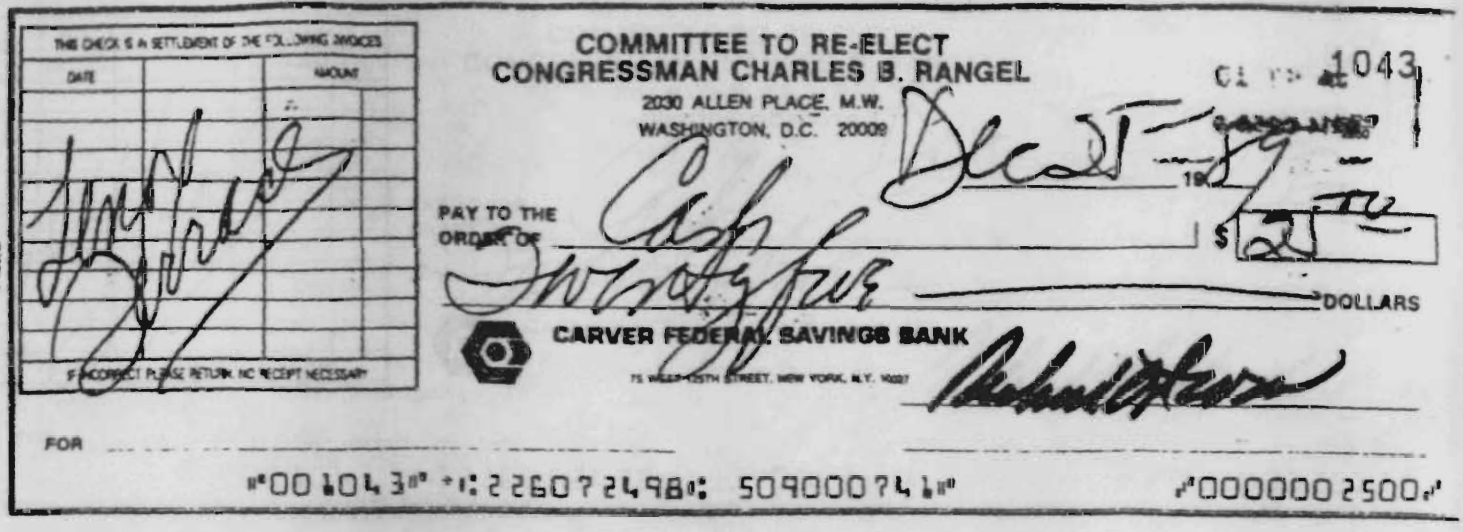
9/10438023774

* none of the aforementioned disbursements are reflected on FEC reports.
Highlighted = 1 @ 200.00

FEC-CASH
1/ 1/90 Through 12/31/92

Date	Num	Description	Memo	Category	Clr	Amount
1/ 1/91		CASH	1/1,2/25,3/1,5	CASH		-550.00
	TOTAL	1/ 1/90 - 12/31/92				-550.00
	TOTAL INFLOWS					0.00
	TOTAL OUTFLOWS					-550.00
	NET TOTAL					-550.00

97043823775



THIS CHECK IS A SETTLEMENT OF THE FOLLOWING INVOICES

DATE		AMOUNT	

IF INCORRECT PLEASE RETURN NO RECEIPT NECESSARY

COMMITTEE TO RE-ELECT
CONGRESSMAN CHARLES B. RANGEL
2030 ALLEN PLACE, N.W.
WASHINGTON, D.C. 20009

CHECK NO. 1043

Dec 27 19 89

PAY TO THE ORDER OF Cash

$ 25 00

Twenty five DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET, NEW YORK, N.Y. 10027

Richard M. Peterson

FOR

"001043" ⑆226072498⑆ 509000741" "0000002500"

970438023776

9704382337777

3500 4536-6
JA 10
03120639
01/30/98

2268703843
APPLE BANK FOR SAVINGS
88 PINE ST.
N.Y., N.Y. 10005
UAN =9 90
BRANCH 35

9704382377 8

THIS CHECK IS IN SETTLEMENT OF THE FOLLOWING INVOICES

DATE		AMOUNT
Reno		25 00
Viviano		25 00
Birthday		
Card		

INCORRECT OR RETURN NO DIGIT NEEDED

FOR

RANGEL FOR CONGRESS COMMITTEE 1252

[redacted]

2030 Allen Place, NW, WDC 20009

8-10 19 90

PAY TO THE ORDER OF [redacted] $ 104 00

One hundred four DOLLARS

CARVER FEDERAL SAVINGS BANK

75 WEST 125TH STREET, NEW YORK, N.Y. 10027

[redacted]

⑈001252⑈ ⑆226072498⑆ 509000741⑈ ⑈00000104⑆00⑈

9704382377 9

Lawrence Ave Inc.
Attn Perles
1570657

JE '90 14

0214-0950-9

[redacted]

13JUN90 00205406665?

026004345
Freedom NAT. Bk. of N.Y.
New York, N.Y.
(212) 678-9441

JE '90 14

0212-0639-1

97043823378C

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, NW
WASHINGTON, D.C. 20009

1841

1/30 19 90

PAY TO THE ORDER OF Cash $300—

Three Hundred DOLLARS

DISCOUNT

AMOUNT OF CHECK

CARVER FEDERAL SAVINGS BANK

75 WEST 125TH STREET, NEW YORK, NY

Xmas — Richard A. Rangel

⑈001841⑈ ⑆226072498⑆ 509000741⑈ ⑈00000300000⑈

9704382378 1

DE '98 24 7

212-0400-5

212-0400-5 7

021206391
12/24/98

33176093

CHEMICAL BANK
55 WATER ST.
N.Y.C.

0000 23380

Kyung Hwa
094 03106

⑈001858⑈ ⑆226024498⑆ 5090007461⑈ ⑈00000 10000⑈

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, NW
WASHINGTON, D.C. 20009

1861

Jan 1 19 90

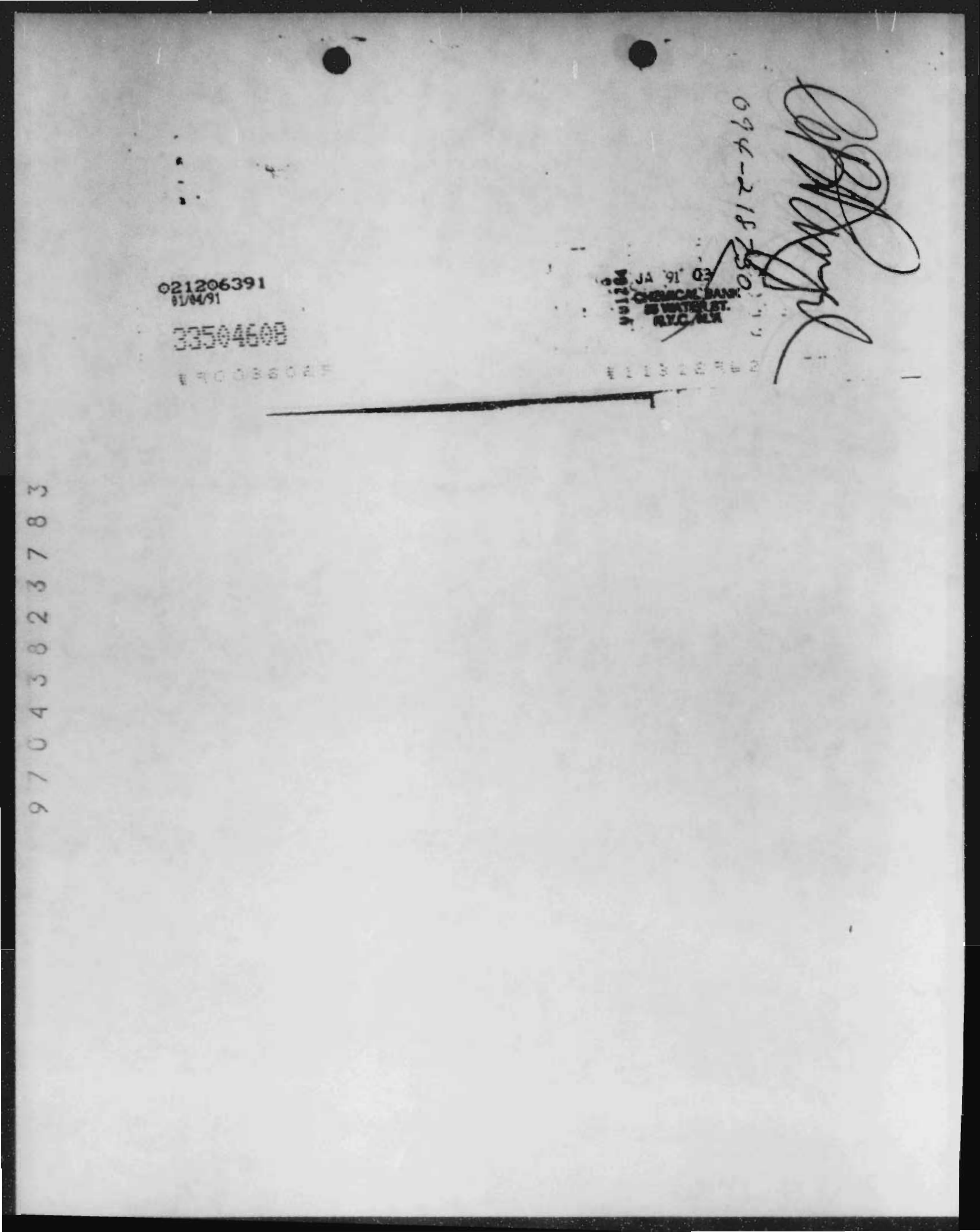
PAY TO THE ORDER OF Cash $ 100

One hundred DOLLARS

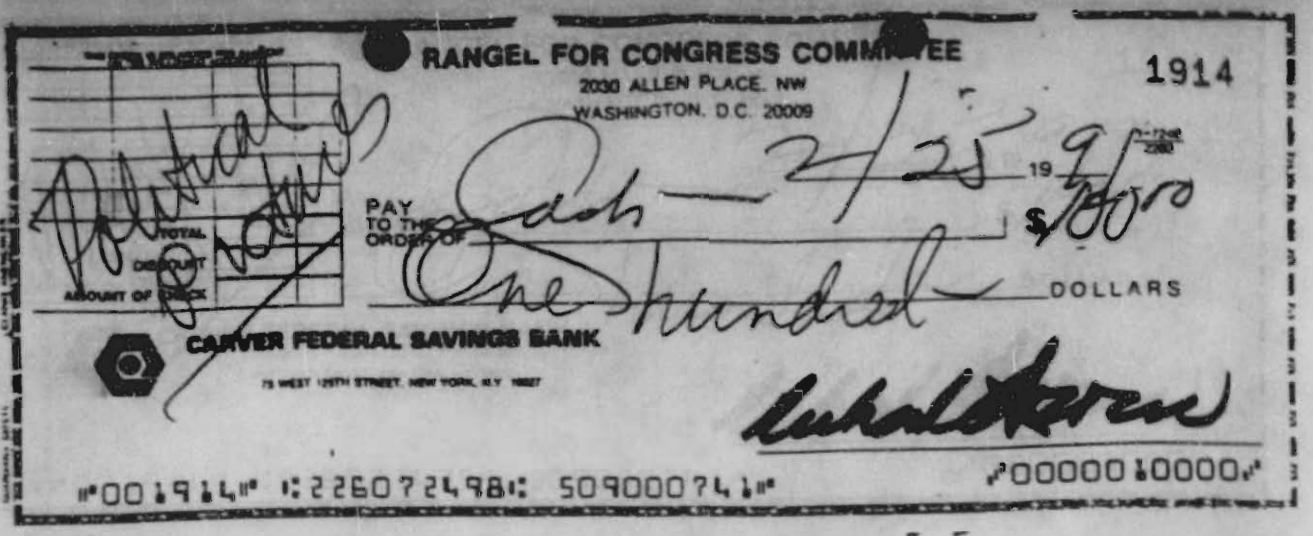
CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET, NEW YORK, N.Y. 10027

⑈001861⑈ ⑆226072498⑆ 5090007461⑈ ⑈00000 10000⑈

97043823782



9704382337883



RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, NW
WASHINGTON, D.C. 20009

1914

2/25 19 97

PAY TO THE ORDER OF Cash $100.00

One Hundred DOLLARS

TOTAL DISCOUNT AMOUNT OF CHECK

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET, NEW YORK, N.Y. 10027

⑈001914⑈ ⑆226072498⑆ 509000741⑈ ⑈00000 10000⑈

9704382337784

Frank Hilton
654-2181/3C

FB '91 27 7

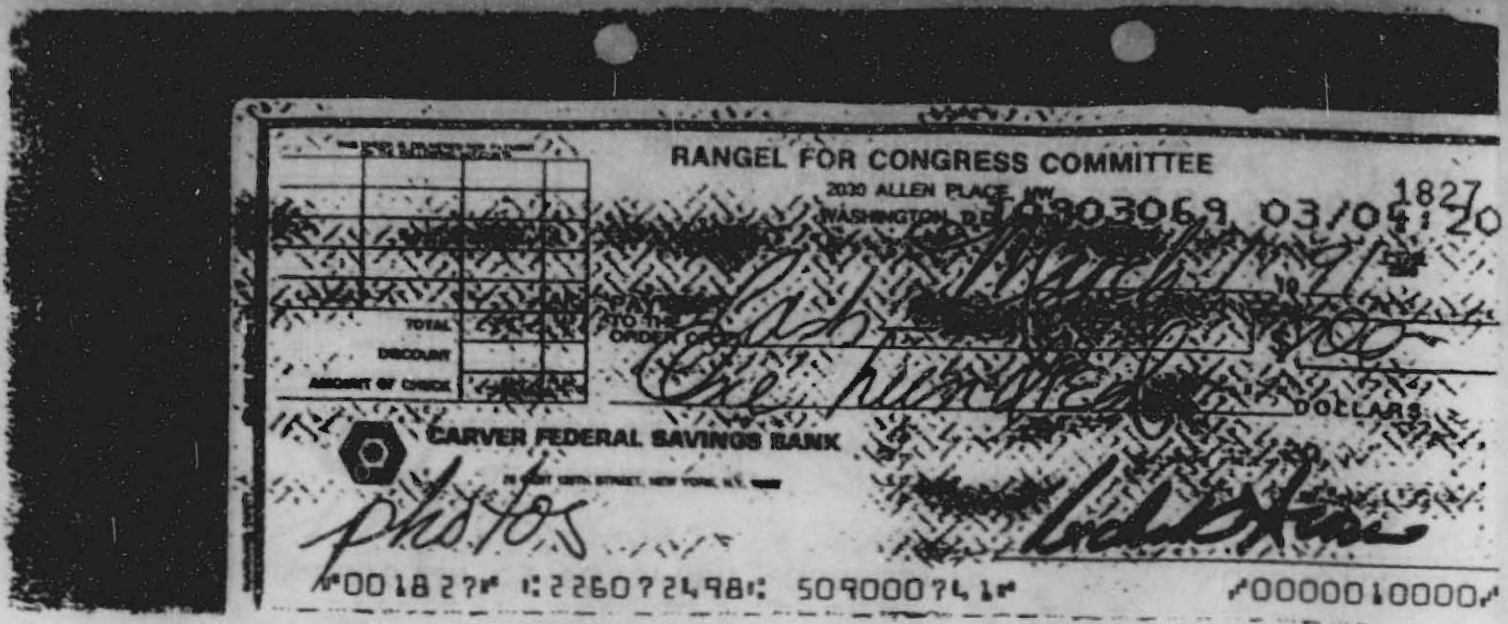
11:52 A
094-0003-03-0087-07-0 [redacted]
OFF US HLD 094-2[redacted] 02/26/91
[redacted].00

FEB '91 27

[redacted]-1

FEB '91 25
CHEMICAL BANK
55 WATER ST.
N.Y.C., N.Y.

9704302337885



RANGEL FOR CONGRESS COMMITTEE

2030 ALLEN PLACE NW

WASHINGTON, D.C.

1827

0903069 03/04 '20

PAY TO THE ORDER OF

[redacted]

$ [redacted] 00

[redacted] DOLLARS

TOTAL

DISCOUNT

AMOUNT OF CHECK

CARVER FEDERAL SAVINGS BANK

75 WEST 125TH STREET, NEW YORK, N.Y. 10027

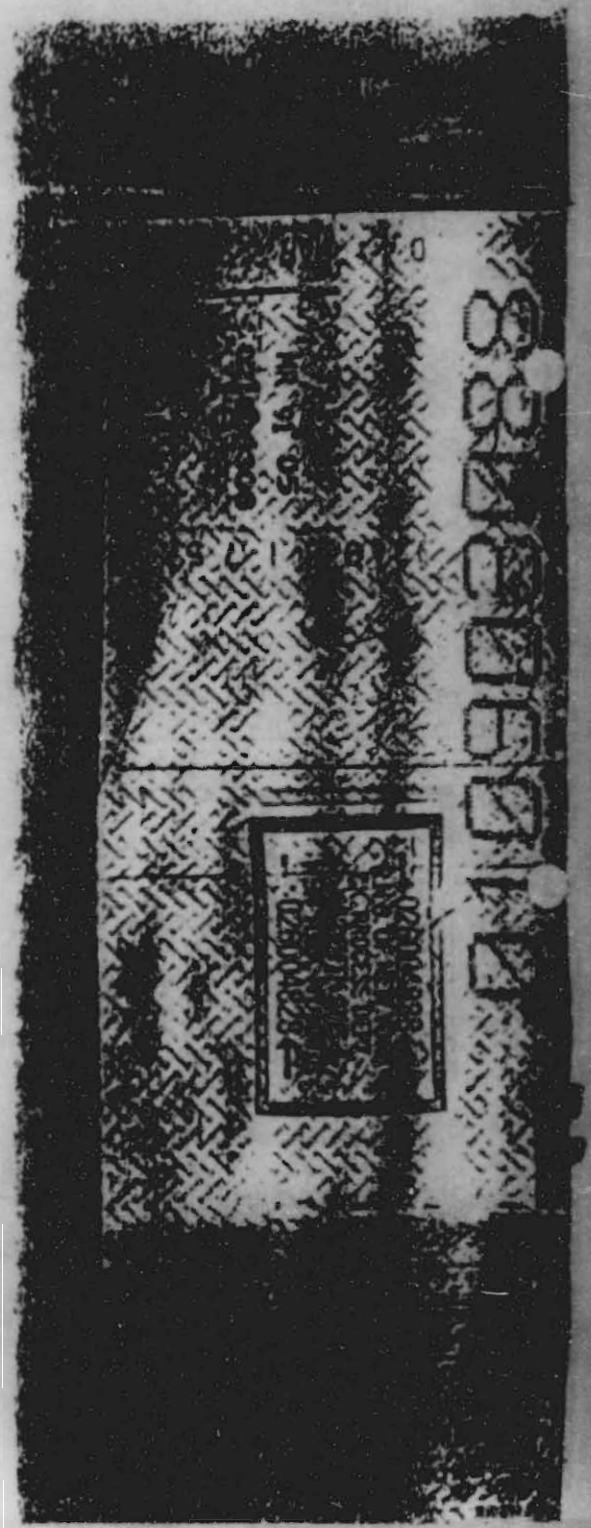
photos

[redacted]

⑈001827⑈ ⑆226072498⑆ 509000741⑈ ⑈0000010000⑈

97043823786

9704382387



RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, NW
WASHINGTON, D.C. 20009

1862

DNC

TOTAL
DISCOUNT
AMOUNT OF CHECK

5/30 1991

PAY TO THE ORDER OF Cash $ 250.00

Two hundred fifty 00/100 DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET NEW YORK, N.Y. 10027

⑈001862⑈ ⑆226072498⑆ 509000741⑈ ⑈00000 25000⑈

97043802337888

JE 91 03 7

0212-0400-6
0212-0400-5 7

9704382337889

97043823790

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, NW
WASHINGTON, DC 20009

1877

9/12 19 91

PAY TO THE ORDER OF Cash $ 500

Five hundred DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET NEW YORK, N.Y. 10027

Charles B. Rangel

⑈001877⑈ ⑆226072498⑆ 509000741⑈ ⑈00000500000⑈

9704382379 1

SE '91 1[illegible]

[illegible]

RIGGS NATIONAL BANK DC
▶054008030416
09/13/91
[illegible]

SE '91 16
CHEMICAL BANK
55 WATER ST.
N.Y.C. N.Y

[illegible]

[illegible]

[illegible]

97043823792

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, NW
WASHINGTON, DC 20009

1879

Oct 7 19 91

PAY TO THE ORDER OF Cash

$ 150

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET NEW YORK, N.Y. 10027

DOLLARS

Richard Rangel

Rent Pd Chas

Food

⑈001879⑈ ⑆226072498⑆ 509000746⑈ ⑈00000150000⑈

97043823793

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0212-0400-5
0212-0400-5 2

021206391
10/09/91

33248126

OT '91 08
CHEMICAL BANK
55 WATER ST.
N.Y.C., N.Y.

Shacklford
acct. # 091-307756

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, NW
WASHINGTON, DC 20009

1911

re:[illegible]

September [illegible], 19 91

PAY TO THE ORDER OF Majority Printer $ 24.30

Twenty-four and [illegible]/100 DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET NEW YORK, N.Y. 10027

[illegible]

"001911" 1:226072498: 509000741" "00002430"

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, NW
WASHINGTON, DC 20009

1914

Oct 7 19 91

PAY TO THE ORDER OF Aide $ 100.00

One hundred DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET NEW YORK, N.Y. 10027

[illegible]

"001914" 1:226072498: 509000741" "00010000"

9704382379 4

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0212-0400-5

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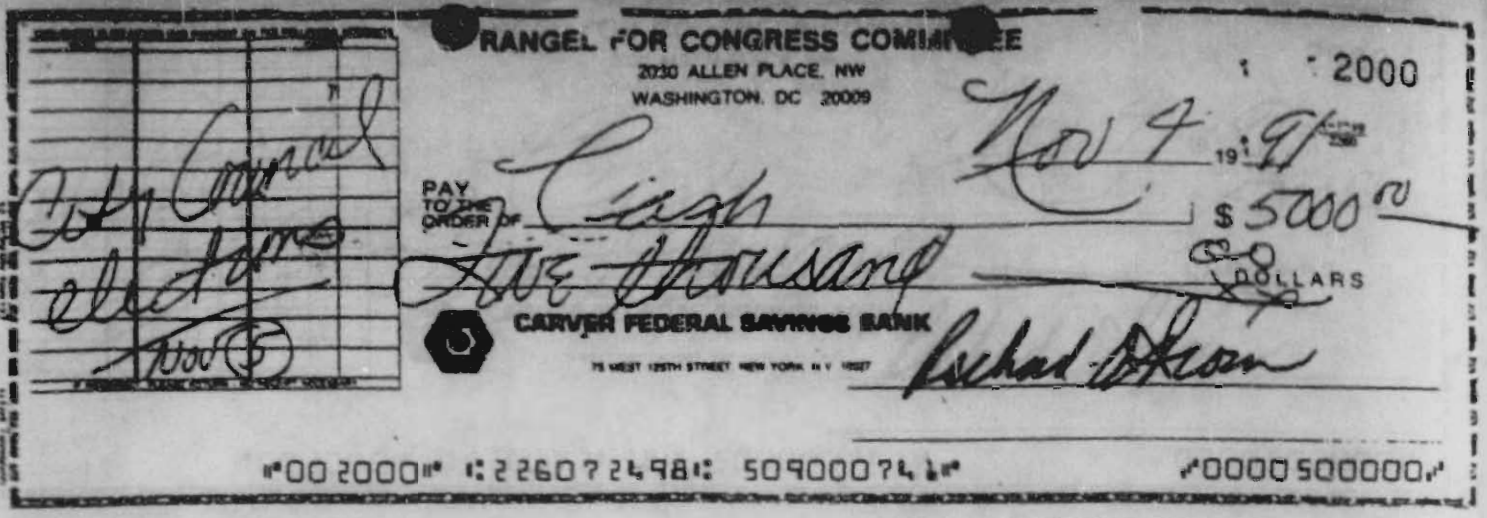
0212-0030-1

97043823795



RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, NW
WASHINGTON, DC 20009

2000

Nov 4 19 97

PAY TO THE ORDER OF Eight

$ 5000 00

Five Thousand

DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET NEW YORK N Y 10027

Richard Dixon

Poly Comm
Elections
1998

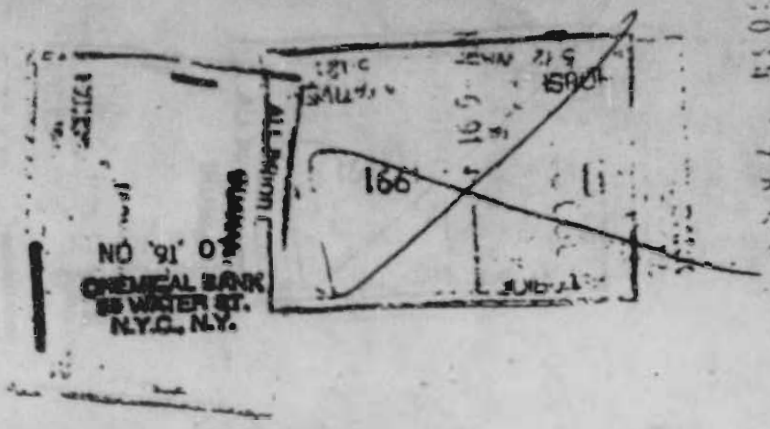
"002000" :226072498: 509000746" "0000500000"

97043823796

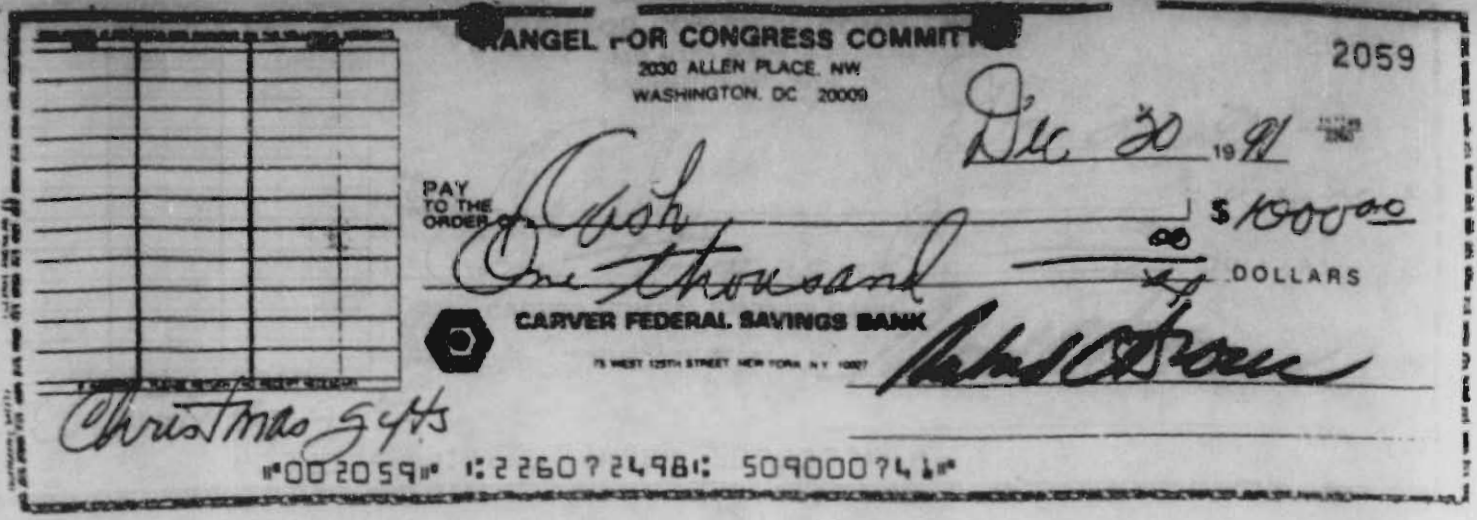
NO '91' 07 7

212-0400-5

212-0400-5 7



97043823797



RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, NW
WASHINGTON, DC 20009

2059

Dec 20 1991

PAY TO THE ORDER OF Cash $1000.00

One Thousand 00/100 DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET NEW YORK N.Y. 10027

Charles B. Rangel

Christmas Gifts

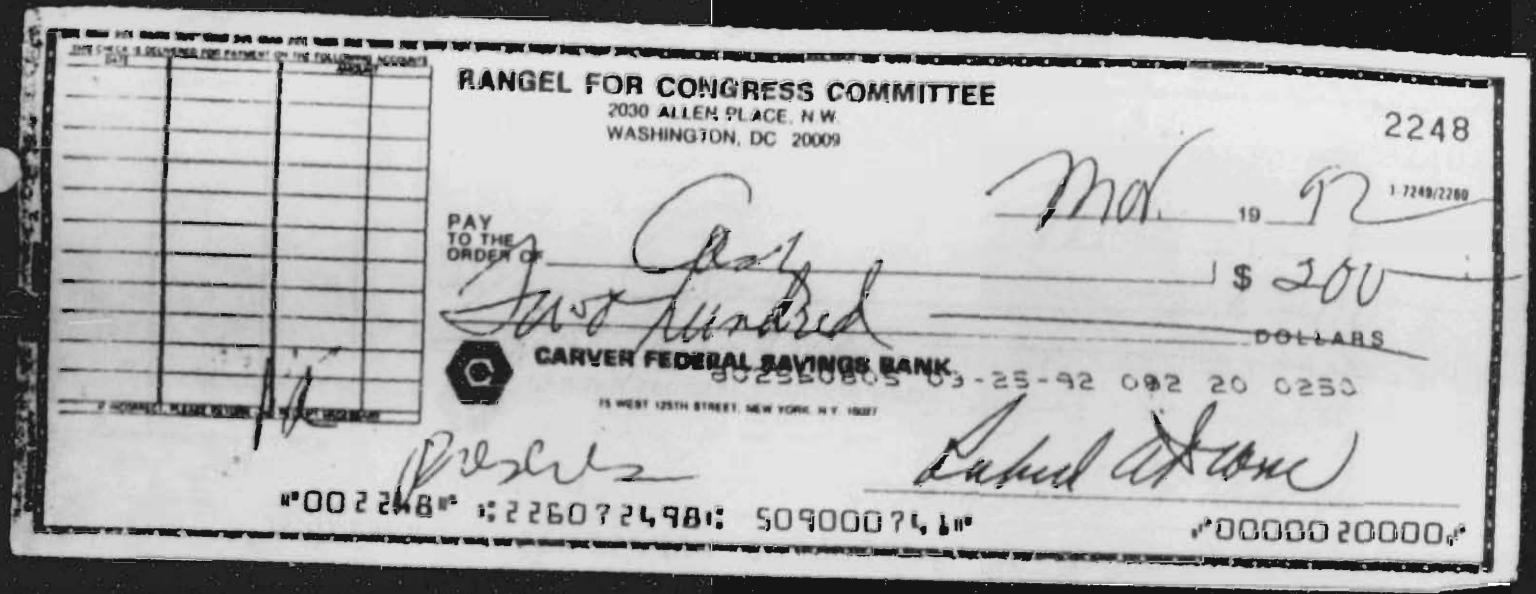
⑈002059⑈ ⑆226072498⑆ 509000746⑈

97043823798

DDA PO 530
12-20-91 C #0850 0123
ACCT# 509000741
AMT 1,000.00 BAL 15,709.08
CHK# 2059

MED H.T.... UNIVERSITY OF

9704382237999



RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, N.W.
WASHINGTON, DC 20009

2248

Mch 19 92

PAY TO THE ORDER OF Gary Just Hundred

$ 200

DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET, NEW YORK, N.Y. 10027

80255080S 03-25-92 092 20 0250

Richard Rowe

"002248" :226072498: 509000741" "00000 20000"

9704303238 01

00782 030 03 032502
M.F.CONGRESSIONAL FCU

MR 96 26 7

WASHINGTON DC 20515

02 12-0400-8
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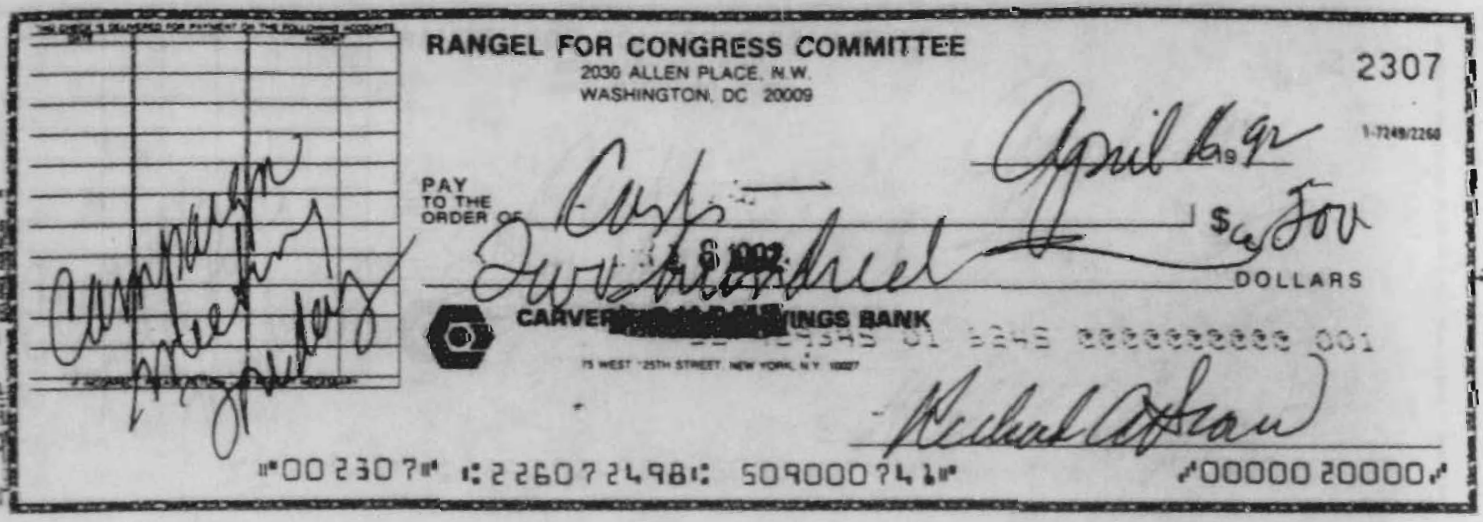
80256080S 03-25-93

MR 96 26

12-0639-1

93408



RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, N.W.
WASHINGTON, DC 20009

2307

1-7249/2260

April 6 92

PAY TO THE ORDER OF

$ 4.50

DOLLARS

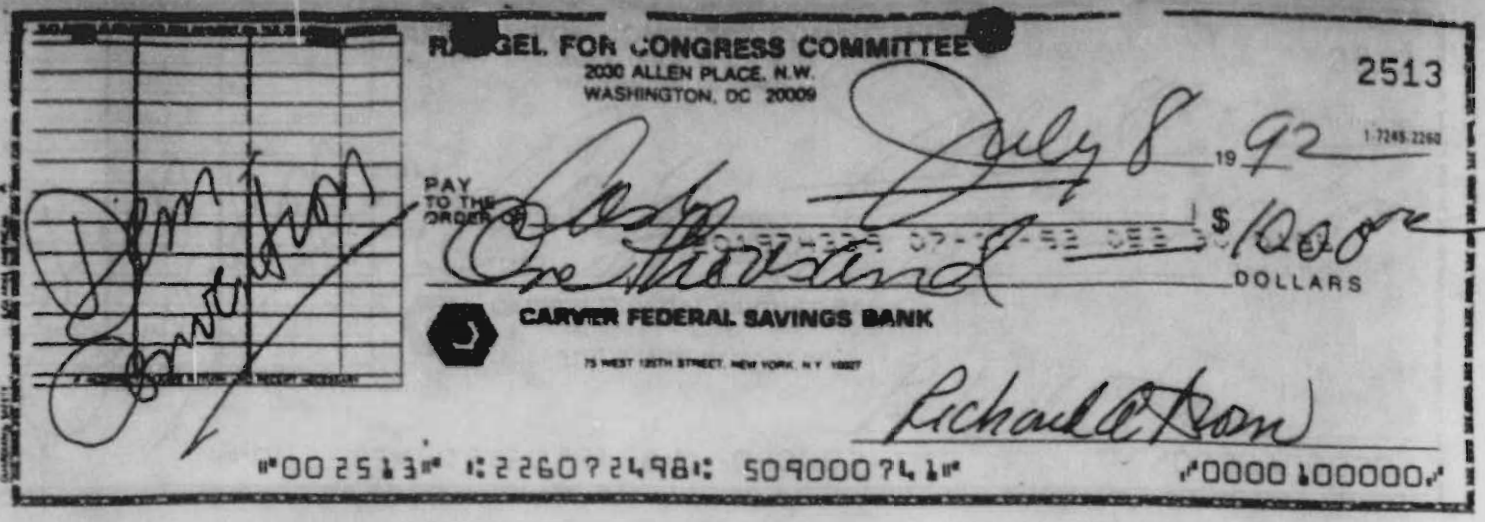
CARVER [redacted] SAVINGS BANK
75 WEST 125TH STREET, NEW YORK, N.Y. 10027

"002307" :226072498: 509000741" "00000 20000"

4382380 02

9/10

9704238238 03



RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, N.W.
WASHINGTON, DC 20009

2513

July 8 19 92

PAY TO THE ORDER OF One Thousand $1000

DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET, NEW YORK, N.Y. 10027

Richard A Rangel

"002513" 1:226072498: 509000741" "0000100000"

97043823804

01957 020 02 07149
W.P. CONGRESSIONAL FCU WASHINGTON DC 20517 125+07+345

0520-0027-8
0520-0027-8
201974339 07-11-92

9704338238005

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, N.W.
WASHINGTON, DC 20009

2517

July 1 19 92

PAY TO THE ORDER Cash $ 150.00

One hundred fifty DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET, NEW YORK, N.Y. 10027

Richard A. Rowe

⑈002517⑈ ⑆226072498⑆ 509000741⑈ ⑈00000150000⑈

97043823806

01920 020 02 07099 JX 92 03 7 >254074345<
W.P CONGRESSIONAL FCU WASHINGTON DC 20515

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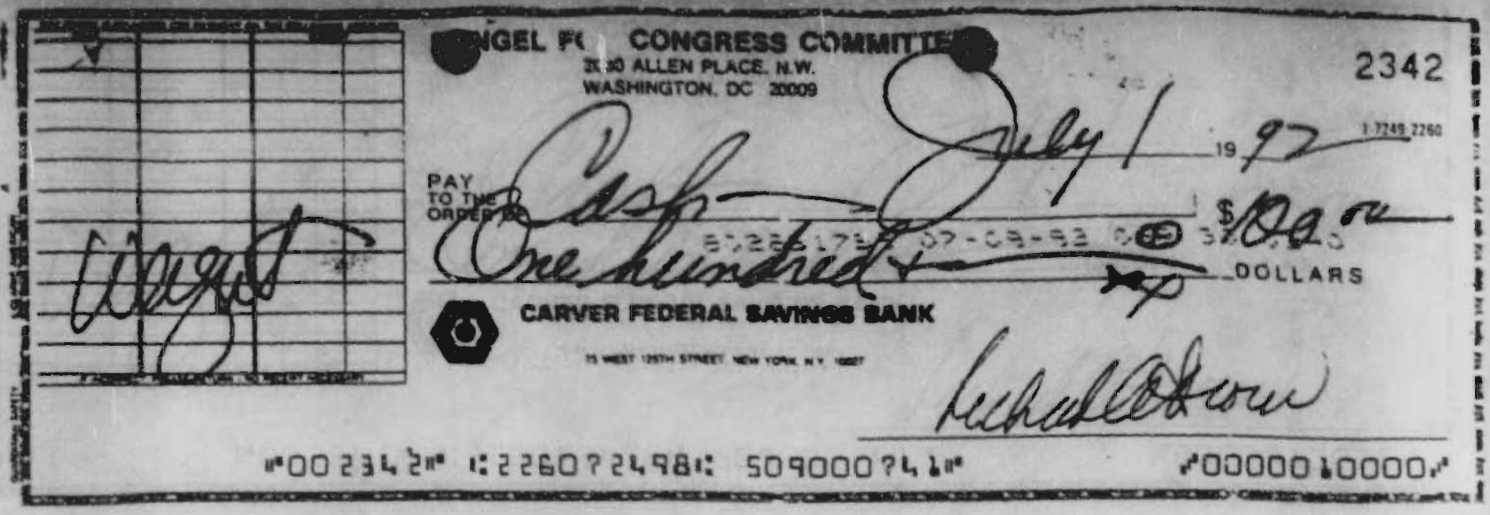
0212-0400-5 7

0212-0639-1

9704382338007



RANGEL FOR CONGRESS COMMITTEE
2430 ALLEN PLACE, N.W.
WASHINGTON, DC 20009

2342

July 1 19 97

PAY TO THE ORDER OF Cash

$ 100.00

One hundred + no/100 DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET, NEW YORK, N.Y. 10027

Richard Rowe

"002342" 1:2260?2498: 509000?41" "00000100000"

Wash

9704382338008

01734 020 02 07097 JY 10 7
W.P.CONGRESSIONAL FCU WASHINGTON DC 20515 >2540743<
0212-0400-5
0212-0400-5 7

0520-0027-8
0520-0027-8
802561769 07-09-92

021206391
07/10/92

33472320

R07592231

Brenda Simpson
F352

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RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, N.W.
WASHINGTON, DC 20009

2682

Sept 14 1992

PAY TO THE ORDER OF Cash

$ 5,000 00

Five thousand 00 DOLLARS

CARVER FEDERAL SAVINGS BANK

Richard A Dawn

Primary

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DDA INQ ST 501

RANGEL FOR C

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A ACST 61,510.44

REFER TO STOP JOURNAL

530

DDA FO

09-14-92 C H0750 0094

ACCT# 509000741

AMT 5,000.00 BAL 44,049.44 B/U 44,049 N/B

CHK# 2682

2225 ✓

2225 = 25 X 89

97043823812

THIS CHECK IS DELIVERED FOR PAYMENT ON THE FOLLOWING ACCOUNTS

DATE	AMOUNT

COMMITTEE TO RE-ELECT
CONG. CHARLES B. RANGEL
2030 ALLEN PLACE N.W.
WASHINGTON, D.C. 20009

4514

1-2 19 90 434/250

PAY TO THE ORDER OF Cash $ 150.00

One hundred fifty DOLLARS

FREEDOM NATIONAL BANK
OF NEW YORK
275 WEST 125TH STREET, NEW YORK, N. Y. 10027

Charles Rangel

⑈004514⑈ ⑆026004349⑆ 102 8987⑈ ⑈0000015000⑈

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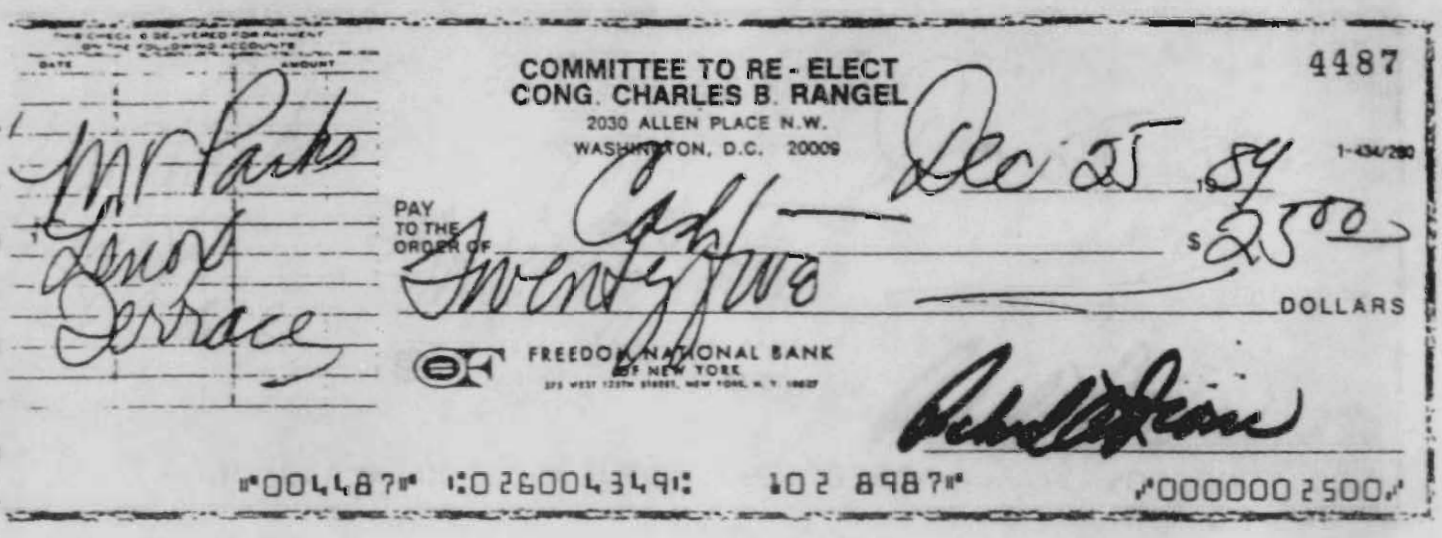

COMMITTEE TO RE-ELECT
CONG. CHARLES B. RANGEL
2030 ALLEN PLACE N.W.
WASHINGTON, D.C. 20009

4487

1-430/280

Dec 25 19 89

PAY TO THE ORDER OF Cash — $ 25.00

Twenty five — DOLLARS

FREEDOM NATIONAL BANK OF NEW YORK

Charles B. Rangel

"004487" :026004349: 102 8987" "000002500"

DATE | AMOUNT

Mr Parks
Senior
Terrace

9704382381 4

Robert Perna

2169

PAY TO THE ORDER OF
Manufacturers Hanover Trust Company
Convent Ave. Baptist Church of The
City of New York, Inc.

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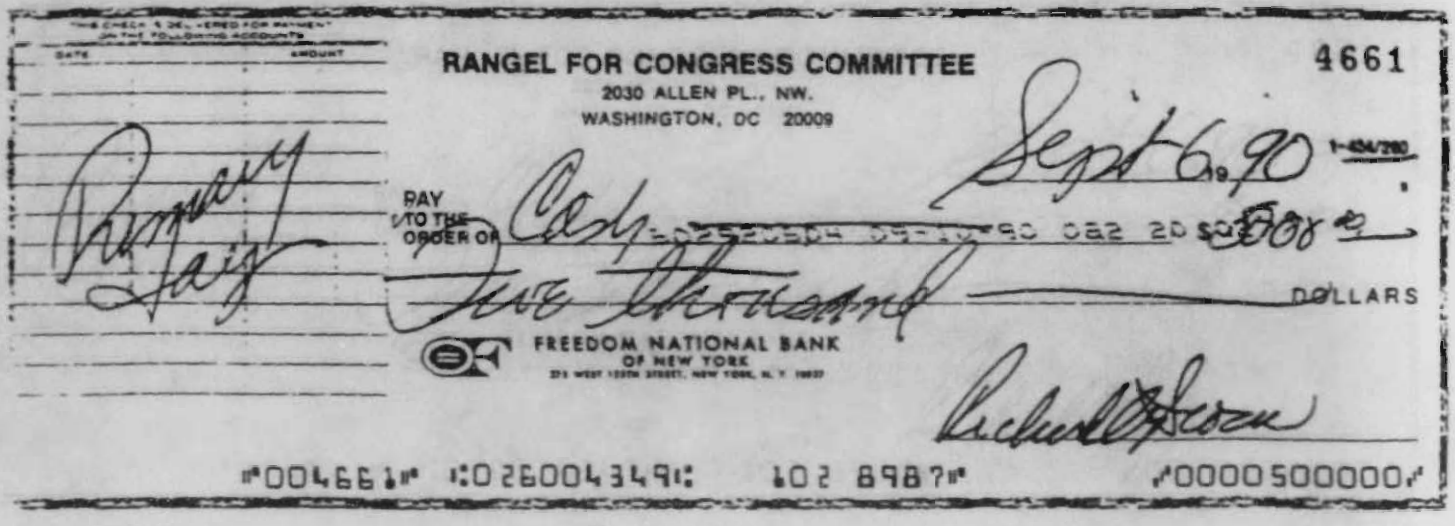

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PL., NW.
WASHINGTON, DC 20009

4661

Sept 6, 90

PAY TO THE ORDER OF Cash

$ 500.00

DOLLARS

Campaign Fair

FREEDOM NATIONAL BANK
OF NEW YORK

Richard Rangel

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9704382381 7

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0212-0400-6 7

0520-0027-6
0520-0027-8
6029206O4 09-10-90

Steven H. Ross
General Counsel

Charles Tiefer
Deputy General Counsel

Office of General Counsel
H-112, The Capitol
U.S. House of Representatives
Washington, DC 20515

Date: 4/19/93

To: Tom Eichen

From: Steve Ross

No. of pages 2 including this cover

If you do not receive the entire document, please telephone (202) 225-9700.

9704382818

9704382381 9

CASH

7/1/92	250	July 4th Celeb. @ DNC
7/6/92	100.	
7/31/92	5000	Dems Primary Convention Petitions (via KWJ)

JONES Robt. (c)

9/28/90	$ 64.40	Re-imburs - CBR Open Hse - Refreshments
6/4/91	500.	Contr NY Tou. + 6/10 Fund Raiser
7/30/91	500.	FEC & Fin. Disclosure Reports
9/13/91	80.	Refreshments - CBR Open Hse - CBC WC
1/6/92	#87	Cab. this pending no 6/8 mtg
7/9/92	#00	Mgt Reimb cash
8/4/92	#1500	Political Consultant - FEC Reports/Fin. Discl

CASH

6/10/90	"104.	{ 25 Reno Birthday Hlms 25 Hlms
9/6/90	5000. "	Primary Day
12/20/90	300	- Supplies - Stamps
1/1/91	100.	Pictures
2/25/91	100.	Political Pictures
3/1/91	100.	Photos
5/30/91	250.	DNC
9/12/91	500	CBC Weekend
10/7/91	150.	Flowers/plant - Chris
10/29/91	100.	A. Beckett
11/4/91	5000.	City Council Elections
12/20/91	1000.	Xmas Gifts
March 92	200	
4/10/92	200.	- Convoy Members

Steven R. Ross
General Counsel

Charles Tiefer
Deputy General Counsel

RECEIVED
MAY 12 8:59

Office of General Counsel
H-112, The Capitol
U.S. House of Representatives
Washington, DC 20515

May 11, 1993

Mr. Tom Eicher
Department of Justice
Washington, D.C. 20530

Dear Tom:

This is to memorialize the information which was telephonically provided earlier today on behalf of Congressman Rangel. This information supplements, by providing greater specificity, the descriptions which the Congressman had earlier provided both during your interview and by written submission.

First, with respect to the $1000 disbursement relating to the 1992 Democratic National Convention held in New York during July of 1992. In answer to your specific question regarding the use of taxicabs in the City, the Congressman relates that due to the nature of the Convention events and the traffic problems the Congressman elected not to have a car and driver on standby to take him from event to event. Instead he chose to utilize taxicabs and so a substantial portion of the funds were disbursed to taxicab drivers over the week of the convention. The Congressman estimates that probably 20-25% of the total amount was used in this fashion. The remainder was expended for meals and entertainment related expenditures during the Convention period as the Congressman entertained a number of political guests who were in New York for the Convention.

Second, with respect to the three election day disbursements occurring in 1990, 1991 and 1992. For 1992 the Congressman recalls a disbursement of $1000 to Eugene Daniels, a local candidate, for the further purpose of distribution to various inspectors (challengers), literature distribution and the like. The same sized disbursement, for the same secondary distribution purposes was made to Keith Wright, another local candidate. These expenditures were to be made by Daniels and Wright for the ultimate purpose of supporting the Congressman re-election, as well as their own. As in other years the lion share of the disbursements were made by Al Beckett and Jim Capel.

In 1991 a $1000 disbursement was made to Angelo Del Touro a local candidate for similar purposes. The remainder was disbursed through Beckett and Capel. Again the Congressman believed that these election day expenses were supportive of his political and campaign interests. In all years the money purchased food for campaign and election day workers and paid for certain literature

9704382382C

distribution, get-out-the-vote activities and election day street and headquarters operations. Mr. Capel's previous memorandum, dated May 6, 1993, and his letter of November 4, 1992, have discussed these expenditures.

In 1990 the Congressman recalls that Beckett and Capel did the distribution.

I hope these further clarifies the matter and will allow us to conclude our discussions.

Sincerely,

Steven R. Ross
General Counsel

97043823821

CHARLES B. RANGEL
15TH CONGRESSIONAL DISTRICT
NEW YORK
DEPUTY WHIP
COMMITTEES:
WAYS AND MEANS
CHAIRMAN, SUBCOMMITTEE ON
SELECT REVENUE MEASURES
SUBCOMMITTEE ON OVERSIGHT
CHAIRMAN, SELECT COMMITTEE ON
NARCOTICS ABUSE AND CONTROL

Congress of the United States
House of Representatives
Washington, DC 20515-3215

2252 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-3215
TELEPHONE: (202) 225-4365

DISTRICT OFFICES:
MS. VIVIAN E. JONES
DISTRICT ADMINISTRATOR

163 WEST 125TH STREET
NEW YORK, NY 10027
TELEPHONE: (212) 663-3900

801 WEST 181ST STREET
NEW YORK, NY 10033
TELEPHONE: (212) 927-5333

2110 FIRST AVENUE
NEW YORK, NY 10029
TELEPHONE: (212) 348-9630

PLEASE RESPOND TO
OFFICE CHECKED

May 6, 1993

Mr. Tom Eichner
U. S. Department of Justice
Washington, DC 20530

Dear Mr. Eichner:

Enclosed please find the additional information you requested.

If you need further information, please let me know as soon as possible as I am anxious to clear-up this matter.

Sincerely,

CHARLES B. RANGEL
Member of Congress

CBR/pob
Enclosures

Thank you for your cooperation.

1/18

97043823822

CHARLES B. RANGEL
16TH CONGRESSIONAL DISTRICT
NEW YORK

DEPUTY WHIP

COMMITTEES
WAYS AND MEANS
CHAIRMAN, SUBCOMMITTEE ON SELECT REVENUE MEASURES
SUBCOMMITTEE ON OVERSIGHT
CHAIRMAN, SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

Congress of the United States
House of Representatives
Washington, DC 20515-3216

2252 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-3216
TELEPHONE (202) 225-4365

DISTRICT OFFICES
MS. VIVIAN E. JONES
DISTRICT ADMINISTRATOR

163 WEST 125TH STREET
NEW YORK, NY 10027
TELEPHONE (212) 663-3900

801 WEST 181ST STREET
NEW YORK, NY 10033
TELEPHONE (212) 927-8333

2110 FIRST AVENUE
NEW YORK, NY 10029
TELEPHONE (212) 348-9630

PLEASE RESPOND TO OFFICE CHECKED

November 12, 1992

Steven R. Ross, Esq.
General Counsel
Office of The Clerk
H112 - The Capitol
Washington, DC 20515

Dear Steve:

I am forwarding the enclosed correspondence at the request of Congressman Rangel who is currently out of the country.

Sincerely,

Patricia O. Bradley
Executive Assistant to
CHARLES B. RANGEL, M.C.

pob
Enclosure

9/0433823823

NOV 60 RECD

15TH CONGRESSIONAL DISTRICT

RANGEL '92

The Conscience of the Congress

November 4, 1992

Dear Congressman Rangel:

In my best efforts to reconstruct campaign expenditures made in connection with the September, 1990 Democratic Party Primary as well as the 1991 General Elections, I am unable to provide you with actual receipts since such records were kept, if maintained at all, for a very short period solely for political reasons or reference.

As you well know, political campaigns in our communities generally involves street rallies, GOTV activities plus an Election Day operation if you want to be successful. These activities require large numbers of volunteers and workers who:

- distribute literature in housing developments, at subway stations and street corners;
- operate sound cars;
- go door-to-door canvassing large buildings to get voters out to the polls;
- canvass voters over the telephone;
- distribute literature at polling sites;
- serve as poll watchers.

During my many years of political involvement, I find that the best, most effective means of recruiting campaign workers to carry-out the above functions in our communities is to let it be known that payment will be made in cash. As a practical matter, payment by cash makes sense for the workers and the campaign. The amounts paid out are generally small, certainly under $250, and checks would be of no use to workers without jobs, bank accounts nor proper identification. To prepare a large number of checks would be an unnecessary burden on our campaign operation. The use of cash payments in small amounts is an approach I continue to use and I hope to use in the future because it has proven to be effective in recruiting workers to get you re-elected to the Congress.

9704382824

CAMPAIGN HEADQUARTERS
2090 ADAM CLAYTON POWELL JR. BLVD.
NEW YORK, NEW YORK 10027
212-663-7790
FAX: 212-663-7816

In your Congressional District, there are some 298 Election Districts that when joined together make-up five(5) State Assembly Districts, three (3) State Senate Districts, 4+ City Council Districts and sixteen (16) Democratic Party leadership parts from which Democratic Party Leaders are elected. As a Member of Congress and elected party leader, you have a responsibility and you are looked upon to provide the leadership and support to candidates who are members of our political family. The fact that you have provided such support to numerous candidates for both public and party positions over the years is extremely beneficial to your re-election efforts year-after-year.

Notwithstanding my inability to provide you with actual receipts, I trust that my representations in this letter will serve as an acceptable explanation to you of how the checks of September 6, 1990 and November 4, 1991 were expended, based on my recall and belief.

Sincerely,

James E. Capel
Campaign Manager

9704382325

15TH CONGRESSIONAL DISTRICT

RANGEL '92
The Conscience of the Congress

TO: Congressman Charles B. Rangel

FROM: Jim Capel, Campaign Manager JC

RE: Allocation of Campaign Expenditures

DATE: May 6, 1993

In my best effort to reconstruct expenditures made, I submit to you the following by categories for the campaigns in 1990, 1991 and 1992.

In 1990, prior to redistricting, the 16th CD consisted of 298 Election Districts spread among the 67, 68, 69, 70, 71 and 72nd Assembly Districts. Expenditures were made by Rangel to assist candidates supported by Rangel to get elected.

In 1991, the City Council Districts were redrawn and the number of districts expanded. The districts in the 16th Congressional District are almost the same as in the current 15th Congressional District consisting of 389 EDs.

Dist 7	-	98 EDs
Dist 8	-	99 EDs
Dist 9	-	127 EDs
Dist 10	-	65 EDs

In 1992, not only was there a major congressional race involving Congressman Rangel, but our campaign provided support to candidates in the following Assembly Districts which are all within the 15th Congressional District consisting of 398 EDs.

68th AD	-	85 EDs
69th AD	-	87 EDs
70th AD	-	86 EDs
71st AD	-	85 EDs
72nd AD	-	55 EDs

In each of these campaign years, the Rangel for Congress Committee support the campaigns of other candidates by providing assistance, usually cash payments, to workers and volunteers to carry out the following activities that are essential to winning such races in this Congressional District.

CAMPAIGN HEADQUARTERS 2090 ADAM CLAYTON POWELL JR. BLVD. NEW YORK, NEW YORK 10027 212-563-7790 FAX: 212-563-7816

9704382826

RANGEL '92
The Conscience of the Congress

15TH CONGRESSIONAL DISTRICT

CAMPAIGN YEAR: 1990

EXPENDITURE CATEGORIES

LITERATURE DISTRIBUTION:	$	800
At Polling Sites		
At Subway Stops		
At Street Rallies		
In Housing Developments		
GET-OUT-THE-VOTE ACTIVITIES:	$	1,200
Sound Cars		
Drivers & Gas for Cars		
Refreshment for Volunteers		
Misc. Supplies		
ELECTION DAY OPERATION:	$	2,500
Vote Pulling Operation		
Poll Watchers		
Refreshment for Volunteers		
Door-to-Door Canvassing		
HEADQUARTERS OPERATIONS:	$	500
Office Supplies		
Office Maintenance		
Stamps		
Local Transportation		
TOTAL	$	5,000

CAMPAIGN HEADQUARTERS 2090 ADAM CLAYTON POWELL JR. BLVD NEW YORK, NEW YORK 10027 212-663-7790 FAX: 212-663-7816

9704382827

RANGEL '92
The Conscience of the Congress

15TH CONGRESSIONAL DISTRICT

CAMPAIGN YEAR: 1991

EXPENDITURE CATEGORIES

LITERATURE DISTRIBUTION:	$	1,200
At Polling Sites		
At Subway Stops		
At Street Rallies		
In Housing Developments		
GET-OUT-THE-VOTE ACTIVITIES:	$	1,500
Sound Cars		
Drivers & Gas for Cars		
Refreshment for Volunteers		
Misc. Supplies		
ELECTION DAY OPERATION:	$	2,300
Vote Pulling Operation		
Poll Watchers		
Refreshment for Volunteers		
Door-to-Door Canvassing		
HEADQUARTERS OPERATIONS:	$	-0-
Office Supplies		
Office Maintenance		
Stamps		
TOTAL	$	5,000

CAMPAIGN HEADQUARTERS 2090 ADAM CLAYTON POWELL JR. BLVD. NEW YORK, NEW YORK 10027 212-663-7790 FAX: 212-663-7816

97043823828

RANGEL '92

The Conscience of the Congress

15TH CONGRESSIONAL DISTRICT

CAMPAIGN YEAR: 1992

EXPENDITURE CATEGORIES

LITERATURE DISTRIBUTION:	$	1,000
At Polling Sites		
At Subway Stops		
At Street Rallies		
In Housing Developments		
GET-OUT-THE-VOTE ACTIVITIES:	$	1,000
Sound Cars		
Drivers & Gas for Cars		
Refreshment for Volunteers		
Misc. Supplies		
ELECTION DAY OPERATION:	$	2,500
Vote Pulling Operation		
Poll Watchers		
Refreshment for Volunteers		
Door-to-Door Canvassing		
HEADQUARTERS OPERATIONS:	$	500
Office Supplies		
Office Maintenance		
Stamps		
TOTAL	$	5,000

CAMPAIGN HEADQUARTERS 2090 ADAM CLAYTON POWELL JR. BLVD. NEW YORK, NEW YORK 10027 212-663-7790 FAX: 212-663-7816

9704382829

May 5, 1993

Steve:

Herewith, in chronological order, are copies of the schedules you requested.

Pat

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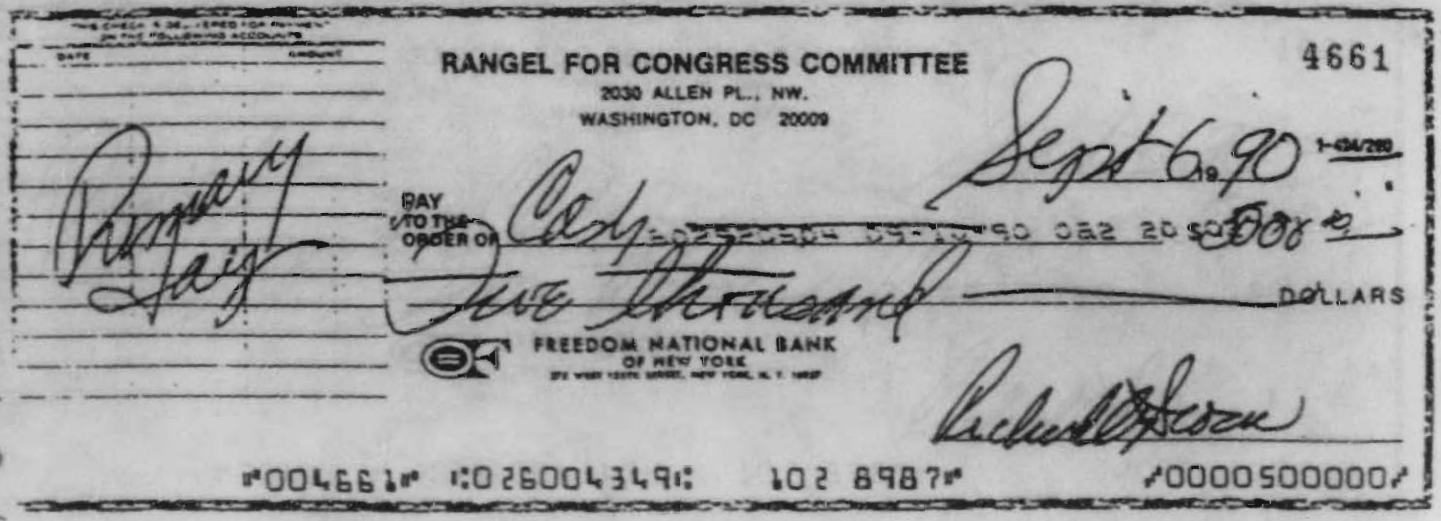

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PL., NW.
WASHINGTON, DC 20009

4661

Sept 6, 90

PAY TO THE ORDER OF Cash

Five thousand

DOLLARS

FREEDOM NATIONAL BANK OF NEW YORK

Richard L. Rosen

Primary Fair

"004661" :026004349: 102 8987" "0000500000"

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CBR SCHEDULE, Thursday, September 6, 1990

8:00 am Cong. Jim Moody (Wisconsin) breakfast fund raiser; Democratic Club

10:00 am House meets--Pro Forma

1:30 pm WRC-TV interview re Bennett One Year Anniversary of Drug Strategy (Jack Cloherty 885 4111)

5:00 pm Eleanor Holmes Norton reception; Democratic Club (sent $500) - til 7:00

Shuttle to New York

POSTED--New York

6:00 pm New York County Democratic Committee Annual Reception; Tavern on the Green - til 9:00

6:00 pm Health Insurance Plan of Greater New York tribute to Robert Biblo upon his retirement; The Plaza, The Baroque Suite, Fifth Avenue at 59th Street (212 373 5470)

9704382382

CBR SCHEDULE, Friday, September 7, 1990

5:30 pm 25th Anniversary Celebration of John Lindsay's election as Mayor; United Nations Building, Delegates Dining Room--use Delegates entrance at 45th Street and First Avenue - til 8:00

7:30 pm LES GARCON; 40 West 135th Street, #16N-P

POSTED--Washington

9:00 am Stop by at National Council of Negro Women/Sears, Roebuck & Co. Symposium and Luncheon "The Economic Survival of the African American Family"; Symposium-Room 106 Dirksen SOB/Luncheon-Room G-50 Dirksen - til 2:00

POSTED--New York

11:30 am Mayor Dinkins meeting re Homeport; City Hall, Blue Room

7:00 pm J. Raymond Jones Democratic Club First Annual Achievement Awards Ceremony; Executive Suite, Powell SOB - til 11:00 (sent $500)

9704382383

CBR SCHEDULE, Saturday, September 8, 1990

Rev. James--212 283 1634

POSTED--New York

10:00 am Caucus of Manhattan Black District Leaders meeting with Carol Bellamy and "Nick" Spano; Tioga/Carver Club, 450 West 155th Street (Carol Rowan 212 234 1430)

11:00 am El Barrio Country Fair sponsored by East Harlem Building for the Community; The Ball Park at 128th Street and Third Avenue (George Espada 212 410 0033) - til 11:00 pm

12:00 pm Broadway Merchants Street Fair; 97th Street and Broadway (Fay Leaper 212 864 0508) - til 6:00

12:00 pm Martin Luther King, Jr. Towers Second Annual "Family Day in Memory of Two Still Missing Children"; M.L. King, Jr. Playground, Lenox Avenue between 113th and 114th Streets (Ruby Kitchen 212 369 3767) - til 8:00

9704382383 4

CBR SCHEDULE, Sunday, September 9, 1990

Rev. James--212 283 1634

12:00 pm The Rainbow Coalition Third Annual Picnic; Octagon Park, Roosevelt Island (Inez Gumbs 212 593 1760) - til 6:00 NOTE: Awards Ceremony from 2:30 - 3:00/CBR to present awards

1:00 pm African-American Day Parade; assemble at 111th Street and Powell Boulevard

3:00 pm Tioga Carver Foundation Second Annual Benefit Soirre with special guest ALMA RANGEL; The Clubhouse, 450 West 155th Street - til 7:00/program from 4 - 4:30 (Estelle Noble 212 926 3836)

POSTED--New York

11:00 am El Barrio Country Fair sponsored by East Harlem Building for the Community; The Ball Park at 128th Street and Third Avenue (George Espada 212 410 0033) - til 11:00 pm

2:30 pm Greater Harlem Nursing Home End of Summer Barbecue; On the Patio at the home, 30 West 138th Street - til 5:30

97043823835

CBR SCHEDULE, Monday, September 10, 1990

10:30 am Mom to Dentist

POSTED--New York

2:00 pm Gene McCabe meeting with the Baptist Ministers regarding the Immunization Task Force; Convent Avenue Baptist Church, 145th Street and Convent (Renelda Higgins 212 650 4209)

6:30 pm Cong. Jose Serrano reception; The Seashore Restaurant, 591 City Island Avenue, Bronx - til 9:00

6:00 pm 100 Black Men meeting of the Board/Committee Chairs; NYC Mission Society/100 Black Men Offices, 105 East 22nd Street, 6th Floor

POSTED--Washington

12:00 pm House meets--possible votes

3:00 pm Mayor Dinkins press conference re Brady Handgun legislation; EF 100

9704382336

CBR SCHEDULE, Tuesday, September 11, 1990

Primary Day

8:30 am Keynote Speaker at 1990 Breakfast Salute to Harlem Entrepreneurs: Executive dining Room, Third Floor, Powell SOB - til 10:00 (Heyward Davenport 212 827 6180)

12:00 pm House meets

4:00 pm Meet with James Barton, Vice Chairman of Prudential Bache Securities, james Harmon, Chairman and CEO of Wertheim Schroder & Co. and Edward O'Brien, President of SIA (Suzanne Morgan 296 9410)

5:30 pm Cong. Bart Gordon reception honoring Cong. & Mrs. Alan Wheat; 304 A Street, SE (Anne Walley 54535) - til 7:30

6:00 pm **Cong. Austin Murphy reception; Democratic Club - til 8:00

9:00 pm Joint Session of Congress

POSTED--Washington

5:30 pm Cong. David Bonior reception; 308 Constitution Avenue, NE - til 7:30 NOTE: dinner follows at 8:00 PM at LaColline, 400 North Capitol Street, NW

6:00 pm Cong. Pat Williams Annual Montana Buffalo Roast; Stuart Mott House, 122 Maryland Avenue, NE - til 8:00

6:00 pm Securities Industry Association Reception; Willard Hotel, Pierce Room, 1401 Pennsylvania Avenue, NW (Victoria Noble 296 9410) - til 8:00

7:00 pm ADA Personnel Committee meeting; 1511 K Street, Suite 941

POSTED--New York

12:30 pm Bradhurst meeting; Mayor Dinkins' office, City Hall

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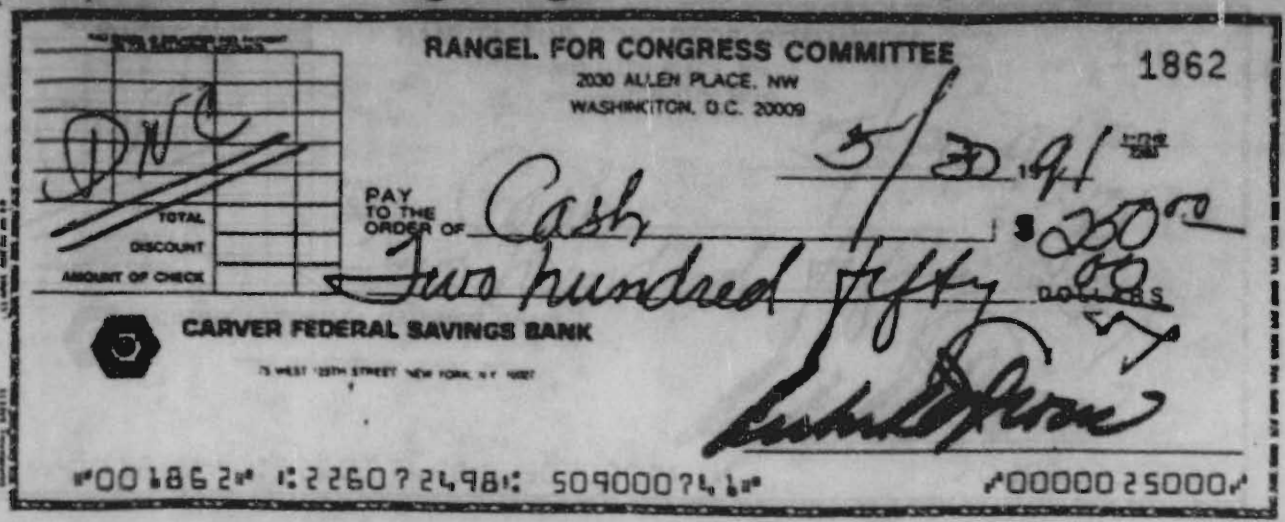

RANGEL FOR CONGRESS COMMITTEE
2000 ALLEN PLACE, NW
WASHINGTON, D.C. 20009

1862

DNC

TOTAL
DISCOUNT
AMOUNT OF CHECK

5/30 1991

PAY TO THE ORDER OF Cash $250.00

Two hundred fifty 00/100 DOLLARS

CARVER FEDERAL SAVINGS BANK

75 WEST 125TH STREET NEW YORK, N.Y. 10027

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CBR SCHEDULE, Thursday, May 30, 1991

9:00 am Whip meeting; H324

10:00 am House Meets

10:15 am Whip Task Force Meeting on the Civil Rights Bill; H114

11:00 am Urban Caucus meeting followed by a press conference; B318 RHOB

11:00 am Meet with PS 28 elementary students; House Steps

1:00 pm Cong. Marty Russo meeting on his Universal Health Care bill; 2233 RHOB

2:15 pm Meet with Harry Hohn, Chairman of the Board of New York Life (Jessie Colgate 202 783 1295/212 576 5751)

3:00 pm Video Tape for the Annual "Buddy" Young Awards Dinner; B310 RHOB

Shuttle to New York

6:30 pm Project LIFE benefit; home of Elizabeth Scheuer, 55 Central Park West, #17F (212 650 8208/5190) - til 8:30

POSTED--Washington

7:00 pm USIA closing reception for minority students interested in Foreign Service careers; Capitol Hill Club, 3rd Floor - til 9:00

POSTED--New York

9:00 am LaMarquetta ribbon cutting ceremony

5:30 pm Salute to Horace W. Morris; The Equitable Tower, 50th Floor, 787 Seventh Avenue - til 7:30

9704382383 9

CBR SCHEDULE, Friday, May 31, 1991

9:30 am Depart New York LaGuardia for Jacksonville, FL; USAIR #385 (CBR Frequent Flyer #929 606 834)--FIRST CLASS/No Breakfast; Snack only ($962 for CBR/$791 for AR)

12:02 pm Arrive Jacksonville

You will be staying at The Ponte Vedra Inn and Club

DNC National Finance Council Annual Meeting (Laura Kunian 202 863 8033 Gail Dobert 1 800 234 7842/904 285 1111/904 285 7816/7803)

POSTED--Washington

8:00 am TransAfrica 10th Annual Foreign Policy Conference; 345 CHOB - til 6:00

10:00 am House Meets

POSTED--New York

8:00 am "Homelessness Reversed: NYC Models of Family Support" conference; Bank Street College, 610 West 112th Street - til 12:30

10:00 am Manhattan High Schools Special Education Program Tenth Annual Circle of Champions; George Washington High School - til 3:00

7:00 pm Denny Farrell Town Hall Meeting; Polo Grounds Community Center, 2965 Eighth Avenue

9704382384C

19/dd

CBR SCHEDULE, Saturday, June 1, 1991

9:00 am DNC National Finance Council Annual Meeting

POSTED--Washington

7:00 pm TransAfrica 14th Annual Dinner; Washington Hilton/7:00 reception; 8:00 dinner

POSTED--New York

11:00 am Denny Farrell Town Hall Meeting; Church of the Intercession, 550 West 155th Street, between Broadway and Amsterdam

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20/58

CBR SCHEDULE, Sunday, June 2, 1991

DNC National Finance Council Annual Meeting

5:40 pm Depart Jacksonville, FL for New York LaGuardia; USAIR #1876--FIRST CLASS for CBR/COACH CLASS for AR with Priority Waitlist for FIRST CLASS/Seafood Platter requested for dinner

7:46 pm Arrive, New York LaGuardia

POSTED--New York

9:30 am Salute to Israel Pre-Parade Breakfast; Park East Synagogue, 164 East 68th Street - til 11:15

1:00 pm Morris-Jumal Mansion benefit; Sylvia's, 328 Lenox Avenue (sent $100)

Park River Independent Democrats Anniversary Dinner honoring Jerry Nadler

9704382384 2

21.00

97043823843

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, NW
WASHINGTON, DC 20009

1877

9/12 19 91

PAY TO THE ORDER OF Cash $ 500

Five hundred DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET, NEW YORK, N.Y. 10027

Charles B. Rangel

⑈001877⑈ ⑆226072498⑆ 509000741⑈ ⑈00000500000⑈

CBR SCHEDULE, Thursday, September 12, 1991

Primary Election Day--polls open from 6:00 AM - 9:00 PM

8:00 am National Coalition on Alcohol and Other Drug Issues breakfast and briefing; B369 RHOB (703 920 4644)- 9:30

9:00 am Whip Meeting; H324

10:00 am Democratic Caucus re health care reform; House Chamber

10:00 am Ways and Means hearing on International Competitiveness; MHR

12:00 pm House meets

1:30 pm CBCF Press Conference on Thomas nomination; Triangle Area in front of the Capitol

12:30 pm Speaker Foley luncheon meeting with Committee Chairs; H324 (Elizabeth)

2:00 pm Veterans Housing Forum; Washington Hilton, Georgetown West - til 5:00

3:00 pm Democratic Caucus Issues Task Forces Co-Chairs meeting; 1732 LHOB

6:00 pm Public Housing Authorities Directors Association reception; 2168 RHOB (Judy Browne 202 546 5445) - til 8:00

6:00 pm CBCF & CBC private reception with the family of Cong. Bill Gray; The Atrium, Madison Library - til 7:00

6:00 pm CBCF & CBC reception honoring Cong. Bill Gray; Montpelier Room--Rooftop, Madison Library - til 8:00

8:00 pm Cong. Cardiss Collins Champagne Dance; Washington Court Hotel, 525 New Jersey Avenye, NW--BLACK TIE - til 11:00

9:00 pm Anheuser Busch/Sony Gala Reception; The Galleria at Lafayette Centre, 1155 21st Street, NW - til 1:00--Black Tie Preferred

POSTED--Washington

6:00 pm National Pork Producers Council reception; Longworth Cafeteria (202 554 3600) - til 8:00

6:00 pm Securities Industry Association reception; Washington Court Hotel, Atrium Ballroom, 525 New Jersey Avenue, NW - til 8:00

7:00 pm On The Potomac Productions Salute to the CBC; Washington Hilton, Poolside - til 10:00

97043823844

CBR SCHEDULE, Friday, September 13, 1991

9:30 am	CBR Drug Hearing; 1100 LHOB
12:00 pm	CBR Open House
2:00 pm	CBR Veterans Braintrust; 1100 LHOB
4:00 pm	Tuskegee Airmen Tribute; 2118 RHOB
5:30 pm	Salute to WWII Black Veterans; Rayburn Foyer
5:30 pm	Cong. Ed Towns Chairman's Reception; Rayburn Courtyard
5:30 pm	Cong. Maxine Waters reception; 2359 RHOB - til 7:30
5:00 pm	Alaska Black Caucus reception; Washington Hilton, Chevy Chase Suite
6:00 pm	MCA Inc. (Bill Kirk) reception; MPAA, 1600 Eye Street, NW - til 8:00
6:00 pm	****Basil Paterson being honored by Scientific Visions and the R.W.Johnson Pharmaceutical Research Institute; Grand Hotel, Promenade Suite, 2350 M Street, NW - til 8:00
6:00 pm	PEPCO bicentennial reception in honor of Cong. Eleanor Holmes Norton; Washington Hilton, Crystal Ballroom (202 678 8900) - 8:00
6:00 pm	National Hook-Up of Black Women 14th Annual Fannie Lou Hamer Awards Reception; Washington Hilton, Georgetown Room - til 8:00
6:00 pm	National Black United Fund "Evening in African-American Elegance" honoring the CBC; Charles Sumner School Museum and Archives, 1201 17th Street, NW - til 9:00
6:30 pm	Cong. Kweisi Mfume reception; Washington Hilton, Lincoln Room - til 8:30
7:00 pm	Mayor Sharon Pratt Dixon reception; Washington Hilton, Poolside - til 9:00
7:00 pm	Cong. Craig Washington reception; One 13th Street, NW
7:00 pm	100 Black Men of America reception; The Omni Shoreham Hotel, Garden Court, 2500 Calvert Street, NW - til 10:00
7:30 pm	The Chairman's Gala sponsored by BET/Coca-Cola/RJR-Nabisco/Tobacco Institute/Time Warner/September Group; OAS Building, 17th and Constitution Avenue, NW--BLACK TIE
8:00 pm	Cong. Barbara-Rose Collins "Michigan Bash"; Washington Hilton, Jefferson Room - til midnight
10:00 pm	CBC Spouses Evening Fashion Show; Washington Hilton

9704382384 5

CBR SCHEDULE, Saturday, September 14, 1991

8:00 am	CBC Prayer Breakfast; Sheraton Washington Hotel - til 10:30
11:30 am	CBC Spouses Luncheon Fashion Show; Washington Hilton
3:00 pm	Cong. John Lewis reception; The River Club, 3223 K Street, NW - til 5:00
4:00 pm	Cong. Mike Espy reception honoring former Mississippi State Henry Kirksey; Washington Hilton, Conservatory Room on the Terrace Level
4:30 pm	Reception honoring Shirley Chisholm; Washington Hilton, The Military Room - til 6:30
4:30 pm	Managed Healtcare Systems reception honoring Cong. Ed Towns; Washington Hilton, Hemisphere Room - til 6:30
6:00 pm	CBC reception - til 7:00
7:30 pm	CBC annual dinner

9704382384 6

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, NW
WASHINGTON, DC 20009

2000

Nov 4 19 97

PAY TO THE ORDER OF Cash $ 5000 00

Five Thousand DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET NEW YORK, N.Y. 10027

Richard Dixon

Oct Council Elections 1997

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97043823847

CBR SCHEDULE, Sunday, November 3, 1991

New York City Marathon Brunch sponsored by John Hancock; Tavern on the Green--4 tickets will be delivered by FED EX to 40 West on Saturday

6:00 pm Meet with PES, BP and DND; 40 West 135th Street (George Daniels 212 788 3143)

9704382384 8

CBR SCHEDULE, Monday, November 4, 1991

7:45 am WABC Radio LIVE on the Curtis and Lisa Sliwa program re the needle exchange program--call 212 268 5730 (Mike Thompson 212 613 3836)

8:00 am DND breakfast with Towns, Flake, Owens; Gracie Mansion

9:15 am DND meeting with Larry and Bob Tisch; Gracie Mansion

Shuttle to Washington

12:00 pm House meets--VOTES

12:30 pm Whip Task Force meeting on the Labor-HHS Appropriations Conference Report--including the "Gag Rule"; H107

3:00 pm Whip Task Force meeting on the Banking Bill; H107

POSTED--New York

6:00 pm Reception for Guillermo Linares - 8:00

9704382384 9

CBR SCHEDULE, Tuesday, November 5, 1991

Election Day--Polls open from 6:00 AM - 9:00 PM

12:00 pm House meets--Suspensions--Votes, if any, will be taken on Wednesday

12:00 pm Whip Task Force meeting on the Labor-HHS Appropriations; H107

1:30 pm Ways and Means Democratic Caucus on Unemployment Compensation; H208

POSTED--Washington

5:30 pm Cong. Howard Wolpe reception; Demo Club - til 7:30

6:00 pm Cong. Wayne Owens (UT) reception; Demo Club - til 8:00

6:00 pm **Cong. Charles Hatcher (GA) reception; LaColline, 400 North Capitol Street

6:00 pm **Cong. Sander Levin (MI) reception hosted by Cong. Rostenkowski; 203 Third Street, NE - til 8:00

9704382385C

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, N.W.
WASHINGTON, DC 20009

2513

July 8 1992

PAY TO THE ORDER OF Cash $1000.00

One Thousand DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET NEW YORK, N.Y. 10027

Richard A. Rangel

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97043823851

CBR SCHEDULE, Wednesday, July 8, 1992

8:00 am	**Cong. Norm Sisisky (VA) breakfast; LaColline, 400 North Capitol Street
9:15 am	Dr. Holen; 1140 19th Street, NW, Suite 310 (Chris 202 785 3021)
10:00 am	House meets
11:30 am	CNN Interview re Haiti (Wolf Blitzer 703 614 3118)
4:30 pm	Ways and Means markup of tax proposals of interest ot Members of the Committee; MHR
6:00 pm	Whip Task Force meeting on the Transportation Bill; H107
6:00 pm	**Cong. Barbara Boxer and Dianne Feinstein reception; home of Pamela Harriman, 3038 N Street, NW - til 8:00

POSTED--Washington

10:00 am	HBO/Joint Center for Political Studies Symposium "Views of the Black Electorate"; National Press Club, 529 14th Street, NW - til 12:00
6:00 pm	Cong. Craig Washington reception aboard Burlington Northern rail lounge and dining cars; Union Station, Track 8 - til 8:00

9704382385 2

CBR SCHEDULE, Thursday, July 9, 1992

8:30 am Meet with Gerald Hinch, Deputy Secretary for Equal Employment Opportunity at VA (Lamont Johnson 202 233 2254)

9:00 am Whip Meeting with Ron Brown; H324

10:00 am House meets

10:00 am Ways and Means continuation of markup; MHR

10:00 am Whip Task Force meeting on the Transportation Appropriation; H107

12:00 pm Whip Task Force meeting on the Transportation Appropriation; H107

12:30 pm Democratic Caucus Party Effectiveness meeting re the Democratic Convention; H324

1:30 pm Ways and Means continues; MHR

5:00 pm CBCF reception honoring 1991-92 Fellows; 2172 RHOB - til 7:00

POSTED--Washington

8:00 am Congressional Prayer Breakfast with Cong. Dante Fascell; H130

10:00 am Ambassador Casimir briefing for staffers; B318 RHOB

POSTED--New York

Feast of Mt. Carmel 108th Annual Celebration; 115th Street from Pleasant to First Avenues

1:00 pm Mom to dentist at Columbia

9704382853

CBR SCHEDULE, Friday, July 10, 1992

12:00 pm CNN Interview re Clinton-Gore ticket (David Schuster 212 290 9611)

Shuttle to New York

POSTED--New York

Feast of Mt. Carmel 108th Annual Celebration; 115th Street from Pleasant to First Avenues

6:30 pm Permanent Representative of Cuba to the United Nations and Mrs. Richardo Alarcon reception; 315 Lexington Avenue

9704382385 4

CBR SCHEDULE, Saturday, July 11, 1992

12:00 pm Fourth Annual Faith March/Against Drugs; Pentecostal Church of God, 161-163 Sherman Avenue

6:00 pm Port Authority of NY & NJ/World Trade Centers Assn/ABNY "Streets of New York" reception; The Observation Deck, 107th Floor, 2 World Trade Center - til 8:00

7:00 pm Cong. Ed Towns "Dinner by the River"; The River Cafe, One Water Street, Brooklyn (Marilyn Nickel 212 757 6712) AR

POSTED--New York

Feast of Mt. Carmel 108th Annual Celebration; 115th Street from Pleasant to First Avenues

7:00 pm American Council of Life Insurance Welcoming Reception honoring Ron Brown, Jay Rockefeller and Bob Matsui; Grand Central Station - til 10:00

9704382385 5

CBR SCHEDULE, Sunday, July 12, 1992

9:30 am — Breakfast with Bob and Helen Strauss; Waldorf Astoria, Starlight Roof (212 902 8038) - til 11:00 (AR)

11:30 am — RJR Nabisco Brunch (Ken Levine's client) honoring Senator Wendell Ford; St. Regis Hotel 2 East 55th Street (202 626 7200) - til 2:00 AR

12:00 pm — Present award to Joyce Dinkins at Rainbow Coalition of 16th C.D. Annual affair; Manhattan Park Theatre, 6 River Road, Roosevelt Island (Inez Dickens Gumbs 212 838 5822) NOTE: program from 12:00 - 12:30/runs til 5:00

12:00 pm — Cong. Major Owens Brunch; Tavern on the Green (Debbie 56231) - til 2:00

1:00 pm — COBED "Take the "A" Train" to Apollo Theater; 57th Street/6th Avenue Subway Station

2:00 pm — AIPAC reception; The Museum Club at Bridgewaters, South Street Seaport above Fulton Market (202 639 5291) - til 5:00 AR

2:30 pm — COBED Welcoming Event for the African-American delegates and tribute to Jesse Jackson; The Apollo (Karen Boykin 212 870 8500) - til 4:30

4:00 pm — Speaker Foley being honored by Ameritech, Bell Atlantic, BellSouth, et al at reception; Equitable Tower, 787 Seventh Avenue--enter on 51st Street, 50th Floor, Tower Dining Room - til 7:00 AR

5:00 pm — Tom Boggs and Tim May reception honoring Ron Brown; Tatou, 151 East 50th Street (202 828 7036) - til 7:00

5:30 pm — New York Times reception; The Times Building, 229 West 43rd Street, 14th Floor (Linda Loeb 212 556 4318) - til 8:00 AR

6:00 pm — Building & Construction Trades/Hotel & Restaurant Employees/Laborers'/Letter Carriers/UFCW reception; Tavern on the Green (202 347 1461) - til 8:00 AR

7:00 pm — Reception honoring Chairman Rostenkowski; Runyon's--Second Avenue, 932 Second Avenue (49th - 50th Street) (Nell 703 683 6612) AR

7:00 pm — Con Edison Welcoming Reception; Central Park Zoo, Fifth Avenue and 64th Street (Lou Sandhop 212 460 6911) - til 10:00

7:00 pm — Earl and Barbara Graves reception honoring Ron and Alma Brown; 130 Fifth Avenue, 10th Floor (212 242 8000 x559) - til 9:00 AR

8:00 pm — CBR Dinner; Sam's Restaurant, 152 West 52nd Street between Sixth and Seventh Avenues (Dick Brown 202 745 1987) (AR)

9:00 pm — COBED "Broadway Lights" reception; Sheraton Hotel, Imperial Ballroom - til 12:00

9704382385 6

POSTED--New York

Feast of Mt. Carmel 108th Annual Celebration; 115th Street from Pleasant to First Avenues

5:30 pm Alaska Delegation reception Studio Museum in Harlem (Irene Mays 212 427 7200)

97043823857

CBR SCHEDULE, Monday, July 13, 1992

9:00 am — WLIB/WBLS "The Breakfast Club" kick-off convention coverage re convention developments and how they relate to the minority community; Skybox #1019 at Madison Square Garden (Wayne Gilman/Monica Bertran 212 697 0674)

9:00 am — CBS/Laurence Tisch brunch; Regency Hotel, 540 ParkAvenue at 61st Street, Regency Ballroom (202 457 4508) - til 11:00 AR

9:30 am — NEA Deluxe Continental Breakfast and Boat Tour of the Big Apple; depart from the Circle Line Plaza, West End of 42nd Street/9:30 board; 10:00 depart; 12:00 return

10:00 am — Democratic Governors' Association National Policy Forum; Waldorf Astoria, Starlight Room, 301 Park Avenue (202 479 5185) - til 12:30

2:00 pm — North General Hospital "Bonafide Harlem BBQ"; North General Hospital Lobby, 1875 Madison Avenue (212 423 4895) - til 5:00 AR

3:00 pm — Receive plaque from the Haitian Americans United for Progress (Pierre-Richard Delatour 718 527 3776)

3:00 pm — Reception honoring Senator and Mrs. Jay Rockefeller; Whitney Museum of American Art, 945 Madison Avenue (at 75th Street) AR

4:00 pm — Americans for Aristide reception honoring delegates; Club Harambee, 127 West 43rd Street (Patrice Bolte 212 932 2935) - til 7:00

4:30 pm — Stan Lundine being honored at Chemical Bank reception; Waldorf Towers, 301 Park Avenue, Suite 33H - til 6:30

5:00 pm — Appear LIVE on WABC-TV "Eyewitness News"; WABC Skybox #965 at Madison Square Garden (Elaine Peake 212 456 3112)

5:00 pm — A T & T/Anheuser-Busch/PepsiCo reception honoring Speaker Foley; Metropolitan Museum of Art, Fifth Avenue at 82nd Street - til 7:00 AR

5:30 pm — Cong. William Jefferson dinner; B. Smith's Restaurant, 771 - 773 Eighth Avenue - til 7:30

6:00 pm — Reception honoring Cong. Maxine Waters; Hotel Righa Royal, 151 West 54th Street, Suite 5201 (202 778 8665) - til 8:00

9:00 pm — NYNEX/US Telephone Association reception honoring Cong. Vic Fazio; Sam's, 152 West 52nd Street--TICKETS ENCLOSED AR

POSTED--New York

Feast of Mt. Carmel 108th Annual Celebration; 115th Street from Pleasant to First Avenues

4:30 pm — Cong. Dick Gephardt visiting Boys Harbor, One East 104th Street

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5:00 pm Reception honoring Senator Tom Harkin; St. James Tower, 415 East 54th Street, #29GG (202 463 4335) - til 7:00

10:00 pm Reception in honor of the Nigerian Observer Delegation; St. Regis Hotel Roof, 5th Avenue at 55th Street (202 962 3056)

9704382385 9

CBR SCHEDULE, Tuesday, July 14, 1992

8:00 am — Denny Farrell breakfast for public and party officials, Club Pesidents and Manhattan delegates and alternates; Sun Garden, Grand Hyatt Hotel, 42nd Street between Park and Lexington Avenues (Carter Avery 212 687 6540) - til 10:00

8:30 am — Americans for Peace Now "Politics '92: Israel, the Middle East, and the US"; home of Sarah and Victor Kovner, 27 West 67th Street (212 645 6262) - til 10:00

9:30 am — HHC Press Conference re Federal legislation to fund capital projects of public hospitals; Harlem Hospital

10:30 am — HUDC multi-media presentation; The Apollo Theater - til about noon

11:00 am — New York Fashion Show; The Great Lawn Central Park (212 760 7130)

12:00 pm — Lee Iacocca luncheon honoring Tip O'Neill; The Sky Club, Pan Am Building, 200 Park Avenue (202 833 2622)

1:00 pm — DND luncheon honoring Mayors and Congressional Leadership; Gracie Mansion - til 3:00

2:30 pm — DNC Democratic Health Caucus forum; Waldorf Astoria Hotel, Empire Room, 301 Park Avenue

4:30 pm — BMW of North America reception (Jack Kelly); BMW Gallery, 320 Park Avenue at 51st Street (201 307 3606) - til 6:30 AR

4:30 pm — People for the American Way reception; NY Hilton, Avenue of the Americas, bet 53rd & 54th Streets - til 6:30

4:30 pm — National Association of Realtors reception honoring Cong. Dick Gephardt; Tavern on the Green (202 383 1020) - til 6:30

4:30 pm — ITT reception Saluting New York; The St. Regis Hotel, 5th Avenue and 55th Street (212 258 1261) - til 7:00

5:30 pm — Reception honoring House Committee Chairmen; TATOU, 151 East 50th Street (Kathleen Bovello 202 955 3546) - til 8:00

6:00 pm — A T & T reception honoring Cong. Charlie Rose; The Plaza Hotel, Fifth Avenue at Central Park South - til 8:00

7:30 pm — Chicago Board of Trade & The Chicago Mercantile Exchange dinner honoring Chairman Rostenkowski; The Water Club, 500 East 30th Street (202 783 1190)

9:30 pm — Marriott reception honoring President and Mrs. Jimmy Carter; Marriott marquis Hotel, The Marquis Ballroom (Kim stranske 202 467 8389) - til 11:30

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POSTED--New York

Feast of Mt. Carmel 108th Annual Celebration; 115th Street from Pleasant to First Avenues

10:00 am New York Academy of Medicine "American Health Policy for the 1990's and Beyond: A Health Care Reform Roundtable; New York Hilton, 6th Avenue, Trianon Ballroom, Third Floor (between 53rd & 54th Streets)

11:00 am American Muslims Council Hospitality Suite; Ramada Hotel, 401 Seventh Avenue, Suite 702A - 11:00 pm

1:00 pm Manhattan Borough President reception for the East Coast Greenway Bicycle Tour; 127th Street and the Harlem River (site of the future Harlem Beach Esplanade) (Pepi Ertag 212 669 2227)

4:00 pm Jewish Community Relations Council Pastrami & Pickles Knishes & Klezmer reception; UJA-Federation Ballroom, 130 East 59th Street - til 6:00

9704382338661

CBR SCHEDULE, Wednesday, July 15, 1992

10:00 am International Swap Dealers Association (Tom Boggs) coffee for Democratic Congressional Leadership; The Galleria, 117 East 57th Street, #28C (Peter Robertson 202 457 6464)

10:30 am TENTATIVE WNYC Radio "On The Line" Program; Hilton Hotel, 54th Street and Sixth Avenues, Second Floor, Suite Gibson A (Meg Luther/Christain Martin 212 669 2200)

11:00 pm Ron Brown being honored by Marianne Spraggins and Wardell Lazard; The Manhattan Penthouse; 80 Fifth Avenue, 17th Floor (Rebecca Murphy 212 290 2030)

11:45 am Essence Communications luncheon; New York Hilton - til 2:00

2:30 pm TENTATIVE WCBS Radio interview; Skybox #1013 at Madison Square Garden (Robin Barreaux 212 975 3301/2127)

5:00 pm CNN reception; CNN New York Bureau, 5 Penn Plaza, 20th Floor (212 714 7885) - til 8:00 AR

6:00 pm DSG Campaign Fund reception; home of Carol Haussamen, 40 Central Park South - til 7:30

POSTED--New York

Feast of Mt. Carmel 108th Annual Celebration; 115th Street from Pleasant to First Avenues

8:00 am Thirteen/WNET and Charlie Rose Breakfast; The Regency Hotel, 540 Park Avenue at 61st Street (212 560 6677)

11:00 am American Muslims Council Hospitality Suite; Ramada Hotel, 401 Seventh Avenue, Suite 702A - 11:00 pm

12:00 pm Earth Observation Satellite Company/The Partnership for Plastics Progress/Dutko and Associates luncheon honoring the House Leadership; The Water Club, East River at 30th Street (202 484 4884) - til 2:00

12:30 pm Greater New York Hospital Association luncheon with CEO of New York's voluntary hospitals and W & M Sub on Health memers; Rene Pujol Restaurant, 321 West 51st Street

97043823862

CBR SCHEDULE, Thursday, July 16, 1992

8:00 am Cong. Ted Weiss breakfast; Century Club, 7 West 43rd Street/8:00 coffee; 8:30 breakfast

10:00 am DND signing bill and holding hearing to rename West 127th Street between Powell and Douglass Boulevards Lloyd E. Dickens Place; City Hall, The Blue Room

12:00 pm Lehman Brothers luncheon honoring Tip O'Neill; Lehman Brothers Offices, World Financial Center, American Express Tower, 19th Floor (202 452 4728)

5:00 pm Meet with Vincent Tese re Trade Center, et al; 1515 Broadway, 52nd Floor (212 980 0200)

9:00 pm NPR interview; Skybox #1015 at Madison Square Garden (John Ogulnik 212 398 1900/212 630 1346)

POSTED--New York

Feast of Mt. Carmel 108th Annual Celebration; 115th Street from Pleasant to First Avenues

9:00 am Mom to the dentist at Columbia

6:00 pm CSX Corporation reception honoring Cong. Vic Fazio; the railroad car "The Greenbrier", Penn Station, Track 10 (use 7th Avenue entrance to Penn Station) (202 783 8124) - til 8:00

10:00 pm VICTORY '92 Celebration; Sheraton Hotel/10:00 reception, New York Ballroom, 3rd Floor; 11:00 dinner, Imperial Ballroom NOTE: $1,000 per person

Martin Luther King, Jr. Democratic Club meeting; HCC, 361 West 125th Street

9704382863

CBR SCHEDULE, Friday, July 17, 1992

RECESS--Democratic National Convention

10:00 am Jesse Jackson; 1199

10:30 am Joint Democratic Campaign Committees Brunch with the Nominee

12:00 pm Lunch at Tavern on the Green--per Alma - til 2:00

3:30 pm Tape for Bill McCreary; WNYW, 205 East 67th Street

POSTED--New York

Feast of Mt. Carmel 108th Annual Celebration; 115th Street from Pleasant to First Avenues

1:00 pm Rent Determination Conference re Eastwood; One Fordham Plaza, Room E212 (Miriam or Ronald Vass 718 956 1900)

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RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, N.W.
WASHINGTON, DC 20009

2682

1-7249/2260

Sept 14 1992

PAY TO THE ORDER OF Cash

$ 5,000 00

Five thousand 00 DOLLARS

CARVER FEDERAL SAVINGS BANK

75 WEST 125TH STREET NEW YORK N.Y. 10027

Richard Rangel

⑈002682⑈ ⑆226072498⑆ 509000714⑈

CBR SCHEDULE, Saturday, September 12, 1992

HOLD for Rangel Campaign Caravan (per Jim Capel)

6:00 pm Haitians for Daniels fundraiser; 292 Manhattan Avenue (212 864 9924) - runs from 4:00 til 7:00

6:30 pm Philip Morris dinner and roundtable seminar on "Congress, A Look at the 1993 Agenda"; (Buffy Linehan 202 637 1500/1539 for Elizabeth)

POSTED--New York

1:00 pm King Towers/NYCHA Drug Elimination Unit Annual Family Day; MLK Playground, 113th Street and Lenox Avenue (Cynthia Gardner-Brim 212 306 3463/Doreen Mack 212 722 8561) - runs from 11:00 til 8:00

1:00 pm Harlem River Houses 55th Anniversary Celebration; The Mall, 152nd Street between 7th Avenue and McCombs Place

1:00 pm Alliance Committee Homeless Children's Project "Rally and Walk for Homeless Children"; Times Square and 42nd Street--walk begins at 3:00 pm

1:00 pm Museum of the City of New York "Growing Old in Spanish Harlem" exhibit; Fifth Avenue at 103rd Street - til 4:00

4:00 pm Children of Freetown Antigua-USA inaugural Caribbean social event; St. Luke's Epicopal Church Auditorium, 777 East 222nd Street (Constance Wilkins 201 886 3404)

6:00 pm West Side Community Garden 'Harvest Home Picnic"; 89th Street between Amsterdam and Columbus

7:00 pm Central Harlem Senior Citizen's Coalition Annual "Nite of Elegance" dinner dance honoring Ted Meekins; 120 West 140th Street, Patio (sent $50/Steve Lawrence attending) (Barbara Meekins 212 989 3931) - til 1:00

POSTED--Washington

National Council of Negro Women, Inc. National Black Family Reunion Celebration

9704382866

CBR SCHEDULE, Sunday, September 13, 1992

10:00 am Speak on behalf of Cong. Ed Towns; Rev. Johnny Youngblood's Church, Brooklyn

11:30 am Speak on behalf of Cong. Ed Towns; Concord Baptist Church, Brooklyn

3:00 pm Annual Prince Hall Day Program and Sermon; Mother A.M.E. Zion Church, 140-6 West 137th Street

POSTED--Washington

National Council of Negro Women, Inc. National Black Family Reunion Celebration

97043823867

CBR SCHEDULE, Monday, September 14, 1992

8:30 am — *SPEAK AT BREAKFAST SALUTE TO HARLEM ENTREPRENEURSHIP; The National Black Theater, Fifth Avenue & 125th Street (Heyward Davenport)

10:00 am — Meet with Saady/Milstein/HITCC at UDC; 1515 Broadway - til 12:00

2:00 pm — Visit St. Luke's/Roosevelt Hospital; Gary Gambuti and Deborah Bachrach will meet you in the Lobby, Amsterdam Avenue at 114th Street (Deborah Bachrach 212 523 4004)

4:00 pm — HOLD for campaigning with Gene Daniels (per Jim Capel)

6:00 pm — Mount Sinai dedication and reception honoring East Harlemites for their assistance in building the Guggenheim Pavilion; Fifth Avenue at 100th Street (Dr. Rowe 212 241 8888) NOTE: 7:00 PM Awards Ceremony - til 8:00

POSTED--New York

9:30 am — Center for International Health and Cooperation/Council on Foreign Relations Health Symposium; The Harold Pratt House, 58 East 68th Street - til 7:00 pm (Kevin Cahill)

6:00 pm — Hansborough Jr. Conservancy Board Meeting; 35 West 134th Street

6:00 pm — 100 Black Men Board Meeting; 105 East 22nd Street, 6th Floor Conference Room

6:30 pm — DND reception honoring the Secretary General of the UN and Mrs. Boutros Boutros-Ghali; Gracie Mansion (212 788 2555) - til 8:00

8:00 pm — BLACK TIE Dinner hosted by Amb. and Mrs. Perkins in honor of Amb. Joseph Verner Reed; Waldorf Astoria, Suite 42A (Erin Walsh 212 415 4085)

POSTED--Washington

12:00 pm — House meets--NO VOTES

9704382868

CBR SCHEDULE, Tuesday, September 15, 1992

PRIMARY DAY

9:00 am Visit Metropolitan Hospital Center; 1901 First Avenue at 97th Street (Dennis Gowie 212 230 6501)

12:00 pm House meets

Shuttle to Washington

7:30 pm CNN "Crossfire" with Bob Martinez (James)

POSTED--New York

8:00 am Center for International Health and Cooperation/Council on Foreign Relations Health Symposium; The Harold Pratt House, 58 East 68th Street - til 4:00 pm (Kevin Cahill)

7:00 pm Bob Abrams reception/celebration; home of Lawrence Buttenwieser, 1080 Fifth Avenue (Marty Beth Pearlberg 212 972 1340) - til 8:30

POSTED--Washington

10:00 am Ways and Means hearing on NAFTA with Secretary Lynn Martin; MHR

12:00 pm House meets

2:00 pm Ways and Means hearings on NAFTA with EPA Administrator Reilly; MHR

3:45 pm Whip Task Force Meeting on the Consumer Reporting Reform Act; H107

4:00 pm Ways and Means Executive Session with Carla Hills and EPA Administrator William Reilly; B318 RHOB

5:30 pm Cong. Owen Pickett (VA) reception; Demo Club - til 7:30

5:30 pm **Cong. Tim Valentine (NC) reception; Demo Club - til 7:30

6:00 pm Cong. Kweisi Mfume reception; Demo Club - til 8:00

6:00 pm **Cong. Bob Carr (MI) reception; 801 Pennsylvania Avenue, NW, Suite 800 - til 8:00

6:00 pm **Cong. Dave Nagle (IA) reception; Carpenters Building, 101 Connecticut Avenue, NW - itl 8:00

6:00 pm **Cong. Ralph Hall (TX) reception; Hyatt Regency, Capitol Room, 400 New Jersey Avenue, NW - til 8:00

6:00 pm National Restaurant Association Tenth Annual Chef D'Oeuvre reception; Longworth Cafeteria (Gay Westbrook 202 331 5914) - til 8:00

9704382869

NOV 60 RECD

RANGEL '92

The Conscience of the Congress

15TH CONGRESSIONAL DISTRICT

November 4, 1992

Dear Congressman Rangel:

In my best efforts to reconstruct campaign expenditures made in connection with the September, 1990 Democratic Party Primary as well as the 1991 General Elections, I am unable to provide you with actual receipts since such records were kept, if maintained at all, for a very short period solely for political reasons or reference.

As you well know, political campaigns in our communities generally involves street rallies, GOTV activities plus an Election Day operation if you want to be successful. These activities require large numbers of volunteers and workers who:

- distribute literature in housing developments, at subway stations and street corners;
- operate sound cars;
- go door-to-door canvassing large buildings to get voters out to the polls;
- canvass voters over the telephone;
- distribute literature at polling sites;
- serve as poll watchers.

During my many years of political involvement, I find that the best, most effective means of recruiting campaign workers to carry-out the above functions in our communities is to let it be known that payment will be made in cash. As a practical matter, payment by cash makes sense for the workers and the campaign. The amounts paid out are generally small, certainly under $250, and checks would be of no use to workers without jobs, bank accounts nor proper identification. To prepare a large number of checks would be an unnecessary burden on our campaign operation. The use of cash payments in small amounts is an approach I continue to use and I hope to use in the future because it has proven to be effective in recruiting workers to get you re-elected to the Congress.

9704382387C

CAMPAIGN HEADQUARTERS
2090 ADAM CLAYTON POWELL JR. BLVD.
NEW YORK, NEW YORK 10027
212-663-7790
FAX: 212-663-7816

In your Congressional District, there are some 298 Election Districts that when joined together make-up five(5) State Assembly Districts, three (3) State Senate Districts, 4+ City Council Districts and sixteen (16) Democratic Party leadership parts from which Democratic Party Leaders are elected. As a Member of Congress and elected party leader, you have a responsibility and you are looked upon to provide the leadership and support to candidates who are members of our political family. The fact that you have provided such support to numerous candidates for both public and party positions over the years is extremely beneficial to your re-election efforts year-after-year.

Notwithstanding my inability to provide you with actual receipts, I trust that my representations in this letter will serve as an acceptable explanation to you of how the checks of September 6, 1990 and November 4, 1991 were expended, based on my recall and belief.

Sincerely,

James E. Capel

James E. Capel
Campaign Manager

9704382387 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JULY 12, 1993

Thomas J. Eicher, Chief
House Bank Task Force
U. S. Department of Justice
Washington, DC 20530

RE: Pre-MUR 285

Dear Mr. Eicher:

This is to acknowledge receipt of your letter dated June 30, 1993, advising us of the possibility of a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") by the Honorable Charles B. Rangel and others. We are currently reviewing the matter and will advise you of the Commission's determination.

If you have any questions or additional information, please call a Central Enforcement Docket staff member at (202) 219-3400. Our file number for this matter is Pre-MUR 285.

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

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

9704382387 2

OGC 558

U.S. Department of Justice

Washington, D.C. 20530

March 14, 1994

94 MAR 16 PM 3:30

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

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

Re: Charles B. Rangel PRE MUR 285

Dear Ms. Sealander:

Enclosed please find copies of the fronts and backs of checks written to cash on the Rangel for Congress Committee and Committee to Re-elect Congressman Charles B. Rangel accounts.

Please contact me if you have any further questions, or if I can be of any further assistance.

Sincerely,

Thomas J. Eicher

Thomas J. Eicher
Chief, House Bank Task Force

Enclosures

9704382387 3

9704382238874

THIS CHECK IS IN SETTLEMENT OF THE FOLLOWING INVOICES

DATE		AMOUNT
Reno	25.00	
Viviano	25.00	
Party	Host	

INCORRECT OR ILLEGIBLE NO RECEIPT NECESSARY

FOR

RANGEL FOR CONGRESS COMMITTEE

1252

[redacted]

2030 Allen Place, NW, WDC 20009

8-10 19 90

PAY TO THE ORDER OF Cash $ 104.00

One hundred four DOLLARS

CARVER FEDERAL SAVINGS BANK

75 WEST 125TH STREET, NEW YORK, N.Y. 10027

Charles B. Rangel

⑈001252⑈ ⑆226072498⑆ 509000741⑈ ⑈00000010400⑈

9704382387 5

1 JE 90 14

6214-0950-9

JE 90 14

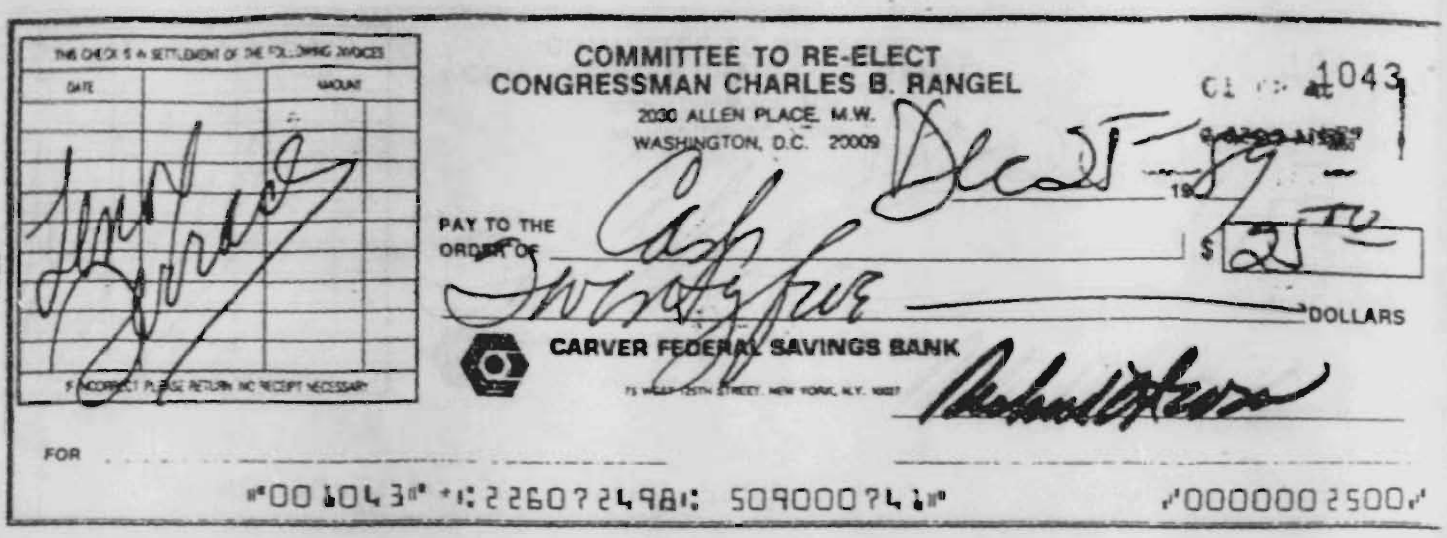
0639-1

13JUN90 00205-066657

026004349

Freedom NAT. Bk. of N.Y.
New York, N.Y.
(212) 678 9461

Laurie Rust Dr.
AKA Perks
10706 57



THIS CHECK IS A SETTLEMENT OF THE FOLLOWING INVOICES

DATE		AMOUNT	

IF INCORRECT PLEASE RETURN NO RECEIPT NECESSARY

COMMITTEE TO RE-ELECT
CONGRESSMAN CHARLES B. RANGEL
2030 ALLEN PLACE, N.W.
WASHINGTON, D.C. 20009

CHECK NO. 1043

Dec 27 19 89

PAY TO THE ORDER OF Cash

$ 25 00

Twenty five DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET, NEW YORK, N.Y. 10027

Richard Green

FOR

⑈001043⑈ ⑆226074981⑆ 509000741⑈ ⑈00000250000⑈

9704382338876

9704382338877

JA 90 10

3120639

2268703844

UAN =9 90

97043823878

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE NW
WASHINGTON, D C 20009

1841

1/20 19 90

PAY TO THE ORDER OF Cash $ 300 —

Three Hundred DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET NEW YORK, N.Y.

Xmas —

Richard A Rangel

⑈001841⑈ ⑆226072498⑆ 509000741⑈ ⑈0000030000⑈

Kyanite Mines
09403106

9704382338879

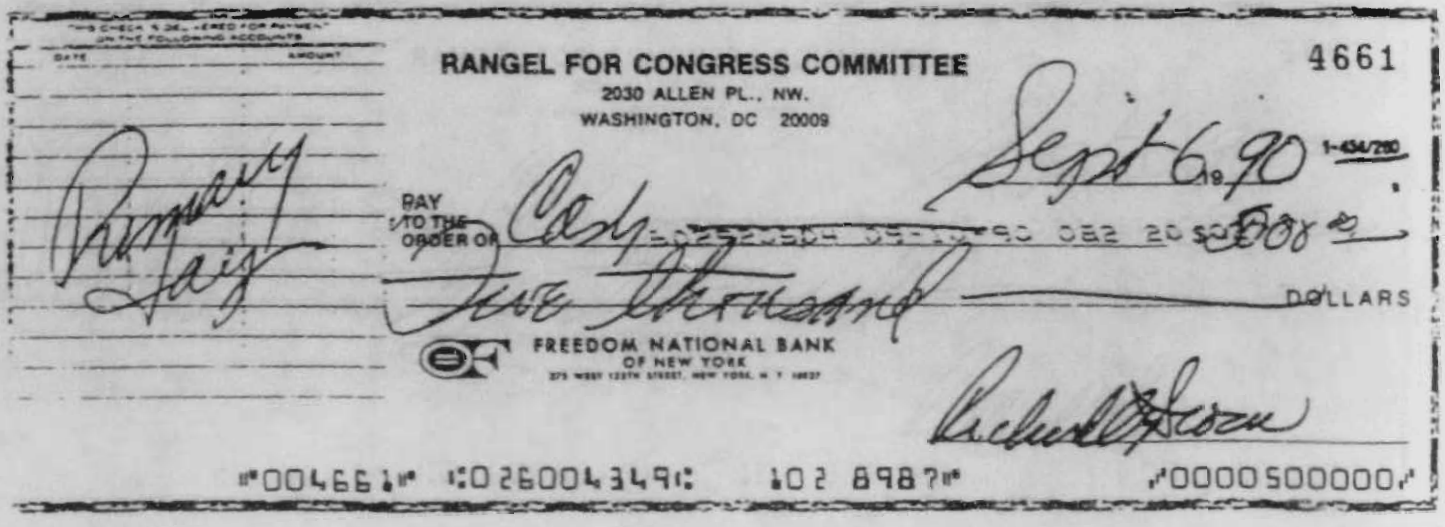
0112 2338

CHEMICAL BANK
55 WATER ST.
NEW YORK, NY 10041

331760 93

02120639 1
12/24/96

DE '96 24 7
212-0400-5
212-0400-5 1



"THIS CHECK IS DELIVERED FOR PAYMENT ON THE FOLLOWING ACCOUNTS"

DATE | AMOUNT

Payment for

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PL., NW.
WASHINGTON, DC 20009

4661

Sept 6, 90

1-434/280

PAY TO THE ORDER OF Cash [illegible] 90 082 20 $ 500 00

Five thousand DOLLARS

FREEDOM NATIONAL BANK
OF NEW YORK
275 WEST 125TH STREET, NEW YORK, N. Y. 10027

Richard Storm

"004661" :026004349: 102 8987" "0000500000"

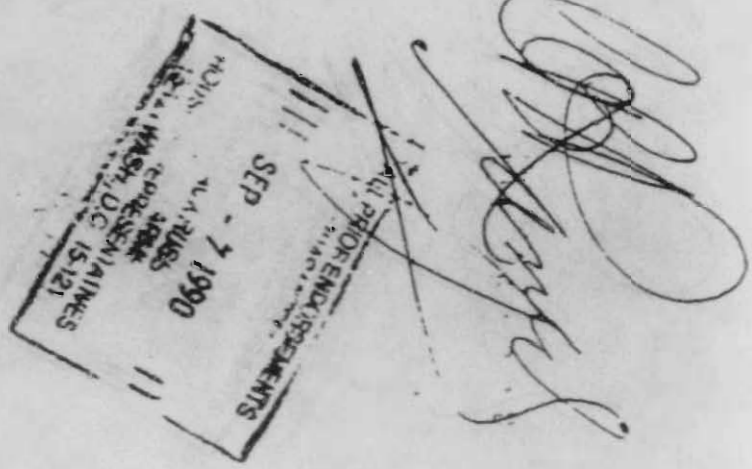
9704382388C

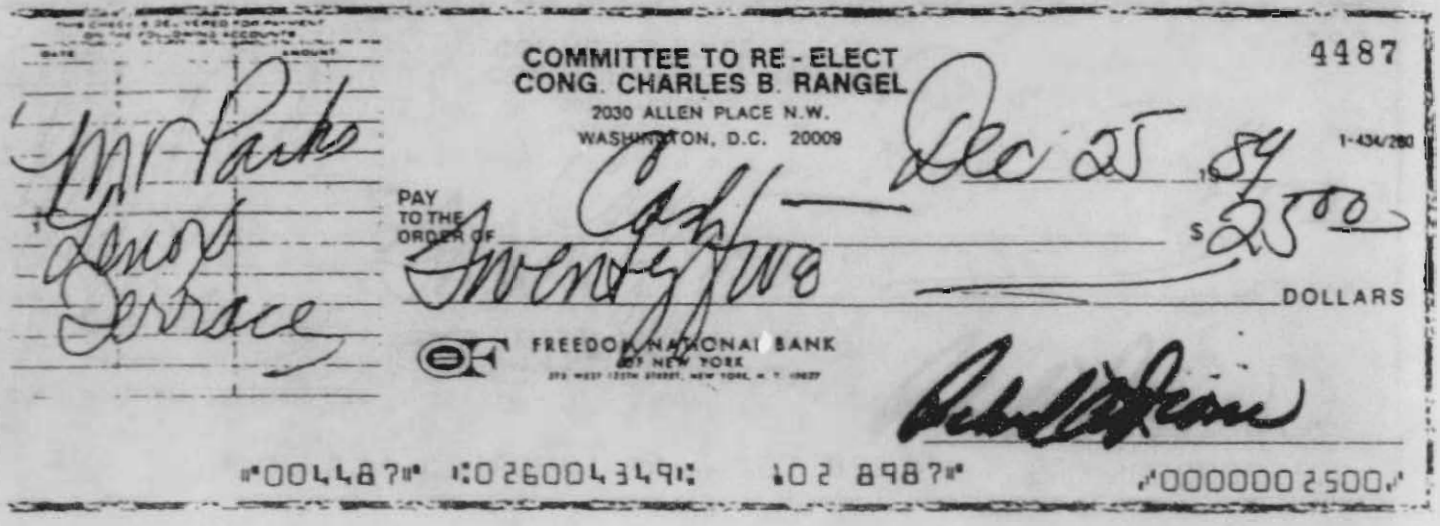
9704382388 1

SE 11 7

0212-0400-5
0212-0400-5 7

0520-0027-6
0520-0027-8
6029206C4 04-10-90





COMMITTEE TO RE-ELECT
CONG. CHARLES B. RANGEL
2030 ALLEN PLACE N.W.
WASHINGTON, D.C. 20009

4487

1-434/280

Dec 25 19 89

PAY TO THE ORDER OF Cash

$ 25.00

Twenty five 00 DOLLARS

FREEDOM NATIONAL BANK
OF NEW YORK

Charles B. Rangel

Mr Parks
Lenox Terrace

"004487" :026004349: 102 8987" "0000002500"

970438238882

Mount Hope Cemetery

2169

PAY TO THE ORDER OF - $
Trustees Hanover Trust Company
Cinqwont Ave. Baptist Church of The
City of New York, Inc.
NOTE

000 4 0 5 3

20 ·90

FB '90 20
021000308

9704382238883

DDA INQ ST 501

RANGEL FOR C

66,510.64 C/B 44,049 O/B

A ACST 61,510.64

REFER TO STOP JOURNAL

9/04/3802/3884

9704362 3885

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, N.W.
WASHINGTON, DC 20009

2682

1 7249/2260

Sept 14 1992

PAY TO THE ORDER OF Cash

$ 5,000 00

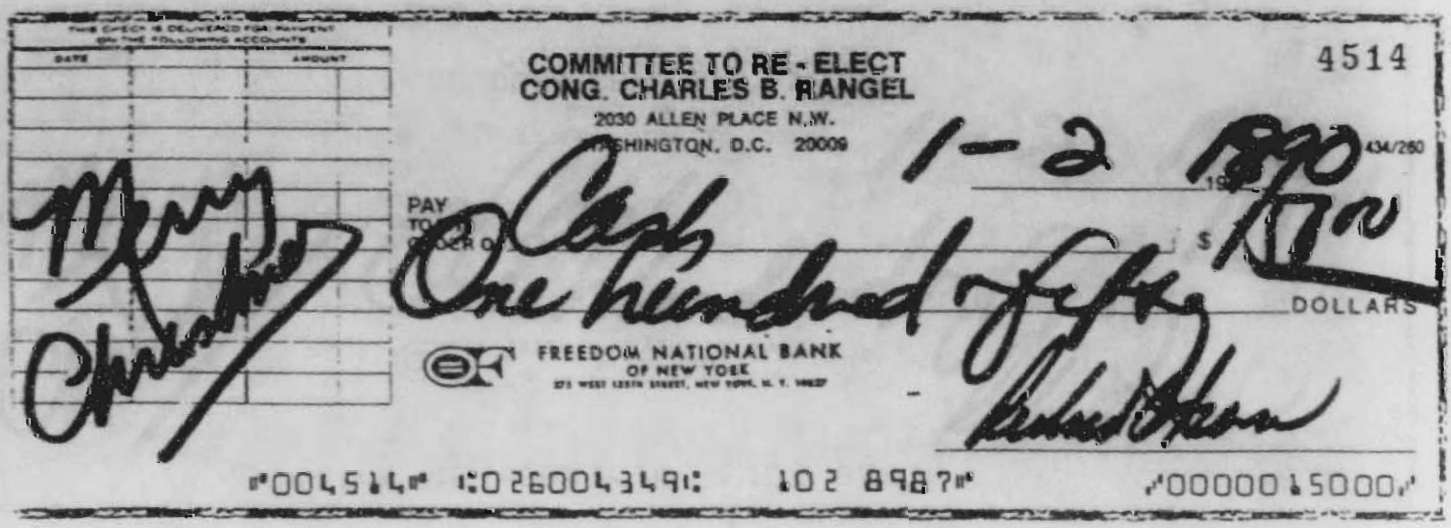
Five thousand 00 DOLLARS

CARVER FEDERAL SAVINGS BANK

Richard A Dow

⑈00268⑈ ⑆226072498⑆ 50900074⑈

9704338238886



THIS CHECK IS DELIVERED FOR PAYMENT ON THE FOLLOWING ACCOUNTS

DATE	AMOUNT

COMMITTEE TO RE-ELECT
CONG. CHARLES B. RANGEL
2030 ALLEN PLACE N.W.
WASHINGTON, D.C. 20009

4514

1-2 19 90 434/250

PAY TO THE ORDER OF Cash $ 150.00

One hundred fifty DOLLARS

FREEDOM NATIONAL BANK OF NEW YORK

Merry Christmas

Charles Rangel

"004514" :026004349: 102 8987" "00000150000"

JA '90 02 1
2 JA '90 02 2
0212-0400-5
0212-0400-5
2 0212-0400-5 2

JA '90 02
081000011

JA '90
0210 306

02 JAN 90

445
909-529-5495
MANUFACTURERS
HANOVER TRUST
4 IRV PLZ 10FL
IRVLHY 60611
0216803

97043823887

By Tuttle
#07900855

"001858" :226072498: 5090007461" "00000 10000"

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, NW
WASHINGTON, D.C. 20009

1861

Jan 1 19 90

PAY TO THE ORDER OF Cash $ 100

One Hundred DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET, NEW YORK, N.Y. 10027

"001861" :226072498: 5090007461" "00000 10000"

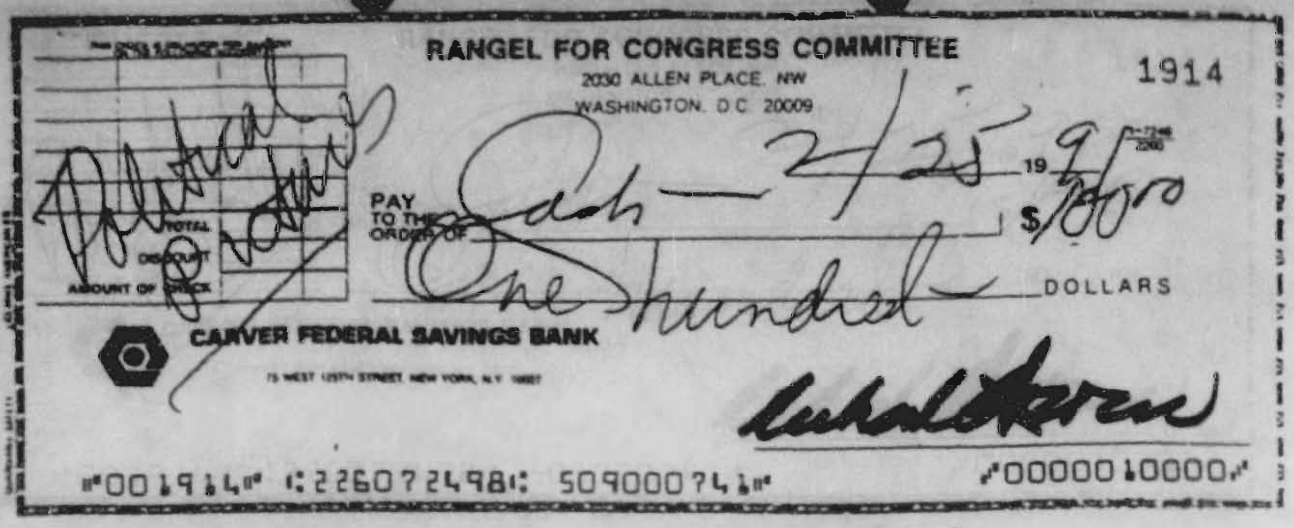
97043823888

021206391
01/04/91

3350460B

JA '91 03
CHEMICAL BANK
55 WATER ST.
N.Y.C./MH

97043823889



RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, NW
WASHINGTON, D.C. 20009

1914

Pd thru 2/95 vol

PAY TO THE ORDER OF Cash — 2/25 19 95 $ 100.00

One Hundred — DOLLARS

TOTAL
DISCOUNT
AMOUNT OF CHECK

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET, NEW YORK, N.Y. 10027

Charles Rangel

⑈001914⑈ ⑆226072498⑆ 509000741⑈ ⑈0000010000⑈

97043823890

Frank Hulton
654-2187 3C

FB '91 27 7

11:52 A

094-0003-03-0087-07-0

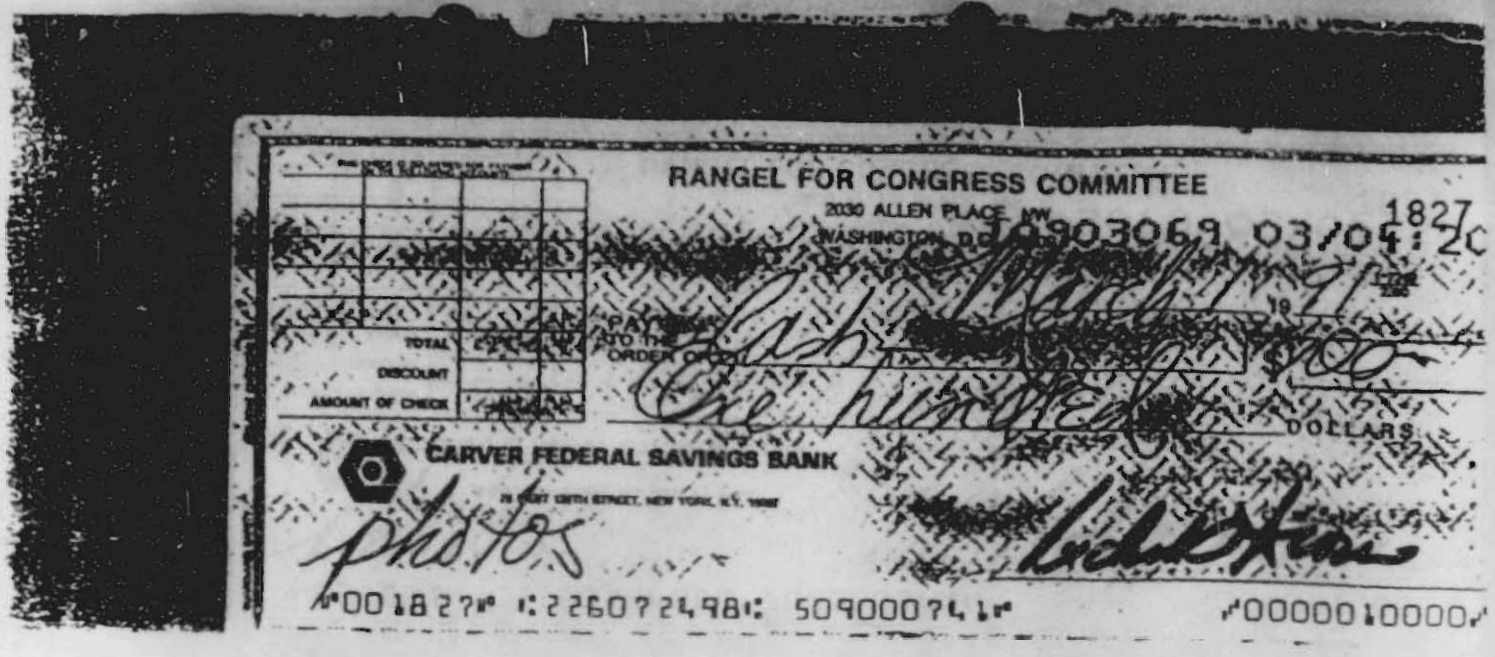
OFF US HLD 094-2

02/26/91

FEB '91 27

CHEMICAL BANK
55 WATER ST.
N.Y.C., N.Y.

97043823891



RANGEL FOR CONGRESS COMMITTEE

2030 ALLEN PLACE NW

WASHINGTON, D.C.

1827

10903069 03/04 '91

PAY TO THE ORDER OF

$100

One hundred

DOLLARS

TOTAL

DISCOUNT

AMOUNT OF CHECK

CARVER FEDERAL SAVINGS BANK

75 WEST 125TH STREET, NEW YORK, N.Y. 10027

photos

⑈001827⑈ ⑆226072498⑆ 509000741⑈ ⑈0000010000⑈

9/04/3823892

9704382389 3

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, NW
WASHINGTON, D.C. 20009

1862

DNC

TOTAL
DISCOUNT
AMOUNT OF CHECK

5/30 1991

PAY TO THE ORDER OF Cash $250.00

Two hundred fifty 00/100 DOLLARS

CARVER FEDERAL SAVINGS BANK

75 WEST 125TH STREET NEW YORK, N.Y. 10027

"001862" :226072498: 509000741" "00000250000"

97043823894

JE 91 03 7

0212-0400-5
0212-0400-5 7

NATIONAL BANK DC
03
/31/91

JE 91 03
CHEMICAL BANK
55 WATER ST.
N.Y.C., N.Y.

ALL PRIOR ENDORSEMENTS GUARANTEED
MAY - 0 1991

9704382238955

9704338238896

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, NW
WASHINGTON, DC 20009

1877

9/12 19 91

PAY TO THE ORDER OF Cash $ 500

Five hundred DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET NEW YORK, N.Y. 10027

Charles B. Rangel

"001877" ⑆226072498⑆ 5080000

9704382238897

SE '91 16
CHEMICAL BANK
56 WATER ST.
N.Y.C., N.Y

RIGGS NAT BANK DC
0540
09/13/91
16

1991
HOUSE
JACK
WASH DC 19121

97043823898

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, NW
WASHINGTON, DC 20009

1879

Oct 7 19 91

PAY TO THE ORDER OF [illegible] $ 150.00

[illegible] DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET NEW YORK, N.Y. 10027

[illegible]

Delegated Check

⑈001879⑈ ⑆226072498⑆ 509000746⑈ ⑈00000150000⑈

9704382238999

2 OT '91 09 2
0212-0400-5
0212-0400-5 2

021206391
10/09/91

00248126

OT '91 08
CHEMICAL BANK
55 WATER ST.
N.Y.C., N.Y.

Grace Ford
acct # 001-307756

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, NW
WASHINGTON, DC 20009

1911

September 27, 1991

PAY TO THE ORDER OF Majority Printer $ 24.30

Twenty-four and 30/100 DOLLARS

re:1210

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET NEW YORK, N.Y. 10027

⑈001911⑈ ⑆226072498⑆ 509000746⑈ ⑈00002430⑈

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, NW
WASHINGTON, DC 20009

1914

Oct 29, 1991

PAY TO THE ORDER OF Cash $ 100.00

One hundred DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET NEW YORK, N.Y. 10027

⑈001914⑈ ⑆226072498⑆ 509000746⑈ ⑈00010000⑈

9704382390C

6 OT '91 07 6

0212-0400-5

6 0212-0400-5 6

0212-0027-6

0212-0027-6

021206391

OCT '91 07

OCT 30 1991

OT '91 30

02100030

0212-0400-5

9704382390 1

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, NW
WASHINGTON, DC 20009

1 2000

Nov 4 19 97

PAY TO THE ORDER OF Citizens for Rangel

$ 5000 00

Five Thousand

DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET, NEW YORK, N.Y. 10027

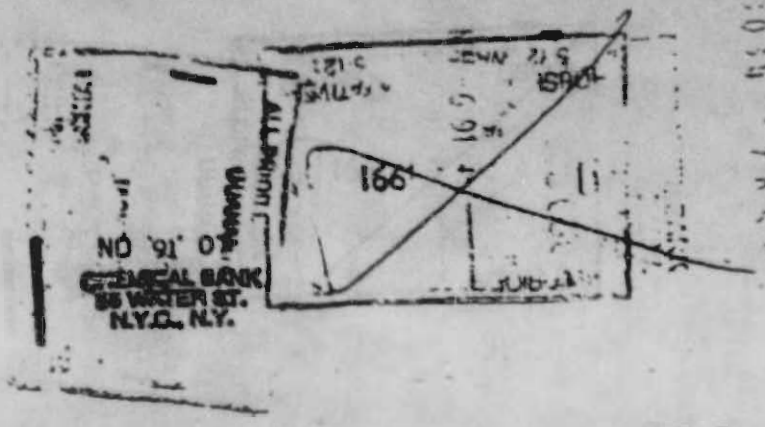
Richard Green

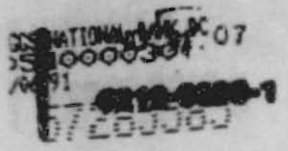
"002000" 1:226072498: 509000741" "0000500000"

97043823902

NO '91 07 7

212-0400-8
212-0400-8 7





9704382390 3

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, NW
WASHINGTON, DC 20009

2059

Dec 20 1991

PAY TO THE ORDER OF Cash

$ 1000.00

One thousand 00/100 DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET NEW YORK, N.Y. 10027

Charles B. Rangel

Christmas Gifts

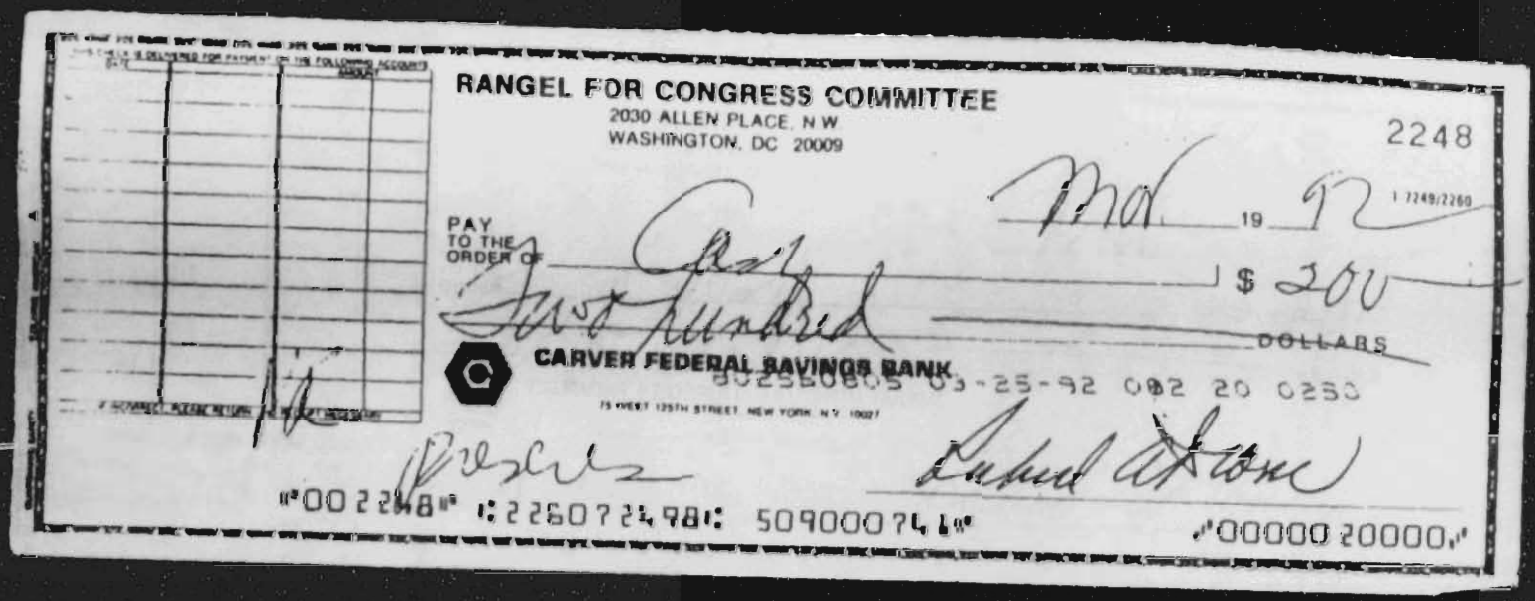
"002059" :226072498: 509000741"

9704382339004

DDA PO 530
12-20-91 C M0850 0123
ACCT# 509000741
AMT 1,000.00 BAL 15,709.08
CHK# 2059

MED UNIVERSITY

97043823905



RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, N.W.
WASHINGTON, DC 20009

2248

Mar 19 92

PAY TO THE ORDER OF Cash

$ 200

Two Hundred DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET, NEW YORK, N.Y. 10027

302580805 03-25-92 082 20 0250

Richard M. Rowe

"002248" 1:226072498: 509000741" "00000 20000"

9/04/92 3906

9/04/3823907

00782 030 03 032582
W.P. CONGRESSIONAL FCU

MR '92 26 7
WASHINGTON DC 20515

>25407434<

>2 12-0400-8
>2 12-0400-8 7

0520-0027-8
0520-0027-8
802560805 03-26-92

MR '92 26)

/12-0830-1

607408

NO105213 MMM1191

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, N.W.
WASHINGTON, DC 20009

2307

1-7249/2260

PAY TO THE ORDER OF

April 6 19 92

$ 1000

DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET, NEW YORK, N.Y. 10027

"002307" ⑆226072498⑆ 509000741" "00000 20000"

9704382339008

9704382399 09

0212-0639-1

APR 92

0133

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, N.W.
WASHINGTON, DC 20009

2513

July 8 19 92

1-7249-2260

PAY TO THE ORDER OF [redacted] $ 1000

One thousand DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET NEW YORK, N.Y. 10027

Richard A Rangel

"002513" :226072498: 509000743" "0000100000"

9704382391C

01557 020 02 071-92
W P CONGRESSIONAL FCU WASHINGTON DC [illegible] 25407434S

0520-0027-8
0520-0027-8
201974339 07-11-92

9704382391 1

01920 020 02 070892 IY 00 03 7 >254074345<
W.P. CONGRESSIONAL FCU WASHINGTON DC 20515

0212-0400-5
0212-0400-5 7

0520-0037-5
0212-0639-1

9704382391 2

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, N.W.
WASHINGTON, DC 20009

2517

July 1 1992

1-7249/2260

PAY TO THE ORDER OF Cash $ 150.00

One hundred fifty ——— DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET, NEW YORK, N.Y. 10027

Richard A. Rowe

⑈002517⑈ ⑆226072498⑆ 509000741⑈ ⑈00000150000⑈

9/043823913

01734 020 02 070[illegible] JY 10 7
W.P. CONGRESSIONAL FCU WASHINGTON DC 20515 >2540743456
0212-0400-5
0212-0400-5 7

0520-0027-B
0520-0027-B
#02551759 07-09-92

021206391
07/10/92

33472328

R075R2831

Brenda Simpson
P3352

9704382391 4

RANGEL FOR CONGRESS COMMITTEE
2030 ALLEN PLACE, N.W.
WASHINGTON, DC 20009

2342

July 1 19 97

PAY TO THE ORDER OF Cash $ 100.00

One hundred and 00/100 DOLLARS

CARVER FEDERAL SAVINGS BANK
75 WEST 125TH STREET, NEW YORK, N.Y. 10027

Richard Rowe

"002342" 1:226072498: 509000741" "00000 10000"

Wright

9704382391 5

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

May 5 9 39 AM '94

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

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

Pre-MUR 285
DATE ACTIVATED: August 31, 1993
STAFF MEMBER: Colleen Sealander

SOURCE: INTERNALLY GENERATED

RESPONDENTS:

Pre-MUR 285: Committee to Re-Elect Charlie Rangel
and Richard A. Brown, as treasurer
Charles Rangel

RELEVANT STATUTES:
2 U.S.C. § 432(c)(5)
2 U.S.C. § 432(h)(1)
2 U.S.C. § 432(h)(2)
2 U.S.C. § 434(b)(2)
2 U.S.C. § 434(b)(2)(I)
2 U.S.C. § 434(b)(2)(J)
2 U.S.C. § 434(b)(3)(F)
2 U.S.C. § 434(b)(3)(G)
2 U.S.C. § 434(b)(4)
2 U.S.C. § 434(b)(4)(A)
2 U.S.C. § 434(b)(4)(G)
2 U.S.C. § 434(b)(5)(A)
2 U.S.C. § 434(b)(6)(A)
2 U.S.C. § 434(b)(8)
2 U.S.C. § 441f

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: Department of Justice

I. GENERATION OF MATTER

On May 14, 1993

97043823916

the Office of the General Counsel received referrals from the Department of Justice emanating from its investigation into overdrafts at the House Banking Facility.[1] During its inquiry, the Justice Department reviewed transactions at the House Bank involving checks written by the principal campaign committees of Members of Congress.

In addition, the Justice Department requested and received copies of certain committee financial records relating to the transactions at issue. Materials relating to the House Bank transactions,

and the financial records provided by the committees were included in the referral materials. Although the Justice Department has concluded that the conduct of the Members does not warrant further criminal investigation, its inquiry uncovered apparent violations of the Federal Election Campaign Act of 1971,

9704382917

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1. The House Bank investigation began in 1991 when the General Accounting Office issued a report indicating that Members of Congress had bounced 8,331 checks at the congressional facility between July 1, 1989 and June 30, 1990. The inquiry is apparently ongoing. The most recent event in the investigation involved former Representative Carroll Hubbard, who pleaded guilty to three (3) federal felonies, including conspiracy to defraud the FEC, theft of government property and obstruction of justice. According to news reports, in conspiring to defraud the Commission, Mr. Hubbard converted over $50,000 of his campaign's funds to personal use, ordered his aides to file false reports with the Commission, and made contributions to his wife's congressional campaign in the name of others. Mr. Hubbard is scheduled to be sentenced on June 16, and faces a maximum sentence of twenty (20) years in prison. See Paul Duggan, Guilty Plea Entered in Bank Scandal, Wash. Post, April 6, 1994, at A4; Glenn R. Simpson, Hubbard(s) Guilty in Complex Plot Tied to Bank Flap, Roll Call, April 7, 1994, at 1, 12.

as amended (the "Act").

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The last referral involves the Committee to Re-Elect Charlie Rangel and resulted from the Justice Department's discovery of twenty-one (21) Committee checks, totaling $19,554.00, made payable to "Cash." All of these checks were negotiated by the candidate who then disbursed the cash proceeds. According to the Committee's bookkeeper, no receipts were obtained for the cash expenditures, and although the Committee reported the disbursements on the appropriate report's summary page, it

itemized only four, regardless of amount. $15,000 of this cash was used for "election day expenses" in federal and local elections over three years.

II. **FACTUAL AND LEGAL ANALYSIS**

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PAGES 6 THRU 31 DO NOT PERTAIN TO THIS MATTER.

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D. Committee to Re-Elect Charlie Rangel (Pre-MUR 285)

The basis for the referral of the Committee to Re-Elect Charlie Rangel ("Rangel Committee") is the Department of Justice's discovery of twenty-one (21) Rangel Committee checks, totaling $19,554.00, made payable to "Cash," and the Committee's failure to itemize those cash disbursements that were in excess of $200. In addition, the Rangel Committee has no supporting documentation for any of the checks made payable to "Cash," and the treasurer made little effort to acquire any supporting documentation. As described, the Rangel Committee's practices appear to violate the Act in the following manner:

1. Failure to Make Disbursements from a Designated Depository

Under the Act, all political committee disbursements, other than petty cash disbursements of $100 or less, must be made by check or similar draft drawn on a committee account established at

a qualified campaign depository. 2 U.S.C. § 432(h)(1); 11 C.F.R. § 102.10.

Between December, 1989 and September, 1992, the Rangel Committee wrote twenty-one (21) checks to "Cash," all of which were negotiated and subsequently disbursed by the candidate, Representative Charles Rangel. See Attachment 16.

Representative Rangel routinely kept with him up to ten pre-signed, blank checks for the purpose of allowing him "to spontaneously make disbursements of [Rangel Committee] funds when necessary in payment of what [Representative Rangel] considers legitimate campaign related expenses." Endorsements on the backs of the checks establish that Representative Rangel cashed the Committee checks at the bank or with a vendor (or had a member of his congressional staff do so) and disbursed the funds in return for goods or services provided to the Rangel Committee.

As a result of the Rangel Committee's use of cash rather than the statutorily required check, this Office recommends the Commission find reason to believe the Committee to Re-Elect Charlie Rangel and Richard A. Brown, as treasurer, violated 2 U.S.C. § 432(h)(1). Similarly, for the reasons stated above, and because Representative Rangel had complete control over the use of the pre-signed checks he carried, this Office recommends the Commission find reason to believe that Charles Rangel violated

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2 U.S.C. § 432(h)(1).[25]

2. Reporting Violations

The Act directs authorized committees to itemize the name and address of each person to whom a disbursement in an aggregate amount or value in excess of $200 is made within the calendar year, together with the date, amount, and purpose of the disbursement, regardless of whether the disbursement is for an operating expense, 2 U.S.C. § 434(b)(5)(A), or for another purpose, 2 U.S.C. § 434(b)(6)(A). An authorized committee is the principal campaign committee or any other political committee authorized by a candidate under 2 U.S.C. § 432(e)(1) to receive contributions or make expenditures of behalf of such candidate. 2 U.S.C. § 431(6). The Rangel Committee is the authorized committee for Representative Charles Rangel's congressional campaign.

Of the twenty-one checks to "Cash," eight, totaling $18,050, are for amounts greater than $200. Of these, two were $1000 checks, one used for the purpose of buying Christmas gifts and the other used for the 1992 Democratic convention; three $5000 checks were used for "election day expenses" in the 1990 Democratic primary, the 1991 City Council general election, and the 1992 Democratic primary.

According to the disclosure reports on file with the Commission, only one of

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25. See, e.g., MUR 2719, (Populist Party of the United States, et al.)(finding reason to believe that two individuals, neither of whom was the treasurer of the committee, violated 2 U.S.C. § 432(h)(1)).

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the eight checks in excess of $200 was itemized by the Rangel Committee. When asked about this practice by agents for the FBI, Patricia Bradley, Executive Assistant to Representative Rangel and bookkeeper for the Rangel Committee, admitted that she was aware that all committee expenditures in excess of $200 must be reported, but stated that in some instances she did not report the cash expenditures in the itemized section because she did not know their purpose. At other times, she did not itemize the cash expenditures because she could not report to whom the disbursements were made. In addition, the three checks for $5000, utilized for election day activities, were unitemized because Representative Rangel had assured her that the cash would be distributed in amounts of $200 or less.[26] Based on the foregoing facts, this Office recommends the Commission find reason to believe the Committee to Re-Elect Charlie Rangel, and Richard A. Brown, as treasurer, violated 2 U.S.C. § 434(b)(5)(A) and (6)(A).

3. Recordkeeping Violations

The Act requires the treasurer of a political committee to keep an account of the name and address of every person to whom any disbursement is made, as well as the date, amount and purpose

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26. In response to the FBI investigation, the Rangel Committee's campaign manager, James E. Capel, outlined the "election day expenses" use of all three $5000 checks, stating the amounts paid to campaign workers "are generally small, certainly under $250." Representative Rangel outlined the use to which he put two of the $5000 checks, stating the cash from these two checks was disbursed, in part, in thousand dollar increments. See Attachment 16, Col. 4. Whether one accepts Representative Rangel's recollection, or his campaign manager's view makes no difference; under either, the disbursements exceeded the $200 threshold amount for itemization.

of the disbursement. 2 U.S.C. § 432(c)(5). In addition, the Act requires the treasurer to obtain documentation, consisting of a receipt, invoice, or canceled check to the payee, for any disbursement in excess of $200. Id.; 11 C.F.R. § 102.9(b). The treasurer or his or her authorized agent shall use his or her best efforts to obtain, maintain and submit the required information, 2 U.S.C. § 432(i). To demonstrate best efforts to obtain documentation of disbursements, the treasurer should make at least one written effort per transaction to obtain a copy of the invoice, receipt or canceled check. 11 C.F.R. § 102.9(d).

it was common for Patricia Bradley to first discover that a check had been written by Representative Rangel when she reviewed the Rangel Committee's bank statements. With regard to some checks cashed by Representative Rangel, Ms. Bradley admitted that she did not know to whom the cash was given, the exact amount that was paid, or the purpose for which it was disbursed, and acknowledged that she did not inquire of Representative Rangel. At other times, Ms. Bradley could establish the date and amount from the front of the check, could infer the payee from the check's endorsement, and could deduce the purpose from memo entries on the face of the check made by Representative Rangel; however, she did not verify her conclusions with Representative Rangel. On still other occasions, Ms. Bradley made no attempt to discern any of the required recordkeeping information as she believed none was required for disbursements of $200 or less.

Patricia Bradley admitted to the interviewing FBI agents that

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supporting documents to verify Representative Rangel's cash disbursements were not collected, and that the expenditures were not reported in compliance with FEC regulations. With regard to the twenty-one checks to "Cash," Ms. Bradley confirmed that she maintained no receipts or supporting documentation, and requested none in writing. Ms. Bradley offered various explanations for the lack of recordkeeping, including that Representative Rangel had not provided her with lists of those receiving the committee's "election day expenses." In addition, Ms. Bradley admitted that some documentation omissions resulted from oversight on her part. For the reasons outlined above, this Office recommends the Commission find reason to believe the Committee to Re-Elect Charlie Rangel, and Richard A. Brown, as treasurer, violated 2 U.S.C. § 432(c)(5).

4. Conciliation

Because of the completeness of the materials provided by the Department of Justice and the FBI, this Office does not believe there is a need for further investigation into this matter. Instead, this Office recommends the Commission enter into pre-probable cause conciliation and approve the attached conciliation agreements for the Rangel Committee and for Charles Rangel.[27]

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27. However, if the Rangel Committee is not cooperative during pre-probable cause conciliation, this Office may request the Commission terminate conciliation and authorize discovery to determine whether any of the violations discussed above were knowing and willful.

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III. RECOMMENDATIONS

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With respect to Pre-MUR 285:

1. Open a MUR.

2. Find reason to believe the Committee to Re-Elect Charlie Rangel and Richard A. Brown, as treasurer, violated 2 U.S.C. §§ 432(c)(5), 432(h)(1), 434(b)(5)(A) and 434(b)(6)(A).

3. Find reason to believe Charles Rangel violated 2 U.S.C. § 432(h)(1).

4. Enter into conciliation with the Committee to Re-Elect Charlie Rangel and Richard A. Brown, as treasurer, and with Charles Rangel, prior to a finding of probable cause to believe.

5. Approve the attached Factual and Legal Analyses.

6. Approve the attached proposed Conciliation Agreements.

7. Approve the appropriate letters.

Lawrence M. Noble
General Counsel

5/4/94
Date

BY: _____
Lois G. Lerner
Associate General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Committee to Re-Elect Charlie Rangel and Richard A. Brown, as treasurer; Charles Rangel.	)	Pre-MUR 285 (MUR 3974)

CERTIFICATION

I, Delores Hardy, recording secretary for the Federal Election Commission executive session on Tuesday, May 17, 1994, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions with respect to Pre-MUR 285:

1. Open a MUR.

2. Find reason to believe the Committee to Re-Elect Charlie Rangel and Richard A. Brown, as treasurer, violated 2 U.S.C. §§ 432(c)(5), 432(h)(1), 434(b)(5)(A) and 434(b)(6)(A).

3. Find reason to believe Charles Rangel violated 2 U.S.C. § 432(h)(1).

4. Approve the appropriate Factual and Legal Analyses.

(continued)

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5. Approve the appropriate letters, as recommended in the General Counsel's Report dated May 4, 1994.

Commissioners Aikens, Elliott, McGarry, Potter, and Thomas voted affirmatively for the decision; Commissioner McDonald was not present.

Attest:

May 20, 1994
Date

Delores Hardy
Delores Hardy
Administrative Assistant

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MAY 26, 1994

Mr. Richard A. Brown, Treasurer
Rangel for Congress Committee
2030 Allen Place, N.W.
Washington, DC 20009

RE: MUR 3974
Rangel for Congress Committee
and Richard A. Brown,
as treasurer

Dear Mr. Brown:

On May 17, 1994, the Federal Election Commission ("Commission") found that there is reason to believe the Committee and you, as treasurer, violated 2 U.S.C. §§ 432(c)(5), 432(h)(1), 434(b)(5)(A) and 434(b)(6)(A), provisions of the Federal Election Campaign Act of 1971, as amended ("Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

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

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

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

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

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

For the Commission,

Trevor Potter
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form

cc: Representative Charles Rangel

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Rangel for Congress Committee and Richard A. Brown, as treasurer

MUR: 3974

This matter was generated based on information ascertained by the Federal Election Commission ("Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2).

1. Failure to Make Disbursements from a Designated Depository

Under the Federal Election Campaign Act of 1971, as amended ("Act"), all political committee disbursements, other than petty cash disbursements of $100 or less, must be made by check or similar draft drawn on a committee account established at a qualified campaign depository. 2 U.S.C. § 432(h)(1); 11 C.F.R. § 102.10.

Between December 1989 and September 1992, the Rangel for Congress Committee ("Rangel Committee") wrote twenty-one checks to "Cash," all of which were negotiated and subsequently disbursed by the candidate, Representative Charles Rangel. See Attachment. Representative Rangel routinely kept with him up to ten pre-signed, blank checks for the purpose of allowing him to spontaneously spend Rangel Committee funds to pay campaign related expenses. Endorsements on the back of the checks and statements

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in the possession of the Commission establish that Representative Rangel, or his agents, negotiated the committee checks at the bank or with a vendor, and Representative Rangel disbursed the funds in return for goods or services provided to the Rangel Committee. As a result of the Rangel Committee's use of cash rather than the statutorily required check, there is reason to believe the Rangel for Congress Committee and Richard A. Brown, as treasurer, violated 2 U.S.C. § 432(h)(1).

2. Reporting Violations

The Act directs authorized committees to itemize the name and address of each person to whom a disbursement in an aggregate amount or value in excess of $200 is made within the calendar year, together with the date, amount, and purpose of the disbursement, regardless of whether the disbursement is for an operating expense, 2 U.S.C. § 434(b)(5)(A), or for another purpose, 2 U.S.C. § 434(b)(6)(A). An authorized committee is the principal campaign committee or any other political committee authorized by a candidate under 2 U.S.C. § 432(e)(1) to receive contributions or make expenditures of behalf of such candidate. 2 U.S.C. § 431(6). The Rangel Committee is the authorized committee for Representative Charles Rangel's congressional campaign.

Of the twenty-one checks to "Cash," eight, totaling $18,050, are for amounts greater than $200. Of these, two were $1000 checks, one used for the purpose of buying Christmas gifts and the other used for the 1992 Democratic convention; three $5000 checks were used for "election day expenses" in the 1990

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Democratic primary, the 1991 City Council general election, and the 1992 Democratic primary.

According to documents in the possession of the Commission and disclosure reports on file with the Commission, only one of the eight checks in excess of $200 was itemized by the Rangel Committee. When asked about this practice, Patricia Bradley, Executive Assistant to Representative Rangel and bookkeeper for the Rangel Committee, admitted that she was aware of the itemization requirement, but stated that in some instances she did not report the cash expenditures in the unitemized section because she did not know their purpose. At other times, she did not itemize the cash expenditures because she could not report to whom the disbursements were made. In addition, the three checks for $5000, utilized for election day activities, were unitemized because Representative Rangel had assured her that the cash would be distributed in amounts of $200 or less.[1]

Based on the foregoing facts, there is reason to believe the Rangel for Congress Committee and Richard A. Brown, as treasurer, violated 2 U.S.C. § 434(b)(5)(A) and (6)(A).

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1. In documents in the possession of the Commission, the Rangel Committee's campaign manager, James E. Capel, outlined the "election day expenses" use of all three $5000 checks, stating the amounts paid to campaign workers "are generally small, certainly under $250." In other documents in the possession of the Commission, Representative Rangel outlined the use to which he put two of the $5000 checks, stating that the cash from these two checks was disbursed, in part, in thousand dollar increments, not $200 increments. Whether one accepts Representative Rangel's recollection, or his campaign manager's view makes no difference; under either, the disbursements exceeded the $200 threshold amount for itemization.

3. Recordkeeping Violations

The Act requires the treasurer of a political committee to keep an account of the name and address of every person to whom any disbursement is made, as well as the date, amount and purpose of the disbursement. 2 U.S.C. § 432(c)(5). In addition, the Act requires the treasurer to obtain documentation, consisting of a receipt, invoice, or canceled check to the payee, for any disbursement in excess of $200. Id.; 11 C.F.R. § 102.9(b). The treasurer or his or her authorized agent shall use his or her best efforts to obtain, maintain and submit the required information, 2 U.S.C. § 432(i). To demonstrate best efforts to obtain documentation of disbursements, the treasurer should make at least one written effort per transaction to obtain a copy of the invoice, receipt or canceled check. 11 C.F.R. § 102.9(d).

According to documents in the possession of the Commission, it was common for Patricia Bradley to first discover that a check had been written by Representative Rangel when she reviewed the Rangel Committee's bank statements. With regard to some checks cashed by Representative Rangel, Ms. Bradley admitted that she did not know to whom the cash was given, the exact amount that was paid, or the purpose for which it was disbursed, and acknowledged that she did not inquire of Representative Rangel. At other times, Ms. Bradley could establish the date and amount from the front of the check, could infer the payee from the check's endorsement, and could deduce the purpose from memo entries on the face of the check made by Representative Rangel; however, she did not verify her conclusions with Representative Rangel. On still

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other occasions, Ms. Bradley made no attempt to discern any of the required recordkeeping information as she believed none was required for disbursements of $200 or less.

Patricia Bradley has admitted that supporting documents to verify Representative Rangel's cash disbursements were not collected, and that the expenditures were not reported in compliance with FEC regulations. With regard to the twenty-one checks to "Cash," Ms. Bradley confirmed that she maintained no receipts or supporting documentation, and requested none in writing. Ms. Bradley offered various explanations for the lack of recordkeeping, including that Representative Rangel had not provided her with lists of those receiving the committee's "election day expenses." In addition, Ms. Bradley admitted that some documentation omissions resulted from oversight on her part.

For the reasons outlined above, there is reason to believe the Rangel for Congress Committee and Richard A. Brown, as treasurer, violated 2 U.S.C. § 432(c)(5).

Attachment

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Ch #	Date	Amount	Purpose (Rangel)	Purpose (Check)
1043	12/25/89	25.00	Unknown	Unknown
4487	12/25/89	25.00	Unknown	Mr. Parks, Lenox Terrace
4514	1/2/90	150.00	Unknown	Merry Christmas
1252	6/10/90	104.00	Unknown	Reno -- $25 Vivian -- $25 Birthday/Alma
4661	9/6/90	5000.00	Election Day Expenses *Disbursed by Al Beckett and Jim Capel	Primary Day
1841	12/20/90	300.00	Tip for restaurant staff	Sylvia's staff -- X-mas
1861	1/1/91	100.00	Unknown	Pictures
1914	2/25/91	100.00	Unknown	Political Pictures
1827	3/1/91	100.00	Unknown	Photos
1862	5/30/91	250.00	DNC *Cab Fare (20-25%) *Meals *Entertainment	DNC
1877	9/12/91	500.00	CBC event *Tips *Meals *Cab Fare *Political Worker Expenses	CBC Weekend

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Ch #	Date	Amount	Purpose (Rangel)	Purpose (Check)
1879	10/7/91	150.00	Plant purchase	Plant -- office ped (Chris)
1914	10/29/91	100.00	Mr. Beckett (driver)	Beckett
2000	11/4/91	5000.00	Election Day Activities (City Council Elections) *Angelo Del Touro ($1000) *Remainder Disbursed by Al Beckett and Jim Capel	City Council elections (Nov 5)
2059	12/20/91	1000.00	Unknown	Christmas gifts
2248	3/92	200.00	Unknown	Unknown
2307	4/16/92	200.00	Unknown	Campaign meeting Friday
2517	7/1/92	150.00	Unknown	July 4 -- Brown, Dinkins
2342	7/1/92	100.00	Unknown	Wright
2513	7/8/92	1000.00	Unknown	Dem. Convention
2682	9/14/92	5000.00	Election Day Activities *Eugene Daniels ($1000) *Keith Wright ($1000) *Remainder Disbursed by Al Beckett and Jim Capel	Primary
TOTAL		$19,554.00		

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MAY 26, 1994

Representative Charles Rangel
40 West 135th Street, #16N-P
New York, NY 10037

RE: MUR 3974
Charles Rangel

Dear Mr. Rangel:

On May 17, 1994, the Federal Election Commission ("Commission") found that there is reason to believe you violated 2 U.S.C. § 432(h)(1), a provision of the Federal Election Campaign Act of 1971, as amended ("Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

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

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

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

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

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

For the Commission,

Trevor Potter
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Charles Rangel MUR: 3974

This matter was generated based on information ascertained by the Federal Election Commission ("Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2).

Under the Federal Election Campaign Act of 1971, as amended ("Act"), no political committee disbursements, other than petty cash disbursements of $100 or less, may be made except by draft drawn on a committee account established at a qualified campaign depository. 2 U.S.C. § 432(h)(1); 11 C.F.R. § 102.10. See, e.g., MUR 2719 (In the Matter of the Populist Party of the United States, et al.) (finding reason to believe that two individuals, neither of whom was the treasurer of the committee, violated 2 U.S.C. § 432(h)(1)).

The Rangel for Congress Committee ("Rangel Committee") was the authorized campaign committee for Charles Rangel's 1990 and 1992 campaigns to represent New York's 15th Congressional District in the United States House of Representatives. Between December 1989 and September 1992, the Rangel Committee wrote twenty-one checks to "Cash," all of which were negotiated and subsequently disbursed by the candidate, Representative Charles Rangel. See Attachment. Representative Rangel routinely kept with him up to

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ten pre-signed, blank checks for the purpose of allowing him to spontaneously spend Rangel Committee funds to pay for campaign related expenses. Endorsements on the backs of the checks and documents in the possession of the Commission establish that Representative Rangel, or his agents, negotiated the committee checks at the bank or with a vendor, and Representative Rangel disbursed the cash in return for goods or services provided to the Rangel Committee. Because of his use of cash rather than the statutorily required check, there is reason to believe that Charles Rangel violated 2 U.S.C. § 432(h)(1).

Attachment

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Ch #	Date	Amount	Purpose (Rangel)	Purpose (Check)
1043	12/25/89	25.00	Unknown	Unknown
4487	12/25/89	25.00	Unknown	Mr. Parks, Lenox Terrace
4514	1/2/90	150.00	Unknown	Merry Christmas
1252	6/10/90	104.00	Unknown	Reno -- $25 Vivian -- $25 Birthday/Alma
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9 7 0 4 3 8 2 3 9 4 6

Ch #	Date	Amount	Purpose (Rangel)	Purpose (Check)
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2307	4/16/92	200.00	Unknown	Campaign meeting Friday
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2513	7/8/92	1000.00	Unknown	Dem. Convention
2682	9/14/92	5000.00	Election Day Activities *Eugene Daniels ($1000) *Keith Wright ($1000) *Remainder Disbursed by Al Beckett and Jim Capel	Primary
TOTAL		$19,554.00		

OGC # 1583

OLDAKER, RYAN & LEONARD
ATTORNEYS AT LAW
818 CONNECTICUT AVENUE, N.W.
SUITE 1100
WASHINGTON, D.C. 20006

(202) 728-1010
FACSIMILE (202) 728-4044

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

MAY 32 11 58 AM '94

May 31, 1994

Ms. Colleen Sealander
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20009

RE: **MUR 3974**

Dear Ms. Sealander:

I am writing to request an extension of time on behalf of the Rangel for Congress Committee and Richard A. Brown, as treasurer, to respond to the allegations in the above-referenced matter. Mr. Brown is currently out of the country, and we will therefore need a 20-day extension in order to adequately respond to the charges in the MUR. Mr. Brown received the Commission's letter on May 27, 1994, thus making a response due on June 13, 1994. We are requesting a 20-day extension, making a response due on July 5, 1994. I appreciate your assistance in this matter.

Sincerely,

Lyn Utrecht

Lyn Utrecht

9704382399 47

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3974

NAME OF COUNSEL: Lyn Utrecht

ADDRESS: Oldaker, Ryan & Leonard
818 Connecticut Avenue, N.W., Suite 1100
Washington, DC 20006

TELEPHONE: (202) 728-1010

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

5/31/94
Date

Richard Brown
Signature

RESPONDENT'S NAME: Rangel for Congress Committee
Richard A. Brown

ADDRESS: 2030 Allen Place, N.W.
Washington, DC 20009

HOME PHONE:

BUSINESS PHONE: (202)745-1987

97043823948

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 2, 1994

VIA FACSIMILE AND FIRST CLASS MAIL

Ms. Lyn Utrecht, Esquire
Oldaker, Ryan & Leonard
818 Connecticut Avenue, NW
Suite 1100
Washington, D.C. 20006

RE: MUR 3974
Rangel for Congress Committee
and Richard A. Brown,
as treasurer

Dear Ms. Utrecht:

This is in response to your letter dated May 31, 1994, which we received on June 1, 1994, requesting an extension of twenty (20) days to respond to the Commission's finding that there is reason to believe that your clients violated 2 U.S.C. § 432(h)(1). After considering the circumstance 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 July 5, 1994.

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

Sincerely,

Colleen T. Sealander
Attorney

9704382939

OLDAKER, RYAN & LEONARD
ATTORNEYS AT LAW
818 CONNECTICUT AVENUE, N.W.
SUITE 1100
WASHINGTON, D.C. 20006

(202) 728-1010
FACSIMILE (202) 728-4044

June 24, 1994

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

RE: MUR 3974 (Richard A. Brown)

Dear Mr. Noble:

I am writing to request additional information in order to fully respond to MUR 3974. I discussed this request with Colleen Sealander of your office, who was unable to release this information.

In the Factual and Legal Analysis of MUR 3974, the Commission relies on statements apparently made by Patricia Bradley, a representative of my client, and documents "in the possession of Commission" as the basis of its finding that my client violated certain provisions of the Federal Election Campaign Act of 1971. If this matter had been generated by a complaint, I would have an opportunity to review any materials submitted by the complainant. In order to fully respond to the Commission's allegations, I believe that it is necessary for me to have access to any statements allegedly made by my client's and their representatives and to review documents upon which the Commission is relying. In the interest of fairness, I request access to these materials to provide adequate legal counsel to my client. If the Commission is unable to provide me with all of the underlying materials, I request that I be provided at least with copies of any statements, summaries, interviews or documents prepared by any agent of the Rangel Committee.

Pending the consideration of this request, I also request that our deadline for responding be tolled and that we receive an extension of time to properly review these materials and respond to these matters of seven days after receipt thereof. I would appreciate your assistance in this matter.

Sincerely,

Lyn Utrecht

Lyn Utrecht

9704382395C

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 28, 1994

VIA FACSIMILE AND FIRST CLASS MAIL

Ms. Lyn Utrecht, Esq.
Oldaker, Ryan & Leonard
Suite 1100
818 Connecticut Avenue, NW
Washington, D.C. 20006

RE: MUR 3974
Rangel for Congress Committee and Richard A. Brown, as treasurer

Dear Ms. Utrecht:

This is in response to your letter dated June 24, 1994, and received in this Office on June 27, 1994, in which you request copies of certain documents relied on by the Federal Election Commission ("Commission") in finding reason to believe that your clients violated 2 U.S.C. §§ 432(c)(5), 432(h)(1), 434(b)(5)(A) and 434(b)(6)(A), provisions of the Federal Election Campaign Act of 1971, as amended. Please be advised that the Commission is under no obligation to release any portion of its investigative files at this time. You may, of course, ask the Commission to rule on this matter by making a formal request to that effect. However, upon consideration of your request, I have enclosed with this letter copies of certain documents from your clients' files that apparently have not been made available to you.

Because this Office has responded to your letter seven days prior to the response deadline, there appears to be no need to grant your clients an extension of time in which to respond to the Commission's notification letter. Therefore, we look forward to your clients' response, due in this Office by the close of business on July 5, 1994.

Sincerely,

Lawrence M. Noble
General Counsel

Attachment

9704382395 1

RANGEL '92
The Conscience of the Congress

15TH CONGRESSIONAL DISTRICT

November 4, 1992

Dear Congressman Rangel:

In my best efforts to reconstruct campaign expenditures made in connection with the September, 1990 Democratic Party Primary as well as the 1991 General Elections, I am unable to provide you with actual receipts since such records were kept, if maintained at all, for a very short period solely for political reasons or reference.

As you well know, political campaigns in our communities generally involves street rallies, GOTV activities plus an Election Day operation if you want to be successful. These activities require large numbers of volunteers and workers who:

- distribute literature in housing developments, at subway stations and street corners;
- operate sound cars;
- go door-to-door canvassing large buildings to get voters out to the polls;
- canvass voters over the telephone;
- distribute literature at polling sites;
- serve as poll watchers.

During my many years of political involvement, I find that the best, most effective means of recruiting campaign workers to carry-out the above functions in our communities is to let it be known that payment will be made in cash. As a practical matter, payment by cash makes sense for the workers and the campaign. The amounts paid out are generally small, certainly under $250, and checks would be of no use to workers without jobs, bank accounts nor proper identification. To prepare a large number of checks would be an unnecessary burden on our campaign operation. The use of cash payments in small amounts is an approach I continue to use and I hope to use in the future because it has proven to be effective in recruiting workers to get you re-elected to the Congress.

9704382395 2

CAMPAIGN HEADQUARTERS 2090 ADAM CLAYTON POWELL JR. BLVD. NEW YORK, NEW YORK 10027 212-663-7790 FAX: 212-663-7816

In your Congressional District, there are some 298 Election Districts that when joined together make-up five(5) State Assembly Districts, three (3) State Senate Districts, 4+ City Council Districts and sixteen (16) Democratic Party leadership parts from which Democratic Party Leaders are elected. As a Member of Congress and elected party leader, you have a responsibility and you are looked upon to provide the leadership and support to candidates who are members of our political family. The fact that you have provided such support to numerous candidates for both public and party positions over the years is extremely beneficial to your re-election efforts year-after-year.

Notwithstanding my inability to provide you with actual receipts, I trust that my representations in this letter will serve as an acceptable explanation to you of how the checks of September 6, 1990 and November 4, 1991 were expended, based on my recall and belief.

Sincerely,

James E. Capel

James E. Capel
Campaign Manager

97043823953

RANGEL '92
The Conscience of the Congress

15th CONGRESSIONAL DISTRICT

CAMPAIGN YEAR: 1991

EXPENDITURE CATEGORIES

LITERATURE DISTRIBUTION:	$ 1,200
At Polling Sites	
At Subway Stops	
At Street Rallies	
In Housing Developments	
GET-OUT-THE-VOTE ACTIVITIES:	$ 1,500
Sound Cars	
Drivers & Gas for Cars	
Refreshment for Volunteers	
Misc. Supplies	
ELECTION DAY OPERATION:	$ 2,300
Vote Pulling Operation	
Poll Watchers	
Refreshment for Volunteers	
Door-to-Door Canvassing	
HEADQUARTERS OPERATIONS:	$ -0-
Office Supplies	
Office Maintenance	
Stamps	
TOTAL	$ 5,000

97043823954

CAMPAIGN HEADQUARTERS 2090 ADAM CLAYTON POWELL JR. BLVD. NEW YORK, NEW YORK 10027 212-663-7790 FAX 212-663-78[illegible]

RANGEL '92
The Conscience of the Congress

15th CONGRESSIONAL DISTRICT

CAMPAIGN YEAR: 1990

EXPENDITURE CATEGORIES

LITERATURE DISTRIBUTION:	$ 800
At Polling Sites	
At Subway Stops	
At Street Rallies	
In Housing Developments	
GET-OUT-THE-VOTE ACTIVITIES:	$ 1,200
Sound Cars	
Drivers & Gas for Cars	
Refreshment for Volunteers	
Misc. Supplies	
ELECTION DAY OPERATION:	$ 2,500
Vote Pulling Operation	
Poll Watchers	
Refreshment for Volunteers	
Door-to-Door Canvassing	
HEADQUARTERS OPERATIONS:	$ 500
Office Supplies	
Office Maintenance	
Stamps	
Local Transportation	
TOTAL	$ 5,000

CAMPAIGN HEADQUARTERS 2090 ADAM CLAYTON POWELL JR BLVD 212-663-7790

97043823955

RANGEL '92
The Conscience of the Congress

15-
CONGRESSION
DISTRICT

CAMPAIGN YEAR: 1992

EXPENDITURE CATEGORIES

LITERATURE DISTRIBUTION:	$ 1,000
At Polling Sites	
At Subway Stops	
At Street Rallies	
In Housing Developments	
GET-OUT-THE-VOTE ACTIVITIES:	$ 1,000
Sound Cars	
Drivers & Gas for Cars	
Refreshment for Volunteers	
Misc. Supplies	
ELECTION DAY OPERATION:	$ 2,500
Vote Pulling Operation	
Poll Watchers	
Refreshment for Volunteers	
Door-to-Door Canvassing	
HEADQUARTERS OPERATIONS:	$ 500
Office Supplies	
Office Maintenance	
Stamps	
TOTAL	$ 5,000

9704382396

CAMPAIGN HEADQUARTERS 2090 ADAM CLAYTON POWELL JR. BLVD. NEW YORK, NEW YORK 10027 212-663-779[illegible] FAX 212-663-78[illegible]

RANGEL '92
The Conscience of the Congress

15TH CONGRESSIONAL DISTRICT

TO: Congressman Charles B. Rangel

FROM: Jim Capel, Campaign Manager JC

RE: Allocation of Campaign Expenditures

DATE: May 6, 1993

In my best effort to reconstruct expenditures made, I submit to you the following by categories for the campaigns in 1990, 1991 and 1992.

In 1990, prior to redistricting, the 16th CD consisted of 298 Election Districts spread among the 67, 68, 69, 70, 71 and 72nd Assembly Districts. Expenditures were made by Rangel to assist candidates supported by Rangel to get elected.

In 1991, the City Council Districts were redrawn and the number of districts expanded. The districts in the 16th Congressional District are almost the same as in the current 15th Congressional District consisting of 389 EDs.

Dist 7	-	98 EDs
Dist 8	-	99 EDs
Dist 9	-	127 EDs
Dist 10	-	65 EDs

In 1992, not only was there a major congressional race involving Congressman Rangel, but our campaign provided support to candidates in the following Assembly Districts which are all within the 15th Congressional District consisting of 398 EDs.

68th AD	-	85 EDs
69th AD	-	87 EDs
70th AD	-	86 EDs
71st AD	-	85 EDs
72nd AD	-	55 EDs

In each of these campaign years, the Rangel for Congress Committee support the campaigns of other candidates by providing assistance, usually cash payments, to workers and volunteers to carry out the following activities that are essential to winning such races in this Congressional District.

CAMPAIGN HEADQUARTERS 2090 ADAM CLAYTON POWELL JR. BLVD. 212-563-7790

9704382957

OLDAKER, RYAN & LEONARD
ATTORNEYS AT LAW
818 CONNECTICUT AVENUE, N.W.
SUITE 1100
WASHINGTON, D.C. 20006

(202) 728-1010
FACSIMILE (202) 728-4044

June 29, 1994

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
JUN 29 3 43 PM '94

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

Re: MUR 3974 (Richard A. Brown)

Dear Mr. Noble:

I have received your letter of June 28, 1994, enclosing copies of two letters from James E. Capel to Congressman Rangel regarding the allocation of campaign expenditures which apparently formed part of the basis of the Commission's finding of reason to believe in the above-referenced matter. However, as my letter also requested, I would like copies of whatever document or documents are in the possession of the Commission which contain statements allegedly made by Patricia Bradley (or any other person) on behalf of Rangel for Congress Committee (see attachment). Since your Factual and Legal Analysis quotes from and paraphrases statements allegedly made by Ms. Bradley, I can only assume that the Commission has some document containing statements made by her. Since you have declined to provide me with such statements, I am requesting the Commission to make a ruling on this matter.

It is imperative for my client and its representative, Patricia Bradley, to review these statements in their full context so that they may understand the complete nature of the allegations and supply me with the necessary information to respond to the Commissions findings. Since the Commission is obviously using these statements that were made in another context altogether as the basis of a finding against my client, fundamental fairness requires that the individual be able to review these statements. Therefore, I urge the Commission to release to me these documents.

I further request that our deadline for responding be extended pending the Commission's consideration of this matter. Therefore, I request an extension of seven days after the ruling by the Commission or receipt of the additional information. Thank you for your consideration of this matter.

Sincerely,

Lyn Utrecht

Lyn Utrecht

Attachment

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OLDAKER, RYAN & LEONARD
ATTORNEYS AT LAW
818 CONNECTICUT AVENUE, N.W.
SUITE 1100
WASHINGTON, D.C. 20006

(202) 728-1010
FACSIMILE (202) 728-4044

June 24, 1994

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

RE: MUR 3974 (Richard A. Brown)

Dear Mr. Noble:

I am writing to request additional information in order to fully respond to MUR 3974. I discussed this request with Colleen Sealander of your office, who was unable to release this information.

In the Factual and Legal Analysis of MUR 3974, the Commission relies on statements apparently made by Patricia Bradley, a representative of my client, and documents "in the possession of Commission" as the basis of its finding that my client violated certain provisions of the Federal Election Campaign Act of 1971. If this matter had been generated by a complaint, I would have an opportunity to review any materials submitted by the complainant. In order to fully respond to the Commission's allegations, I believe that it is necessary for me to have access to any statements allegedly made by my client's and their representatives and to review documents upon which the Commission is relying. In the interest of fairness, I request access to these materials to provide adequate legal counsel to my client. If the Commission is unable to provide me with all of the underlying materials, I request that I be provided at least with copies of any statements, summaries, interviews or documents prepared by any agent of the Rangel Committee.

Pending the consideration of this request, I also request that our deadline for responding be tolled and that we receive an extension of time to properly review these materials and respond to these matters of seven days after receipt thereof. I would appreciate your assistance in this matter.

Sincerely,

Lyn Utrecht

Lyn Utrecht

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RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

Jul 18 5 08 PM '94

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of the Rangel for Congress Committee and Richard A. Brown, as treasurer	))))	MUR 3974	SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

This matter began as a Department of Justice referral that stemmed from its investigation into the House Banking facility. On May 17, 1994, the Federal Election Commission ("Commission") found reason to believe the Rangel for Congress Committee and Richard A. Brown, as treasurer (collectively the "Rangel Committee") violated 2 U.S.C. §§ 432(c)(5), 432(h)(1), 434(b)(5)(A) and 434(b)(6)(A) by making committee disbursements totaling $19,554 in cash, failing to obtain receipts for the cash disbursements, and failing to itemize those cash disbursements that were in excess of $200.

On May 27, 1994, the Rangel Committee received Chairman Potter's letter notifying it of the Commission's findings and enclosing a Factual and Legal Analysis prepared by the Office of the General Counsel. See Attachment 1. On June 1, 1994, this Office received a request from the Rangel Committee's counsel for a 20-day extension of time to respond to the notification. The next day, June 2, 1994, the Office of the General Counsel granted the 20-day extension and advised counsel that the Rangel Committee's response was due by the close of business on July 5,

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1994.

Nearly three weeks later, on June 21, 1994, counsel called the staff attorney assigned to this matter and requested copies of the background documents used by the Commission in making its reason to believe finding. The staff attorney declined to provide the documentation, advising counsel that the Commission had already provided a Factual and Legal Analysis as provided in 2 U.S.C. § 437g(a)(2).

The following week, on June 27, 1994, counsel for the Committee submitted a letter addressed to the General Counsel again requesting copies of the background documents. See Attachment 2. The General Counsel responded the next day, again denying Committee counsel's request because the Commission had already provided the Factual and Legal Analysis required by the Act. See Attachment 3. The General Counsel, however, also enclosed two letters from the Rangel Committee's own files that had been included with the Department of Justice materials and from which this Office had quoted in the Factual and Legal Analysis.

One day later, on June 29, 1994, counsel for the Committee submitted a letter addressed to the Commission, again asking for background documents. See Attachment 4. In her letter, counsel states that the Factual and Legal Analysis paraphrases from documents containing statements made by Ms. Bradley, bookkeeper for the Rangel Committee, and counsel argues that that the Committee must have access to the statements in order to "understand the complete nature of the allegations and supply

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[counsel] with the necessary information to respond to the Commissions [sic] findings." Id. In addition, counsel argues that "fundamental fairness" requires that Ms. Bradley be afforded an opportunity to review her statements because they were not obtained as part of a Commission investigation but in another context altogether. Id. This Report discusses counsel's request for copies of the Commission's investigative files and recommends the Commission deny this request.

II. **DISCUSSION**

Counsel cites no statutory authority and can point to no statutory authority in support of her request for copies of the Commission's investigative files as they pertain to her clients. 2 U.S.C. § 437g(a)(2), the section of the Act that deals with notification after a reason to believe finding, requires only that the Commission provide a respondent with the factual basis for its decision. A Factual and Legal Analysis, modeled after the First General Counsel's Report in this matter, was received by the Rangel Committee on May 27, 1994.

Similarly, in arguing that "fundamental fairness" is imperiled by the Commission's production of only the Factual and

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Legal Analysis, counsel overstates the import of a reason to believe finding. Under 2 U.S.C. § 437g(a)(2), a reason to believe finding is a prerequisite to a Commission investigation of an "alleged violation," and is not, as counsel has characterized it, a "finding that [her] client violated certain provisions" of the Act. Releasing copies of investigative files during the course of an investigation can only hinder the Commission's preparation of its case. Cf. Frankel v. Securities and Exchange Commission, 460 F.2d 813, 817 (2d Cir.), cert. denied, 409 U.S. 889 (1972) (discussing protection of the government's legal case as one of Congress' purposes in creating a FOIA exemption covering investigative files).

Moreover, the Committee will suffer no prejudice if denied access to the Commission's investigative files. The provisions of the Act and the past practice of the Commission provide the Rangel Committee multiple opportunities to present its version of events and argue its case.[2] In addition, the Factual and Legal Analysis provided the Rangel Committee contains all relevant information from the referral materials provided by the Department of Justice, including both inculpatory and exculpatory

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2. In conjunction with a reason to believe finding, a respondent is entitled to be notified of the factual basis for the finding, 2 U.S.C. § 437g(a)(2), and under Commission practice, is given the opportunity to respond. At the probable cause stage, a respondent has the right to receive a copy of the General Counsel's Brief and to reply to that Brief, 2 U.S.C. § 437g(a)(3); 11 C.F.R. § 111.16, and should the case go to court, a respondent possesses all of the rights generally afforded a defendant in the United States District Court, including discovery rights under Rule 26 of the Federal Rules of Civil Procedure and the full panoply of constitutional rights.

information, and the pertinent attachment from the First General Counsel's Report. Moreover, counsel has ample opportunity to question her clients and their representatives firsthand regarding their FBI interviews and their activities in connection with the Committee's cash disbursements.

A second reason to deny the Rangel Committee's motion is that the Commission's investigative files are privileged as a matter of law. The law enforcement investigative privilege, a common law privilege recognized by the federal courts, is designed to "preserve the integrity of law enforcement techniques and confidential sources, to protect witnesses and law enforcement personnel, to safeguard the privacy of individuals under investigation and to prevent interference with the investigation." Raphael v. Aetna Casualty and Surety Co., 744 F. Supp. 71, 74 (S.D.N.Y. 1990) (citing In re Department of Investigation of New York, 856 F.2d 481, 484 (2d Cir. 1988)). Although the public interest in nondisclosure can be overcome by a showing of need for access to the material, as discussed above, counsel cannot reasonably argue at this stage of the enforcement process that any of her clients' rights or privileges are at stake.

A third concern which counsels against release of the investigative files is the issue of ownership of some of the particular materials sought. Disclaimer language indicates that the Commission does not have the authority to unilaterally release copies of the documents because they remain under the control of the FBI.

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It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency." Therefore, it appears that the FBI, and not the Commission, has control over the documents' release. Cf. McGehee v. Central Intelligence Agency, 697 F.2d 1095, 1112 (holding that an agency in possession of documents that originated with another agency and which are responsive to a FOIA request may forward the request to the originating agency if the originating agency expressed an "intent to control" the documents at the time of the transfer), reh'g granted, 711 F.2d 1076 (D.C. Cir. 1983) (per curiam) (affirming portion of prior decision regarding investigative files).

In summary, because of the plain meaning of 2 U.S.C. § 437g(a)(2), the function of investigative findings within the Commission's enforcement procedure, the law enforcement investigative privilege and the Federal Bureau of Investigation's ownership of certain of the background documents requested, this Office recommends the Commission deny the Committee's request for copies of the investigative files relating to the Committee.

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III. **RECOMMENDATIONS**

1. Deny the Rangel for Congress Committee's request for copies of all documents in the Commission's possession which contain statements made by representatives of the Rangel for Congress Committee.

2. Approve the appropriate letter.

Lawrence M. Noble
General Counsel

Date 7/18/94 BY: _____
Lois G. Lerner
Associate General Counsel

Attachments
1. Factual and Legal Analysis sent to the Rangel Committee
2. Letter from counsel
3. Response from the General Counsel
4. Second letter from counsel

Staff assigned: Colleen Sealander

97043823966

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/BONNIE J. ROSS
COMMISSION SECRETARY

DATE: JULY 22, 1994

SUBJECT: MUR 3974 - GENERAL COUNSEL'S REPORT DATED JULY 18, 1994.

The above-captioned document was circulated to the Commission on Tuesday, July 19, 1994 at 11:00 a.m.

Objection(s) have been received from the Commissioner(s) as indicated by the name(s) checked below:

Commissioner Aikens	
Commissioner Elliott	
Commissioner McDonald	
Commissioner McGarry	
Commissioner Potter	
Commissioner Thomas	XXX

This matter will be placed on the meeting agenda for Tuesday, July 26, 1994.

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

9704382399 67

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 3974
Rangel for Congress Committee and Richard A. Brown, as treasurer	)	

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on July 26, 1994, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 3974:

1. Deny the Rangel for Congress Committee's request for copies of all documents in the Commission's possession which contain statements made by representatives of the Rangel for Congress Committee.

2. Approve the appropriate letter.

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

Attest:

7-26-94
Date

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

9704382339 68

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 4, 1994

VIA FACSIMILE AND FIRST CLASS MAIL

Ms. Lyn Utrecht, Esq.
Oldaker, Ryan & Leonard
Suite 1100
818 Connecticut Avenue, NW
Washington, D.C. 20006

RE: MUR 3974

Dear Ms. Utrecht:

This letter is to inform you that the Commission considered your June 29, 1994 request for copies of documents containing statements made by representatives of the Rangel for Congress Committee, and on July 26, 1994, denied this request. As you may be aware, the Commission's investigative materials are protected by the law enforcement investigative privilege, and the Commission has determined not to waive its privilege at this time.

Accordingly, if you wish to submit any materials in response to the Commission's reason to believe findings in this matter, please do so by the close of business on August 11, 1994. If you have any questions, please feel free to call me.

Sincerely,

Colleen T. Sealander
Attorney

9704382399 69

OLDAKER, RYAN & LEONARD
ATTORNEYS AT LAW
818 CONNECTICUT AVENUE, N.W.
SUITE 1100
WASHINGTON, D.C. 20006

(202) 728-1010
FACSIMILE (202) 728-4044

RECEIVED
FEDERAL ELECTION
COMMISSION
ADMINISTRATIVE DIVISION
AUG 11 4 08 PM '94

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
10 53 AM '94

August 11, 1994

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

RE: MUR 3974
Rangel for Congress Committee
Richard A. Brown, as treasurer

Dear Mr. Noble:

This letter is in response to the notification from the Federal Election Commission on May 26, 1994 concerning MUR 3974. The Commission found reason to believe that the Rangel for Congress Committee and Richard A. Brown, as treasurer, violated 2 U.S.C. §§ 432(c)(5), 432(h)(1), 434(b)(5)(A) and 434 (b)(6)(A), provisions of the Federal Election Campaign Act of 1971, as amended, ("FECA"or the "Act) 2 U.S.C. § 431 et seq., by failing to comply with reporting requirements for twenty-one checks drawn on the official campaign depository.

The Commission's finding in this matter is based on documents in its possession, apparently including statements made by Congressman Rangel, James M. Capel, the campaign manager of Rangel for Congress, and Patricia Bradley, then bookkeeper for the Committee, in an entirely different context not involving an investigation into potential violations of the Federal Election Campaign Act of 1971. I once again reiterate my objection to the Commission's refusal to make these statements available to me in order to respond to this matter.

To the best of the recollections of the individuals involved, at the time they were previously questioned concerning these matters, they did not refresh their recollection by reference to campaign documents. Thus, any statements made at that time were not based on full information and review of supporting materials. In addition, none of the three individuals maintained any notes concerning the interviews in that other matter, which were not under oath, and they do not recall the specific questions they were asked, nor the context

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of any specific questions. Thus, it is impossible for me to determine whether these individuals were correctly quoted or paraphrased in the referral documents in the Commission's possession, or in the Commission's Legal and Factual Analysis without an opportunity to review the statements upon which the Commission is presently relying.

In order to prepare this response Congressman Rangel, Mr. Capel and Ms. Bradley have reviewed the Committee's records, the Congressman's schedules and have made every effort to recall the specifics of each transaction questioned by the Commission. The purposes and circumstances of each check are summarized below and supported by the affidavits of Congressman Rangel and James Capel. The Committee does not dispute that there was an inadvertent failure to maintain complete documentation of these disbursements, but asserts that any resulting violation was unintentional and de minimis.

The checks in question total $19,554 over a period of four years, out of total net operating expenditures of $1,168,153.91 during the period 1989-1992. Thus, while the Committee does not dispute now that it has not maintained adequate documentation for some of these disbursements, the failure to do so was inadvertent and unintentional, and amounts to an immaterial amount of the Committee's overall disbursements.

Based upon the best information available to the Committee, the Committee believes that no violation of the cash/check disbursement regulations occurred. Although checks were cashed for larger amounts, the Committee believes that virtually all cash was disbursed in amounts of $100 or less in accordance with 11 C.F.R. § 102.11, and in amounts aggregating $200 or less per payee, i.e., under the itemization threshold. This is supported by the attached affidavits of Congressman Rangel and Mr. Capel.*

Moreover, the use of cash to make this small percentage of disbursements was necessitated by the nature of the Congressman's congressional district: many of Congressman Rangel's constituents do not maintain bank accounts. This creates problems in that many campaign volunteers and workers are unable to cash checks for per diems and expense reimbursements and request these payments in cash. In addition, many small vendors are unwilling to accept checks from campaign committees.

While the Committee now understands that it must maintain better records of cash disbursements, the Committee's bookkeeper did not fully understand at the time these disbursements were made that she should be maintaining documentation of small cash disbursements, since she believed that none was required for disbursements of $200 or less.

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* In a few instances where food was purchased, e.g., for a large group of volunteers, the total amount may have been between $100 and $200.

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The Rangel for Congress Committee has submitted affidavits (attached) in which Congressman Charles B. Rangel and Mr. James E. Capel, campaign manager, account for all disbursements referred to by the Commission in the notification. All disbursements were withdrawn from the official campaign depository and canceled checks in support of these withdrawals are in the possession of the campaign treasurer, Mr. Brown. Furthermore, these funds were used for bona fide campaign purposes under all applicable provisions of FECA and as defined by the House Select Committee on Ethics.

The specific checks are addressed as follows:

1. Check #'s 1043, 4487 and 4514 in the aggregate amount of $200 were gratuities given to the doorman, Mr. Parks, and the mailman who served at Lenox Terrace in Harlem, NY, the official address of the Congressman's voter registration. These men cordially and dutifully aided the Congressman and his staff in their efforts to deliver and receive campaign mail and materials throughout the year.

2. Check #1252 in the amount of $104 was to reimburse staff members and Mrs. Alma Rangel, the wife of the Congressman, for funds they had expended in preparing for an annual fund-raiser at the Tavern on the Green. This money was disbursed in small amounts to purchase food, beverages, corsages for women and other last minute items.

3. Check #'s 4661 and 2682, each in the amount of $5,000, were cashed prior to the 1990 and 1991 Democratic Primary Elections. James E. Capel, manager of the campaign, used this money for campaign activities divided into four categories: literature distribution, Get-Out-the-Vote activities, election day operations and headquarters operations. Literature distribution entailed paying volunteers to distribute campaign materials at polling sites, subway stops, street rallies and in housing developments. Get-out-the-Vote expenses included sound cars, volunteer drivers and gas for cars, refreshments for volunteers and other related miscellaneous items. Election day operation expenses entailed paying volunteers to serve at the polling booths and to conduct door-to-door canvassing and refreshments for these workers. Headquarters operations expenses included the purchase of office supplies, volunteers who helped with office maintenance and the purchase of stamps. It took many volunteers to ensure the success of these operations, especially during the final week of the campaign when candidates and their committees are working nearly around-the-clock. Among these above categories, these funds were further subdivided and distributed in amounts less than $200.

Check #2000 for $5,000 was also disbursed by James Capel prior to the 1991 City Council Elections. Congressman Rangel provides assistance to local Democratic candidates running for office within his Congressional district. These funds were used to pay volunteers and staff workers to perform election activities similar to those mentioned above.

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Although the Commission apparently has in its possession a statement by James Capel that these amounts were "certainly under $250", Mr. Capel was unaware that the itemization threshold was $200, not $250. Therefore, when the question is rephrased: "Were disbursements made in amounts less than $200?," the answer is also yes.

Furthermore, as noted above, while the regulations require disbursement by check, since many residents in the Congressman's district do not have bank accounts or any means of readily cashing checks, for some limited purposes such as election day per diems, cash is the only viable means of reimbursing volunteers and workers. At the time, the Committee believed that it was disbursing these amounts in compliance with the requirements of the law.

4. Check # 1841 for $300 was cashed on December 20, 1990. This money was given to Sylvia Woods, the owner of Sylvia's restaurant located at 326 Lenox Avenue, Harlem, New York, where a holiday party was held for the Congressman's political staff. This money was distributed among the restaurant staff as a gratuity for their service during the party.

5. Check #'s 1861, 1914 and 1827, each in the amount of $100, were drawn to reimburse Mr. Al Beckett for film, batteries, development of photos, etc. Mr. Beckett is the Congressman's personal driver and aide when he is in the district. One of his duties is to carry a camera in the car so that constituents may have their pictures taken with the Congressman. It is Mr. Beckett's responsibility to develop the film and send the pictures to the constituents. Therefore, these funds reimbursed Mr. Beckett for supplies he purchased himself.

6. Check # 1862 for $250 was an expense advance for Congressman Rangel. Congressman Rangel attended an annual meeting hosted by National Finance Council of the Democratic National Committee. This event was held at the Ponte Vedra Inn and Club in Jacksonville, Florida, the weekend of May 31-June 2, 1991. Many potential contributors to the Democratic party attended this event. Mr. Rangel was requested by the party leadership to speak and meet with those guests. Therefore, the Congressman needed money to pay for meals, entertainment and cab fare for potential contributors as well as other travel related expenses. Furthermore, as the location of the meeting and the nature of such political events make it impracticable to write out of state checks, cash-on-hand was the most reasonable and expedient means to pay for meals, cab fare, entertainment, etc.

7. Check #1877 for $500 was drawn for the Congressman's use during the Congressional Black Caucus weekend. The CBC weekend is an annual event which lasts four days (Thursday-Sunday). During this time many events take place, including a black-tie dinner, a breakfast, braintrust workshops, a fashion show, etc. As former

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Chairman and current member of the Congressional Black Caucus, it was the Congressman's duty to attend and host these events. Furthermore, this being the Caucus' biggest event of the year, many constituents from Harlem, New York, including campaign staff, travel to Washington, D.C., to attend. The funds in question were disbursed in amounts less than $100 to pay for meals, gratuities and cab fare for the Congressman as well as political workers and supporters during this four day event.

8. Check #1879 in the amount of $150 was cashed on October 7, 1991. This money was used to purchase a plant for the memorial service of Monica Perry who was a political colleague of Congressman Rangel and a well-known community activist.

9. Check #2059 in the amount of $1,000 was cashed on December 20, 1991. The Commission states that this money was used for Christmas gifts. It was in fact, however, used for charitable contributions to homeless organizations in the Congressman's district at holiday events.

10. Check #2248 for $200 was a travel expense advance for Congressman Rangel's two-day trip to Puerto Rico where a fund-raiser was held in his honor at the Patio del Fauno, Condado Beach Hotel, San Juan the last week in March (March 26-30, 1992). Due to previously mentioned difficulties associated with out of state political events and particularly prior difficulties incurred by the Congressman and other foreigners when trying to cash checks in Puerto Rico, the Congressman used a cash advance to pay for meals, cab fare, etc.

11. Check #2307 for $200 was cashed on April 16, 1992, prior to Easter weekend. During this weekend, Mr. Rangel hosted a meeting for his political staff at his home in Harlem, New York, to discuss current business and to thank his staff for their hard work and political support. The Congressman used cash to pay for refreshments served at this meeting.

12. Check #2517 in the amount of $150 was cashed on July 1, 1992. This money was used to host a party in conjunction with then Mayor David Dinkins and Mr. George Brown of Lipsen, Whitten & Diamond.

13. Check #2342 in the amount of $100 was cashed on July 1, 1992, for political purposes.

14. Check #2513 in the amount of $1,000 was cash used for the 1992 Democratic Convention. The 1992 Democratic Presidential Convention was hosted in New York City, the Congressman's home state and partially his home district. Congressman Rangel is also a ranking member of the U.S. House of Representatives and, at the time, the third-ranking Democrat in New York state. As such, the Congressman was expected to attend events and host political colleagues during this period. Therefore, the Congressman

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obtained this travel advance to pay for, an average of $125 per day, expenses for meals, cab fare, etc.

The Committee's failure to maintain complete records was an unintentional mistake with no harmful consequences. Virtually none, if any, would have exceeded the itemization thresholds, so no information is missing from the public record. The Committee now understands the Commission's rules regarding the use of petty cash and will comply fully with these rules in the future, as well as the reporting requirements. Given the de minimis nature of the violation, no further action in this matter is warranted.

We believe under the circumstances discussed above, the Commission should take no further action in the matter. If the Commission does not close its file in this matter at this time, we request pre-probable cause conciliation.

If you have any further questions, please contact me.

Sincerely,

Lyn Utrecht

Lyn Utrecht

Attachments

97043823975

Affidavit of Congressman Charles B. Rangel

I, Charles B. Rangel, state as follows:

The following is an account of disbursements made by myself from monies drawn on the Committee to Re-elect Congressman Charles B. Rangel account, designated as my official despository in compliance with 11 CFR 102.10 and 103. All disbursements were made for legitimate political purposes and are documented by copies of cancelled checks obtained and kept by Richard Brown, the treasurer of my campaign committee. 11 CFR 102.9(b)(2). These checks, however, were not directly written to the payee, but were withdrawn in the form of cash. Many of these withdrawals were done in order to make frequent disbursements in amounts less than $100 for cab fare, meals, etc. during political weekend events so I could freely move about. The other funds were for per diem payments and expense reimbursements to campaign workers and members of my district who frequently do not have bank accounts. These funds were distributed in amounts less than $100. Further explanations are given below as well as the necessary data.

1. Check #s 1043, 4487, 4514 in the aggregate amount of $200.00 were cashed to pay the doorman (Mr. Parks) and the mailman at Lenox Terrace in Harlem, NY, on December 25, 1994. This address is the official address of my voter registration. This money was a gratuity to the gentlemen who throughout the year aided me and my staff to deliver and receive campaign mail and materials sent to my official address.

2. Check # 1252 in the aggregate amount of $104.00 was for cash to pay (Reno), Vivian and Alma (staff workers and wife) on June 10, 1990, for reimbursement for expenditures associated with the Tavern on the Green fundraiser. This is an annual event in association with my birthday. It is a low-ticket political gala in which there is food, music and corsages for the women.

3. Check #1841 in the amount of $300.00 was for cash to pay Sylvia Woods, the owner of Sylvia's restaurant, 326 Lenox Avenue, New York, NY, on December 20, 1990. This money was a tip for the restaurant workers who served us during a holiday party for my political staff.

4. Check #s 1861, 1914, 1827 in the aggregate amount of $300 were periodic cash payments to Mr. Al Beckett, 725 Riverside Drive, New York, NY (January 1, February 25, March 1). Mr Beckett is my driver and personal aide when I am in New York. Mr. Beckett always carries a camera in the car so that when people of the district approach me I can have my picture taken with them. Once developed these pictures are sent to the constituents. This money was remimbursement for film, batteries, development of film.

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5. Check #1862 in the amount of $250.00 was travel expense advance for myself during the Democratic National Committee National Finance Council Annual Meeting held at The Ponte Vedra Inn and Club, Jacksonville, FL, the weekend of May 31 - June 2, 1991. The council meetings are hosted by the party leadership. This was spent on meals, entertainment for potential contributors, and cab fare.

6. Check #1877 in the amount of $500.00 was a travel expense advance money for myself during the Congressional Black Caucus weekend held September 12-14, 1991 (Thursday-Sunday). This annual event includes a black-tie dinner, a breakfast, braintrust workshops, fashion show, etc. As a senior black member of Congress and the former chair of the Congressional Black Caucus, it is my duty to attend and host several of these events. Further, many of my constituents from Harlem come to Washington for this weekend. This money was spent in amounts less than $100 for meals, tips for meals, cab fare as well as political workers and supporters who assisted in the coordination of the events (see attached schedule).

7. Check #1879 in the amount of $150.00 on October 6, 1991, was cash for the purchase of a plant for the memorial service of Monica Perry, a well-known community activist and political leader in the district.

8. Check #1914 in the amount of $100.00 on October 29, 1991, was cash paid to Mr. Al Beckett reimbursement for expenses while driving and accompanying me to political events on the weekend, gas, meals, and film (see #4).

9. Check #2059 in the amount of $1000.00 was used during the holiday season of 1991 in which I attended five parties. This money was paid toconstituents in my district who are less than fortunate and need help during the holiday season. It was also contributed to the Ryan Community Health Center, the 369th Veterans Association and the Martin Luther King Democratic Club to be used for homeless purposes (see attached schedule for December 20-22, 1991).

9. Check #2248 in the amount of $200.00 was travel expense advance money for my 2-day trip to Puerto Rico the week of March 26-30, 1992. A fundraiser was held in my honor at the the Patio del Fauno, Condado Beach Hotel, San Juan. Due to difficulties incurred by foreigners when trying to cash checks in Puerto Rico, cash served as the most effective means for traveling. This money was used to pay for meals, cab fare, etc. (see attached schedule)

10. Check #2307 in the amount of $200 was cash to pay for food and drink served at a campaign meeting on the Easter weekend, April 16, 1992, at my home 40 West 135th Street, #16N-P, New York, NY, for my political colleagues in Harlem and as a thank you for their continued support.

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11. Check #2517 in the amount of $150.00 was used to host a party in conjunction with my Democratic colleague, then Mayor David Dinkins and Mr. George Brown of Lipsen, Whitten & Diamond. (see attached schedule for 7/4/92).

12. Check #2342 in the amount of $100.00 on July 1, 1992, was used for political purposes.

13. Check #2513 in the amount of $1000.00 written on July 8, 1992, was cash during the Democratic Presidential Convention held in New York City. As a senior member of the New York State Congressional Delegation, the money was used to host my Congressional colleagues, and elected and party officials from Washington in the form of taxi fares and entertainment. This amount was spread over a 8-day period and disbursed in amounts less than $100.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this _____ day of July, 1994.

CHARLES B. RANGEL
Congressman

97043823978

June 28, 1994

TO WHOM IT MAY CONCERN:

My name is Jim Capel and I have provided managerial and coordinative services to the RANGEL FOR CONGRESS Campaign for a number of years. I am writing to offer whatever information or assistance I can provide to you regarding cash disbursements I may have made during the Primary Election of 1990, the General Election for the City Council in 1991 and the Primary Election of 1992.

While I was either directly or indirectly involved in the payment of vendors and/or workers for services rendered consistent with election day activities, I am unable to produce actual receipts or other documentation, notwithstanding the efforts I have made to do so, for the referred to amounts in 1990, 91 and 92 that was used for literature distribution, GOTV activities, election day activities and headquarter operations.

Given the tasks and activities associated with an election day operation, cash payment to vendors and workers was and continues to be an essential part of a successful campaign operation. This is due, in part, to the lack of faith that vendors and workers have in being compensated once the election is over. They do not render service until they have secured an agreement that payment will be made the same day in cash.

Election Day expenses generally range from $25 to pay kids to leaflet a building or to purchase gas for a sound car, to $100 for a poll watcher or $200 to buy food for volunteers, etc. In addition, I can recall payments of $50-$100 to various volunteers who, during the campaign, came into the office regularly or those who put up posters or used their car to pick-up literature from the printer or took voters to the polls. Some of these funds were used to pay for parking or parking tickets for the campaign rental car.

For your reference and review, I have attached materials I prepared in 1993 regarding this subject matter. It provides the categories for how funds were most likely allocated and distributed for the aforementioned three elections.

James E. Capel

James E. Capel
10 West 135th Street
New York, New York 10037

John D. Kelly

Witness Signature

97043823979

RANGEL '92
The Conscience of the Congress

15TH CONGRESSIONAL DISTRICT

November 4, 1992

Dear Congressman Rangel:

In my best efforts to reconstruct campaign expenditures made in connection with the September, 1990 Democratic Party Primary as well as the 1991 General Elections, I am unable to provide you with actual receipts since such records were kept, if maintained at all, for a very short period solely for political reasons or reference.

As you well know, political campaigns in our communities generally involves street rallies, GOTV activities plus an Election Day operation if you want to be successful. These activities require large numbers of volunteers and workers who:

- distribute literature in housing developments, at subway stations and street corners;
- operate sound cars;
- go door-to-door canvassing large buildings to get voters out to the polls;
- canvass voters over the telephone;
- distribute literature at polling sites;
- serve as poll watchers.

During my many years of political involvement, I find that the best, most effective means of recruiting campaign workers to carry-out the above functions in our communities is to let it be known that payment will be made in cash. As a practical matter, payment by cash makes sense for the workers and the campaign. The amounts paid out are generally small, certainly under $250, and checks would be of no use to workers without jobs, bank accounts nor proper identification. To prepare a large number of checks would be an unnecessary burden on our campaign operation. The use of cash payments in small amounts is an approach I continue to use and I hope to use in the future because it has proven to be effective in recruiting workers to get you re-elected to the Congress.

CAMPAIGN HEADQUARTERS
2090 ADAM CLAYTON POWELL JR. BLVD.
NEW YORK, NEW YORK 10027
212-663-7790
FAX: 212-663-7816

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In your Congressional District, there are some 298 Election Districts that when joined together make-up five(5) State Assembly Districts, three (3) State Senate Districts, 4+ City Council Districts and sixteen (16) Democratic Party leadership parts from which Democratic Party Leaders are elected. As a Member of Congress and elected party leader, you have a responsibility and you are looked upon to provide the leadership and support to candidates who are members of our political family. The fact that you have provided such support to numerous candidates for both public and party positions over the years is extremely beneficial to your re-election efforts year-after-year.

Notwithstanding my inability to provide you with actual receipts, I trust that my representations in this letter will serve as an acceptable explanation to you of how the checks of September 6, 1990 and November 4, 1991 were expended, based on my recall and belief.

Sincerely,

James E. Capel

James E. Capel
Campaign Manager

97043823981

RANGEL '92
The Conscience of the Congress

CONGRESSIO:
DISTRICT

CAMPAIGN YEAR: 1992

EXPENDITURE CATEGORIES

LITERATURE DISTRIBUTION:	$	1,000
At Polling Sites		
At Subway Stops		
At Street Rallies		
In Housing Developments		
GET-OUT-THE-VOTE ACTIVITIES:	$	1,000
Sound Cars		
Drivers & Gas for Cars		
Refreshment for Volunteers		
Misc. Supplies		
ELECTION DAY OPERATION:	$	2,500
Vote Pulling Operation		
Poll Watchers		
Refreshment for Volunteers		
Door-to-Door Canvassing		
HEADQUARTERS OPERATIONS:	$	500
Office Supplies		
Office Maintenance		
Stamps		
TOTAL	$	5,000

CAMPAIGN HEADQUARTERS 2090 ADAM CLAYTON POWELL JR. BLVD. NEW YORK, NEW YORK 10027 212-663-779: FAX 212-663-78:

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RANGEL '92
The Conscience of the Congress

15th CONGRESSIONAL DISTRICT

CAMPAIGN YEAR: 1991

EXPENDITURE CATEGORIES

LITERATURE DISTRIBUTION:	$	1,200
At Polling Sites		
At Subway Stops		
At Street Rallies		
In Housing Developments		
GET-OUT-THE-VOTE ACTIVITIES:	$	1,500
Sound Cars		
Drivers & Gas for Cars		
Refreshment for Volunteers		
Misc. Supplies		
ELECTION DAY OPERATION:	$	2,300
Vote Pulling Operation		
Poll Watchers		
Refreshment for Volunteers		
Door-to-Door Canvassing		
HEADQUARTERS OPERATIONS:	$	-0-
Office Supplies		
Office Maintenance		
Stamps		
TOTAL	$	5,000

CAMPAIGN HEADQUARTERS 2090 ADAM CLAYTON POWELL JR. BLVD. NEW YORK, NEW YORK 10027 212-663-7790 FAX: 212-663-7816

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15th CONGRESSIONAL DISTRICT

RANGEL '92
The Conscience of the Congress

CAMPAIGN YEAR: 1990

EXPENDITURE CATEGORIES

LITERATURE DISTRIBUTION:	$ 600
At Polling Sites	
At Subway Stops	
At Street Rallies	
In Housing Developments	
GET-OUT-THE-VOTE ACTIVITIES:	$ 1,200
Sound Cars	
Drivers & Gas for Cars	
Refreshment for Volunteers	
Misc. Supplies	
ELECTION DAY OPERATION:	$ 2,500
Vote Pulling Operation	
Poll Watchers	
Refreshment for Volunteers	
Door-to-Door Canvassing	
HEADQUARTERS OPERATIONS:	$ 500
Office Supplies	
Office Maintenance	
Stamps	
Local Transportation	
TOTAL	$ 5,000

CAMPAIGN HEADQUARTERS 2090 ADAM CLAYTON POWELL JR. BLVD 212-663-7790

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EC General Counsel

RANGEL '92
The Conscience of the Congress

15TH CONGRESSIONAL DISTRICT

TO: Congressman Charles B. Rangel

FROM: Jim Capel, Campaign Manager JC

RE: Allocation of Campaign Expenditures

DATE: May 6, 1993

In my best effort to reconstruct expenditures made, I submit to you the following by categories for the campaigns in 1990, 1991 and 1992.

In 1990, prior to redistricting, the 16th CD consisted of 298 Election Districts spread among the 67, 68, 69, 70, 71 and 72nd Assembly Districts. Expenditures were made by Rangel to assist candidates supported by Rangel to get elected.

In 1991, the City Council Districts were redrawn and the number of districts expanded. The districts in the 16th Congressional District are almost the same as in the current 15th Congressional District consisting of 389 EDs.

Dist 7	-	98 EDs
Dist 8	-	99 EDs
Dist 9	-	127 EDs
Dist 10	-	65 EDs

In 1992, not only was there a major congressional race involving Congressman Rangel, but our campaign provided support to candidates in the following Assembly Districts which are all within the 15th Congressional District consisting of 398 EDs.

68th AD	-	85 EDs
69th AD	-	87 EDs
70th AD	-	86 EDs
71st AD	-	85 EDs
72nd AD	-	55 EDs

In each of these campaign years, the Rangel for Congress Committee support the campaigns of other candidates by providing assistance, usually cash payments, to workers and volunteers to carry out the following activities that are essential to winning such races in this Congressional District.

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CAMPAIGN HEADQUARTERS 2090 ADAM CLAYTON POWELL JR. BLVD. NEW YORK, NEW YORK 10027 212-663-7790 FAX 212-663-7814

CBR SCHEDULE, Thursday, September 12, 1991

Primary Election Day--polls open from 6:00 AM - 9:00 PM

8:00 am National Coalition on Alcohol and Other Drug Issues breakfast and briefing; B369 RHOB (703 920 4644)- 9:30

9:00 am Whip Meeting; H324

10:00 am Democratic Caucus re health care reform; House Chamber

10:00 am Ways and Means hearing on International Competitiveness; MHR

12:00 pm House meets

1:30 pm CBCF Press Conference on Thomas nomination; Triangle Area in front of the Capitol

12:30 pm Speaker Foley luncheon meeting with Committee Chairs; H324 (Elizabeth)

2:00 pm Veterans Housing Forum; Washington Hilton, Georgetown West - til 5:00

3:00 pm Democratic Caucus Issues Task Forces Co-Chairs meeting; 1732 LHOB

6:00 pm Public Housing Authorities Directors Association reception; 2168 RHOB (Judy Browne 202 546 5445) - til 8:00

6:00 pm CBCF & CBC private reception with the family of Cong. Bill Gray; The Atrium, Madison Library - til 7:00

6:00 pm CBCF & CBC reception honoring Cong. Bill Gray; Montpelier Room--Rooftop, Madison Library - til 8:00

8:00 pm Cong. Cardiss Collins Champagne Dance; Washington Court Hotel, 525 New Jersey Avenue, NW--BLACK TIE - til 11:00

9:00 pm Anheuser Busch/Sony Gala Reception; The Galleria at Lafayette Centre, 1155 21st Street, NW - til 1:00--Black Tie Preferred

POSTED--Washington

6:00 pm National Pork Producers Council reception; Longworth Cafeteria (202 554 3600) - til 8:00

6:00 pm Securities Industry Association reception; Washington Court Hotel, Atrium Ballroom, 525 New Jersey Avenue, NW - til 8:00

7:00 pm On The Potomac Productions Salute to the CBC; Washington Hilton, Poolside - til 10:00

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CBR SCHEDULE, Friday, September 13, 1991

9:30 am	CBR Drug Hearing; 1100 LHOB
12:00 pm	CBR Open House
2:00 pm	CBR Veterans Braintrust; 1100 LHOB
4:00 pm	Tuskegee Airmen Tribute; 2118 RHOB
5:30 pm	Salute to WWII Black Veterans; Rayburn Foyer
5:30 pm	Cong. Ed Towns Chairman's Reception; Rayburn Courtyard
5:30 pm	Cong. Maxine Waters reception; 2359 RHOB - til 7:30
5:00 pm	Alaska Black Caucus reception; Washington Hilton, Chevy Chase Suite
6:00 pm	MCA Inc. (Bill Kirk) reception; MPAA, 1600 Eye Street, NW - til 8:00
6:00 pm	****Basil Paterson being honored by Scientific Visions and the R.W.Johnson Pharmaceutical Research Institute; Grand Hotel, Promenade Suite, 2350 M Street, NW - til 8:00
6:00 pm	PEPCO bicentennial reception in honor of Cong. Eleanor Holmes Norton; Washington Hilton, Crystal Ballroom (202 678 8900) - 8:00
6:00 pm	National Hook-Up of Black Women 14th Annual Fannie Lou Hamer Awards Reception; Washington Hilton, Georgetown Room - til 8:00
6:00 pm	National Black United Fund "Evening in African-American Elegance" honoring the CBC; Charles Sumner School Museum and Archives, 1201 17th Street, NW - til 9:00
6:30 pm	Cong. Kweisi Mfume reception; Washington Hilton, Lincoln Room - til 8:30
7:00 pm	Mayor Sharon Pratt Dixon reception; Washington Hilton, Poolside - til 9:00
7:00 pm	Cong. Craig Washington reception; One 13th Street, NW
7:00 pm	100 Black Men of America reception; The Omni Shoreham Hotel, Garden Court, 2500 Calvert Street, NW - til 10:00
7:30 pm	The Chairman's Gala sponsored by BET/Coca-Cola/RJR-Nabisco/Tobacco Institute/Time Warner/September Group; OAS Building, 17th and Constitution Avenue, NW--BLACK TIE
8:00 pm	Cong. Barbara-Rose Collins "Michigan Bash"; Washington Hilton, Jefferson Room - til midnight
10:00 pm	CBC Spouses Evening Fashion Show; Washington Hilton

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CBC SCHEDULE, Saturday, September 14, 1991

8:00 am	CBC Prayer Breakfast; Sheraton Washington Hotel - til 10:30
11:30 am	CBC Spouses Luncheon Fashion Show; Washington Hilton
3:00 pm	Cong. John Lewis reception; The River Club, 3223 K Street, NW - til 5:00
4:00 pm	Cong. Mike Espy reception honoring former Mississippi State Henry Kirksey; Washington Hilton, Conservatory Room on the Terrace Level
4:30 pm	Reception honoring Shirley Chisholm; Washington Hilton, The Military Room - til 6:30
4:30 pm	Managed Healtcare Systems reception honoring Cong. Ed Towns; Washington Hilton, Hemisphere Room - til 6:30
6:00 pm	CBC reception - til 7:00
7:30 pm	CBC annual dinner

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CBR SCHEDULE, Thursday, March 26, 1992

9:00 am Whip meeting; H324

9:30 am Oversight & Trade Subcommittees meeting re Customs overtime; 1129 LHOB

11:00 am House meets

12:00 pm Speaker luncheon meeting with Chairs of Committees; H324

1:00 pm SCNAC hearing; B318 RHOB (RH)

3:30 pm New York Delegation meeting re redistricting; 2222 RHOB

6:00 pm **Cong. Paul Kanjorski (PA) reception; Demo Club - til 8:00

6:00 pm National Puerto Rican Coalition reception honoring Tito Colorado; 345 CHOB (223 3915) - til 8:00

7:00 pm Depart Cannon HOB for National Airport; Rayburn Horseshoe (Dave Jenkins 202 452 8490)

7:15 pm Depart National for San Juan

11:32 pm Arrive San Juan

SmithKline Beecham will have a car meet you at the Airport and take you to the Caribe Hilton Hotel, Avenue San Jeronimo (809 721 0303)

POSTED--Washington

8:00 am Congressional Prayer Breakfast with Cong. Jim Inhofe speaking; H130

2:45 pm Jon Sheiner meeting with Dr. Raoul Fleischmejer (Mt. Sinai), American Academy of Dermatology (Brie Stallings 202 737 0262)

POSTED--New York

5:30 pm Abyssinian Development Corporation Annual Samuel D. Proctor Phoenix Awards; Naitonal Black Theater, 2033 Fifth Avenue - til 9:00

6:00 pm Democratic County Committee Executive Committee meeting; 60 East 42nd Street, Room 1819

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CBR SCHEDULE, Friday, March 27, 1992

Puerto Rico

8:00 pm CBR reception; Patio del Pesmo, Condado Beach Hotel (Aldonais 809 753 0155)

ALICIA'S ITINERARY

6:00 pm Depart Washington National for San Juan; Continental #322
7:13 pm Arrive Newark
8:15 pm Depart Newark; American #689/Seat 22C
12:48 am Arrive San Juan

POSTED--Washington

11:00 am House meets

6:00 pm New York Times reception; Army Navy Club, 901 17th Street, NW - til 8:00

9704382399C

CBR SCHEDULE, Saturday, March 28, 1992

Puerto Rico

POSTED--New York

12:00 pm Annual West Side Community Conference sponsored by Franz Leichter; Columbia University, Ferris Booth Hall, 115th Street and Broadway (sent $100) - til 4:30 pm

POSTED--Washington

9:00 pm National Association of Black Women Attorneys Annual Red Dress Ball; Grand Hyatt Hotel, 1000 H Street, NW - til 2:00

97043823991

CBR SCHEDULE, Friday, December 20, 1991

3:30 pm Tape for "McCreary Reports" re Haiti; 205 East 67th Street (Bill McCreary 212 452 3878)

POSTED--New York

9:00 am Opening Day Celebration of the Rio sponsored by the Committee for Heights-Inwood Homeless Coalition; 10 Fort Washington Avenue, between 159th and 160th Streets (Ellen Baxter 212 927 2143) - til 12:00 NOTE: DND expected at 9:30 AM--Per Rita

5:00 pm Harlem Community Council Block Association Awards Ceremony and Banquet; Metropolitan Baptist Church, 151 West 128th Street (sent $100)

7:00 pm Ryan Community Health Center Annual Holiday Party; 110 West 97th Street--program at 9:00 (Nancy Vazquez 212 316 7907)

9704382399 2

C3R SCHEDULE, Saturday, December 21, 1991

The Fellas (Dr. Redhead)

POSTED--New York

2:00 pm J. Raymond Jones Democratic Club feeding Seniors and Homeless; 2130 Fifth Avenue--3:00 pm best time to stop by

4:00 pm Marcus Garvey Park Conservancy Annual Board Meeting for the Advisory Board and Holiday Party; Pelham Fritz Recreation Centre, 122nd Street and Mount Morris Park West (Yasmin Jefferson 212 283 0224) - til 10:00

97043823993

CBR SCHEDULE, Sunday, December 22, 1991

4:00 pm Sojourner Truth Democratic Club Holiday Party; Papa Charles', 1 West 125th Street - til 10:00 (Pam Green 212 870 8627)

POSTED--New York

2:00 pm Manhattan District 369th Veterans' Association regular monthly meeting and Holiday Party; The Armory, 2366 Fifth Avenue/2:00 meeting; 4.00 party

3:30 pm Transfiguration Lutheran Church Ministry of Music Concert; 74 West 126th Street (sent $100)

97043823994

CBR SCHEDULE, Sunday, March 29, 1992

Puerto Rico

RANGEL FAMILY ITINERARY

7:10 pm Depart San Juan; American #1150
9:55 pm Arrive Dulles

Rangel's will be met at the Gate as they come off the aircraft by the Moran Limousine Service. PLEASE LOOK FOR THE RANGEL NAME ON THE CARD HE WILL BE HOLDING. Driver will go with you to the baggage area and assist with bags and take you to the limousine. If there are any problems, call 202-337-2880.

9704382399 5

CBR SCHEDULE, Monday, March 30, 1992

9:00 am Breakfast with Board of Directors of the Puerto Rico Federation of Labor AFL-CIO; Condado Beach Hotel, Conference Room 965 (Gladys 809 722 1343)

7:10 pm Depart San Juan; American #1150
9:55 pm Arrive Dulles

POSTED--Washington

5:30 PM **Cong. Bob Traxler (MI) reception; DNC, 430 South Capitol Street, SE - til 7:30

POSTED--New York

CBR member of the Honorary Benefit Committee for The Bridge 37th Anniversary Awards Dinner; Waldorf-Astoria Hotel

9704382399 96

CBR SCHEDULE, Saturday, July 4, 1992

RECESS

8:30 am Moser & Moser event--per Alma/George Brown; The Water Club, 500 East 30th Street - til 1:00

1:00 pm Dick Gidron 4th of July Party; 2 McKeel Street, Katonah, NY (Onnie 212 295 3000) AR

6:45 pm DND special viewing of the Fireworks and Laser Spectacular aboard the Staten Island Ferry (212 788 2893) - til 11:30 (AR)

POSTED--New York

9:00 am DND "Operation Sail Welcomes The Grand Regatta Columbus '92 Quincentenary"; Governors Island (212 788 2893) (AR)

2:00 pm International Cultures Parade; Broadway from 72nd to 34th Street

9704 3827 1885

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 16, 1995

VIA FIRST CLASS MAIL

Ms. Lyn Utrecht, Esquire
Oldaker, Ryan & Leonard
Suite 1100
818 Connecticut Avenue, NW
Washington, D.C. 20006

RE: MUR 3974
Rangel for Congress Committee
and Richard A. Brown,
as treasurer

Dear Ms. Utrecht:

This letter is in reference to your letter dated August 11, 1994 in which you respond on behalf of your clients, the Rangel for Congress Committee and Richard A. Brown, as treasurer (collectively the "Rangel Committee") to the Commission's reason to believe findings in the above-captioned matter. In your letter you also request that the Commission take no further action in the matter, or in the alternative, enter into pre-probable cause conciliation with your clients.

The Office of the General Counsel is holding your request for Commission action in abeyance pending further information regarding the cash transactions at issue in this matter. Based on the statements of Congressman Rangel and Jim Capel that you submitted with your August 11th letter, we request answers to the following questions:

1. Check #s 1043, 4487 and 4514: Congressman Rangel stated that these checks were cashed to provide gratuities to the doorman, Mr. Parks, and the mailman at his Lenox Terrace residence. Please indicate who cashed each of the three checks, and for each, state whether Congressman Rangel, or a third party, gave Mr. Parks and/or the mailman cash or the check itself. If a third party delivered the funds to either of the recipients, please indicate that person's name and relationship to the Rangel Committee. If the checks were given to the recipients directly, please explain why the three checks appear to have been cashed at three different banks, none of which appears to be the checks' issuing bank.

97043823998

2. Check # 1252: Congressman Rangel stated that this check was cashed to reimburse two staff members, Reno and Vivian, and his wife, Alma, for expenses associated with his annual Tavern on the Green fundraiser. Please indicate who cashed this check, whether the ultimate recipients were given cash or the check itself, and who delivered the funds to the recipients. If that person is not Congressman Rangel, please indicate that person's relationship to the Rangel Committee. Please also provide staff member Vivian's full name and address.

3. Check # 1841: Congressman Rangel stated that this check was used to provide a tip for the waitstaff at Sylvia's Restaurant in conjunction with the Rangel Committee's holiday party for its political staff. Please indicate the name of the person who delivered the check to Ms. Woods. If Congressman Rangel did not disburse the funds to Ms. Woods, please indicate the relationship to the Rangel Committee of the person who did deliver the funds to Ms. Woods. Please also state why no disbursements to Sylvia's Restaurant for any other charges associated with this event appear on the Rangel Committee's 1990 Year-End Report.

4. Check #s 1861, 1914 and 1827: Congressman Rangel stated that these three checks were cashed and the cash was provided to Mr. Al Beckett as reimbursement for photo developing and related materials. Please indicate who cashed the checks, and state who gave the cash to Mr. Beckett. If that person is not Congressman Rangel, please indicate that person's relationship to the Rangel Committee.

5. Check # 1862: Congressman Rangel stated that this check was a travel advance issued to him for a Democratic National Committee National Finance Council Annual Meeting held in Jacksonville, FL from May 31 through June 2, 1991. Please indicate who cashed this check. Please confirm that it is Congressman Rangel who disbursed the cash proceeds from this check.

6. Check # 1877: Congressman Rangel stated that this check was an advance issued to him in conjunction with the annual CBC Weekend. Please confirm that it was Congressman Rangel who cashed and disbursed the proceeds of this check. If that is not the case, please indicate who did and the person's relationship to the Rangel Committee.

7. Check # 1879: Congressman Rangel stated that this check was used to purchase a plant for a constituent's memorial service. Please indicate who cashed this check, and the name of the person who delivered the funds to the florist. If that person is not Congressman Rangel, please indicate that person's relationship to the Rangel Committee.

9704382399

8. Check # 1914: Congressman Rangel stated that this check was cashed and the cash provided to Mr. Al Beckett for miscellaneous expenses associated with his duties. Please indicate who cashed this check, and the name of the person who delivered the funds to Mr. Beckett. If that person is not Congressman Rangel, please indicate that person's relationship to the Rangel Committee.

9. Check # 2059: Congressman Rangel stated that the cash from this check was used, in part, for donations to the 369th Veterans Association and the Martin Luther King Democratic Club for their work with the homeless. However, the Rangel Committee's 1990 Year-End Report itemizes several other donations to these groups ranging in size from $300 to $500. See Attachment. Given this past practice of the Rangel Committee with regard to these groups, please clarify whether the Rangel Committee's disbursements to these groups, and to the Ryan Community Health Center, of cash generated by Check #2059 were in amounts of $100 or less.

10. Check # 2248: Congressman Rangel stated that the cash from this check served as travel advance funds for his trip to Puerto Rico in March, 1992. However a notation of the front of this check, which appears to be in handwriting similar to Congressman Rangel's, appears to indicate that the check was used, in addition, for "presents." Please confirm this interpretation of the notation and provide a full explanation regarding the use of these funds.

11. Check # 2307: Congressman Rangel stated that this check was used to purchase food and drink for a campaign meeting at his home over Easter weekend, 1992. Please state who disbursed the cash proceeds from this check. If the person is not Congressman Rangel, please indicate the person's relationship to the Rangel Committee.

12. Check # 2517: Congressman Rangel stated that this check was used to host a party. Please state who disbursed the cash proceeds from this check. If the person is not Congressman Rangel, please indicate the person's relationship to the Rangel Committee.

13. Check # 2342: Congressman Rangel stated that this check was used "for political purposes." Please state more specifically the purpose(s) for which this check was used. Please state who disbursed the cash proceeds from this check. If the person is not Congressman Rangel, please indicate the person's relationship to the Rangel Committee.

9704382400C

14. Check # 2000: As indicated in the Factual and Legal Analysis and its accompanying attachment, Congressman Rangel has previously stated that $1000 of the cash generated by this check was given to a representative of New York City local candidate Angelo Del Toro's campaign for election day expenses. Please state whether this information is correct.

15. Check # 2682: As indicated in the Factual and Legal Analysis and its accompanying attachment, Congressman Rangel has previously stated that $2000 of the cash generated by this check was given to representatives of New York City local candidates Eugene Daniels and Keith Wright for election day expenses. Please state whether this information is correct.

We request that you provide the above information within 30 days of your receipt of this letter. If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Colleen T. Sealander
Attorney

Attachment

97043824001

REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee
(Summary Page)

USE FEC MAILING LABEL OR TYPE OR PRINT

1 NAME OF COMMITTEE (In Full)
Rangel for Congress Committee

ADDRESS (number and street) (Check if different than previously reported)
2030 Alcom Place, NW

CITY STATE ZIP CODE
Washington, DC 20009

STATE DISTRICT
NY/16th C.D.

2 FEC IDENTIFICATION NUMBER
C00004242

3 IS THIS REPORT AN AMENDMENT?
( ) X ( )

4. TYPE OF REPORT

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

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

SUMMARY

5 Covering Period 7/1/91 through 12/31/91

		COLUMN A This Period	COLUMN B Calendar Year-to-Date
6	Net Contributions (other than loans)		
	a Total Contributions (other than loans) (from Line 11(e))	27,973.85	174,843.85
	b Total Contribution Refunds (from Line 20(d))	NONE	NONE
	c Net Contributions (other than loans) (subtract Line 6(b) from 6(a))	27,973.85	174,843.85
7	Net Operating Expenditures		
	a Total Operating Expenditures (from Line 17)	113,774.84	240,741.83
	b Total Offsets to Operating Expenditures (from Line 14)	1,000.00	2,850.00
	c Net Operating Expenditures (subtract Line 7(b) from 7(a))	112,774.84	237,891.83
8	Cash on Hand at Close of Reporting Period (from Line 27)	232,138.98	
9	Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and or Schedule D)	NONE	
10	Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and or Schedule D)	NONE	

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
Richard A. Brown

Signature of Treasurer
Richard A. Brown

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

FEC FORM 3
(revised 4/87)

97043824002

SCHEDULE B **ITEMIZED DISBURSEMENTS**

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

PAGE 6 OF X

FOR LINE NUMBER

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)

	A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Harlem Local [illegible] 506 [illegible] NYC [illegible]	[illegible] Disbursement for: [X] Primary [ ] General [ ] Other (specify)	8/23/9	[illegible]
	B. Full Name, Mailing Address and ZIP Code Use of Lord Pentecostal Church 415 Atlantic Ave Brooklyn NY 11217	Purpose of Disbursement Donation Disbursement for: [X] Primary [ ] General [ ] Other (specify)	7/29/9	[illegible]
	C. Full Name, Mailing Address and ZIP Code IMPAC [illegible] 500 A 122 C St NW Wash DC 20001	Purpose of Disbursement Contributions Disbursement for: [X] Primary [ ] General [ ] Other (specify)	8/23/9 10/30/91	Amount of Each Disbursement This Period .100 .500
	D. Full Name, Mailing Address and ZIP Code Jesse Jackson for Pres & Coalit 221 E. Osceola St Stuart FL 34994	Purpose of Disbursement Contb. to [illegible] Disbursement for: [X] Primary [ ] General [ ] Other (specify)	4 20	500
	E. Full Name, Mailing Address and ZIP Code Jesse Jackson for President 55 [illegible] 43rd St [illegible] NYC 1005	Purpose of Disbursement [illegible] Disbursement for: [X] Primary [ ] General [ ] Other (specify)	[illegible]	[illegible]
	F. Full Name, Mailing Address and ZIP Code Robert W JONES SCH HARFORD -ANS Durkee WV 25054	Purpose of Disbursement [illegible] Disbursement for: [ ] Primary [ ] General [ ] Other (specify)	[illegible] 4 [illegible]	590
	G. Full Name, Mailing Address and ZIP Code Vivian JONES 25 N. Seventh Ave NYC 10030	Purpose of Disbursement [illegible] Disbursement for: [X] Primary [ ] General [ ] Other (specify)	7 [illegible]	500
	H. Full Name, Mailing Address and ZIP Code Just-In Liquors 2178 Fifth Ave NYC 10037	Purpose of Disbursement Reception Disbursement for: [X] Primary [ ] General [ ] Other (specify)	12 23 9	574
	I. Full Name, Mailing Address and ZIP Code [illegible] Manhattan Democratic Club 45 W 132d Street NYC 10037	Purpose of Disbursement Political Contrib Disbursement for: [X] Primary [ ] General [ ] Other (specify)	8 5 9	325
	SUBTOTAL of Disbursements This Page (optional)			5000 45
	TOTAL This Period (last page this line number only)			

97043824003

SCHEDULE B **ITEMIZED DISBURSEMENTS**

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

PAGE 6 OF 7

FOR LINE NUMBER 17

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) Koch for [illegible] (Committee)

	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
A. Full Name, Mailing Address and ZIP Code Tavern on the Green Cntl Park 67th St NYC 10023	Meal or Reception Disbursement for [X] Primary [ ] General [ ] Other (specify)	7/8/91 8/21/91	[illegible]
B. Full Name, Mailing Address and ZIP Code 363 Veterans Assn Inc Box 41 NYC 10037	Donation Disbursement for [X] Primary [ ] General [ ] Other (specify)	9/27/91	500
C. Full Name, Mailing Address and ZIP Code 360 Veterans Assn of Albany Box 1157 Albany NY 12207	Donation Disbursement for [X] Primary [ ] General [ ] Other (specify)	10/7/91	500
D. Full Name, Mailing Address and ZIP Code Trump Tower New York City	Meeting Disbursement for [X] Primary [ ] General [ ] Other (specify)	7/29/91	[illegible]
E. Full Name, Mailing Address and ZIP Code E.O. Turner for Mayor 301 Lincoln Ave Lumberton NC 28358	Pol Contrib Disbursement for: [X] Primary [ ] General [ ] Other (specify)	10/29/91	500
F. Full Name, Mailing Address and ZIP Code United Irish Foundation 656 W 207th St NYC 10034	Donation Disbursement for: [X] Primary [ ] General [ ] Other (specify)	[illegible]	250
G. Full Name, Mailing Address and ZIP Code United Negro College Fund Box 880 E. Orange NJ 07018	Donation Disbursement for: [X] Primary [ ] General [ ] Other (specify)	11/5/91	300
H. Full Name, Mailing Address and ZIP Code Friends of Al Vann 1424 Fulton St Brooklyn NY 11216	Pol Contribution Disbursement for: [X] Primary [ ] General [ ] Other (specify)	11/5/91	250
I. Full Name, Mailing Address and ZIP Code Washington Heights Inwood Comm Affairs Unit Comm Office 4 Community Bd Wash DC 20004	Donation Disbursement for: [X] Primary [ ] General [ ] Other (specify)	10/22/91	40
SUBTOTAL of Disbursements This Page (optional)			650
TOTAL This Period (last page this line number only)			

97043824004

OLDAKER, RYAN & LEONARD
ATTORNEYS AT LAW
818 CONNECTICUT AVENUE, N.W.
SUITE 1100
WASHINGTON, D.C. 20006
(202) 728-1010
FACSIMILE (202) 728-4044

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
MAR 8 4 31 PM '95

March 2, 1995

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

RE: MUR 3974
Rangel for Congress Committee
Richard A. Brown, as Treasurer

Dear Ms. Sealander:

This is a request for an extension of time on behalf of the Respondents in the above-referenced matter. Due to other deadlines facing counsel and Congressman Rangel's legislative schedule, we will need a 30-day extension in order to adequately respond to your letter of February 16, 1995, requesting additional information. Mr. Brown received the Commission's letter on February 17, making a response due on March 20. We are requesting a 30-day extension, making a response due on April 19. I would greatly appreciate your assistance in this matter.

Sincerely,

Lyn Utrecht

Lyn Utrecht

9704382400 5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 9, 1995

VIA FACSIMILE AND FIRST CLASS MAIL

Ms. Lyn Utrecht, Esquire
Oldaker, Ryan & Leonard
Suite 1100
818 Connecticut Avenue, N.W.
Washington, DC 20006

RE: MUR 3974
Rangel for Congress Committee
and Richard A. Brown,
as treasurer

Dear Ms. Utrecht:

This is in response to your letter dated March 2, 1995, which was sent to and received in this Office on March 8, 1995, requesting an extension of 30 days to respond to the questions posed in our letter dated February 16, 1995.

Considering the Federal Election Commission's responsibilities to act expeditiously in the conduct of investigations, the Office of the General Counsel cannot grant your full request. However, given the circumstances outlined in your letter and the recent death of Congressman Rangel's mother, we can agree to a 20 day extension. Accordingly, the response is due by close of business on April 9, 1995. Marianne Koepf of your office relayed to me today by telephone that this was amenable to you.

If you have any questions, please contact me at (202) 219-3690. Otherwise, I look forward to receiving your clients' response next month.

Sincerely,

Colleen T. Sealander
Attorney

9704382400 06

OLDAKER, RYAN & LEONARD
ATTORNEYS AT LAW
818 CONNECTICUT AVENUE, N.W.
SUITE 1100
WASHINGTON, D.C. 20006

(202) 728-1010
FACSIMILE (202) 728-4044

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MAIL ROOM
Apr 14 4 17 PM '95

April 14, 1995

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OFFICE OF GENERAL
COUNSEL
Apr 17 10 25 AM '95

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

RE: MUR 3974
Rangel for Congress Committee and
Richard A. Brown, as Treasurer

Dear Ms. Sealander:

This letter is written on behalf of the Rangel for Congress Committee (the "Committee) and Richard A. Brown, as Treasurer. The following answers are submitted in response to your letter of February 16, 1995, requesting further information regarding cash transactions in the above-referenced matter. The Committee has viewed copies of the specific checks to provide you with the requested information and to supplement its response of August 11, 1994. For those check #s for which the Committee does not have in its possession, copies have been requested from the appropriate bank and the relevant information will be forwarded upon receipt and review of the checks.

1. Check #s 1043, 4487 and 4514: Check #s 1043 and 4487 were given to employees at Lenox Terrace on Christmas Day, 1989, by Congressman Rangel. *See* Committee's response, 8/11/94. Due to illegible handwriting, the Committee is unable to determine the actual names of the individuals who endorsed the checks. These checks were cashed directly by the recipients. Thus, the checks were cashed at separate banks and not the institution which issued the checks.

Check #4514 was disbursed seven days later on January 2, 1990. Due to an illegible signature, the Committee is unable to determine who endorsed the check. The check was given by Congressman Rangel to a Lenox Terrace employee to be disbursed to fellow employees as holiday gratuities.

9704382407

2. Check # 1252: This check was cashed by an employee of Perks restaurant, New York. Upon further examination of this check and to the best of recollection of the parties, this check was given to provide staff gratuities in connection with a post-birthday party fundraising event held at Perks restaurant and attended by Alma Rangel, Vivian Jones and others.

3. Check #1841: Congressman Rangel delivered this check to Sylvia Woods, the owner of Sylvia's restaurant to provide gratuities to her restaurant staff. Ms. Woods then cashed the check and distributed the funds to employees of the restaurant who served at the party. *See* Committee's response, 8/11/94. No other expenses associated with this event were reported on the Year-End Report because the event itself was not a campaign fundraiser or other event that was required to be paid for by the campaign.

4. Check #s 1861, 1914, 1827: Check # 1861 was cashed and disbursed by Congressman Rangel to Al Beckett, his personal driver on the weekends. *See* Committee's response 8/11/94. Check # 1914 was cashed by Frank Holton, a film developer, who used the cash to pay for materials used for development. Due to an unreadable copy of Check # 1827, the Committee is unable to determine who cashed this check. This check was written by the Congressman and was intended to be used to pay Mr. Beckett for film, batteries and development of photos.

5. Check #1862: The Committee does not have a copy of this check in its possession and is unable to determine who endorsed the check. Based upon the best recollection of the Committee, the statements made in the original response related to this check are true.

6. Check # 1877: The Committee does not have a copy of this check in its possession and is unable to verify that the Congressman cashed this check and disbursed the funds. Based upon the best recollection of the Committee, the statements made in the original response related to this check are true.

7. Check # 1879: The Committee is unable to determine who delivered the check to the florist. However, the check was cashed by Grace Wood, an employee of the florist.

8. Check # 1914: Due to an illegible signature, the Committee is unable to determine who endorsed this check. The funds, however, were intended for and disbursed by Mr. Al Beckett to purchase miscellaneous items such as gas, meals and film. *See* Affidavit of Congressman Rangel, #4.

9. Check # 2059: Check #2059 was cashed by Congressman Rangel and the funds were given to representatives of community organizations who produced gifts for needy children. No one individual received a gift worth more than $100.

97043824008

10. Check # 2248: This confirms that the notation on the front of the check is "presents". The Congressman used the funds from this check to purchase presents for the organizers and sponsors of a fundraiser in Puerto Rico. It was the practice of the Congressman to purchase gifts from the House stationery store as a gesture of gratitude to friends in Puerto Rico who organized his fundraising events.

11. Check #2307: This check was cashed and disbursed by Congressman Rangel.

12. Check #2517: This check was cashed and disbursed by Congressman Rangel.

13. Check #2342 ("political purposes"): This check was cashed by Brenda Swygart, the Congressman's personal secretary, and the funds were distributed by Congressman Rangel. The Committee is unable to remember the specific purpose of this check.

14. Check #2000: This check was cashed by Congressman Rangel and the funds, in part, were provided to Angelo Del Toro, East Harlem Assemblyman and district leader, and other district leaders to spend in connection with election day activities. *See* Committee response, 8/11/94.

15. Check #2682: The Committee does not have a copy of this check in its possession. Based upon the best recollection of the Committee, the statements made in the original response related to this check are true.

We hope this letter sufficiently answers your concerns. If you need additional information, please contact me.

Sincerely,

Lyn Utrecht

Lyn Utrecht

97043824009

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COMMISSION
OFFICE OF GENERAL
COUNSEL
MAR 28 3 31 PM '96

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COMMISSION
MAIL ROOM
MAR 28 11 36 AM '96

STATEMENT OF DESIGNATION OF COUNSEL

MUR: 3974

Name of Counsel: Lyn Utrecht

Address: Oldaker, Ryan, Phillips & Utrecht
818 Connecticut Avenue, N.W.
Suite 1100
Washington, D.C. 20006

Telephone: (202) 728-1010

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

3/27/96
Date

Signature

Name: The Honorable Charles B. Rangel

Address: 2354 Rayburn Building
U.S. House of Representatives
Washington, D.C. 20515

Business Phone: (202) 225-4365

97043824010C

SENSITIVE

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT
Jan 9 10 25 AM '97

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Rangel for Congress Committee	)	MUR 3974
and Richard A. Brown, as treasurer	)	
Charles Rangel	)	
	)	

GENERAL COUNSEL'S REPORT

I. BACKGROUND

This Report relays the status of the two remaining matters stemming from referrals from the Department of Justice's ("DOJ") House Bank Task Force.[1] MUR 3974 involves Congressman Charles Rangel and his campaign committee ("Rangel Committee") and relates to the use of cash to make committee disbursements as well as recordkeeping and reporting violations.

[1] Two other related matters were referred to the Commission by the House Bank Task Force: MURS 3972 and 3973. MUR 3972 involved the Wilson Committee and four unreported loans and an advance totaling $36,500 that were made by the committee to the candidate. The Commission successfully conciliated that matter, collecting a $90,000 civil penalty, and reported over the matter to the House Ethics Committee for further action within its jurisdiction. MUR 3973 involved former Congressman Robert Davis and his committee's use of $22,708 in petty cash over four years. The Commission took no further action and closed MUR 3973 because, *inter alia*, it appeared that former candidate's personal involvement with his committee's petty cash practice was *de minimus*.

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Responses to the reason-to-believe findings and requests for pre-probable cause conciliation were received from the Respondents' attorneys Attachments 1, 2, 5. This Report informs the Commission of the responses in each matter and makes further recommendations for each of the MUR

II. MUR 3974: THE RANGEL COMMITTEE AND CHARLES RANGEL

The referral materials showed that the Rangel Committee issued twenty-one (21) checks, totaling $19,554, that were made payable to "Cash." A total of $17,800 of the $19,554 was in amounts which exceeded $200 each but was not itemized. With respect to three of the checks, which totaled $5,000 each, the resulting cash was used for "election day expenses" in connection with the 1990 and 1992 Democratic primaries in New York and the 1991 New York City Council general election. The Rangel Committee had no record of the amounts, dates, ultimate recipients or the precise purposes of the cash disbursements. Based on the referral materials, the Commission determined that there was reason to believe that the Rangel Committee had violated the check disbursement, recordkeeping and itemization requirements of the Federal Election Campaign Act of 1971, as amended (the "Act" or "FECA"), found at 2 U.S.C. §§ 432(c)(5), 432(h)(1), 434(b)(5)(A) and 434(b)(6)(A). Because Congressman Rangel had written and cashed most of the Rangel Committee checks to cash, the Commission also found reason to believe that he violated the Act's check disbursement provision at 2 U.S.C. § 432(h)(1) through his personal involvement in these cash transactions.

Counsel to the Rangel Committee and Congressman Rangel submitted a response to the reason-to-believe notifications and has answered follow-up questions from this Office. Attachments

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1 and 2. The response includes affidavits from Congressman Rangel and Jim Capel, the Committee's campaign manager. Attachment 1 at 7-10.

The responses provide some further information regarding the 21 checks issued to cash. The information has been used to draft the attached chart, which lists each check, its date, amount, purpose, endorser and any notations made on the checks by Congressman Rangel at the time he wrote them. Attachment 3. Based on the materials at hand, it appears that at least 14 of the 21 checks made payable to "cash" were negotiated by Congressman Rangel (or by a member of his campaign or congressional staff) and the cash was later spent, either by Congressman Rangel or one of the Rangel Committee's agents. Attachment 3 at 1.[2] Of the remaining seven checks issued to cash, five, totaling $400, appear to have been given directly to the persons or vendors who provided the goods or services to the Rangel Committee (checks numbered 1043, 4487, 4514 ,1914 and 1827). With respect to the remaining two checks, totaling $404, they were endorsed by a vendor or staff member, and the resulting cash was disbursed in whole or in part to the vendor and in part to others (checks numbered 1252 and 1841).

Regarding the $15,000 disbursed in connection with both federal and nonfederal election day activities during 1990, 1991 and 1992 (checks numbered 2000, 2682 and 4661), although Congressman Rangel endorsed the three checks and cashed them, Mr. Capel received the cash and either spent the funds or provided cash to others. Attachment 1 at pages 3-4. According to Mr. Capel's affidavit, the cash derived from the three checks was used for election-related literature

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[2] These 14 checks are numbered 4661, 1861, 1862, 1877, 1879, 1914, 2000, 2059, 2307, 2517, 2513, 2682, 2248 and 2342. Attachment 3 at 1. Three of the 14 checks, numbered 1862, 1877 and 2248, lack any endorsement, and the Rangel Committee is unable to identify who negotiated the checks. However, this Office assumes that they were negotiated by Congressman Rangel or someone on his congressional staff as each was cashed at either the now-defunct House Bank or at the Wright-Patman Congressional Credit Union; both are physically located in the Capitol complex.

distribution, get-out-the-vote efforts and headquarters operations. Attachment 1 at 10. Mr. Capel submitted a memoranda he had provided to Congressman Rangel after the start of the DOJ House Bank Task Force investigation, in which he lists the general categories and amounts of these expenditures, *i.e.*, $2,300 for "Election Day Operation," $1,200 for "Literature Distribution." *Id.* at 11. Mr. Capel claims that the amounts eventually received by individuals ranged from $25 to $200. However, his affidavit does not list any specific payment amounts or identify any recipients. *Id.*[3] As for the documentation related to the $15,000 in election day expenditures and disbursements, in his 1992 memorandum to Congressman Rangel, Jim Capel acknowledged that if receipts in support of such disbursements were "maintained at all," it was for a "very short period solely for political reasons or reference." Attachment 1 at 11.

Congressman Rangel's affidavit provides somewhat more specificity regarding the remaining eighteen checks issued to cash, which totaled $4,554. Attachment 1 at 7-9. According to the Congressman's affidavit, the cash was used for various purposes, including travel advances, staff reimbursements, a number of gratuities payments, and several holiday contributions to needy constituents and groups aiding the homeless in his district.[4] Attachment 1 at 7-9. As the attached chart demonstrates, with respect to nine of these disbursements, totaling $1004, at least some specific information has been provided about the amounts given and the recipients are at least

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[3] In at least one respect Mr. Capel's submission conflicts with information that Congressman Rangel previously provided in connection with the DOJ House Bank Task Force. In a letter dated May, 13 1993, Congressman Rangel recalled that $3,000 of the election day disbursements was provided to three local candidates in increments of $1,000 each. See First General Counsel's Report, dated May 4, 1994 ("FGCR"), Attachment 28 at page 69.

[4] Some of these expenditures, on their face, raise questions of personal use. However, this Office makes no recommendation regarding the applicability of 2 U.S.C. § 439a's prohibition against personal use because Congressman Rangel was a Member of Congress on January 8, 1980 and qualified under the "grandfather" provision of Section 439a during the time the expenditures were made.

generally identified, *i.e.*, "Lenox Terrace staff member." Attachment 3 (checks numbered 1043, 4487, 4514, 1252, 1841, 1861, 1914, 1827, 1914). However, regarding the remaining nine of these eighteen checks, totaling $3,550, little or no information has been provided regarding the recipients and the specific amounts of the cash disbursements that they received. Although the Respondents claim that the cash eventually provided to any single recipient from these eighteen checks was almost always $100 or less per transaction, nine of the checks cashed were in amounts in excess of $100. *Id.* Attachment 3. The response and referral materials also indicate that the Rangel Committee did not maintain any records related to these disbursements.

The Respondents concede that the Rangel Committee violated the Act's recordkeeping requirements at Section 432(c)(5) by failing to maintain adequate documentation for disbursements. They assert, however, that such violation was "unintentional and de minimus." Attachment 1 at 2. Moreover, they contend that there was no violation of the check disbursement rule at Section 432(h)(1). Although they acknowledge that 21 checks totaling $19,554, including the three in the amount of $5,000 each, were issued to "cash," they argue that the making of these disbursements was permissible. They claim that "virtually all" of the disbursements that were ultimately made were for $100 or less. *Id.* In making this argument, they rely on 11 C.F.R. § 102.11, which permits cash payments of up to $100 per transaction when made from a petty cash fund. Respondents also argue that such cash disbursements were necessitated by the nature of the Rangel Committee's activities.[5]

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[5] Respondents explain that in some instances, the Congressman's travel schedule required that he expend Committee cash because out-of-town checks were impracticable. Other cash expenditures, such as the $15,000 used for "election day expenses" over three years, were needed because of the nature of the congressional district; vendors are sometimes unwilling to accept checks from campaign committees, and many of the Rangel Committee's campaign workers do not maintain bank accounts, making it difficult for them to cash committee checks for *per diem* payments and expense reimbursements.

Respondents further assert that there was no violation of the itemization requirements at Sections 434(b)(5)(A) and (6)(A), based on the claim that these expenditures "aggregated $200 or less per payee, i.e., under the itemization threshold." *Id.* at 2. The two violations which Respondents contest are discussed in turn below.

1. Section 432(h)(1) Violation: Cash Disbursements

The Act prohibits committee disbursements to be made in any form other than by check drawn on an account established at a designated depository. 2 U.S.C. § 432(h)(1). The sole exception to Section 432(h)(1)'s check disbursement requirement is for disbursements from a petty cash fund; under 2 U.S.C. § 432(h)(2), a committee may maintain a petty cash fund from which expenditures of $100 or less to any person, per transaction, may be made. 11 C.F.R. § 102.11.

Both the Act and the evidence at hand contradict Respondents' assertion that most of the cash disbursements at issue were permissible. First, the Committee's reliance on Section 432(h)(2) is misplaced. The funds at issue were not petty cash derived from a petty cash fund. A petty cash fund consists of currency and is maintained for "small day-to-day cash expenses." Cf. FEC's Financial Control and Compliance Manual for Presidential Primary Candidates, 1992, page 123, 1987, page 115 ("Compliance Manual").[6] Most of the cash at issue was used for major election day campaign spending and other large purchases, not for minor day-to-day expenses totaling $100 or

[6] The standard definitions of "petty cash" also negate Respondents' contentions. "Petty cash" is defined as: "currency maintained for expenditures that are conveniently made with cash on hand. A fund used by business to pay small expenses for such items as travel, stationary, etc." BLACK'S LAW DICTIONARY 1032 (5th ed. 1979). Similarly, an accounting text discussing the basic operating procedure for petty cash funds states that: A check is written for a round amount such as $50 or $100, which will cover the small expenditures to be paid in cash for a period of two or three weeks. This check is cashed and the money kept on hand in a petty cash box or drawer in the office. ACCOUNTING: THE BASIS FOR BUSINESS DECISIONS 319 (Donald G. Mason et al., eds. 1979).

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less. In addition, the cash at issue did not come from a petty cash fund, but rather from pre-signed, blank checks routinely carried by the Congressman and issued to cash when deemed necessary. Pre-signed blank checks issued to cash do not constitute a petty cash fund. To treat these cash payments of major campaign expenditures as petty cash disbursements would directly contradict the Act's requirement that all disbursements be made from a check issued from a political committee's designated account. *See* 2 U.S.C. § 432(h)(1).[7]

Second, statements from the Rangel Committee's own bookkeeper, Ms. Patricia Bradley, directly refute the assertion that these were petty cash disbursements. Ms. Bradley informed the DOJ Task Force that during the years at issue the Committee maintained a petty cash fund to meet small, day-to-day expenses, but such fund contained no more than $50 at any one time and the largest petty cash expenditure involved $29 for a roll of postage stamps. See FGCR, Attachment 28 at page 12. Moreover, Ms. Bradley indicated that Congressman Rangel had never received any proceeds from the petty cash fund. *Id.* As none of the cash disbursements were drawn from the Rangel Committee's self-identified petty cash fund, they can not be analyzed as petty cash disbursements.

Finally, despite Respondents' assertions, there is no support for their claim that most of the cash at issue was disbursed in amounts of $100 or less. Indeed, documents related to the disbursements do not exist because the Committee failed to create and/or maintain records for many, if not all, of these disbursements. In addition, there is evidence that contradicts the claim that all of

[7] The purpose of Section 432(h)(1)'s requirement is clearly frustrated by this case as none of these disbursements are traceable or were properly reported. Indeed, the Committee's bookkeeper informed the DOJ that she was unaware that these checks were even cashed by the Congressman until she received the bank statements. See FGCR, Attachment 29 at page 4. This situation shows that, as the Compliance Manual warns, a committee should "Never issue a check payable to cash." 1992 Compliance Manual at page 123.

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the $15,000 spent by Mr. Capel on election day was in increments of $100 or less. First, Congressman Rangel has previously informed the DOJ Task Force that the $15,000 included three $1,000 contributions given to local candidates. FGCR, Attachment 28 at page 69. Secondly, even Mr. Capel's affidavit indicates that there were disbursements in excess of $100, as he only claims that most of the $15,000 he spent was in amounts from $25 to $200 (not less than $100). Attachment 1 at 10. In light of all of the above, it appears that the Respondents violated Section 432(h)(1).[8]

2. **Reporting Violations: Failure to Itemize**

Of the twenty-one checks made payable to cash, only four, totaling $550 ,were itemized and even those were reported incompletely.[9] Seven of the twenty-one checks, totaling $17,800, were in excess of $200. Counsel contends that no violation of the Act's itemization requirements occurred because "virtually all" of the remaining cash was ultimately disbursed in amounts aggregating less than $200 per person, below the Act's itemization threshold. Attachment 1 at 2. However, as previously stated, with respect to the majority of the funds at issue, the Rangel Committee has no recollection or documentation regarding who received the cash or the amount that they received. Nor has the Committee offered any documentary support for its claim that the disbursements and

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[8] As noted, even though all the checks were issued to cash, there is some evidence that five of the checks, totaling $400, may have been given directly to persons who had provided goods or services to the Rangel Committee (checks numbered 1043, 4487, 4514, 1914 and 1827).

[9] The four checks that were itemized, checks numbered 1861, 1914, 1827 and 1862, totaling $550, were reported as disbursements to "cash" and the purpose was marked as "contribution DNC 250" and "political photos 300." Attachment 8 at 5.

expenditures were in amounts of $200 or less. Also as previously noted, that claim is inconsistent with Congressman Rangel's previous statements to the DOJ that $3,000 of such money was disbursed in $1,000 increments to local candidates for their election day use. See FGCR, Attachment 28 at page 69.

It further appears that, contrary to the Respondents' assertions, a portion of the cash at issue was received by individuals or committees that had received sufficient other Rangel Committee disbursements to cause all subsequent disbursements to become itemizable regardless of their amount. *See* 2 U.S.C. § 434(b)(5)(A) and (6)(A). Relying on Congressman Rangel's affidavit, the endorsements on the checks, materials produced by Congressman Rangel to the House Bank Task Force and FEC disclosure reports, this Office has identified eight recipients of either cash or checks made payable to "cash who received in excess of $200 from the Rangel Committee during the same calendar year. [10] In summary, the Committee failed to itemize at least seven checks, totaling $17,800, each which were in excess of $200.

3. Discussion of Conciliation

Counsel for these Respondents has requested that the Commission take no further action, but in the alternative they have requested preprobable cause conciliation. As demonstrated above, it is clear that the Rangel Committee violated the Act's recordkeeping and check disbursement requirements with regard to approximately $19,000 in disbursements. The Committee also failed to itemize at least seven checks, totaling $17,800, each which were in excess of $200. Attachment 4 at 2. Counsel argues that this is a *de minimus* amount as compared to the Rangel Committee's overall disbursements of approximately $1,168,153 over the three year period from 1989-1992.

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[10] Those recipients include Al Beckett, Eugene Daniels, Vivian Jones, Angelo Del Torro, Sylvia Woods/Sylvia's Restaurant, Keith Wright, Martin Luther King Democratic Club and the 369th Veterans Association.

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Respondents' practice of issuing pre-signed blank checks to cash and failing to even keep track of such payments runs contrary to the very purpose and essence of the FECA. As a result of this practice, Respondents are unable to account for nearly $20,000 in expenditures over the three year period. In light of the circumstances and the candidate's heavy personal involvement, the Office of the General Counsel believes that conciliation is the appropriate course in this matter. Accordingly, attached is a preprobable cause conciliation agreement

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PAGES 11 THRU 15 DO NOT PERTAIN TO THIS MATTER.

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IV. RECOMMENDATIONS

A. With respect to MUR 3974:

1. Deny Respondents' motion to take no further action in this matter.

2. Enter into conciliation with the Rangel for Congress Committee and Richard A. Brown, as treasurer, and with Charles Rangel, prior to a finding of probable cause to believe.

3. Approve the attached proposed conciliation agreement.

4. Approve the appropriate letters.

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4. Approve the appropriate letters.

Lawrence M. Noble
General Counsel

1/8/97
Date

BY: LG2
Lois G. Lerner
Associate General Counsel

Staff assigned: Xavier McDonnell

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FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/BONNIE ROSS
COMMISSION SECRETARY

DATE: JANUARY 14, 1997

SUBJECT: MUR 3974 - General Counsel's Report dated 1/8/97.

The above-captioned document was circulated to the Commission on **Thursday, January 09, 1997**.

Objection(s) have been received from the Commissioner(s) as indicated by the name(s) checked below:

Commissioner Aikens	_
Commissioner Elliott	XXX
Commissioner McDonald	XXX
Commissioner McGarry	XXX
Commissioner Thomas	XXX

This matter will be placed on the meeting agenda for **Tuesday, January 28, 1997**.

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

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Rangel for Congress Committee and Richard A. Brown, as treasurer; Charles Rangel	)	MUR 3974
	)	
	)	

CORRECTED CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on January 28, 1997, do hereby certify that the Commission decided by a vote of 4-0 to take the following actions with respect to MUR 3974

With respect to MUR 3974:

1. Deny Respondents' motion to take no further action in this matter.

2. Enter into conciliation with the Rangel for Congress Committee and Richard A. Brown, as treasurer, and with Charles Rangel, prior to a finding of probable cause to believe.

3. Approve the proposed conciliation agreement recommended in the General Counsel's January 8, 1997 report.

4. Approve the appropriate letters recommended in the General Counsel's January 8, 1997 report.

(continued)

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(continued)

Commissioners Aikens, Elliott, McGarry, and Thomas voted affirmatively for the decision; Commissioner McDonald was not present.

Attest:

1-31-97
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 3, 1997

Lyn Utrecht, Esquire
Oldaker, Ryan & Leonard
818 Connecticut Avenue, NW
Suite 1100
Washington, DC 20006

Re: MUR 3974
Charles Rangel;
Rangel for Congress Committee;
Richard A. Brown, Treasurer

Dear Ms. Utrecht:

On January 28, 1997, the Commission denied your request to take no further action with regard to Charles Rangel, the Rangel for Congress Committee and Richard A. Brown, as treasurer, your clients in the above-referenced matter. At the same time, the Commission, at your request, determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

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

If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact me at (202) 219-3690.

Sincerely,

Dominique Dillenseger for
Xavier McDonnell
Attorney

Enclosure
Conciliation Agreement

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FEDERAL ELECTION
COMMISSION
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MAR 13 4 19 PM '97

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

BY HAND DELIVERY

March 13, 1997

SENSITIVE

Lyn Utrecht, Esquire
Marianne Koepf
Oldaker, Ryan & Leonard
818 Connecticut Avenue, NW
Suite 1100
Washington, DC 20006

Re: MUR 3974
Congressman Charles B. Rangel;
Rangel for Congress Committee;
Richard A. Brown, Treasurer

Dear Ms. Utrecht and Ms. Koepf:

You were previously notified that on May 17, 1994, the Federal Election Commission found reason to believe that the Rangel for Congress Committee and Richard A. Brown, as treasurer violated 2 U.S.C. §§ 432(c)(5), 432(h)(1), 434(b)(5)(A) and 434(b)(6)(A), and that Congressman Charles B. Rangel violated 2 U.S.C. § 432(h)(1).

On March 11, 1997, the Commission reviewed and rejected the conciliation proposal you submitted on March 4, 1997. Accordingly, this Office will move on to the next stage of the enforcement process. After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that violations have occurred.

The Commission may or may not approve the General Counsel's recommendations. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

Celebrating the Commission's 20th Anniversary
YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

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A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Xavier K. McDonnell, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosures

General Counsel's Brief

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Rangel for Congress Committee	)	MUR 3974
and Richard A. Brown, as treasurer	)	
Congressman Charles B. Rangel	)	
	)	

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On May 17, 1994, the Commission found reason to believe that the Rangel for Congress Committee and Richard A. Brown, as treasurer (" Rangel Committee" or "Rangel campaign") had violated the check disbursement, itemization and recordkeeping provisions of the Federal Election Campaign Act of 1971, as amended (the "Act" or "FECA"), found at 2 U.S.C. §§ 432(c)(5), 432(h)(1), 434(b)(5)(A) and 434(b)(6)(A). Because Congressman Charles Rangel had written and negotiated many of the Rangel Committee checks that were issued to cash, the Commission also found reason to believe that he violated the Act's check disbursement provision at 2 U.S.C. § 432(h)(1).

II. ANALYSIS

A. Section 432(h)(1) Violations: Cash Disbursements

The Act prohibits political committee disbursements made in any form other than by check drawn on an account established at a designated depository. 2 U.S.C. § 432(h)(1). The sole exception to Section 432(h)(1)'s check disbursement requirement is for disbursements from a petty cash fund; under 2 U.S.C. § 432(h)(2), a committee may maintain a petty cash fund from which expenditures of $100 or less to any person, per transaction, may be made. 11 C.F.R. § 102.11.

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The investigation has shown that over a three year period the Rangel Committee and/or Congressman Rangel issued 16 checks to cash, totaling $19,154.[1] See enclosed Chart. Most of the cash was derived from three checks that were in the sum of $5,000 each (check ## 4661, 2000 and 2682). These three checks were endorsed by Congressman Rangel and the cash was given to the Rangel campaign's manager, James Capel. According to Mr. Capel's affidavit, the cash derived from the three checks was spent in connection with election day activities in 1990, 1991 and 1992, *i.e.*, election-related literature distribution, get-out-the-vote efforts, headquarters operations, etc. The Rangel campaign's response does not disclose any of the amounts of the cash disbursements derived from the $15,000, or the identity of the recipients of such payments.

The Committee provided slightly more information regarding the cash disbursements derived from the remaining 13 checks, totaling $4,154. In two instances the amounts of some small cash disbursements and recipients were provided, *i.e.*, "Reno $25, Vivian $25." However, such payments only constitute a portion of one of the checks at issue. Usually, only general information has been provided, *i.e.*, "holiday contributions" to "needy constituents" and "groups aiding the homeless" or a general reference is made to travel expenses for particular events. Thus, with respect to the $4,154, the Rangel campaign has not disclosed the amounts of the cash disbursements or the identities of the recipients.[2]

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[1] The Rangel campaign actually issued 21 checks to cash. However, there is some evidence the cash derived from five of the checks, totaling $400, may have been given directly and entirely to persons who had provided goods or services to the Rangel Committee (checks numbered 1043, 4487, 4514, 1914 and 1827). As these were arguably disbursements by check as required by Section 432(h)(1), they have not been included within the discussion of this violation.

[2] As discussed *infra* at Section II-C, the Committee concedes that it did not maintain any account of these cash disbursements or keep documents related to them.

Respondents acknowledge that the checks were issued to cash and that cash was ultimately disbursed directly to the recipients. They argue, however, that making these disbursements in cash was permissible based on their unsubstantiated claim that "virtually all" of the disbursements that were ultimately made were for $100 or less. In making this argument, Respondents rely on 11 C.F.R. § 102.11, which permits cash payments of up to $100 per transaction when made from a petty cash fund.

First, the Respondents' reliance on the petty cash provision at Section 102.11 is misplaced. The petty cash provision is a narrow exception to the Act's broad requirement that all disbursements be made by a check drawn on a designated account. It is well established that a petty cash fund is a sum of "currency" maintained for "small day-to-day cash expenses." Cf. FEC's Financial Control and Compliance Manual for Presidential Primary Candidates, 1992, page 123, 1987, page 115 ("Compliance Manual").[3] Contrary to the Respondents' assertions, the $19,154 at issue was not derived from a petty cash fund. These funds were derived from pre-signed, blank checks routinely carried by the Congressman and issued to cash when he deemed necessary. Most of the cash at issue was used for major election-related campaign spending, not the kind of minor day-to-day expenses that are to be paid for with petty cash. Thus, both the source of these funds and the nature of its use make it distinguishable from petty cash.

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[3] The standard definitions of "petty cash" also negate the Respondents' contentions. "Petty cash" is defined as: "currency maintained for expenditures that are conveniently made with cash on hand. A fund used by business to pay small expenses for such items as travel, stationary, etc." BLACK'S LAW DICTIONARY 1032 (5th ed. 1979). Similarly, an accounting text discussing the basic operating procedure for petty cash funds states that: A check is written for a round amount such as $50 or $100, which will cover the small expenditures to be paid in cash for a period of two or three weeks. This check is cashed and the money kept on hand in a petty cash box or drawer in the office. ACCOUNTING: THE BASIS FOR BUSINESS DECISIONS 319 (Donald G. Mason et al., eds. 1979).

Second, during the time at issue the Rangel Committee actually maintained a *bona fide* petty cash fund. That fund was maintained to meet small, day-to-day expenses, it contained no more than $50 at any one time and the largest cash expenditure was usually a roll of postage stamps which cost $29. None of the cash at issue was drawn from the Rangel Committee's *bona fide* petty cash fund. Thus, the Respondents' claim is belied by the Rangel campaign's own practice.

Finally, with respect to most of the funds, there is no documentary support for the Respondents' assertions that the $19,154 in cash was disbursed in increments of $100 or less. As noted, the campaign has no records or other documentary evidence disclosing the specific amounts of the cash disbursed from such checks. In addition, earlier statements from the campaign contradict these more recent claims that the cash was disbursed in increments of $100 or less. For instance, Mr. Capel's affidavit on its face indicates that the $15,000 he expended included disbursements in amounts of up to $200, and in a 1992 letter to Congressman Rangel he only claimed that such disbursements were in amounts of less than $250. See Letter of James Capel to Congressman Rangel, dated November 4, 1992 (attached to the Respondents' response of August 11, 1994). In addition, according to a statement filed on behalf of Mr. Rangel in 1993, the $15,000 may have included three disbursements of up to $1,000 for local candidates. See enclosed letter of House Counsel Steven R. Ross, dated May 11, 1993, to Tom Eicher, Department of Justice.

In light of the foregoing, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that the Rangel campaign violated 2 U.S.C. § 432(h)(1). In addition, as the majority of the checks issued to cash were negotiated by Congressman Rangel, this Office is prepared to recommend that the Commission find probable cause to believe that he also violated 2 U.S.C. § 432(h)(1).

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B. Reporting Violations: Failure to Itemize

Under the Act, authorized committees must itemize the name and address of each person to whom a disbursement is made in an aggregate amount or value in excess of $200, together with the date, amount, and purpose for the disbursement, regardless of whether the disbursement is for an operating expense, *see* 2 U.S.C. § 434(b)(5)(A), or for another purpose, *see* 2 U.S.C. § 434(b)(6)(A).

The previously-discussed 16 checks issued to cash included seven checks, totaling $17,800, that were in excess of $200 each. See enclosed Chart. These included:

Check #4661	$ 5,000
Check #1841	$ 300
Check #1877	$ 500
Check #2000	$ 5,000
Check #2059	$ 1,000
Check #2513	$ 1,000
Check #2682	$ 5,000

None of the seven checks were itemized on any report filed by the Rangel for Congress Committee. Instead, they were reported as unitemized disbursements.

The Rangel Committee contends that no violation of the Act's itemization requirements occurred because "virtually all" of the cash was ultimately disbursed in amounts aggregating $200 or less per person, below the Act's itemization threshold. However, as previously noted, the Rangel Committee has no documentation to support this contention. In addition, relying on Congressman Rangel's affidavit, the endorsements on the checks, materials produced by Congressman Rangel and FEC disclosure reports, this Office has identified eight recipients of either cash or checks made payable to "cash" who received in excess of $200 from the Rangel Committee during the same

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calendar year.[4] Thus, contrary to the Respondents' assertions, a portion of the cash at issue was received by individuals or committees that had received sufficient other Rangel Committee disbursements to cause all subsequent disbursements to become itemizable regardless of their amount. *See* 2 U.S.C. § 434(b)(5)(A) and (6)(A). Finally, Respondents' claim that these expenditures were all $200 or below per person is inconsistent with the previously-referenced statement filed on behalf of Congressman Rangel, that $3,000 of such money was disbursed in $1,000 increments to local candidates for their election day use, and of Mr. Capel's initial claim that the cash disbursements made by him were in amounts of less than $250. *See supra*, page 4.

In summary, the Committee failed to itemize at least seven checks issued to cash, totaling $17,800, each which were in excess of $200. Accordingly, this Office is prepared to recommend that the Commission find probable cause to believe that the Rangel for Congress Committee and Richard A. Brown, as treasurer, violated 2 U.S.C. § 434(b)(5)(A) and (6)(A).

C. Section 432(c)(5): Failure to Keep an Account and Maintain Documents

Under the Act, the treasurer of a political committee must keep an account of the name and address of every person to whom any disbursement is made, as well as the date, amount, and purpose of the disbursement. 2 U.S.C. § 432(c)(5). The treasurer of a political committee must also obtain documentation, consisting of a receipt, invoice, or canceled check, for any disbursement in excess of $200. 2 U.S.C. § 432(c)(5).

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[4] Those recipients include Al Beckett, Eugene Daniels, Vivian Jones, Angelo Del Torro, Sylvia Woods/Sylvia's Restaurant, Keith Wright, Martin Luther King Democratic Club and the 369th Veterans Association.

The investigation in this matter has established that no account was kept for cash disbursements, totaling $19,554. See enclosed Chart. In addition, no documentation was maintained for those disbursements that were in excess of $200, which total $17,800. Indeed, the Rangel's campaign manager stated that if receipts for the $15,000 portion of the funds disbursed by him were "maintained at all," it was for a "very short period solely for political reasons or reference." See Letter of James Capel to Congressman Rangel, dated November 4, 1992. Accordingly, this Office is prepared to recommend that the Commission find probable cause to believe that the Rangel for Congress Committee and Richard A. Brown, as treasurer, violated 2 U.S.C. § 432(c)(5).

III. CONCLUSION

The investigation has shown that the Rangel campaign made cash disbursements of $19,154, failed to itemize at least seven checks, totaling $17,800, failed to keep an account of disbursements totaling $19,554 and failed to keep receipts for disbursements totaling $17,800. Respondents' practice of issuing pre-signed blank checks to cash and failing to accurately report and keep records for such payments runs contrary to the very purpose and essence of the FECA. As a result of this practice, Respondents are unable to account for over $19,000 in expenditures made over a three year period. In light of the above, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that the Rangel for Congress Committee violated 2 U.S.C. §§ 432(c)(5), 432(h)(1), 434(b)(5)(A) and 434(b)(6)(A). Given the candidate's personal involvement in issuing the checks to cash, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that Congressman Charles B. Rangel violated 2 U.S.C. § 432(h)(1).

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IV. RECOMMENDATIONS

1. Find probable cause to believe that the Rangel for Congress Committee and Richard A. Brown, as treasurer violated 2 U.S.C. §§ 432(c)(5), 432(h)(1), 434(b)(5)(A) and 434(b)(6)(A).

2. Find probable cause to believe that Congressman Charles B. Rangel violated 2 U.S.C. § 432(h)(1).

3/13/97
Date

Lawrence M. Noble
General Counsel

Attachments:

1. Chart listing disbursements
2. Letter to Thomas Eicher, dated May 11, 1993

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OLDAKER, RYAN, PHILLIPS & UTRECHT
ATTORNEYS AT LAW
818 CONNECTICUT AVENUE, N.W.
SUITE 1100
WASHINGTON, D.C. 20006

(202) 728-1010
FACSIMILE (202) 728-4044

April 17, 1997

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

APR 21 2 48 PM '97

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

RE: MUR 3974
The Honorable Charles B. Rangel,
Rangel for Congress Committee and
Richard A. Brown, as treasurer

Dear Mr. Noble:

On behalf of Congressman Charles Rangel, the Rangel for Congress Committee ("the Committee") and Richard A. Brown, as treasurer, (collectively, the "Respondents") in the above-named matter, we are responding to your letter of March 13, 1997. In this letter you notified us that your office will recommend that the Commission find probable cause to believe that the Respondents violated certain provisions of the Federal Election Campaign Act of 1971, 2 U.S.C. § 431 et seq. ("FECA" or "the Act") based on the allegation that the Respondents are unable to account in sufficient detail for $19,000 in expenditures made over a three year period from 1989-1992. This is simply untrue. The Respondents have sufficiently explained that the cash was used for legitimate political purposes and disbursed in accordance with 11 C.F.R. §102.11. Due to the amount of activity in question (less than 1% of total net operating expenditures during this period) the significant age of this matter, and the reasons set forth below, we request the Commission use its prosecutorial discretion and close its file as to this matter.

I. All petty cash disbursements were made in accordance with 11 C.F.R. § 102.11, and thus, are permissible.

The Respondents have previously provided detailed information to the Commission explaining to whom and for what purpose each transaction was disbursed. Specifically, the Respondents have demonstrated that the cash disbursements were made in accordance with 11 C.F.R. § 102.11 and has supported virtually all of these claims

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with either explanations of notations made on the face of the check or affidavits from both Congressman Rangel and James Capel, the Committee's campaign manager.

The General Counsel's brief (hereinafter "Brief") dismisses the Respondents' claim that the petty cash was disbursed in accordance with 11 C.F.R. § 102.11 by contending that these cash disbursements were not part of a petty cash fund. The Brief explains that petty cash fund is a "sum of 'currency' maintained for 'small day-to-day cash expenses'." The Brief further makes reference to Black's Law Dictionary 1032 (5th ed. 1979) which defines "petty cash" as a fund used to make small expenditures that are "conveniently made with cash-on-hand." None of these definitions are contained in the FEC regulations. The Respondents have previously explained that virtually all of these disbursements were distributed in amounts less than $100 and paid for small campaign-related expenditures normally made with cash, such as gratuities, taxis, food, reimbursing volunteers for polling, distributing literature, as well as film, small gifts, refreshments, etc.[1]

In addition, neither the FECA nor its accompanying regulations expressly describe how and where a Committee should maintain its petty cash fund, e.g., cash kept in a desk drawer. Nor do the regulations preclude cash disbursements made by a candidate. Thus, the General Counsel's office contention that these funds were not derived from a petty cash fund merely because many of the checks were cashed by the Congressman to distribute himself is without support. In addition, the existence of cash separately kept by the Committee for office expenses and other items does not undermine the fact that the cash disbursements in question were made in accordance with the petty cash regulations. On the contrary, these statements[2] as to the maintenance of a petty cash fund demonstrate that it was the Committee's procedure to follow disbursement and reporting requirements as specified by the FEC regulations.

The Brief further states that cash disbursements made near or on the date of an election are not the kind of day-to-day expenses covered by the petty cash regulations.

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[1] As previously noted on our response of August 11, 1994, that in a few instances, the cash may have been distributed in amounts between $100 and $200. An example of such a disbursement would have been where food was purchased for a large group of volunteers.

[2] The Brief at p. 4 states that the Committee maintained a "bona fide petty cash fund." It further states that this fund contained no more than $50 at any one time and "the largest cash expenditure was usually a roll of postage stamps which cost $29." Although these statements corroborate Committee procedures with respect to petty cash, these apparent statements as to the existence of this fund or procedures pertaining to it were apparently made by an agent of the Committee and have not been made available to the Respondents.

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However, nowhere in the FECA or its accompanying regulations does it state that petty cash disbursements are may not be made in relation to election-day activities.

II. All statements made by the Respondents in this matter are made to the best of their recollections and are consistent with all previous statements.

The Brief refers to a letter from House General Counsel, Steven R. Ross, to Tom Eichner at the Department of Justice regarding certain convention-related and election-related expenses (hereinafter "Ross letter"). The Brief implies that the statements in this letter on behalf of Congressman Rangel are inconsistent with the Respondents' statements to the Commission in this matter. Specifically, the Brief relies on statements in the Ross letter that contend Mr. Rangel gave disbursements of $1,000 to two local candidates, alleging that these contradict the Respondents' previous responses stating that the cash was ultimately distributed in amounts less than $100.[3] However, the General Counsel's office has misconstrued the statements apparently on behalf of Mr. Rangel in the Ross letter to support its allegations.

The information in the Ross letter corroborates the statements made in our earlier responses. Specifically, the letter indicates that Congressman Rangel recalls having given cash disbursements in amounts of $1,000 to three local candidates (Angelo Del Toro, Keith Wright and Eugene Daniels). In our response of August 11, 1994, we informed the Commission that three checks[4], each in the amount of $5,000, were expended in connection with the 1990 primary, 1991 New York City Council and the 1992 primary elections. In our response of April 14, 1995, we specifically informed the Commission that Check #2000 in the amount of $5,000 was cashed by Congressman Rangel and the funds, in part were provided to Angelo Del Toro, and East Harlem Assemblyman and other district leaders. In addition, in reference to check #s 4661 and 2682, we have consistently stated that these funds were disbursed in small amounts for literature distribution, Get-out-the-Vote activities, and election day and headquarters operations. James Capel, the Committee's campaign manager, makes clear in his letter of November 4, 1992, that these cash disbursements, in part, supported local and party candidates who share Mr. Rangel's congressional district. According to the Ross letter, nowhere does this letter state that the cash disbursements received by local candidates were used for any purpose other than election day political activities nor that the cash disbursements to the ultimate recipients who received from these candidates were made in amounts of more than $100. This is entirely consistent with Mr. Capel's statement.

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[3] See n.1 above.

[4] Check # 4661 (9/6/90), Check #2000 (11/4/91) and Check # 2682 (9/14/92).

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We would also like to raise an objection to the Commission's reliance on prior statements of the Respondents, not previously provided to us. Given the age of this matter, it is extremely difficult for the Respondents to track down the circumstances surrounding that letter. We have shown the Ross letter to the Respondents and their agents, none of whom have any memory of any such telephone discussion taking place. Nor do Respondents recall seeing the letter prior to receipt of the General Counsel's brief.

The Brief further alleges that Mr. Capel's statement that the cash was distributed in amounts less than $250 in his letter of November 4, 1992, contradicts the Respondents' subsequent statements that all cash was distributed in amounts less than $100 in accordance with 11 C.F.R. §102.11 and in amounts aggregating $200 or less per payee, i.e., under the itemization threshold. The Brief continues to misinterpret Mr. Capel's words that the amounts paid out were "generally small, certainly under $250" to mean that the cash must have been disbursed in amounts between $201 and $249. This is ludicrous. As we explained in our response of August 11, 1994, Mr. Capel was unaware that the itemization threshold was $200, not $250, and that had the question been posed "Were the disbursements made in amounts less than $200?," his answer would have been "yes."

We would also like to point out that the Brief appears to rely on statements, interviews or other documents that have not been released to us, since these statements were neither made in our responses nor made when counsel in this matter was present.[5] We believe that any evidence either relied on by the Commission or possibly exculpatory to the Respondents or corroboration of Respondents' statements should have been provided to us.

III. <u>This case is stale and it is unfair for the Commission to pursue this matter against the Respondents due to the significant passage of time.</u>

This case is clearly stale. Sixteen of the twenty-one transactions equaling more than $12,000 of the amount questioned by the Commission was expended more than five years ago. As to this amount, at the very least, the Commission would be unable to obtain a civil penalty under 28 U.S.C. § 2462 even if there was a violation that warranted enforcement. In addition, as to the Commission's claims that the Respondents violated recordkeeping requirements, the law requires only that the Committee maintain records for three years from the date of the report on which a transaction is disclosed. The Respondents were notified of the initial complaint in this matter on May 26, 1994, more than three years after nine of the transactions took place.

[5] As stated in n.2 above, the Respondents did not make any statements as to a "bona fide petty cash fund" in relation to this matter.

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The Brief (at pp. 5-6) points out that the Committee failed to itemize eight recipients of either cash or checks made payable to "cash" who received in excess of $200 from the Rangel Committee during the same calendar year. While the Brief lists the names of these eight recipients, it fails to list the corresponding calendar year the cash was received. If the date of receipt falls within the five year statute of limitations, the Committee would be willing to amend its FEC reports to reflect the payments to these recipients. However, if the date of receipt for these disbursements occured outside the five year statutory limitation, we do not understand why the General Counsel's office has decided to now raise this allegation.

Notwithstanding our belief that Respondents have adequately documented these disbursements, we requested to enter into pre-probable cause conciliation with the Commission on August 11, 1994.

. It has taken the Commission nearly three years to proceed to the next stage in the enforcement process. After this passage of time, it is now the case that this delay is attributable solely to the Commission's failure to take this matter up during this period of years. This matter addresses several transactions which took place more than seven years ago. We believe that it is unfair and inefficient for the Commission to pursue this matter given the age of the transactions and the passage of time since our initial response.

IV. Conclusion

The Committee has used its best efforts to document the circumstances surrounding the cash disbursements in question. Since the amount in controversy is de minimus as compared to the Committee's overall disbursements, and since a majority of these disbursements were made more than five years ago, we believe that it is unreasonable and unfair for the Committee to further pursue this matter. Based on these circumstances, we request that the Commission close its file as to this matter.

Sincerely,

Lyn Utrecht

Lyn Utrecht

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Rangel for Congress Committee	)	MUR 3974
and Richard A. Brown, as treasurer	)	
Congressman Charles B. Rangel	)	
	)	

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On March 13, 1997, the Commission provided the Rangel for Congress Committee and Richard A. Brown, as treasurer (" Rangel Committee" or "Rangel campaign"), and Congressman Charles B. Rangel with a General Counsel's Brief ("GC Brief"). The GC Brief, which is incorporated herein by reference, sets forth in detail activities by the Respondents that first came to light in the course of an investigation by the House Bank Task Force. The GC Brief concludes that the Respondents issued checks totaling over $19,000 to cash, that the Rangel campaign failed to itemize $17,800 of those disbursements, and that it failed to keep an account or any documentation for such disbursements. The GC Brief recommends that the Commission find probable cause to believe that the Rangel campaign violated 2 U.S.C. §§ 432(c)(5), 432(h)(1), 434(b)(5)(A) and 434(b)(6)(A). Because Congressman Rangel issued and negotiated the vast majority of the checks at issue, the GC Brief further recommends that the Commission find probable cause to believe that he violated 2 U.S.C. § 432(h)(1). On April 17, 1997, the Respondents submitted a Reply Brief requesting that the Commission take no further action and close the file in this matter. Attachment 1.

II. DISCUSSION OF REPLY BRIEF

As discussed in the GC Brief, the Respondents made cash disbursements of over $19,000, $15,000 of which Congressman Rangel cashed in three checks totaling $5,000 each. The cash was

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provided to the campaign manager, James Capel. Mr. Capel then distributed the cash in unknown amounts to persons who, for the most part, the Rangel campaign has been unable to even identify. The Respondents acknowledge that Mr. Capel gave $3,000 of that amount to three local candidates in amounts of $1,000 each (Angelo Del Touro, Eugene Daniels and Keith Wright).

The general rule set forth in the statute is that disbursements be made by check from a designated account. See 2 U.S.C. § 432(h)(1). The sole exception to that requirement is that purchases of $100 or less may be made from a petty cash fund. See 2 U.S.C. § 432(h)(2).

In their Reply Brief, Respondents claim that these disbursements were permissible pursuant to the petty cash exception found at Section 432(h)(2). However, while they acknowledge maintaining a petty cash fund, they make clear that none of the disbursements at issue were made from that fund. Attachment 1 at 2, fn. 2.[1] Instead, the Respondents claim that "virtually all" of the cash was ultimately dispensed in increments of $100 or less per transaction. As stated in the GC Brief, however, the Respondents have not provided any contemporaneous documentation in support of that claim. Rather, they rely on the statements of Congressman Rangel and Mr. Capel, which were made years after the disbursements at issue were made. In addition, as noted, Mr. Capel, who made at least $15,000 of these disbursements, fails to even identify most of the recipients of such payments, or their dates or amounts. In fact, with respect to the three $5,000 checks cashed by

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[1] Respondents suggest that distributing cash of up to $5,000 per transaction was permissible because the term "petty cash fund" is not defined in the statute or Commission regulations. As noted in the GC Brief, the definition of a petty cash fund is clearly and uniformly defined by legal and bookkeeping practices. GC Brief at 3. Moreover, as noted above, the Respondents acknowledge that they operated a petty cash fund, and were well aware of the common definition of petty cash. Attachment 1 at page 2. As their Brief indicates, the largest expenditure from their petty cash fund was a roll of postage stamps for $29. Id. Thus, Respondents had themselves distinguished making large cash disbursements by check and making small cash payments from a petty cash fund.

Congressman Rangel and expended by Mr. Capel, the only recipients identified are the three local candidates who received $1,000 each. Respondents even argue that those $1,000 cash payments were permissible based on their claim that such funds were ultimately expended by such local candidates in increments of $100 or less. Attachment 1 at page 3. This interpretation of Section 432(h) would completely eviscerate the requirement that disbursements of $100 or more be made from a designated checking account and not in cash.

The Rangel campaign does not deny the remaining violations: its failure to keep an accounting of 21 disbursements, totaling $19,554; its failure to maintain documentation related to that $19,554; and its failure to accurately report or itemize disbursements, totaling $17,800, related to seven of the checks at issue that were in excess of $200.

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The Respondents thus ask the Commission to take no further action and close the file in this matter. Attachment 1 at pages 1 and 5.

Respondents' assertions lack merit. First, while they now attempt to rely on the three-year rule for document retention, they have previously admitted that such documents were not maintained at all, or if they were, it was for a "very short time solely for political reasons or reference." See General Counsel's Report, dated January 8, 1997, Attachment 2 at 2, 6 and 11.

Second, because almost all of these disbursements have never been accurately reported, the Section 434(b) reporting violation would appear to be continuing in nature, and, if so, not barred by Section 2462.[3]

Third, because the Respondents inaccurately reported the disbursements, these violations were undetectable, raising a viable argument that the accrual date did not begin when they occurred, but rather when they were discovered by the House Bank Task Force investigation in 1991 or when this matter was referred to the Commission in 1993.[4] Fourth, a significant portion of the transactions at issue, totaling $6,250, occurred less than five years ago, and would not be time-barred even under the strictest interpretation of Section 2462.

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[3] The question of whether a violation is continuing in nature is largely a matter of statutory interpretation. See Toussie v. United States, 397 U.S. 112, 115 (1970). The courts have not yet addressed this issue in the context of FECA violations.

[4] In Glus v. Brooklyn Eastern Terminal, 359 U.S. 231 (1973), the Supreme Court held that the statutory period for filing suit was tolled because the defendant had either fraudulently or unintentionally misstated information upon which the plaintiff relied. In Federal Election Commission v. Williams, 104 F.3d 237 (9th Cir. 1996), the Ninth Circuit held that the FEC's disclosure reports themselves provided sufficient notice of the Section 44f violations at issue in that case. This Office has filed a petition for rehearing in Williams with respect to that portion of that decision (as well as the portion dealing with injunctive relief). See Petition for rehearing and Suggestion for Rehearing En Banc, in Federal Election Commission v. Williams, dated January 10, 1997. In any event, it is unclear whether the jurisdictions in which this matter would be

(footnote continues on next page)

Finally, despite the seriousness of these violations, the Respondents insist that making such cash disbursements is permissible. Indeed, the campaign may continue to make such cash disbursements. Accordingly, if the Respondents refused to settle this matter, injunctive relief might be appropriate. Injunctive relief should not be barred by Section 2462 which, on its face, applies only to civil penalties. See Federal Election Commission v. National Republican Senatorial Committee, 877 F. Supp. 15, 21 (D.D.C. 1995), citing Holmberg v. Armbrecht, 377 U.S. (1946); see also Securities and Exchange Commission v. Williams, 884 F. Supp. 28 (D. Mass. 1995) (Section 2462 does not prohibit the government from seeking injunctive relief). But see Federal Election Commission v. National Right to Work Committee, Inc., 916 F. Supp. 10, 14-15 (D.D.C. 1996); FEC v. Williams, 104 F.3d 237 (9th Cir. 1996), Pet. for r'hrg and pet. for r'hrg en banc (filed February 5, 1997), and Order (requesting response from Defendant-Appellee, dated, April 16, 1996).

In summary, Respondents' practice of issuing pre-signed blank checks to cash and failing to even keep track of such payments runs contrary to the very purpose and essence of the statute. As a result of this practice, Respondents are unable to account for nearly $20,000 in expenditures over the three-year period. In light of the foregoing, this Office recommends that the Commission deny Respondents' request that it take no further action, and instead find probable cause to believe that the Rangel campaign violated 2 U.S.C. §§ 432(c)(5), 432(h)(1), 434(b)(5)(A) and 434(b)(6)(A), and that Congressman Charles Rangel violated 2 U.S.C. § 432(h)(1).

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(footnote continued)
litigated (the D.C. Circuit or the 2d Circuit) would apply the doctrine of equitable tolling to FECA matters, and if so, how they would apply.

III. DISCUSSION OF PROBABLE CAUSE CONCILIATION

Attached for the Commission's approval is a conciliation agreement

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IV. RECOMMENDATIONS

1. Deny the Respondents' request to take no further action in this matter and to close the file.

2. Find probable cause to believe that Rangel for Congress Committee and Richard A. Brown, as treasurer, violated 2 U.S.C. §§ 432(c)(5), 432(h)(1), 434(b)(5)(A) and 434(b)(6)(A).

3. Find probable cause to believe that Congressman Charles B. Rangel violated 2 U.S.C. § 432(h)(1).

4. Approve the attached conciliation agreement.

5. Approve the appropriate letter.

4/28/97
Date

Lawrence M. Noble
General Counsel

Attachments

1. Reply Brief
2. Conciliation Agreement

Staff Assigned: Xavier K. McDonnell

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FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/BONNIE ROSS
COMMISSION SECRETARY

DATE: MAY 1, 1997

SUBJECT: MUR 3974 - General Counsel's Report

The above-captioned document was circulated to the Commission on **Tuesday, April 29, 1997**.

Objection(s) have been received from the Commissioner(s) as indicated by the name(s) checked below:

Commissioner Aikens	_
Commissioner Elliott	_
Commissioner McDonald	XXX
Commissioner McGarry	_
Commissioner Thomas	XXX

This matter will be placed on the meeting agenda for **Tuesday, May 06, 1997**.

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

97043824051

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 3974
Rangel for Congress Committee and Richard A. Brown, as treasurer; Congressman Charles B. Rangel	)	

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on May 6, 1997, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in MUR 3974:

1. Deny the Respondents' request to take no further action in this matter and to close the file.

2. Find probable cause to believe that Rangel for Congress Committee and Richard A. Brown, as treasurer, violated 2 U.S.C. §§ 432(c)(5), 432(h)(1), 434(b)(5)(A) and 434(b)(6)(A).

3. Find probable cause to believe that Congressman Charles B. Rangel violated 2 U.S.C. § 432(h)(1).

4. Approve the conciliation agreement attached to the General Counsel's April 28, 1997 report

(continued)

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5. Approve the appropriate letter.

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

Attest:

5-8-97
Date

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

97043824053

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA FAX AND FIRST CLASS MAIL

May 12, 1997

Lyn Utrecht, Esquire
Oldaker, Ryan & Leonard
818 Connecticut Avenue, NW
Suite 1100
Washington, DC 20006

Re: MUR 3974
Congressman Charles B. Rangel;
Rangel for Congress Committee;
Richard A. Brown, Treasurer

Dear Ms. Utrecht:

On May 6, 1997, the Federal Election Commission denied your clients' request to take no further action in the above-captioned matter. On the same date, the Commission found probable cause to believe that Congressman Charles B. Rangel violated 2 U.S.C. § 432(h)(1) and that the Rangel for Congress Committee and Richard A. Brown, as treasurer, violated 2 U.S.C. §§ 432(c)(5), 432(h)(1), 434(b)(5)(A) and 434(B)(6)(A).

The Commission has a duty to attempt to correct such violations for a period of at least 30 days and no more than 90 days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement with a respondent. If we are unable to reach an agreement after 30 days, the Commission may institute a civil suit in United States District Court and seek payment of a civil penalty.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission within ten days. I will then recommend that the Commission accept the agreement. Please make the check for the civil penalty payable to the Federal Election Commission.

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If you have any questions or suggestions for changes in the enclosed conciliation agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Xavier McDonnell, Esq. at (202) 219-3400.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosure
Conciliation Agreement

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FEDERAL ELECTION
COMMISSION
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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Rangel for Congress Committee	)	MUR 3974
and Richard A. Brown, as treasurer	)	
Congressman Charles B. Rangel	)	**SENSITIVE**
	)	

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On May 6, 1997, the Commission made probable cause to believe findings in this matter and on May 12, 1997, a conciliation agreement with was sent to counsel along with the probable cause notification.

II. DISCUSSION OF CONCILIATION

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This Office recommends the Commission accept the attached conciliation agreement in settlement of this matter and close the file. A check for the civil penalty has not yet been received.

III. RECOMMENDATIONS

1. Accept the attached conciliation agreement signed on behalf of Congressman Charles B. Rangel, the Rangel for Congress Committee, and Richard A. Brown, as treasurer.
2. Close the file.
3. Approve the appropriate letters.

Lawrence M. Noble
General Counsel

6/11/97
Date

BY: _____
Lois G. Lerner
Associate General Counsel

Attachments
1. Correspondence
2. Signed Conciliation Agreement

Staff Assigned: Xavier McDonnell
Jonathan Bernstein

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Rangel for Congress Committee and Richard A. Brown, as treasurer; Congressman Charles B. Rangel.	)	MUR 3974

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 17, 1997, the Commission decided by a vote of 4-0 to take the following actions in MUR 3974:

1. Accept the conciliation agreement signed on behalf of Congressman Charles B. Rangel, the Rangel for Congress Committee and Richard A. Brown, as treasurer, as recommended in the General Counsel's Report dated June 11, 1997.

2. Close the file.

3. Approve the appropriate letters, as recommended in the General Counsel's Report dated June 11, 1997.

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

Attest:

6-18-97
Date

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

Received in the Secretariat: Thurs., June 12, 1997 11:10 a.m.
Circulated to the Commission: Thurs., June 12, 1997 4:00 p.m.
Deadline for vote: Tues., June 17, 1997 4:00 p.m.

bjr

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 20, 1997

Thomas Eicher, Chief
House Bank Task Force
U.S. Department of Justice
10 & Constitution Ave., NW
Room 2212
Washington, DC 20530

RE: MUR 3974
Congressman Charles B. Rangel;
Rangel for Congress Committee;
Richard A. Brown, Treasurer

Dear Mr. Eicher:

This is in reference to the matter involving Congressman Charles B. Rangel, the Rangel for Congress Committee and Richard A. Brown, as treasurer, which your office referred to the Federal Election Commission.

After conducting an investigation into this matter, the Commission found that there was probable cause to believe that Congressman Charles B. Rangel violated 2 U.S.C. § 432(h)(1), and that the Rangel for Congress Committee and Richard A. Brown, as treasurer, violated 2 U.S.C. §§ 432(c)(5), 432(h)(1), 434(b)(5)(A) and 434(b)(6)(A), provisions of the Federal Election Campaign Act of 1971, as amended. The Commission has now entered into a conciliation agreement in the matter. A copy of this agreement is enclosed for your information.

We appreciate your cooperation in helping the Commission meet its enforcement responsibilities under the Federal Election Campaign Act of 1971, as amended. If you have any questions, please contact Xavier K. McDonnell, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 20, 1997

Lyn Utrecht, Esquire
Oldaker, Ryan, Leonard & Utrecht
818 Connecticut Avenue, NW
Suite 1100
Washington, DC 20006

Re: MUR 3974
Congressman Charles B. Rangel;
Rangel for Congress Committee;
Richard A. Brown, Treasurer

Dear Ms. Utrecht:

On June 17, 1997, the Federal Election Commission accepted the signed conciliation agreement submitted on your clients' behalf in settlement of violations of 2 U.S.C. §§ 432(c)(5), 432(h)(1), 434(b)(5)(A) and 434(b)(6)(A), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed 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 additionai materials, any permissible submissions will be added to the public record upon receipt.

Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Celebrating the Commission's 20th Anniversary
YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

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Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Xavier K. McDonnell
Attorney

Enclosure

Conciliation Agreement

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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
JUN 11 4 25 PM '97

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of the	)	
	)	
Congressman Charles B. Rangel	)	MUR 3974
Rangel for Congress Committee	)	
and Richard A. Brown, as treasurer	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found probable cause to believe that Congressman Charles B. Rangel violated 2 U.S.C. § 432(h)(1) and that the Rangel for Congress Committee and Richard A. Brown, as treasurer, (collectively "Respondents") violated 2 U.S.C. §§ 432(c)(5), 432(h)(1), 434(b)(5)(A) and 434(b)(6)(A).

NOW, THEREFORE, the Commission and the Respondents, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(a)(4)(A)(i), do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding.

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

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

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

1. Charles B. Rangel represents New York's 16th Congressional District.

2. The Rangel for Congress Committee is a political committee within the meaning of 2 U.S.C. § 431(4), and was the principal campaign committee for Charles B. Rangel during 1992, within the meaning of 2 U.S.C. § 431(5).

3. Richard A. Brown is the treasurer of the Rangel for Congress Committee.

4. Under the Federal Election Campaign Act of 1971 ("the Act"), authorized committees must itemize the name and address of each person to whom a disbursement is made

in an aggregate amount or value in excess of $200, together with the date, amount, and purpose for the disbursement, regardless of whether the disbursement is for an operating expense or for another purpose. 2 U.S.C. §§ 434(b)(5)(A) and (6)(A).

5. Between July 8 and September 14, 1992, Respondents issued two Committee checks to cash, totaling $6,000, that were in excess of $200 each. Respondents also issued five additional checks in excess of $200 each to cash between December, 1989 and September, 1992.

6. None of the checks referred to in subparagraph 5 was itemized on any report filed by the Rangel for Congress Committee.

7. Under the Act, all political committee disbursements, other than petty cash disbursements of $100 or less, must be made by check or similar draft drawn on a committee account established at a qualified campaign depository. 2 U.S.C. § 432(h)(1); 11 C.F.R. § 102.10.

8. In July and September of 1992, the Respondents issued four checks to cash which together totaled $6,250 (checks numbered 2517, 2342, 2513 and 2682). Three of those checks were endorsed by Charles B. Rangel.

9. Under the Act, the treasurer of a political committee must keep an account of the name and address of every person to whom any disbursement is made, as well as the date, amount, and purpose of the disbursement. 2 U.S.C. § 432(c)(5).

10. No account was made of any of the four checks totaling $6,250 that the Respondents issued to cash in July and September of 1992.

11. Under the Act, the treasurer of a political committee must obtain documentation, consisting of a receipt, invoice, or cancelled check, for any disbursement in excess of $200. 2 U.S.C. § 432(c)(5).

12. No documentation was maintained for two checks issued to cash in July and September of 1992, totaling $6,000, each which was in excess of $200 (checks numbered 2513 and 2682).

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V. Respondents failed to make all committee disbursements, other than petty cash disbursements of $100 or less, by check from an account at a designated depository, in violation of 2 U.S.C. § 432(h)(1).

VI. Rangel for Congress and Richard A. Brown, as treasurer, failed to itemize disbursements, in violation of 2 U.S.C. § 434(b)(5)(A) and 2 U.S.C. § 434(b)(6)(A).

VII. Rangel for Congress and Richard A. Brown, as treasurer, failed to keep an account of the name and address of the persons to whom the Committee made cash disbursements, as well as the dates, amounts, and purposes, in violation of 2 U.S.C. § 432(c)(5).

VIII. Rangel for Congress and Richard A. Brown, as treasurer, failed to obtain documentation, consisting of a receipt, invoice, or cancelled check to the payee, for Committee disbursements in excess of $200, in violation of 2 U.S.C. § 432(c)(5).

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

X. Respondents agree to make all future disbursements (other than petty cash disbursements made pursuant to 2 U.S.C. § 432(h)(2)) from a designated campaign depository in accordance with 2 U.S.C. § 432(h)(1), to keep an account of disbursements and documentation relating to disbursements in accordance with 2 U.S.C. § 432c(5) and to report disbursements in excess of $200 in accordance with 2 U.S.C. §§ 434(b)(5)(A) and (6)(A).

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

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

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

XIV. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY: _____ 6/20/97
Lois G. Lerner
Associate General Counsel
Date

FOR THE RESPONDENTS:

_____ 6/11/97
Lyn Utrecht, Esquire
Counsel for Respondents
Date

97043824065

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3974

DATE FILMED 7-18-97 CAMERA NO. 4

CAMERAMAN JmN

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FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

Date: 8/18/97

✓ Microfilm

_____ Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED MUR 3974

9704333313

OLDAKER, RYAN, PHILLIPS & UTRECHT
ATTORNEYS AT LAW
818 CONNECTICUT AVENUE, N.W.
SUITE 1100
WASHINGTON, D.C. 20006

(202) 728-1010
FACSIMILE (202) 728-4044

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

JUL 14 2 03 PM '97

July 9, 1997

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

Dear Mr. Noble:

Please find enclosed a check payable to the Federal Election Commission on behalf of Senator Charles B. Rangel and the Rangel for the 106th Congress Committee representing the $5,000 civil penalty assessed in MUR 3974.

If you have any questions on this matter, please do not hesitate to contact me.

Sincerely,

Lyn Utrecht

Lyn Utrecht

Enclosure

Conciliation Agreement

RANGEL FOR THE 106TH CONGRESS
P.O. BOX 5577
MANHATTANVILLE STATION
NEW YORK, NY 10027

CHASE MANHATTAN
NEW YORK, NY 10027
1-12/210 0061

1801

7/ 2/97

PAY TO THE ORDER OF FEDERAL ELECTION COMMISSION $ ****5,000.00

Five Thousand and 00/100********** DOLLARS

Security features included. Details on back.

FEDERAL ELECTION COMMISSION

James E. Coyle

Barbara Patterson

MEMO. Civil Penalty

⑈001801⑈ ⑆021000128⑆ 106106870376 5⑈

9/04/97 13:15

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JUL 11 9 49 AM '97

July 16, 1997

TWO WAY MEMORANDUM

TO: OGC Docket

FROM: Leslie D. Brown
Disbursing Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from **Rangel for the 106th Congress,** check number **1801,** dated **July 2, 1997**, for the amount of **$5,000.00**. A copy of the check and any correspondence is being forwarded. Please indicate below which account the funds should be deposited and give the MUR/Case number and name associated with the deposit.

==========

TO: Rosa E. Swinton
Accounting Technician

Leslie D. Brown
Disbursing Technician

FROM: OGC Docket

SUBJECT: Disposition of Funds Received

In reference to the above check in the amount of $5,000.00, the MUR/Case number is 3974 and in the name of Rangel for the 106th Congress. Place this deposit in the account indicated below:

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

✓ Civil Penalties Account, 95-1099.160

___ Other: _____

Frankie Hampton
Signature

7-17-97
Date

9704533116