



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4383

DATE FILMED 4-28-97 CAMERA NO. 1

CAMERAMAN JMW

97043792655

EDWARD L. VALENTINE
5415 MAPLE AVENUE, STE. 230
DALLAS, TEXAS 75235
(214) 630-5381

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
JUN 4 12 19 PM '96

31 May, 1996

Office of General Counsel
Federal Election Commission
Washington, D.C. 20463

Gentlemen:

Enclosed are portions of FEC reports and correspondence with the FEC I found while researching the congressional campaign of Thomas W. Pauken. The purpose of my research was to trace the whereabouts of \$45,000.00 missing from a corporation—U.S. Voter Data, Inc.—of which Mr. Pauken is the principal, and I am a minority shareholder.

It has been indicated to me by an employee of U.S. Voter Data, Inc. that the U.S. Voter Data, Inc. money had found its way into Mr. Pauken's congressional campaign. It was not until recently that I discovered that campaign finance reports are a matter of public record.

It is my understanding that corporate contributions are a violation of Federal Election Laws. Furthermore, since the campaign is still filing reports with the FEC it is possible to reopen your investigation, which is the intent of this letter.

I am hereby requesting that you make further inquiries, specifically, regarding the \$15,000.00 loan from Tom Pauken personally and the \$30,000.00 loan from the Garvon Profit Sharing Plan. Should you reopen your investigation, you can count on my full cooperation regarding this matter.

Please let me know if there is any way I can assist you further. Your prompt reply to this request is appreciated.

Sincerely,



Ed Valentine

97043792656

✓ REGULAR MAIL
AUG 07 1991

LYNN O. SURLS & CO.

Certified Public Accountants

138991

RECEIVED
OFFICE OF RECORDS & INFORMATION
1991 AUG 12 AM 11:36
OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES

August 2, 1991

Mr. Andrew Zehe
Federal Election Commission
Washington, D.C. 20463

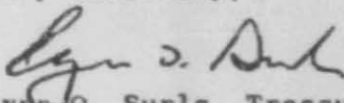
Dear Mr. Zeke:

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

Enclosed are the Tom Pauken for Congress - Special and Runoff Election, 1991, Amended Reports. Per our communications, these reports reflect the changes as outlined in order to proper detail for FEC filing purposes. As I am sure you are aware, due to the short time frame of the race and the unusual circumstances associated with the Special Election, there was quite a bit of confusion as to both filing dates and requirements. It has come to my attention that there has been a misunderstanding concerning the filing of certain contributions and a loan from the candidate to the campaign pursuant to the 48 hour pre-election filing requirement. There was confusion as a result of contradictory information given per this filing requirement. If any mistake was made, there was no intent at any time to mislead the Commission or to file incomplete reports.

We look forward to resolving this matter with you promptly, and we will be happy to provide you with any additional information you request.

Very sincerely,


Lynn O. Surls, Treasurer
Pauken for Congress Committee

LOS/ks

LYNN O. SURLS & CO.

Certified Public Accountants

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE SERVICES BRANCH

91 AUG 28 PM 1:11



Fed. Elec. Comm.

August 28, 1991

138991

Mr. Andrew Zehe
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Zehe:

In reference to your question regarding the two loans in the Pauken campaign, \$15,000.00 was incurred on March 13, 1990, it was from Tom Pauken's savings account. The \$30,000.00 loan was incurred on April 25, 1991 and it was Tom Pauken who had borrowed the funds from the Profit Sharing Plan of Garvon, Inc., Shirley Watkins, trustee.

Thank you.

Very sincerely,

Lynn O. Surls
Treasurer, Pauken For Congress Committee

LOS/ks

RECEIVED
OFFICE OF RECORDS & INFORMATION
U.S. HOUSE OF REPRESENTATIVES

89 AUG 28 PM 4:18

RECEIVED
OFFICE OF RECORDS & INFORMATION
U.S. HOUSE OF REPRESENTATIVES

LYNN O. SURLS & SONS

Certified Public Accountants

September 20, 1991

Mr. Andrew Zehe
Reports Analysis Division
Washington, D.C. 20463

Dear Mr. Zehe:

Pursuant to your request, I have enclosed page 23 which was apparently omitted from the last amended report submitted to your office.

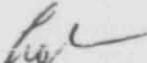
Also, you requested to have the name of the trustee of the profit sharing plan from which we indicated in the reports that the candidate had obtained a loan, the proceeds of which he subsequently loaned to the campaign. The trustee of the plan is:

Shirley Watkins
Garvon Profit Sharing Plan and Trust
900 Meadows Building
Dallas, Texas 75206

For any future correspondence regarding the campaign, please note the following address change:

Lynn O. Surls, Treasurer
5910 N. Central Expy, LB 39
Dallas, Texas 75206

Very Sincerely,


Lynn O. Surls

November 6, 1991

Mr. Andrew Zehe
Reports Analysis
Federal Election Committee
Washington, D.C. 20463

Dear Mr. Zehe:

In response to your letter dated October 29, 1991, and pursuant to our telephone conversation yesterday concerning the issue raised by your letter, let me explain in full the facts of the \$30,000 personal loan from me to the Pauken for Congress Committee.

I borrowed the \$30,000 in question from the Garvon Profit Sharing Plan in an arms length transaction. The entire principal plus accrued interest on that loan from the Plan was repaid on May 31, 1991. The Garvon Profit Sharing Plan makes loans on a regular basis, and this particular loan was handled in a normal business fashion. The Plan makes personal loans, real estate loans, and loans on stock purchases to employees and others. The loan in question was promptly repaid upon sale of stock by myself.

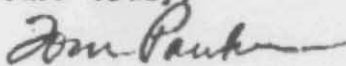
This was not a corporate contribution. My loan from the Plan was secured by stock I owned in a publicly traded company.

The loan to the Pauken for Congress Committee was a personal loan to the campaign. That loan has not been repaid due to the fact that the Committee does not have funds on hand to pay off its obligation to me.

I will be happy to provide you with any additional documentation you might require.

If you have any additional questions or need further information, please do not hesitate to let me know.

Yours truly,



Thomas W. Pauken

9709433722366050

LYNN O. SURLS & CO.

Certified Public Accountants



Fed. Elec. Comm.

November 6, 1991

Mr. Andrew Zehe
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Zehe:

I have enclosed a letter from Mr. Tom Pauken which, as I understand is in response to your telephone conversation with Mr. Pauken on November 4.

Hopefully this letter will clear up any misunderstanding on these issues.

Also please note that any correspondence regarding the campaign should be sent to this address:

5910 N. Central Expwy., L.B. 39
Dallas, Tx 75206

Very sincerely,

Lynn O. Surls
Treasurer, Pauken for Congress Committee

LOS/ks
Enclosure

cc w/encl: Jeffrey Long
Federal Election Commission
Washington, D.C. 20463

RECEIVED
OFFICE OF RECORDS & RECONSTRUCTION
NOV -7 AM 10:54
U.S. HOUSE OF REPRESENTATIVES

138991

LYNN O. SURLS & CO.

Certified Public Accountants

REGULAR MAIL

APR 10 1992

RECEIVED
1992 APR 14 AM 11:24
OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES

138991

April 7, 1992

Mr. Andrew Zehe, Reports Analyst
Reports Analysis Division
Federal Election Commission
Washington, DC 20463

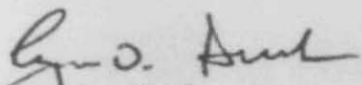
Mr. Zehe:

This letter is in response to your letter dated March 24, 1992 regarding the Pauken for Congress Committee (ID # C00250878) year - end report. Specifically, you asked for a clarification of the current status of the loan from Mr. Pauken to his campaign committee and the current terms and conditions.

As of the date of this letter, the balance due on the loan is \$14,000 (\$1,500 being paid since January 1, 1992). The terms and conditions of the loan has not been renegotiated.

If you have any other questions regarding this matter, please feel free to contact me.

Sincerely,


Lynn O. Surls, Treasurer
Pauken for Congress Committee

970437926621526

LOANS

Name of Committee (in Full) Pauken for Congress Committee			
A. Full Name, Mailing Address and ZIP Code of Loan Source Thomas W. Pauken 900 Meadows Bldg. Dallas, TX 75206	Original Amount of Loan 15,000.00	Cumulative Payment To Date 15,000.00	Balance Outstanding at Close of This Period -0-
Election: ☐ Primary ☐ General ☐ Other (specify): _____			
Terms: Date Incurred <u>3-13-91</u> Date Due <u>7-13-91</u> Interest Rate <u>0</u> % (apr) ☐ Secured			
List All Endorsers or Guarantors (if any) to Item A			
1. Full Name, Mailing Address and ZIP Code 2. Full Name, Mailing Address and ZIP Code 3. Full Name, Mailing Address and ZIP Code 	Name of Employer Occupation Amount Guaranteed Outstanding \$ Name of Employer Occupation Amount Guaranteed Outstanding \$ Name of Employer Occupation Amount Guaranteed Outstanding \$		
B. Full Name, Mailing Address and ZIP Code of Loan Source Thomas W. Pauken 900 Meadows Bldg. Dallas, TX 75206	Original Amount of Loan 30,000.00	Cumulative Payment To Date 14,500.00	Balance Outstanding at Close of This Period 15,500.00
Election: ☐ Primary ☐ General ☐ Other (specify): _____			
Terms: Date Incurred <u>4-25-91</u> Date Due <u>7-13-91</u> Interest Rate <u>0</u> % (apr) ☐ Secured			
List All Endorsers or Guarantors (if any) to Item B			
1. Full Name, Mailing Address and ZIP Code 2. Full Name, Mailing Address and ZIP Code 3. Full Name, Mailing Address and ZIP Code 	Name of Employer Occupation Amount Guaranteed Outstanding \$ Name of Employer Occupation Amount Guaranteed Outstanding \$ Name of Employer Occupation Amount Guaranteed Outstanding \$		
SUBTOTALS This Period This Page (optional)			
TOTALS This Period (last page in this line only)			15,500.00
Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.			

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LOANS

Name of Committee (in Full) Pauken for Congress Committee				
A. Full Name, Mailing Address and ZIP Code of Loan Source Thomas W. Pauken 900 Meadows Bldg. Dallas, TX 75206	Original Amount of Loan 30,000.00	Cumulative Payment To Date 17,314.32	Balance Outstanding at Close of This Period 12,685.68	
Election: ☐ Primary ☐ General ☒ Other (specify): Runoff				
Terms: Date Incurred 4-25-91 Date Due 7-13-91 Interest Rate _____ % (apr) ☐ Secured				
List All Endorsers or Guarantors (if any) to Item A				
1. Full Name, Mailing Address and ZIP Code	Name of Employer			
	Occupation			
	Amount Guaranteed Outstanding \$			
2. Full Name, Mailing Address and ZIP Code	Name of Employer			
	Occupation			
	Amount Guaranteed Outstanding \$			
3. Full Name, Mailing Address and ZIP Code	Name of Employer			
	Occupation			
	Amount Guaranteed Outstanding \$			
B. Full Name, Mailing Address and ZIP Code of Loan Source		Original Amount of Loan	Cumulative Payment To Date	Balance Outstanding at Close of This Period
Election: ☐ Primary ☐ General ☐ Other (specify):				
Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % (apr) ☐ Secured				
List All Endorsers or Guarantors (if any) to Item B				
1. Full Name, Mailing Address and ZIP Code	Name of Employer			
	Occupation			
	Amount Guaranteed Outstanding \$			
2. Full Name, Mailing Address and ZIP Code	Name of Employer			
	Occupation			
	Amount Guaranteed Outstanding \$			
3. Full Name, Mailing Address and ZIP Code	Name of Employer			
	Occupation			
	Amount Guaranteed Outstanding \$			
SUBTOTALS This Period This Page (optional)				
TOTALS This Period (last page in this line only)				-0-

97043792664
93014732929

LOANS

Page 1 of 1
LINE NUMBER
(Use separate schedules
for each numbered line)

Name of Committee (in Full) Pauken For Congress Committee			
A. Full Name, Mailing Address and ZIP Code of Loan Source Thomas W. Pauken 900 Meadows Bldg. Dallas, TX 75206	Original Amount of Loan 15,000.00	Cumulative Payment To Date 15,000.00	Balance Outstanding at Close of This Period -0-
Election: ☐ Primary ☐ General ☐ Other (specify):			
Terms: Date Incurred <u>3/13/91</u> Date Due <u>7/13/91</u> Interest Rate <u>0</u> % (apr) ☐ Secured			
List All Endorsers or Guarantors (if any) to Item A			
1. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding \$		
2. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding \$		
3. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding \$		
B. Full Name, Mailing Address and ZIP Code of Loan Source Thomas W. Pauken 900 Meadows Bldg. Dallas, TX 75206	Original Amount of Loan 30,000.00	Cumulative Payment To Date 9,500.00	Balance Outstanding at Close of This Period 20,500.00
Election: ☐ Primary ☐ General ☐ Other (specify):			
Terms: Date Incurred <u>4/25/91</u> Date Due <u>7/13/91</u> Interest Rate <u>0</u> % (apr) ☐ Secured			
List All Endorsers or Guarantors (if any) to Item B			
1. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding \$		
2. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding \$		
3. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding \$		
SUBTOTALS This Period This Page (optional)			
TOTALS This Period (last page in this line only)			20,500.00

Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.

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LOANS

Name of Committee (in Full) Pauken For Congress Committee			
A. Full Name, Mailing Address and ZIP Code of Loan Source Thomas W. Pauken 900 Meadows Building Dallas, TX 75206		Original Amount of Loan \$15,000.00	Cumulative Payment To Date -0-
		Balance Outstanding at Close of This Period \$15,000.00	
Election: ☐ Primary ☐ General ☐ Other (specify):			
Terms: Date Incurred <u>Mar 13, 1981</u> Date Due <u>Jul 13, 1991</u> Interest Rate <u>0</u> % (apr) ☐ Secured			
List All Endorsers or Guarantors (if any) to Item A			
1. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding \$	
2. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding \$	
3. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding \$	
B. Full Name, Mailing Address and ZIP Code of Loan Source Thomas W. Pauken 900 Meadows Building Dallas, TX 75206		Original Amount of Loan \$30,000.00	Cumulative Payment To Date -0-
		Balance Outstanding at Close of This Period \$30,000.00	
Election: ☐ Primary ☐ General ☐ Other (specify):			
Terms: Date Incurred <u>Apr 25, 1981</u> Date Due <u>Jul 13, 1991</u> Interest Rate <u>0</u> % (apr) ☐ Secured			
List All Endorsers or Guarantors (if any) to Item B			
1. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding \$	
2. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding \$	
3. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding \$	
SUBTOTALS This Period This Page (optional)			
TOTALS This Period (last page in this line only)			\$45,000.00
Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.			

97094372-69660

DETAILED SUMMARY PAGE

of Receipts and Disbursements

(Page 2, FEC FORM 3)

Name of Committee (in full) **Pauken For Congress Committee** Report Covering the Period: From **March 1, 1991** to **April 12, 1991**

I. RECEIPTS		COLUMN A Total This Period	COLUMN B Calendar Year-To-Date	
11. CONTRIBUTIONS (other than loans) FROM:				
(a) Individuals/Persons Other Than Political Committees				11(a)(i)
(i) Itemized (use Schedule A)				11(a)(ii)
(ii) Unitemized				11(a)(iii)
(iii) Total of contributions from individuals		115,620	115,620	11(b)
(b) Political Party Committees				11(c)
(c) Other Political Committees (such as PACs)		6,000	6,000	11(d)
(d) The Candidate				11(e)
(e) TOTAL CONTRIBUTIONS (other than loans) (add 11(a)(iii), (b), (c) and (d))		121,620	121,620	12
12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES				13
13. LOANS:				13(a)
(a) Made or Guaranteed by the Candidate		15,000	15,000	13(b)
(b) All Other Loans				13(c)
(c) TOTAL LOANS (add 13(a) and (b))		15,000	15,000	14
14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)		-0-		15
15. OTHER RECEIPTS (Dividends, Interest, etc.)		-0-		16
16. TOTAL RECEIPTS (add 11(e), 12, 13(c), 14 and 15)		136,620	136,620	
II. DISBURSEMENTS				
17. OPERATING EXPENDITURES		74,093	74,093	17
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES		-0-	-0-	18
19. LOAN REPAYMENTS:				19(a)
(a) Of Loans Made or Guaranteed by the Candidate				19(b)
(b) Of All Other Loans				19(c)
(c) TOTAL LOAN REPAYMENTS (add 19(a) and (b))		-0-	-0-	20(a)
20. REFUNDS OF CONTRIBUTIONS TO:				20(b)
(a) Individuals/Persons Other Than Political Committees		50	50	20(c)
(b) Political Party Committees				20(d)
(c) Other Political Committees (such as PACs)				
(d) TOTAL CONTRIBUTION REFUNDS (add 20(a), (b) and (c))		50	50	
21. OTHER DISBURSEMENTS		-0-	-0-	21
22. TOTAL DISBURSEMENTS (add 17, 18, 19(c), 20(d) and 21)		74,143	74,143	22

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD	\$ -0-	23
24. TOTAL RECEIPTS THIS PERIOD (from Line 16)	\$ 136,620	24
25. SUBTOTAL (add Line 23 and Line 24)	\$ 136,620	25
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22)	\$ 74,143	26
27. CASH ON HAND AT CLOSE OF THE REPORTING PERIOD (subtract Line 26 from 25)	\$ 62,477	27

970,437.83



FEDERAL ELECTION COMMISSION
Washington, DC 20463

June 6, 1996

Edward L. Valentine
5415 Maple Avenue, Ste. 230
Dallas, TX 752335

Dear Mr. Valentine:

This is to acknowledge receipt on June 4, 1996, of your letter dated May 31, 1996. The Federal Election Campaign Act of 1971, as amended ("the Act") and Commission Regulations require that the contents of a complaint meet certain specific requirements. One of these requirements is that a complaint be sworn to and signed in the presence of a notary public and notarized. Your letter was not properly sworn to.

In order to file a legally sufficient complaint, you must swear before a notary that the contents of your complaint are true to the best of your knowledge and the notary must represent as part of the jurat that such swearing occurred. The preferred form is "Subscribed and sworn to before me on this ____ day of ____, 19__." A statement by the notary that the complaint was sworn to and subscribed before him/her also will be sufficient. We regret the inconvenience that these requirements may cause you, but we are not statutorily empowered to proceed with the handling of a compliance action unless all the statutory requirements are fulfilled. See 2 U.S.C. § 437g.

Enclosed is a Commission brochure entitled "Filing a Complaint." I hope this material will be helpful to you should you wish to file a legally sufficient complaint with the Commission.

Please note that this matter will remain confidential for a 15 day period to allow you to correct the defects in your complaint. If the complaint is corrected and refiled within the 15 day period, the respondents will be so informed and provided a copy of the corrected complaint. The respondents will then have an additional 15 days to respond to the complaint on the merits. If the complaint is not corrected, the file will be closed and no additional notification will be provided to the respondents.

97043792668

If you have any questions concerning this matter, please contact me at (202) 219-3410.

Sincerely,

Retha Dixon

Retha Dixon
Docket Chief

Enclosure

cc: Pauken for Congress
Garvon Profit Sharing Plan
US Voter Data, Inc.

97043792669

EDWARD L. VALENTINE
5415 MAPLE AVENUE, STE. 230
DALLAS, TEXAS 75235
(214) 630-5381

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

JUN 12 10 10 AM '96

11 June, 1996

MUR 4383

Office of General Counsel
Federal Election Commission
Washington, D.C. 20463

Gentlemen:

Enclosed are portions of FEC reports and correspondence with the FEC I found while researching the congressional campaign of Thomas W. Pauken. The purpose of my research was to trace the whereabouts of \$45,000.00 missing from a corporation—U.S. Voter Data, Inc.—of which Mr. Pauken is the principal, and I am a minority shareholder.

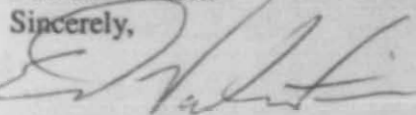
It has been indicated to me by an employee of Garvon, Inc. that the U.S. Voter Data, Inc. money had found its way into Mr. Pauken's congressional campaign. It was not until recently that I discovered that campaign finance reports are a matter of public record.

It is my understanding that corporate contributions are a violation of Federal Election Laws. Furthermore, since the campaign is still filing reports with the FEC it is possible to reopen your investigation, which is the intent of this letter.

I am hereby requesting that you make further inquiries, specifically, regarding the \$15,000.00 loan from Tom Pauken personally and the \$30,000.00 loan from the Garvon Profit Sharing Plan. Should you reopen your investigation, you can count on my full cooperation regarding this matter.

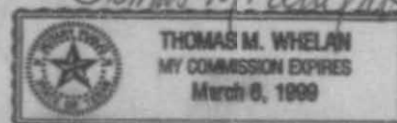
Please let me know if there is any way I can assist you further. Your prompt reply to this request is appreciated. The foregoing information in this complaint letter is, to the best of my knowledge, true and correct.

Sincerely,



Ed Valentine

Subscribed and sworn to before me on this 11th day of JUNE, 1996.



9704379267C



FEDERAL ELECTION COMMISSION

Washington, DC 20463

June 17, 1996

Edward L. Valentine
5415 Maple Avenue
Suite 230
Dallas, TX 75235

RE: MUR 4383

Dear Mr. Valentine:

This letter acknowledges receipt on June 12, 1996, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). The respondent(s) will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 4383. Please refer to this number in all future communications. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

A handwritten signature in dark ink, appearing to read "Colleen T. Sealander", is written over the word "Sincerely,".

Colleen T. Sealander, Attorney
Central Enforcement Docket

Enclosure
Procedures

97043792671



FEDERAL ELECTION COMMISSION
Washington, DC 20463

June 17, 1996

Lynn O. Surls, Treasurer
Pauken for Congress Committee
4809 Cole Avenue
Suite 220
Dallas, TX 75205

RE: MUR 4383

Dear Mr. Surls:

The Federal Election Commission received a complaint which indicates that the Pauken for Congress Committee ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4383. Please refer to this number in all future correspondence.

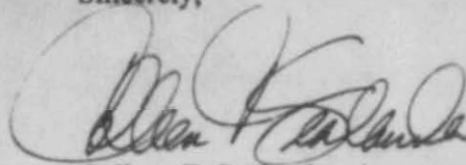
Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Committee and you, as treasurer, in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements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

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

970437922672

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

Sincerely,



Colleen T. Sealander, Attorney
Central Enforcement Docket

Enclosures

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

cc: Thomas W. Pauken

97043792673



FEDERAL ELECTION COMMISSION

Washington, DC 20463

June 17, 1996

Thomas W. Pauken
PO Box 595808
Dallas, TX 75359

RE: MUR 4383

Dear Mr. Pauken:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4383. Please refer to this number in all future correspondence.

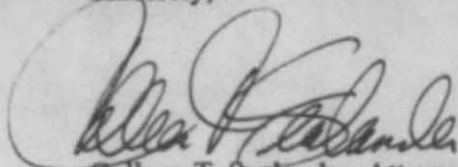
Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under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

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

97043792674

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

Sincerely,



Colleen T. Sealander, Attorney
Central Enforcement Docket

Enclosures

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

97043792675



FEDERAL ELECTION COMMISSION

Washington, DC 20463

June 17, 1996

Thomas W. Pauken, President
U.S. Voter Data, Inc.
6339 Chesley Lane
Dallas, TX 75214

RE: MUR 4383

Dear Mr. Pauken:

The Federal Election Commission received a complaint which indicates that U.S. Voter Data, Inc. may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4383. Please refer to this number in all future correspondence.

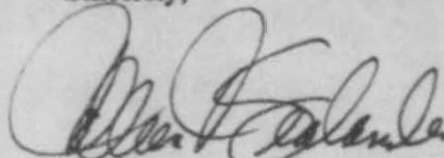
Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against U.S. Voter Data, Inc., in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should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

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

97043792676

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

Sincerely,



Colleen T. Sealander, Attorney
Central Enforcement Docket

Enclosures

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

97043792677



FEDERAL ELECTION COMMISSION

Washington, DC 20463

June 17, 1996

W.H. Bowen, President
Garvon Profit Sharing Plan
900 Meadows Building
Dallas, TX 75206

RE: MUR 4383

Dear Mr. Bowen:

The Federal Election Commission received a complaint which indicates that the Garvon Profit Sharing Plan may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4383. Please refer to this number in all future correspondence.

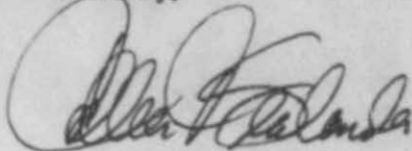
Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Garvon Profit Sharing Plan in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements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

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

97043792678

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

Sincerely,



Colleen T. Sealander, Attorney
Central Enforcement Docket

Enclosures

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

97043792679

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

JUL 2 2 28 PM '96

LYNN O. SURLS & CO.

Certified Public Accountants

June 28, 1996

Ms. Colleen T. Sealander, Attorney
Central Enforcement Docket
Federal Election Commission
Washington, DC 20463

Re: MUR4383

Dear Ms. Sealander:

I have received a copy of the above referenced complaint filed by Edward L. Valentine regarding the Pauken for Congress Committee of which I was treasurer.

I believe that the documents which you sent to me to support the inquiry are themselves clear as to the history of the loans. These documents were presented by me to the Federal Election Commission in explanation of your 1991 request for elaboration of information provided in the normal reports filed by the campaign.

It is my understanding that the Garvon Inc. Profit Sharing Plan is providing you in a separate letter the details to support the fact the plan did make the \$30,000 loan to Mr. Pauken. He subsequently loaned the funds to the campaign.

The \$15,000 loan came in the form of a personal check from Mr. Pauken but the campaign has no access to his personal accounts to document the source of funds which he loaned to the campaign.

I have never had an inquiry from Mr. Valentine requesting information nor from anyone representing U.S. Voter Data. I know nothing of any funds missing from U.S. Voter Data, Inc. or of any of its other business affairs. The campaign did not receive any contributions from U.S. Voter Data, Inc. nor from any individual using a check with any reference to U.S. Voter Data on that check.

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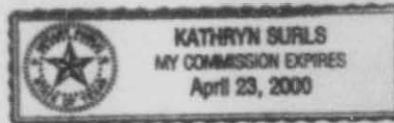
Please do not hesitate to contact me if I made provide additional information.

Very Sincerely,

Lynn O. Surls
Lynn O. Surls

Subscribed and sworn to before me on this 28th day of June, 1996.

Kathryn Surls



97043792681

JUL 2 2 31 PM '96

Garvon Profit Sharing Plan
5646 Milton, Suite 900
Dallas TX 75206
214 691-0711

26 June 1996

Colleen T. Sealander
Central Enforcement Docket
Federal Election Commission
Washington DC 20463

BY EXPRESS MAIL B12311678W
RETURN RECEIPT REQUESTED

Re: MUR 4383

Dear Ms. Sealander:

We have received your request for information in the complaint styled MUR 4383, dated 17 Jun 1996.

As we understand the complaint, Mr. Ed Valentine charges that a loan made by the Garvon PSP to Mr. Tom Pauken was in fact a contribution to a political campaign, and that contributions by corporations and profit sharing plans are prohibited by the Federal Election Campaign Act of 1971.

The facts are:

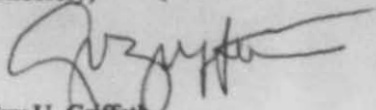
1. Mr. Pauken requested a personal loan from the Garvon Profit Sharing Plan, of which he was a participant. This Plan invests its money in various ways, and loans to participants in accordance with ERISA regulations are one type of investment made by the Plan.
2. \$30,000 was loaned on 21 Apr 1991, secured by shares of publicly-traded stock owned by Mr. Pauken, and additionally secured by his vested interest in the Plan.
3. Interest at the market rate of 9% per annum was charged and paid.
4. Mr. Pauken repaid this personal loan with his personal check, in the amount of \$30,287.70 on 30 May 1991, satisfying the complete obligation for both principal and interest. Copies of the deposit receipt at Oaks Bank & Trust, date-stamped by the bank, are enclosed.
5. This loan ran for a period of 39 days, and was repaid on schedule.
6. This plan has made no contributions to any political candidates at any time.

Given the high level of security for this loan, the Plan did not attempt to exercise any kind of control over the use of the funds, and has no first-hand knowledge of how Mr. Pauken handled his personal finances during the period of the campaign. The Plan has no connection with the Pauken for Congress Committee.

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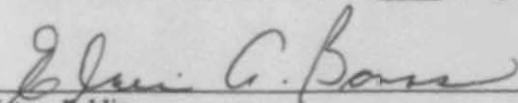
In summary, we deny the charges made by Mr. Valentine, and can document the prompt repayment of the loan, with interest, thus disproving Mr. Valentine's contention that the \$30,000 was a political contribution.

Sincerely,



Guy U. Griffith
Trustee

Subscribed and sworn before me this 28th Day of June, 1996



Notary Public

My commission expires 2-13-97



97043792683

DEPOSIT TICKET

DATE May 30 19 91

Checks and other items are received for deposit subject to the provisions of the Uniform Commercial Code or any applicable collection agreement.

32-1069
1110



The Oaks Bank & Trust Company

4849 Greenville Ave.
Dallas, Texas 75206
214-361-7400

1301 Central Expwy.
Richardson, Texas 75080
214-690-6282

GARVON, INC.

PROFIT SHARING PLAN
MONEY MARKET ACCOUNT
900 MEADOWS BUILDING
DALLAS, TEXAS 75206

		DOLLARS	CENTS
CURRENCY			
COIN			
CHECKS	Thomas W. Pauken	30,287	70
LIST SINGLY + BE SURE EACH ITEM IS ENDORSED			
TOTAL FROM OTHER SIDE			
TOTAL		30,287	70

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL

3024 - 30,000 -
5000 - 24 22270

004 0871122 53091#029 *30287.70 0

⑈111010691⑈ ⑈401051801⑈

05 ⑈0003028770⑈

97043792684

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4383

NAME OF COUNSEL: Andy Athy

FIRM: O'Neill and Athy

ADDRESS: 1310-19th St. N.W.
Washington, D.C. 20036

TELEPHONE: (202) 466-6555

FAX: (202) 466-6596

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.

7/1/96
Date

Thomas W. Pauken
Signature

RESPONDENT'S NAME: THOMAS W. PAUKEN

ADDRESS: 6339 Chesley Lane
Dallas, Tx. 75214

TELEPHONE: HOME (214) 891-0040

BUSINESS (214) 341-5388

97043792685

U.S. VOTER DATA, INC.
6339 Chesley Lane
Dallas, TX 75214

JUL 12 3 13 PM '96

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

July 1, 1996

Colleen T. Sealander
Central Enforcement Docket
Federal Election Commission
Washington, DC 20463

Re: MUR 4383

Dear Ms. Sealander:

I am responding to your letter dated June 17, 1996, in my capacity of President of U.S. Voter Data, Inc.

Mr. Ed Valentine has filed a complaint with the FEC alleging that:

1. \$45,000 is missing from U.S. Voter Data, Inc.;
2. someone told him that the money in question "found its way" into Tom Pauken's campaign for Congress; and
3. that this constitutes a corporate contribution to the Pauken Campaign.

Those allegations are false, baseless, and in reckless disregard of the truth. It should be noted that U.S. Voter Data, Inc. has filed a lawsuit which is set for trial in Dallas County, Texas, later this month alleging among other complaints, that Ed Valentine conspired with Don McCoy d/b/a DCM to steal the business of U.S. Voter Data, Inc.

As to the specifics asserted by Mr. Valentine, I am stating under oath, as President of U.S. Voter Data, Inc., the following:

1. There is no \$45,000 missing from U.S. Voter Data, Inc.;
2. Neither \$45,000 nor any lesser or greater sums from U.S. Voter Data, Inc. were lent, transferred, or given to the Tom Pauken for Congress Committee or to Tom Pauken personally for the purpose of borrowing money for the campaign or paying off any such obligations;
3. U.S. Voter Data, Inc. did not transfer any funds to other entities or individuals for the purpose of hiding a corporate contribution.

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Colleen T. Sealander
Central Enforcement Docket
July 1, 1996
Page 2

If you analyze Mr. Valentine's letter, in addition to the fact that he offers no proof of these false assertions, he signals the Commission as to what he has done here. He gets hold of the FEC reports which reflect that Tom Pauken, the candidate for Congress, lent \$45,000 to his campaign for Congress. Then, he asserts, that money must have come from U.S. Voter Data, Inc. What a convenient coincidence. So, he claims, with no basis in fact or truth that the \$45,000 in question came from U.S. Voter Data, Inc.

U.S. Voter Data, Inc. did not provide any funds for the candidate's loans directly or indirectly.

If you need any further information, please let me know.

Yours truly,

Thomas W. Pauken

Thomas W. Pauken
PRESIDENT
U.S. VOTER DATA, INC.

Subscribed and sworn to before me on this 1st day of July, 1996.



Mary E. Clerkin
Notary Public, State of Texas

Mary E. Clerkin

My commission expires 2/22/1999.

970437922687

THOMAS W. PAUKEN
Attorney & Mediator
P.O. Box 595808
Dallas, Texas 75359

Tel (214) 341-5388

Fax (214) 341-5393

July 1, 1996

Colleen T. Sealander
Central Enforcement Docket
Federal Election Commission
Washington, DC 20463

Re: MUR 4383

Dear Ms. Sealander:

I have been informed by your office that Ed Valentine has filed a complaint with the FEC alleging a possible violation of the Federal Campaign Act of 1971 by me personally. Without any basis whatsoever, Mr. Valentine swears under oath that \$45,000 in funds from U.S. Voter Data, Inc. found their way into my campaign. That is absolutely untrue.

I lent my campaign \$15,000 personally and am still owed much of that amount by the campaign. I paid Garvon, Inc. PSP back its \$30,000 loan from proceeds of sale of stock from Fifty-Off, a publicly-traded company whose board I had served on during my employment at Garvon, Inc. and personal funds.

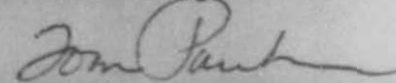
No monies ever were transferred from U.S. Voter Data, Inc. to me personally or to the Garvon Profit Sharing Plan either directly or indirectly in order to facilitate a loan to my campaign for Congress.

It should be noted that U.S. Voter Data, Inc. and Mr. Valentine are in a legal dispute at this time. The company has filed a lawsuit alleging that Mr. Valentine conspired with Don McCoy d/b/a DCM to steal the business of U.S. Voter Data, Inc. The case is set for trial later this month.

No corporate funds from U.S. Voter Data, Inc. were lent, transferred, or given to my campaign for Congress.

Mr. Valentine has made false charges against me which have no basis in truth or fact. I will be happy to answer any additional questions or provide you with any other information you require.

Yours truly,



Thomas W. Pauken

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
JUL 12 3 14 PM '96

97043792680

Colleen T. Sealander
Central Enforcement Docket
July 1, 1996
Page 2

Subscribed and sworn to before me on this 1st day of July, 1996.



Mary E. Clerkin
Notary Public, State of Texas

Mary E. Clerkin

My commission expires 2/22/1999.

97043792689

BEFORE THE FEDERAL ELECTION COMMISSION

FED. 5 11 40 AM '97

In the Matter of

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)
)
)

ENFORCEMENT PRIORITY

SENSITIVE

GENERAL COUNSEL'S REPORT

MAR 11 1997

EXECUTIVE SESSION

I. INTRODUCTION

The cases listed below have been identified as either stale or of low priority based upon evaluation under the Enforcement Priority System (EPS). This report is submitted to recommend that the Commission no longer pursue these cases.

II. CASES RECOMMENDED FOR CLOSURE.

A. Cases Not Warranting Further Action Relative to Other Cases Pending Before the Commission

EPS was created to identify pending cases which, due to the length of their pendency in inactive status or the lower priority of the issues raised in the matters relative to others presently pending before the Commission, do not warrant further expenditure of resources. Central Enforcement Docket (CED) evaluates each incoming matter using Commission-approved criteria which results in a numerical rating of each case.

Closing such cases permits the Commission to focus its limited resources on more important cases presently pending before it. Based upon this review, we have identified 25 cases which do

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not warrant further action relative to other pending matters.¹ Attachment 1 to this report contains summaries of each case, the EPS rating, and the factors leading to assignment of a low priority and recommendation not to further pursue the matter.

B. Stale Cases

Effective enforcement relies upon the timely pursuit of complaints and referrals to ensure compliance with the law. Investigations concerning activity more remote in time usually require a greater commitment of resources, primarily due to the fact that the evidence of such activity becomes more remote and consequently more difficult to develop. Focusing investigative efforts on more recent and more significant activity also has a more positive effect on the electoral process and the regulated community.

¹ These cases are: MUR 4332 (Bill Thomas Campaign Committee); MUR 4347 (Anonymous Respondent); MUR 4354 (Brian Steel for Congress); MUR 4367 (Philipstown Republicans); MUR 4371 (Employment Group); MUR 4373 (Cannon for Congress); MUR 4374 (Mark Stodola for Congress Primary Committee); MUR 4375 (Westchester County Conservative Party); MUR 4377 (Braxton for Congress); MUR 4379 (Teamsters Local Union No. 135); MUR 4383 (Pauken for Congress); MUR 4384 (Willie Colon for U.S. Congress); MUR 4388 (Bill Witt for Senate and Congress); MUR 4390 (Kolbe 96); MUR 4391 (Pat Roberts for Congress Committee); MUR 4393 (Cecil J. Banks); MUR 4397 (AFL-CIO); MUR 4405 (Katz for Congress Committee); MUR 4411 (First Evangelical Presbyterian Church); MUR 4414 (Turietta-Koury for Congress Committee); MUR 4418 (Bell Atlantic); MUR 4421 (Butler for Mayor); MUR 4448 (Friends for Jim Rapp); Pre-MUR 334 (Kinnamon for Congress); and Pre-MUR 335 (Davis for Congress).

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We have identified cases which have remained on the Central Enforcement Docket for a sufficient period of time to render them stale 12 are not worthy of further action, and merit closure.⁴

We recommend that the Commission exercise its prosecutorial discretion and direct closure of the cases listed below, effective April 1, 1997. Closing these cases as of this date will permit CED and the Legal Review Team the necessary time to prepare closing letters and case files for the public record.

⁴ These cases are: MUR 4139 (*Enid 94*); MUR 4150 (*Frank Fasi*); MUR 4257 (*DSCC*); MUR 4258 (*NRSC*); MUR 4260 (*Packwood & Auto Dealers*); MUR 4261 (*NRA Institute for Legis.*); MUR 4262 (*Oregon Republican Party*); MUR 4265 (*NRSC; Sen. Phil Gramm*); MUR 4272 (*Bishop for Congress*); MUR 4279 (*Russ Berrie Co.*); MUR 4284 (*United We Stand America*); and Pre-MUR 322 (*Royal Hawaiian Country Club*).

III. RECOMMENDATIONS.

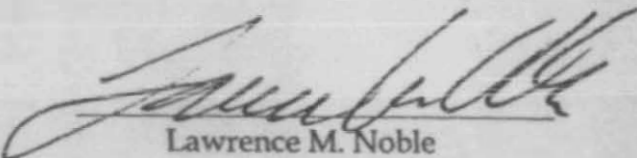
A. Decline to open a MUR, close the file effective April 1, 1997, and approve the appropriate letters in the following matters:

1. Pre-MUR 322
2. Pre-MUR 334
3. Pre-MUR 335.

B. Take no action, close the file effective April 1, 1997, and approve the appropriate letters in the following matters:

- | | | |
|--------------|--------------|--------------|
| 1. MUR 4139 | 13. MUR 4347 | 25. MUR 4390 |
| 2. MUR 4150 | 14. MUR 4354 | 26. MUR 4391 |
| 3. MUR 4257 | 15. MUR 4367 | 27. MUR 4393 |
| 4. MUR 4258 | 16. MUR 4371 | 28. MUR 4397 |
| 5. MUR 4260 | 17. MUR 4373 | 29. MUR 4405 |
| 6. MUR 4261 | 18. MUR 4374 | 30. MUR 4411 |
| 7. MUR 4262 | 19. MUR 4375 | 31. MUR 4414 |
| 8. MUR 4265 | 20. MUR 4377 | 32. MUR 4418 |
| 9. MUR 4272 | 21. MUR 4379 | 33. MUR 4421 |
| 10. MUR 4279 | 22. MUR 4383 | 34. MUR 4448 |
| 11. MUR 4284 | 23. MUR 4384 | |
| 12. MUR 4332 | 24. MUR 4388 | |

3/5/97
Date


Lawrence M. Noble
General Counsel

97043792693

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) Agenda Document #X97-16
Enforcement Priority)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on March 11, 1997, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions with respect to the above-captioned matter:

- A. Decline to open a MUR, close the file effective April 1, 1997, and approve the appropriate letters in the following matters:

1. Pre-MUR 322;
2. Pre-Mur 334;
3. Pre-MUR 335.

- B. Take no action, close the file effective April 1, 1997, and approve the appropriate letters in the following matters:

- | | |
|--------------|---------------|
| 1. MUR 4139; | 10. MUR 4279; |
| 2. MUR 4150; | 11. MUR 4284; |
| 3. MUR 4257; | 12. MUR 4332; |
| 4. MUR 4256; | 13. MUR 4347; |
| 5. MUR 4260; | 14. MUR 4354; |
| 6. MUR 4261; | 15. MUR 4367; |
| 7. MUR 4262; | 16. MUR 4371; |
| 8. MUR 4265; | 17. MUR 4373; |
| 9. MUR 4272; | 18. MUR 4374; |

(continued)

97043792694

Federal Election Commission
Certification: Enforcement Priority
March 11, 1997

Page 2

19. MUR 4375;	27. MUR 4393;
20. MUR 4377;	28. MUR 4397;
21. MUR 4379;	29. MUR 4405;
22. MUR 4383;	30. MUR 4411;
23. MUR 4384;	31. MUR 4414;
24. MUR 4388;	32. MUR 4418;
25. MUR 4390;	33. MUR 4421;
26. MUR 4391;	34. MUR 4448.

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

Attest:

3-12-97
Date

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

97043792695



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 1, 1997

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Edward L. Valentine
5415 Maple Avenue
Suite 230
Dallas, TX 75235

RE: MUR 4383

Dear Mr. Valentine:

On June 12, 1996, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the respondents. See attached narrative. Accordingly, the Commission closed its file in this matter on April 1, 1997. This matter will become part of the public record within 30 days.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

F. Andrew Tutley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

97043792696

MUR 4383

PAUKEN FOR CONGRESS

Ed Valentine is a minority shareholder in U.S. Voter Data, Inc., of which Thomas Pauken, a 1992 congressional candidate from Texas, is the principal. Mr. Valentine alleges the possibility that \$45,000 of that corporation's money were used by the Pauken for Congress Committee ("the Committee") in 1992. He believes it may have been structured as a \$15,000 loan from the candidate and a \$30,000 loan from the Garvon Profit Sharing Plan ("GPSP").

Respondent Lynn O. Surls, Treasurer of the Committee, responds that it received a \$30,000 loan from the GPSP. She states that the \$15,000 loan was in the form of a personal check from the candidate. She affirms that the campaign did not receive any contributions from U.S. Voter Data, Inc. nor from any individual using a check with any reference to it. She also knows nothing about funds missing from that company.

Respondent Thomas Pauken filed two responses: one in his capacity as president of U.S. Voter Data, Inc., and the second in his capacity as the candidate in question. As president of U.S. Voter Data, Mr. Pauken asserts: that there is no \$45,000 missing from the corporation; that no money was lent, transferred, or given to the Committee or to the candidate personally by the corporation; and denied that the corporation transferred any funds to any other entities or individuals for the purpose of concealing a corporate contribution.

In responding as the candidate, Mr. Pauken states that he personally lent the Committee \$15,000; much of this debt is still outstanding. Mr. Pauken claims that he repaid the \$30,000 loan from GPSP by selling stock he owned and by using personal funds. He asserts that no corporate funds from U.S. Voter Data, Inc. were lent, transferred, or given to his campaign for Congress nor were monies ever transferred from U.S. Voter Data, Inc. to either himself personally or to GPSP either directly or indirectly in order to facilitate a loan.

GPSP states that the \$30,000 loan to Mr. Pauken (and the Committee, ultimately) was secured by stock owned by the candidate and by his vested interest in the Plan. According to GPSP, Mr. Pauken satisfied that loan in whole on May 30, 1991. Furthermore, GPSP asserts that the plan "has made no contributions to any political candidates at any time" and "did not attempt to exercise any kind of control over the use of the funds."

This matter is less significant relative to other matters pending before the Commission.

97043792697



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 1, 1997

Lynn O. Surls, Treasurer
Pauken for Congress Committee
4809 Cole Avenue, Suite 220, L.B. 101
Dallas, TX 75205

RE: MUR 4383

Dear Ms. Surls:

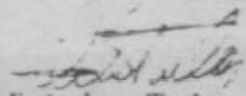
On June 17, 1996, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the Pauken for Congress Committee and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter on April 1, 1997.

The confidentiality provisions of 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 prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

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

Sincerely


F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

97043792698

97043792699

MUR 4383

PAUKEN FOR CONGRESS

Ed Valentine is a minority shareholder in U.S. Voter Data, Inc., of which Thomas Pauken, a 1992 congressional candidate from Texas, is the principal. Mr. Valentine alleges the possibility that \$45,000 of that corporation's money were used by the Pauken for Congress Committee ("the Committee") in 1992. He believes it may have been structured as a \$15,000 loan from the candidate and a \$30,000 loan from the Garvon Profit Sharing Plan ("GPSP").

Respondent Lynn O. Surls, Treasurer of the Committee, responds that it received a \$30,000 loan from the GPSP. She states that the \$15,000 loan was in the form of a personal check from the candidate. She affirms that the campaign did not receive any contributions from U.S. Voter Data, Inc. nor from any individual using a check with any reference to it. She also knows nothing about funds missing from that company.

Respondent Thomas Pauken filed two responses: one in his capacity as president of U.S. Voter Data, Inc., and the second in his capacity as the candidate in question. As president of U.S. Voter Data, Mr. Pauken asserts: that there is no \$45,000 missing from the corporation; that no money was lent, transferred, or given to the Committee or to the candidate personally by the corporation; and denied that the corporation transferred any funds to any other entities or individuals for the purpose of concealing a corporate contribution.

In responding as the candidate, Mr. Pauken states that he personally lent the Committee \$15,000; much of this debt is still outstanding. Mr. Pauken claims that he repaid the \$30,000 loan from GPSP by selling stock he owned and by using personal funds. He asserts that no corporate funds from U.S. Voter Data, Inc. were lent, transferred, or given to his campaign for Congress nor were monies ever transferred from U.S. Voter Data, Inc. to either himself personally or to GPSP either directly or indirectly in order to facilitate a loan.

GPSP states that the \$30,000 loan to Mr. Pauken (and the Committee, ultimately) was secured by stock owned by the candidate and by his vested interest in the Plan. According to GPSP, Mr. Pauken satisfied that loan in whole on May 30, 1991. Furthermore, GPSP asserts that the plan "has made no contributions to any political candidates at any time" and "did not attempt to exercise any kind of control over the use of the funds."

This matter is less significant relative to other matters pending before the Commission.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 1, 1997

Thomas W. Pauken
P.O. Box 595808
Dallas, TX 75359

RE: MUR 4383

Dear Mr. Pauken:

On June 17, 1996, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter on April 1, 1997.

The confidentiality provisions of 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 prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

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

Sincerely

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

97043792700C

MUR 4383
PAUKEN FOR CONGRESS

Ed Valentine is a minority shareholder in U.S. Voter Data, Inc., of which Thomas Pauken, a 1992 congressional candidate from Texas, is the principal. Mr. Valentine alleges the possibility that \$45,000 of that corporation's money were used by the Pauken for Congress Committee ("the Committee") in 1992. He believes it may have been structured as a \$15,000 loan from the candidate and a \$30,000 loan from the Garvon Profit Sharing Plan ("GPSP").

Respondent Lynn O. Surls, Treasurer of the Committee, responds that it received a \$30,000 loan from the GPSP. She states that the \$15,000 loan was in the form of a personal check from the candidate. She affirms that the campaign did not receive any contributions from U.S. Voter Data, Inc. nor from any individual using a check with any reference to it. She also knows nothing about funds missing from that company.

Respondent Thomas Pauken filed two responses: one in his capacity as president of U.S. Voter Data, Inc., and the second in his capacity as the candidate in question. As president of U.S. Voter Data, Mr. Pauken asserts: that there is no \$45,000 missing from the corporation; that no money was lent, transferred, or given to the Committee or to the candidate personally by the corporation; and denied that the corporation transferred any funds to any other entities or individuals for the purpose of concealing a corporate contribution.

In responding as the candidate, Mr. Pauken states that he personally lent the Committee \$15,000; much of this debt is still outstanding. Mr. Pauken claims that he repaid the \$30,000 loan from GPSP by selling stock he owned and by using personal funds. He asserts that no corporate funds from U.S. Voter Data, Inc. were lent, transferred, or given to his campaign for Congress nor were monies ever transferred from U.S. Voter Data, Inc. to either himself personally or to GPSP either directly or indirectly in order to facilitate a loan.

GPSP states that the \$30,000 loan to Mr. Pauken (and the Committee, ultimately) was secured by stock owned by the candidate and by his vested interest in the Plan. According to GPSP, Mr. Pauken satisfied that loan in whole on May 30, 1991. Furthermore, GPSP asserts that the plan "has made no contributions to any political candidates at any time" and "did not attempt to exercise any kind of control over the use of the funds."

This matter is less significant relative to other matters pending before the Commission.

97043792701



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 1, 1997

Thomas W. Pauken, President
U.S. Voter Data, Inc.
6339 Chesley Lane
Dallas, TX 75214

RE: MUR 4383

Dear Mr. Pauken:

On June 17, 1996, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against U.S. Voter Data, Inc.. See attached narrative. Accordingly, the Commission closed its file in this matter on April 1, 1997.

The confidentiality provisions of 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 prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

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

Sincerely,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

97043792702

MUR 4383
PAUKEN FOR CONGRESS

Ed Valentine is a minority shareholder in U.S. Voter Data, Inc., of which Thomas Pauken, a 1992 congressional candidate from Texas, is the principal. Mr. Valentine alleges the possibility that \$45,000 of that corporation's money were used by the Pauken for Congress Committee ("the Committee") in 1992. He believes it may have been structured as a \$15,000 loan from the candidate and a \$30,000 loan from the Garvon Profit Sharing Plan ("GPSP").

Respondent Lynn O. Surls, Treasurer of the Committee, responds that it received a \$30,000 loan from the GPSP. She states that the \$15,000 loan was in the form of a personal check from the candidate. She affirms that the campaign did not receive any contributions from U.S. Voter Data, Inc. nor from any individual using a check with any reference to it. She also knows nothing about funds missing from that company.

Respondent Thomas Pauken filed two responses: one in his capacity as president of U.S. Voter Data, Inc., and the second in his capacity as the candidate in question. As president of U.S. Voter Data, Mr. Pauken asserts: that there is no \$45,000 missing from the corporation; that no money was lent, transferred, or given to the Committee or to the candidate personally by the corporation; and denied that the corporation transferred any funds to any other entities or individuals for the purpose of concealing a corporate contribution.

In responding as the candidate, Mr. Pauken states that he personally lent the Committee \$15,000; much of this debt is still outstanding. Mr. Pauken claims that he repaid the \$30,000 loan from GPSP by selling stock he owned and by using personal funds. He asserts that no corporate funds from U.S. Voter Data, Inc. were lent, transferred, or given to his campaign for Congress nor were monies ever transferred from U.S. Voter Data, Inc. to either himself personally or to GPSP either directly or indirectly in order to facilitate a loan.

GPSP states that the \$30,000 loan to Mr. Pauken (and the Committee, ultimately) was secured by stock owned by the candidate and by his vested interest in the Plan. According to GPSP, Mr. Pauken satisfied that loan in whole on May 30, 1991. Furthermore, GPSP asserts that the plan "has made no contributions to any political candidates at any time" and "did not attempt to exercise any kind of control over the use of the funds."

This matter is less significant relative to other matters pending before the Commission.

97043792703



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 1, 1997

W.H. Bowen, President
Garvon Profit Sharing Plan
5646 Milton, Suite 900
Dallas, TX 75206

RE: MUR 4383

Dear Mr. Bowen:

On June 17, 1996, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against Garvon Profit Sharing Plan. See attached narrative. Accordingly, the Commission closed its file in this matter on April 1, 1997.

The confidentiality provisions of 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 prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

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

Sincerely

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

97043792704

MUR 4383
PAUKEN FOR CONGRESS

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Respondent Lynn O. Surls, Treasurer of the Committee, responds that it received a \$30,000 loan from the GPSP. She states that the \$15,000 loan was in the form of a personal check from the candidate. She affirms that the campaign did not receive any contributions from U.S. Voter Data, Inc. nor from any individual using a check with any reference to it. She also knows nothing about funds missing from that company.

Respondent Thomas Pauken filed two responses: one in his capacity as president of U.S. Voter Data, Inc., and the second in his capacity as the candidate in question. As president of U.S. Voter Data, Mr. Pauken asserts: that there is no \$45,000 missing from the corporation; that no money was lent, transferred, or given to the Committee or to the candidate personally by the corporation; and denied that the corporation transferred any funds to any other entities or individuals for the purpose of concealing a corporate contribution.

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GPSP states that the \$30,000 loan to Mr. Pauken (and the Committee, ultimately) was secured by stock owned by the candidate and by his vested interest in the Plan. According to GPSP, Mr. Pauken satisfied that loan in whole on May 30, 1991. Furthermore, GPSP asserts that the plan "has made no contributions to any political candidates at any time" and "did not attempt to exercise any kind of control over the use of the funds."

This matter is less significant relative to other matters pending before the Commission.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4383

DATE FILMED 4-25-97 CAMERA NO. 1

CAMERAMAN JMD

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