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SENSITIVE

The Honorable John Warren McGarry
Chairman
The Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 4648 -- New York Republican Federal Campaign Committee
and Lewis B. Stone, as treasurer; Jeffrey T. Buley;
Gregory V. Serio; David R. Dudley, and Mary G. Obwwald

Dear Chairman McGarry:

Enclosed please find the submissions by Respondents in the above-captioned matter. Because of the press of time, vacations and the strike in the overnight shipping industry, we have not yet received orginials of the verified responses and affidavits of all the respondents. We will file these as soon as we receive them.

Thank you for your consideration.

Sincerely,


Benjamin L. Ginsberg

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 4648
New York Republican Federal Committee and)
Lewis B. Stone, as treasurer)

**RESPONSE OF THE NEW YORK REPUBLICAN FEDERAL COMMITTEE,
JEFFREY T. BULEY, GREGORY V. SERIO, DAVID R. DUDLEY,
LUTHER MOOK, AND MARY G. OBWALD
TO THE FEDERAL ELECTION COMMISSION'S
FACTUAL AND LEGAL ANALYSIS**

On behalf of the New York Republican Federal Campaign Committee ("the Party"), and Lewis B. Stone, as treasurer, Jeffrey T. Buley, Gregory V. Serio, David R. Dudley, Luther Mook, and Mary G. Obwald, this will respond to the Factual and Legal Analysis that accompanied the Federal Election Commission's ("Commission") reason to believe finding in the above-captioned matter.

I INTRODUCTION

It is unlikely that a state party committee has ever had more extensive volunteer election day programs than the New York Republican Party. As a result, this matter appears to mark a case of first impression -- namely how does a state party correctly report the large volume of small expenditures that go into an election day program permitted under state law, especially in a large urban area such as New York City. The reporting violations alleged in the Factual and Legal Analysis all stem from this unprecedented volunteer election day program in 1994, which the Party put in place as a result of what its officials learned about the New York City ballot counting process in the 1992 and 1993 elections.

To ensure the fairness of the 1994 election results, the Party involved volunteers in historic proportions, with approximately 8,000 volunteer poll watchers, attorneys and others aiding the election day program. The issues in this MUR concern the payments given, in varying amounts, to these volunteers to cover food, transportation, and in some cases, baby-sitting for their election day activities. None of the volunteers received more than \$99. Affidavit of Jeffrey T. Buley ("Buley Aff.") at ¶ 17 (attached as Exhibit 1). Given that all the actual disbursements were under \$100 according the person in charge of dispensing the funds, *id.*, it is unclear what other reporting of the disbursements the Party should have done.

Since all the disbursements at issue went to cover the expenses of the volunteers on election day, all the funds were spent on generic party building activity. None of the funds were spent on any candidate specific activity. Buley Aff. ¶ 15. Therefore, 2 U.S.C. § 441a(d) is not implicated.

II. BACKGROUND

The experience of the New York Republican Party's current leadership began with election day activities in 1992. Although the Party has run Election Day activities generally for many years, that election saw Republicans in New York City particularly focused because of the campaigns of Senator Al D'Amato and the legislative and congressional candidates running in recently redrawn districts. The GOP leaders became particularly alert to possible improprieties when Democrats went to court on election day in an attempt to keep the New York City polls open two hours past their scheduled closing time. Party attorneys successfully opposed this motion in court, Buley Aff. ¶ 4, but that was only part of the story.

Senator D'Amato had a 60,000 vote lead on election night. But the following morning, Party attorneys were informed that approximately 150,000 unopened, uncounted paper ballots had been "discovered" throughout New York City. *Id.* This crisis galvanized the Party, and Republican attorneys volunteered to serve throughout the City in unprecedented numbers at the counting of the unopened paper ballots at the local boards of election. *Id.*

This presence proved to be necessary. For example, at the Manhattan Board of Elections, where many of the unopened ballots turned up, the Democratic Deputy Election Commissioner, William Perkins, announced in the counting room that registration checks for the persons casting the ballots would be bypassed to expedite the process. Party attorneys objected, and Perkins backed down. The registration checks led to the invalidation of 70 percent of the unopened paper ballots. Party officials became convinced that if they had not been present (which had been the case in the past), the election would have been stolen. *Id.* ¶ 5.

In 1993, with the Mayoral election approaching and the 1992 election day experience fresh in their minds, the Party became convinced of the need for a strong volunteer election day program. Buley Aff. ¶ 6. Party officials, realizing that Republicans had virtually abandoned parts of New York City since the election of John Lindsey in the 1960s, concluded that a strong Republican presence throughout New York City was essential. *Id.*

To prepare for the 1993 elections, the Party moved on several fronts, including convincing the New York City Board of Elections to institute the legally required but seldom used mail check of all registered voters. Performed for the first time in more than a decade, this uncovered more than 100,000 persons registered at addresses at which they no longer apparently lived. *Id.* Additional investigation prompted media articles about 1,400 names being registered

at one post office box, the registration of deceased persons, and the processing of 19,000 illegal registration forms. *Id.*; Exhibit 2. More abuses were uncovered by hearings of the New York State Senate Elections Committee. Exhibit 3.

While discovering the past abuses and correcting them was extremely important, Party officials knew that a Republican presence at polling places throughout the City on election day was absolutely essential to ensure an honest vote in the 1993 election. Buley Aff. ¶ 6. New York Election Law permits a party to have three poll watchers at an election district polling station. N.Y. Elec. Code § 8-500(1). New York City has approximately 5,500 election districts. As a result, the Party recruited and trained over 10,000 poll inspectors and poll watchers, as well as approximately 400 attorneys to assist when problems arose. *Id.* ¶ 7. This program succeeded in placing Republicans in all the City's polling places for the first time in memory. *Id.*

Party officials believed that the key to being able to recruit all these volunteers was to make it as easy as possible for a person to take election day off from work. *Id.* ¶ 8. New York Election Law permits payments to poll watchers. N.Y. Elec. Code § 17-140. The New York State Board of Elections has specifically stated that "the payment of campaign workers for election day activities such as poll watching is permitted because it is for a campaign related activity, for a lawful purpose and not directly prohibited." Letter from Special Counsel Todd D. Valentine, attached as Exhibit 4.

As a result, the Party reimbursed its volunteers in varying amounts to cover such expenses as transportation, food, day care, and communications expenses. Buley Aff. ¶ 8. Party officials directed that no volunteer receive more than \$99 in expense money, and to the

knowledge of Jeffrey T. Buley, the Party's volunteer counsel who directed the election day program, "none did". *Id.*

The 1993 election day program was deemed a tremendous success, with Republicans appearing on election day in areas of the City where they had not been seen in decades, including communities traditionally "forgotten" by Republicans such as those in African-American, Hispanic, Asian and other minority communities. *Id.* ¶ 9. The volunteers also assisted in the post-election day operations when 100,000 uncounted and unopened paper ballots were again found on the day after the election, threatening Rudy Guiliani's 44,000 vote lead in the Mayor's race. Approximately 55,000 of those ballots were invalidated in the challenge process and Guiliani gained an additional 9,000 votes from the remaining 45,000 ballots. *Id.*

Party officials believed that the election day program in New York City played an integral role in the victories of 1992 and 1993, and the 1993 program with its 10,000 volunteers for the mayoral election became the template for the program instituted by the Party in 1994 and 1996. *Id.* ¶ 10.

The focus of the 1994 elections in New York was the gubernatorial campaign, although the election day program was designed to help all candidates on the ballot including federal candidates. *Id.* ¶ 11. The Party paid for the program out of its allocation account and reported the disbursement accordingly to the Commission. *Id.* The Party recruited and trained more than 8,000 poll watchers (the number was slightly lower than 1993, probably because there was no local election and because of a falling out between Mayor Guiliani and the Party over the Mayor's endorsement of Mario Cuomo over George Pataki). *Id.* ¶ 12.

The key to the recruitment of volunteers for the program, Party officials believed, was being able to make the process as easy as possible for the volunteers. This included reimbursing them for their costs of transportation, meal expenses, communications, and day care when necessary as permitted by New York law. *Id.* ¶ 13. The individual tasked by Party Chair William Powers with implementing and funding the election day program was Jeff Buley. After researching federal and state law and consulting with the Party's bank (Key Bank in Albany, N.Y.), Buley concluded there was no clear-cut answer, but that the best system for dispersing the funds to the volunteers was to have checks cut by the Party to a number of individuals. *Id.* ¶ 13.

Accordingly, to cover the election day expenses for the poll watchers and other volunteers, the Party wrote checks totaling \$55,000 in the following amounts: Buley, \$15,000; David Dudley, \$15,000; Mary Obwald, \$10,000; Luther Mook, \$5,000; and Greg Serio, \$10,000. *Id.* ¶ 14. Buley was counsel for the Party. *Id.* ¶ 1. Dudley was a former chair of the Rensselaer County Republican Party and a volunteer lawyer for the Party. Affidavit of David R. Dudley ("Dudley Aff.") ¶ 2. Obwald was an employee of the Party. Affidavit of Mary F. Obwald ("Obwald Aff.") ¶ 2. Serio was a volunteer attorney for the Party. Affidavit of Gregory V. Serio ("Serio Aff.") ¶ 2. Mook was chair of the New York Republican Asian Committee charged with outreach to the Asian community. (Attached collectively as Exhibit 5.) Each participated either in his or her role as an employee of the Party or as a volunteer for purposes of election day activities. Exhibit 5.

The disbursements of these funds to the five individuals was reported to the Commission on the Party's post-election report. The purpose was described as "election day expenses", and corrected to "GOTV -Travel Expense Reimbursement and Catering Costs" after the Party

received a letter from the Reports Analysis Division. All the expenditures were for volunteers, none of whom had a candidate specific role or message and did not advocate the election or defeat of any specific candidate. Buley Aff. ¶ 15.

The \$5,000 disbursement to the Kings County Republican Committee was not a part of the same election day program as the disbursements to the five individuals. *Id.* ¶ 16. The Kings County Republican Committee is a county party committee created pursuant to N.Y. Elec. Code §§ 2-100, 2-104 whose reports are on file with the New York City Board of Elections. The Kings County organization is a separate political committee and not a part of the Party under New York law. The \$10,000 disbursement to the Kings County Republican Committee on the day after the 1994 election was in anticipation of the increased expenses in the Borough of Brooklyn given the large number of unopened, uncounted paper ballots discovered there on election day and the possibility of a recount in a very close race for state Attorney General. Buley Aff. ¶ 16. The KCRC needed the funds to pay for its participation in the post-election counting and challenging, with Brooklyn being perhaps the most difficult section of New York City for Republicans. *Id.*

Under Mr. Buley's program, each of the individuals, except Luther Mook, cashed the check made out to him or her at the Key Bank and gave the money to Mr. Buley, who proceeded to New York City with the \$50,000 in cash for disbursement to the poll watchers and other volunteers. *Id.* ¶ 17; Exhibit 5, ¶ 3; Mook Aff. ¶ 3. Mr. Mook disbursed the funds on his own pursuant to the directions of Mr. Buley. To the best of Mr. Buley's knowledge and belief, and pursuant to his directions, all the money was disbursed to the approximately 10,000 volunteers

and no volunteer received more than \$99 from the Party for his or her participation in the election day program. Buley Aff. ¶ 17.

In 1996, because of the races on the ballot, the election day program was smaller than in 1994. Again the focus was on aiding all Republican candidates on the ballot by helping to achieve an honest vote and count. *Id.* ¶ 18. The Party paid for the program out of its allocation account and reported the disbursements accordingly to the Commission. *Id.* The Party again contacted its list of more than 8,000 poll watchers to recruit volunteers for 1996. This effort was not as successful as in 1993 and 1994. *Id.*

Again, the key to the program, Party officials believed, was being able to make the process as easy as possible for the volunteers. This again included reimbursing them for their costs of transportation, meal expenses, communications, and day care when necessary as permitted by New York law. *Id.* ¶ 19. The individual again tasked by Party Chair William Powers with implementing and funding the election day program was Mr. Buley. *Id.* Since no objections other than the purpose used on the FEC report had been raised, Mr. Buley implemented virtually the same election day program he had put in place in 1994, with the exception that the Party was now using Trustco Bank in Schenectady, N.Y. *Id.*

To cover the 1996 election day expenses for the poll watchers and other volunteers, the Party wrote checks totaling \$22,500 in the following amounts: Buley, \$3,000; J. Brendan Quinn, \$3,000; Mary Obwald, \$2,500; William D. Powers, \$3,000; Jason Powers, \$3,000; Kenneth Dippel, \$3,000; Lisa Herbst Ruggles, \$2,500, and Darryl Fox, \$2,500. *Id.* ¶ 20. All were either employees or campaign volunteers of the Party for purposes of election day activities.

The disbursements of these funds to the eight individuals were reported to the Commission on the Party's post-election report. *Id.* ¶ 21. The purpose was mistakenly described as "election day expenses" as a result of a bookkeeper at the Party inadvertently copying the purpose from the original 1994 report and not the amended purpose sent to the Reports Analysis Division in 1995. *Id.* ¶ 21. The incorrect description was amended as soon as the error was brought to the Party's attention. All the disbursements were for volunteers, none of whom had a candidate specific role or message and did not advocate the election or defeat of any specific candidate. *Id.*

Under Mr. Buley's program in 1996, each of the individuals endorsed the checks and turned them over to Mr. Buley, who then cashed them at the Trustco Bank. *Id.* ¶ 22. He proceeded to New York City with the \$22,500 in cash for disbursement to the poll watchers and other volunteers on election day. *Id.* To the best of Mr. Buley's knowledge and belief, and pursuant to his directions, all the money was disbursed to the volunteers and no volunteer received more than \$99 from the Party for his or her participation in the election day program. *Id.*

III. LEGAL ANALYSIS

A. 1994 Post-Election Report

The Factual and Legal Analysis first raises the issue of the purpose for the \$55,000 in disbursements, originally described as "election day expenses".¹¹ When informed by RAD that

¹¹ The disbursement to the Kings County Republican County was for unanticipated expenses which the KCRC could not cover in connection with the large number of uncounted, unopened paper ballots discovered in Brooklyn on the morning after the election and in anticipation of a possible recount in the race for Attorney General. Buley Aff. ¶ 16. As such, it is separate from the disbursements to the five individuals.

this description was insufficient, the Party changed the purpose to comply with 11 C.F.R.

§ 104.3(b)(3)(i)(B).

The Analysis goes on to insinuate, without elaboration, that "information in the Commission's possession" suggests the funds went for "walking around money". The genesis of this description is not clear. What is clear is that the funds were spent on election day activities that the New York Board of Elections, in response to a direct inquiry on the propriety of the expenditures, found to be "permitted because [they are] for a campaign related activity, for a lawful purpose and not directly prohibited." Letter from Todd D. Valentine, attached as Exhibit 4.

The amended purpose filed by the Party in 1995 is perhaps not artful, but it does comply with 11 C.F.R. § 104.3(b)(3)(i)(B). While the suggested "purposes" from the regulation are not precisely repeated on the Party's amended report, the description of "travel expense reimbursement" and "catering costs" does fall within the safe harbor provided by the regulation. And the amended purpose does accurately describe the Party's election day program as described on pages 1-9, *supra*.

The Analysis goes on to draw the puzzling conclusion that the individuals who received the checks at issue did so in their professional job capacities and not as campaign activists, thus somehow invalidating the disbursement. Without further explanation, it is difficult to ascertain the Commission's point. Nonetheless, the affidavits from each individual state that he or she was either administering the program (Buley) or volunteering for the Party as part of the election day program. Buley Aff. ¶ 14; Exhibit 5. Because all the information required by the Act was reported and because the program is permissible under New York law, there is no reason to

believe that Jeffrey T. Buley, Gregory V. Serio, David R. Dudley, Mary F. Obwald and Luther Mook violated 2 U.S.C. § 432(h)(1).

Under no possible reading of this program can any of the expenditures be found to fall under 2 U.S.C. § 441a(d). This election day, poll-watcher, legal protection program did not mention any individual candidate. It was designed, and did, benefit each and every candidate on the ballot by ensuring that the voting and counting process was honest. Placing Republican poll watchers in every polling place is not advocating the election or defeat of any specific candidate. No violation of 2 U.S.C. § 441a(d) occurred.

As for the program itself, all disbursements that should have been reported were reported. All disbursements that were a part of this program that were greater than \$200 were reported by the Party, and the public and Commission received all the information required by the Act and the regulations. Because all disbursements of greater than \$200 were reported, any violations are highly technical in nature. The reality is that no poll watcher or volunteer received more than \$99 of the \$55,000, according to the person in charge of the program. Buley Aff. ¶ 17. Accordingly, the Party did not have to report the ultimate recipients of the funds, so there is no violation of 2 U.S.C. §§ 434(b)(5)(A) and (6)(B)(i) and 11 C.F.R. §§ 104.3(b)(3)(i), (viii), (ix).

The Party may be in technical non-compliance because it never set up a separate petty cash account for these disbursements, as it may under 2 U.S.C. § 432(h)(2).²

As noted previously, the funds sent to the Kings County Republican Committee on the day after election did not involve an advance. The funds were to cover the challenges to the unopened, uncounted ballots discovered the day after the election and the costs of a possible

² The respondents are willing to enter into pre-probable cause conciliation pursuant to 11 C.F.R. § 111.18(d).

recount for the state Attorney General's race. Buley Aff. ¶ 16. The KCRC is on file with the State Board of Elections in Albany; the phone number for the committee cited by the Factual and Legal Analysis is believed to be that of its volunteer chairman at the time. Accordingly, there was no violation of 2 U.S.C. § 441b(a).

B. 1996 Post-Election Report

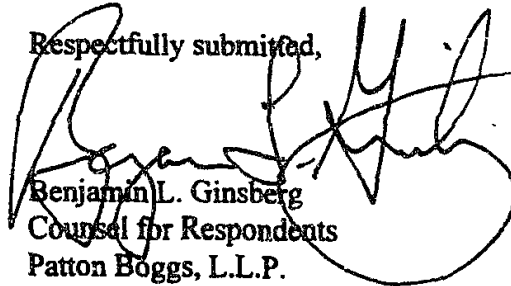
While the Commission found a knowing and willful violation concerning the misreporting of the purpose for the disbursements in the 1996 program, the explanation is much more benign. The 1996 program was modeled on the successful 1994 program, with the disbursements to the eight individuals who received checks reported to the Commission on the Party's post-election report. Regrettably, the purpose was mistakenly described as "election day expenses" after a bookkeeper at the Party inadvertently copied the description from the original 1994 report and not the amended description submitted after the Party received the letter from the Reports Analysis Division. Buley Aff. ¶ 21. The incorrect description on the 1996 report was amended as soon as the error was brought to the Party's attention. The Party respectfully submits that this was not a knowing and willful violation since the mistake was totally inadvertent and immediately corrected.

All the disbursements were for the expenses of poll watchers and other volunteers on election day; there were no expenditures for any specific candidate and none advocated the election or defeat of any specific candidate. *Id.* As with the 1994 election day program, all the expenditures were less than \$100, according to the person in charge of the program. *Id.* ¶ 22.

IV. CONCLUSION

For the reasons cited above, respondents respectfully request that the Commission find no probable cause that a violation occurred. To the extent the Commission does find a violation of the technical reporting issues cited in the Factual and Legal Analysis, the respondents are willing to enter into pre-probable cause conciliation.

Respectfully submitted,



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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	MUR 4648
New York Republican Federal Committee and)	
Lewis B. Stone, as treasurer; Jeffrey T. Buley.)	

AFFIDAVIT OF JEFFREY T. BULEY

Jeffrey T. Buley, being duly sworn, deposes and says:

1. I am an attorney at law admitted to practice before the Courts of the State of New York and am the General Counsel to the New York Republican State Committee ("the Party"). I served as pro bono counsel to the Party from January 1991 through September 1994. I have received compensation for my services to the Party since October 1994. I make this affidavit in response to inquiries and allegations made by the Federal Election Commission in MUR 4648.

2. In both 1994 and 1996, I was asked by Party Chair William Powers to head up the Party's election day program to ensure an honest vote count. To accomplish this, I consulted both federal and state law.

3. Having an effective election day program became a priority for the Party and chairman Powers as a result of what we observed happen in New York City in 1992. In that election, our focus was on the reelection campaign of Senator Al D'Amato, as well as the legislative and congressional candidates running under new lines for the first time as a result of redistricting.

4. In that election, we suspected improper activity when Democrats went to court on election day in an attempt to keep the New York City polls open two hours past their scheduled closing time. Our attorneys successfully opposed this motion in court. To accentuate that there were basic problems, Senator D'Amato had a 60,000 vote lead on election night. But the following morning, Party attorneys found out that approximately 150,000 unopened, uncounted paper ballots had been "discovered" throughout New York City. The Party became incensed at what we believed was a blatant attempt to steal the election, and Republican attorneys volunteered to serve throughout the City in unprecedented numbers at the counting of the unopened paper ballots at the local boards of election. This was so blatant that we believed we had probably been victimized by similar tactics in the past but didn't have poll watchers and volunteers to know what was happening to us.

5. The presence of GOP volunteers at the counting proved to be absolutely necessary. For example, at the Manhattan Board of Elections, where many of the unopened ballots turned up, the Democratic Deputy Election Commissioner, William Perkins, announced in the counting room that registration checks for the persons casting the ballots would be bypassed to expedite the process. Our attorneys objected strenuously, and Perkins backed down. The registration checks led to the invalidation of 70 percent of the unopened paper ballots. We became more convinced than ever that if we had not been present (which had been the case in the past), the 1992 election would have been stolen.

6. As the 1993 Mayoral election approached, we knew that a strong volunteer election day program was essential. We also realized from the 1992 experience that Republicans had abandoned parts of New York City since the election of John Lindsey in the 1960s. To prepare

for the 1993 elections, we moved on several fronts, including convincing the New York City Election Commission to institute the legally required mail check of all registered voters for the first time in more than a decade. This turned up more than 100,000 persons registered at addresses at which they no longer apparently lived. Additional investigation prompted media articles about 1,400 names being registered at one post office box, the registration of deceased persons, and the processing of 19,000 illegal registration forms. A New York State Senate Elections Committee investigation turned up even more past abuses. Exhibit 3.

7. In implementing our program, we looked to the New York State Election Code which permits a party to have three poll watchers at an election district polling station. New York City has approximately 5,500 election districts, so we knew that an unprecedented program was needed. The Party recruited and trained over 10,000 poll inspectors and poll watchers, as well as approximately 400 attorneys to assist when problems arose. This meant that we had Republicans in all the City's polling places for the first time in memory.

8. In determining how to get this many volunteers, we decided that the key was being able to make it as easy as possible for a person to take election day off from work. To do this, we utilized the section of State law that permits payments to poll watchers and other volunteers for election day activities. We reimbursed the Party's volunteers in varying amounts to cover such expenses as transportation, food, day care, and communications expenses. The Party directed that no volunteer receive more than \$99 in expense money, and I believe that none did.

9. The 1993 election day program was deemed a tremendous success, with Republicans appearing on election day in areas of the City where they had not been seen in decades, including communities traditionally "forgotten" by Republicans such as those in African-American,

Hispanic, Asian and other minority communities. The volunteers also assisted in the post-election day operations when 100,000 uncounted and unopened paper ballots were again found on the day after the election, threatening Rudy Guiliani's 44,000 vote lead in the Mayor's race. Approximately 55,000 of those ballots were invalidated in the challenge process and Guiliani won an additional 9,000 votes from the remaining 45,000 ballots.

10. Party officials believed that the election day program in New York City played an integral role in the victories of 1992 and 1993, and the 1993 program with its 10,000 volunteers for the mayoral election became the template for the program instituted by the Party in 1994 and 1996.

11. The gubernatorial campaign was the focus of the 1994 elections in New York, although the election day program was designed to help all candidates on the ballot including federal candidates. I directed that in order to comply with the Federal Election Campaign Act, the Party would pay for the program out of the allocation account. The appropriate disbursements for the program were on the Party's post-election report filed with the Commission.

12. In 1994, the Party recruited and trained more than 8,000 poll watchers. This number was slightly lower than in 1993, probably because there was no local election and because of a falling out between Mayor Guiliani and the Party over the Mayor's endorsement of Mario Cuomo over George Pataki.

13. In implementing the program and recruiting volunteers for the program, I worked to make the process as easy as possible for the volunteers. This included reimbursing them for their costs of transportation, meal expenses, communications, and day care when necessary as

permitted by New York law. After researching federal and state law and consulting with the Party's bank (Key Bank in Albany, N.Y.), I concluded that while there was no clear-cut answer, the best system for dispersing the funds to the volunteers was to have checks cut by the Party to a number of individuals, including myself.

14. To do this, the Party wrote checks totaling \$55,000 in the following amounts: me, \$15,000; David Dudley, \$15,000; Mary Obwald, \$10,000; and Greg Serio, \$10,000, and Luther Mook, \$5,000. All were party activists and volunteers in the election day program, and myself and Mary Obwald were also employed by the Party.

15. These disbursements to the six of us were reported to the Commission on the Party's post-election report according to my understanding of the Federal Election Campaign Act and the Commission's regulations. The purpose was described as "election day expenses", and corrected to "GOTV -Travel Expense Reimbursement and Catering Costs" after receiving a letter from the Reports Analysis Division. All the expenditures were for volunteers, none of whom had a candidate specific role or message and did not advocate the election or defeat of any specific candidate.

16. The \$5,000 disbursement to the Kings County Republican Committee was not a part of the Party's election day program. The Kings County Republican Committee is a county party committee created under New York law; its reports are on file with the New York Board of Elections in Albany. The Kings County organization is a separate political committee and not a part of the Party under New York law. The Party made the \$5,000 disbursement to the Kings County Republican Committee on the day after the 1994 election in anticipation of the increased expenses in the Borough of Brooklyn given the large number of unopened, uncounted paper

ballots there and the possibility of a recount in a very close race for state Attorney General. The KCRC needed the funds to pay for its participation in the post-election counting and challenging, with Brooklyn being perhaps the most difficult section of New York City for Republicans.

17. As I devised the program, each of the individuals cashed the check made out to him or her at the Key Bank and gave the money to me, with the exception of Luther Mook. I proceeded to New York City with the \$50,000 in cash for disbursement to the poll watchers and other volunteers. To the best of my knowledge and belief, and pursuant to my directions, all the money was disbursed to the approximately 10,000 volunteers. No volunteer received more than \$99 from the Party for his or her participation in the election day program. We did this in the belief we were complying with the Act's rules regarding the disbursement of petty cash.

18. In 1996, because of the races on the ballot, the election day program was smaller than in 1994. I was again given the job of planning and executing the election day program by Chairman Powers. The focus was on aiding all Republican candidates on the ballot by helping to achieve an honest vote and count. The Party paid for the program out of its allocation account and reported the disbursements to the Commission. The Party again contacted its list of more than 8,000 poll watchers to recruit volunteers for 1996. This effort was not as successful as 1993 and 1994, but we still had enough volunteers to have a presence at every polling location in New York City.

19. We again believed that the key to the program was making the process as easy as possible for the volunteers. This again included reimbursing them for their costs of transportation, meal expenses, communications, and day care when necessary as permitted by New York law. Since no objections other than the purpose used on the FEC report had been

raised, I implemented virtually the same election day program as in 1994. The lone exceptions were that the program was smaller and that the Party was now using Trustco Bank in Schenectady, N.Y.

20. To cover the 1996 election day expenses for the poll watchers and other volunteers, the Party wrote checks totaling \$22,500 in the following amounts: me, \$3,000; J. Brendan Quinn, \$3,000; Mary Obwald, \$2,500; William D. Powers, \$3,000; Jason Powers, \$3,000; Kenneth Dippel, \$3,000; Lisa Herbst Ruggles, \$2,500, and Darryl Fox, \$2,500. All were either employees or campaign volunteers of the Party for purposes of election day activities.

21. The disbursements of these funds to the eight individuals were reported to the Commission on the Party's post-election report. The purpose was mistakenly described as "election day expenses" as a result of a bookkeeper at the Party inadvertently copying the purpose from the original 1994 report and not the amended purpose sent to the Reports Analysis Division in 1995. This mistake on our part was amended as soon as the error was brought to the Party's attention. All the disbursements were for volunteers, none of whom had a candidate specific role or message and did not advocate the election or defeat of any specific candidate.

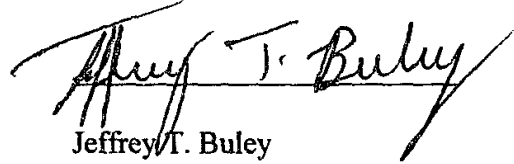
22. Under the 1996 program, each of the individuals endorsed the checks and turned them over to me. I then cashed them at the Trustco Bank. and proceeded to New York City with the \$22,500 in cash for disbursement to the poll watchers and other volunteers. I directed that all the money be disbursed to the approximately 8,000 volunteers and that no volunteer receive more than \$99 from the Party for his or her participation in the election day program. I believe that these directions were followed.

FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

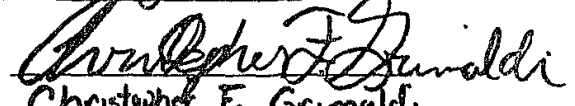
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I swear that the proceeding statements are true to the best of my knowledge, information and belief.


Jeffrey T. Buley

SUBSCRIBED AND SWORN to before me this 18th day of August, 1997


Christopher F. Grimaldi
Notary Public
02GR5059031
Albany County, NY

My Commission Expires:

4/22/98

It's home to stamps, letters, parcels, and . . . 1,247 VOTERS 'LIVE' HERE

By COLIN MINER

More than 1,300 people who voted in the hotly contested 1989 mayoral election claimed they lived at 290 Ninth Ave. — the back entrance of the humongous main post office opposite Madison Square Garden.

Alex:

A Dominican lawyer who practices in Midtown admitted to The Post that he voted four times in the 1989 election — for David Dinkins — by re-registering at the same address but using variations of his name.

Dozens of "dead" people cast ballots, hundreds of illegal aliens managed to register and vote, and still dozens more have admitted they were paid to register more than once.

Those are just a few examples, uncovered by The Post, of alleged voter fraud that occurred in the city's last mayoral election — between Dinkins and Rudolph Giuliani. The outcome of that election hinged on fewer than 45,000 votes.

State lawmakers and Board of Elections officials acknowledge that they fear this year's mayoral contest may be rife with voter corruption too.

"You can steal any election any time in New York City," said one board official, who asked not to be identified.

Daniel DeFrancesco, the Board of Elections' executive director, said his office works every day at trying to deter "even the possibility of fraud," but said it's not an easy task.

"The problem is, if you know the system, you know how to get around it," DeFrancesco said.

Board spokeswoman

Naomi Bernstein told The Post that since the board is prohibited from asking people to prove their eligibility, "there's always the possibility of fraud."

In the case of the post-officeiasco, officials in the Board of Elections' Manhattan office allowed people to register without ever checking whether their addresses were legitimate.

It was only eight weeks ago that officials finally checked out the 1,247 "registered" voters at the post of-

fice — and found they could not verify that the voters ever even existed.

The board removed those "voters" from its rolls a week ago — hoping to keep them from voting in this year's elections.

deteriorated so much that late last year Chief Clerk Bart Regan and Deputy Chief Clerk Bill Perkins resigned amid allegations of mismanagement.

Perkins has since been hired to run the Manhattan field operations for Dinkins' re-election campaign.

Source said the state Senate has opened an investigation into allegations of 1989 voter fraud — with an eye toward holding public hearings this summer.

The situation in the board's Manhattan office

Among Perkins' responsibilities to registering new voters, said campaign spokeswoman Leah Johnson.

NEW YORK POST, MONDAY, MAY 31, 1993

THOUSANDS MORE FAKE VOTERS CAUGHT

By COLIN KINER

The city Board of Elections' probe of fraudulent voter registrations has turned up thousands of more names of people who may not exist.

The board stepped up its actions after The Post reported exclusively Wednesday that a lawyer had admitted to registering and voting four times in the 1989 mayoral election and knew of other instances of fraud.

The board also reported that the board had purged 1,341 names of people who had all registered that they lived at the same phony address.

Since then the board — which is pushing to clean up its rolls in time for the September primaries — has been unable to verify the existence of thousands

of more registrants. It has purged hundreds of those names from its rolls so far — and a board official said thousands more may be dropped for the same reason.

Still more thousands of people have been found to be registered more than once.

The board does "mail checks" on voters when something raises a red flag about their registration — for example, if a tip is received that it's fraudulent, or if it appears a person is registered twice. Those voters are sent postcards asking them to contact the board. If the card is returned "address unknown," a second card is sent notifying the voter that he has two weeks to contact the board, after which his name will be removed.

The board is also investigating allegations that some registrations list an empty lot or abandoned building as the voter's primary residence.

Voters' Bounty

Groups were paid 50¢ per new voter

By Joe Calderone

NEW YORK NEWSDAY INVESTIGATIONS TEAM

A voter registration drive supervised by Mayor David N. Dinkins' chief political operative last year paid local groups a bounty of 50 cents for each registration card they submitted, a system that a top election law expert said promoted fraud.


Dinkins' longtime adviser, former Deputy Mayor Bill Lynch, who served as President Bill Clinton's deputy campaign state coordinator last year, said that between \$100,000 to \$150,000 in payments were made by the Democratic National Committee to hundreds of political and community groups that ran voter registration drives. Paying groups to gather registrations on the bounty system gave them an incentive to register people who were already on voter rolls and to fill out forms with fictitious names, said Jerome Koenig, a top legislative aide to the state Assembly Election Law Committee, who objected to the payments.

"They were forging forms just to get the money," said Koenig, referring to some groups that participated. "I have some in my possession — clearly forgeries with identical handwriting and nonexistent addresses."

Koenig said his West Side Democratic club, the Park River Independent Democrats, declined the money. "I did not like, and do not like, its appearance," said Jerry Goldfeder, a noted election lawyer and the district leader of the club. "People shouldn't have to be paid in order to get them to help register."

Lynch and Assemblyman Herman D. Farrell Jr., the Manhattan Democratic county leader, defended the payments. "If the implication is we encouraged people to violate the law, that is baloney," said Lynch. "Our reason for doing it that way is productivity. You get more bang for your buck."

Recent reports in New York Newsday have highlighted chaotic conditions at the City Board of Elections, including thousands of duplicate registrations, use of phony addresses on voter cards and the filing of unsigned registration forms. New York Newsday re-



If the implication is we encouraged people to violate the law, that is baloney. Our reason for doing it that way is productivity. You get more bang for your buck.

— Bill Lynch, Deputy Mayor

ported two weeks ago that at least 8,300 new voters appear to have registered twice, some using the same address.

Acting on the New York Newsday reports, the state Senate Elections Committee last week cited a "growing trend of voter fraud" and announced a probe of the city Board of Elections operations. The committee plans to hold hearings here next month.

State election law prohibits campaign workers from being paid to gather signatures for petitions on a per signature basis, Koenig said, because of fears that would encourage the filing of fraudulent signatures. Payments directly to voters to register also are prohibited.

But the law is vague regarding payments to organizations conducting voter registration drives, he said. A state Board of Election spokesman said there is nothing in the law that specifically prohibits pay-

ments to voter registration organizations on a per registration card basis. "If you're on the street and someone says, 'I'm already registered,' the incentive is to say, 'Regular card.' The more forms you turn in, the better you look," Koenig said. "It opens it to abuse."

But two district leaders said the payments helped defray their expenses. "There's nothing unethical about assisting grassroots organizations in doing their jobs," said Phil Reed, district leader of the Three Parks Independent Democrats on the Upper West Side, which received payments for its registration drive. "Finally, someone realized we needed that kind of encouragement to get the job done."

"You're always going to have a certain amount of chicanery because you have a certain amount of smart asses out there," Farrell said. "But they do stand out in the rain, they do eat lunch, there is a reason to give them their expense money back."

Grave Election

DA probes balloting by dead in Long Beach primary

By Celeste Hadrick
STAFF WRITER

The absentee exit poll might have been held in Long Beach last September.

Nassau District Attorney Denis Dillon confirmed yesterday that he is investigating allegations that dead people voted in a Sept. 15 Democratic primary.

Spokesman Ed Grillo declined to comment further on the probe of alleged voting irregularities during the election in which a longtime state committeewoman, who headed the city's outstretched Democratic organization, was elected by a political machine.

But sources familiar with the case said investigators have found that as many as two dozen absentee ballots were submitted by people who had died before the ballots were cast. All came from King David Manor, a residence for the elderly that is a frequent stop for some politicians and candidates.

"There is absolutely no doubt that dead people voted," one source said.

Other absentee ballots came from people who were no longer living at the home, the sources added. And all of the dead and missing voted against incumbent state committeewoman George Israel, who had held his party post since 1988.

There were not enough of the suspicious ballots to change the primary's outcome. Official voting results show that Israel received 3,896 votes and political newcomer Steven Bloom of Herchel got 4,478 votes. The 431 absentee ballots were stacked at the top of the total.

The investigation is focused on who was responsible for the dead persons' votes, sources said. A man who identified himself as the owner of the King David Manor said in a telephone interview yesterday that he was unaware of the investigation. He said that he took over King David Manor Feb. 1.

In some parts of the county, Nassau's underlying Democratic Party can barely muster one candidate apiece for the post of state committeewoman and committeewoman, who are elected from each assembly district. But Long Beach has been a Democratic stronghold for years, and its party machine has long controlled the political patronage and perquisites in that small city.

Last year, Israel broke with the Long Beach organization, headed by City Council President Kevin Braddish, by supporting Oyster Bay leader Steve Sobush in his losing effort to replace John Matthews as Nassau Democratic Party chairman. Braddish, at that point, was Matthews' deputy at the county elections board, where Matthews serves as Democratic board chairman. Braddish backed Bloom against Israel, party leaders say.

The political players are saying little about what happened in that primary, however, when Democrats from the 21st Assembly District also voted for Bill Clinton to run for president. Israel declined to comment, citing the active investigation. Matthews also declined to comment because of Dillon's probe. Braddish

Please see BALLOTS on Page 27

World News

DA Probes Balloting by Dead in Long Beach

LLOTS from Page 3

It didn't be reversed. And Bloom said, comes as a shock to me. I don't know anything about dead people voting.

ut Sobush said the apparently absentee ballots were just part of dirty tricks played during that election.

This is politics as usual in Long Beach," Sobush said. "It came to light

because we knew there were schematics in the absentee ballots. We know very close, despite the dead people."

Traditionally, residences for the elderly and nursing homes have been a target of political machines because of the number of elderly residents who could be persuaded to vote for the party in power. The houses in Long Beach are no different, insiders say, and residents are signed up to automatically receive

absentee ballots annually.

Sylvia Fischel, chief clerk of the Nassau elections board, acknowledged that disabled persons can be put on a permanent list to receive absentee ballots, but added that various checks are used to prevent abuse. She confirmed that the district attorney's office had interviewed employees at the election board about the September primary.

Said Fischel: "Obviously, to the best of my knowledge, no one was dead."

CHEATERS ARE JUST DYING TO VOTE

By COLIN MINER

At least 300 dead New Yorkers are registered to vote in November's mayoral election, a Post investigation has found.

For a few, it may be the second opportunity to cast a ballot from the beyond. At least two dozen of them were dead before the 1989 mayoral election, but still managed to vote.

The Board of Elections is going over its rolls and, according to one of its officials, the number of registered, but dead, voters could go into the thousands.

The Board of Health provides the Board of Elections with a list of New Yorkers who die.

Meanwhile, state Senate's Elections Committee, chaired by upstate Republican Michael Nozzolo, today holds the first in a series of hearings into possible voter fraud and illegal voter registration.

The committee's investigation was prompted by a series of reports in The Post about dead people voting, people voting more than once, and other examples of fraud.

Meanwhile, The Post has learned that a Midtown lawyer who registered five times and voted four times in 1989 has since registered five more times. Each time, he used a different name.

He was never prosecuted because no one knows his real name.

A Post survey of the voter rolls also turned up:

• A man who registered recently, less than two months after he died.

• At least 7,500 people who were able to register more than once without even bothering to give different names or addresses.

• Several thousand

**One man
registered less
than two
months after
he died.**

voters who registered under phony names.

"The problem is, if you know the system, you know how to get around it," said Daniel DeFrancesco, the Board of Elections' executive director.

Nozzolo told The Post that his investigation is intended to highlight irregularities and possible illegalities.

"It would appear that New York's election laws are being abused in an effort to advance individual parties and candidates," he said.

He refused to be more specific.

One witness scheduled to testify today is William Perkins, former deputy chief clerk of the Board of Elections.

Perkins, one of two people who had been in charge of the board's Manhattan office, resigned earlier this year in the wake of charges of mismanagement.

After he left, the board brought in an outside firm — at the cost of \$30,000 — to identify ineligible voters.

The company found nearly 100,000 errors in the registrations of Manhattan's 500,000 voters. While an error does not necessarily prove fraud, "It certainly does raise eyebrows," said one board official.

Board of Elections spokeswoman Naomi Bernstein said she would have no comment until after the hearing.

NEW YORK POST, WEDNESDAY, AUGUST 4, 1993

Wanna vote? Find a park bench to call home

If you are so inclined, you may register to vote in New York by claiming a vacant block as your place of residence.

And if a vacant block doesn't strike your fancy, you could make it a parking garage. Or an abandoned building. Maybe a restaurant or Joe's smoke shop. And if none of these is exotic enough, you could identify your address as a park bench or a grate in a city street.

No joking. It's perfectly legal. And, in the view of State Sen. Martin Connor, a Brooklyn Democrat, it is also appropriate.

"I could go to the Board of Elections today and pick out many people who are registered to vote from vacant lots or garages or abandoned buildings," the senator told a public hearing on voter fraud the other day. "They are legally registered there, and they are entitled to vote. When I tell peo-



man of the Joint Code of Staff, Gen. Colin Powell.

"He's registered to vote in The Bronx, but I don't think he has spent two nights in The Bronx in the past 20 years," said Connor. "But he's a legal resident of The Bronx, he can vote there, and that is as it should be."

ple this they say, 'How can that be?' I say it is because residences for voting is a legal definition."

The senator offered a prime example: the chair-

man of the Joint Code of Staff, Gen. Colin Powell.

"He's registered to vote in The Bronx, but I don't think he has spent two nights in The Bronx in the past 20 years," said Connor. "But he's a legal resident of The Bronx, he can vote there, and that is as it should be."

There are certain categories of people, especially those in service, who maybe lived with their parents, then spend years in service

around the world."

For similar reasons, voters are entitled to give a post-office number as a mailing address. "That's a federal court order and there is nothing the city, the state or the Legislature can do about it," said Connor.

"Property administered, it is a good rule. Every American should have the right to vote, no matter what their circumstances — whether they live under a bridge or in a penthouse."

Continued from Page 4

same category as income tax," said Daniel DeFrancisco, executive director of the city's Board of Elections. "But just as the IRS does not have the enforcement capability to investigate every tax return, so the city does not have the enforcement capability to investigate every mail registration and to compel over 3 million New Yorkers to file valid registration applications."

DeFrancisco denied there was any systematic fraudulent voting. Mail registration, he said, caused administrative problems.

Assemblyman Robert Stranieri, a Staten Island Republican, thinks the influx of 200,000 immigrants in the past decade may lead to extensive non-citizen voting. There is no mechanism in place to check a voter's citizenship. The potential for fraud appears very great.

Sen. Connor noted that until well into the 19th century, New York permitted non-citizens to vote.

"They thought the great unwashed Irish immigrant surge would take over the city, so suddenly you had to be a citizen to vote," he said. "But you didn't have to be a citizen to die at Gettysburg. You could be a soldier in New York, but you could not vote."

There are bills in Albany seeking to give permanent residents the right to vote. Stranieri does not favor it, and he does not think a legislative majority will support it.

Sen. Connor has not yet made up his mind, but he has some sympathy for the proposition. "People with green cards are considered American nationals and are subject to virtually every legal requirement, including a demand for loyalty to the U.S. government," he said. "Maybe the answer is to let all residents vote."

That's exactly what state Sen. David Paterson, a Manhattan Democrat, favors. He is co-sponsor of the Legal Permanent Resident Voting Rights Act.

He told the hearing, "These people may not be citizens, but they have passed through the INS [Immigration and Naturalization Service] procedures. Eleven of them from this city died in the Persian Gulf crisis. I think people who have lived here for three years should be entitled to the same rights that the democracies of Sweden, Ireland and Denmark have given in the way of voting rights."

It is apparent there are huge problems monitoring the validity of all voter registrations in the city. But it's getting to the point where any foreigner may come into town, take up residence on a park bench, get a post-office-box mailing address, and vote for president of the United States.

CITY

Queens Election Fraud

By Joseph W. Queen
staff writer

The president of a Queens political group was implicated yesterday in a case of election fraud allegedly committed by an insurgent City Council candidate.

Johnson Lee, president of the 1,000-member Chinese-American Voters Association of Queens, admitted in State Supreme Court, Jamaica, yesterday that he might have improperly notarized petitions for Democratic council hopeful Elsie Chen.

"I had the intention to tell the truth . . . but I guess I did not in this case," Lee said at one point. "I don't recall."

Source close to the case said that allegations against Lee were expected to be forwarded to the Queens district attorney's office for a possible criminal

investigation. Lee's testimony came during a civil election fraud lawsuit brought by the Queens Democratic machine on behalf of incumbent Councilwoman Julia Harrison (D-Flushing) in an attempt to have Chen kicked off the primary ballot. Lee's testimony appeared to badly damage Chen's chances of remaining on the ballot.

Lee, a notary public, signed documents stating that he had personally witnessed each person sign the petitions and administered an oath to each signer. But in court yesterday, after being told that witnesses had testified they'd never seen him, Lee suggested

that "maybe I was in the car" when some of the signatures were collected. He also testified that he gave the candidate's son, James Wu, permission to alter the petitions he had notarized.

"This is a group of non-English-speaking minorities trying to learn the process and they may have made some mistakes," said Chen's attorney, Nick Miglino. He said Chen, a librarian and an at-large Democratic district leader, was a first-time candidate unfamiliar with the state's arcane election laws.

Chen has 1,119 signatures on her petitions and needs 900 to qualify for a primary ballot. Court documents show

Bad news for council hopeful

Lee notarized more than 200 signatures — which, if investigated by Justice John J. Leady, would kill Chen's candidacy. Leady could also rule that Chen's petitions were riddled with fraud and disqualify Chen on that count. A decision is expected today.

Meanwhile, organization lawyers are also attempting to toss another insurgent candidate, Jan Clark, off the ballot for election fraud. Clark, an attorney and the daughter of Assemb. Barbara Clark (D-Queens), is challenging incumbent Councilman Archie Spigner (D-Queens).

Jan Clark complained the organization was targeting "every minority insurgent." Both Clark and Spigner are black. Spigner supported Clark's unsuccessful primary opponent in last year's election for the state Legislature.

DA questions elections clerk in fraud probe

Forged signature appeared on Ambrosino nomination petition

By JUDY L. RANDALL

The chief clerk of the State Island Board of Elections has been questioned by the district attorney's office in connection with alleged petition fraud by the Democratic Party.

Meanwhile, the district attorney's office may seek the appointment of a special prosecutor to probe the matter — or turn the case over to the state attorney general's office in Jersey City.

The island's chief elections clerk, Barbara Kett — who also sits on the executive committee of the Democratic Party — yesterday acknowledged that she was called into the district attorney's office earlier this week.

Ms. Kett said she was questioned about her forged signature, which turned up on the witness statement of a nominating petition for former Democratic borough presidential candidate Larry Ambrosino. She said she also was asked about her clerk's report, which indicated the majority of the signatures collected by Democratic workers on Ambrosino's behalf.

The city Board of Elections overturned Ms. Kett's report after doing a line-by-line review of the

elaborate.

But Lohr said the district attorney's probe could extend to Democratic Party chairman Robert J. Gigante and party law chairman James Birch.

"We will talk to everybody and that includes everybody," said Lohr when asked if Gigante and Birch would be called in for questioning.

Gigante has said he was not involved in the petition process. Birch helped prepare the petition for filing with the city Board of Elections.

While a Manhattan tabloid yesterday reported that Ambrosino's probe, Lohr said that is not the case.

Ambrosino has never been implicated in the matter, by Democrats or Republicans. Ambrosino has said he was not involved in the petition process.

Lohr said it would be "a while" before the probe is completed — but said it would be done before Election Day.

But a well-placed source in the district attorney's office who is familiar with the probe yesterday said "there may come a point" when Murphy "would have to accuse us from further involvement."

"The people who may be involved in this case may have been involved in Birch's campaign," said the source. "There may be an appropriate time for the attorney general or a special prosecutor to get involved."

Two Democrats who helped Birch prepare Ambrosino's petition for filing — Richard Abbate and Robert Oliver — have been heavily involved in Murphy re-election efforts.

Abbate — whose Gigante got in charge of the overall petition gathering operation — has been considered fair comment.

When the allegations of improper first surfaced, Oliver said that while heading the petition he noticed "some error" but that "there was nothing fraudulent."

But when asked again on Tuesday about his role in preparing the petition for filing, Oliver said, "I don't think of them like I did. I was never asked to do that. I prepared them (numbered the pages) and did the cover sheet."

Lohr also acknowledged yesterday that the district attorney's office is reviewing Democratic Party petitions from 1962 — which Murphy subpoenaed from the Board of Elections — "to see how things were done in previous years and sort a comparison."

Gigante has called the faulty petitions an "aberration." But a review of petitions previously filed by the Democratic Party could indicate that the district attorney's office is trying to ascertain if there is a pattern of fraud.

10 17 / 26-15

'89 Vote Fraud Probed

By Joe Calderone

NEW YORK NEWSDAY INVESTIGATIONS TEAM

City investigators are probing an allegation that undocumented aliens in Washington Heights obtained phony immigration papers in exchange for voting illegally for Mayor David N. Dinkins in 1989, documents obtained by New York Newsday show.

The city's Department of Investigation, acting on information from a Drug Enforcement Administration informant, launched a probe more than three weeks ago aimed at finding a "document dealer" who allegedly signed up immigrants to vote using phony voter-registration cards.

DOI Commissioner Susan Shepard briefed Manhattan District Attorney Robert Morgenthau on Sept. 30 about the case; DOI's general counsel, Andrew Melnick, followed up with an Oct. 12 letter in which he outlined the allegations. New York Newsday has obtained a copy of the letter DOI sent to Morgenthau.

While the DEA informant is considered reliable,

law-enforcement sources cautioned that the probe is at the early stages. But DOI's assignment of a squad of investigators to the case and Shepard's decision to personally enlist the assistance of Morgenthau's office are indications of how seriously DOI is taking the allegations, the sources said.

DOI and Morgenthau's office both declined to confirm or deny the existence of the probe.

Dinkins campaign spokesman Joseph DePasco said yesterday the campaign was unaware of the probe. "It sounds like a ridiculous allegation," he said, adding that "obviously it should be pursued."

According to the letter, which is marked "Personal and Confidential," the DEA informant said she obtained false immigration documents that enabled her boyfriend to enter the United States illegally from the Dominican Republic. The informant said she obtained the documents shortly before the 1989 mayoral election from a document dealer, "whom she stated was somehow associated with City Councilman Guil-

Please see VOTING on Page 105

NEW YORK NEWSDAY, TUESDAY, OCTOBER 19, 1993

Votes-for-Documents Fraud in '89 Probed

VOTING from Page 4

lerno Linares," the DOI letter states.

Linares (D-Manhattan), whose district includes Washington Heights and who is the first Dominican-born council member, called the allegations "completely foreign to me — off the wall." He denied any wrongdoing and said he welcomed a probe.

A City College instructor and community school board president at the time, Linares was a key Dinkins backer in the Dominican community in 1989. He was elected to the council in 1991 with Dinkins' support. As a leader of Dinkins' 1989 campaign, Linares said he was involved in nonpartisan voter-registration efforts.

In exchange for providing the phony immigration papers, the informant said she agreed to allow the document dealer "to register her to vote as a Democrat (under a fictitious name) and to vote for David Dinkins in the election," the DOI letter states.

"The confidential informant also indicated that at the time, [the dealer] . . . provided her with a phony voter registration card and directed her to the appropriate polling place to cast her ballot. He had many other such voter registration cards in his possession," the DOI letter adds.

High-level law enforcement officials are said to be concerned with the many loopholes in the voter-registration system. Currently, a prospective voter need only fill out a registration card and attest to the accuracy of the information provided in order to register by mail. The Board of Elections conducts no identification checks or verification of citizenship.

DOI officials have discussed sending investigators undercover to try to verify if fraudulent votes are cast, law-enforcement sources said.

Accusations fly over threat of voter fraud

By FREDRIC BICKER
State Editor

Backers of Mayor Dinkins and Rudolph Giuliani battled over the voter-fraud issue yesterday and vowed to field thousands of polling place watchers to keep today's balloting honest.

City police will have 2,000 uniformed cops at the 1,200 polling sites, with a special team of 60 police captains on election duty standby, in an effort to minimize fraud.

The U.S. Justice Department also plans to monitor polling places at the request of both campaigns. Giuliani's supporters contend that widespread criminal voter fraud can be expected from Dinkins operatives.

"We expect efforts to be

Plenty of time — so voters

Today is Election Day. Polls in New York City and throughout the state are open from 6 a.m. to 8 p.m.

Voting hours in New Jersey are 7 a.m. to 8 p.m. Voters seeking information about their polling place can call (212) VOTE-NYC.

Suburban voters can call:

■ In Westchester, (914) 255-5700.

■ In Nassau, (516) 511-4111.

■ In Suffolk, (516) 282-4564.

Elsewhere, contact the local board of elections.

made by the Dinkins people to sabotage voting machines" by "treating full levers" and jamming the counting mechanisms in precincts.

Giuliani areas like Staten Island and Borough Park, Brooklyn, state GOP Chairman William Powers said.

Other Giuliani backers

crats will use fraud again."

Dinkins campaign spokeswoman Leah Johnson called talk of voter fraud a Republican campaign tactic to hold down the Democratic turnout.

"We're not convinced that so-called voter fraud is widespread," Johnson said. "The concern of the Dinkins campaign is that there may be a plan here to interfere with the rights of legitimate registered voters."

Johnson cited reports from other states where Republicans were accused of seeking to intimidate black and Hispanic voters, although she said there was no evidence it was occurring here.

Meanwhile, state Democratic Chairman Al Geronzi contended that "people in the Democratic Party all feel that everybody needs to fight fraud at all levels."

The Post disclosed last week that a dead man from Brooklyn had "registered" to vote last August and that 700 "voters" were listed at a Manhattan drug center authorized to house no more than 200 people.

Earlier this year a state Senate Committee heard allegations of widespread voter fraud in New York City races.

19-12 11-2-93

B'klyn DA probing bizarre voter 'fraud'

By FREDRIC DICKER
Staff Editor

Brooklyn District Attorney Charles Hynes has begun investigating why a group of mentally handicapped people was brought to the polls last week to vote for Mayor Dinkins. The Post learned yesterday.

Hynes' probe — which could involve criminal charges of voter fraud and patient abuse — results from an on-the-scene Post report of election-night voting at PS 83 in Bedford-Stuyvesant.

"This office is reviewing what occurred — that's all I can say," said Patrick Clark, Hynes' spokesman.

Sources said Hynes has given the case to Dennis Hawkins, chief of the corruption investigations division, with the order to conduct "a full investigation."

Meanwhile, the state Office

**POST
EXCLUSIVE**

of Mental Retardation and the State Senate Committee on Elections also are looking into the voting at PS 83, it was learned.

"We don't condone anyone using people we serve as a pawn for their needs," OMR spokesman Edward Hart said.

The Post report said that pro-Dinkins officials of the Bedford-Stuyvesant Community Health Center, an OMR-licensed provider of care for the mentally retarded, brought two dozen persons to PS 83 to vote.

Many of the individuals were disoriented and didn't seem to know where they were or why they were there.

"Bowling, goin' bowling," said one man as he was being led to a voting booth. "Mommy," cried another, when asked by a poll watcher whom he pleased to vote for.

"I know these people aren't competent and that they're being told to vote for the Democrats," New York City Board of Elections Coordinator Luther Brumwell said at the time.

State Election Law permits retarded people to vote — but they can't be forced to vote a particular way and they can be required to make clear that they understand the voting process.

Repeated calls to the Bedford-Stuyvesant Community Health Center for comment went unanswered yesterday.

One self-described "counselor" from the Community Health Center said the group was taken to the voting site to get Dinkins re-elected.

"Dinkins was going to win anyhow, you can't stop it now," said the counselor, Todd Laska, when asked how he told the people to vote.

Meanwhile, Senate Elections Committee Chairman Michael Nomzoko (R-Seneca Falls) said an ongoing probe of voter fraud in New York will include abuse of the retarded.

"The manipulation of the physically disabled for electoral advantage is both disturbing and shocking," Nomzoko said.

11/19/93 14-12 / 25-93A

Ex-Morgy worker voted twice in '92, city says

By GREGG BIRNBAUM

Post Correspondent
ALBANY — A former employee of Manhattan District Attorney Robert Morgenthau — who is probing voter fraud — is among at least a dozen people who voted twice last year, officials said yesterday.

But Manhattan resident Joyceanne Pastrana, who worked in a security job for Morgenthau at the time of the elections, denied she voted twice on Nov. 2, 1992.

"That would have meant that I would have to go to two polling places on Election Day," Pastrana told The Post. "I'm a very lazy person."

But the city Board of Elections said Pastrana, a registered Democrat, was one of a dozen people who "definitely" voted twice in the 1992 presidential election. Eight other people "may" have cast two ballots, the board said.

A spokesman for Morgenthau said Pastrana was not an employee.

He confirmed Pastrana had worked in the DA's office for a couple of years and left in July. The spokesman said prosecutors are investigating allegations that a number of people voted twice.

Barbara Thompson, a spokeswoman for Morgenthau, said she could not comment on whether it would be appropriate for the district attorney to investigate a potentially criminal matter involving a former office employee.

City officials said Pastrana, like thousands of other city residents who have moved, had two registrations cards on file with different addresses. They charged that Pastrana's Election Day signature on the two different cards shows she voted in two different locations on the same day.

"I voted at PS #1 — that's it," said Pastrana, who now works for the United Nations providing security. The Board of Elections issued the report on double

voting at the request of the state Senate Elections Committee, which is probing voter fraud.

"The admission by the city Board of Elections that 20 people may have voted twice is just the tip of the iceberg," said state Representative Michael Rozelle (Seneca County), chairman of the Elections Committee.

"Clearly, this new evidence demands a criminal investigation be undertaken," Rozelle added.

On Alert at Polls

By Joe Calderone

NEW YORK NEWSDAY INVESTIGATIONS TEAM
More than 20,000 voter registration records have been entered into the Board of Election's official rolls for Tuesday's election without required voter signatures, New York Newsday has learned.

The situation occurred in the city Board of Elections transferred from a decades-old, manual voter-record system to a computerized version called SCRIBE, and is fueling escalating fears among supporters of Republican-Liberal challenger Rudolph Giuliani that the mayoral contest against incumbent David N. Dinkins may be marred by voter fraud.

"It makes us feel very uneasy," said John Sweeney, executive director of the state GOP. "Despite numerous assurances to the contrary, we now have a problem with unsigned registration cards. The Board [of Elections] doesn't seem capable of handling the workload."

Daniel DeFrancesco, the board's executive director, acknowledged the cards were entered into the rolls without signatures but he said those voters will be required to cast their votes on paper affidavit ballots, which can later be challenged.

Of the 20,247 voter cards with no signatures that made it into the official SCRIBE voter rolls and that are headed for polling sites, most — 14,721 — are in Manhattan.

Most of the unsigned cards belong to voters whose signatures could not be properly duplicated by the new computer system because their signature cards were too old, DeFrancesco said.

"There's no scam or scheme," he said. "Those are people that we've had in [sic] the rolls for years that we don't have the signatures because we couldn't scan it," he said.

A signature on a registration card is one of the key ways that poll

Watchers looking for fraud

watchers attempt to verify the identification of individual voters. As voters come to the polls, they are asked to sign in. Each signature can then be matched against the one on a computer-generated facsimile of the person's registration form.

Inspectors from the Justice Department will be monitoring polling places on Election Day.

"We requested that the U.S. Justice Department send monitors to New York City and I am glad that they will be there," state Republican chairman William Powers said in a statement issued yesterday.

Another ripple of concern came from the Giuliani camp Friday when, during a routine bipartisan check of voting machines, a number of machines were found to already have dozens of votes locked in for Dinkins, said Sweeney.

As part of its effort to ensure the integrity of Tuesday's vote, the Giuliani campaign is training poll watchers who are being instructed to stop voters who they suspect might not be eligible to vote, based on a signature or other identification check. Those voters will be asked to take an oath, under the penalty of perjury, that

'There's no scam or scheme. Those are people that we've had in [sic] the rolls for years that we don't have the signatures because we couldn't scan it.'

— Daniel DeFrancesco, Board of Elections executive director

Marlin said the inspectors primarily observe and take notes on what takes place in polling locations. Sometimes they monitor ballot counting. They are not authorized to intercede at the scene, but can make reports to appropriate authorities.

The questions about the unsigned registration cards is the latest flare-up in a continuing controversy between the Dinkins and Giuliani camps concerning the issue of voter fraud. Dinkins officials have said they fear intimidation at the polls by Giuliani supporters, who say they are determined to ensure that those who are not properly registered are not permitted to vote.

they are who they claim to be, said Carl Grillo, a Liberal Party official who is in charge of Giuliani's field operations for Election Day.

Giuliani's campaign manager, Peter Powers, said the campaign intends to "be vigilant against fraud, based on all the [newspaper] stories we've seen."

Kevin McCabe, director of political operations for the Dinkins campaign, said authorized poll watchers from either camp have the right to challenge voters they suspect are not properly registered. But, Dinkins officials will be watching to ensure the Giuliani camp does not try to hamper voters from turning out, he said.

Gene Russianoff of the New York Public Interest Research Group said his staff will be out trying to ensure that the effort to check voter eligibility does not result in long voter lines, especially in black neighborhoods that are expected to favor Dinkins heavily. "If people are disenfranchised in this way, we're going to have a big problem," Russianoff said.

"Those who are not registered should not have an opportunity to go to the machine that day," said Grillo. "That's what a poll-watching operation is about."

DeFrancesco predicted a clean election. The registration card confusion is relatively minor, the board executive director said, considering that about 3 million voter records were converted to the computerized system.

But Grillo said the absence of signatures on some SCRIBE registration cards will put the burden on poll watchers. The inspectors now will have to make sure they catch each voter with an unsigned registration card to ensure that those voters do not enter the voting booth, but vote by paper ballot instead, he said.

"It's outrageous... It puts the onus on the campaign, rather than the board..." Grillo said, noting that Giuliani four years ago lost by only 47,000 votes.

McCabe voiced his own concerns about the Giuliani poll watchers. "If you challenge five people in a row, at what point are you obstructing people's right to vote? ... We're making sure our base has the opportunity to come out," the Dinkins official said. "When they start jamming polls up intentionally, that's a concern."

Giuliani supporters are not looking to create problems, Sweeney said. Administering a verbal oath was intended to "streamline the process. We want a nice, smooth, easy process. We don't want volatility."

Wary Rudy watching for vote-count shenanigans

RUDY Giuliani's mayoral campaign is so concerned about possible fraud at the polls that it's drawing up plans to insure that this year's mayoral election will be the most closely-monitored in years.

One high-ranking source said voter integrity "will be a major focus of the [Giuliani] field operation."

Giuliani said recent press reports of irregularities in voter registrations make it seem "like there are serious problems." He accused the Dinkins administration and Board of Elections of not moving to correct them.

"I didn't see any kind of reaction. There seems to be an attitude of trying to ignore it," Giuliani said.

In 1989, when Giuliani lost City Hall by 47,000 votes, some supporters claimed cheating was widespread and urged him to challenge the results.

He refused.

"That would have been divisive and created issues the city didn't need," Giuliani told The Post.

Liberal Party leader Ray Harding actually told Giuliani that the Democratic Party's grip on the electoral process gave Dinkins a 40,000-50,000 head start before the first ballot was cast.

Harding recalled yesterday that there was one election district in Manhattan that went 100 percent against Giuliani, 400-0.

DAVID SEFMAN
**INSIDE
CITY HALL**



"That is unnatural," Harding said.

He said he is especially concerned about the books at the Manhattan Board of Elections, where district leader William Perkins used to be the deputy chief clerk.

"William Perkins in our own Liberal Party was someone who knew no bounds in terms of fraudulent activity he committed," said Harding, charging that Perkins in 1984 claimed to have witnessed signatures on petitions that were later found to be forged.

Perkins, who now works in the Dinkins campaign, said he has never been charged with any type of fraud and has no recollection of the Liberal Party petitions.

Bill Lynch, the mayor's campaign manager, said he has no problem with monitoring the polls and he even suggested that federal officials be brought in "if they [Giuliani's team] feel that strongly about it."

Jon Del Giorno, administrative manager of the Board of Elec-

tions, said the problem of duplicate registrations was limited to Manhattan. He said it is being addressed by new management and an intensive review of the rolls that will be completed next Friday.

"We've met with Giuliani's campaign and they know all this," Del Giorno said.

That apparently hasn't soothed Giuliani.

"I'm sure [Giuliani campaign consultant] David Garth has to think about the election being stolen from them," said former Mayor Ed Koch.

Everyone assumes Koch is going to support Rudy Giuliani for mayor. Everyone but Koch, that is.

"My mind is open," Koch insisted, disputing a published report that already had him at Giuliani's side.

"I have problems with all the candidates — except Herman [Badillo]."

According to a recent Channel 2 poll, Koch's support could sway as many as 8 percent of the voters in a tight race, that makes Koch a very valuable commodity.

While the former mayor says his backing is still up for grabs, we figure the early betting line on his endorsement at: Giuliani 4-5; staying neutral, 6-5; Dinkins, 500-1.

NOV. 2

THE RACE FOR MAYOR

NOV. 2
DAYS
TO GO

Army of poll watchers

By DAVID L. LEWIS

The Dinkins and Giuliani camps, aware that every vote is crucial, are mounting massive poll-watching operations that may create more confusion and delay than ever at voting booths across the city.

The battle for the ballot box heated up last week when state Republican chairman Bill Powers warned that the city's "entrenched interests" would try to "stuff the ballot box in certain neighborhoods" to weaken the Republican vote.

'They (poll watchers) know what to look for.'

Carl Gatto, Giuliani field director

State Sen. Guy Velocci, named by Powers to lead the effort, said the GOP will spend \$1.4 million on vote-pulling and security operations.

Senior Dinkins officials are worried that the GOP will target minority communities and immigrant populations who are not as familiar with voting rights.

"To the extent that they raise issues about any voter's right to vote, we have to have poll watchers there to make sure they understand their rights," said Henry Berger, a Dinkins campaign counsel.

Feds step in

At the request of both campaigns, the U.S. Justice Department will send 113 ob-

servers to 48 polling places in the Bronx, Brooklyn and Manhattan. Two counties in Mississippi are the only other place in the nation where the feds will be monitoring elections.

Both campaigns have trained legions of poll watchers to go to polling sites to keep an eye on things. They'll make sure voters are on the rolls before they enter the booth, said officials from both campaigns.

They'll also check to see that voters' signatures match the ones on Board of Elec-

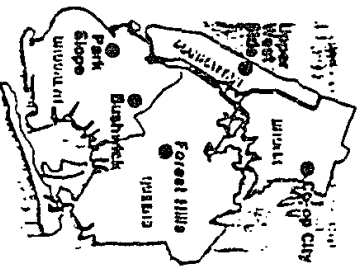
TAKING THE PULSE OF CITY'S VOTERS

THE POLLS ALL SHOW most voters have decided which candidate will get their vote on Election Day. But the 5% to 10% who are undecided could swing the balance one way or the other.

To take the city's electoral temperature, The News sent reporters into five representative neighborhoods to sample voters' opinions as the race winds down to its final hours.

They went to Forest Hills, Queens, a middle-class, largely white community where Rudolph Giuliani has to run strong if he's to win; the Upper West Side, where wavering Jewish and liberal voters could tip the scale toward Giuliani; Co-op City in the Bronx, a racially mixed community where Mayor Dinkins has to pull a strong vote; Bushwick, a troubled Brooklyn community with a large Hispanic population where Dinkins hopes to do well; and Park Slope, Brooklyn, where both candidates have pockets of strength among young professionals and intellectuals.

This is what they found.



In 1989, Giuliani carried the district by a 3-to-1 margin. If the mood on Avenue St. is a microcosm of the district, he will do so again.

UPPER WEST SIDE

The Upper West Side is key to Dinkins because, as one pollster from the area said, if he can't get white votes here, he isn't going to get any.

The neighborhood's vaunted liberal conscience appears to be particularly unimpressed by Dinkins' television ad that recounts Giuliani's Republican past and asks: "Can we elect a man who has fought against everything we have fought for?"



FOR MAYOR
DINKINS
OCT. 9, 1993

On duty

tions lists, and that voters get emergency ballots if necessary, don't work.

"They know what to look for, they know what to ask questions about, they know what to challenge," said Clinton field director Carl Grillo.

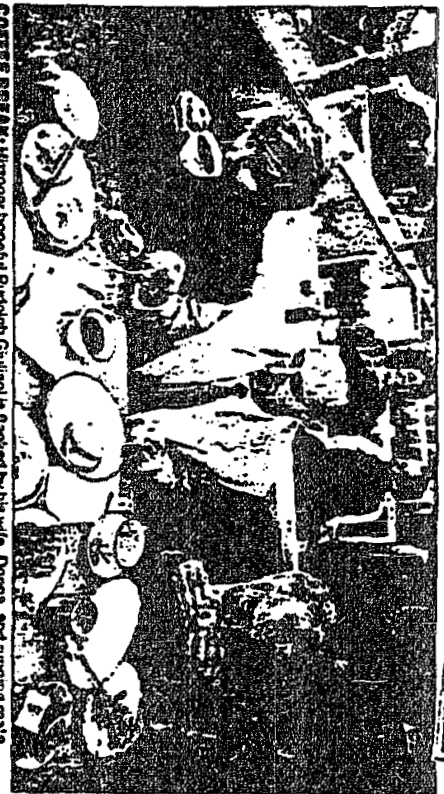
"Poll watchers are not meant to be there to interfere with anything. They're there to insure that everyone who is eligible to vote votes - and those people who are not eligible don't vote."

Challengers are decided by a board of Elections inspectors.

— one from each party — at each polling site. If that doesn't resolve it, the challenger goes to a judge.

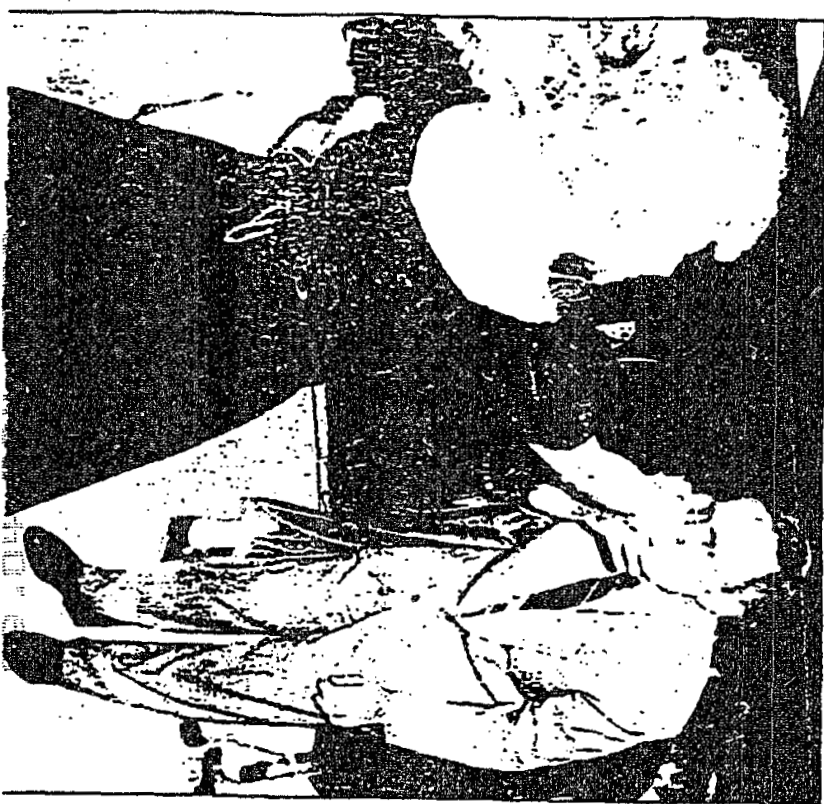
Berger said he had been training groups of 100 workers for the last 30 days, and the elections would go on through the weekend. The force of 1,200 poll watchers almost equals the number used by President Clinton in his New York campaign last year, Berger said.

Grillo would not discuss how many poll watchers the Clinton campaign would field.



COFFEE BREAK: Hickeys' husband Rudolph Grillo is flanked by his wife, Dorcas, and running mate Herman Backus as they chow down on bagels and eat at the Blue Bay Diner in the Bronx yesterday.

STAFF PHOTOGRAPHER: LARRY F. HARRIS



next four years: vote or stay home.

Rather than thinking and gridlock, equality and participation are the choices voters are struggling with in this impoverished Brooklyn neighborhood that borders Queens.

The problem, according to residents like Carmen Rodriguez, is that Bushwick is a dangerous place to live, has been for as long as most residents can remember and shows no signs of changing.

Rodriguez, 35, said that thinking, for whom she voted four years ago, promised to make things better but hasn't.

"I think that crime came in and then corruption," she said. "But the thing is, politicians promise and promise, and then you don't see the promises. I keep voting and voting. Nothing happens in Bushwick. We're going down, down, down."

This year, she said, voting for anyone. Her husband, Robin, 40, is voting for Clinton, she said.

Crime is prime issue for Robin Rodriguez, too. He was injured by a gang of young thugs three years ago, at the corner of Park St and Broadway, not far from the family's Forest St apartment.

Rodriguez, 39-year-old daughter, Violella, was shot in the arm four years ago, also on Broadway.

He said that in June, Clinton led among Latino voters in his district by 2 to 1. Today, the ratio is reversed, he said.

PARK SLOPE

The margin won Park Slope four years ago by a 3-to-2 margin. To get reversed, he must keep the votes of moderate white liberals who dominate this neighborhood.

Late last week, along Seventh Ave., the commercial artery that cuts through side streets dominated by brownstones, thinking won general by positive reverent.

"The bourgeoisie, heretofore," said Patricia Taylor, 37, a full-time author. "I think Clinton uses racial issues in a very clever way."

Alan Park, 30, a mother and part-time costume historian, said thinking will get her vote every year because she is "a partisan Democrat. I could never vote for a Republican."

"I'm troubled to vote for Mickey Blum," said Jane Kuller, 43, a nurse unaffiliated with both candidates. She said she will probably vote for thinking because Clinton is "a little too ruthless for my taste."

Ilsech Friedman, 65, a consultant, said, "The error of this election is that with thinking, the city will stay together. With Clinton, it may be excellent or it may explode into a disaster. I don't want to

Questions On Signing Up New Voters

Republicans Say Fraud Is Possible in Election

By TODD S. FURDUM

In an often partisan hearing, State Senate Republicans yesterday sharply questioned the credibility of a former New York City Board of Elections official who now works for Mayor David N. Dinkins's re-election campaign and raised concerns about whether duplicate registrations and other irregularities could skew a close race this fall.

At the hearing at the State Office Building in lower Manhattan, Board of Elections officials acknowledged that they had found as many as 22,600 duplicate registrations on file in the city between the time of the Presidential election last fall and this spring, but they said that a random check of 180 of them had found no evidence that any of those registrants had voted twice. They said they were weeding out the duplicates from the three million voters on the rolls.

For years the board has been plagued by administrative problems, and Senator Michael F. Nozzolo of Seneca Falls, the chairman of the Senate's Elections Committee, called the hearing to examine recent reports of sloppy record-keeping and potential irregularities, especially in the wake of big voter registration drives last year. Aides to the Republican-Liberal mayoral nominee, Rudolph W. Giuliani, who lost in 1989 by less than 50,000 votes, have repeatedly claimed there is potential for outright fraud, arguing that duplicate registrations, particularly in heavily black districts, could hurt their candidate this fall.

50 Cents Per Voter

It was William Perkins, the former board official and now Manhattan field coordinator for Mr. Dinkins's campaign, who came in for some of the sharpest questioning yesterday for his handling of registrations.

The Mayor's campaign aides said much of the criticism seemed aimed at dampening their efforts to register new voters.

"This kind of throwing a damp cloth on voter registration has happened in the past," said the Mayor's campaign manager, Bill Lynch. "It has historical roots, and I hope this is not an attempt by Republicans in our state to disenfranchise people."

Mr. Nozzolo disclaimed any such intent. But he pointedly questioned Mr. Lynch about his practice, as a state official for the Clinton campaign last fall, of paying political groups 50 cents for each new voter they could register. That practice is legal, and Mr. Lynch refused to rule out using it again this fall, but Mr. Nozzolo said it could amount to a bounty for bogus registrations. At one point, after Mr. Lynch had already described last year's effort as being financed by the Democratic National Committee, Mr. Nozzolo elicited laughter by asking, "Did partisanship enter into it?"

Mr. Nozzolo also raised repeated questions about Mr. Perkins, who left his job as deputy chief clerk of the Manhattan office of the Board of Elections last winter amid charges of mismanagement. Rosanna Kostamoulas, a Republican staff member under the board's system of shared party appointments, who is the acting chief clerk in the Manhattan office, testified yesterday that last fall, as workers were rushing to put records in order a week before Election Day, Mr. Perkins ordered that a box of 2,500 to 3,500 new-voter registration cards, called from other batches, be filed and sent to polling places as valid, even though they did not bear voters' signatures, as required.

"The decision was made to enter them

Questions on Voting Registration

Continued From Page B1

into the system because there was no time to get a letter out to people," seeking their signatures, said Ms. Kostamoulas. "It was decided to give the voters the benefit of the doubt." The board has not completed checks of how many of those voters actually cast ballots, she said.

But Mr. Perkins emphatically denied that he had ordered the filing of unsigned cards. He said the only time that he had sent unsigned voter cards to polling places was under a standard board procedure in which new cards were sent to replace those that might be missing in election district binders — for voters already clearly listed in the board's central computer files, not for new voters.

"I find it difficult to understand how such a large number of cards could be entered into the system and you would be unaware," Mr. Nozzolo said.

Raymond B. Harding, appearing in his capacity as a leader of the state Liberal Party and a senior Giuliani campaign adviser, also sought to cast doubt on Mr. Perkins's credibility, recounting for the committee an election case from 1984, in which Mr. Perkins witnessed 33 signatures on a qualifying petition for Liberal Party officeholders, 21 of which were later found to have been forged.

"If this were a court, the jury would be permitted to consider how

past history of lying could affect current views of a witness's believability," Mr. Harding said after testifying.

Problems, Yes. Fraud, No.

A lawyer for Mr. Perkins, Elliot Spitzer, said later that "he denies any impropriety with respect to the petitions at issue, and has no recollection that anybody challenged his role in that petition drive."

The board's executive director, Daniel DeFrancesco, said the state's practice — now nearly two decades old — of accepting registrations by mail caused administrative problems, but not systematic fraud.

A coalition of civic organizations, including the New York Public Interest Research Group, also testified that while the board suffered from serious management problems, there did not appear to be any evidence of vote-rigging, and they said they would oppose any efforts to make registration forms more complicated, since that could further discourage the already low participation rate in elections.

At one point, representatives of Acorn, the housing lobbying group, interrupted the hearing, which was held in a tiny room, to say that there were not enough seats for the public and that dozens of their members were outside the building. Asked later if he had urged them to attend, Mr. Lynch just smiled and said, "They told me they were coming."

July 29, 1992

State elections committee focuses on fraud

By PAUL M. McPOLIN
ADVANCE ALBANY BUREAU

Registering "voters" named Sam Goody and Mickey Mouse, overlooking 22,000 possible duplicate registrations and employing "bounty" hunters in voter drives were among the stories of possible mismanagement and fraud heard yesterday by a Republican-led panel.

A public hearing of the state Senate elections committee in Manhattan focused on the sloppy and possibly fraudulent processing of voters in Manhattan, and on the 1992 voter registration strategies of William Lynch, Mayor David N. Dinkins' campaign manager.

Lynch defended his voter registration drives — in which community groups earned "bounties" for the voters they signed up — as legal, and necessary to increase minority participation.

The city Board of Elections, meanwhile, denied systematic fraud. It blamed discrepancies in its records on administrative and voter error — problems that have since been corrected.

As far as processing voters, a city Board of Elections official yesterday said Staten Island's Board is well-managed. Only 77 potential duplicate voters' out of 24,000 registrants were reported in this borough, in contrast to Manhattan, where 18,000 were recently discovered.

When more than one registration form shows the same name and birth date it is considered a possible duplicate. A Board of Elections computer system is designed to flag duplicates, but 22,000 slipped by between October 1992 and May 1993, it was revealed yesterday. It is not yet known if any of these people voted more than once in the last election.

"Our jurisdiction — the Staten Island office — runs very well," said Jon Del Giorno, a Graniteville resident and administrative manager of the city Board of Elections, who spoke during a recess.

"Manhattan had a major management problem, but it wasn't fraud," he added.

Del Giorno said the duplicates will be canceled in time for the next election.

Sen. Michael Nozzolio, R-Seneca Falls, the committee chairman, questioned elections officials about the filing of 6,000 Manhattan registration cards that had no signatures, and the reg-

istering of voters who listed their home addresses as a Manhattan post office.

"This kind of negligence opens the gates for voter fraud and multiple voting," Nozzolio said.

Assemblyman Robert Stranieri, R-Dongan Hills, testified that the Board of Elections should purge from the rolls all voters "who have claimed post offices, restaurants, barber shops and bodegas as their places of residence."

He urged legislation that would mandate a person show proof of U.S. citizenship when registering, and allow the purging of non-active voters — those who haven't voted in four years — from voter lists.

Election officials said problems stemming from mismanagement in Manhattan have been solved.

"It is my firm belief that my agency has done and will continue to do all that is within our power to prevent fraudulent registration, and that no significant problems exist," said Daniel DeFrancisco, executive director of the city Board of Elections.

Lynch, Dinkins' campaign manager, defended his leadership of the Democratic Party's "Victory '92" voter-registration drive, in which the Democratic Party paid community groups and political clubs 50 cents for each voter they expected to register.

Nozzolio, a Republican, said such incentives "conjure up the image of buying votes," suggesting that groups that stood to earn

"bounties" on signatures were ripe to forge them.

Lynch said the money went to organizations beforehand based on the volume of sign-ups the group anticipated. If a group did not achieve its stated goal, it did not have to give back its payment.

The money was used to pay for staff, transportation, lunch money, rent and phone bills, he

said.

Lynch said the drive generated 600,000 registrations statewide, many in minority communities plagued by voter apathy.

"The problem of low participation is especially severe in communities of color — communities that have historically been under-represented," he said. "So it's highly appropriate to undertake

special registration efforts in these communities."

"There have been politicians of both parties who have blocked progressive efforts to reform the registration process and register more voters — and they have often done so in the name of 'voter fraud,'" Lynch testified. "At best this philosophy amounts to erring on the side of exclusion."

The Republican-controlled state Senate has yet to take up measures passed in the Democrat-led Assembly that would simplify and broaden the registration process.

The hearing was interrupted briefly when members of a community group streamed into the jammed hearing room. The small room could not accommodate dozens of the group's members who were waiting in the building's lobby after being turned away.

The group's leaders, who participated in "Victory '92," were miffed by the Senate's scrutiny.

"We're registered voters and they are questioning the integrity

of our registrations," said Martin Walker. "We've gotten 25,000 registrations and they are accusing us of wrongdoing. The hard part is that we can't defend ourselves."

Advance staff writer Peter Arroyo contributed to this report.

GOP pols query voter 'bounty' Bill Lynch, city under fire

By ROBERT S. GINSBURG
Daily News Staff Writer

Republican members of the state Senate Election Committee grilled Mayor Dinkins' campaign manager, Bill Lynch, yesterday, contending he paid workers a 50-cent "bounty" for every voter they registered during last year's presidential campaign.

Lynch, who directed President Clinton's New York State effort, acknowledged that community and political organizations were paid to register voters. But he denied that the payments constituted a possible violation of state election law, which prohibits payments in connection with voter registration.

"It conjures up a system of buying votes," Senate committee chairman Michael Nozzolillo in C. Seneca Falls, said at the Manhattan hearing where Lynch was questioned.

"The point is to enfranchise voters."

chise voters." Lynch countered, saying that both Democrats and Republicans were registered by his committee.

The committee's hearing focused on charges of fraud during the 1992 registration and election process — including duplicate voter registrations, double voting and improper processing of registration forms.

But Dennis Walcott, chairman of the city's Voter Assistance Commission, accused the Republican senators of playing partisan politics.

"It is a witch hunt," Walcott said of their investigation. "It appears to be a let's gang up on New York City issue."

Nozzolillo said he was more concerned about the "inconsistencies" in the voter registration process than about upstate Republicans ganging up on city Democrats.

"The process needs to be further scrutinized. If the election law is being ignored," Nozzolillo said, referring to the possible violation of state law.

Lynch told the hearing he authorized the Clinton campaign's New York State Democratic coordinating committee to pre-pay political and community organizations 50 cents per voter, based on the number of voters the organizations said they could register. Such organizations registered about 600,000 voters for the presidential election.

State Board of Elections officials also testified at the hearing that rumors of widespread voter fraud and double voting were unfounded.

Del Giorno and Daniel DeFrancesco, the election board's executive director, attributed the large number of double-registered voters to poor recordkeeping and administrative techniques by the board's Manhattan borough office.

"It goes beyond mere housekeeping," Nozzolillo countered. "It leads to a clouding of election results, which in turn throws into question the integrity of the whole electoral process."

It is a witch hunt. It appears to be a "let's gang up on New York City" issue.
Seneca Falls, address of the city's Voter Assistance Commission

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Vote Early, Vote Often in NYC

State Senate Elections Committee Chairman Michael P. Nicosia, Senate County Republican,

says he was brought up to believe that "the principle of one person, one vote is the basis of all open, honest and democratic elections."

However he is now fully convinced that "the phrase 'vote early and vote often' is more applicable" in New York City.

The New York City Board of Elections has now officially verified Nicosia's charges made earlier this year that more voters voted more than once in the 1982 general election in Manhattan.

Nicosia made the charges and demanded New York County District Attorney Robert Morgenthau investigate. The senator said Morgenthau's office informed him it is conducting a preliminary analysis to determine if a criminal investigation is warranted.

Nicosia declared, "Now we have proof positive" of voter fraud in New York City, and he demanded Morgenthau "begin a full-scale investigation into this matter."

The senator also demanded the New York City Board of Elections get into the act. He has just received a letter from David DeFrancisco, executive director of the board, in which it was stated it has been determined that "12 people definitely voted twice."

The letter added, "There is a possibility that eight other people may have voted twice, but the board has been unable to make a conclusive decision regarding those voters."

DeFrancisco said the board had turned over the appropriate documents to the New York County district attorney's office "for further investigation." Nicosia, though, picked his allegations had been proven true, insisted. "The admission by the City Board of Elections that 20 people may have voted twice is just the tip of the voter fraud iceberg in New York City," he noted the 20 had been discovered by checking less than a thousand pages of voting documents. He said the board has not completely finished reviewing all of the duplicate registrations, so the number of people voting more than once could grow higher.

Holland wants GOP and

Joseph H. Holland of Harlem, a former football great at Cornell University and presently a member of the university's board of trustees, is expected to formally announce his candidacy early next year for the Republican nomination for attorney general. He will be faced Tuesday night at a 640-a-ticket fund-raising reception in the Bohemian Hall of Famen Room at Schenckel Hall on the Cornell University campus in Ithaca. The reception is billed as one to "support the candidacy of Joe Holland for attorney general."

A similar fund-raiser was held earlier in New York City, sponsored by the Committee To Elect Joe Holland.

Holland is perhaps best known as the entrepreneur who opened a Ben & Jerry's ice cream franchise in Harlem to employ homeless men living in a shelter which he started eight years ago. He is a lawyer and also worked as a legislative counsel to the state Senate Housing Committee.

State shifting burden

A just-issued report by State Comptroller H. Carl McColl estimates recently oil-wound claims that the state is steadily shifting a larger share of the ever-rising costs of education from the state treasury to local real property taxpayers throughout the state.

The McColl report stated, "As a percent of total revenues, real property taxes increased from 49 percent in 1991 to 50 percent in 1992. State aid declined during the same period from 45 percent to 40 percent," McColl declared.

Total expenditures for elementary and secondary schools throughout the state, including New York City, were \$22.3 billion in 1992, an increase of \$320 million or 1.5 percent over 1991. By comparison, the increase from 1990 to 1991 was 2 percent. McColl added that 1992 was the first year since 1982 that revenues and expenditures for education increased at a rate lower than the rate of inflation.

Koppell gets backing

Democrats seldom agree unanimously on anything, but the 18-member state Democratic congressional delegation is completely unified in its unanimous support of Assembly Judiciary Committee Chairman G. Oliver Koppell of the Bronx for election by the state Legislature to succeed soon-to-leave Attorney General Robert Abrams. Koppell is expected to be elected next month by a joint session of the Legislature to fill out the remainder of Abrams' unexpired term. He will seek election to a full four-year term next November.

Written by a Post-Standard Albany correspondent.

June 6, 1993

Senator is looking for voter fraud in all the right places

State Senate Elections Committee Chairman Michael F. Nozzolillo, (R-Seneca Falls), is about to open a can of worms in New York City.

He is preparing to launch public hearings — probably sometime in July — on reports of widespread voter fraud and illegal voter registration and vote buying in New York City.



GUS BLIVEN

Right now he is gathering evidence to be aired at the hearing, preparing subpoenas, and notifying probable witnesses to be prepared to appear and testify, under oath. Those who don't appear voluntarily will be subpoenaed.

Nozzolillo has selected a fertile field for a probe. The only question is whether, as a small town Upstatian, he will be horrified by the political pros in the big city who mastermind the rampant vote buying, multiple voting and other illegal practices that have long prevailed and

have become virtually commonplace downstate — despite vigorous denials by New York City election officials and political leaders.

Nozzolillo says he is centering his probe on "reports of widespread voter fraud and illegal voter registration efforts in New York City."

As chairman of the Senate Elections Committee, Nozzolillo declared, "I fully recognize the importance of increasing voter participation and getting more people involved in the election process."

"However," he added, "that does not include allowing people to multi-register to vote and it certainly doesn't include permitting people to vote more than once."

The senator said he wants to find out "why thousands of people have been allowed to multi-register."

Nozzolillo is also determined to ascertain, "How it could go undetected when an individual could have voted four times for the same candidate in the 1989 New York City mayoral election."

The hearing and ensuing analysis of the information gathered will serve two useful purposes, Nozzolillo declared. It

will point to the most effective way to balance the need to increase voter participation with the importance of preserving the integrity of the ballot.

The voting and related election abuses Nozzolillo seeks to expose and correct are not new. New York City elections have been marked with fraud down through the years. And the abuses have not been confined to so-called local elections for mayor, Council and other offices. Legislative and Congressional races have been similarly scarred.

And there have been state and national political ramifications as well. It is no secret that down through the years, the campaign managers for presidential and gubernatorial candidates — if not the nominees themselves — have counted heavily on political wheelers and dealers in New York City to get out the vote — and the "right" vote — for them on Election Day to enable them to carry the state.

Periodically, and one might almost say, monotonously, New York City newspapers have published exposes of voter fraud, vote buying, multiple voting, and phony voter registrations. Nothing of importance has ever come of those

exposes. The same situations prevail today though election officials deny it. Whether Nozzolillo can succeed where so many others have failed remains to be seen.

At any rate, he is certain to produce headlines and garner reams of personal publicity.

He is expected to produce a revelation that a lawyer admitted he registered and voted four times in the 1989 mayoral election. And he claims, not only did he do that but he was personally aware of other instances of vote fraud. Nozzolillo is likely to give him an opportunity to put up or shut up. The Seneca Falls lawmaker is likely to produce evidence to show that the New York City Board of Elections purged 1,247 names from the voter registration rolls after it was discovered they had all registered from the same phony address. There were numerous cases where registrants used the address of the main post office as their home address. The senator will probe a public charge that voters were paid 50 cents to vote in a recent election.

Many instances have been discovered by election officials of voters registering more than once.

It is not uncommon in New York City — and to be fair probably elsewhere as well, though with less frequency — for persons to be registered from addresses that turn out to be empty lots or abandoned buildings. Investigation has revealed that thousands of voter registration documents in New York City are not properly signed by the would-be voters.

The New York City Board of Elections said in a letter to Nozzolillo that it has pledged to "fully cooperate" with the senator in the probe. It contended, however, that it was wrong to tar "the entire Board of Elections and each of our offices in the five boroughs," with the same fraud brush.

The board contended, "In reality the issues are centered exclusively in our borough office in Manhattan." And the problems in Manhattan, the board claims, were "an issue of mismanagement. At no time was there ever evidence of intentional fraud."

Well, if Nozzolillo does his job well, we'll see.

Gus Bliven's Political Front column appears Sundays in the Herald American and Wednesdays and Fridays in The Post-Standard.

1212 / 25-42A



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 Phone: 518/474-6367 Fax: 518/486-4068

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 Peter S. Kosinski
 Deputy Executive Director
 Todd Valentine
 Special Counsel
 Patricia L. Murray
 First Deputy Counsel

August 7, 1997

Jeffrey Buley
 Counsel
 New York Republican State Committee
 315 State Street
 Albany NY 12210

Dear Mr. Buley,

You inquired about the use of campaign monies for the payment of election day workers, sometimes commonly referred to as "street money."

The Election Law provides that the funds of a candidate or political committee may be used for any lawful purpose, provided that such funds are not used for personal use unrelated to any political campaign or the holding of a public office or party position. Election Law (EL)§ 14-130.

This establishes a two step test for the expenditure of political funds:

- (1) Is the expenditure related to a political purpose - a political campaign, public office or party position?
- (2) Is the expenditure for a lawful purpose?

Clearly, payments to poll watchers and other direct campaign staff are funds expended for a campaign or political purpose. The question then is whether the payment to such workers is for a lawful purpose.

Poll watchers may be appointed by the chairman of any party committee or independent body who has a candidate on the ballot in that election. EL § 8-500(1). There is no prohibition on providing payment for such services. Specifically, the Election law permits the payments for, or giving of, any meat, drink, tobacco, refreshment or provision to board of elections personnel, party or committee representatives, poll watchers and workers assisting the candidate. EL § 17-


140. There is no specified limitation that such payment be directly in goods as opposed to cash disbursements.

Payments to campaign workers and poll watchers is distinguished from prohibitions on direct payments to voters. During the voting hours on any election day the giving of, or paying for, any meat, drink, tobacco, refreshment or provision directly to voters as an inducement to attend the polls is prohibited. EL § 17-140. Such prohibition does not apply if the value of the item was less than one dollar. Furthermore, the payment of money, either directly or indirectly, to induce or refrain a voter from voting in a primary or participating in a caucus (EL § 17-102 (7)); and for voting in any election (EL § 17-142) is prohibited.

Thus, the payment of campaign workers for election day activities, such as poll watching is permitted because it is for a campaign related activity, for a lawful purpose and not directly prohibited.

Thank you for your inquiry into this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Todd D. Valentine".

Todd D. Valentine
Special Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

AUG 22 In the Matter of

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MUR 4648

David R. Dudley

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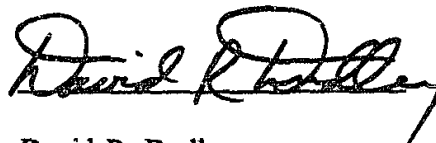
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AFFIDAVIT OF DAVID R. DUDLEY

David R. Dudley, being duly sworn, deposes and says:

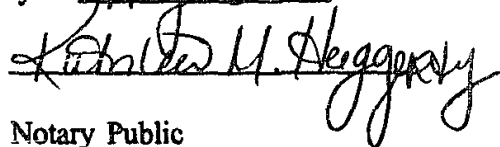
1. My name is David R. Dudley.
2. In 1994, I was an attorney in Rensselaer County, New York and a former chairman of the county Republican Party. I also was a volunteer attorney for the New York Republican Party and participated in its election day program.
3. As part of the 1994 election day program, I was asked to cash a check written to me by the Party in the amount of \$10,000. I went to the Key Bank in Albany, New York with Jeffrey T. Buley, who was in charge of the program. After cashing the check, I gave him all the money.

I swear that the proceeding statements are true to the best of my knowledge, information and belief.



David R. Dudley

SUBSCRIBED AND SWORN to before me this 18th day of August, 1997.



My Commission Expires:

Notary Public

274814

KATHLEEN M. HAGGERTY
Notary Public, State of New York
Qualified in Rensselaer County
Commission Expires March 30, 1998
April

AUG 22 8 03 AM '97 BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Gregory V. Serio

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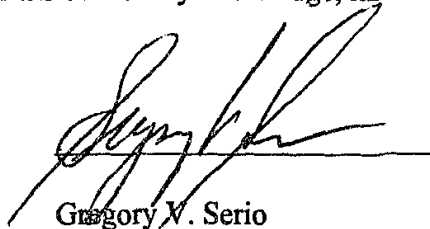
MUR 4648

AFFIDAVIT OF GREGORY V. SERIO

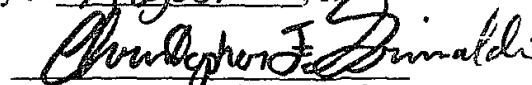
Gregory V. Serio, being duly sworn, deposes and says:

1. My name is Gregory V. Serio.
2. In 1994, I worked for the New York Legislature and I was a volunteer attorney for the New York Republican Party, including participation in its election day program.
3. As part of the 1994 election day program, I was asked to cash a check written to me by the Party in the amount of \$10,000. I went to the Key Bank in Albany, New York with Jeffrey T. Buley, who was in charge of the program. After cashing the check, I gave him all the money.

I swear that the proceeding statements are true to the best of my knowledge, information and belief.


Gregory V. Serio

SUBSCRIBED AND SWORN to before me this 18th day of August, 1997


Christopher F. Grimaldi
Notary Public

My Commission Expires: 4/22/98

02685059031
Albany County, NY

RECEIVED
FEDERAL ELECTION COMMISSION
AUG 22 8 05 AM '97

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Mary F. Obwald

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MUR 4648

AFFIDAVIT OF MARY F. OBWALD

Mary F. Obwald, being duly sworn, deposes and says:

1. My name is Mary F. Obwald.
2. In 1994, I worked for the New York Republican Party as the administrative assistant to Chairman William D. Powers. I also participated in the Party's election day program.
3. As part of the 1994 election day program, I was asked to cash a check written to me by the Party in the amount of \$10,000. I went to the Key Bank in Albany, New York with Jeffrey T. Buley, who was in charge of the program. After cashing the check, I gave him all the money.

I swear that the proceeding statements are true to the best of my knowledge, information and belief.

Mary F. Obwald

Mary F. Obwald

SUBSCRIBED AND SWORN to before me this 20th day of August, 1997.

Jeffrey T. Buley

Notary Public

Jeffrey T. Buley

Albany County, NY

Reg # 02804981972

My Commission Expires: 5/20/99

FILED
RECEIVED
U.S. DEPT. OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535

BEFORE THE FEDERAL ELECTION COMMISSION

AUG 22 6 05 AM '97

In the Matter of

Luther Mook

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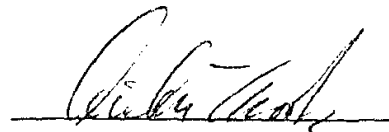
MUR 4648

AFFIDAVIT OF LUTHER MOOK

Luther Mook, being duly sworn, deposes and says:

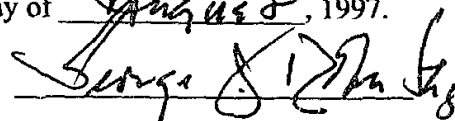
1. My name is Luther Mook.
2. In 1994, I was a volunteer and Chairman of the Party's outreach effort to the Asian community. As part of that effort, I participated in the Party's election day program.
3. As part of the 1994 election day program, I was responsible for recruiting volunteers and paying them the subsistence costs permitted by New York law. As part of that effort I received a check for \$5,000 from the Party and distributed the money pursuant to the directions of Jeffrey T. Buley, the Party's counsel. None of the volunteers received a disbursement of more than \$100.

I swear that the proceeding statements are true to the best of my knowledge, information and belief.



Luther Mook

SUBSCRIBED AND SWORN to before me this 19th day of August, 1997.



Notary Public

My Commission Expires:

274814

GEORGE J. ROBERTAZZI
NOTARY PUBLIC, STATE OF NEW YORK
No. 24-3301575
Qualified in Kings County
Commission Expires 1/31/98

**BEFORE THE
FEDERAL ELECTION COMMISSION**

In the Matter of the New York Republican Federal)
Campaign Committee, Lewis B. Stone, as treasurer)

MUR 4648

**RESPONSES OF THE NEW YORK REPUBLICAN FEDERAL CAMPAIGN COMMITTEE
TO QUESTIONS AND PRODUCTION OF DOCUMENTS.**

1. Identify Jeffrey T. Buley, David R. Dudley, Mary F. Obwald, Gregory V. Serio and Luther Mook. Other than the disbursements reported on the Committee's 1994 30-Day Post-General Report, describe each other time when you disbursed \$5,000 or more to any of these five individuals. Include in your descriptions the date and amount of the disbursements, and the purpose for disbursing the funds to the individuals.

Response to Question 1:

Jeffrey T. Buley served as pro bono counsel to the New York Republican State Committee ("the Party") from January 1991 through September 1994. During that time, he was also counsel to the New York State Association of Counties. He has been paid for his services to the Party since October 1994. David R. Dudley was a former chair of the Renassalear County Republican Party in 1994 and a volunteer lawyer for the Party. Mary F. Obwald served as administrative assistant to Party Chairman William Powers. Gregory V. Serio was a counsel to the New York Senate Insurance Committee in 1994 and a volunteer attorney for the Party. Luther Mook was head of the New York Republican Party's outreach program to the state's Asian voters. Disbursements of over \$5,000 to these individuals are included in Exhibit A to these responses.

2. Identify the Kings County Republican Committee and its treasurer. Identify all persons who made contributions to the Kings County Republican Committee during the 1994 election cycle. Include in your description the amount of each contribution and the date on which it was made.

Response to Question 2:

The Kings County Republican Committee is a county party committee created pursuant to §§ 2-100 and 2-104 of the New York Election Code. To the best of the Party's knowledge, contributions to the KCRC are on file with the New York City Board of Elections and the State Board of Elections. The KCRC is not a part of the Party and the Party does not possess the information requested by the Commission.

3. Identify all other individuals to whom funds were disbursed in amounts of \$5,000 or more, during the 1994 election cycle. Include in your identifications the amount disbursed to each individual, the date on which the funds were disbursed, and the purpose for disbursing the funds to the individuals.

Response to Question 3:

The information requested is attached as part of Exhibit A to this Response.

4. Identify all persons who were involved in the decisions to disburse funds of the Committee to Jeffrey T. Buley, David R. Dudley, Mary F. Obwald, Gregory V. Serio, Luther Mook and the Kings County Republican Committee, as reported on the Committee's 1994 30-Day Post-General Report, or as otherwise described in response to question 1. Identify all other persons who were aware of these decisions.

Response to Question 4:

The decision to disburse the funds to the individuals was Mr. Buley's. As counsel to the Party, Mr. Buley was asked by Chairman William Powers and Executive Director John Sweeney

to determine how to set up and fund an election day poll watcher program as permitted by federal and New York law. Mr. Buley devised a system after consultation with Key Bank, the Party's campaign depository. He informed Chairman Powers and Mr. Sweeney of his decisions. The Kings County decision was approved by Mr. Powers on Mr. Buley's recommendation.

5. Identify Daryl Fox, J. Brendan Quinn, William D. Powers, Jason Powers, Kenneth Dippel and Lisa Herbst Ruggles. Other than the disbursements reported on the Committee's 1996 30-Day Post-General Report, describe each other time when you disbursed \$2,500 or more to any of these five individuals. Include in your descriptions the date and amount of the disbursements, and the purpose for disbursing the funds to the individuals.

Response to Question 5:

Daryl Fox was the New York City coordinator for the Party's volunteer, party building program, which included a volunteer election day poll watcher program and other election day activities designed to ensure a fair vote and vote count. J. Brendan Quinn served as executive director of the Party in the 1995-96 election cycle. William D. Powers has been chair of the Party since 1993. Jason Powers was a political analyst for the Party in the 1995-96 election cycle. Kenneth Dippel was an employee of the Party during the 1995-96 election cycle. Lisa Herbst Ruggles was administrative assistant to Chairman Powers in the 1995-96 election cycle. The information on disbursements is included as part of Exhibit A.

6. Identify all other individuals to whom funds were disbursed in amounts of \$2,500 or more, during the 1996 election cycle. Include in your identifications the amount disbursed to each individual, the date on which the funds were disbursed, and the purpose for disbursing the funds to the individuals.

Response to Question 6:

The information requested is attached as part of Exhibit A to this Response.

7. Identify all persons who were involved in the decisions to disburse funds of the Committee to Jeffrey T. Buley, Mary F. Obwald, Daryl Fox, J. Brendan Quinn, William D. Powers, Jason Powers, Kenneth Dippel and Lisa Herbst Ruggles, as reported on the Committee's 1996 30-Day Post-General Report, or as otherwise described in response to question 6. Identify all other persons who were aware of these decisions.

Response to Question 7:

The decision to disburse the funds was Mr. Buley's. As counsel to the Party, Mr. Buley was asked by Chairman Powers and Executive Director Brendan Quinn to determine how to set up and fund an election day poll watcher program as permitted by federal and New York law. Mr. Buley devised a system after consultation with Key Bank, the Party's campaign depository. He informed Chairman Powers and Mr. Quinn of his decisions.

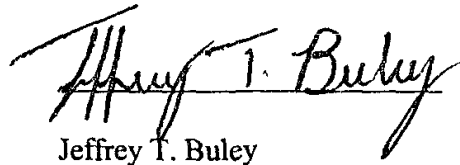
8. Produce all documents which mention or which otherwise refer or relate to the disbursements to Jeffrey T. Buley, David R. Dudley, Mary F. Obwald, Gregory V. Serio, Luther Mook and the Kings County Republican Committee, which were reported on the Committee's 1994 30-Day Post-General Report. Produce all documents which contain information regarding the persons to whom Jeffrey T. Buley, David R. Dudley, Mary F. Obwald, Gregory V. Serio, Luther Mook and the Kings County Republican Committee, were to distribute the funds disbursed to them. Identify all documents consulted in responding to this Subpoena and Order. Identify all individuals, not otherwise identified in response to any of the above questions, who have knowledge or information related to the answers to the above questions.

Response to Question 8:

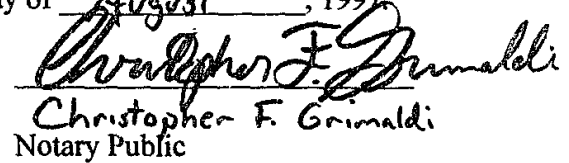
The Party will turn over its list of volunteers upon the granting of a protective order by the Commission. This is a list of the individuals who were volunteers and, therefore, eligible to receive payments for their expenses while assisting the Party's poll watcher program on election day 1994 and 1996. This is the only list the Party has. All the responsive documents are

attached to this response, with the exception of the FEC reports which are on file at the FEC's
 Aug 22 8 09 AM '97
 headquarters in Washington, D.C. All individuals who have knowledge or information related to
 these answers have already been identified to the Commission as part of this response.

I swear that the proceeding statements are true to the best of my knowledge, information
 and belief.


 Jeffrey T. Buley

SUBSCRIBED AND SWORN to before me this 18th day of August, 1997


 Christopher F. Grimaldi
 Notary Public

My Commission Expires:

4/22/98

#026R5059031

Albany County, NY

REQUESTED DISBURSEMENTS

I 1991			
6/26/91	William D. Powers ("WDP")	\$2,667.17	Travel exp. reimb.
7/10/91	WDP	\$4,728.38	Travel exp. reimb.
II 1992			
2/10/92	WDP	\$3,747.61	Travel exp. reimb.
5/7/92	WDP	\$3,224.42	Travel exp. reimb.
12/22/92	Jeffrey T. Buley ("JTB")	\$5,877.87	V'92 expense reimb. travel exp. reimb.
III 1993	5K to anyone or named individuals		
5/18/93	Drew Graham 6360 8th Street Vero Beach, FL 32968	\$5,000.00	Consulting
7/12/93	Drew Graham 6360 8th Street Vero Beach, FL 32968	\$5,000.00	Consulting
IV 1994			
3/11/94	WDP	\$3,061.99	Travel, supply reimb.
8/25/94	Darryl Fox	\$5,000.00	Consultant
10/14/94	Darryl Fox	\$5,250.00	Consultant
10/14/94	JTB	\$21,000.00	Consultant
11/5/94	Luther Mook	\$5,000.00	GOTV-Travel Expense Reimb. Catering Costs
11/7/94	David Dudley	\$15,000.00	GOTV-Travel Expense Reimb. Catering Costs
11/7/94	JTB	\$15,000.00	GOTV-Travel Expense Reimb. Catering Costs

11/7/94	Mary Obwald	\$10,000.00	GOTV-Travel Expense Reimb. Catering Costs
11/7/94	Greg Serio	\$10,000.00	GOTV-Travel Expense Reimb. Catering Costs
11/9/94	King County Rep. Comm.	\$5,000.00	GOTV-Travel Expense Reimb. Catering Costs
11/18/94	Abigal Perlman	\$9,950.00	Fundraising Consult
12/16/94	Abigal Perlman	\$5,500.00	Fundraising Consult
<u>1995</u>			
3/13/95	JTB	\$9,666.66	Consulting
5/24/95	Chris Lyon	\$5,000.00	Consulting
6/3/95	Frank Naudus	\$2,500.00	Media Consultant
7/7/95	Andrew Moss	\$2,750.00	Consultant
7/14/95	Chris Lyon	\$5,000.00	Consultant
8/13/95	Chris Lyon	\$5,000.00	Consultant
8/13/95	JTB	\$3,271.08	Consultant & travel expenses
9/10/95	Chris Lyon	\$5,000.00	Consultant
10/9/95	Chris Lyon	\$5,062.25	Consultant & travel expenses
10/24/95	Patrick W. Perry	\$3,600.00	Consult
11/22/95	Chris Lyon	\$5,000.00	Consult
12/3/95	Chris Lyon	\$5,000.00	Consult
12/15/95	JTB	\$2,500.00	Consult
<u>1996</u>			
1/24/96	Cathy Blaney	\$5,000.00	Consult
2/10/96	Chris Lyon	\$5,619.53	Consult & travel exp.
2/26/96	Chris Lyon	\$5,000.00	Consult
3/4/96	JTB	\$5,879.12	Travel exps.
3/16/96	JTB	\$8,550.91	Legal svcs & expenses
3/23/96	Chris Lyon	\$5,000.00	Consult
4/20/96	Chris Lyon	\$5,000.00	Consult
5/22/96	Chris Lyon	\$5,000.00	Consult

6/22/96	JTB	\$3,000.00	Consult
7/3/96	Kevin Collins	\$2,500.00	Consult
7/14/96	Chris Lyon	\$5,409.91	Consult & travel exp.
7/16/96	JTB	\$3,000.00	Consult
8/2/96	JTB	\$5,140.00	National Convention meals, supplies, travel expenses
8/4/96	JTB	\$3,300.00	Consult & travel exp.
8/4/96	Kevin Collins	\$2,500.00	Consult
8/4/96	Chris Lyon	\$5,000.00	Consult
9/7/96	Chris Lyon	\$5,000.00	Consult
9/7/96	JTB	\$3,000.00	Consult
7/3/96	WDP	\$4,191.61	Salary
7/17/96	WDP	\$4,191.61	Salary
7/31/96	WDP	\$8,383.22	Salary
7/31/96	J. Brendan Quinn	\$4,641.68	Salary
7/31/96	Darryl Fox	\$3,254.80	Salary
7/31/96	Catherine Blaney	\$3,605.10	Salary
7/31/96	Lonnie Miller	\$2,549.42	Salary
7/31/96	Jason Powers	\$3,237.44	Salary
8/28/96	WDP	\$4,191.61	Salary
9/11/96	WDP	\$4,191.61	Salary
9/16/96	WDP	\$4,191.61	Salary
10/5/96	JTB	\$3,083.00	Consult & travel exp.
10/5/96	Chris Lyon	\$5,000.00	Consult
10/9/96	WDP	\$4,191.61	Salary
10/23/96	WDP	\$4,191.61	Salary
10/24/96	JTB	\$3,000.00	Consult
10/31/96	Darryl Fox	\$2,500.00	Elect. day exps.
11/1/96	JTB	\$3,000.00	Elect. day exps.
11/1/96	J. B. Quinn	\$3,000.00	Elect. day exps.
11/1/96	WDP	\$3,000.00	Elect. day exps.
11/1/96	Jason Powers	\$3,000.00	Elect. day exps.
11/1/96	Ken Dippel	\$3,000.00	Elect. day exps.
11/1/96	Mary Obwald	\$2,500.00	Elect. day exps.

11/1/96	Lisa Herbst Ruggles	\$2,500.00	Elect. day exps.
11/6/96	Anthony Serra	\$3,000.00	Consult
11/6/96	Kevin Collins	\$5,000.00	Consult
11/9/96	JTB	\$3,188.05	Consult & travel exp.
11/6/96	WDP	\$4,191.61	Salary
11/20/96	WDP	\$4,191.61	Salary
11/15/96	Chris Lyon	\$5,000.00	Consult
12/4/96	WDP	\$4,191.61	Salary
12/4/96	J. Brendan Quinn	\$2,633.84	Salary
12/7/96	Kevin Collins	\$2,500.00	Consult
12/7/96	Chris Lyon	\$5,000.00	Consult
12/18/96	JTB	\$2,500.00	Consult
12/18/96	WDP	\$4,191.61	Salary
12/18/96	J. Brendan Quinn	\$2,633.84	Salary

**BEFORE THE
FEDERAL ELECTION COMMISSION**

In the Matter of Jeffrey T. Buley

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MUR 4648

**RESPONSES OF JEFFREY T. BULEY TO QUESTIONS
AND PRODUCTION OF DOCUMENTS**

1. Other than the disbursements reported on the Committee's 1994 30-Day Post-General Report, describe each other time when the Committee disbursed \$5,000 or more to you, David R. Dudley, Mary F. Obwald, Luther Mook and Gregory V. Serio. Include in your description the date and amount of each disbursement.

Response to Question 1:

The information requested is included in Exhibit A to the Response of the New York Republican Federal Campaign Committee's Response to the Commission's Questions and Production of Documents.

2. Other than the disbursements reported on the Committee's 1994 30-Day Post-General Report to you, David R. Dudley, Mary F. Obwald, Luther Mook and Gregory V. Serio, identify all other individuals to whom the Commission [sic] disbursed funds in amounts of \$5,000 or more during the 1994 election cycle. Include in your identification the amount disbursed to each individual and the date on which the funds were disbursed.

Response to Question 2:

In direct response to your question, I am relatively certain that the "Commission" has never disbursed \$5,000 to anyone associated with the New York Republican Party ("Party"). If the question was meant to ask about disbursements by the Party, please see the Party's response to Question 3.

3. Identify all persons who were involved in the decisions to disburse \$15,000 each of the Committee's funds to you and David R. Dudley, \$10,000 each of the Committee's funds to Mary F. Obwald and Gregory V. Serio, and \$5,000 each of the Committee's funds to Luther Mook and the Kings County Republican Party, as reported on the Committee's 1994 30-Day Post-General Report. Identify all other persons who were aware of these decisions. Identify all persons who were involved in the decisions to disburse funds of the Committee to you, David R. Dudley, Mary F. Obwald, Luther Mook and Gregory V. Serio, as otherwise described in response to question 1. Identify all other persons who were aware of these decisions.

Response to Question 3:

Please see the response of the Party to Question 4.

4. Describe the procedure by which you cashed the check issued to you by the Committee, as reported on the Committee's 1994 30-Day Post-General Report. If the check was exchanged directly for cash, state the name of the bank and the address of the branch at which this exchange occurred. If the check was first deposited into a bank account, identify the owner of the account, and provide the name of the bank at which the account was held and the account number, as well as the address of the bank branch where this transaction occurred.

Response to Question 4:

The check at issue was exchanged directly for cash at the Key Bank, NA branch on State Street in Albany, New York.

5. Produce all documents which mention or which otherwise refer or relate to any of the disbursements described in question 3 above. Produce all documents evidencing the cashing or depositing into a bank account of the check issued to you by the Committee, as described in question 3 above. Identify all documents consulted in responding to this Subpoena and Order. Identify all individuals, not otherwise identified in response to any of the above questions, who have knowledge or information related to the answers to the above questions.

Response to Question 5:

Please see the Response of the Party to the Commission's Questions and Production Request. All relevant documents are attached to that response. The reports of the Party with the

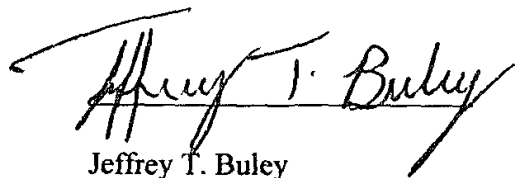
FEDERAL ELECTION COMMISSION and the New York Board of Elections are not in my possession but are publicly available (the FEC reports are located on the first floor of your building). William Powers, the state chairman, and John Sweeny, the executive director of the NYGOP at the time, may have knowledge related to these answers.

6. If you have been employed by the Committee in any capacity, state each of the positions held by you. Describe each of your duties in each position.

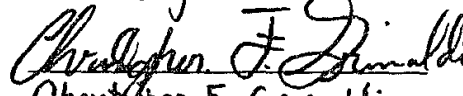
Response to Question 6:

I was pro bono counsel to the Party from 1991 to 1994. I received compensation beginning in October 1994. I served in the role of legal counsel and in that capacity consulted on a variety of legal issues, including contribution rules on the federal and state levels and both federal and state reporting requirements.

I swear that the proceeding statements are true to the best of my knowledge, information and belief.


Jeffrey T. Buley

SUBSCRIBED AND SWORN to before me this 18th day of August 1997.


Christopher F. Grimaldi
Notary Public
02GR5059031
Albany County, NY

My Commission Expires:

4/22/98

**BEFORE THE
FEDERAL ELECTION COMMISSION**

In the Matter of Gregory V. Serio

)

MUR 4648

**RESPONSES OF GREGORY V. SERIO TO QUESTIONS
AND PRODUCTION OF DOCUMENTS**

1. Other than the disbursements reported on the Committee's 1994 30-Day Post-General Report, describe each other time when the Committee disbursed \$5,000 or more to you, Jeffrey T. Buley, David R. Dudley, Mary F. Obwald and Luther Mook. Include in your description the date and amount of each disbursement.

Response to Question 1:

The information requested is included in Exhibit A to the Response of the New York Republican Federal Campaign Committee's Response to the Commission's Questions and Production of Documents.

2. Other than the disbursements reported on the Committee's 1994 30-Day Post-General Report to you, Jeffrey T. Buley, David R. Dudley, Mary F. Obwald and Luther Mook, identify all other individuals to whom the Commission [sic] disbursed funds in amounts of \$5,000 or more during the 1994 election cycle. Include in your identification the amount disbursed to each individual and the date on which the funds were disbursed.

Response to Question 2:

In direct response to your question, I am relatively certain that the "Commission" has never disbursed \$5,000 to anyone associated with the New York Republican Party ("Party"). If the question was meant to ask about disbursements by the Party, please see the Party's response to Question 3.

3. Identify all persons who were involved in the decisions to disburse \$15,000 each of the Committee's funds to you and Jeffrey T. Buley, \$10,000 each of the Committee's funds to David R. Dudley and Luther Mook, and \$5,000 each of the Committee's funds to Mary F. Obwald and the Kings County Republican Party, as reported on the Committee's 1994 30-Day Post-General Report. Identify all other persons who were aware of these decisions. Identify all persons who were involved in the decisions to disburse funds of the Committee to you, Jeffrey T. Buley, David R. Dudley, Mary F. Obwald and Luther Mook, as otherwise described in response to question 1. Identify all other persons who were aware of these decisions.

Response to Question 3:

Please see the response of the Party to Question 4.

4. Describe the procedure by which you cashed the check issued to you by the Committee, as reported on the Committee's 1994 30-Day Post-General Report. If the check was exchanged directly for cash, state the name of the bank and the address of the branch at which this exchange occurred. If the check was first deposited into a bank account, identify the owner of the account, and provide the name of the bank at which the account was held and the account number, as well as the address of the bank branch where this transaction occurred.

Response to Question 4:

The check at issue was exchanged directly for cash at the Key Bank, NA branch on State Street in Albany, New York.

5. Produce all documents which mention or which otherwise refer or relate to any of the disbursements described in question 3 above. Produce all documents evidencing the cashing or depositing into a bank account of the check issued to you by the Committee, as described in question 3 above. Identify all documents consulted in responding to this Subpoena and Order. Identify all individuals, not otherwise identified in response to any of the above questions, who have knowledge or information related to the answers to the above questions.

Response to Question 5:

Please see the Response of the Party to the Commission's Questions and Production Request. All relevant documents are attached to that response. The reports of the Party with the

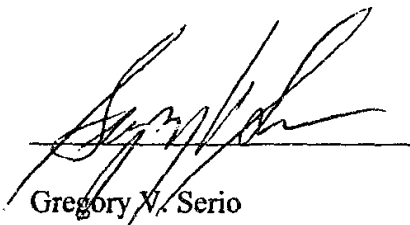
Aug 22 5 05 AM '97
Federal Election Commission and the New York Board of Elections are not in my possession but are publicly available (the FEC reports are located on the first floor of your building).

6. If you have been employed by the Committee in any capacity, state each of the positions held by you. Describe each of your duties in each position.

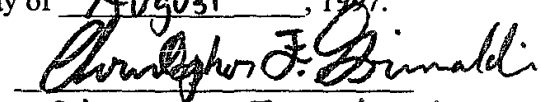
Response to Question 6:

I have not been formally employed by the Party but have often volunteered by services over the years. Among these projects has been working as a volunteer attorney for the Party, including helping on election programs.

I swear that the proceeding statements are true to the best of my knowledge, information and belief.


Gregory N. Serio

SUBSCRIBED AND SWORN to before me this 19th day of August, 1997.


Christopher F. Grimaldi
Notary Public

02685059031

Albany County, NY

My Commission Expires:

4/22/98

AUG 22 8 09 AM '97

**BEFORE THE
FEDERAL ELECTION COMMISSION**

In the Matter of David R. Dudley

)

MUR 4648

**RESPONSES OF DAVID R. DUDLEY TO QUESTIONS
AND PRODUCTION OF DOCUMENTS**

1. Other than the disbursements reported on the Committee's 1994 30-Day Post-General Report, describe each other time when the Committee disbursed \$5,000 or more to you, Jeffrey T. Buley, Mary F. Obwald, Luther Mook and Gregory V. Serio. Include in your description the date and amount of each disbursement.

Response to Question 1:

The information requested is included in Exhibit A to the Response of the New York Republican Federal Campaign Committee's Response to the Commission's Questions and Production of Documents.

2. Other than the disbursements reported on the Committee's 1994 30-Day Post-General Report to you, Jeffrey T. Buley, Mary F. Obwald, Luther Mook and Gregory V. Serio, identify all other individuals to whom the Commission [sic] disbursed funds in amounts of \$5,000 or more during the 1994 election cycle. Include in your identification the amount disbursed to each individual and the date on which the funds were disbursed.

Response to Question 2:

In direct response to your question, I am relatively certain that the "Commission" has never disbursed \$5,000 to anyone associated with the New York Republican Party ("Party"). If the question was meant to ask about disbursements by the Party, please see the Party's

response to Question 3.

3. Identify all persons who were involved in the decisions to disburse \$15,000 each of the Committee's funds to you and Jeffrey T. Buley, \$10,000 each of the Committee's funds to Mary F. Obwald and Gregory V. Serio, and \$5,000 each of the Committee's funds to Luther Mook and the Kings County Republican Party, as reported on the Committee's 1994 30-Day Post-General Report. Identify all other persons who were aware of these decisions. Identify all persons who were involved in the decisions to disburse funds of the Committee to you, Jeffrey T. Buley, Mary F. Obwald, Luther Mook and Gregory V. Serio, as otherwise described in response to question 1. Identify all other persons who were aware of these decisions.

Response to Question 3:

Please see the response of the Party to Question 4.

4. Describe the procedure by which you cashed the check issued to you by the Committee, as reported on the Committee's 1994 30-Day Post-General Report. If the check was exchanged directly for cash, state the name of the bank and the address of the branch at which this exchange occurred. If the check was first deposited into a bank account, identify the owner of the account, and provide the name of the bank at which the account was held and the account number, as well as the address of the bank branch where this transaction occurred.

Response to Question 4:

The check at issue was exchanged directly for cash at the Key Bank, NA branch on State Street in Albany, New York.

5. Produce all documents which mention or which otherwise refer or relate to any of the disbursements described in question 3 above. Produce all documents evidencing the cashing or depositing into a bank account of the check issued to you by the Committee, as described in question 3 above. Identify all documents consulted in responding to this Subpoena and Order. Identify all individuals, not otherwise identified in response to any of the above questions, who have knowledge or information related to the answers to the above questions.

Response to Question 5:

Please see the Response of the Party to the Commission's Questions and Production

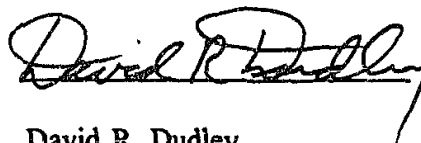
Request. All relevant documents are attached to that response. The reports of the Party with the Federal Election Commission and the New York Board of Elections are not in my possession but are publicly available (the FEC reports are located on the first floor of your building).

6. If you have been employed by the Committee in any capacity, state each of the positions held by you. Describe each of your duties in each position.

Response to Question 6:

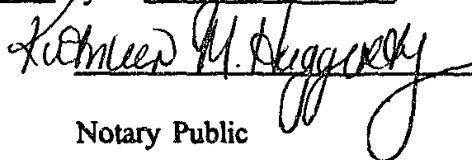
I am currently employed as a part-time counsel by the Party and have been so employed since 1995. I have previously served as a county party chairman and as a volunteer lawyer, including for its election day programs in 1994.

I swear that the proceeding statements are true to the best of my knowledge, information and belief.



David R. Dudley

SUBSCRIBED AND SWORN to before me this 18th day of August, 1997.



Notary Public

My Commission Expires:

KATHLEEN M. HAGGERTY
Notary Public, State of New York
Qualified in Rensselaer County
Commission Expires March 30, 1998
April

AUG 22 6 02 AM '97

BEFORE THE
FEDERAL ELECTION COMMISSION

In the Matter of Mary F. Obwald

)

MUR 4648

RESPONSES OF MARY F. OBWALD TO QUESTIONS
AND PRODUCTION OF DOCUMENTS

1. Other than the disbursements reported on the Committee's 1994 30-Day Post-General Report, describe each other time when the Committee disbursed \$5,000 or more to you, Jeffrey T. Buley, David R. Dudley, Luther Mook and Gregory V. Serio. Include in your description the date and amount of each disbursement.

Response to Question 1:

The information requested is included in Exhibit A to the Response of the New York Republican Federal Campaign Committee's Response to the Commission's Questions and Production of Documents.

2. Other than the disbursements reported on the Committee's 1994 30-Day Post-General Report to you, Jeffrey T. Buley, David R. Dudley, Luther Mook and Gregory V. Serio, identify all other individuals to whom the Commission [sic] disbursed funds in amounts of \$5,000 or more during the 1994 election cycle. Include in your identification the amount disbursed to each individual and the date on which the funds were disbursed.

Response to Question 2:

In direct response to your question, I am relatively certain that the "Commission" has never disbursed \$5,000 to anyone associated with the New York Republican Party ("Party"). If the question was meant to ask about disbursements by the Party, please see the Party's response to Question 3.

3. Identify all persons who were involved in the decisions to disburse \$15,000 each of the Committee's funds to you and Jeffrey T. Buley, \$10,000 each of the Committee's funds to David R. Dudley and Gregory V. Serio, and \$5,000 each of the Committee's funds to Luther Mook and the Kings County Republican Party, as reported on the Committee's 1994 30-Day Post-General Report. Identify all other persons who were aware of these decisions. Identify all persons who were involved in the decisions to disburse funds of the Committee to you, Jeffrey T. Buley, David R. Dudley, Luther Mook and Gregory V. Serio, as otherwise described in response to question 1. Identify all other persons who were aware of these decisions.

Response to Question 3:

Please see the response of the Party to Question 4.

4. Describe the procedure by which you cashed the check issued to you by the Committee, as reported on the Committee's 1994 30-Day Post-General Report. If the check was exchanged directly for cash, state the name of the bank and the address of the branch at which this exchange occurred. If the check was first deposited into a bank account, identify the owner of the account, and provide the name of the bank at which the account was held and the account number, as well as the address of the bank branch where this transaction occurred.

Response to Question 4:

The check at issue was exchanged directly for cash at the Key Bank, NA branch on State Street in Albany, New York.

5. Produce all documents which mention or which otherwise refer or relate to any of the disbursements described in question 3 above. Produce all documents evidencing the cashing or depositing into a bank account of the check issued to you by the Committee, as described in question 3 above. Identify all documents consulted in responding to this Subpoena and Order. Identify all individuals, not otherwise identified in response to any of the above questions, who have knowledge or information related to the answers to the above questions.

Response to Question 5:

Please see the Response of the Party to the Commission's Questions and Production Request. All relevant documents are attached to that response. The reports of the Party with the

Federal Election Commission and the New York Board of Elections are not in my possession but are publicly available (the FEC reports are located on the first floor of your building).

6. If you have been employed by the Committee in any capacity, state each of the positions held by you. Describe each of your duties in each position.

Response to Question 6:

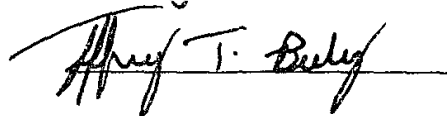
I have worked as administrative assistant to Chairman William Powers in the 1994 and 1996 election cycle, and as a volunteer for various election day programs. As Mr. Powers' aide, I was responsible for the administrative aspects of his job and of the operation of the Party.

I swear that the proceeding statements are true to the best of my knowledge, information and belief.



Mary F. Obwald

SUBSCRIBED AND SWORN to before me this 20th day of August, 1997.



Notary Public

Jeffrey T. Bulay

Albany County, NY

Reg # 02BU4961972

My Commission Expires:

5/20/99

RECEIVED
FEDERAL ELECTION COMMISSION
AUG 22 1997

BEFORE THE

AUG 22 8 08 AM '97

FEDERAL ELECTION COMMISSION

In the Matter of Luther Mook

)

MUR 4648

RESPONSES OF LUTHER MOOK TO QUESTIONS

AND PRODUCTION OF DOCUMENTS

1. Other than the disbursements reported on the Committee's 1994 30-Day Post-General Report, describe each other time when the Committee disbursed \$5,000 or more to you, Jeffrey T. Buley, David R. Dudley, Mary F. Obwald and Gregory V. Serio. Include in your description the date and amount of each disbursement.

Response to Question 1:

The information requested is included in Exhibit A to the Response of the New York Republican Federal Campaign Committee's Response to the Commission's Questions and Production of Documents.

2. Other than the disbursements reported on the Committee's 1994 30-Day Post-General Report to you, Jeffrey T. Buley, David R. Dudley, Mary F. Obwald and Gregory V. Serio, identify all other individuals to whom the Commission [sic] disbursed funds in amounts of \$5,000 or more during the 1994 election cycle. Include in your identification the amount disbursed to each individual and the date on which the funds were disbursed.

Response to Question 2:

In direct response to your question, I am relatively certain that the "Commission" has never disbursed \$5,000 to anyone associated with the New York Republican Party ("Party"). If the question was meant to ask about disbursements by the Party, please see the Party's response to Question 3.

3. Identify all persons who were involved in the decisions to disburse \$15,000 each of the Committee's funds to you and Jeffrey T. Buley, \$10,000 each of the Committee's funds to David R. Dudley and Gregory V. Serio, and \$5,000 each of the Committee's funds to Mary F. Obwald and the Kings County Republican Party, as reported on the Committee's 1994 30-Day Post-General Report. Identify all other persons who were aware of these decisions. Identify all persons who were involved in the decisions to disburse funds of the Committee to you, Jeffrey T. Buley, David R. Dudley, Mary F. Obwald and Gregory V. Serio, as otherwise described in response to question 1. Identify all other persons who were aware of these decisions.

Response to Question 3:

Please see the response of the Party to Question 4.

4. Describe the procedure by which you cashed the check issued to you by the Committee, as reported on the Committee's 1994 30-Day Post-General Report. If the check was exchanged directly for cash, state the name of the bank and the address of the branch at which this exchange occurred. If the check was first deposited into a bank account, identify the owner of the account, and provide the name of the bank at which the account was held and the account number, as well as the address of the bank branch where this transaction occurred.

Response to Question 4:

To the best of my recollection, the check at issue was exchanged directly for cash at the National Westminster Bank, 50 Bayard Street, New York, New York 10013.

5. Produce all documents which mention or which otherwise refer or relate to any of the disbursements described in question 3 above. Produce all documents evidencing the cashing or depositing into a bank account of the check issued to you by the Committee, as described in question 3 above. Identify all documents consulted in responding to this Subpoena and Order. Identify all individuals, not otherwise identified in response to any of the above questions, who have knowledge or information related to the answers to the above questions.

Response to Question 5:

Please see the Response of the Party to the Commission's Questions and Production Request. All relevant documents are attached to that response. The reports of the Party with the

Federal Election Commission and the New York Board of Elections are not in my possession but are publicly available (the FEC reports are located on the first floor of your building).

6. If you have been employed by the Committee in any capacity, state each of the positions held by you. Describe each of your duties in each position.

Response to Question 6:

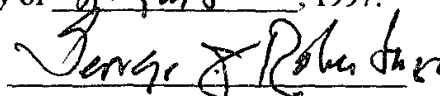
I have never been employed by the Party. I have served as Chairman of the Party's outreach program to the Asian community in which I developed programs to increase the Party's presence and support in the Asian community in New York State.

I swear that the proceeding statements are true to the best of my knowledge, information and belief.



Luther Mook

SUBSCRIBED AND SWORN to before me this 19th day of August, 1997.



GEORGE J. ROBERTAZZI
NOTARY PUBLIC, STATE OF NEW YORK
No. 24-3301575
Qualified in Kings County
Commission Expires 1/31/98

Notary Public

My Commission Expires:

STATEMENT OF DESIGNATION OF COUNSEL

FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

MUR 4648

NAME OF COUNSEL: Benjamin L. Ginsberg

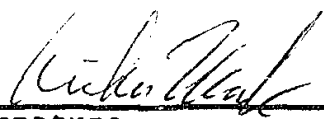
ADDRESS: Patton, Boeg, LLP
2550 Mth St. N.W.
Washington DC 20037

TELEPHONE: 202-457-6000

AUG 22 8 08 AM '97

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.

8-18-97
Date


Signature

RESPONDENT'S NAME: Luther Mook

ADDRESS: 2042 E. 14th St.
Brooklyn NY 11229

HOME PHONE: 718-336-1856

BUSINESS PHONE: _____